

# LIMUN

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## Human Rights Council

*Topic B: "Cambodia's struggle after genocide,  
a one-party government"*

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### I. COMMITTEE BACKGROUND

#### Human Rights council

The Human Rights Council was first founded by the General Assembly in 2006, taking its first session in that year's June. Its ultimate goal is the safeguarding of human rights throughout nations, through promotion and protection. In case of detecting any violation, it is in the council's rights and responsibility to address said situations and provide recommendations, in order to achieve the previous goal. Being an inter-governmental body, it is made up of 46 United Nations Member States, which are elected by the UN General Assembly and are able to discuss any topic concerning the council's attention during the year.

### II. HISTORY OF THE TOPIC

#### A. Introduction

Cambodia, located in the Indochina Peninsula in Southeast Asia is a nation guided by a one-party government. Also known as the Kingdom of Cambodia, it shares borders with Laos, Thailand, and Vietnam; the latter being a great participant in Cambodia's history and recent problems. In the following sessions, Cambodia's way of governing will be questioned, as

many events have aggravated the current situation of this country's civilians and their human rights.

Just like any country, majorities and minorities exist. Cambodia's culture and ethnicities are vast and wide, but a predominant race lingers, making danger palpable for the minority cultures that remain. In the 1970s, they took up 15% of the country's population, until the Cambodian genocide, executed by the Khmer Rouge group (also known previously as The Communist Party of Kampuchea), took hold. A communist party that firstly worked secretly under the Democratic Kampuchea (Cambodia at the time). In the following decade, the estimate was that between 1.5 and 2 million people died due to disease, exhaustion, starvation, or torture. Even after their exit, consequences of genocide scarred future generations, as well as the future of the government. Today's authority in Cambodia lands in the hands of the Cambodian People's Party (CPP), with Hun Sen as prime minister, which has been in action since 1985. It is their journey through the past decades that has brought forth today's problems, concerning primarily a lack of public safety, linked to freedom of speech, corruption and imposing military power.

## **B. Development**

After 13 to 30% of the population was wiped in less than 5 years, minorities today are in danger of disappearing completely, due to the government's plans to incorporate them into modern Cambodian society. Today, 90 to 95% of the 17 million people living in Cambodia are Khmer ethnic. Being a majority, it is not strange that cultural minorities become obliged to adopt Khmer's language, in order to survive (as was the case of Chams). In 1984, during a PRK National Conference, a resolution was made and entitled as "Policy towards Ethnic Minorities", where the government encouraged them into collectivism, considering them an integral part of the Cambodian Civilization. Furthermore, the goal of transforming them into modern Cambodians was set, as well as the elimination of literacy

(which has increased in the last years). And even though it was established with pen and paper, the average Khmer's treatment towards other minorities varies. For example: even though Vietnamese people were the ones to liberate them from the Khmer Rouge reign, Khmers treat the latter with honest dislike.

Concerning the leading powers of the country, as previously mentioned, it is today a one-party government, with Hun Sen as prime minister since 1985. This long rule has its origin during the Khmer Rouge genocide, which did not end until 1979. During the next decade, many of the once eliminated rights were restored. Public privacy, education, and religion were once again common.

It was until 1991, that the United Nations officially intervened, creating the Paris "Agreement on a Comprehensive Political Settlement of the Cambodia Conflict", where 18 governments, the Khmer Rouge, and three political parties at the time, signed. In this treaty the United Nations Transitional Authority in Cambodia (UNTAC) was created, which aimed to demobilize armed forces as well as control. Being a neutral political government, it organized the 1993 May elections, in order to finally create a stable government.

The results put FUNCINPEC (a royalist party) as winner. The CPP were evidently not satisfied with the results, and after long debating, they reached a coalition with the UN and FUNCINPEC, to entitle Hun Sen as Second Prime Minister. Even though the titles were different, the legal power was the same. Said power was taken advantage of by Hun Sen, when using the military in his favor, overthrew FUNCINPEC from the government in 1997 through a coup. Since then, various elections have taken place and yet have proved both ineffectual and unfair.

