CAMBODIA ANALYSIS

ANALYSIS OF THE SITUATION IN CAMBODIA, AUGUST 2016.
As of August 3rd, 2016, Hun Sen has served as prime minister of Cambodia over 31 years, making him sixth longest serving political leader in the world, and the longest serving in Asia. His political career began with his role as battalion commander in the Khmer Rouge, followed by cooperation with the occupying Vietnamese during the State of Cambodia period. Hun Sen solidified his primacy in the bloody post-UNTAC coup of 1997, and has continued a consistent record of human rights abuses under the current hybrid regime. In 2013, accusations of electoral fraud on the part of Hun Sen’s Cambodian People’s Party (CPP) by domestic and international bodies led to a significant response by the opposition, particularly Sam Rainsy’s Cambodian National Rescue Party (CNRP). While Sam Rainsy has been in self-imposed exile in France since 2005 citing fear of a lack of immunity. He returned in 2013 for the elections of that year, but then fled once again in 2015. That said, the CNRP has often been seen as the most popular opposition group in Cambodia. On account of this, Rainsy has vowed to return to Cambodia soon, before the upcoming elections in 2018. Even so, supporters of...
the CNRP are disappointed that Rainsy fled again. The country rallied around long-standing grievances, including the rights of Cambodia’s massive working class, a continuing slew of indiscriminate forced evictions, widespread corruption, and frustration with routinely limited freedoms of speech and assembly. The CNRP responded by boycotting parliament, while organizing large-scale protests that were met with violence by the regime. Despite achieving significant mobilization, especially among the sizable urban working class, resistance efforts were derailed by a series of police killings and convictions of protestors, coupled with the CNRP’s inflexible strategy. In July of 2014, the CNRP and CPP arrived at a deal that halted the CNRP boycott, and appeared to offer the opposition party inclusiveness in the National Assembly. The evident conciliation resulted in a decline in protest action. The CPP has made superficial attempts to redress grievances following the mass action of 2013 in order to relieve social pressure, including anecdotal cases of reparations for victims of forced evictions, and the much-touted “culture of dialogue” between the CPP and the opposition. However, civil society activism continues to be actively repressed through a court system that is wholly loyal to the regime. Issues of fracturing amongst the opposition, and a rift between civil society groups and the CNRP compound the challenges of demanding change.

Future success depends on the CNRP’s commitment to define a vision for the future, and for the opposition to bridge the gaps in its support through creating a united front. Amongst civil society groups and workers’ unions, the official opposition must recapture trust by renewing commitment to combating unfair elections, and articulating guarantees of concrete social progress. Civil society organizations must undertake similar initiatives to unite and define goals of social progress in order to mobilize on the broadest possible scale, both in Phnom Penh and the provinces. Finally, both the CNRP and NGOs must learn from the failures of 2013-14, and recognize the value of maintaining momentum in their efforts.
Officially, Cambodia is a democratic state, and the prime minister is elected by a majority of parliament. In practice, Hun Sen’s CPP has occupied the majority in both the Senate and National Assembly since 1979. Hun Sen has acted as prime minister since 1985. The prime minister is elected for terms of five years, with no term limits, placing no legal barrier to Hun Sen’s vocal commitment to remain in office until he is 74 years old. According to the Cambodian constitution, the prime minister acts as the head of government, and accordingly leads the Cabinet and executive branch. Under Hun Sen, the office has vastly extended its role through direct control of the CPP, and consequent command of the legislative and judicial branches. Through violence and systems of corruption and patronage, Hun Sen has transformed the position of prime minister to that of autocratic ruler of Cambodia. The formal head of state is King Norodom Sihamoni, but his position is primarily ceremonial. Hun Sen’s comprehensive control of the legislative, judicial and law enforcement bodies means that his power is practically unchecked.

Although the king is little more than a figurehead, he is enormously important to the people of Cambodia. The current monarch, Norodom Sihamoni, took on the role of king in 2004. He engages little with politics, but his blessing for the current regime does much to give the CPP legitimacy. It is widely rumored that Sihamoni never had any aspiration of becoming king, but has taken on the role with grace, and served primarily as a cultural leader.
ambassador. Following the disputed 2013 elections, he opened the session of parliament despite the CNRP requesting that he not. During the FUNCINPEC-CPP struggle of the 1990s, the CPP sought to sideline the monarchy, and it is commonly seen that Sihamoni provided the opportunity for a figurehead king, which still maintained the respect and admiration of the people. Despite his support of the CPP, Sihamoni has been somewhat helpful to Sam Rainsy. In September 2010, Rainsy was convicted in absence to 10 years of prison should he return to Cambodia (widely believed to be a politically-motivated move), and Sihamoni granted him a royal pardon in 2013.

Cambodia’s bicameral Parliament is divided into a directly elected National Assembly of 123 seats, and an indirectly elected Senate of 61 seats. The primacy of Hun Sen’s CPP has made the Parliament effectively a client body to the office of the prime minister. Large-scale mobilization of voters in support of the opposition in 2013 did much to better balance the composition of the National Assembly, with CNRP earning 55 seats, or 44.5% of the National Assembly. The close election was accompanied by domestic and international claims of fraudulent election practices, suggesting that Hun Sen had taken steps to ensure the continued dominance of the CPP in the National Assembly. Despite the gains of the opposition, and concessionary measures giving the CNRP leadership over several legislative committees, the Parliament appears to do little to check the power of the prime minister. Should future elections give the opposition a majority, it is possible that Parliament could serve as a balance against the prime minister, compel him to institute reforms, or elect a new prime minister entirely. The next election is set to take place in 2018. While the popularity of the opposition is rising, Hun Sen is eligible to gain his fifth term in office, which he is intent on doing.

The judicial branch of Cambodia’s government is Hun Sen’s primary means of insulation, intimidation and sanction. Although Article 109 of the Constitution of Cambodia explicitly divides the judicial branch from the rest of government, justices serving on the Supreme Council of the Magistracy, the Constitutional Council, and in the numerous lower courts exhibit high degrees of allegiance to the CPP. Judges are compelled to report at party meetings and before CPP officials, including the Minister of Justice, a CPP appointee since 1993. UN-Cambodian joint investigations into Khmer Rouge war criminals have been consistently frustrated by a lack of
transparency, and the failure of fair legal practices within the country, as Hun Sen demonstrated direct influence on the course of legal proceedings. The courts have been used repeatedly as a punitive measure against political action throughout Hun Sen’s rule. For instance, 11 peaceful protestors were sentenced to one-year terms on minor charges in November of 2014. The loyalty of the courts allows Hun Sen and his government to be protected from charges of human rights abuses or corruption, while providing an effective means to punish and deter civil society activism. New proposed laws on associations and NGOs threaten further punitive capability for the courts. A more recent demonstration of Hun Sen’s control over the courts occurred in March 2016. Two women were arrested by the court for allegedly breaching a court order regarding a land dispute. The following Monday, they were released from prison after a social media post by Hun Sen expression discontent with the arrest. There was still controversy over whether they should or should not have been arrested, but the fact that Hun Sen’s opinion was able to shape a verdict demonstrates the control he has over the courts and results.

