
CAMBODIA IN 2000

New Hopes Are Challenged

Irene V. Langran

As the year 2000 came to a close, Cambodia's peace was shattered as heavily armed insurgents attacked government buildings in the capital. While the insurgency was quickly subdued, it served as a reminder of the recent and fragile nature of Cambodia's democracy. A surge in vigilante justice, the pervasiveness of corruption, and tensions between the U.N. and the government over the fate of former Khmer Rouge leaders presented challenges to Cambodia's democratic consolidation in 2000. Meanwhile, massive floods throughout much of the country slowed economic progress and endangered food security.

In spite of these formidable obstacles, there are signs of hope for Cambodia's future. The coalition government formed in late 1998 continues to function and recent reform efforts have generated praise from financial institutions and donor governments. A growing civil society and an active opposition party are healthy signs that democratization in Cambodia, though a slow and often painful process, is finally taking root.

A Fragile Peace

As 2000 began, hopes were high that Cambodia would continue a new era of peace after almost 30 years of violent conflict. In the final months of 1998 the remaining Khmer Rouge forces surrendered to the government and the two main political parties, Hun Sen's Cambodian People's Party (CPP) and Prince Norodom Ranariddh's United National Front for an Independent, Neutral, Peaceful, and Co-operative Cambodia (FUNCINPEC), ended a political impasse with the agreement to form a coalition government. While some

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observers feared that the coalition government would fail to overcome political rivalries, the two parties worked together throughout 2000. Under the leadership of Prime Minister Hun Sen and National Assembly President Norodom Ranariddh, the CPP and FUNCINPEC pledged to continue their cooperation and formed joint committees on various government levels. The presence of a vocal opposition party, the Sam Rainsy Party, provided a democratic balance to the government.

Although the coalition government endured, the attack in Phnom Penh before year's end fractured Cambodia's peace. In the pre-dawn hours of November 24, an estimated 70 heavily armed insurgents attacked government buildings in the capital. The attack, in which eight were killed and at least 14 wounded, was conducted by the Cambodian Freedom Fighters, a group of anti-communist, anti-Vietnamese Cambodian expatriates. The Cambodian Freedom Fighters contend that the current government lacks independence from Vietnam, which ousted the Khmer Rouge regime in 1979 and continued to occupy Cambodia for almost a decade. The attack forced Vietnamese President Tran Duc Luong to cancel his planned November 27 visit to Cambodia, delaying the finalization of border agreements between the two countries. Although the group does not pose a substantial threat to the current government, the long-term effects of its action on tourism, investment, and demobilization of the military are uncertain.

The 2000 Floods

The November unrest was not the only unforeseen challenge to the country during the year. Indeed, many Cambodians will remember the year as one in which Cambodia experienced its worst floods in 70 years. In July and September, severe rains caused the Mekong River to overflow and inundate parts of Cambodia, Vietnam, Laos, and Thailand. Phnom Penh was spared the worst effects of the flood through the placement of thousands of sandbags throughout the city.

In November official reports estimated that the floods produced 347 deaths, affected 3.4 million individuals out of a population of 11.5 million, and caused US\$145 million in damage.¹ The previous month officials reported 20% of the rice crop was destroyed; food security was threatened further by the drought experienced in other parts of the country. The dislocation of families, damage to infrastructure, shifting of land mines, loss of livestock, accusations of misappropriations of state recovery funds, and spread of water-borne diseases such as cholera, typhoid, and dysentery compounded recovery efforts. Nearly 1,000 schools and 3,500 kilometers of roads must be

1. "ADB Lends 55 Million Dollars to Cambodia for Flood Relief," Deutsche Presse-Agentur (DPA), November 16, 2000, in Lexis-Nexis, load date: November 16, 2000.

rebuilt as a result of flood damage.² Such unanticipated natural disasters strained already scarce resources and serve as a reminder of Cambodia's dependency on external support. In addition to donations from other external sources, by mid-November the U.N. Development Program (UNDP) had donated US\$8 million for Cambodia's flood relief, the U.N.'s World Food Program had embarked on an ambitious campaign to feed a half million flood victims, and the Asian Development Bank (ADB) approved US\$55 million in loans for the recovery process.

