

CNRP DISSOLVED



Security officials stand guard at the Supreme Court yesterday ahead of a ruling that dissolved the country's main opposition party, a move rights groups warn strips the 2018 national elections of any credibility. PHA LINA

Supreme Court ruling ‘death of democracy’

Ben Sokhean, Mech Dara and Ananth Baliga

THE Supreme Court yesterday ruled to dissolve the Cambodia National Rescue Party, removing the only existing electoral threat to Prime Minister Hun Sen's grip on power in the Kingdom and undoing in one stroke the opposition's gains over the past five years.

After a five-hour trial and two hours of deliberation, presiding Judge and senior Cambodian People's Party official Dith Munty announced the verdict just after 5pm yesterday evening, ordering the disbanding of the CNRP and banning

118 of its senior officials from any political activity in the Kingdom for five years, effective immediately.

Munty made sure to announce that the court's decision was final and that there could be no appeal.

The hearing was a one-sided event, with the CNRP declining to send legal representation – a move Munty cited as a confession of guilt.

Based on a complaint filed by the Ministry of Interior last month, the case relied on a single narrative – that the CNRP was attempting to overthrow the government through a so-called “colour revolution” aided by the United States.

The alleged conspiracy came to the fore after the midnight arrest

of Kem Sokha from his residence in Phnom Penh on September 3, after which he was taken to a prison along the Vietnamese border in Tbong Khmum province and charged with “treason”. Controversial amendments to the Law on Political Parties rammed through by the CPP in July paved the way for the ruling, making it illegal for a party to associate with a convicted criminal or to conspire with individuals “against the interest of the Kingdom of Cambodia”.

A slew of changes hastily made to electoral laws last month now mean that the CNRP's existing elected positions at all levels – 55 seats in the National Assembly and 489 commune chief positions – will be dis-

tributed to other political entities, a move the party equated to theft.

“It is a robbing of the people's will, and the parties who take these seats – they are a part of the conspiracy to rob,” a CNRP statement reads.

“The CNRP absolutely does not acknowledge the Supreme Court decision and still considers itself a legitimate party.”

CNRP spokesman Yim Sovann said the decision was the “end of democracy” in Cambodia, while party lawmaker Mao Monyvann called it a “political crisis”.

CNRP Deputy Vice President Mu Sochua criticised the decision but predicted a democratic change would still come about.

“Today the Supreme Court gave a blow to democracy but not a fatal one, as the democratic movement for change inside and outside Cambodia will be glued together stronger than ever,” she said. “We will remain the proud elected representatives of our people at local and national levels.”

Sochua also called on international donors to “take the most needed step” of targeted sanctions against ruling party figures.

“Change will only come through free, fair and inclusive elections.”

International and regional organisations were also quick to decry the

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Supreme Court's decision.

Human Rights Watch's Phil Robertson called it the "death of democracy" and "a political killing of the Paris Peace Accords", while the International Commission of Jurists labelled the ruling a "human rights and rule of law crisis".

The Asean Parliamentarians for Human Rights, meanwhile, said Cambodia was now ushering in a "new era of de facto one-party rule".

Prime Minister Hun Sen took to television yesterday evening to deliver a statement in support of the high court's decision, insisting it was based soundly on the principle of "rule of law", and asking citizens to remain calm and go about their business as usual.

"I would like to tell international friends that we are enforcing our own law," he said, while warning the international community not to commit the same errors it had in the past, like supporting the Lon Nol regime and, later, recognising the Khmer Rouge.

He maintained that the end of the CNRP did not undo Cambodia's constitutionally mandated multiparty political system.

"The government will commit to protecting the multi-party democracy process, and the approaching election will be

arranged by the [National Election Committee], which is an independent unit," he said.

The premier spent the majority of the address once again asking CNRP elected officials to defect to his Cambodian People's Party, repeating an offer that they could retain their seats under the ruling party and extending the deadline for jumping ship by two more weeks. As of today, fewer than 200 of some 6,000 opposition officials have joined the ruling party.

"All the members and activists of the CNRP, except a few whose rights were suspended by the Supreme Court, still have their freedoms," Hun Sen said.

Yesterday's proceedings were held inside of a heavy security cordon around the Supreme Court, and movement from the provinces to the capital was restricted, with authorities around the country monitoring local CNRP elected officials. Before the hearing, journalists and observers were stymied by police barricades around the Supreme Court before eventually being allowed to enter the court around half an hour before the start of the hearing.

Former *Cambodia Daily* journalist Len Leng was detained and questioned for nearly three hours at the Chaktomuk Commune Police Station for allegedly not having a

press pass as she observed the proceedings outside the court. This was despite a statement made by Phnom Penh Municipal Police Chief Chhoun Sovann earlier in the day that the trial was open to the public and security arrangements were only to protect from "terrorism issues".