The current Constitution of Cambodia was adopted in 1993, and outlines the basic principles of the state as being liberal democracy and a market economy. Under Chapter III, the document guarantees the defense of human rights as defined in the United Nations Charter and the Universal Declaration of Human Rights, but these guarantees have clearly not been upheld. Specifically, the constitution makes reference to the protection of the freedom of expression, assembly, security, political participation, fair legal procedure and the right to land ownership. Under Hun Sen, these rights have been routinely violated. In many ways, the constitution, with its emphasis on individual rights and multiparty democracy, provides a potentially effective framework for reform in Cambodia. This relies on politicians in the future pursuing greater adherence to the word and letter of the constitution, and restoring faith in the judicial process.
Despite Cambodia’s nominally multiparty system, Hun Sen’s CPP has dominated politics since 1979. Though currently only holding a narrow majority in the National Assembly, the party continues to exercise the greatest degree of control over politics in all branches of government. The primary opposition party, Sam Rainsy’s CNRP, holds the minority in the National Assembly. The CNRP is the result of a merger between the Sam Rainsy Party and the Human Rights Party in 2012, and seeks to strengthen the foundation of human rights and freedom in Cambodia, while instituting free and fair elections. While popular support for the CNRP surged in 2013, resulting in their near-victory against the CPP in the National Assembly, the party is still plagued by issues of division, articulation of goals, the lack of rural constituency and current issues of proximity to the CPP. Following the 2013 general elections, and subsequent accusations of electoral fraud against the CPP, the CNRP engaged in a boycott of the National Assembly which lasted until the parties reached an agreement in July of 2014. The agreement gave the CNRP chair positions on 5 of 10 parliamentary commissions, and allowed Rainsy to serve as an MP. Recently, Rainsy and Hun Sen have publicly embraced a “culture of dialogue”, which has led to an evident détente between the parties.
Fracturing of the opposition has occurred along intra-party lines. Kem Sokha, the vice president of the CNRP and previous leader of the Human Rights Party, has followed an approach based largely on nonviolent resistance, and is more reluctant to work alongside Hun Sen. Both CNRP figures have encouraged unity amongst the party, while Kem Sokha has alleged that the CPP seeks to divide CNRP leadership. This claim was met by a direct threat from Hun Sen to strip Kem Sokha of his position.

The opposition has also faced difficulty in mobilizing support outside of Phnom Penh. Their activity has focused on the capital, neglecting key rural populations that have been affected negatively by corruption and land grabbing. Similarly, there is a lack of unity between the CNRP and Unions and Associations, who are key to mobilizing the urban working class.

Other parties include the largely sidelined royalist FUNCINPEC, and the left wing League for Democracy Party, both of whom failed to earn seats in the 2013 general election.
Although the July 2014 deal between the CNRP and CPP led to a reduction in protest action, citizen political activity has continued at an elevated level since 2011. The National Police reported to Amnesty International that 2,439 assemblies and gatherings occurred in 2014 alone. They reported an additional 432 additional assemblies in the period of January to May of 2015. Even after this time period, hundreds of people have gathered to protest against Hun Sen. These gatherings include protests of various sizes, rallies, marches, meetings, public discussions and strikes. The continued level of increased protest activity is the result of ongoing common grievances – including the land grabbing crisis, lack of workers’ rights, and the repression of basic freedoms – and the corresponding failure of state institutions to rectify these problems. Many citizens see public demonstration as their only recourse to achieve change. Developments in digital media and communications, alongside growth in access to independent news sources, has also resulted in lowering barriers to the organization of political action and increasing access to information regarding domestic issues.

There is concern, given the regime’s history of rigged elections, especially following 2013, that the 2018 general election will not be free and fair. This constitutes a considerable threat to the administrations ability to maintain stability, should the coming general election be marred by clear electoral fraud.
While Cambodia officially lifted its unconstitutional ban on public assembly in 2009, the regime has continued to respond to civil society action with hostility, often violently. Crackdowns on assemblies escalated in early 2014, immediately preceding and following the government’s “temporary suspension” of the right to the freedom of assembly on January 4th. From the period of January 2-4th, state security forces reacted violently to attempts at assembly, leading to the violent deaths of at least four demonstrators. Since this time, the ban has been inconsistently enforced, and has never been officially lifted, despite a significant reduction in attempts to obstruct protests following the deal between the CNRP and CPP in July of 2014. However, violent dispersions and obstruction of the freedom of assembly continue.

The Office of the UN High Commissioner for Human Rights noted in 2012 that Cambodia demonstrated a trend towards the “increased and disproportionate” use of force against protestors. This trend reached its climax in the aftermath of the 2013 National Assembly elections, in which state security forces killed at least six civilians and numerous others were severely injured. This violence and its outcomes are largely seen as a result of Cambodia’s failure to integrate international norms governing acceptable law enforcement practices into its domestic law, and tendencies of impunity towards perpetrators of violence against civilians. Specifically, state security has repeatedly used live ammunition in the policing of demonstrations, and deployed renegade
“para-police” forces (Including unofficial security guards known as ‘blackheads’ due to their signature helmets) to violently disperse or escalate protests. Para-police are untrained, are not subject to legal limitations in their conduct, and routinely act alongside official security forces as an extension of local law enforcement. These auxiliary forces have reportedly been ordered by official security forces and local government to target individuals recording demonstrations without visible press passes, resulting in direct assaults on journalists, as recorded in April and May of 2014. While the Ministry of Information acknowledged wrongdoing in the case of violence against journalists, no steps were taken to hold those responsible accountable. These are just a few instances of the categorical failure of state institutions to enforce accountability for human rights violations amongst state security forces, officials, and para-police forces. Despite reduction in violent dispersion of protest actions since the summer of 2014, the practice of excessive use of force coupled with the culture of impunity has generated lasting fear of violent reprisal for participation in peaceful assembly. Journalists are not the only groups who have faced impunity, several human rights groups have criticized the rights of women and indigenous people in Cambodia as well.
Many officials choose to interpret the 2009 Law on Public Demonstration as demanding state authorization for public assembly, when in reality, its primary requirement is only notification on the part of demonstrators. In conjunction with the ambiguity of the law, and its long list of exceptions (including labor demonstrations near relevant enterprises and “educational dissemination activities”), the freedom of assembly is routinely denied on a quasi-legal basis. This manifests in arbitrary denials of the right to hold demonstrations, as well as disruption and dispersal of demonstrations with no legal basis. While violent response to demonstrations has declined, prosecution and judicial harassment remain key tools for the regime to deter civil society activism. In the time since the July 2014 political agreement between the CPP and CNRP, arrests have continued. In September and November of last 2014, 19 political activists were imprisoned under trivial charges, including ‘obstructing traffic’ and ‘obstructing a public official.’ The majority of these individuals were land activists. They were given the maximum sentencing of a year and a prison, although later agreements between the CPP and CNRP in 2015 resulted in their release, if not their universal pardoning. Despite their subsequent release, this pattern of arrests sends a clear message: any act of demonstration challenging the authority of the regime or making demands for action can be met with arbitrary arrest and prosecution.
Since the turn of the century, Cambodia has seen three high-profile activists assassinated, with justice falling short. While these murders were not necessarily perpetrated by the government, the Cambodian investigative police and justice system both fell short of doing their due part in bringing justice, which is especially troubling when opponents of the government are involved.