The great hold Hun Sen has on power is mainly through the military. Beside him lie 12 officers which seem to administrate power at personal interest rather than national interest. Their inexplicable wealth and dark background, as it has been proven that some of them were part of the Khmer Rouge regime, as well as their involvement in Cambodia's main problems today, political and nonpolitical ones is proof. Besides unfair elections, land confiscations, labor abuses and low wages are frequent political problems, while nonpolitical ones include murder, torture, and arbitrary detention.

The most common victims of said struggles are activists, politicians, journalists or any other opposition figure. In the last 3 decades, more than 100 people have been killed with political motives; and despite the prosecution of triggermen, superiors are left untouched. This partisan behavior is common in high-ranking officers, who are promoted depending on their loyalty to Hun Sen. Further control is taken on the population through the internet, where information is said to be controlled and people's information to be stolen for the personal interest of the government. Those who are incarcerated and taken to prison, face unsanitary and harsh conditions where water, beds and even fresh air are hardly available, according to a UN study. Overcrowded prisons are 343% over maximum capacity, and violate at the time prisoner's rights. These circumstances are of greater danger, considering the recent COVID-19 pandemic, where health has become a priority.

Besides political debates, land and housing disputes have also been a main factor of incarceration. The Cambodian Human Rights and Development Association (ADHOC) made a study in 2012 where results show that in 2011, more than two hundred people have been arrested because of land grabbing problems. People were taken away from their homes, and since 2003, an approximate of 400 000 people have been affected.

Deforestation has also increased in the past two decades, counting now 2.5 million hectares taken down for construction. In 2020 only, 48 000 hectares of land were lost. The large economic growth of the country increases demand, which consequently leads to greater control over government's resources, land, and information.

### C. Relevant Events

#### Khmer Rouge Trials

After the Khmer Rouge regime was brought to an end, the UN organized a special trial for its leaders, to be held guilty for their crimes against humanity. The tribunal, Extraordinary Chambers in the Courts of Cambodia, first began to work in 2009. Only 3 leaders have been sentenced since then. Pol Pot was sentenced to house arrest in 1997 only to die a year later, while the other 2 leaders were found guilty of several crimes. First, the management of the S-21 Prison in Cambodia, where more than 15 000 executions took place, as well as the attempted extermination of Cham and Vietnamese minorities. As mentioned previously, it is also suspected that some officials, close to Hun Sen, were also part of said regime. The main struggle that this tribunal had was that it was a 'hybrid' court, where the UN and the Cambodian government met. It was this jointure, where the aim for justice was made with a lot of struggles. Cambodian's lack of cooperation resulted in the previously mentioned slow trial.

#### Elections of 2018

FUNCINPEC was the opposing non-communist party, which participated in the elections of 2018. Sam Rasinsy, main leader of said party, merged with the new Human Rights Party, creating the Cambodia National Rescue Party (CNRP). Despite new hopes and high probability, the party was said to have lost by a landslide, granting the CPP more years in power. When results came out, the elections were criticized for being unfair. A powerful comment came from the US, who said that the poll was "flawed". Shortly after, the CNRP was dissolved officially by the Supreme Court, using

the latter comment as a way to sustain the speculation that the party and the US were planning to overthrow the government. As a consequence, both the US and EU cut off electoral aid since then, but have not stopped funding.

### National Internet Gateway

By February 16, 2021, Cambodia's government established the National Internet Gateway (NIG), providing them the ability to manage internet connections (disconnecting or blocking them), as well as retaining traffic data, providing information to authorities. Its main goal is to "preserve social order, culture, and national tradition" through the strengthening of national security and revenue collection. Un experts who have been appointed by the council, express their concern to the privacy rights and freedom of expression of civilians. This sub-decree is said to be lacking independent oversight and data or privacy protections.

### Foreign Aid

A great part of Cambodia's process and growth is due to the foreign aid that it constantly receives from other countries. Its main donors have been China, which is part of the Asian Development Bank (also important contributors), the US and Japan. Even though there isn't a specific framework that manages aid and development assistance, most of the money has been directed towards infrastructure projects, as well as agricultural, educational and social ones. The net ODA (Official Development Assistance), reached \$808 million in 2013. Positive results to all of this aid were visible in 2016, when Cambodia was changed from a low-income country to a middle income status by the World Bank.

