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& International Cooperation

Cambodia,  
Stability and  
Development First  
*To Tell The Truth*

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## TABLE OF CONTENTS

<b>Stability and Development First</b> .....	<b>2</b>
<b>A. The conflict between real development and sophisticated democracy</b> .....	<b>3</b>
<b>B. The obstacles to political stability</b> .....	<b>3</b>
<b>C. Infringement of Cambodia's independence and sovereignty and ceaseless attempts for regime change cloaked under the "Democracy and Human Rights"</b> .....	<b>4</b>
<b>D. "Undemocratic" when it does not suit your agenda. The blatant disregard of the legitimacy of the past five general</b> .....	<b>5</b>
<b>E. Protecting Cambodia's Ultimate Core Interests of Peace, Stability, Growth and Prosperity: Cambodia's achievements about basic human rights "the Cambodian Way"</b> .....	<b>6</b>
<b>F. In defence of Democracy: The Duty of any Sovereign Nation.</b> <b>The case of the United States</b> .....	<b>7</b>
<b>G. The arrest of Kem Sokha for his involvement in "regime change colour revolution" attempt: One Same Objective, Two Subjective Standards</b> .....	<b>8</b>
1) <i>The "strategic coup planning process"</i> .....	<b>9</b>
2) <i>The "tactical capacity building" to carry out the mission</i> .....	<b>9</b>
3) <i>The external campaign to mobilize foreign support with the full back up of their media</i> .....	<b>10</b>
4) <i>The "pre-emptive" statements to trigger the mass eruption</i> .....	<b>10</b>
5) <i>The unfolding violent events</i> .....	<b>10</b>
6) <i>The aftermath and the sustained and systematic campaign to discredit the Cambodian Government</i> .....	<b>11</b>
<b>H. Credibility of general election 2018 and the future of pluralistic democracy in Cambodia</b> .....	<b>11</b>
<b>Conclusion</b> .....	<b>12</b>

Some members of the US Congress and the EU Parliament, some Western governments, some human rights UN institutions and NGOs that have voiced recently their harsh criticism on the Cambodian government should take some time to learn a bit more on the contemporary history of our country.

If their memories serve them well, they should know that over the past six and half decades one of the worst tragedy of the twentieth century that has been inflicted to our country was the result of foreign interferences. Ironically, the 1970 coup was inspired by a government that pretended to impose a liberal democracy and a respect of human rights against the spread of communism. The said government orchestrated the replacement of a legitimate leader by a group of people whom they could assert control, triggering in the process war and destruction and worst yet a genocidal regime. The 1970 coup was the genesis of the worst suffering of the Cambodian people.

This is the bitter lesson that the Cambodian leadership must learn today: the imperative of the Royal Government to protect at all costs its people from some Western governments' meddling in internal affairs of the country. Throughout the world, some Western countries have used most of the time its Western model of democracy and human rights as pretext to topple leaders whose national interests are unfavourable to theirs.

The 1991 Paris Agreements, which was blamed for the failure to bring peace in Cambodia due to the imposition of Pol Pot regime in the equation, sought to transplant in one swoop a perfect model of liberal democracy in a country that never knew this kind of political system. Their Western authors uncompromisingly disregarded the aftermath effect of a lost generation almost entirely deprived of a huge majority of its qualified human resources inasmuch as the scars a deeply traumatized broken society. They snubbed out the consequences of twelve years of economic and political embargo and worse they inflicted mercilessly sanctions on the survivors, hindering them from rebuilding their devastated country. It was up against all these odds that the Cambodian government did their utmost to rebuild the peace and introduced the fundamentals of a liberal democracy system to a country that was far from being prepared for such system.

Since 1991, some Western governments have endeavoured to bring back their protégés/collaborators to rule Cambodia. During the 1993 UN organised elections, a senior UN officials of US nationality said that their goal was to expulse the CPP from power. In 1997, the same governments condemned the CPP for its efforts to prevent a coup the aim of which was to bring the Khmer Rouge back to power. Ever since the opposition enjoyed the financial and political support from the same Western governments. As grateful as Cambodia can be towards Western assistance throughout these years, the Royal Government still had to shoulder the main tasks of strengthening its democracy and nation building.

