

Cambodia : those from below

Saturday 13 May 2023, by [PAILLARD Denis](#) (Date first published: 2 May 2023).

Contents

- [1. Confiscation of power \(...\)](#)
- [2. Cambodian society. Some \(...\)](#)
- [3. Those below](#)
- [APPENDIX: Article on the \(...\)](#)

Cambodia has known twenty years of civil war: first, the coup d'état of Lon Nol against Sihanouk in 1970 (1970 - 1975), then the dictatorship of the Khmer Rouge (1975 - 1979), and then the Vietnamese occupation (1979 - 1989), which put an end to the Khmer Rouge regime, but Cambodia fell back into war when the Khmer Rouge (supported primarily by the Americans) reoccupied part of the territory and jeopardized the reconstruction of the country [1]. Since then, Cambodia seems to be a country without history, with an increasingly authoritarian regime, under the leadership of Hun Sen, who over the years has consolidated his power by gradually eliminating the other parties. The long-awaited International Tribunal against the Khmer Rouge has only tried five senior Khmer Rouge leaders. Also noteworthy: Cambodia is the first country in the world for the number of NGOs per capita (5,000 NGOs counted in 2019). In the field of health and education, NGOs play an essential role, compensating for the serious failings of the government in this area.

In July 2016 the death of Kem Ley resounded like a thunderclap: a human rights activist and founder of the *Grass Roots People's Party*, Kem Ley had denounced Hun Sen's regime and its control over most of the country's wealth. He was assassinated in July 2016 at the initiative of the government. On the day of his funeral, nearly a million people accompanied the funeral convoy to Kem Ley's home village (the government had forbidden him to be buried in Phnom Penh). The dominant slogan "We are all Kem Ley!" [2]. This event, with its large number of participants, revealed another Cambodia, the Cambodia of "those below", largely invisible to an outside observer, but also a challenge: how to talk about "those below"? [3] Very often, we talk about "those below" when the government arrests and represses people who have participated in initiatives that challenge its control over society. In recent years, this desire to silence all critical voices has increased considerably.

1. Confiscation of power and monopolization of the essential wealth by the Hun Sen clan [4]

Over the years, from election to election, there has been a systematic hold on power by the *Cambodian People's Party* (CPP) led by Hun Sen, which has been multiplying initiatives to push aside its main competitor, the *Cambodia National Salvation Party* (CNSP). Its leader, Sam Rainsy, was forced into exile and in November 2017 the PSNC was banned. The main leaders were arrested and charged with treason: in March 2023, Sam Sokha, the first leader of the PSNC, was sentenced to 27 years in prison; thirty-six other leaders were also sentenced, to terms of 5 to 7 years in prison. In the 2017 regional elections, the CPP won 80% of the seats and all the seats in Parliament in 2018. In the run-up to the next elections in July 2023, the government is stepping up its attacks on other parties, primarily the *Bougie Party*, which has taken over from the PSNC. The CPP also controls the

Senate. The leaders of the army and the police are part of the Hun Sen clan, and the judiciary, as shown by recent decisions against various parties, obeys the orders of the government [5]. It should also be noted that the president of the Cambodian Red Cross is none other than Nun Rany, Hun Sen's wife. Finally, Hun Sen has made it clear that his son, Hum Manet, currently a general in the Cambodian armed forces (he is in charge of the presidential guard and the anti-terrorist forces), should succeed him as prime minister.

Hand on the country's wealth. In 2016, *Global Witness* published a lengthy report on the assets of the Hun Sen clan. Based solely on Ministry of Commerce records, the report, estimates the family's economic empire at \$200 million: ownership of businesses in all sectors of the economy (management and control positions in more than 114 companies) and the service sector, control and ownership of the media (newspapers, radios, televisions), to which must be added significant shares in foreign businesses and companies invited to support the current regime. As the report points out, this represents only part of the accumulated wealth: according to some estimates, the Hun Sen clan's fortune is well over \$500 million. Thirty-four special economic zones covering 2 million 500,000 hectares have been created: industrial cultivation for rubber and palm oil, large-scale uncontrolled deforestation [6]. Two economic zones are owned by Hun Sen's family, while fourteen others are owned by *tycoons* closely linked to the Hun Sen clan [7]. The subsoil resources (gas, oil) are also exploited for the sole benefit of the government. [8]