In 2004, Chea Vichea was the leader of the Free Trade Union of Workers of the Kingdom of Cambodia (FTU-WKC) until he was shot down outside the Wat Lanka pagoda in Phnom Penh. In September 2013, the Cambodian Supreme Court acquitted Sam Oeun and Born Samnang over lack of evidence; it is long believed that these two were mere scapegoats and that neither were the real perpetrators. Due to Chea Vichea’s connections to the Sam Rainsy Party, later to participate in a merger to become the CNRP, family and friends of Chea Vichea, as well as onlookers, have a strong belief as to why the assassination happened. The Interior Minister states that the investigation for the identity of the killers is still open.

Eight years later, the environmental activist Chut Wutty was killed. A leader in the fight against the “country for sale” term given to Cambodia and in battling corruption in the field of land sales. The day of his death, Wutty was leading two journalists in Koh Kong province to expose illegal logging operations involving military officials. As Wutty and the journalists returned with photo-
graphic evidence of the illegal activities, a security guard demanded the memory card containing the pictures. After the arrival of several security guards, a “heated argument” erupted between Wutty and the guards. After Wutty returned to his vehicle, the guards fired two shots. One of the military police officers was also killed, but the police gave two causes at two different times, both unlikely. ADHOC, a Cambodian human rights organization, later stated that they believed the local police could not be relied upon to investigate impartially, as the local military police were involved.

In early July 2016, Kem Ley, a notable critic of both the ruling CPP and, to a lesser extent, the CNRP opposition party, was assassinated at a café in Phnom Penh. A suspect was captured and subsequently confessed and claimed the incident was due to an unpaid debt. Neither the public nor the police believed that claim, with members of the public stating that they did not trust the police, suspecting them of planning to hide evidence. This assassination followed a recent escalation in tensions, including the arrest and strung-out legal cases of many governmental critics.
4. LEGAL DEVELOPMENTS

Recently, a series of laws passed or proposed in the National Assembly have raised concerns from domestic and international rights groups. The lack of transparency regarding their content and legislative process, the lack of any consultation with the public or substantive debate, and the potential they have to permit broad repression of civil society activity have drawn considerable criticism.

a. The Act Amending the Law on Election of Members of the National Assembly (LEMNA) and the Law on the Organization and Functioning of the National Election Committee were passed in March of 2015. Because the LPD does not address protest activities related to election rallies, in Article 6, the amendment to LEMNA limits the number of rallies a party can hold in a campaign to four. Additionally, and of greater concern, is Article 84, which demands neutrality of civil society groups during elections campaigns. This goes on to ban civil society groups from involvement of activities related to a party or candidate, further limiting the role and protection afforded to civil society groups in Cambodia.

b. Recently, two new laws – the Law on Associations and Non-Governmental Organizations (LANGO) and trade union law – were approved. A characteristic lack of transparency has accompanied the drafting and discussion of both laws in the National Assembly. Domestic and international rights groups have obtained and reviewed drafts of the laws, and found them to be in violation of the rights of civil society organizations and workers, and remove legal protections for NGOs and unions.
LANGO threatens NGOs by allowing the arbitrary closure of local and international organizations by the government. It dictates mandatory registration for all domestic and international associations to be active in Cambodia. It has faced much widespread criticism from all who are affected. The Ministry of the Interior has insisted that the LANGO law would not apply to community-based organizations (CBOs), however a series of CBOs have reported to have been barred from meeting on the grounds that they lack LANGO registration. Despite this- among other forms of criticism from civil and international communities- LANGO has been signed and enforced by Hun Sen since August 2015. Similarly, the trade union law stipulates a prohibitively high threshold of membership for unions to be recognized, and includes a high degree of ambiguity in its eligibility criteria, potentially permitting abuse of workers’ rights by the Labor Ministry and factory executives. The imposition of harsh punishment for unions in response to “worker unrest” also threatens the ability of unions to act against common problems of unfair treatment. NGO leaders see this law as a tool to subjugate trade unions prior to upcoming minimum wage negotiations. The International Trade Union Confederation (ITUC) has made clear that the law does not meet basic worker rights standards under international law. A number of workers across Cambodia have even come together to wage rallies and protests the trade union law, as they feel that their rights are being oppressed and violated.
Cambodia is one of the most corrupt countries in Southeast Asia. Transparency International’s 2014 Corruption Perception Index places Cambodia as 4th to last in terms of perception of public sector corruption in the Asia Pacific region, barely leading Burma, Afghanistan and North Korea. 2015 saw a minor scale of improvement, where Cambodia ranked 150th least corrupt nation out of 175 nations, however it is still the most corrupt ASEAN country. While legislation meets international standards, its enforcement is highly inconsistent, and further hampered by a judicial system that is itself thoroughly corrupt. Consequently, corruption penetrates all levels of business and public administration in Cambodia. Almost all businesses expect to pay bribes to officials in order to obtain licensing and permits, while tax evasion and bribery of tax officials are rampant. Complex and deeply entrenched systems of patronage have a profound effect on tax administration, customs administration and public procurement, as legislation is inconsistently enforced, and favoritism is clear despite lack of transparency. Corruption is a vertical socioeconomic issue, playing a role in virtually every current challenge to the country’s economic and human development. As corruption plays a crucial role in the judicial system, law enforcement, local and federal administration, it is present in almost every facet of life, adversely affecting human rights in Cambodia and deterring foreign investment.
Land conflicts constitute some of the worst manifestations of Cambodia’s human rights abuses and endemic corruption. Local NGO The Cambodia League for the Promotion and Defense of Human Rights (Licadho) places the number of individuals affected by land grabbing since 2000 at more than half a million. Lawyers presenting to the ICC placed their estimation at closer to 770,000, or 6% of the Cambodian population. At least 22% of Cambodia’s land has been confiscated, usually from small farmers in order to be transferred to businesses with connections to local and federal authorities. These forced evictions have been characterized by the use of force and corrupt judicial procedures, while attempts at resistance have been met with violence. The government has denied these figures, claiming a decline in the number of complaints regarding land disputes. NGOs have found that, to the contrary, the number of families newly affected by land conflicts in 2014 was triple the number newly affected in 2013. In October of 2014, human rights lawyers presented a claim to the ICC stating that land seizures by state officials, security personnel and business executives constitute a crime against humanity. Specifically, the London-based firm Global Diligence makes the claim that crimes committed as part of the broad campaign of land grabbing include forcible transfer of populations, illegal imprisonment and murder.
3. Worker’s Rights

Cambodia’s relatively young garment industry is one of the key elements of the economy, employing 700,000 people and exporting billions of dollars worth of clothing a year. Despite a generally well-developed labor legislature, judicial corruption and weak monitoring institutions have led to widespread abuses of the rights of workers. Human Rights Watch finds that among the most common grievances of workers are extralegal short-term contracts, anti-union practices, discriminatory policy resulting in the summary firing of pregnant women, mandating unreasonably long hours of work and employing underage workers. As women make up around 90% of the garment industry workforce, they are disproportionately affected. With a lack of legal protection for unions and whistle-blowers, it is difficult for citizens to take action to combat rights violations in the workplace, leading them to turn to international organizations or organize demonstrations. The 2014 protests demanding an increase in minimum wage were met by a government crackdown that resulted in four deaths at a garment workers’ rally, as security forces fire indiscriminately into a crowd of demonstrators.

