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Cambodia in 2022

Crime and Misgovernance

ABSTRACT

The year 2022 began with a newly anointed leader-in-waiting in Hun Manet, the eldest son of prime minister Hun Sen. This formalized a process of hereditary succession underway for several years. Notwithstanding the prospect of change at the top, the authoritarian *modus operandi* of Cambodian politics continued in much the same way as in previous years, with government harassment of the opposition, a series of politically motivated court cases, and repression of civil society. Cambodia managed a relatively uneventful year as chair of ASEAN, but its international reputation was badly tarnished when its centrality to a surge in international criminal scamming operations and associated trafficking in persons shone a light on the corrupted nature of the country's political economy. The economy began to recover from the effects of COVID-19, due in part to investment from China, but the consequences of the pandemic continued to be felt, particularly among poorer citizens.

KEYWORDS: Cambodia, authoritarianism, ASEAN; China, crime; corruption, political economy

POLITICAL AFFAIRS

The start of 2022 ushered in the potential beginning of a new era in Cambodia politics, though one that promised continuity by securing the authoritarian hegemony (Morgenbesser 2022) of the Cambodian People's Party (CPP) into the future. In December 2021, Hun Sen, who has been the country's prime minister since 1985, made official that which had long been

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Asian Survey, Vol. 63, Number 2, pp. 324–335. ISSN 0004-4687, electronic ISSN 1533-838X. © 2023 by The Regents of the University of California. All rights reserved. Please direct all requests for permission to photocopy or reproduce article content through the University of California Press's Reprints and Permissions web page, <https://www.ucpress.edu/journals/reprints-permissions>. DOI: <https://doi.org/10.1525/as.2023.63.2.324>.

widely expected: his eldest son, lieutenant general Hun Manet, is to be his successor as head of the CPP. Hun Manet secured the endorsement of the party congress shortly afterwards, paving the way for the eventual transfer of power within the ruling family. Hun Manet is already deputy commander-in-chief of the Royal Cambodian Armed Forces and commander of the Royal Cambodian Army, as well as the head of the CPP's 1.5-million-strong youth wing, placing him in control of the country's most important military units and the organization tasked with reinvigorating the party into the future (Norén-Nilsson 2021). The promotion was greeted by a wave of congratulation from members of the military, police, government ministries, and parts of the Buddhist Sangha with close ties to the CPP, which reaffirmed the lack of any real institutional independence in the country, as Hun Sen has concentrated power over the last few decades (Sutton 2018). There were some small signs of disquiet in the ranks when one-time Hun Sen rival Sar Kheng, himself a party grandee and the interior minister, failed to immediately offer his public support. Sar Kheng's own son, Sar Sokha, has similarly been seeded into various government and military roles, part of a trend of collective hereditary succession whereby the scions of high-ranking CPP elites have been promoted into political and military positions by Hun Sen in an attempt to maintain cohesion and placate the interests of other senior regime insiders in anticipation of the eventual transfer of power within the Hun family (Loughlin 2021a). However, as in previous instances where it appeared Sar Kheng was taking a more independent line from the prime minister, he quickly fell into line, offering his general support to the CPP-backed succession process.

Hun Manet's rise to prominence through the military indicates that the Hun family recognize that maintaining their control over the state's coercive apparatus will be vital for their survival at the helm of Cambodia's politics, just as it was in earlier periods (Human Rights Watch 2018). Given Hun Manet's full-throated promotion of the CPP's warnings of an ill-defined color revolution should the party ever lose power (Ciorciari 2021) and of the need to stamp out dissent at any cost, there is presently little evidence that he will be a more democratic ruler than his father. Further continuity in change was in evidence in a speech Hun Manet made in January in which he rehashed the CPP's well-worn legitimacy claims to be the party that saved Cambodia from Pol Pot, the party of development, and the party of peace (Ben 2022a.) How sustainable this is as a platform for popular support among a new

generation of younger Cambodians who have never known war was brought into question when the CPP nearly lost the election of 2013. It may be a particularly hard sell for the children of the elite as power transfers to the next generation.

