

# CHAPTER 1

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## Re-examining Cambodia's Security Challenges

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### **Introduction**

The 2013 election marked a critical moment in Cambodia's politics. The ruling Cambodian People's Party (CPP) suffered a shocking result, obtaining only 68 out of 123 seats. Despite a huge gain, the opposition Cambodia National Rescue Party (CNRP) vehemently rejected the election result and called on tens of thousands of their supporters to turn to the street in protest against the ruling elites.

Complicating this matter further, garment workers and other labor unions were also on strike, demanding the minimum wage rate to be raised to 170 USD. Many factories were temporarily closed due to security concerns. Unlike in the past, these protests were relatively peaceful. In addition, riot police and security forces were also required to refrain from using violence to disperse demonstrators.

However, the situation turned violent when garment workers clashed with the security forces on 3 January 2014, leaving at least four dead and many injured. The international community and the opposition quickly blamed the ruling elites for the violence, while the government said that the armed forces were acting only in self-defense, and that it was important that security and stability must be maintained. The incident cost the economy millions of dollars.

It took the CPP and the CNRP nearly a year to hammer out a deal to end the deadlock. Now, the battlefield has moved from the street to the parliament. Despite political uncertainty, there are positive signs that Cambodia's politicians are becoming more mature when it comes to resolving their differences - the level of violence and chaos was significantly lower than previous elections.

Although the ruling elites and the opposition leaders managed to diffuse the tension, it is only temporary because the underlying causes of conflicts have not been fully addressed yet. This paper seeks to investigate what has led to growing public discontent towards the government. It also looks at other security challenges,

most notably transnational crimes, human trafficking and terrorism. Border issues between Cambodia and its neighbors are also examined. The last section briefly discusses Cambodia's perspective on maritime disputes in the region.

## **Cambodia's politics in the aftermath of the 2013 election**

The nature and dynamic of conflicts in Cambodia have changed dramatically since the late 1990s. It is no longer a guerrilla warfare or large scale fighting between heavily armed groups. At least, that is what a large majority of people strongly believes. Therefore, the causes of conflicts are embedded in the country's political and economic system, which has accumulated and evolved over the past decades.

One of the most contentious issues is widening inequality and the consequences of economic expansion. Notwithstanding Cambodia's economy growing at a breakneck rate over the past two decades, lifting millions of people out of extreme poverty, not everyone is better off and some are actually worse off as a result of economic modernization. Moreover, the so-called trickle-down effects are not fast enough, nor as widespread as they should be.

Although strong economic growth allows hundreds of thousands of young people from rural areas to get jobs in major cities, the cost of living is also rapidly increasing. The widely cited reason behind recent protests is that at the current minimum wage, poor workers cannot live above subsistence level. The problem is that these issues have been deeply politicized by political parties and labor unions, limiting the ability of policy makers and academics to offer realistic policy solutions.

Another problem is that when urbanization starts to pick up speed, poor areas of the city have to make way for large and modern construction projects. Normally, the government has the responsibility to provide reasonable compensation to the affected parties. However, there are cases where people live on the land without proper legal documents for a long period of time, and the local authority is slow or does not take serious measures to address these problems.

Many economic land concessions (ELCs) are also problematic. Private companies are granted the right to develop the land, but some of them do not fully comply with the regulations and fulfil their responsibility as stipulated in the contracts.

In some cases, ELCs involve relocating thousands of local people without acceptable solutions, which often leads to violent clashes. In addition, public outcry is also growing over the use of ELCs to clear the forest.

In recent years, major hydropower projects have also attracted much controversy. Tellingly, the construction of these projects is a response to the growing need of energy to support economic activities throughout the country. The question is whether they pose significant threats to the environment and the local people. While the government strongly argues that these projects meet all the requirements, the public remains skeptical.

Aside from the issue of inequality, the ruling elites have also been blamed for not working hard enough to address some of the most critical governance problems, most notably corruption, nepotism, the rule of law, and the judicial system, among others. In fact, the government also reckons public discontent. During the meeting on 26 September 2013, Prime Minister Hun Sen issued a warning to government officials at all levels of serious punishment if found guilty of corruption.