History has proved that foreign-imposed agenda has never been favourable for Cambodia and, far on the contrary, it has led to bloodshed and senseless destruction. That cruel reality notwithstanding, some of those countries are bent on repeating their past mistakes as they push to provoke regime change albeit in more sophisticated and covert forms

This paper tries to put into perspective the great difficulties that Cambodia has to put up to maintain peace and advance its development in the face of constant foreign interferences that inflexibly insist on changes towards a "pure and perfect democracy" that exists only in theory. It aims to present factual truth on recent political development of the country in sharp contrast to baseless accusations and insinuations by foreign entities and politicians who are totally indifferent of the fallouts of their actions.

## A. The conflict between real development and sophisticated democracy

For those who advocate that democracy is the panacea of all political, economic and social ills, they should be mindful that democracy can't trump the sacred sovereignty of a nation. The narrative of democracy and human rights is country specific and the forced transplantation of these principles are bound to fail, if the process is done in disregard to the national context.

Since the full peace was secured in 1998, the Royal Government was faced with a dilemma: the choice between the implementation of a pure and perfect democracy imposed by the 1991 Paris Agreements and the gradual quest for improving the well-being of its citizens.

It was indeed a hard choice because democracy cannot be implemented by sheer political will alone. The shocks from democratic externalities are severe and totally unappreciated by the Western authors of the Paris Agreements: The lack or weak exposure to democratic traditions, the low level of people's education and the lack of ownership of the process are but some of the impediments in the implementation of the accords. A pervasive culture of violence loomed as a legacy of war and the Pol Pot regime. The lack of respect for others permeated the social fabric of society: news media published irresponsibly without the slightest ethical and professionalism concern, articles full of defamations, indecent pictures posted without respect for human dignity, etc. There is no general consensus on basic national issues: politicians from the opposition are unable to express their opposing views through democratic means; the common understanding of the "rule of law" remains weak; the basic principles underlying law and order are largely ignored. All this is to make a case that the journey toward a conciliatory democracy remains still long, winding and arduous, and requires perhaps a generational transition.

But the urgency and the top priority for the government to prepare a new generation is felt now more than ever. And for that to happen, peace and political stability must be ensured.

## B. The obstacles to political stability

A stable political regime requires foremost a national consensus on issues of common interest and the minimum common denominator would have to be an agreed view about the common past. When the opposition refused to recognize the legacy of the past, when it attempted to rewrite the history and denied crimes committed during the Pol Pot regime, it is virtually impossible to reach that national consensus.

The Cambodian opposition, mainly the CNRP, refused to acknowledge the territorial limits inherited from the colonial past and, through ultranationalist statements, plays up with demagoguery claims for electoral gains. The CNRP denied the "7 January 1979" was the day of the liberation from the genocidal regime and refuted the argument that it was Vietnam, which for ten years had played a crucial role in preventing the return of the Khmer Rouge to power. Even after the UN-Cambodia Khmer Rouge tribunal has established the facts and condemned the director of Pol Pot's S21 Security Centre for crimes against humanity, Kem Sokha audaciously asserted that this Centre was "just staged" by the Vietnamese . How is it possible that he uttered such an irresponsible public opinion? But again, despite such blatant disavowal of historical facts, the CNRP still enjoys the full and unwavering support of some Western governments and human rights UN and NGOs organisations.

CNRP leaders, when they speak in Khmer language, stoked up racist and xenophobic feelings resounded in some segments of the Cambodian population. They incited to racial hate that even led to killings in a recent past. Shockingly, when the world reacted with outrage the event in Charlottesville similar actions from the Cambodian opposition met with total hypocritical silence from some Western governments and human rights organisations. During more than twenty years of such populism and demagoguery, not even once the Cambodian opposition was reprimanded, let alone condemned, by human righteous foreign politicians and NGOs.

<sup>1</sup> *The Cambodia Daily*, May 27, 2013.

CNRP leaders did not hesitate to incite people to violence. Mr. Sam Rainsy exhorted Cambodian commoners to dismantle border posts in front of foreign soldiers in the hope of provoking a major incident with a neighbouring country. Facts will show that CNRP leaders instigated people to violent demonstrations in 2013-2014. Such recourse to violence, invariably denied by the CNRP, is far from being a democratic means to express dissatisfaction and opposition. Once again, neither the US Congress nor the EU Parliament had ever introduced or adopted a resolution to condemn.

Worse, in trying to exacerbate existing tensions, the opposition used to publish fake treaty and fake maps insinuating that the Cambodian leaders are selling off the national territory to the neighbours. Again, dead silence from the Western supporters of the opposition on both sides of the Atlantic.