The report is explicit: it is "*the systematic capture of an entire state and its resources by the regime.*"

An ever more repressive legislative arsenal

Over the years, the government has considerably strengthened the legislative arsenal aimed at blocking any critical initiative in all areas. These include the 2015 law on NGOs, which aims to control them and define the limits of their activities; the law on trade unions, which increases the obstacles to the creation of independent trade unions - today it is almost impossible to declare a strike - and favours the creation of 'in-house' trade unions that actively collaborate with company management.

The report published by LICADHO in December 2020 for the past two years paints a picture of all the measures adopted by the government to block any critical initiative. In February 2018 the National Assembly adopted a series of amendments to the Constitution prohibiting any activity "*affecting the interests of Cambodia and its citizens.*" Parties, associations and ordinary citizens are obliged to put "*the interests of the nation*" above all else, with only the government having the authority to judge. During the Covid period, the National Assembly adopted a series of laws authorizing the declaration of a state of emergency in the face of "*threats endangering the nation*" - undefined threats, left to the sole discretion of the government: parties, associations and unions whose members do not respect the state of emergency or criticize it can be dissolved. A draft law on public order, presented in June 2018, provides that any event or initiative may be banned if it threatens "*social stability and national traditions*" or undermines the competent authorities. In 2020 two bills concerning the internet were presented that penalize any stance that aims to "*diminish public confidence in the attributes and functions of the government and state institutions.*"

LICADHO concludes: "*Taken together, these laws already passed or in the pipeline give the government full power to suppress basic human rights and silence those who act to defend them.*"

Press freedom also suffered multiple violations, most recently the banning in February 2023 of the last independent newspaper, *Voice of Democracy* (VOD). Three other publications had their licenses revoked for publishing articles about the misappropriation of funds by senior government officials and CPP members. In the past two years, some 20 local radio stations have been suspended or

banned.

2. Cambodian society. Some benchmarks

Today Cambodia's population is 16.590 million, of which 12.496 million live in the countryside. 72% of the population has no reliable access to water and 23% have poor sanitation.

In 2020 17.8% of Cambodians (2.7 million) live below the poverty line [9]. Poverty is very high especially in the countryside. The Covid years have seen a significant increase in poverty: closure or temporary cessation of certain businesses, especially in textile factories, a dramatic drop in the number of tourists, laws aimed at restricting travel and the creation of 'red zones' in the working-class districts of Phnom Penh with a ban on going out, etc.

Cambodia is the leading country in the world for microcredit, with more than three million people having taken out a microcredit in both urban and rural areas [10]. Repayment of loans has always been an almost insurmountable problem, forcing people to take out new loans to repay the first loan. The Covid period with the loss of wages became a veritable infernal machine affecting food and health [11]. In the countryside, the impossibility of repayment leads to the seizure and sale of land, migration to the cities or Thailand, and child labor. On April 6, 2021, 103 associations and unions launched an appeal to request a three-month moratorium on repayment, but without results.

Economy

The breakdown of active people is as follows:

- industry 2.5 million people, including textile and shoe factories: about 800,000 workers (80% of whom are women); construction: 200,000; tourism: 630,000 (60% of whom are women).
- In the cities, there is a very large number of informal workers; artisans, tuk tuk drivers, maids, street vendors, waiters in a restaurant, etc.
- agriculture: 3.4 million people
- services: 3.1 million people.

During the Covid period (2020 - 2022) a large number of companies (textiles and tourism) have either closed down altogether or ceased operations for an average of 3 months [12] with workers receiving only a minimal compensation (30 to 50 dollars), with the state committing itself to paying a further 40 dollars.

More generally, only a small portion of workers are entitled to social protection. In 2018, the ILO estimates that 7 Million people do not have access to such social protection.