Calls by organizations like HRW have led international brands to at least nominally investigate their ethical sourcing practices in Cambodia, but lack of transparency in subcontracting obstructs these efforts. The primary responsibility for compelling factories to uphold the rights of workers lies with the government, which has failed to recognize the scale of the issue of workers’ rights, particularly as it pertains to the rights of unions, instead insisting that complaints of abuses are only the voice of a vocal minority of workers. There has been no improvement on this issue in recent years, and with the recent trade union laws, there looks to be room for even less improvement of workers rights in Cambodia.
A number of detention facilities outside of the criminal justice system are scattered throughout Cambodia, holding an average of 2,000 people at a given time. Nominal, these sites are drug dependency treatment centers or “social rehabilitation” centers. In reality, internment at these centers is more commonly compulsory, and based around punitive measures and forced labor rather than rehabilitative efforts. In urban areas, security forces will undertake “sweeps” of public areas, especially prior to large public events, in order to gather and detain the homeless, street children, drug users, sex workers, and other ‘undesirables.’ These individuals are detained without trial or charge for indefinite periods of time. In internment, they are subject to physical, psychological and sexual abuse. International pressure initiated by an HRW report in 2010 led to the closure of three facilities, but several remain operational. Among these is Prey Speu, outside of Phnom Penh, which attracted attention following the death of a detainee who was denied medical care or transfer. The Cambodian government has denied systematic abuse reports in these facilities, despite much detailed documentation. The number of detainees in 2016 has not declined since previous years. Some prisoners in recent years have even been held despite courts dropping charges and lack of evidence.
Cambodia’s foreign relations in Southeast Asia are informed by a long and tumultuous history, with allegiances shifting from the dark ages into the past several decades. Relations with the states bordering Cambodia – Thailand, Laos and Vietnam – are among the most complex. Centuries of border disputes and the experience of massive upheavals in the 20th century have led to identity politics and territorial contentions informing the political and social fabric of Cambodian society.

Cambodia joined ASEAN in April 1999. They were set to join in 1997, but had to delay due to internal political struggles, and joined when the government could stabilize. Cambodia’s position with ASEAN is heavily affected by Sino-Cambodian relations. ASEAN’s emphasis on consensus is challenged by Chinese dominance over Cambodian foreign policy, especially regarding the contentious issue of the South China Sea. In 2012, this resulted in Cambodia blocking a consensus on the South China Sea issue, resulting in the first failure for ASEAN to issue a joint communiqué – a practice critical to the “ASEAN way.” Cambodia has since been viewed with suspicion by its neighbors, although Burma, Laos and Malaysia have exhibited similar Chinese influence in ASEAN discourse regarding the South China Sea dispute. Alongside Burma and Laos, Cambodia finds support for its principals of...
non-intervention, which often run contrary to the emphasis on coordination espoused by older members. On July 12th, 2016, the Permanent Court of Arbitration (PCA) released its ruling on the South China Sea Arbitration, a case in which the Philippines brought against the People’s Republic of China over the usage of the South China Sea; the ruling was in favor of the Philippines. Just a week before the decision was announced, Cambodia reaffirmed their support for China in regards to the South China Sea. Later in July 2016 at the 49th ASEAN Foreign Ministers’ Meeting, the release of a joint communique nearly fell through due to Cambodia’s refusal to mention the PCA’s ruling over the South China Sea, breaking from the other members of the organization.

Border contentions with Vietnam have roots stretching back to the 14th century, and have been important in political discourse through recent history, specifically in the form of the narrative of Vietnamese encroachment or “colonization” of Cambodian territory. Thanks to his involvement with Vietnam in the 1978 war against the Khmer Rouge and subsequent cooperation in establishing the new government, Hun Sen is known for his positive outlook and efforts at coordination with Vietnam. Consequently, border disputes in the past two decades have been resolved relatively quickly through compromise.

The population of Cambodia does not always share Hun Sen’s positive view of relations with Vietnam. During the course of the 2013-14 protests, clear anti-Vietnamese sentiments emerged, as protestors harassed Vietnamese Cambodians, and the opposition accused Hun Sen of seeking Vietnamese assistance in defending his power.
Since the 1997 coup, China and Cambodia have pursued stronger bilateral relations. During the period following the coup, China opposed Western attempts to impose sanctions on Cambodia, while itself providing monetary aid. China continues to be a major contributor of aid and investment in Cambodia, canceling a large amount of Cambodia’s debt, and bankrolling a number of infrastructural projects. The majority of products in Cambodian markets are Chinese-made, and the largest projects of foreign investment are Chinese. Even in 2016, China and Cambodia have vowed to promote friendlier ties. Additionally, Chinese military aid to Cambodia is substantial. China supplies military hardware and training for the Cambodian armed forces, as well as administering the Cambodia Army Institute. The chief purpose of China’s military and monetary aid is to build strong influence in Cambodia, where the PRC appears to have found one of its most loyal ASEAN allies. Evidently, this effort has been successful: Politically, Cambodia acts as a regional balance to Vietnam, while also advocating Chinese interests by vocally supporting the reunification of China and Taiwan. Its position as a proponent of Chinese territorial claims in the South China Sea is also important, particularly in contrast to Vietnam. Additionally, Cambodia gives China access to ports that are necessary for extraction of oil reserves in the Gulf of Tonkin.

Like Vietnam, government efforts at closer relations with China are not a reflection of popular sentiment in Cambodia. The memory of China’s support for the Khmer Rouge is still clear and present, as is the evidence of significant Chinese influence in politics. The opposition has
criticized favoritism towards Chinese firms, especially the lack of discretion in resource extraction contracts. Cambodia’s reliance on foreign aid (Comprising 30% to 40% of the federal budget), coupled with China’s practice of aid being conditional on fealty rather than conditions of good governance has two implications for Cambodia. First, it is highly unlikely that Cambodia could direct its foreign or domestic policy against Chinese interests. Second, it would be extremely difficult for Western sanctions to compel any change in Cambodian policy. As an ally of last resort, closer relations with China are likely to impede human rights progress, while perpetuating patterns of corruption.
Cambodia and the Philippines have enjoyed consistently good relations, despite a number of areas of contention, especially related to their larger allies. Within ASEAN, Cambodia has continually acted to support China’s claims within the South China Sea, whereas the Philippines have both a territorial and diplomatic stake in the region. Relative Filipino proximity to the U.S. creates an area for tension with Cambodia, given their Chinese support. Both states have taken steps to improve tensions, as in Cambodia withdrawal of a previous ambassador who took a position towards the Philippines that was considered too harsh in Phnom Penh. Following the PCA ruling over the South China Sea and Cambodia taking sides with China, tensions rose again to the forefront, through ASEAN.

Migrants and migrant workers play an important role in the economies of both Cambodia and The Philippines. As such, protection of migrants and workers is an important issue for both countries. In May 2016, Cambodia and the Philippines held what was to be the first of several bilateral roundtable meetings over the promotion of the protection of rights for migrants and workers. Both of them insist that the protection of migrant rights with regional legislation will strengthen the economies of both nations.

A. PHILIPPINES

Thailand and Cambodia have a centuries-long relationship of hostility, beginning in the 13th Century. Border disputes near the Preah Vihear Temple have been ongoing since 2008, on a number of occasions leading to violence, as both sides exchanged small arms and artillery fire. Clashes continued through 2011, until a mediation effort by the International Court of Justice ordered both sides to withdraw their troops from the region. In 2013, the ICJ ruled that the area in the vicinity of the temple is Cambodian territory. Disputes over the border continue to be an issue, with Hun Sen’s middle son, Hun Manet, having made a name for himself during the 2008 border dispute.