As a result of the floods, the ADB revised its growth estimates for the year, from 6% to 4.5%.³ Experts warned that the effects of the floods, worsened by deforestation, are likely to be repeated in coming years.⁴ Although government efforts initiated in January 1999 have reduced illegal logging in Cambodia, the effects of deforestation persist.

Creating a Democratic Culture

Government reform efforts in 2000 included the continuation of measures designed to end illegal logging, which led to the January suspension of over 20 government officials; the commencement of a one-year effort to collect firearms; the initiation of pilot demobilization programs designed to retire 31,500 soldiers by the end of 2002; and pledges to restrict the privatization of fishing lots. The privatization of fishing lots as part of an effort to increase government revenue sparked a series of protests by fishermen denied access to the lots. Fishing rights are an especially important issue in Cambodia, where the majority of the population relies on fish for over half its daily protein.⁵ The privatization controversy prompted Hun Sen to remove the government fisheries director, Ly Kim Han, and other fisheries officials.

The National Assembly passed legislation designed to improve Cambodia's electrical supply, finalized the 2001 budget, and debated a trial for former Khmer Rouge leaders. Cambodia's parliament also held discussions on the selection of a successor to King Norodom Sihanouk, who has been suffering from a variety of health problems. The new king, a ceremonial figure, will be selected by a nine-member Crown Council that includes members of the ruling CPP and Buddhist representatives.

2. Ibid.

3. "Cambodian Economic Growth Rate to Slow to 4.5% after Flooding," Associated Press, December 9, 2000, NGO Forum on Cambodia, CamClips International List, at <ngoforum@bigpond.com.kh>, December 10, 2000.

4. James East, "Get Used to the Floods, Warn Experts," *Straits Times*, September 22, 2000, in Lexis-Nexis, load date: September 27, 2000.

5. "Cambodia Removes Three More Fisheries Officials," DPA, November 16, 2000, in Lexis-Nexis, load date: November 16, 2000.

Reform efforts, the presence of an opposition party, and Cambodia's growing civil society have aided the democratization process. Nevertheless, Cambodia's history of political factionalism, violence, and a lack of the rule of law create significant obstacles toward democratization. Corruption is widespread; although Cambodia is attempting to create a democratic culture, its political culture is characterized more commonly as a culture of impunity. Recent corruption scandals within the government-run Cambodian Mine Action Authority (CMAC) led donors to reduce funding to the organization, resulting in the October dismissal of approximately 70% of its staff. CMAC, which relies on foreign aid for 90% of its budget, is vital to political, social, and economic reconstruction in one of the world's most heavily mined countries, where 253 people were killed or injured by land mines in the first three months of 2000 alone.⁶

In March officials discovered the existence of over 6,000 "ghost" civil servants who were on the payroll but failed to report to work. Numerous reports cite the involvement of government, military, and police officials in illegal activities, including human trafficking, poaching, and smuggling. Torture in prison is common and the judicial system is characterized by a lack of independence from the government. The widespread practice of vigilante justice reflects the lack of confidence Cambodians place in the judicial system and a history in which the rule of law is weak. Local elections, scheduled to take place in 2001, will be a critical test of the strength of Cambodia's democratic culture and institutions.

External Relations

Throughout the year, Cambodia sought to strengthen its relations with other countries in the region through bilateral agreements and cooperative efforts with the Association of Southeast Asian Nations (ASEAN). In November Chinese President Jiang Zemin visited Cambodia, facilitating a series of agreements between the two countries. This landmark visit reflects China's growing role in the region. The following month the dedication of the new National Assembly office building, funded by China, illustrated this growing role. In July Cambodia signed the European Community-ASEAN Cooperation Agreement, designed to promote trade and investment between the two regions.

Cambodia's progress in political and economic reforms is a critical component of aid packages on which the country remains highly dependent. Approximately one-third of the government budget comes from foreign donors.

6. Cambodia Campaign to Ban Landmines, *Landmine Monitor 2000: Cambodia* (Cambodia: NGO Forum on Cambodia, 2000), on the World Wide Web at <<http://www.bigpond.com.kh/users/ngoforum/>> [accessed December 31, 2000].

In 1999 donors linked aid packages worth US\$470 million to reforms in logging, banking, and tax collection. In May 2000 donors meeting in Paris rewarded Cambodia's efforts with an aid package worth US\$548 million, an amount larger than anticipated. The 2000 aid package was tied to fiscal and military reforms. The International Monetary Fund has called for reforms to broaden the tax base, reduce defense spending, and streamline the civil service. Donors have advised Cambodia to reduce the amount the government spends on the military, which accounted for almost half the 2000 budget, and increase the amount it spends on social services.