A basic prerequisite for a working democracy is the respect for people in public service. Instead the CNRP chose to express its opposing views to the Government leaders by way of insults, defamations and libels. There was not one single condemnation from the West for the insulting remarks by Sam Rainsy against Prime Minister Hun Sen during an interview as published in 2015 in a Western newspaper<sup>2</sup>, which triggered the beginning of the end of the “culture of dialogue” proposed by Samdech Techo Hun Sen.

### **C. Infringement of Cambodia’s independence and sovereignty and ceaseless attempts for regime change cloaked under the “Democracy and Human Rights” rhetoric**

How can foreign countries claim about their commitment to promote democracy, human rights and the rule of law in Cambodia by ways of ignoring local legitimate government, its sovereignty and independence? Perhaps the question should be rephrased to say the following: Why is it that Cambodia, a small country of no strategic economic interest, be the subject of so much foreign meddling? And why is it that they want to push for a regime change?

A glimpse of Cambodia’s past and a review of some historical facts could shed some lights. Evidence based research and public facts showed the incessant attempts of a far distant superpower interfering in Cambodia’s domestic affairs to achieve its geopolitical ambition irrespective of the ensuing consequences and worse at the detriment and suffering of innocent Cambodian people. The masquerading rhetoric used has always been in the defence of the democratic principles and universal human rights.

#### ***Cambodia and the United States of America: A History of Democracy and Human Rights...***

Back in 1954, when a neutral Cambodia refused to join a pro-U.S. military alliance, the South-East Asia Treaty Organization (SEATO), it became the villain for the U.S. administration. On 30 August 1956, during a U.S. National Security Council meeting, it was decided that the U.S. would support military militias who opposed the legitimate Cambodian government. This policy was confirmed in April 1959 and it was done in the name of “democracy, freedom and self-determination”. From that point onward, the fate of Cambodia was sealed and thus began the sad unraveling of the Cambodia drama till the present day, all in the name of “democracy and human rights”.

Cambodia’s destiny was covertly decided in the Oval Office in the form of carpet bombing and the deadly spray of chemical Agent Orange. In his memoir in 1973, His Majesty King Father wrote: *“Many of my American friends will be horrified at such an observation. But what is the difference between burning and gassing people in ovens and doing it to a whole nation in the open? That is just what the United States of President Nixon is doing today. Everyone knows of the horrors of Auschwitz and other extermination camps. But Nixon is waging a war of extermination against the entire people of Indo-China.”*

<sup>2</sup> Libération (Paris) 2015.

And the saga continued with the CIA-involved 1970 coup that plunged Cambodia into the Vietnam War and ultimately its collapse into the hands of the Khmer Rouge genocide. In November 1975 — seven months after the Khmer Rouge forces seized control of Phnom Penh — Henry Kissinger said to Thailand's foreign minister that he *“should tell [the Khmer Rouge] that we bear no hostility towards them. We would like them to be independent as a counterweight to North Vietnam..... should also tell the Cambodians that we will be friends with them. They are murderous thugs, but we won't let that stand in our way. We are prepared to improve relations with them.”*

What happened next is the notorious genocide. Sadly, instead of saving Cambodia from this genocidal tragedy, the U.S. recognized the regime. But is it in the defense of “democracy and human rights”? While Pol Pot murdered millions of Cambodians, one must wonder where are those so proclaimed champions of “democracy and human rights”? How about other Western countries with their constitutionally ingrained democracy and human rights DNA? Where are they?

The most glaring irony of justice is the fact that the U.S. Administration was leading a coalition that supported the Khmer Rouge group to occupy the U.N. seat, and engendered the adoption, every year, of a U.N. Resolution that prohibited development aid to a nation fully devastated by American bombing and in effect punishing, for 12 years long, the surviving victims of a genocide regime. During the negotiations that led to the Paris Agreements in October 1991, the U.S. were at the forefront to impose a solution that includes the Khmer Rouge providing them a full amnesty for the crimes against humanity and the genocide committed between 1975 and 1979. But again, is it in the defense of “democracy and human rights”?

These are facts and they are undisputable.

#### **D. “Undemocratic” when it does not suit your agenda. The blatant disregard of the legitimacy of the past five general elections**

How could one claim to have the interests of Cambodia at heart when basic historical facts are so conveniently twisted to suit one's own geopolitical agenda?

