

Statement of the Cambodian People Forum

"Enhancing People's Voices and Solidarity"

We are 268 people (50% or 134 are women) from various communal lands and communities of forestry, fishery, farmers, indigenous people, human rights defenders, environmentalists, associations, NGOs, teachers, civil servants, worker unions, women activists, sex workers, LGBT (lesbian, gay, bisexual, and transgender), people with disabilities, youth, artists, performers, peacemakers, and people in general. We came together to organize the Cambodian People Forum on the 31st of August, 2019 in Phnom Penh, Cambodia, to discuss concerning issues, identify priority challenges, and collect constructive feedback and recommendations to inform national and regional policy makers and countries leaders, to seek solutions in order to ensure that Cambodia can fulfill the ASEAN's spirit of cooperation, strengthen partnerships to ensure integrated sustainability, and preserve the ASEAN interests, and ultimately to achieve the Sustainable Development Goals.

The following are key challenges, concerns, and suggested commentaries raised at the Cambodian People Forum, which are expected to be solved in 2019-2020:

I. Major challenges and concerns regarding human rights and democracy situation and access to justice

1. The fundamental freedoms of the Cambodian people are being severely restricted. The government has been paying focus on only economic development and has yet to provide a mechanism for effective implementation to ensure respect for the fundamental human rights and freedoms. Citizens and civil society organizations' participation in social activities reflecting the exercise of their rights, including the right to peaceful assembly, the right to justice, the right to movement, are interfered and confined by the authorities.
2. Democracy situation in Cambodia is deteriorating, particularly the right to vote and the right to stand for election have been restricted. The last election was perceived as a political environment without meaningful competition. Citizens' voices are not put into consideration nor included into policy and legislative processes. Incomplete democracy does not serve equitably the interests of the people.
3. Impunity continues to exist, and the judiciary independence continues to decline due to corruption and political interference, leaving ordinary, poor and/or vulnerable people abused by the rich and powerful, and yet to receive justice.

Suggested improvement and constructive commentaries:

1. The Royal Government of Cambodia and the ASEAN member states need to ensure that the fundamental rights and freedoms of the people are respected and free from interference, threats, and/or intimidation. The authorities have to stop abusing the judiciary power over the people, unions and civil society organizations, instead they have to promote and recognize the value of people including women and youth's participation and movement in society.
2. The Royal Government of Cambodia and the ASEAN member states need to have a clear mechanism to promote democracy by providing opportunities for people, especially women and vulnerable groups, to fully participate in the process of making policies and legislation, and equal

chances to engage in public works. In particular, the ASEAN governments need to create an environment that allows healthy political competition in their respective country so that stakeholders can equally get involved.

3. The governments of Cambodia and the ASEAN member states need to ensure that full justice is served to the people, especially women and vulnerable groups, and make efforts to eliminate all forms of impunity through anti-corruption enforcement, particularly in the judicial system, eradicating political interference on the judiciary, and further strengthening professional competence for judicial officers.

II. Major challenges and concerns regarding business and investment environment and corporate power

1. People are losing land, forests, natural resources, careers, traditions, and the rights to expression and peaceful gathering. Reduction of labor and wages for jobs replaceable by robots or automation have resulted in job loss and migration among youth. There is a lack of support for small and medium-size producers whose products are not able to compete with imported goods.
2. People are yet to receive full access to public services and social protection such as education, health, water and electricity, because these services are managed by the private sector.
3. The Regional Comprehensive Economic Partnership Agreement (RCEP) among the ASEAN member states allows expanded role and power of investors. There are issues of patent abuse in relation to drug prices, and threats to smallholder farmers and food system (seed management), while the ability to export is limited. Working conditions and wages do not fully meet the needs of workers.

Suggested improvement and constructive commentaries:

1. Public and social protection services such as education, health, water, electricity, and telecommunications need to be under the control and the role of the state.
2. There needs to be assurance of fair and just trades, mechanisms that protect smallholder farmers and small and medium enterprises, and quota limit and quality and safety assurance for imported products. The state needs to have relevant legislation for products and marketing, invest directly with farmers, avoid using people's land for private concession, and ensure that farmers have control over prices and production.
3. In order to ensure a meaningful democracy, the state needs to present and consult with the people with regards to investment agreements such as RCEP, and clearly show its stance in relation to benefits and harms to the public.

III. Major challenges and concerns regarding peace, safety, and security

1. Citizens are concerned about the changing political landscape limiting their participation in politics, economics, and society, specifically freedom of expression through arts and media and in people's assembly in relation to land grabbing issues. People are scared to report illegal acts and speak out in public fearing threats of all forms.
2. Drug, alcohol and violence occur in almost every community, making people feel insecure in their day-to-day living, affecting personal well-being, safety and security especially among children, youth and women. Local authorities do not have a clear mechanism to prevent drug trafficking. Drinking alcohol is encouraged through all forms of advertisement and promotions.
3. Unregulated imports of food, fruits and vegetables from neighboring countries have a significant impact on food safety leading to a decline in social well-being.
4. Poor border control allows illegal immigration, creates anarchy, and causes border issues between neighbors leading to a lack of safety and security for people living by the border.