Despite the several disputes, the economic relationship between Cambodia and Thailand is significant. Many Cambodians emigrate to Thailand in search of better job opportunities. Opportunities are sparse in Cambodia compared to Thailand, and many people seeking a better opportunity will look to Thailand for it. This causes a surplus of undocumented Cambodian laborers and workers to be in Thailand illegally. If found, they face heavy prosecution by the Thai government, and for this reason, Cambodian authorities have urged citizens to go to Thailand legally if they wish to go.

D. THAILAND
The U.S. and EU are major consumers of Cambodian goods – the US is the largest purchaser of Cambodian exports – and provide significant foreign assistance. Western aid for Cambodia focuses on development, especially healthcare and education, with a greater focus on democratization and human rights promotion than monetary aid provided by China. Western economic influence is manifested primarily by the garment industry, which constitutes the majority of Cambodia’s exports. The U.S. and EU are the still the primary forces driving the Cambodian garment industry, though the enormous growth of this economic sector has not been enough to remove Cambodia’s reliance on foreign aid.

Like many ASEAN states, Cambodia seeks to walk a line between Chinese and American relations. Though China is the greatest source of aid for Cambodia, and its economic presence is massive, the United States still plays a valuable role as both a provider of aid and a consumer. Cambodia appears to see its best as option as being to continue to balance its proximity to the two superpowers. U.S. interests in Cambodia are often directly opposed to those of China, challenging Cambodia’s balancing act and providing opportunities for various political forces to employ them for their political objectives. The opposition makes call on the U.S. and the EU, such as in the aftermath of the contested elections of 2013, while China counters by endorsing the incumbent CPP, reinforcing their claim to power.
II PILLARS ANALYSIS

In Cambodia, the government benefits greatly from the consistent support of several pillars loyal to the regime. These pillars – especially the security forces, courts and economic elites – are the traditional supporters of the autocratic regimes, having the most to gain by preserving the status quo. However, they generate support via institutional and coercive means rather than popular support, meaning large sections of Cambodian society, and a number of important pillars, have potential as supporters of democratic reform. These pillars have split allegiances, or exhibit closer proximity to the opposition. Consolidating the support of pillars already aligned with the opposition, and winning the support of those pillars that are at least partly neutral, will play a significant role in effecting change in Cambodia.

A) PILLARS SUPPORTING THE CPP

1) SECURITY FORCES

POLICE:

For the past set of decades, the police have played a critical role in crushing dissent and defending the authority of the regime. Patterns of police violence and forceful dispersion reached their peak in the aftermath of the 2013 elections, and sought to associate greater risk with public demonstration. Since 2014, police violence as a means of repression has gradually decreased alongside the decreasing number of public demonstrations. Government condemnations of police violence appear little more than an attempt to appear to subscribe to international norms, but maintaining this appearance requires that police violence be employed conservatively. Police violence still poses a risk to protestors and
civil society activists in general, however. The reliance of police forces on the state for their livelihood, coupled with their experiences with violent protests, lead to an environment where the state security forces are unlikely to shift their allegiance in the foreseeable future. After a series of protests on May 9th 2016 - dubbed the Black Friday protests - analysts have warned that violence may ensue if the crackdown on protesters continues.

The unofficial security forces that played a prominent role in the crackdowns of 2013 and early 2014 have acted as an important psychological deterrent for dissent. Unofficial security forces act outside the boundaries that restrict state security forces, and hence can behave violently and with impunity. They are unpredictable, ruthless, and may seek to incite violence in peaceful protests. In conjunction with official security forces, para-police pose the greatest risk as a catalyst for volatility. They can be employed while maintaining a degree of plausible deniability, making them a continued threat to future civil society activism.
The highly corrupt Cambodian judicial system plays an increasingly significant role in countering activism and punishing dissent. Even in the number of recent cases in which the opposition has negotiated for early release of prisoners of conscience, the regime has still effectively demonstrated its punitive capabilities through severe sentencing, and seemingly arbitrary arrests. The risk associated with activism, and the repressive capabilities of the court, will only increase with new legislation regarding NGOs. In fact, photographers are often barred from entering the courts. This is allegedly done in order to "stop journalists from leveling unfair accusations at the institution." With the judicial system effectively in the pocket of the regime, there is no reason to believe the pattern of arrests will change. It is more likely that the legislative environment will develop along a still more repressive trajectory, allowing for the suppression of dissent through ostensibly legal means.

Economic elites, especially factory managers and elites in the garment industry, have benefited from the repressive policies of the regime, and are unlikely to oppose them. Corruption networks have both insulated them and made them vulnerable to prosecution should they oppose CPP policy. State crackdowns on protests and labor unions have weakened the ability of workers to lobby for better conditions or wages, further enhancing the position of elites. The large role of the garment industry in Cambodia’s economy make these figures important allies to the regime, and their relationship will continue to obstruct efforts by activists and labor unions.

Hun Sen’s past with Vietnam and the cooperation between China and the CPP are the two greatest external factors insulating the regime. The CPP’s alignment with Vietnam, and occasional collaboration, run against popular opinion, which sees Vietnam through the lens of current border disputes and past occupation. China is a more substantive ally, seeing Cambodia as a means to leverage its interests in ASEAN, and correspondingly providing monetary, military and political support. Chinese support for the regime protects Cambodia from potential punitive measures on the part of the international community in response to violations of human rights. This presents a significant risk to activism: should the regime deem it necessary to take brash measures to repress threats to its power, the consequent international backlash would not be prohibitively severe.
The media landscape in Cambodia is still relatively diverse. Liberal and opposition media primarily consists of radio broadcasts, web sources and social media. Media more closely aligned with the regime is more visible on television and in print. Despite the vibrant media environment, a number of laws make repression possible, and dissenting voices are still subject to intimidation or persecution. Not to mention, several news outlets and media sources are controlled by Hun Sen. Even some private news and media companies rely on a degree of support from political parties, thus publishing what said parties want them to publish. NGOs and independent news sources nonetheless continue to make every effort to publish freely. Coordination with free media is critical to the success of democratic reforms, in publicizing victories, demonstrating national solidarity, and reporting on the regime’s abuses.
In the past decade, a burgeoning community of enterprising young entrepreneurs has appeared in Cambodia. There have been a number of NGOs and non-profit organizations, such as the Young Entrepreneurs Association of Cambodia, who have seen to the strengthening of the national entrepreneurship scene. Many have met with considerable success, taking advantage of untapped markets and low costs of operating. However, many find their growth obstructed by corruption and networks of patronage that favor established (if inefficient) businesses with ties to local and federal government. These newer firms would benefit from reforms, but recognize that endorsement of activists or the opposition would jeopardize their enterprises. Still, the broad success of a number of social entrepreneurship efforts, indicates that entrepreneurs could play an important, if apolitical, role in social and democratic development. They would be particularly important after the success of the movement.

Educators, especially primary and secondary school educators, are often critical of the regime, viewing its corrupt behavior and low prioritization of education as harmful. However, these individuals, as well as- to an even greater degree- professors in higher education, are limited in terms of political discourse in the classroom. Professors and teachers stand to lose their livelihood if they encourage pluralistic political discourse, especially if they endorse views critical of the regime or its policies. They are an important potential ally in terms of the substantial role of youth in activism.