The failure to restore trust in political institutions leads many people to take matters into their own hands. This issue has been made worse by the country's divisive politics. What is disturbing is that there seems to be little or no interest in resolving such polarization. For a long time, reconciliation is seen as an affair of those in a position of power, while ordinary people are often excluded from the process.

The most urgent task for Cambodian leaders now is to restore trust in government institutions, without which violence is bound to happen. Under tremendous pressure to produce tangible results prior to the 2018 election, there will be a major trade-off between short- and long-term reforms. Although these low hanging fruits might allow the government to respond to some of the voters' demands, it should not lose sight of long term reforms if it aims to continue to stay in power.

In fact, several ministries and government agencies have taken steps to address the issue of inequality and poor governance. In September 2014, the minimum wage was raised to 128 USD. Moreover, public servants will also see their salary increasing gradually in subsequent fiscal years. The government also introduces a number of initiatives to help garment workers such as by subsidizing electricity and increasing taxable income from 125 USD to 200 USD.

Over the past years, the Ministry of Environment has reviewed many ELCs and cancelled 23 of them with a combined area of 100,000 hectares. Similarly, the Ministry of Agriculture also claims that it had cancelled 8 ELCs covering 50,000 hectares and cut nearly 100,000 hectares out of four others. On 8 April 2015, the Prime Minister warns ELC holders that they might face a heavy fine if they fail to honor their contracts.

Perhaps the single most challenging task is to fight corruption. The problem is that the ruling elites could not get rid of corruption overnight. Regardless of their motives, many serious reforms are under way, some of which might not be very popular. For example, the Ministry of Education took a tough measure to prevent cheating and bribery during high school exams, resulting in a total pass rate of roughly 40 percent. The reaction was mixed.

Further, the Anti-corruption Unit also vows to clean up the public sector payroll, which costs the government millions of dollars every year. A number of ministries and government agencies also rolls up their sleeves and introduces reforms to reduce red tape and unnecessary rules and regulations. Moreover, these efforts are even more evident at the local government, where many people are affected by petty corruption and other malpractices.

These measures will undoubtedly allow the government to lay a strong foundation for broader and deeper democratic reforms in the future. If they are able to produce positive results, they would win back support in the upcoming elections. Another important point is that restoring trust in political institutions is important in sustaining peace and stability. Thus, the government has to take swift and tough measures on the issue of inequality and poor governance.

## **Human Trafficking, Transnational Crimes and Terrorism**

Human trafficking remains a serious problem in Cambodia. According to the 2013 Trafficking in Person Report, the US Department of State downgraded the country to Tier 2 Watch List. Every year, hundreds of men, women and children have been trafficked within the country or to overseas for sexual or labor exploitation. In addition, Cambodia is also considered as a source, transit and destination country for human trafficking.

Not surprisingly, the government strongly protested the report, arguing that it ignores the fact that Cambodia has made lots of progress in tackling the problems of human trafficking in recent years. It also suggests that culture is partly to blame for this problem, and that it has done all it can to punish the criminals. However, rather than pointing fingers at one another, the government and all relevant agencies should work together to develop effective measures to combat human trafficking.

Another security concern is transnational crimes, which mostly happen along Cambodia's border with its neighboring countries—Thailand, Laos and Vietnam. These crimes involve a complex network of criminals from various countries, and it has become more difficult to fully track their activities. The government has worked very closely with its foreign counterparts to solve a number of cases. The latest major crackdown on an international extortion ring led to the arrests of 77 Chinese and Taiwanese nationals.

Drug smuggling is also serious along the country's northern border. The use of illicit drugs such as amphetamine-type stimulants has grown sharply. Over the past years, the government has arrested a number of people involved in producing and distributing drugs. However, these underground activities are hard to detect. Adding to this complication, some security officers are also accused of being part of these drug cartels.

Although terrorism is not a major security threat for Cambodia, the government cannot afford to take things for granted, especially at a time when extremism is spreading rapidly throughout the world. But the good news is that Cambodia is very tolerant of different religious beliefs. People from around the world can freely practice their religions without fear of discrimination or violence. It is one of the reasons that explain a peaceful co-existence between Cambodians and other minority groups.