From the ashes of war, Cambodia began rebuilding its society and reconstructing piece by piece the fibres of democracy. Granted, it was with the helping hands of many foreign friends and for that we remain eternally grateful. From the 1991 Paris Agreements, we embarked on a long and arduous journey to hold successfully five general elections. The first election in 1993 was brokered and organised by the United Nations. The 1998 election was viewed by the head of the U.S. observers as «a miracle on the Mekong». The elections in 2003 and 2008 received positive accolades for the significant improvements in the electoral law and the whole electoral process. In 2013, the election was deemed very free and fair with the opposition gaining 26 seats and the ruling party losing 22 seats. The 2017 local election, under the watchful eyes of tens of thousands of observers, has been assessed generally as a success. Even the United States Embassy in Phnom Penh called on all political parties and institutions to accept the results of the election, describing it as orderly and peaceful and an important milestone in Cambodia's continued democratic development. For a post-crisis country, what more could Cambodia have done? How more democratic can it be?

And yet to some foreign politicians, it is not democratic enough. It is not legitimate enough. Their arguments are very simplistic because *“the Government of Cambodia continues to be “undemocratically” dominated by the ruling Cambodian People's Party (CPP), .... the CPP are able to “pass legislations without any opposition”, ... Prime Minister Hun Sen is “the longest serving leader in South East Asia” ... and all that can't be democratic”*. And the broken records rhetoric goes on and on *ad infinitum*.

In that light, one wonders whether “democracy” has two different sides, metaphorically speaking like a coin: democratic when the winning party is on my side and obviously undemocratic when the winning party is not on my side. And who is the one who flipped the coin?

## **E. Protecting Cambodia's Ultimate Core Interests of Peace, Stability, Growth and Prosperity: Cambodia's achievements about basic human rights "the Cambodian Way"**

As a small country, Cambodia has no interest to be at odd with superpowers and western countries. Cambodia's foreign policy is to promote and establish friendship and good cooperation with all countries in the world. No effort to preserve the hard-earned peace and stability for the development of the country should be spared. The bitter historical experiences in the 1970s and 1980s offer the lesson learnt for Cambodia to define its own policy to protect its sovereignty, independence and territorial integrity.

Therefore, peace cannot be taken for granted. Cambodians, with their own sweat and blood, have rebuilt a once conflict ridden, war torn impoverished country into a stable prosperous and thriving open society. In 1998, Samdech Techo Prime Minister Hun Sen, was the main architect of the Win-Win Strategy which led to the total dismantling of the Khmer Rouge political and armed apparatus. It brought about a complete peace even in remote areas under the control of Pol Pot's men since 1989. It was a historic achievement which UNTAC has failed to fulfil in 1993. And today, Cambodia's commitment to maintain peace and stability is implemented around the globe by dispatching Cambodian forces to join the UN's Peacekeeping operations. Cambodia, back then as the ASEAN Chair, expressed the same concern when drafting the ASEAN Human Rights Declaration which was signed by the ASEAN leaders on 18 November 2012 in Phnom Penh.

As it has been one time said by Pierre Bérégovoy, then French Prime Minister,  
*"Que signifie voter pour qui a faim ? Que signifie la liberté d'expression pour qui est privé du savoir ?"*  
*("What does vote mean for someone who is hungry? What does freedom of expression mean for someone who is deprived of education?").*

Compared to political rights, there are more urgent human rights, expounded by the Universal Declaration on Human Rights, that the Royal Government of Cambodia has dedicated his efforts in priority. One had to deal with the consequences of the tragic two decades, the seventies and the eighties, sequels that had persisted because of the embargo. The rights to food, to housing, to health, to education, to create jobs have been seen as fundamental priorities by the Cambodian authorities who think that these rights are by far more important than the rights to defame and insult, to publish fake news, to exacerbate racial hate, to provoke incidents with neighbouring countries.

Thanks to peace and political stability, Cambodia's economy has been among the fastest growing economies, unmatched by any other post-conflict society for the past two decades. Better yet, Cambodia has moved up classification wise into a lower-middle income economy by the World Bank Group in 2016. Such economic growth has resulted in significant reduction in the poverty rate, which dropped below 10 percent in 2017 compared to 50 percent in 1992 and absolute poverty in 1979. Among 69 countries that have comparable data, Cambodia ranked fourth in terms of the fastest poverty reduction in the world from 2004-2008. With peace and stability prevailing all over the country, Cambodia has managed to achieve most of MDGs ahead of schedule such as reducing child mortality rate, improving maternal health and combating HIV/AIDS, malaria and other communicable diseases.