Trade unions in Cambodia

There are a large number of trade union organizations, the first of which appeared in the 1990s. The government has multiplied initiatives to prevent the creation of independent trade unions, starting with the 2016 Trade Union Law: endless registration procedures, criteria of representativeness, forcible regulation of the right to strike, etc. At the same time, in collaboration with company bosses, it has promoted the creation of 'in-house' unions, referred to as Instant Noodles unions, in reference to their instant registration [13].

The trade unions are mainly present in the textile factories and tourism. 10 trade union organizations in Cambodia are affiliated to *IndustriALL Global Union*, the two most important being the *CATU (Cambodian Alliance of Trade Unions)* and the *CCU (Cambodian Confederation of Unions)*

whose leader, Rong Chhun, was imprisoned from July 2020 to November 2021 for having published a text on Facebooks in defense of peasants at the border with Vietnam. Let us also mention the organization *IDEA (Independent Democracy of informal economy association)* which defends the numerous informal workers ('outside the system'): cab and tuk tuk drivers, small street traders, domestic workers, restaurant employees, etc.

On 1er May 2023, two demonstrations (about 2000 participants) took place in Phnom Penh.

Repression of trade unionists

The government has always increased measures to hinder the action of independent trade unions by all means, including the most brutal repression, as was the case during the large demonstrations of women textile workers in late 2013 - early 2014 when five protesters were killed. Three trade union leaders were charged, but their trial did not take place until December 2018: sentenced to suspended prison terms and heavy fines, they are also banned from any public action under penalty of lifting the suspended sentence.

The Covid period saw an intensification of anti-union measures, hitting not only union officials but also unionized workers. When companies partially suspended their activities, it was the unionized workers who were hit first. A few cases among many others. In 2020, at the *Zhen Tai Factory* in Phnom Penh, which employs 1,700 workers, the majority of the suspended workers were union members; three shop stewards were brought to court on charges of inciting workers to protest and fined \$37,500. On May 18, 2020, Soy Sros, a union leader at *Superl Holdings Ltd.* was arrested and jailed for criticizing on social media the firing of union members, including a pregnant woman. She was charged with "provocation" against public order and released after two months in detention. *Naga World Limited Casino* in Phnom Penh employs 8,000 people. On April 18, 2021, the management announced the dismissal of 1,329 employees, primarily members of the independent trade union LRSU. 2,000 employees went on strike and demonstrated; three LRSU leaders, Chhim Sithar, Sok Narith and Sok Kongkea, were arrested and charged with "disturbing public order. In 2022, the LRSU was banned. Chhim Sithar is still imprisoned and faces a two-year prison sentence.

3. Those below

The brutal repression of struggles in various fields cannot be reduced to the violation or non-observance by Hun Sen's power of human rights, as defined by the Constitution of Cambodia and international conventions and other documents to which Cambodia is a signatory. The issue of human rights in Cambodia has a more radical dimension. To use Jacques Rancière's formulation: "*Human rights are the rights of those who do not have the rights they have [the wrong] and who have the rights they do not have [the dispute]*" [14]. This refers to two worlds in one: on the one hand, Cambodia as embodied by Hun Sen, with the monopolization of power, the confiscation of the country's wealth and the repression of all that moves and dares to protest, and on the other, the Cambodia of those from below, whose voices resounded loudly at the funeral of Kem Ley: For the one million people who accompanied Kem Ley's body, Hun Sen's Cambodia is not theirs, with the affirmation and the claim in positive of another Cambodia, the one of the "without shares". In recent years, the common voice of those from below has resounded in collective declarations bringing together associations, trade unions and numerous communities - generally more than two hundred signatories - in the face of cases of repression: the arrest and detention of an activist, the banning of the last representatives of the independent press (the latest case: the banning of *Voice of Democracy* at the beginning of 2023), etc. A demonstration of solidarity that brings together and goes beyond the different concrete spaces of struggle.