Combating these types of crimes require close cooperation between Cambodia, its neighbors and other international partners. Information sharing and technology transfers are extremely important for Cambodia that lacks the capacity and resources to handle these problems alone. Furthermore, concerned countries have to seriously punish security officers and other senior officials who directly or indirectly support these transnational criminals and drugs cartels.

## **Border Disputes between Cambodia and Its Neighbors**

The history of border disputes between Cambodia and its neighbors dates back hundreds of years. A long stretch of border has never been properly demarcated, and thus far, there is no permanent and comprehensive solution to these problems. In recent years, the tension between the disputed countries has also grown sharply, posing a serious security concern for Cambodia and its people living along the border.

### ***Cambodia and Thailand: Preah Vihear Temple and Beyond***

Since the ousting of Ex-Prime Minister Thaksin Shinawatra from power in 2006, disputes over the areas around Preah Vihear temple took center stage in Thai politics. To exacerbate the situation, these border disputes have been deeply politicized by Thai politicians to the point that regardless of what both countries might agree on, there will always be opposition from various groups in the countries.

From 2008 to 2011, there were a number of clashes along the Cambodian-Thai border, leaving heavy casualties on both sides. In April 2011, Cambodia brought the case to the International Court of Justice (ICJ) and requested a reinterpretation and clarification of the court's ruling in 1962 over the Preah Vihear temple and the surrounding areas. This decision was taken after the attempts to resolve the conflicts through bilateral and regional talks failed.

The coming to power of Yingluck Shinawatra as Prime Minister in July 2011 thawed relations between the two countries and paved the way for bilateral talks. Despite the progress, their fundamental differences remained unresolved. In early 2013, when the announcement of the ICJ's judgement was approaching, the Yingluck government went out to explain the public that it is in the interest of Thailand to respect the result whatever it would be. However, this move backfired.

As expected, Thailand was reluctant to fully comply with the ICJ's decisions, arguing that it needs to study the ruling carefully before any action can be taken. Yet, both sides at least are committed to maintaining peace and stability along the border. They also set up a demilitarized zone to avoid any misunderstanding. Observers from other members of the Association of South East Asian Nations (ASEAN) were also allowed to monitor the situation.

However, the coup against the Yingluck government and the coming to power of the military Junta in May 2014 raised a major concern for Cambodia, because the new government is seen to be too close to the Thai ultra-nationalist movement. Since stability and peace along the border is Cambodia's top priority, it is not surprising that the government avoids commenting on the coup, and vows to work closely with the Junta government.

There were also high level visits from Thailand, including from Prime Minister Prayuth Chan-o-cha and Defence Minister Prawit Wongsuwan in late 2014. It was a gesture of reassurance by both sides to resolve the disputes peacefully. Thus far, there have not been any major clashes. Yet, the ongoing shooting of Cambodians by Thai soldiers have strained relations between the two countries to some degree, and might make future negotiations more difficult.

The most urgent task for Cambodia and Thailand now is to depoliticize border issues. It is irresponsible and dangerous to use these conflicts to advance political interests. Both countries must depend on one another for peace and prosperity more than ever. Of course, it will be an uphill battle to get the border completely demarcated, and it will require lots of efforts and commitment from both sides to ensure a long lasting solutions.

Despite the fact that many border areas are considered overlapping or disputed zones, not all of them present the same challenges. Some areas can be resolved through bilateral talks, while others might require intervention from the international community. For example, the most appropriate solution to the Preah Vihear temple case would be through the international system such as the ICJ, because it is not just a dispute over a plot of land but a national identity and pride of Cambodia and its people.

ASEAN can potentially play a crucial role in resolving these border disputes. Since the clashes in 2008, some ASEAN member states, most notably Indonesia, have reached out to the two countries and offered help to mediate the conflicts. Although it is one of the most important principles of ASEAN to not interfere with internal affairs of its members, the implications of war or instability will be deep and far-reaching for the region as a whole.

In addition, Cambodia and Thailand can also broaden cooperation and introduce more joint-development projects along the border. These strong economic ties will discourage both sides from using force to resolve the disputes. For instance, when the fighting broke out between 2008 and 2011, many Cambodians and Thais who earn their living along the border were putting pressure on their respective governments to restore peace and stability as soon as possible. The most contentious border areas are, perhaps, best left to the next generation to resolve.