The US, the EU and ASEAN have all expressed concern over certain practices of the Cambodian government at different points in the recent past. ASEAN avoids direct confrontation, despite Chinese involvement in Cambodia, while the US and EU have not made Cambodian democratic development a significant goal, beyond condemning alleged cases of election fraud. These allies are particularly significant as a safeguard against authoritarian backsliding and the threat of violent crackdowns on activists.
C) POTENTIAL ALLIES FOR DEMOCRATIC REFORM

1) OPPOSITION PARTIES

The CNRP has long led the charge for reforms, with varying success. As the only opposition party with real political clout, it has served as an effective unifying element amongst the opposition. Since its peak support in the 2013 elections and subsequent protests, the party has lost a good deal of its favor amongst activists and reformers, as they have begun to seek greater and greater cooperation with Hun Sen. Kem Sokha, the acting head of the CNRP while Rainsy is exiled, appears more interested in reform than conciliation, and unlike Rainsy, has not adopted the policy of avoiding offending the regime, or ceaselessly touting the "culture of dialogue." This determination, as well as his savvy collaboration with NGOs, has earned him greater support amongst reformers, but also threatens division within the opposition. Nonetheless, the CNRP provides the political legitimacy to lock in the democratic gains of activists and civil society movements. This is contingent upon their continued interfacing with civil society, their unity, and avoiding becoming a mere client party to the CPP. As recently as May 2016, the CNRP has announced that they are ready to negotiate. Sokha has shown an interest in arranging talks with the CPP, and restart the culture of dialogue, not that he is a supporter of or sympathizer to the CPP by any means. The CPP has not so far shown any interest in negotiation, but they have not ruled out the possibility of talks, or shut out the idea of a culture of dialogue. With the elections coming up, it will be very hard for the two parties to go on without any collaboration or dialogue, and Sokha is aware of this, yet he- like Rainsy- is very critical of the CPP overall.
NGOs continue to act as the largest, most persistent source of pressure for democratic reforms. They are successful in their attention to specific issues that are directly accessible to large sections of the Cambodian population. Likewise, labor unions have had great success in unifying and organizing the enormous and often exploited urban working class. Both groups are now confronted by new and dynamic legal challenges, in the form of the new laws, and the continuing legal crackdown on union leaders. If the past is any indication, these groups will do everything in their power to continue operating, but success will be far more difficult considering the obstacles that the new laws put on them. Unifying on common issues, and making use of strategic nonviolent methods will be critical to surmounting the challenges of new repressive legislation.

Young people, especially students, have traditionally been a key feature of nonviolent movements. Students have been active in civil society efforts in the past several years in Cambodia, most recently in protests against the NGO law. While older generations are enthused by the progress seen since the restoration of monarchy, the younger generations are more critical and are pushing for more rights and freedoms than their older counterparts. Their participation is important to Cambodia’s democratic future, but should be challenged through strategic methods, both organized and nonviolent, in order to avoid the tragedies of 2013 and 2014.

The corrupt and inhumane practice of land grabbing undertaken by private corporations with the support of the regime has generated a large wave of dissatisfaction in rural communities. Around 80% of the Cambodian population relies on agriculture for their livelihoods, making land grabbing one of the most broadly accessible issues in modern Cambodia. There have been successful civil society efforts to engage with disenfranchised rural populations, but generally, NGOs and the opposition have frequently focused on urban constituencies. Giving greater priority to rural populations, and more directly attacking the issue of land grabbing, could potentially galvanize a broad basis of support for democratic reform.
Buddhist monks have played an increasingly active role in political life in the past several years. Despite the Supreme Patriarch Tep Vong’s support for the CPP, monks have taken steps to involve themselves in pro-democracy activism by voting, engaging with social media, participating in protests, and even organizing awareness campaigns, such as the Independent Monks’ Network for Social Justice. Tep Vong and CPP figures have spoken out against this activity, with Tep Vong suspending the right of monks to vote from 2003 to 2006, and subsequently warning them not to engage in “political party solidarity leading to people power.” Experiences with human rights abuses, especially those directed towards monks in Phnom Penh in 2013, have led many younger members of the clergy to speak out. They face considerable resistance from older religious leadership and their conservative counterparts, but could be valuable allies in nonviolent activism. Buddhism’s prominence in Cambodian society, and the inherently nonviolent principles it espouses make these individuals especially important, though experience has shown that they require protection, despite their status in society.
III POTENTIAL OUTCOMES

A) DISASTER SCENARIO:
CPP CONSOLIDATES AUTHORITARIAN CONTROL UNDER HYBRID REGIME

Though Cambodia has made significant democratic progress in the last two decades, especially in the realm of civil society, the institutions of power are still controlled by Hun Sen and the CPP. They should not be underestimated. Hun Sen has proved himself an intelligent and savvy politician who understands the balancing act necessary to administrate a hybrid regime. He has toed the line with his policies – maintaining effectively single-party rule with one leader for 30 years, while outwardly making efforts at democratization and pluralism. In 2013, the CPP learned that the people of Cambodia have a political consciousness, and that people power poses the greatest risk to their continued authoritarian control. For this reason, they have sought closer relations with the opposition through developing the ‘culture of dialogue.’ This ‘culture of dialogue’ has in practice been a means to discourage the CNRP from criticizing the CPP and Hun Sen directly, by describing any and all criticism as ‘sabotaging cooperative efforts.’ However, the policy has been most useful to the CPP in its division of the CNRP. While the CNRP in recent years has pursued closer cooperation with the CPP in the hopes that it will lead to either peaceful transition or collaboration in democratic reform, Sam Rainsy takes a rigid stance against the CPP, and distrusts the policy. The assertion that the CPP seeks to divide and weaken the CNRP seems not only feasible, but highly probable, given their history. The CPP may continue this effort in order to weaken the opposition’s threat to their primacy, effectively making
them a client party, superficially critical of the regime, but functioning only as a feature of the façade of plurality. New legislation that severely threatens Cambodian civil society has accompanied these political trends. The LANGO and labor union laws give the government the right to dissolve NGOs and labor unions for ‘political involvement’, and introduce both ambiguous and excessive stipulations and punitive measures for NGOs and civil society activists. The requirements of registration, ability to arbitrarily reject registration, and stipulation of “political neutrality” may well be an attempt to counteract the brand of popular protest and activism that arose in 2013. Hun Sen has publicly stated that he intends to stay in power until he is 74. Currently, he is 64, and gives no indication of retracting his promise. Additionally, he may attempt to establish a political legacy by allowing one of his sons (likely the eldest, Manet) to succeed him. Considering this timeline, the CPP has much to gain by consolidating power through post-totalitarian means, such as those visible in their relations to the CNRP, new legislation, and continued single party rule. Through weakening or co-opting the opposition, continuing trends of repressive legislation, development technologies of oppression—especially the control of information—and establish a legacy, the regime could engineer a gradual backslide into a consolidated hybrid authoritarian regime. With legislation crippling civil society, no committed opposition party to provide dissenting voice in the legislature, and China as an ally to offset international pressure, years of progress could be incrementally reversed. In the event of a political catastrophe, be it internal or transnational, this regression could occur in a much shorter time frame.
B) STATUS QUO SCENARIO: CPP MAINTAINS PRIMACY WITH SUPERFICIAL PLURALITY