Cambodia has registered massive gains and improvements on human development as measured by the Human Development Index (HDI): life expectancy at birth, educational attainments and providing decent living standards measured in Gross National Income (GNI) per capita. UNDP's 2016 Human Development Index (HDI) ranked the country as the seventh fastest growing HDI in the world with Cambodians' health, education and economic income figures growing faster than any other country in the Asia-Pacific. Net enrolment in primary education increased from 82% in 1997 to 97% in 2016. Great strides were made also in improving maternal health, early childhood development, and primary education in rural areas. The maternal mortality ratio per 100,000 live births decreased from 472 in 2005 to 170 in 2014, and the under-five mortality rate decreased from 83 per 1,000 live births in 2005 to a mere 35 per 1,000 in 2014. In sum, the fundamental human rights of Cambodian citizens have been

significantly fulfilled in term of their basic rights to food, to education, to health, to jobs, to security and peace.

The efforts to liberate Cambodian people from the shackle of sheer poverty must be considered also as a human rights achievement. Shouldn't Cambodia be praised for that? Perhaps not since the credit would have gone to the ruling CPP party.

Granted, there are still outstanding problems to tackle, after all Cambodia's complete pacification was merely two decades ago, in historical terms a blink of an eye. We have to sustain the fight to reduce the remaining poverty, to improve the quality of the judicial system, to decrease the level of corruption, to improve the social conditions of the workers, to mend our social fabric, to protect the biodiversity and the environment and the list goes on. But to do all of that and to succeed, peace and political stability is a condition *sine qua non*! Utopic democracy can wait!

A "*democracy-in-progress*" modelled the "*Cambodian Way*" would do for the moment. Considering that Cambodia started from zero after its tragic past, it is more than fair to recognize that a lot has been accomplished in such a short time frame. After all, it took the West a few centuries to achieve the ideal democracy and human rights. The famous "*Déclaration des Droits de l'Homme et du Citoyen*" (Declaration of the Right of the Man and of the Citizen) was pronounced in 1789, after which time the West went on a wild colonization spree, on a continental grabbing spree, on a global conquest subjugating nations after nations, enslaving millions of people, needless to say without the slightest respect for their human rights, the rights of the women and the coloured people. But that's only history.

What is important for the present is to ensure that our rapid growth trajectory remain on track and unimpeded. This is a tough act to do taking into account regional and global geopolitical rivalries, external direct interferences, in the forms of sanctions or threats of sanctions, and subtle coercion through concerted media attacks. Notwithstanding these challenges, Cambodia must protect its core interests of peace and stability, without which growth and prosperity will never happen and history will repeat itself again.

## **F. In defence of Democracy: The Duty of any Sovereign Nation. The case of the United States**

In the US, there are multiple laws governing such undemocratic behaviours and conducts, among others, the Espionage Act, the Foreign Agents Registration Act, the Crime and Criminal Procedures Code Chapter 115 on Treason, Sedition, and Subversive Activities.

The US Congress, when enacting the Espionage Act, was as concerned with U.S. nationals acting covertly to facilitate a foreign power's infiltration of the political system. And a key provision of that aspect of the law provides: "*Whoever, in aid of any foreign government, knowingly and will fully possesses or controls any property or papers used or designed or intended for use in violating any penal statute, or any of the rights or obligations of the United States under any treaty or the law of nations, shall be fined under this title or imprisoned not more than ten years, or both.*"<sup>3</sup>

The US law currently bans all political contributions and expenditures by foreign nationals to any US political candidate or committee, whether at the federal, state, or local level. The law also bans the solicitation, acceptance, or receipt of a contribution or donation from a foreign national. Under the Federal Election Campaign Act (FECA), a foreign national is defined as a person who is not a citizen or national of the United States, and who is not lawfully admitted for permanent residence. The term foreign national is also statutorily defined to include a "foreign principal," such as a foreign government or political party, or an organization, corporation, or association organized under the laws of or having its principal place of business in a foreign country.

When the U.S. Department of Justice released on 27 October 2017 a federal grand jury's indictment of former Trump campaign manager Paul Manafort, as part of the probe into suspected foreign attempts to interfere

<sup>3</sup> 18 U.S.C. § 957. Section 957.



in the 2016 U.S. presidential election, the charges spoke to a long-running worry among U.S. lawmakers.