The greatest source of tension in Cambodia's external relations involved the fate of former Khmer Rouge leaders. Both the U.N. and the government have cited a need to bring these leaders to trial for crimes committed under their genocidal regime, responsible for the deaths of 1.7 million Cambodians between 1975 and 1979. Two former leaders, Ta Mok and Kaing Guek Iev (Duch), were arrested last year. Ta Mok was a zone commander and a member of the regime's central standing committee; Duch ran the notorious Tuol Sleng prison, where an estimated 16,000 people were tortured and murdered.

The debate between the government and the U.N. over the scope and form of a trial began last year and intensified this year. Disagreements centered on the number of defendants to be tried, the trial venue, and the selection of judges and prosecutors. The U.N. has been highly critical of Cambodia's judicial system for its lack of independence from the government, uneven application of or inadherence to laws, routine torture of prisoners, and poor prison conditions.⁷ Cambodia's courts are also severely understaffed. The trial of Khmer Rouge rebels for the 1994 kidnapping and murder of 13 Cambodians and three Western tourists was an important test case for many observers. In October the conviction of one of the accused rebels, Nuon Paet, was upheld; in July the conviction of a second, Chhouk Rin, was overturned on the basis of an earlier amnesty agreement with the government. The government is appealing his acquittal. A third defendant, Sam Bith, failed to appear in court in January. Sam Bith had also reached an amnesty agreement with the government and now serves as a general in the Cambodian army.

Several governments, including Australia, France, Great Britain, and Japan, have urged Cambodia to reach an agreement on the trial. The U.S. has even suggested that an agreement may facilitate the resumption of full aid to the country, which was halted in 1997 after Hun Sen ousted his co-prime minister, Norodom Ranariddh. (U.S. restrictions on aid to Cambodia do not

7. Special Representative of the Secretary-General for Human Rights in Cambodia, *Situation of Human Rights in Cambodia* (Cambodia: U.N. Economic and Social Council, Commission on Human Rights, January 13, 2000), on the World Wide Web at <<http://www.unhcr.ch/Huridocda/Huridoca.nsf/TestFrame/12bbebaaa8d5a2c58025689e003e83cc?OpenDocument>> [accessed November 25, 2000].

include humanitarian assistance.) Advocates of a U.N.-dominated tribunal include numerous Cambodian nongovernmental organizations, international human rights groups, and opposition leader Sam Rainsy.

The Cambodian government cites several reasons for its reluctance to relinquish control of the trial, including the loss of sovereignty. Their opposition underscores the often acrimonious nature of their relations with the U.N., who continued to recognize the Khmer Rouge as the legitimate government after the regime was ousted by the Vietnamese. Hun Sen has noted that some of the same governments who favor a trial were among those that provided support to the Khmer Rouge during the 1980s through its allies. Hun Sen cites the risk of civil conflict as a key reason to limit the scope of the trial. Many former Khmer Rouge leaders are now members of the government and military, a result of amnesty agreements aimed at ending the civil war. In October Prince Ranariddh stated that King Sihanouk also favored a delay in the trial in order to ensure peace and stability. China, who was the Khmer Rouge's main supporter, supports the government's position and considers the trial to be an internal matter.

After months of negotiations, a tentative agreement was reached in April. U.S. Senator John Kerry helped broker the arrangement for a joint U.N.-Cambodian trial, to include both Cambodian and foreign judges and prosecutors. Although Cambodian judges would be in the majority, decisions could only be reached by a super-majority of judges, to include international judges. The mixed trial, to take place in Cambodia, would be the first of its kind.

The agreement was sent to the National Assembly for hearings, where it remained in committee for several months. The U.N. expressed a growing impatience for the delays, threatening to abandon the process completely. National Assembly President Ranariddh argued that floods and economic growth constituted more pressing priorities. The advancing age of the former Khmer Rouge leaders as well as pessimistic media reports placed doubts on a solution to the impasse.

Despite the pessimism of many, a November 20 return visit to Cambodia by Kerry was followed by Hun Sen's pledge to see that the stalled legislation was passed by the National Assembly before the end of the year. To the surprise of many, on December 1 the National Assembly announced that the committee review of the legislation was complete and a full-floor debate would take place that month. It is expected that in early January 2001, the National Assembly will approve the legislation, paving the way for the long-awaited trial.