Short of attempts by the CPP to consolidate comprehensive authoritarian control, it is likely that the current power arrangement will persist. At present, the CNRP and civil society are not in a position to challenge the political dominance of the CPP given the latter’s institutional power. Should the CPP aim to maintain the guise of democracy more fully and estimate that, pragmatically, the current arrangement is sufficient, they may only seek to further cement the current political situation. This would consist of continued attempts at nominal plurality – that is, efforts in the vein of the “culture of dialogue,” and holding elections that appear to be free and fair. Concessions offered to the CNRP in the aftermath of the 2013 protests indicate the CPP’s willingness to compromise for the sake of superficial plurality. In reality, these moves have kept the CNRP leadership (most clearly in the case of Sam Rainsy) in a position wherein their grievances are not great enough to pursue disruptive change, or truly challenge the status quo. Should this balance be maintained, and the CPP continue to periodically address the grievances of the opposition, it is unlikely that the CNRP will be able to muster the commitment to truly challenge the CPP’s dominance, especially given the institutional barriers inherent to this task.

The ambiguity of new legislation makes it difficult to determine if it will be employed to pursue greater authoritarian control of political and social life, or if it is merely a safeguard against the type of nonviolent action that occurred in 2013. If it is a preventive measure, it may be applied more conservatively in order to avoid international condemnation, friction with ASEAN, or economic repercussions. In this instance, civil society would be severely limited in its efficacy and political impact, but be allowed to function in a reduced capacity nonetheless. Abuses, including land grabbing and arbitrary detention, would continue at their current rate, with civil society growth stalled. Ritualized but trivial compensations from the government would continue to offer the appearance of goodwill and commitment to resolving these problems, but with no real accountability measures in place, it is unlikely that the regime would make any substantial attempt to rectify these patterns of abuse.

The longevity of this strategy would be contingent on the CPP old guard’s ability to install leadership to continue their authoritarian policies into the future. This is not out of the question, given their institutional power. However, the status quo would be unlikely to survive indefinitely, given its dependence on Hun Sen and his cadre.
c) Democratic Scenarios

Despite the CPP’s institutional control, the past several years have witnessed a number of trends that could challenge CPP dominance or demand democratic reform under the current regime. 2013 was a banner year for the Cambodian opposition, and the consequences of both the mass political action and the government response continue to be felt. This, coupled with a variety of widely accessible grievances, including corruption, poor working conditions, land grabbing and unpopular foreign policy practices offer both civil society and opposition a broad field of issues to draw upon when mobilizing their constituencies. These democratizing forces also have the benefit of several significant pillars of support, including relatively free media, participation of religious figures and youth.

1) CNRP Wins in Next Election Cycle

The 2013 elections were widely believed to be fraudulent as a consequence of an unexpectedly large margin of votes for the CNRP, which nonetheless resulted in a CPP victory. This is a difficult determination to make – the results of the election may have been the result of the CPP adopting more hybrid authoritarian tactics that backfired as they illustrated the degree of support for the opposition, or they may have been a relatively accurate representation of voter preference. In either case, the CPP has no interest in repeating the experience of the 2013 protests.

This puts the regime in a difficult situation. They can completely falsify results in order to give themselves a clear victory, downplaying CNRP popularity, but inflaming popular opinion through clearly undemocratic practices. They could seek to doctor results in order to win by a more believable margin, but again, this pattern
led to widespread public outcry in 2013. Finally, they could institute at least relatively free and fair elections, complete with nonpartisan monitoring, and risk a CNRP victory. Taking steps to divide the CNRP and weaken civil society’s role in politics may be an attempt to prevent organized popular political action in response to election outcomes, or to weaken the CNRP’s ability to mobilize during election season, reducing the need for electoral fraud.

Should free and fair elections be instituted, and the CNRP work more diligently to unite their support, it is possible that they could achieve victory. It is unlikely that the CPP will simply cede power, however. A more likely scenario may be that subtly doctored election results lead to public outcry that demands more transparent elections, as happened in Burma. Social tension and international pressure could force the CPP to compromise, and yield at least a degree of substantive political power to the opposition. This would follow a similar pattern to the elections and nonviolent resistance of 2013, but with an increased degree of dissatisfaction amongst the population. If this dissatisfaction were harnessed through superior strategic nonviolent planning, it could press for more democratic election practices, and empower the opposition.

A diverse range of civil society organizations operate within Cambodia, from NGOs to labor unions. Though their political role is hindered by the new LANGO legislation, it remains to be seen how harmful the law will be. Should these organizations find ways to continue to operate, through the insulation of public support, and the maintenance of an apolitical mission (explicitly avoiding cooperation with the opposition), they could leverage the social grievances of broad sections of the Cambodian population towards pressuring for institutional reform. This is especially true amongst the agricultural sector, where the majority of Cambodia’s population works and lives, and the garment industry, which employs a large part of Cambodia’s urban population. Both of these groups hold powerful grievances, in respect to land grabbing and worker’s rights respectively. Both groups have also witnessed a great degree of repression in response to their attempts to organize and lobby for their rights. This pressure, from security forces and the courts, introduces a degree of risk, which could nonetheless be met, through novel forms of resistance, strategic planning and broad solidarity.

It is also popular for civil society to circumvent legislative limitations through evolution. A move towards issue-specific civic initiatives, which are less vulnerable
to persecution and co-option, may emerge as a better approach to mobilization. Countries such as Armenia, which have suffered under repressive control of NGOs have successfully pursued this alternative in the recent past.

This route towards reform does not demand a change of leadership, but it does require that the CPP find it in its best interest to make concessions to civil society and address the grievances of the population. If the CNRP and the CPP do formulate a culture of dialogue in a democratic manner- which is unlikely- then this would likely be the road they would take. Ultimately, the CPP’s interest in maintaining control – especially Hun Sen’s commitment to stay in office in the immediate future – would limit the progress that could be made through this avenue, so it is not entirely likely that they would choose this route.

Perhaps the most inevitable route to democratic progress, if not the most optimal, is the limited time horizon for continued CPP control, given their political strategy and Hun Sen’s power vertical. As the recent death of CPP president Chea Sim illustrates, the CPP’s old guard, with its roots in the early period of the Khmer Rouge, is aging. While it will be some time yet before many of the top leadership are unfit for office, the passing of prominent figures such as Chea Sim opens positions in government which could afford opportunities for the opposition.

Although Hun Sen may pursue dynastic rule through the nepotistic appointment of one of his sons, the progressive and democratic trends among young people in Cambodia, alongside civil society’s encouragement of political engagement, suggests a future with better prospects for democracy. This supposes a failure of CPP leadership to establish a political legacy, and no intervening variables, such as crisis that could precipitate an authoritarian crackdown.

