



CCHR Briefing Note – 03 January 2014

Excessive Use of Force against Demonstrators in 2013 in Cambodia

Executive Summary

2013 saw an upsurge in the number of demonstrations in the Kingdom of Cambodia (“Cambodia”), with hundreds of thousands of people taking their complaints to the public forum. From protests by garment workers and victims of forced evictions, to rallies by the political opposition, the end of the year was marked by daily news of demonstrations. In light of the increasing number of protests, the response of security forces is crucial to monitor and scrutinize. While the police response to the majority of the Cambodian National Rescue Party (“CNRP”) opposition rallies has generally been measured and welcomed, demonstrations that were violently dispersed, with authorities using excessive and occasionally lethal force, were an all too common occurrence. In 2013, the Cambodian Center for Human Rights (“CCHR”) has gathered 25 cases¹ in which the security forces were involved in beatings, shootings and the killing of two people during demonstrations. In light of these developments CCHR decided to publish a Briefing Note providing an overview and analysis of cases of demonstrations met with excessive use of force by the state security forces throughout 2013.

The first section of this Briefing Note describes the international and domestic legislative landscape related to the right to freedom of peaceful assembly and the use of force by security forces. The second section examines the role and structure of law enforcement officials involved in policing demonstrations in Cambodia. The third section provides an overview of the trends with regards to the excessive use of force against demonstrators throughout 2013, while the fourth section highlights the worrying culture of impunity that surrounds it. Finally, the fifth section provides a series of recommendations, including the following key suggestions to the Royal Government of Cambodia (the “RGC”):

- Only deploy military personnel in matters of grave national security and cease involving district security guards in the dispersal of assemblies;
- Ensure that law enforcement officials use non-lethal incapacitating weapons as much as possible;
- Ensure that all law enforcement officials are provided with relevant trainings and are tested in accordance with appropriate proficiency standards in the use of force; and
- Ensure prompt, thorough and effective investigations by independent and impartial bodies into all reports of excessive use of force and firearms by law enforcement officials.

¹ Information was collected through the monitoring of international and local media.

This Briefing Note is written by CCHR, a non-aligned, independent, non-governmental organization that works to promote and protect democracy and respect for human rights – primarily civil and political rights – throughout Cambodia.

Freedom of Peaceful Assembly and the Use of Force in International and Domestic Law

The Right to Freedom of Peaceful Assembly

The right to freedom of peaceful assembly is enshrined in the Universal Declaration of Human Rights (the “UDHR”)² and is guaranteed under Article 21 of the International Covenant on Civil and Political Rights (the “ICCPR”).³ In addition to recognizing the right to freedom of peaceful assembly, Article 21 of the ICCPR provides guidance on the potential acceptable restrictions to freedom of assembly:

“No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.”⁴

The right to freedom of assembly is also firmly protected within domestic legislation. Article 41 of the Constitution of the Kingdom Cambodia (the “Constitution”) provides that all Khmer citizens have the right to “*freedom of expression, press, publication and assembly.*”⁵ Furthermore, the Constitution enshrines international human rights obligations into domestic law and policy⁶ and the direct applicability of international human rights norms in Cambodian courts was reaffirmed by a decision of the Constitutional Council in 2007.⁷ The Law on Peaceful Assembly 2009 (the “Demonstration Law”) was also adopted to govern the exercise of the right to peaceful assembly.⁸

However, Article 2 of the Demonstration Law states that demonstrations “*shall not be used abusively affecting the rights, freedoms, and honor of others, good customs of the national society, public order and national security.*”⁹ Terms such as “*the honors of others*” and “*good customs*” can be subject to very broad interpretation. The terminology used unduly broadens the previously mentioned limitations set forth in Article 21 of the ICCPR. As such, it allows the authorities to cite a wide range of potential threats in order to not allow demonstrations. Consequently, protests are often deemed as being “unlawful” resulting in security forces being called upon to disperse peaceful assemblies. Both the Constitution and the ICCPR should take precedence over the Demonstration Law, which should be amended so as to comply with the Constitution and Cambodia's international human rights obligations.

² Universal Declaration of Human Rights (Adopted 10 December 1948, UNGA Res 217 A (III) (UDHR), Article 20 <http://bit.ly/1aRyxCs>

³ International Covenant on Civil and Political Rights (Adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), Article 21 <http://bit.ly/Jvx8LK>

⁴ Ibid

⁵ Constitution of the Kingdom of Cambodia, 21 September 1993. Article 41 <http://bit.ly/19Ey1Ms>

⁶ Ibid, Article 31

⁷ Constitutional Council, Decision No. 092/003/2007, 10 July 2007.