Throughout 2022 the CPP government continued to suppress and intimidate its political opponents, actions that were on display during the commune election held in June. This local election was far less competitive than the previous commune ballot, in 2017, when the then main opposition Cambodia National Rescue Party (CNRP) made major gains in rural areas previously dominated by the CPP. The CNRP was dissolved by the CPP-controlled Supreme Court in late 2017 after being charged with plotting to overthrow the government. These charges were widely held to be political motivated (Amnesty International 2017) and likely leveled in part because the CNRP's strong performance in commune elections in 2017 had signaled to the CPP government that it could lose power in anything resembling a free and fair contest in the national election in 2018 (Loughlin 2020). In 2022 the CPP easily won 74% of the vote, in a context in which opposition to the CPP is severely curtailed. One of the CNRP's former leaders, Sam Rainsy, who also founded the new Candlelight Party, is in self-imposed exile to avoid multiple politically motivated convictions, and the other former opposition figurehead, Kem Sokha, is still in legal jeopardy from spurious charges of treason. To further quash the movement and hinder the return of former political challengers, national courts held mass trials of former senior CNRP leaders, including Sam Rainsy and Mu Sochua, throughout 2022. Scores of opposition politicians and activists were convicted of conspiracy without credible evidence. Separately, in an attempt to pursue Sam Rainsy outside the country, Hun Sen brought a defamation suit against him in France after he said that the prime minister was behind the killing of former union leader Chea Vichea and former police chief Hok Lundy. The verdict in October allowed both men to claim victory: while the court suggested Sam Rainsy had not provided enough evidence to substantiate his claims, it also found that it was in the public interest to point out human rights abuses in Cambodia, which brought those cases back to international attention.

The destruction of the CNRP has left the Candlelight Party holding the torch of opposition to the government. Despite the CPP's political hegemony in a political system entirely stacked in its favor, this new entity still managed to win 22% of the vote, suggesting pockets of contestation remain alive. It is

still to be seen whether the Candlelight Party will be allowed to survive and compete in the upcoming national election, in 2023. At present it faces grave intimidation and threats from the government. In October a supporter was shot dead, and this was just one of several incidents in which Candlelight Party members were killed or attacked (RFA Khmer 2022). In the same month, its vice president, Son Chhay, was convicted of defaming the CPP and the National Election Committee. In another example of lawfare being deployed by the CPP against its opponents, even though the Candlelight Party now has no formal affiliation with its founder Sam Rainsy, Hun Sen demanded that its party officials say whether they accept comments Sam Rainsy made about King Sihamoni which left him liable to prosecution under the country's problematic *lèse-majesté* law. The implication is that others who did not renounce Sam Rainsy are in similar legal jeopardy. The prime minister has also threatened to dissolve the Candlelight Party, warning its officials to defect to the CPP or other parties if they want to keep their elected positions. In December, members of the small Grassroots Democracy Party did just that and defected to the ruling party.

The existence of a small number of largely weak and divided opposition parties allows the CPP to claim that democratic competition survives in Cambodia, which will be useful for giving 2023's national ballot a veneer of legitimacy. However, absent any major and meaningful reforms since the political crisis of 2013, the CPP still faces many of the same legitimacy deficits that were exposed at that time, meaning the party cannot tolerate real political competition and thus auguring continuation of its current system, in which opposition parties survive at the whim and mercy of the prime minister.

The CPP has repeatedly promised governance reform, recently promoting its "Five Approaches" to achieve this through vague promises of "self-reflection, showering, exfoliation, treatment and surgery" (quoted in Ben 2022b). Ongoing media investigations by local reporters and high-profile exposés, such as a documentary released by Al Jazeera in July, show just how far the party still must go to clean up its act (Al Jazeera 2022). These have placed Cambodia at the center of international scamming operations raking in billions of dollars for the criminal gangs operating them. Initially targeting victims in mainland China and later beyond, the scams are frequently carried out by people trafficked into Cambodia from mainland China, Taiwan, Vietnam, and various other Southeast Asian countries, many of whom are

effectively trapped in debt bondage and unable to leave vast prison-like compounds. These compounds often include buildings made vacant in 2019 when online casino operations were shut down at the request of the Chinese government, as well as casinos and hotels that became dormant when the COVID-19 pandemic took hold.

Many of these buildings are owned by regime-linked Cambodian entrepreneurs, including the Cambodian logging baron Try Pheap, or one of the many Chinese gangsters who have made their home in Cambodia in recent years, forging close relations with the government and often receiving Cambodian citizenship in the process. Government officials initially tried to minimize the extent of criminality going on, denying the accounts of torture and imprisonment, and dismissing publicized cases as mere labor disputes. However, pressure from China and Cambodia's neighbors, and a downgrading by the United States of the country's status to the lowest rating in its Trafficking in Persons Report, eventually forced the government to act. Several compounds were closed, leaving hundreds of thousands of people to either move to other operations or leave the country for other locations in Southeast Asia where online scams operate. But this has only dented the industry in Cambodia, and accounts continue to emerge of gangs still recruiting, trafficking, and running the scams. The affair has again highlighted how corrupted the country's governance is, with government officials implicated in the scams and continuing a pattern in which illicit industries have flourished under the CPP (Milne 2015).