It is not an unlikely outcome, however. The CPP has focused the majority of its political capital towards consolidating its control over political and legislative institutions, and its strategy appears to be more defensive than offensive – comparatively, its work to grow genuine support amongst the population has been lacking. With a plurality of free media, and the opposition (Especially Sokha’s end of the CNRP) working actively to generate support around issues of contentions (Such as borders with Vietnam), it is likely that popular opinion will continue to sway away from the CPP. This is particularly true amongst the young and educated, who are the most fluent in modern information resources. The CPP’s hybrid

3) GRADUAL CHANGE WITH GENERATIONAL SHIFT AND POPULATION-CENTRIC CAMPAIGNING
regime has, to a large degree, failed to build an effective propaganda machine, likely due to the leadership’s focus on elite politics over popular sentiment. In “successful” hybrid regimes, such as Russia, China and, for a time, Turkey, a great degree of emphasis is placed on misinformation and the propagation of narratives that endorse the interests of the ruling party. Patterns such as placing emphasis on external enemies are eschewed in favor of power politics – certainly, Cambodia displays enmity towards Thailand, but the population finds greater grievance with Vietnam, whom the CPP actively embraces. The CNRP has found that it can draw on these popular sentiments and appealing narratives to mobilize supporters. The opposition’s greater attention to the Cambodian population and their actual concerns will pay off in the future – though the timeline is still in question, depending on their ability to unify, mobilize and plan. That is not to say that democratic progress in Cambodia is inevitable, or that the safest course of action is to await the weakening of the CPP. Rather, this is the most gradual iteration of progress that might occur given the opposition’s continued grassroots campaigning, and the CPP’s failure to develop more dynamic technologies of autocracy.
Cambodia has a long history of troubled governance. Under Hun Sen’s CPP in the past 30 years, there has been an ebb and flow of authoritarian practices, human rights abuses and government corruption. The past decade has witnessed profound changes in Cambodia’s political reality, both positive and negative. The 2013 elections raised popular dissatisfaction to its height, and triggered an enormous protest movement, which shook the country into 2014. Its effects continue to be apparent. The heightened political consciousness amongst the population, coupled with an active and tenacious civil society and a popular opposition party, hold great promise for future democratic progress. Simultaneously, new repressive legislation, an increasingly divided and co-opted opposition, and powerful regime institutions challenge prospects for democratization.

Despite facing enormous adversity, there is reason to be optimistic regarding political progress in Cambodia, as even Sam Rainsy has pointed out. There are a number of probable democratic outcomes, occurring on different time horizons and driven by different domestic actors. The opposition may be able to win greater political power, and push through reforms. Civil society organizations could muster popular support and organize nonviolent resistance to compel democratic reforms. Both the opposition and civil society could continue to build on the basis of popular support, engage in information campaigns, and gradually override the CPP’s power vertical. All of these outcomes are feasible, but require effort and commitment on the part of activists and opposition politicians.

Activists face the twin responsibilities of resisting new legislation, which threatens their basic rights, while also actively working to build support amongst the population. Civil society will have to function flexibly, and with great savvy, to avoid the consequences of new NGO legislation. They will also have to continue uniting the population around common grievances. This entails seeking out specific issue areas that are
broadly accessible, and identifying the means by which to mobilize affected populations to demand change. These include historically significant issues, such as urban workers’ rights, but also issues that have not been addressed sufficiently, such as the rights of agrarian workers. Identifying these segments of the population, who feel that the regime has failed them and that they have no recourse, and taking the necessary steps to engage with them, will be critical to building nonviolent movements with the necessary focus and support to institute change.

For NGOs and civic initiatives, a good deal of this involves building rapport with affected populations; fortunately, Cambodian NGOs have demonstrated talent at accomplishing this. By offering services – be they legal or utilitarian – to affected individuals, activists will build a basis of committed allies. These groups will be more committed to mobilization, both due to their being directly affected by the issue of focus, and because they will have greater faith in the success and mission of the civil society organization with which they are cooperating. That being said, they will be hindered by the new LANGO and labor union laws.

It is also imperative that NGOs and civic initiatives work to build strong connections with the pillars of support that will impact nonviolent movements. This includes the youth, Buddhist figures and media. Educators, entrepreneurs and external actors are also important, but less reliable in mobilization. Recently, protests against the labor union law were largely led by students, providing further evidence that educated young people in Cambodia will be important in future campaigns. Monks have played an increasingly political role in the past decade, and are powerful symbols of nonviolent resistance in Cambodia. Their participation in resistance efforts will be important in demonstrating the broad dissatisfaction in society, and the principled nature of the movement in which they are involved. Independent media offers an opportunity to engage with a wide range of communities, even remote groups such as agrarian workers, and combat government narratives by disseminating factual information on political and social topics of interest to the population.

Civil society must also focus on unity. Coordination through loose conglomerations of NGOs, labor unions, and civic initiatives will assist in broader mobilization, while providing insulation from government persecution and co-option that is associated with wholly united fronts.

The opposition faces many of these same tasks. While the CNRP’s civic engagement has been effective, they have, like much of civil society, ignored more remote communities, who are nonetheless large, significant, and bear enormous grievances with the current regime. Current efforts to rally support through tackling the issue of disputed borders with Vietnam has been effective as a direct polemic to the regime, underlining their failure to address the concerns of the majority of the population. However, it cannot act as a substitute for campaigns to build support amongst neglected communities, especially laborers, who form the backbone of the Cambodian economy.

The greatest challenge to the opposition currently is its lack of unity. Kem Sokha has pointed out that the CPP has directly sought to exacerbate division of the opposition, through co-opting parts of it, and creating a soft deterrent to criticism with the ‘culture of dialogue.’ Kem’s community outreach based approach appears to be winning him greater civil society support, while Sam’s greater proximity to Hun Sen has lost him credibility amongst some members of the opposition. Without opposition unity – meaning one, united political entity representing the opposition – it is highly unlikely that they will gain greater representation, and it will be almost impossible to overcome the institutional power of the CPP.
Nonviolent action played an important role in 2013, attracting international attention, and compelling a degree of concessions from the regime. More organized nonviolent action could have even greater impact. The next National Assembly election cycle, in 2018, will likely act as a major catalyst. Within the time period before the election cycle, it is also that other precipitating factors, such as further legal repression, or failures of the state to provide key services, will allow for the triggering of mass nonviolent action.

In 2013, this action manifested as high concentration protests, which were met with excessive force by the police, and later arbitrary prosecutions by the courts. After the killing of several protestors in 2013 and 2014, it has become apparent that there is a significant degree of risk associated with this style of nonviolent action. Attempts at mass political action may be able to draw the necessary crowds given a catalyzing event, but these activists will be faced with great risk, and their prospects for substantive victory are relatively low. That being said, violence in activist crowds have significantly declined. Even so, in the future, activists should focus on dispersion tactics and novel means of demonstration. This will also avoid incitement to violence by para-police and infiltrators. Any nonviolent action should build itself around a specific issue of broad accessibility, with clearly articulated aims. Not only will this allow for a greater possibility of victory, but it will also allow for the movement to build momentum, through growing its constituency in a series of consecutive, high profile victories.

It is clear that there is an activist community with commitment to democratization in Cambodia. As the struggle between the repressive measures of the regime and the evolving means of nonviolent action continues, it is crucial that civil society and the opposition focus on planning and strategies, such that they are not left unprepared for abuses or failures on the part of the state. We can expect to see deep and profound change within Cambodian politics in the next several years, but it is up to citizens committed to democracy to determine who will be the author of that change.
REFERENCES


33. NYT Ban on Assembly http://www.nytimes.com/2014/01/06/world/asia/cambodia-crackdown-on-dissent.html?_r=0