Manafort and Gates (Deputy of Manafort) were indicted on twelve counts by a grand jury, two of which directly involved violations of the Foreign Agents Registration Act (FARA). They've been accused of having acted as agents of a foreign power without registering their activities with the Department of Justice, as is required by law under FARA.<sup>4</sup>

The case of Manafort and Gates is demonstrative of how sensitive the U.S. is with regards to foreign interference in its own domestic politics. Yet, the U.S. disregards such sensitivities when it comes to the Cambodian government.

### **G. The arrest of Kem Sokha for his involvement in “regime change colour revolution” attempt: One Same Objective, Two Subjective Standards**

The beauty of being a “*democracy-in-progress*” is that we can learn from more mature democracy, whose deeply ingrained democratic and human rights DNA compelled them to put in place a sophisticated system to defend and protect at all cost their democracy. For them they do associate democracy and the rule of law. Democracy without the rule of law would be tantamount to anarchy and no one wants that.

The irony of fate is that Cambodia too is bound to protect and defend its hard-earned democracy and when we do, we are applying the very laws that were drafted, preached and taught to us by Western democracies, which are so keen to put in place a legal and judicial system to help us becoming a state respecting the rule of law.

Unfortunately, for similar laws and similar cases, surprisingly Cambodia is subject to two different treatments. Should we be surprised after all? Perhaps not. This is to suggest an understanding that democracy and the rule of law principles are applied only in selective countries or to put it simply “*all nations are equal but some nations are just more equal*”.

Many activities which have been carried out so far by Kem Sokha and CNRP cadres are tantamount to a conspiracy with foreign power to overthrow the legitimate authority under the guise of democracy. As the Cambodian Judiciary prepares for Kem Sokha's trial, evidences of his involvement in the attempt of “Colour Revolution” will be brought open for the world. The following are but a few publicly known facts of what transpired in the past. A case of déjà vu in Yugoslavia and Serbia. Historically closer to home is the CIA backed 1970 Coup that toppled our revered King Norodom Sihanouk.

The Cambodian authorities have solid clear and convincing evidence to charge him in accordance with Cambodia's domestic laws. Kem Sokha was arrested for act of treason as stipulated and punishable under the Cambodian Criminal Code, Chapter 2 (Infringements on Security of the State), Part 1 (Treason and Espionage), Article 443 (Conspiracy with Foreign Power). Despite his parliamentarian immunity, his arrest is deemed constitutional and in line with Cambodian relevant laws, namely Article 80 of the Constitution, Articles 87 and 91 of the Criminal Procedure Code, and Article 12 of the Law on Parliamentarians.

Ironically if tried in a US Federal Court, a person of similar situation as Kem Sokha would be charged at least under the Espionage Act, the Foreign Agents Registration Act, the Crime and Criminal Procedures Code Chapter 115 on Treason, Sedition, and Subversive Activities not to mention a number of secondary charges.

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<sup>4</sup> FARA requires any individual or entity acting “at the order, request, or under direction or control, of a foreign principal” to register with the Justice Department. The agent must then periodically disclose the nature of its financial arrangements with the foreign principal and provide detailed, regular reports about the distribution of “informational materials” on its behalf. The law also requires that the information the agent disseminates be clearly labelled as originating from a foreign government.

He should be thankful that Cambodia's legal system is still nascent and not as sophisticated as that of his foreign master.

There are direct causal connections between Kem Sokha and Sam Rainsy's call for "People's Revolution" and the ensuing orchestrated street violence. Kem Sokha's public statement to supporters in a video clip broadcasted on CBN (Cambodian Broadcasting Network) in 2013 as quoted below demonstrates well beyond a reasonable doubt of the "comprehensive and strategic" involvement of foreign power in the interference of Cambodia's internal politics and its national sovereignty.

- *«... Since 1993, when I first became a member of parliament, I was the first among the Cambodian politicians in the country, to be invited by the US government to the United States in order to learn about the democratic process. They helped me, and I have been to the US once every year since 1993. Until recently, the US decided that in order to make change in Cambodia, I was told to leave the politics for a while. Then, I resigned from a political party in 2002 to set up an organization known as "Cambodia Center for Human Rights-CCHR". What are the purposes for the establishment of the CCHR? They said that in order to change leaders, we cannot fight against the top, we cannot change the top. We need to change/uproot the bottom first. That is their strategy for democracy. And that the US has helped me to implement the models of Yugoslavia and Serbia that succeeded in toppling dictator Milosevic. Milosevic had many tanks but they succeeded using such strategies and they conveyed those experiences to me to be conducted in Cambodia. But such fact, no one has known about it.*
- *However, since this strategy has reached a certain stage, I have to tell you that in the future, we will succeed. I don't do anything on my own thought but based on instructions from experts and professors from universities in Washington DC, Montreal of Canada that the American hired to give me advice in preparing strategies to change leader. And if I follow through these instructions and strategies, and if I fail, then I have nothing else to say. But now we have seen that those steps have been succeeded until today. We have taught our people until they dare to talk the truth, dare to conduct demonstration, and to rise up, and now we have millions of peoples..."*