Suggested improvement and constructive commentaries:

1. The Royal Government of Cambodia and its stakeholders need to have mechanisms in place to promote the right and freedom of expression by the people through reviewing the existing normative acts and ensuring that basic principles of rights, freedom, and democracy are understood and implemented effectively at the national and sub-national levels. A safe space for people to engage in politics without fear needs to be guaranteed by the law and the government, and there needs to cease the use of armed forces to protect private companies that violates citizens' rights.
2. The Royal Government of Cambodia and its stakeholders, as well as the citizens, need to promote social security and safety through a mechanism of a strong family and community. Drug prevention mechanism needs to focus on prevention and effective action against trafficking. Community-based coping mechanism must include community education aiming to ensure the safety of women and children. In addition, relevant ministries must eliminate the promotion of alcohol or drug use.
3. The Royal Government of Cambodia and its stakeholders need to restrict imports of food, fruits and vegetables by paying attention to food safety, consumption of local products, and support for domestic agriculture through technical training and other needed resources.

IV. Major challenges and concerns regarding overseas migration

1. Migrant workers have to spend a lot of money on a complicated process for obtaining a legal permit to work abroad. They have to take loans from microfinance institutions or banks, accumulating debts with high interest rates.
2. At destination country, migrant workers may potentially face issues such as health problems, lack of social protection, poor living condition, labor exploitation, trafficking, abuses and/or falling into a trap of modern slavery as domestic workers, fishermen, and construction workers in countries such as Thailand and Malaysia.
3. Upon returning home, workers do not have the chance to use the skills used at work abroad to earn a living at home; as a result, they could be forced to migrate again.

Suggested improvement and constructive commentaries:

1. The Cambodian government must establish local vocational training centers to provide short-term training for prospective migrant workers, and set up local advisory committee for safe migrations to assist people looking for jobs abroad. Prospective workers themselves need to be well-informed before seeking oversea migration by consulting with relevant organizations. The Cambodian government must regulate fees set by recruitment agencies and fees for legal procedures to ensure well affordability, and extend the application period to less than three or four months from the date of submission. Furthermore, the government must issue a sub-decree on fees and procedures for work abroad, and make the information available widely to the public.
2. Governments of the country of origin and the country of destination need to strengthen enforcement of existing protection mechanisms (e.g., guidelines, sub decrees, national policies, and other regulatory normative acts on international migration) to protect both documented and undocumented migrant workers. The governments need to ensure just services, eliminate impunity for crimes against migrant workers, and provide rehabilitation services when workers have been victimized and returned home. The government of the destination country needs to ensure and protect the migrant workers' interests the same ways as their own workers'.
3. The Cambodian government must close and punish recruitment agencies or brokers who commit illegal actions to the fullest extent of the law.

V. Major challenges and concerns regarding Decent Work, Health and Social Protection (Life with Dignity)

1. With many unregistered small-scale handicraft and entertainment businesses in Cambodia, some potential issues may include violation of labor law, lack entitlement to social security benefits, and the lack of legal employment contract. Garment workers under short-term contracts do not have a good salary base because they are paid by sewed pieces. There is still a lack of occupational safety and security for women in both formal and informal sectors (e.g., security officers arrest sex workers daily and send them to Prey Speu centers) which clearly show the violations of women's rights to work.
2. Provision of health and other public services are generally neglected by service providers- discrimination against sex worker, tuk tuk drivers and as well as other informal worker groups.
3. Salary and wages of workers in both formal and informal sectors are not enough to meet daily living expenses because prices of goods, house rental, water, and electricity are increased by house owners and business owners.

Suggested improvement and constructive commentaries:

1. It is requested that Royal Government of Cambodia shall review unregistered handicraft and entertainment businesses and take appropriate measures to ensure that these business owners practice compliances with the labor law, as well as occupational safety for both formal and informal sectors. Ensure the rights of sex workers are fully protected and that they are safe at work. Review laws and implementation of the laws on anti- trafficking (article 24 and 25), prostitution, village-commune safety, and women's rights.
2. The Cambodian government and relevant stakeholders need to strengthen public services including health service, eliminate discrimination to health service, and ensure the provision of quality free services to the poor and vulnerable groups.
3. The Cambodian government needs to regulate prices of basic commodities to make sure that workers, the poor, and all citizens can live well on their income.