This disconnect between two worlds concerns all areas of life. The lack of life should not be interpreted simply as a reference to the system in place, synonymous with large-scale poverty and repression, but also, and above all, as the affirmation of the right to a life that is not mutilated, when it is living that defines what is at stake in the struggles in all their diversity.

Below, we briefly present the main areas and struggles in defense of the right to life.

Right to land

The issue of land rights is the one that affects the largest number of people. Under the Khmer Rouge, all private ownership of land was prohibited. Since the 1990s, the issue of the recovery of land, individual and collective, by members of peasant communities has arisen on a very large scale, giving rise to a very large number of conflicts, most of which have not been resolved despite all appeals. For the period 2000 - 2014, it is estimated that there were 770,000 conflicts - for the following years there are no global figures, but their number has not decreased, on the contrary [15]. The Covid crisis and the explosion of microcredit have further aggravated the situation with the seizure of land in case of non-repayment [16]. The creation of 34 special economic zones covering 2 million 500,000 hectares [17] has led to the expulsion of the communities present, often in a violent manner (destruction of villages and displacement of populations to lands with little or no fertility), with the regular use of the armed forces. At the end of March 2023, 1,000 representatives of communities from different regions (Siem Reap, Koh Kong and Kampong Speu) came to Phnom Penh to protest against land grabbing and denounce the abuses of local authorities [18].

Large-scale deforestation

Large-scale deforestation affects different regions of Cambodia, primarily the northern and eastern regions, especially in the special economic zones (see note 13 above). The struggles to defend the Prey Lang forest (431,683 ha) have had great resonance. Declared a "sanctuary forest" by the government in 2016, it has been subject to massive deforestation, including 10,000 ha in the same year. The defense and monitoring of the forest was primarily carried out by the forest dwellers, mainly members of the Kuy minority, in collaboration with the authorities. However, from 2020 onwards, the authorities have increased the number of obstacles to the surveillance patrols of the inhabitants and several activists have been arrested [19].

Minorities

In Cambodia, there are 24 non-Khmer minorities, mainly in the North East of the country, representing 2 - 3% of the population. The ancestral forests are their traditional place of life (gathering, hunting, fishing) and cover about 4 million hectares. The recognition of their collective property rights is systematically hindered by the central and local authorities. Between 2011 and 2021, only 33 communities out of 458 were able to legalize their collective property titles. The creation of special economic zones has had serious consequences: expropriation, deportation of entire villages, questioning of traditional ways of life, of their language and culture, large-scale deforestation despite all the resistance initiatives, which were violently repressed. See above the case of the Prey Leng forest.

Ecology and environmental protection

In addition to the large-scale deforestation policy, the large-scale urbanization policy, primarily in Phnom Penh, has resulted in the mass eviction of communities from poor neighborhoods, deporting them far outside the city and depriving them of their meager livelihoods. But also, around the

capital, Phnom Penh, the destruction of lakes and wetlands for private real estate projects. This urbanization policy has provoked a lot of resistance, leading to a very harsh repression. We will limit ourselves to two cases.

The first is already old. In 2007, *Shukaku*, a company owned by a CPP senator, obtained a concession to “develop” (sic) the area of Boeung Kak Lake, the largest lake around Phnom Penh. In 2011, as a result of large-scale sand extraction, the lake is now a swampy area. In the course of these operations, 20,000 people, who resided there, were displaced. In 2012, Yorm Bopha, an activist, who had actively supported the residents in their struggles against the evictions and supported thirteen women who were sentenced to prison terms for defending their rights, was arrested and sentenced to a heavy penalty. On March 8, 2014, International Women’s Day, she said, *“I want to encourage women to speak the truth. Because if we don’t tell it, no one will know about our problems. As I refuse to keep quiet, I take great risks, of being murdered or imprisoned, but this does not discourage me.”* On June 28, 2016 she was again sentenced to three years in prison and a heavy fine.

The second concerns five activists from the *Mother Nature* association, an organization that carries out environmental actions in different regions [20]. On May 5, 2021, these five activists, active in the defense of the lakes in the Phnom Penh region, accused of having sought to “create social chaos”, were sentenced to 18 to 20 months in prison and heavy fines.