⁸ Law on Peaceful Assembly 2009, ROYAL KRAM (Royal Code) NorSor/ RorKorMor/ 1209/ 025 <http://bit.ly/J55h5I>

⁹ Ibid, Article 9

The Use of Force

The protection of the right to life, security of the person, and freedom from torture, cruel, inhuman or degrading treatment and punishment are at the heart of international human rights law and the Constitution of Cambodia.¹⁰ In addition, several international instruments provide universal guidelines and describe the minimum standards for the conduct of law enforcement officers.

These requirements are echoed in Article 6 of the United Nations Transitional Authority Code (“UNTAC”), which states that the *“police shall observe the Code of Conduct for Law Enforcement Officials and, to the extent possible, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the United Nations.”*¹¹ As such, the RGC must ensure that the police forces adhere to the “Code of Conduct” and the “Basic Principles,” along with ensuring that any domestic legislation enacted that governs police behavior is equivalent to or more onerous than the international guidelines.

According to the Basic Principles, before any contemplation of the resort to the use of force and firearms, all measures to provide a non-violent resolution need to be exhausted.¹² Force is to be used only when strictly necessary and is to be always proportional to lawful objectives.¹³ Firearms are to be used only in extreme circumstances, and only in self-defense or defense of others against imminent threat of death or serious injury.¹⁴ Similarly, intentional lethal use of force and firearms shall be permitted only when strictly unavoidable in order to protect human life.¹⁵ Furthermore, the authorities should use non-lethal incapacitating weapons in appropriate situations as to minimize injuries to demonstrators.¹⁶

In the dispersal of assemblies that are deemed “unlawful” but non-violent, law enforcement officials shall still avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary.¹⁷ In the dispersal of violent assemblies, law enforcement officials may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary.¹⁸ In such a situation, law enforcement officials shall not use firearms, except when acting in self-defense against the imminent threat of death or serious injury.¹⁹

The Demonstration Law also sets forward the behavioral requirements of the security forces when dealing with assemblies. Article 17 states that the police must take measures to protect the peaceful demonstration ensuring the security, safety and public order and shall not interfere with the conduct of the peaceful assembly.²⁰ Additionally, the authorities must show absolute patience with demonstrations, and must not disperse demonstrations that have been approved either explicitly or

¹⁰ Constitution of the Kingdom of Cambodia, 21 September 1993. Article 31 & 32 <http://bit.ly/19Ey1Ms>

¹¹ UNTAC Criminal Code (1992) Article 6

¹² The United Nations, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 27 August to 7 September 1990, General Provisions, Principle 4 <http://bit.ly/1dtR5f7>

¹³ Ibid, Principle 5

¹⁴ Ibid, Special Provisions Principle 9

¹⁵ Ibid.

¹⁶ Ibid, General Provisions Principle 2

¹⁷ The United Nations, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 27 August to 7 September 1990, Policing unlawful assemblies, Principle 13 <http://bit.ly/1dtR5f7>

¹⁸ Ibid, Policing unlawful assemblies, Principle 14

¹⁹ Ibid

²⁰ Law on Peaceful Assembly 2009, Article 17, <http://bit.ly/19XIRhJ>

implicitly²¹ and if a demonstration turns violent, the authorities shall take appropriate measures to prevent the violence and stop the demonstration.²²

However, neither the Demonstration Law nor its Implementation Guide²³ clarifies what constitutes “appropriate measures,” nor do they contain any provision regulating the use of force by law enforcement officers when policing assemblies. The use of force needs to be regulated so as to set out the security measures police officers are allowed to use. Domestic law should incorporate the circumstances justifying the use of force, following the strictly necessary and proportionate parameters of the Basic Principles and Code of Conduct and including a clause of liability for the unjustified or disproportionate use of force.

While the right to peaceful assembly is largely protected in the legislative landscape of Cambodia, the unfortunate reality is that the RGC continues to use the Demonstration Law as a tool to impair the rights and freedoms of the Cambodian citizens. The lack of guidelines on the policing of assemblies and use of force within the Demonstration Law or its Implementation Guide is a grave point of concern as the deployment of heavily armed security forces to police demonstrations is common in Cambodia.

Role and Structure of Law Enforcement Officials

There is considerable variety of law enforcement actors that are regularly deployed to police demonstrations in Cambodia, including most commonly the use of national police, the Royal Gendarmerie, the Prime Minister’s Personal Bodyguard unit and district security guards. This plethora of law enforcement actors creates an overly complex and confusing environment. At a typical demonstration, several different security forces are often deployed simultaneously, which raises questions around chain of command, interoperability, jurisdiction, and relevant training.