INTERNATIONAL AFFAIRS

Cambodia's most important international engagement in 2022 was as chair of ASEAN. Foreign dignitaries, including US president Joe Biden and Chinese premier Li Keqiang, traveled to Phnom Penh for the annual gathering of Southeast Asian nations in November. Cambodia's previous chairmanship, in 2012, was largely viewed as a disaster, with Cambodia blocking a joint communique that had criticized China's actions in relation to territorial disputes with ASEAN members over the South China Sea. That was the first time such a meeting had failed to produce a joint communique. Its 2022 chairmanship was notable for its fence-sitting on the seizure of power by the Myanmar military in 2021: Cambodia pushed back on attempts by Indonesia

and Singapore to isolate Myanmar in ASEAN, but also stuck to the consensus that the junta should not be present at the meeting.

The failure to produce a joint communique at the summit of 2012 was cited as evidence of Cambodia's having moved closer to Beijing, a relationship that continued to mature in 2022. China is by far and away Cambodia's most important economic, military, political, and diplomatic partner, and its support was crucial in allowing the CPP to weather the domestic political crisis of 2013 (Loughlin 2021b). The year 2022 saw that relationship reaffirmed at a series of high-level meetings, backed by aid and investment from China. China was quick to provide Cambodia with access to its COVID-19 vaccine in 2021, which was presented to the public as tangible evidence of the fruits of this close relationship, and the two countries have continued to expand a range of people-to-people engagements, such as scholarships for Cambodian students to study in China. These soft power measures are vital in a context in which Chinese investment in the country has brought tangible economic benefits in terms of growth and jobs, but has also brought concern over unregulated development, a spike in land grabbing, and the rise in crime linked to illicit Chinese businesses, particularly in the province of Preah Sihanouk.

Possible Chinese military activities in Preah Sihanouk continued to be a major concern among Cambodia's neighbors and regional actors, particularly the US, which has cautioned the Cambodian government against allowing the Chinese to establish a military presence at the Ream Naval Base (US Department of State 2022). US–Cambodia relations deteriorated rapidly because of the CPP's rejection of democracy in 2017–18 and have not recovered, with Cambodia's more authoritarian turn and the suspected Chinese activities at Ream now the major obstacles to normalization. The US has used ASEAN as a lever to push back against China's influence in the region, but the potential of a Chinese presence at Ream stokes its concern that China is successfully using its economic clout to make military and security headway in Southeast Asia, where the US has traditionally dominated the security sphere. The US fears that the Chinese military is seeking exclusive use of Ream and may be looking to establish a small permanent force there. At ASEAN 2022 Biden mentioned these apprehensions, echoing comments made by US secretary of state Anthony Blinken on a visit to Cambodia in August. Both the Chinese and Cambodian governments have suggested China is only helping upgrade the base for the benefit of the Cambodian

military. It remains unclear what the future of Ream may be, but it seems certain that Cambodia and China would need to be cognizant of Vietnam's interests. Until recently, Hanoi was the CPP's closest ally, and Vietnam's own troubled relationship with China and the proximity of the base to its southern coast mean it will be watching closely. At present, however, it seems that the Vietnamese are keen to maintain good relations with Phnom Penh and Beijing, as confirmed at a meeting between the Vietnamese, Cambodian, and Chinese defense ministers in November (*Vietnamplus* 2022).

In December Hun Sen led a high-level delegation to Europe to attend and co-chair a summit in Brussels. Like US–Cambodia relations, the EU–Cambodia relationship has deteriorated since Cambodia's political crackdown. In 2020 the EU suspended trade privileges for 20% of Cambodian exports, downsizing the benefits Cambodia receives by participating in the bloc's Everything but Arms tariff preference scheme. The effect of the tariff suspension has likely been somewhat masked by the pandemic, but tariff-free access to the EU market has been a driver of growth for Cambodia, particularly its manufacturing industry. Despite the country's slow economic recovery from the pandemic, and despite tariff privileges for imports into the EU being a clear benefit for the country as it seeks to diversify its export markets, the prime minister signaled that he was unlikely to budge on the EU's demands to loosen his stranglehold on opposition to his rule.