Exploitation: the case of textile factories

In the textile factories, in Phnom Penh but also in other regions, a large part of the workers (80% are women) come from peasant communities: the choice of those who decide to leave for the city is due to the very great poverty of many families in the countryside, the project being to contribute, through their salary, to support those who have remained in the village.

The working conditions are very hard, in overcrowded workshops. After about ten years, most of the workers are exhausted: in the factories there are almost no workers over thirty-five years old [21]. A worker who became pregnant was most often dismissed. The majority of contracts were for a fixed period of three to six months, and their renewal was at the discretion of the management, which could punish the slightest protest. Given their very low wages, the workers are forced to work overtime until they are exhausted. To this must be added the painful question of housing for those who are not from Phnom Penh: the rent takes a significant part of the salary and the living conditions are often unhealthy [22].

Wages have increased only because of the actions of the unions. But the situation has worsened dramatically during the Covid period (see above) [23].

In this article, I have tried to make present “those from below” in Cambodia - an attempt that has profound limitations. As I have pointed out, “those from below” are most often present only when they are hit by repression. Much of the material cited (especially material from international associations) tends to present them as voiceless victims of the arbitrary power and exploitation. It is true that, all too often, their voices are not very audible, sometimes inaudible [24], but the challenge is to make them present as actors in their lives. To do this, it is necessary to take the risk of changing the way we look at the world and to give up a Eurocentric view. A challenge of analysis, of presence, of solidarity.

Denis Paillard

APPENDIX: Article on the assassination of Kem Ley

This article was written in July - August 2016.

The murder of Kem Ley, a popular Cambodian analyst and activist, at a gas station in the center of Phnom Penh on July 10 sparked a huge wave of protests that culminated in his funeral on Sunday, July 24. Hundreds of thousands of people gathered throughout the day.

The official version is that Kem Ley was shot by a man because of a personal conflict between them. In other words, it is just a news item, tragic given Kem Ley's personality, but a news item. The Cambodian Daily newspaper made public the pressure exerted on media officials not to mention Kem Ley's death. But many voices have been raised to contest this version: the murder has a political dimension and looks very much like a commissioned assassination, as evidenced by the cartoon by Patrick Samnang Mey published in the *Phnom Penh Post* on Monday July 25:



This murder comes in the context of the government's hardening of its stance against any form of opposition; since the beginning of this year, this has resulted in the arrest and conviction of several members of the opposition, including deputies and senators who are members of the PSNC, the main opposition party, which has made virulent anti-Vietnamese nationalism its trademark. But also NGO activists. The website of the Cambodian Human Rights League (www.licadho-cambodia.org/) lists all political prisoners. In the past, at least two other people have been assassinated because of their activities: trade union leader Chea Vichea in January 2004 in Phnom Penh in broad daylight, and in April 2012 Chut Wutty, head of an association fighting deforestation in Koh Kong province (the perpetrators of these two assassinations have never been found and one can only have doubts about the investigation into the death of Kem Ley). In January 2014, at least five people were killed, shot by the police during the big demonstrations of the textile workers (on the working conditions of the textile workers, one can consult the website <http://asia.floorwage.org/>). These facts are recalled in a communiqué signed by 70 organizations, associations and local communities.

It is also difficult not to make a link between Kem Ley's death and the publication in early July by Global Witness (<https://www.globalwitness.org/campaigns/cambodia/>) of a very long and detailed report on how Prime Minister Hun Sen's "family" confiscated the country's main wealth. In an interview (the last one before his death) with *Voice of America*, Kem Ley explained that the facts and conclusions of the report seemed to him to be generally well founded and relevant. If corruption is a global phenomenon, it is reaching unprecedented proportions in Cambodia. So much so that a *Phnom Penh Post* journalist wrote that the A.C.U. (lit. 'Anti - Corruption - Unit'), the government agency officially in charge of fighting corruption, should be renamed Pro.C.U. (lit. 'Pro - Corruption - Unit').

