

**£KINGDOM OF CAMBODIA**  
**@The Draft Press Law**  
**Open Letter to Chea Sim, President of the National**  
**Assembly**

Ref: TG ASA/23/95.14

Samdech Chea Sim  
President  
National Assembly  
Phnom Penh  
Cambodia

20 June 1995

Your Excellency,

Amnesty International has obtained a copy of the draft Press Law, approved by the Council of Ministers on 9 June 1995, and due to be debated by the National Assembly on 22 June 1995. I am writing to you to express the concerns Amnesty International has regarding this draft law, and to urge that amendments be made on 22 June, to ensure that the law conforms to minimum international human rights standards.

As a party to many international human rights instruments, including the International Covenant on Civil and Political Rights, Cambodia has a duty to ensure that all domestic legislation complies with the standards laid down in the ICCPR. The draft Press Law as approved by the Council of Ministers, while an improvement on several earlier drafts, still fails to meet Cambodia's international obligations.

Amnesty International is particularly concerned at the wording of Article 12 of the draft, which states that "the press shall not publish or reproduce information which affects national security and political stability". The organization believes that such a broad phrase cannot be defined in law, and could potentially be used to punish anyone who publishes articles critical of the government. This contravenes article 19 of the ICCPR. The organization is also concerned that journalists and editors charged with offences under article 12 of the draft law could be charged under Cambodia's penal code, and be sent to prison for articles they publish. This possibility is further strengthened in article 21. A press law should state clearly that journalists and editors shall not be imprisoned for exercising their right to freedom of expression. As currently drafted, the law allows for imprisonment (through prosecution under the penal code), in violation of international law, of prisoners of conscience, held solely for the peaceful expression of conscientiously held beliefs.

In talks with ministers of the Royal Cambodian Government in November and December 1994, Amnesty International expressed its reservations about the draft press law,

and the potential human rights problems associated with it. The organization greatly regrets that the most recent draft still fails to meet the standards laid down in international human rights instruments to which Cambodia is a party. As President of the National Assembly, Amnesty International call on you to raise these issues in the debate on the draft Press Law on 22 June 1995, and to ensure that appropriate amendments to the law are tabled, to bring it into conformity with international human rights standards.

I note that in the last year, there has been increasing pressure on journalists and editors not to publish criticism of the Royal Cambodian Government. Journalists have been prosecuted and sentenced to prison terms for articles they have published, and there have been at least two cases where journalists known for their critical views have been killed. No one has been brought to justice for these killings. Outspoken criticism of the government clearly brings increasingly harsh penalties in Cambodia. If the draft press law is passed by the National Assembly in its current form, Amnesty International fears that prisoners of conscience will again be held in Cambodia. The pressures on journalists and editors to exercise self-censorship is likely to increase, and Cambodia will fail to fulfill all its obligations under international human rights standards.

Amnesty International calls on you and members of the National Assembly to avail yourself of the opportunity to make an important contribution to human rights in Cambodia on 22 June 1995. By amending the Press Law so that it complies with international human rights standards, you can send a positive message to the international community that National Assembly members are concerned with the promotion and protection of human rights, and help ensure that Cambodia respects its international obligations.

I very much hope that you and members of the National Assembly will ensure that the draft press law is suitably amended on 22 June 1995, in order to strengthen fundamental human rights in Cambodia.

Yours sincerely,

Herve Berger  
Deputy Secretary-General