## III. CURRENT ISSUES

### A. Panorama

Even though all of these events do not present any worldwide repercussions, involvement of other countries is evidently present. Through economic aid, other countries have helped Cambodia progress and grow at a surprising rate. Inside the country, as previously mentioned, are very specific and different problems to be solved, but all of them coincide in the civilian's rights. From ethnic minorities, and their culture's conservation, to every normal citizen's privacy and liberty of expression. As the government holds its tight grip in military and media, almost any opposition figure has very little rights and capabilities to speak up.

This has brought the attention of some countries, expressing their concerns about the evident partisan behavior in high-ranking individuals. UN participation has also been a constant companion in the country's growth, but seems to be doing very little, at a very slow pace. While Cambodia keeps growing, its resources and power may also need to be looked out for.

### Cambodia

Concerning its worldwide position and dark past, Cambodia has in the past 5 years been creating better relations with some countries where suspicions may lie. Depending largely on foreign aid, it has been part of several treaties and agreements that benefit largely. For example, it is part of the Association of Southeast Asian Nations, which is a political and economic union between Southeast Asian nations, searching for better economic and security cooperation between its members. Regardless of Cambodia's donor relations, the country refuses to let any other country's military or troops touch its soil.

### China

China and Cambodia have very close relations. The Belt and Road Cooperation has been only one of the several projects between both countries. China's great aid has pushed Cambodia closer to it, but will

probably cause problems in the future. A present danger for Cambodia is the debt it will have in the following years, that will probably create a dependency on China due to the great amounts of money lent.

### United States

On the other hand, US relations have improved during the last year. Despite a troubled past between the US and Cambodia, where bombings and suspicious comments were involved, today both countries seem to be in good relations. As well as China, the US has given a considerable amount of help, and has a very important role in Cambodia's export market. The US recognizes an authoritarian government, where democracy may lack, but keeps cooperation in areas of shared interests. Because of these, 20 to 25% of Cambodia's budget is provided by the US. Health, education, landmines, governance and economic growth are some of the main places where millions of dollars are invested.

### Vietnam

By being the country that freed Cambodians from the Khmer Rouge regime, Vietnam has had its disputes and agreements with the country. By sharing a border, Vietnam has interfered in some of Cambodia's history. Inside Cambodian society, Vietnamese people are seen with mistrust and it is often a tense environment between the two. During the past decade, Vietnam has made several claims in former Khmer land, and has raised quarreling and protests from the population since 2014.

### France

Part of the Paris Agreements in 1991, France has kept links to the country, as well as financial aid (mainly in infrastructure and industry). Despite its help, France, as well as the United States, has expressed worry at the dissolution of the opposition party to the one-party government. It encourages the country to open a democratic environment and let oppositions be present, letting them run independently.



#### **IV. External Actions**

##### **UNTAC**

As previously mentioned, the UN has taken action over the past and present struggles. From the United Nations Transitional Authority in Cambodia's (UNTAC) to the several studies made, the UN has planned and outlined the necessary steps, but action is yet to be reinforced. It is true that the UN only has power to a certain extent, as it shares it with the government in decision making. After helping the Kingdom of Cambodia slowly transition into a stable country through elections and guidelines, it is yet to be seen if more action is to be taken. Taking for example the already mentioned Khmer Rouge Trials, as well as peacekeeping and military power.

#### **V. CONCLUSION**

By considering the latter problems and possibilities, it is clear that Cambodia is still in the process of slowly rising into a stable government. But through the concept of a stable government, human rights are to be conserved. Economic and infrastructural possibilities are the main aim in funding, but it is the countries' paper to take action when threats are perceived. Liberty of expression and justice are still in the works; and despite the fact that laws are already written, fulfilling them is just another challenge.

#### **VI. IMPORTANT QUESTIONS**

What can be done to ensure that today's Cambodian government lives true to its laws?

Are the main causes of its problems being addressed correctly? Is interference needed?

Should funding and its implementation be addressed? Which are the main areas where money is most needed?

Should minorities be given more attention in order for them to survive through the process of becoming “modern Cambodians”?

What can be done to protect the civilians’ privacy with the visible threat on the internet by the NIG?

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