Kem Ley was married with four children; his wife, Bou Rachana, is pregnant with a fifth child. A political analyst highly critical of current government policy, he was also a political activist. In August 2015, he initiated the creation of a party, the Party of Direct Democracy called the Party of People from Below. In this framework, he had developed the program of '100 nights' consisting of going to villages to discuss 'a whole night' with the inhabitants of the most urgent problems. The 19ème night took place shortly before his death. He was also a regular participant in the *Black Monday* campaign for political prisoners. He was aware of the risks he was running and said: *"From the moment I do a political analysis, I am aware that my life can be taken away, because we are surrounded by a bunch of wolves, tigers, cobras and crocodiles. However, I wish everyone to be brave. If we live in fear, we will be oppressed forever."*

Despite all the efforts made by the authorities, Kem Ley's death caused a real earthquake, shaking the whole country. There have been countless statements from various personalities, including His Majesty King Sihamoni, who is regularly banned from politics by Hun Sen, who is said to have declared: "Kem Ley is a speaker with a golden voice", echoing the name "man with a golden voice" given to a very popular singer.

The organization of Kem Ley's funeral gave rise to a real tug of war between the Committee in charge of organizing it and the authorities, represented, for the occasion, by the Phnom Penh City Hall. Immediately after Kem Ley's death, strong pressure was exerted to hold the ceremony as soon as possible (in order to quickly put an end to this cumbersome affair). The Committee's response was very firm: Kem Ley's body was displayed for two weeks in the Wat Chas pagoda in the Chroy Changva district of Phnom Penh, allowing thousands of people to come and pay their respects to his remains. The funeral was set for Sunday, July 24: the body was to be buried in Angk Ta Kok, his native village, near the town of Takeo, 70 km from Phnom Penh (his burial in Phnom Penh was unthinkable for the authorities, because his grave would have very quickly become a place of pilgrimages and gatherings). The government made other demands: the participants had to be motorized: cars, trucks, motorcycles and tuk tuks, and no slogans or demands would be tolerated. And to conclude, a particularly petty measure: the closure of all gas stations along the route of the procession under the pretext of preventing any acts of 'terrorism' and 'vandalism' by some participants in the procession.

On the eve of the funeral, the atmosphere was so tense that the U.S. and German embassies even asked their nationals, tourists and other expatriates to avoid the places where the procession will pass with the following warning: *"beware, on Sunday July 24 there will be too many free Khmers in the street, 'out of control'."*

In fact, all these measures proved to be totally ineffective - they even had the opposite effect. The procession left Wat Chas Pagoda at 7:00 a.m. on July 24 and proceeded through Phnom Penh to Angk Ta Kok's home village, where the head of the procession arrived around 6:00 p.m. On the website of the League of Human Rights of Cambodia (www.licadho-cambodia.org/) one can find a report of RFA on the day with many photos taken by the participants on their cell phones. We reproduce four of them.





People flock from all over to join the procession



On the passage of the procession at the exit of Phnom Penh



Last turn before arriving at Angk Ta Kok, Kem Ley's native village.

These photos show an incredible popular mobilization. Once out of Phnom Penh, all along the route, the procession was greeted by the inhabitants of the villages and other towns it passed through, people offering drinks and even fuel (to compensate for the arbitrary closure of the gas pumps). It is difficult to give a figure, but hundreds of thousands of people, nearly a million, took part in the event. As the pictures show, apart from the people in the procession, there were continuously, on all this very very long route (more than 70km!), people massed on the side of the road.