Socioeconomic Conditions

Although it will retain an office in Phnom Penh, in December the U.N. High Commissioner for Refugees (UNHCR) closed its last field offices in Cambodia. To many, the closure symbolized a return to normalcy in a country decimated by nearly three decades of war. Nevertheless, significant long-term socioeconomic challenges remain. According to the U.N., approximately one-third of the population lives in poverty. The ADB estimates annual per capita income is US\$270.⁸ A recent study conducted by the government, UNDP, and UNESCO demonstrated that illiteracy rates are higher than previously thought. According to the study, over 62% of Cambodia's adult population is illiterate. Whereas 47.6% of men are literate, only 29.1% of women are literate.⁹

Eighty percent of the population lives in rural areas, where only 23% have access to clean water.¹⁰ According to the government, approximately half of all children are malnourished; last year 115 per 1,000 children under the age of five died—a figure twice that of the regional average. Cambodia has the highest rate of infant mortality in Southeast Asia.¹¹ Cambodia also has Asia's highest AIDS rate, with an estimated 4% of adults infected with HIV.¹²

Growth figures for the year were revised downward as a result of the floods; investment slowed to its lowest amount since 1994. In November the Cambodian Development Council announced the approval of 83 projects during 2000, worth a total of US\$213 million. From January to September, investments in industry, agriculture, and textiles dropped when compared to the previous year. Poor infrastructure, an absence of skilled labor, corruption, civil unrest, and a lack of confidence in the legal system constitute major deterrents to investment and tourism. A recent report by the UNDP named Cambodia the worst offender of child labor laws in Southeast Asia. In October the lack of adherence to labor laws led the U.S. to increase garment imports from Cambodia by only 9%, instead of the 14% for which Cambodia was eligible. In 1999 garment exports accounted for 90% of Cambodia's total exports, 70% of which went to the U.S. Although the U.S. based its

8. Susan Postlewaite, "Wrath of the Monsoons," *San Francisco Chronicle*, October 31, 2000, in Lexis-Nexis, load date: October 31, 2000.

9. Cambodia Development Resource Institute, *Cambodia Development Review* 4:2 (June 2000), p. 3, on the World Wide Web at <<http://www.cdri.org.kh/>> [accessed December 1, 2000].

10. Seth Mydans, "After Three Decades, Hope Returns to Cambodia," *International Herald Tribune*, June 27, 2000, in Lexis-Nexis, load date: June 27, 2000.

11. "Cambodia Has Highest Infant Mortality Rate in Region," DPA, April 2, 2000, in Lexis-Nexis, load date: April 2, 2000.

12. Charles Bickers and Shawn W. Crispin, "Asia Sets Its Sights on an AIDS Breakthrough," *Far Eastern Economic Review*, November 7, 2000, on the World Wide Web at <http://www.feer.com/_0012_07/p038innov.html> [accessed December 1, 2000].

decision on an in adherence to labor laws, the U.S. does not consider child labor to be a major problem in Cambodia's garment industry. The UNDP acknowledges that most of the country's child labor occurs in farms, not factories.

While overall investments were down, investments in tourism rose 48.53%. In October the Ministry of Tourism announced a 33% increase in the number of tourists visiting Cambodia. In part, the increase can be attributed to Cambodia's new "open sky" policy, which enables more direct flights from neighboring countries to Siem Reap, the site of the popular Angkor Wat temple complex.

Conclusion

Although 2000 began with new hopes for democracy, peace, and economic growth, the November attack on government buildings and the devastating floods served as a sobering reminder of the fragile nature of Cambodia's peace and the uncertain state of its economy. The challenges Cambodia must confront are great: the country must sustain stability and avoid factionalism in the coalition government; pursue reforms to promote sustainable and equitable development; invest in health and education; reduce military spending; enforce the rule of law and stem vigilante violence; and maintain good relations with external groups, on whose aid the country remains highly dependent. The outcome of a trial for former Khmer Rouge leaders is likely to be an important component of these relations. Next year's local elections will be a key indicator of the country's progress. Cooperation between the CPP and FUNCINPEC throughout the year, recent reforms, a growing civil society, and an active opposition party provide hope for Cambodia's efforts.