ECONOMIC AFFAIRS

Cambodia's economy has been growing steadily in the decades since its reintegration into the global economy in 1991. Rapid economic growth has brought tangible livelihood improvements—millions of Cambodians have risen out of poverty, and human development indicators have improved. A high point came in 2015 when Cambodia achieved lower-middle income status, less than 20 years after the end of nearly three decades of civil war. However, behind this positive story of economic growth, the country is still vulnerable to economic shocks. Much of its population lives at or just above the poverty line and with extraordinarily high levels of personal debt (Green and Bylander 2021). Working conditions in much of the formal and informal economy are precarious (Lawreniuk 2020). Moreover, the country is overseen by a politico-business class whose primary interest has been to use the country's resources to line their own pockets at the expense of the livelihoods of

ordinary Cambodians. This practice was again on show in 2022, particularly in a series of land conflicts and land swaps across the country through which land was parceled out to members of the elite (Haffner 2022). One of the most egregious examples was the clearing of large swathes of forest at Phnom Tamao, near Phnom Penh. In this popular tourist destination for Cambodians, forested land was reclassified and distributed to regime-connected entrepreneurs, including Khun Sea and Leng Navatra. A public outcry prompted Hun Sen to intervene to put a belated stop to the clearance (Flynn 2022).

In 2022 it was clear that the pandemic had put the brakes on the country's economic growth. Millions of people have fallen back into poverty as a direct result of COVID-19, and rising global food prices will hit poorer countries like Cambodia hard. The World Bank (2022) predicted growth of around 4.5% for Cambodia in 2022, potentially recovering to 6%, though the forecast is highly uncertain given the current flux of the global economy. Growth sectors such as construction and real estate faced significant slowdowns. Although the country's manufacturing industry, which was hit hard by the pandemic, appears to have fired up again, it is exposed to rising energy prices and a potential reduction in demand from the US and China. Thus the pandemic has compounded structural weaknesses in Cambodia's economy, which remains in need of investment in infrastructure and people if the country is to achieve its goal of upper-middle income status in the next decade.

In the context of such an infrastructure and investment deficit, China's economic problems are a particular worry for Cambodia. As noted, Chinese investment has been a key driver of the country's economic development over the past decade. Ahead of the ASEAN meeting in November, China's premier, Le Keqiang (2022), spent a significant part of an open letter to the Cambodian government reassuring it of China's economic robustness despite the challenges, while signaling its continued commitment to sharing its "development opportunities with the world."

Space for Cambodians to organize, to form unions, and to press for better wages and working conditions shrank in 2022. A once vibrant, if regularly harassed, union movement has faced sustained attacks from the government since it gained momentum in the 1990s and especially since the mid-2010s, when it formed part of a "countermovement" to the CPP during the political crisis from 2013 (Un 2019). Union activity had borne results, with the garment

sector in particular securing significant wage gains after years of lobbying and protesting (Ward and Ford 2022). When the pandemic hit in 2021 the government used it as an opportunity to further restrict union activity. Attacks on union members continued through 2022, notably with the November arrest (at the Phnom Penh airport) of Chhin Sithar, leader of the Labor Rights Supported Union of Khmer Employees. The union had been involved in a long-standing dispute at the NagaWorld casino in the capital after the mass lay-off of its workers in the middle of the pandemic. NagaWorld is owned by the Malaysian billionaire and naturalized Cambodian citizen Chen Lip Keong. He is a one-time economic advisor to prime minister Hun Sen and has donated to various public causes, most recently toward securing COVID-19 vaccines for Cambodia. He also has a monopoly on the operation of casinos in and around Phnom Penh. Chhin Sithar is one of several former NagaWorld employees who were arrested in 2021 and 2022. Protesters have also been violently attacked by police and other security forces while demonstrating outside the casino (Sovann 2022). At the close of 2022 the dispute looked no closer to resolution, but the government has showed it remains more than willing to sanction violence and lawfare to stifle workers' protests.

Working conditions were also in focus at the end of 2022, which was marked by a tragic fire at a casino in the city of Poipet, on the Thai–Cambodian border. Reports from survivors suggested that the alarm system was not working, that evacuation protocols were not in place, and that at least some people appear to have been engaged in illegal online gambling (Mech and Dickison 2023). Media reports have linked the casino to Vatana Asavahame, a Thai businessman living as a fugitive in Cambodia, and Ly Yong Phat, a Cambodian entrepreneur and CPP senator who is known for his company's involvement in several high-profile land grabs and who in December was appointed as a personal advisor to Hun Sen (Brook and Sovann 2023). The fire raises questions over the country's lax safety standards, the poor implementation of the law, and the level of misgovernance that allows such incidents to occur.

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