This event by its magnitude, by what it reveals of the state of mind of hundreds of thousands of Cambodians, is a real slap in the face for the authorities who insist, desperately, on reducing it to a simple news item. On Sunday evening, a television channel under control spoke of two thousand participants, a figure that, on Monday, Prime Minister Hun Sen still saw fit to correct, by raising it to 10,000! Worse, the officials of the official channels justified themselves on Monday by declaring that the channels did not have the means to cover the event and that they had to give priority to other events "a thousand times more important" (notably concerts and boxing matches!). Given the incredible presence of the procession, which literally invaded the space, one can wonder who the power and the media at the orders can hope to convince. Moreover, there is no doubt that this popular mobilization can only worry the government in view of the local elections in 2017 and general elections in 2018 (remember that in the 2013 elections, Hun Sen's CPP had won the majority only by a narrow margin against the PSNP). On Thursday, July 21, a meeting of the CPP Central Committee was held to close ranks and reaffirm the need for a hard line against any critical person or organization.

But Kem Ley's death creates a void that will be difficult to fill. He was an emblematic figure of the party he had just created; he was a person outside the traditional political game, and without him,

there is no guarantee that this party can succeed in its breakthrough. From Paris, where he is in exile, Sam Rainsy, the main leader of the PSNC, has already launched a takeover bid on Kem Ley's popularity, declaring that Kem Ley was about to join the PSNC, a statement that no one in Phnom Penh has seen fit to confirm, either on the side of the PSNC or on the side of the relatives of the deceased. But if we leave the space of political politics, centered on the relationship between Hun Sen's CPP and Sam Rainsy's PSNC, engaged in a race to the death for power, the enormous mobilization of the last few days testifies to the fact that Cambodian society is not as atomized and fragmented as that, and that the passivity that is attributed to it is due in particular to the fact that it is only given the possibility of expressing itself during often problematic elections. On various websites (cf. in particular www.opendevelopmentcambodia.net/tag/cambodian-cross-sector-network/ and in newspapers such as *Cambodian Daily and Phnom Penh Post*) one can find a great deal of information on the many forms of resistance that are taking place on a daily basis throughout the country: women workers in textile factories and other companies, villagers and ethnic minorities fighting against land grabbing, the struggle against massive sand extraction on the Siam Sea, not to mention the very active Network of Monks for Social Justice. In a way, Kem Ley, by his approach, his texts, his positions, had become a spokesperson for "those from below". His death does not mean that the voices of the "without shares" will be silenced. On Sunday, in the procession, someone read this text by the poet Chhun Chamanap: "A Kem Ley is dead, a million Kem Leys are ready to relay the essential concerns of Cambodians about their nation."

Denis Paillard

P.S.

- Traduction DeepL et Pierre Rousset.
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Footnotes

[1] Three books. On the Khmer Rouge period: Michael Vickery, *Cambodia 1975-1982*; on the "Vietnamese" period (1979-1989): Margaret Slocomb, *The People's Republic of Kampuchea*; on the transition period 1990-1994: Raoul Jennar, *Chroniques Cambodgiennes 1990-1994*.

[2] A text written the day after Kem Ley's death is attached.

[3] In Cambodia, there are various information sites, the main one, very rich, being the one of the *Cambodian League of Human Rights* (LICADHO). International associations (Amnesty International, Human Rights Watch, Transparency International, etc) regularly publish documents on human rights. Information on women textile workers can be found on various sites, in particular the *Asia Floor Wage Alliance*.

[4] We are not proposing a systematic analysis of power: we are simply providing a number of benchmarks to shed light on the current situation in Cambodia.

[5] In the *World Justice Project's* 2022 assessment of 140 countries' judicial systems (*Rule of Law*), Cambodia ranks second to last (139).ème

[6] Below we look at the dramatic consequences this has had for peasant communities.

[7] On the LICADHO website, there is a set of maps listing the special economic zones: location, owners, production.

[8] See How Cambodia's elite has captured the country's extractive industries, 2009, Global Witness report.

[9] On the website of Bophana Center (resp. Rithy Panh), there are 15 short films on the theme 'one dollar / a day' (shot in 2016).

[10] On the LICADHO website, there is a very detailed section on debt: *Right to relief. Indebted communities speak*, with various documents, including surveys in fifteen communities in resistance.

