

United States Senate

November 16, 2020

The Honorable Mike Pompeo
United States Secretary of State
The State Department
2201 C Street, NW
Washington, DC 20520

Dear Secretary Pompeo,

We are writing to urge you to address the alarming deterioration in human rights protection and democratic rule in Cambodia.

As you know, Cambodia's leader, Hun Sen, has been in power for over 35 years. He has a long record of using violence, intimidation, censorship, and corruption to maintain his rule. He has engineered several "elections," none of them free or fair, in which his ruling Cambodia People's Party (CPP) has always emerged the victor. The CPP controls the entire security apparatus of the country as well as its judiciary. Corruption is rampant.

In 2017, before the last scheduled election, the CPP dropped the pretext of allowing the existence of a lone parliamentary opposition party.¹ After bringing unfounded, politically motivated charges against the opposition leader, it arranged to have CPP-controlled courts dissolve the country's main opposition party. The CPP then emerged from the "election" with full control over all legislative seats.² For many years a *de facto* one-party state, Cambodia now openly prohibits political pluralism.

Since then, the situation has only worsened. Dozens of opposition leaders and critics of the government have been targeted for criminal charges and arrests, and since the outbreak of the COVID-19 pandemic, the government has ramped up its crackdown on dissent by adopting repressive laws and arresting more dissidents and opposition members.³ A state of emergency law has been enacted, although not yet in effect. The government is currently drafting legislation that could drastically limit internet freedom and online expression.⁴

According to Human Rights Watch, as of October 2020, there are 55 political prisoners being arbitrarily detained for exercising their rights to freedom of expression, peaceful assembly, and

¹ *Cambodia: Opposition Party Threatened with Dissolution*, Human Rights Watch. (Oct. 10, 2017), <https://www.hrw.org/news/2017/10/10/cambodia-opposition-party-threatened-dissolution>.

² *Cambodia: Hun Sen and His Abusive Generals*, Human Rights Watch. (Oct. 22, 2020), <https://www.hrw.org/news/2020/10/22/cambodia-hun-sen-and-his-abusive-generals>

³ *Cambodia: End Crackdown on Opposition*, Human Rights Watch. (Jun. 17, 2020), <https://www.hrw.org/news/2020/06/17/cambodia-end-crackdown-opposition#>

⁴ *Cambodia: End Crackdown on Opposition*, Human Rights Watch. (Jun. 17, 2020), <https://www.hrw.org/news/2020/06/17/cambodia-end-crackdown-opposition#>

association, including opposition activists, environmental and youth activists, and journalists. These include:

- The labor leader Rong Chhun, president of the independent Cambodian Confederation of Unions, arrested in July and charged with “incitement” and spreading “fake news,” apparently for his work supporting farmers on the Vietnam border. Several of his supporters who protested his detention have also been jailed in recent weeks and months.
- Three advocates on environmental issues—Thun Ratha, Long Kunthea, Phoung Keo Reaksmeay—arrested on September 3 and charged with “incitement,” apparently for their work advocating against a development project.
- Two rappers, Kea Sokhun and Long Putheara, arrested on September 4 and September 7, who collaborated and have released online several tracks critical of the government.
- The opposition member Kong Sam An, who was convicted on September 22 of “conspiracy” relating to Facebook comments he and others posted between 2018 and 2019 in support of a leading political opposition figure, Sam Rainsy, and his planned return to Cambodia in November 2019.⁵
- Chum Sarath, a former elected commune councilor from dissolved opposition Cambodia National Rescue Party (CNRP), arrested on October 6, possibly a form of retaliation against the U.S. government for its imposition of Global Magnitsky sanctions against a CPP-linked tycoon.⁶
- Over 20 other opposition party members or leaders arrested since the beginning of 2020.

Hun Sen has made clear that he plans to continue his crackdown. On October 7, he gave a speech in which he clearly alluded to political opposition and activist figures in his declaration that “if one emerges, one gets hit; if two emerge, then two get hit,” while noting that there would be further arrests of opposition activists in the future.⁷

The U.S. government must respond in concert with its allies to send a strong message to Hun Sen that his crackdown on opposition and freedom of speech is unacceptable. We urge you and the State Department to convey this message in both your private and public communications with the Cambodian Government without delay. It is vital that even as our government prepares for

⁵ *Court in Cambodia Sentences Seven Opposition Activists to Jail For ‘Treason’*, Radio Free Asia (Sep. 22, 2020), <https://www.rfa.org/english/news/cambodia/sentencing-09222020164518.html>. Others—Sim Seangleng, Mean La, Yem Vanneth, Chok Hour, Van Sophat, and Choem Vannak—were convicted *in absentia*.

⁶ Human Rights Watch, *Cambodia: Free Activist Held in Forestry Case* (Oct. 14, 2020), <https://www.hrw.org/news/2020/10/14/cambodia-free-activist-held-forestry-case>.

⁷ Nhim Sokhon, *Mr. Hun Sen: For 16 million people to continue to implement the one-on-one order*, VOD Khmer (Oct. 7, 2020), <https://vodkhmer.news/2020/10/07/ccp-to-continue-cracking-down-on-cnpr-for-more-than-16-million-people/>.

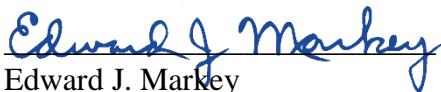
the transition to a new administration that we are clear and consistent in our condemnation of Hun Sen and his party's crackdown on free speech, association, and assembly.

Moreover, we call on you, working with the Department of Treasury, to impose targeted sanctions under the Global Magnitsky Act or other appropriate measures against the senior leadership of the CPP, including the top leadership of the police and gendarmes, both of which are involved in the escalating wave of arrests. We also call on you to coordinate with other governments to urge them to do the same.

We further recommend that the U.S. Trade Representative undertake an immediate review of Cambodia's tariff privileges in light of the worsening environment for labor leaders and unions.

It is now clear that only strong pressure is likely to change the behavior of the Cambodian government. We urge you to act because Hun Sen and his ruling CPP are no longer responding to ordinary diplomatic engagement. Thank you for your attention to this important matter.

Sincerely,



Edward J. Markey
United States Senator



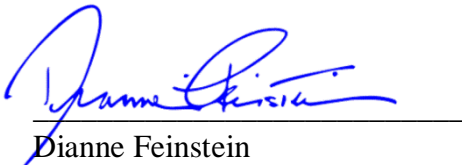
Lori Trahan
Member of Congress



Elizabeth Warren
United States Senator

_____/s/_____

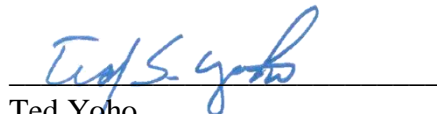
Robert P. Casey, Jr.
United States Senator



Dianne Feinstein
United States Senator



Alan Lowenthal
Member of Congress



Ted Yoho
Member of Congress



Seth Moulton
Member of Congress

cc: Secretary of the Treasury Steven Mnuchin
U.S. Trade Representative Robert E. Lighthizer