This admission of Kem Sokha and outright naming of the foreign power that had groomed him since 1993 to take power in Cambodia irrefutably corresponds with events that have transpired during these past years which can be discerned in the following patterns:

### **1) The "strategic coup planning process":**

The plan that Kem Sokha returning back into the politics through the establishment of Human Rights Party on July 22, 2007 and the merger between the Human Rights Party and Sam Rainsy Party to become the CNRP, was strategically coordinated and financially underwritten by the foreign power, behind the noble mask of promoting democracy and human rights.

### **2) The "tactical capacity building" to carry out the mission:**

The CNRP has received systemic training on methods to conduct the colour revolution, the most obvious one came from CANVAS, an American NGO experienced in conducting the colour revolution to topple democratic ruling regimes like in Serbia and Ukraine.

Foreign instructors conducted other training activities in CNRP headquarters and in Democracy Square, which served as a base camp of CNRP during the general elections period. Video clips were shown to people on how to implement people revolution, how to protest and to fight with security forces during the demonstration.

### 3) The external campaign to mobilize foreign support with the full back up of their media:

After the merger, Kem Sokha and CNRP cadres continued their works relentlessly to mobilize foreign support under the guise of democracy promotion, directly with senior officials from the US Department of State and US Embassy officials in Cambodia and indirectly with pro-democracy groups like the US-based International Republican Institute and the National Democratic Institute. Factual and circumstantial evidences to that effect are overwhelming, for example, opposition leaders made regular visits at the US embassy in Phnom Penh during the mass demonstrations following the 2013 general election.

Other more discreet support came from some foreign human rights NGOs, which provide their assistance to CNRP in the forms of strategies, policy planning, political programs, capacity building programs for local Cambodian NGOs etc.

Other indispensable tools made available for CNRP are foreign funded radio broadcasts in Khmer languages by Radio of Free Asia, Voice of America, US-funded Voice of Democracy of the Cambodian Human Rights Center. Hidden under the rhetoric of freedom of press and freedom of expression these radio stations disseminated exaggerated news aiming at inciting people to disbelieve and stand up against the government.

### 4) The “pre-emptive” statements to trigger the mass eruption:

The fifth general election, which was held on July 28, 2013, were conducted freely and fairly according to the law and procedures in force. The results as announced by the National Election Committee showed that the CPP won 68 seats and the CNRP won 55 seats. It was only in analyzing the event in retrospect that we can understand the rationale as to why the CNRP leaders had announced *pre-emptively* before the election that they would not accept the election results if the CNRP is not the winning party. As a result, following the announcement of the election results, the CNRP declined to recognize them and called for a mass mobilization plan to annul them under the pretext of vote irregularities.

Another *pre-emptive* statement is similarly pronounced by Sam Rainsy at a gathering with Cambodian people in Finland on January 5, 2013, in which he openly instigated the overthrow of the Cambodian government through a “people revolution”.

### 5) The unfolding violent events:

Numerous events that were unfolded during and after the 2013 election are characteristics of a series of pre-meditated actions aimed at carrying out the so-called “color revolution”:

- The violence at the polling stations in Stung Meanchey on July 28, 2013 which erupted with voters confronting the security forces under the excuse of election irregularities.
- The street violence on September 15, 2013 started by provocative acts by the mob to challenge the authority of the security forces tasked to maintain public order in Phnom Penh. The event left many wounded and dead, and the CNRP demanded to parade the dead bodies to their Freedom Park campaign base.
- The mobilization of factory workers aimed at disturbing public places and blocking roads on the pretext of demanding wage increases leading up to the Veng Sreng Boulevard incidents on January 2 and 3, 2014. Eventually, the incidents claimed four lives during the clashes between violent, anarchic protesters and security forces.