[11] Cf. the picture painted by a joint LICADHO / Cambodian Alliance of Trade Unions / Center For Alliance of Labour and Human Rights (2020) report on the over-indebtedness of women textile workers: *"MFIS (microfinance institutions), commercial banks and their investors - many of which are the development agencies or state banks of European governments - are responsible for widespread over-indebtedness in Cambodia. They have continued to fund an aggressive expansion of the microloan sector and loan portfolio sizes, despite warnings from economists and human rights NGOs about the excesses and abuses in the sector. More than 2.6 million Cambodians held more than \$10 billion in microloans at the end of 2019, with borrowers holding an average of \$3,804 - by far the highest average microloan size in the world, and far exceeding GDP per capita or annual incomes. During the spread of the COVID-19 pandemic, development partners should be implementing debt relief for distressed Cambodian borrowers. Instead, they have sought to expand the already bloated microfinance sector. In January 2020, a press release announced that the UN, USAID and Australia's DFAT had worked together to support a "Women's Livelihood Bond 2", which will send about \$6 million to Cambodian MFIs. In March, Germany's DEG, a subsidiary of the state development bank KfW, announced an \$18 million loan to Hattha Kaksekar Limited (HKL), one of Cambodia's largest MFIs. In April, the World Bank's IFC proposed \$15 million in funding for AMK, another of the largest MFIs in Cambodia, with the goal of "improving access to finance" for women. What Cambodian borrowers need right now is debt relief, not millions of dollars in financing for profitable, foreign-owned MFIs to expand their loan portfolios.*

[12] In the tourism sector, 3,000 companies have suspended their activities and an estimated 45,000 jobs have been lost in this sector. In the textile sector, several companies have closed, sometimes to reopen under a different name. In the case of companies that have suspended their activities, the loss of wages is significant. In 24 companies employing 73,412 workers, the loss of wages is estimated at 12.710 million dollars in 2020, a situation that has been repeated in 2021. LICADHO and two trade unions CATU and CENTER have published a document *Over indebtedness in Cambodia's Garment sector* (on the LICADHO website). The *Asia Floor Wage Alliance* has published a long document on the consequences of Covid for women textile workers in different countries in South East Asia: *Covid 19 Wage Theft in Garment Supply Chains*; a chapter is devoted to Cambodia, p. 130 - 150.

[13] On the situation of trade unions in Cambodia, see the long report by *Human Rights Watch*: *Only 'Instant Noodles' Unions survive* (2022).

[14] Jacques Rancière, "Who Is the Subject of the Rights of Man?", Project Muse, <http://muse.jhu.edu>.

[15] On the LICADHO website, on the list of people prosecuted and already sentenced to prison (73 in total), there are 25 activists for the right to land.

[16] See note 9 above.

[17] On special economic zones, see the document on the LICADHO website.

[18] For an overall analysis, see *David and Goliath: the issues of Land disputes in Cambodia*, 2021, at sphereofinfluence.ca. For the period 2000 - 2013, *Cambodia: land in conflict. An overview of the land situation*, report by the *Cambodian Center of Human Rights*.

[19] On the case of Prey Lang Forest, see *The status of Prey Lang Forest on the Prey Lang Community website and the report Illegal logging, repression, and indigenous peoples' rights violations in Cambodia's protected forests*, *Amnesty International*.

[20] Since 2017 the Cambodian government has removed Mother Nature's NGO status. This has not stopped Mother Nature from continuing its activities. For a more detailed picture of Mother Nature's initiatives, see the Mother Nature Cambodia entry on *Wikipedia*.

[21] This brutally raises the question of what to do next: return to the village and plunge back into bottomless poverty? or stay in Phnom Penh in even more difficult conditions?

[22] Not to mention the undignified conditions of transport from the home to the factory, as shown by the photos published on many sites. And at high risk, with several accidents every day.

[23] On the *Asia Floor Wage Alliance* (AFWA) website you will find many reports that clarify and complete the picture.

[24] Shortly before his assassination, Kem Ley had undertaken to go on site, at length, to a hundred or so communities: the challenge was to listen to the members of each community, to give them a voice that was too often denied, not to speak in their place.