VI. Major challenges and concerns regarding ecosystem sustainability

1. There is a high impunity with regards to the encroachment of state land by individuals (the people), the powerful, and investment companies through large-scale deforestation and commercial exploitation. Forest and mangroves clearance for agricultural land and illegal fishing in the Mekong, coastal areas, and Tonle Sap collectively constitute to the destruction of the sustainability of the ecosystem.
2. Dam constructions on the Mekong mainstream and tributaries in the upper Mekong River Basin (in China) and in the Lower Mekong Basin including Laos, Vietnam and Cambodia, affect housing, farming lands, crops, properties, livelihoods, cultures, and lives of the people living along the river (eviction), damaging to the entire river ecosystem including blocks of sediment and fish migration, impacts on fish spawning, declining fish biomass, and affecting food security and the quantity and quality of the water.
3. Waste management and recycling practices are poor. Wastes especially plastics are often burned in open space harming the air quality and the environment.

Suggested improvement and constructive commentaries:

1. The Cambodian government should promote systematic land registration including communal land of indigenous peoples as well as of the general population. It is requested that the government speed up the Cambodian forest cover mapping, review and investigate concessions for private companies in protected areas, strictly manage economic land concession companies, and encourage the use of concessions in accordance with the law. For each development project, there should be comprehensive environmental impact assessment and consultation with the meaningful participation. It is also important to strengthen the conservation and protection of forest resources through law enforcement, punish natural

resources offenders without impunity, encourage people to love forests through education and media, increase creativity in deploying forest resources to generate income for local people, and preserve the environment with biodiversity conservation and ecotourism to reduce deforestation for livelihood. There needs to be mechanism for ecotourism and biodiversity preservation to ensure the interests and protection for the local communities and the biodiversity.

2. Stop dam construction, particularly on the Mekong mainstream, and focus on clean renewable energy (solar and wind energy). The government needs to promote the use of solar energy of large, medium, and household scale to meet the growing demand for energy. The Royal Government of Cambodia should consider promoting use of land concessions for solar power generation, and energy efficiency in companies and at homes. The ASEAN governments should jointly request the Chinese government to study accumulated impacts of its hydropower projects-already built and being built, on downstream countries.

For hydropower projects under construction, the government must monitor the projects to ensure safety standards and compliance with mechanisms for social and environmental impact mitigation. Continue to address the impact of the ongoing and completed hydropower projects by addressing the livelihoods of affected people, and providing them fair compensation to restore and/or improve their livelihood. Establish national compensation policy guidelines, rather than using a case-by-case impact and compensation mechanism. The Cambodian government must take care of issues faced by women and children, and ensure that they are not forced to evict from their homes and communities because of hydropower dams.

In addition, the Cambodian and ASEAN governments need to focus more on social and environmental issues, avoiding extreme emphasis on economics which brings loss and destructive consequences to the natural resources of Cambodia and the ASEAN, affecting the well-being of the people and the future generations. ASEAN member states should add “environment” as another pillar of ASEAN to ensure a full attention on the environment issue.

3. To educate people for attitude and behavior changes on the use of plastics. Promote proper use of plastics, increase waste management service and disposal facilities in each populated areas, and effectively improve the service. Meanwhile, the government should promote and encourage the investment and establishment of waste recycling enterprises. The Cambodian government must take steps to effectively beat air pollution, water pollution, and waste management to ensure that people live in a good environment.

VII. Major challenges and concerns regarding emerging technologies and digital rights

1. People have expressed concerns about information security, privacy, and threats of new technologies, while current laws fail to protect users and their rights.
2. People who use their freedom of expression particularly via the Internet has been accused, arrested and convicted, undermining the exercise of fundamental human rights guaranteed by international conventions including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, etc.
3. People are afraid to comment and share political news on the space of freedom on the Internet because there have been allegations, arrests, threats and convictions, which is an obvious failure to ensure protection and respect for human rights.

Suggested improvement and constructive commentaries:

1. Governments and stakeholders need to continue to promote technology literacy among the general public through understanding of terminologies, Online ethics, data security methods, and information privacy, and the ability to evaluate information sources so that they can participate Online in a sustainable manner.

2. The government needs to develop laws that protect Internet users, their information and their privacy from threats of new technologies, requiring that technology and Internet companies and corporations and stakeholders respect and protect personal data.
3. The government has to open up space of freedom and ensure the rights to the Internet and new technologies are available to the wider population in accordance with international treaties for human/woman rights including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, etc.

We sincerely hope that the voices and the fundamental rights of the people are fully respected, our concerns are addressed, and the development and policies of ASEAN are truly for the sake of the people. Policy makers, executioners, and leaders of Cambodia and the ASEAN member states must come together to find effective solutions in line with the principle of leaving no one behind, to ensure the dignity and prosperity for the people of Cambodia and the ASEAN.

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