A specially trained and heavily armored “riot squad unit” is often deployed at demonstrations. They are drawn from the ranks of the national police. The national police falls under the jurisdiction of the Ministry of Interior and has separate public order, judicial, immigration, transport, trafficking, and administrative divisions.²⁴ At demonstrations throughout 2013, members of the national police were armed with AK-47s, pistols and rubber bullet shotguns.²⁵

Another group commonly deployed during demonstrations is the Royal Gendarmerie of Cambodia (“Gendarmerie”). The Gendarmerie, which is commonly referred to as the “Military Police,” is part of the Royal Cambodian Armed Forces, and as such falls under the jurisdiction of the Ministry of Defense. However, according to the sub-decree²⁶ which sets forward the structure and function of the Gendarmerie, they are under direct command of the Prime Minister. The duties and

²¹ Decision on the introduction of the Implementation Guide to the Law on Peaceful Demonstration, 08 December 2010, Section III: Responsibilities of the Authorities and the Organizers of Demonstrations 3-4 <http://bit.ly/190IFJx>

²² Law on Peaceful Assembly 2009, Article 20, <http://bit.ly/19XIRHj>

²³ Decision on the introduction of the Implementation Guide to the Law on Peaceful Demonstration, 08 December 2010 <http://bit.ly/190IFJx>

²⁴ The Phnom Penh Post, 'Many hues of Cambodia's might' (25 October 2013) <http://bit.ly/18H65sG>

²⁵ Radio Free Asia 'Woman Shot Dead by Cambodian Police in Protest Clampdown' (12 November 2013) <http://bit.ly/19kg1c1>

²⁶ Sub-Decree No. 77, Setting Forth the Functions and General Structure of the Royal Gendarmerie (1) (21 December, 1994)

responsibilities of the Gendarmerie overlap greatly with that of the national police, and amongst others their responsibilities include maintaining safety and public order.²⁷

An additional group, who are called upon to police demonstrations are the Prime Minister's Personal Bodyguard Unit ("PMBU"). Similarly to the Gendarmerie, the PMBU falls under the jurisdiction of the Ministry of Defense and answers directly to the Prime Minister.²⁸ Both the Gendarmerie and the PMBU have come under criticism in the past for their heavy-handed approach and often-blatant disregard for the safety and wellbeing of citizens when policing demonstrations. Furthermore, when policing demonstrations, the Gendarmerie and PMBU are often heavily armed with assault rifles.²⁹ Indeed, this raises a larger question as to whether using military personnel at demonstrations is either necessary or proportionate to lawful objectives.

A common trend when policing smaller demonstrations, particularly in Phnom Penh, is the use of district security guards. Frequently in 2013, in central Phnom Penh, the national police have been accompanied at demonstrations by Daun Penh district security guards, who have been regularly witnessed, photographed, and recorded beating demonstrators.³⁰ These security guards are not public officials, they are volunteers receiving only an allowance and taking orders from the relevant District Governor or Commune Chief. As such, there is much concern of the relevant training in policing assemblies that district security guards undertake, as they clearly lack the appropriate proficiency standards in the use of force.

Excessive Use of Force in 2013

2013 has seen numerous demonstrations, with hundreds of thousands of citizens participating in assemblies. Contributing in no small part is the political fallout from the disputed results of the National Assembly elections, which were held in July. The recent discontent with the outcome of the National Assembly elections has produced an environment of political tension and led to an upsurge in demonstrations. Since August 2013, CNRP supporters have regularly taken their discontent to the public sphere. Along with strikes by garment workers and protests by victims of forced evictions, demonstrations are now seemingly an everyday occurrence in Phnom Penh and the surrounding areas.

Of the reported demonstrations,³¹ CCHR found that at least 25 were violently interrupted, with authorities using electroshock weapons, guns, tear-gas, water cannons, and batons, to beat and disperse demonstrators. In 2013, shootings by security forces at demonstrations has led to the death of two people, left one person paralyzed, and wounded 16 others. Countless numbers of demonstrators have been beaten, with three women suffering miscarriages as a result of their

²⁷ Ibid 3(a)

²⁸ The Phnom Penh Post, 'Many hues of Cambodia's might' (25 October 2013) <http://bit.ly/18H65sG>

²⁹ Radio Free Asia, 'Woman Shot Dead by Cambodian Police in Protest Clampdown' (12 November 2013) <http://bit.ly/19kg1c1>

³⁰ The Phnom Penh Post, 'Protesters beaten by guards' (31 October 2013) <http://bit.ly/1kvxaBU>

³¹ It should be noted that the overwhelming majority of demonstrations reported were in Phnom Penh or its neighboring provinces. While it would be expected that demonstrations would predominantly take place around Phnom Penh, this also potentially reflects a lack of information and reports coming from more remote provinces.

injuries. CCHR findings show that while demonstrations in Cambodia can relate to a wide range of interests, those related to labor rights, and land rights are the most frequently met with violence.