"People can go to the court and listen to a public trial and hearing. It was harassment and a threat to citizens," Leng said after her release.

Among the evidence presented in court were two videos that have been pointed to repeatedly as purported proof of the CNRP plot – one of party leader Kem Sokha saying he received US training and another of former party head Sam Rainsy calling on the armed forces to turn their guns on the government.

A number of the civil society groups were also named by the lawyers as facilitators of the alleged revolution. Lawyer Ly Chanthola called US-funded broadcaster Radio Free Asia an "assistant" and election monitor Comfrel a "fellow colluder". Two RFA reporters were arrested on Tuesday night and are expected to be charged with "espionage" today.

Chanthola then took aim at Pa Nguon Teang, executive director at the Cambodian Center for Independent Media; Vorn Pao, president of local union IDEA;



Police officials block off Wat Botum Park ahead of the Supreme Court hearing on the dissolution of the CNRP in Phnom Penh yesterday. SAHIBA CHAUDHARY

the Cambodian Center for Human Rights and Australian filmmaker James Ricketson, who is also currently jailed over espionage accusations.

Lawyer Ky Tech informed the court that the CNRP had mounted a "lotus revolution" when they protested the 2013 elections results – a reference to similarly named non-violent mass demonstrations in Eastern Europe.

"Cambodia is under many attempts to do 'colour revolution' by the CNRP, by colluding with foreigners and cooperating with local and international NGOs," he told the nine-

judge panel.

The government has buttressed its accusations against the CNRP with assertions the party was aided by the US in trying to overthrow the government – an allegation denied by the embassy in Phnom Penh.

As evidence, Tech referred to a speech made by US President Donald Trump last year calling for an end to American attempts to topple foreign governments.

"It shows that the US is behind the toppling of many governments," he said.

Lawyer Sonn Chuoy, meanwhile, pointed out numerous meetings held by senior CNRP officials with the US State Department and congressmen, like senators Ted Cruz and John McCain, and Representative Alan Lowenthal. The embassy had not released a statement as of press time.

Kingsley Abbott, the ICJ's senior international legal adviser for Southeast Asia, said Muntz's presence on the bench, given his lofty place within the CPP's internal workings, raised serious doubts about the independence of the court. Muntz is a member of the ruling party's permanent committee and has been an adviser to the premier since before he took office.

"It makes a mockery of fair

justice to have someone in a leadership position within one political party sit in judgment on the conduct of that party's main opposition. There can be no starker example of an inherent conflict of interest," Abbott said.

Late yesterday evening, the enormity of the Supreme Court's decision was not lost on the capital's residents.

"For the upcoming election, I think it is meaningless because there is only one side, therefore who can [people] vote for?" said 21-year-old Sok Sophorn.

"Our country, law and power is in his [Hun Sen's] hands. Everything belongs to him and if he orders them to go left, they go left, and when he orders them right, they go right."

Lim San, 55, from Kandal province's Kien Svay district, was unable to hold back her tears, vowing to continue her support of the now-dissolved party.

"The one who dissolved [the CNRP] is not good," she said, standing at a barricade on Sihanouk Boulevard as the sun set on the capital. "Next year, I won't go to vote because I don't know who I should vote for."



ADDITIONAL REPORTING BY CHHAY CHANNYDA, PHAK SEANGLY, KONG META AND LEONIE KJEWSKI



Former CNRP leader Sam Rainsy (centre-right) raises his arm with opposition leader Kem Sokha (centre-left) as they greet supporters along a street in Phnom Penh in 2013. AFP



Opposition leader Kem Sokha is escorted by police officials following his midnight arrest in Phnom Penh in September. He stands accused of 'treason'. AFP

"Helping Children with Behavior Problems"

Caritas Cambodia is an international non-governmental organization working in twelfth provinces of Cambodia. The Center for Child and Adolescent Mental Health (Caritas-CCAMH), a unit of Caritas Cambodia, is aspiring to build the capacity of professionals working among children with psychological problems in collaboration with the Ministry of Health, Royal Government of Cambodia.

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Dr. Gunn Aadland, Pediatrician, Norway

Date: 20th (afternoon) & 21st November 2017

Venue: Center for Child and Adolescent Mental Health (Caritas-CCAMH), Chey Chumneas Referral Hospital, Takhmau, Kandal province

Contact: Limited place. Contact 023 983 348 (Office)/ 011 221 182
email to ccamh-admin@caritascambodia.org for more information/ reservation.



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Bids must be delivered to KrisEnergy Ltd. (Singapore), as per the instructions in the KEAPL Bidding Documents, **no later than 3 p.m. Singapore time on Friday, 1 December 2017** in a sealed envelope marked "ITB for 1,200 sq. km 3D Seismic Acquisition".

Please note that only bids, which are materially compliant with the specifications and requirements outlined in the KEAPL Bidding Documents, will be accepted.

Please contact below address for further information:
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