## 6) The aftermath and the sustained and systematic campaign to discredit the Cambodian Government:

Despite the return to calm after the National Assembly was convened and the government was formed, respectively on 23 and 24 September 2013, the CNRP's colour revolution campaign continued unabated under various forms and shapes:

- The refusal to vacate the Democracy Square, including the mobilization of forces to stage mass demonstrations between October 2, 2013 and January 4, 2014, during which time the CNRP and its leadership constantly resorted to the use of inflammatory messages and extreme nationalist rhetoric to provoke civil unrest with the sole aim of urging a regime change. Organized marches against the government with provocative slogans are a recurrent sight in different parts of the country. More specific call for regime change was made by Kem Sokha on August 6, 2013 in Kompong Speu:

*“CNRP would like to inform CPP that if you are not willing to give people justice over the general election, we will mobilize people from all walks of life to change you.”*

- Furthermore, Mr. Sam Rainsy appealed on 5 December 2017 to the Cambodian royal armed forces to turn their guns back to the current Prime Minister. This reprehensible act is punishable under the Article 471 of the Cambodian Criminal Code.
- Concerted attacks on the constitutional prerogatives of Cambodian parliaments to adopt or amend the Political Parties Law, the provisions of which are nonetheless well in line with the generally recognized standard of conduct of other democratic societies, such as preventing abuses of fundamental democratic principles, like incitement to racial hatred, defamation, and other acts deemed detrimental of the social fabric of the nation, the disqualification and disenfranchisement of convicts from voting right and/or right to run for office, etc.
- Challenging the sovereign right of the Cambodian Government to regulate more than 6,000 local and international NGOs operating in a legal vacuum with the enactment of the Law on Associations and NGOs (LANGO). Again, LANGO was carefully drafted taking on the best practices in NGO laws of matured democratic countries like France, Australia, Singapore, Japan and the U.S. (New York State and the California State). Consequently, the closure of NDI, one year after the adoption of LANGO, is a mere exercise of the government regulatory authority. In the meantime, thousands of LANGO compliant NGOs are operating unimpeded throughout the country. Why should NDI be an exception to the rule?
- Twisting the case of a closure of a tax delinquent news bulletin into a restriction of the freedom of the press by alluding the stature of *The Cambodia Daily* into the like of the *New York Times*, a kind of puffing the size of a mouse into an elephant.

### H. Credibility of general election 2018 and the future of pluralistic democracy in Cambodia

The dissolution of CNRP and the ban of 118 of its senior officials from engaging in political activities for five years by the Supreme Court on 16 November 2017, in accordance with Articles 6, 7 and 44 of the Law on Political Party, does not equate to the government attempting to restrict the political system of a pluralistic liberal democracy.

The 2,295,022 people who voted for the CNRP are fully free to vote for a party that fulfils its duty to defend the national interest and not to serve the political agenda of foreign countries.

Elections are free and fair when there is a free choice between different political parties that are able to express freely their options for the future of Cambodia. Our democratic space and multi-party system are still well and alive with many thriving political parties ready to contest in the upcoming

general elections scheduled for July 29, 2018. Cambodia remains committed to pursuing its multi-party democracy in conformity with our own Constitution and to holding the general election in a free, fair, and orderly manner which is acceptable to our Cambodian constituents. To ensure credibility and transparency of the 2018 general election, local and foreign observers along with respective political parties' agents are welcome to monitor and assess the electoral process and environment without any hidden agenda and double standard.

All that said and done, Cambodia is not willing to surrender its national sovereignty to a foreign power. After all no proud sovereign nation should have to sell out its independence for a few millions of dollars of development assistance and market access. In the past, Cambodia has borne the brunt of 12 years of unjust economic embargo and perhaps it will have to bear the burden of economic sanctions from the West, once again. But if the West chose, regardless, to impose their sanctions, despite these hard truths that we have presented here, then let history be the judge of their actions. All we can hope is that they come to their senses and realize that everything Cambodia did was for the preservation of its hard-earned peace and its hard-earned sustainable development.

## Conclusion

It pains the Royal Government to have to go through such historical introspective process but if we are bent on preventing the repeat of history again, we have no choice but to do so. Cambodia's plea is for the West not to repeat the same mistakes and miscalculations as they have made in the 80's when they ended up punishing the survivors of the genocide as well as those who have valiantly liberated the country from the crimes of the murderous Khmer Rouges, the same crimes against humanity which took the West some 15 years before they could finally come to term to admit and condemn them.

Cambodia deems it unfair and unjust, should the West insist on imposing sanctions on the government, which not only have made so much efforts for the cause of peace, stability and development, but is the only government that can stand up to protect this country against foreign interference, which, if successful, could precipitate the country once gain into the abyss of the tragedies of the past.

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