### ***Cambodia and Vietnam: An Irreconcilable Past?***

The relations between Cambodia and Vietnam are complex, with the most controversial period being perhaps the 1980s. With the support of the Vietnamese soldiers, the People's Republic of Kampuchea ousted the Khmer Rouge from power in January 1979. But the presence of hundreds of thousands of the Vietnamese soldiers on Cambodian soil quickly became the liability for the newly established government.

The withdrawal of these Vietnamese soldiers in the late 1980s was not enough to convince the public that Vietnam no longer has any influence on Cambodia. Since the 1993 election, opposition parties have never missed a chance to attack the CPP leaders for having close ties with Vietnam. Such rhetoric sometimes leads to violence. For example, during the election on 27 July 2013, a group of voters angrily protested that illegal Vietnamese immigrants were also allowed to vote. This incident left several people injured and police cars set on fire.

Although the border between the two countries was fully demarcated, many people still do not recognize it. They argue that the border agreements were signed at a time when Cambodia was largely under Vietnamese control. In an attempt to set the record straight, Prime Minister Hun Sen took the issue to the parliament and spoke for nearly six hours, suggesting that the country did not lose any land to the Vietnamese as proclaimed by the opposition. However, the public remains wary.

The growing discontent and hatred against Vietnam among ordinary Cambodians, especially the youth, is becoming serious in recent years. Worse, a few political parties and several civil society organizations are also using this racial card to pursue their political agendas. Without appropriate interventions, the situation can easily get out of control. Complicating the matter further, the reason that leads to the current situation goes beyond border issues.



The report of ethnic Cambodians being repressed by Vietnamese authorities led to many protests in front of the Vietnamese embassy in Phnom Penh. Another problem is some people are not happy with the fact that many Vietnamese people come to work and do business in the country. The rise of Vietnamese investments in Cambodia also causes some uneasy feeling among the public that Cambodia is gradually drawn into Vietnam's influence.

There is no easy solution to these problems. Perhaps, the best solution is to put the border issues to public discussion. Only when people have full knowledge of the issues, will they believe that all the past border agreements were not made in the expense of Cambodia's sovereignty. In addition, the government needs to strengthen the immigration laws. Recently, the authority has taken measures to tackle the problem of illegal immigrants, leading to many arrests including Vietnamese nationals. This is the first step in the right direction but more needs to be done.

### ***Cambodia and Regional Maritime Disputes***

Although the growing tension in the China Sea does not directly pose a major security threat to Cambodia, any instability or war will inevitably draw the country into conflict. The non-issuance of the joint communiqué during the ASEAN Foreign Ministers summit in Phnom Penh in July 2012 due to disagreement over the wording of the document was a very good example. Several countries and foreign media outlets were quick to blame Cambodia for the fallout.

Such accusation fails to acknowledge the challenges that each ASEAN member state is facing with the rise of China. As a small and poor country, Cambodia does not want to take sides in regional and international disputes. If it could choose, it would stay neutral. It has consistently maintained such a position towards other disputes, not just those in the South China Sea. For example, the growing tension between Japan and China over the Senkaku/Diaoyu Islands puts Cambodia between a rock and a hard place.

Cambodia supports a de-escalation of the conflict in the China Sea to avoid endangering peace and disrupting trade activities in the region and beyond. Unilateral actions by the claimants do not necessarily give them the upper hand in the maritime disputes, but rather make future negotiations more difficult. Worse, the current military build-up and the deployment of forces in the South China Sea might lead to potential miscalculation and misjudgment.

A sustainable solution to the maritime disputes would be through bilateral talks with regional organizations like ASEAN and the international community taking on a mediating role and assisting smaller states in leveraging their bargaining power. In the South China Sea case, ASEAN is rightly assisting the claimants in developing the Code of Conduct. Despite the lack of progress thus far, it is the most promising route towards a peaceful resolution.

Whether they like it or not, China's influence in the region will only grow, and retreating to ultra-nationalism is unrealistic and dangerous. The rise of China should not be seen as a zero-sum game. The good news is that any escalation of conflict will not benefit China either. In fact, China has been trying to assure its nervous neighbors and other countries that its rise to global power status is not a threat but an opportunity for shared prosperity. Moreover, it is important to note that these disputes cannot be resolved through force.