As such, CCHR has found a clear link between the excessive use of force of law enforcement actors and the protection of business interests. Violence involving state security forces is most frequent when it affects foreign investment and the business interests of Cambodia's most powerful and elite. Of the 25 excessive use of force cases found, 21 were related to garment worker strikes and land rights protests, which are in turn connected to the large business activities of present day Cambodia.

Garment Industry Labor Demonstrations

An estimated 475,000³² Cambodians are employed within the garment sector. The Garment Manufacturers Association in Cambodia ("GMAC") has documented 131 garment factory strikes in 2013, the highest number since records began.³³ In spite of this, garment exports exceeded four billion USD for the first nine months of 2013, up 22% from 2012.³⁴ Nevertheless, it is reported that conditions in factories have worsened in recent years and that workers now earn less in real terms than a decade ago.³⁵ These conditions have created an environment where worker strikes and demonstrations are prevalent. CCHR has found 12 separate workers demonstrations that were met with violence, with trade union activists seemingly specifically targeted and subject to physical attacks and harassment.

One such case is that of Sabrina Garment factory in Kampong Speu province. While factory workers staged a strike, a violent confrontation occurred on 27 May 2013 between workers and military police. During the confrontation, the military police used electric batons against the workers. At least 50 people were injured, with one worker being beaten unconscious and two women suffering miscarriages as a result of their injuries.³⁶

Another case is that of SL Garment Processing factory, located in Meanchey District, Phnom Penh. Over a number of months, a series of, and occasionally violent, strikes culminated on 12 November 2013, when over several hours, several chaotic clashes took place between the protestors and the armed forces. During the clashes, the armed forces violently disbanded the demonstrators by discharging live ammunition, rubber bullets and tear gas canisters. During the pandemonium, a 49-year-old street vendor, Ms. Eng Sokhom, who was a bystander not participating in the protest, was shot and was pronounced dead on arrival at the hospital.³⁷ In total, nine protestors were wounded by police gunfire, one of whom is now paralyzed for life, and several others were severely beaten with batons by the police.³⁸

³² Sithi Human Rights Portal, Garment Factories and Supply Chains, <http://bit.ly/1gi9cqW>

³³ The Phnom Penh Post, 'Turmoil marks year in labour' (24 December 2013), <http://bit.ly/KgbqMa>

³⁴ Ibid

³⁵ The International Human Rights and Conflict Resolution Clinic, Stanford Law School, 'Monitoring in the Dark - An evaluation of the International Labour Organization's (ILO) Better Factories Cambodia monitoring and reporting programme' (February 2013) <http://stanford.io/19h5HyZ>

³⁶ The Phnom Penh Post, 'Workers' injured by electric batons' (28 May 2013) <http://bit.ly/1d0nmMP>

³⁷ CCHR Fact Sheet: 'Excessive Use of Force at Workers' Protest' (November 2013) <http://bit.ly/1cKfOu4>

³⁸ Ibid

Land Rights Demonstrations

Cambodia's rapid economic growth has been met with increasing frequency of land grabs. The increased number of people entwined in land disputes and the despair of the affected population has grown so deep that protests have intensified. Those involved in land rights demonstrations are regularly targeted and maltreated. Epitomizing this is the Boeng Kak lake activists, whose demonstrations were met with violent encounters with security forces throughout 2013. CCHR has noted nine of these incidents. Since 2007, over 3,000 people have been forcibly evicted from Boeng Kak Lake, in central Phnom Penh, to clear way for an economic land concession ("ELC") that was awarded to *Shukaku Inc* in a deal worth a reported 79 million USD.³⁹ While the Boeng Kak group is often provocative, the security forces continuously fail to manage their demonstrations in a safe, proportionate and professional manner.

On 14 March 2013, 10 Boeng Kak Lake protesters were injured as they clashed with national police, military police and district security guards outside of the office of the Minister of Justice. During the incident one man lost three teeth as he was punched and dragged along the street, while another woman's arm was broken.⁴⁰ On 1 July 2013, while demonstrating outside Phnom Penh Municipal Hall, Khek Chan Raksmeay miscarried after being kicked in the stomach by City Hall security guards as they attempted to disperse the small crowd.⁴¹

On 22 September 2013, at least 10 people were injured at a peaceful candle light vigil at Wat Phnom. The peaceful demonstrators were set upon by a group of unidentified men and military police, who beat the demonstrators with slingshots, batons, and electric prods. During the incident two elderly women were hospitalized and a number of journalists and human rights workers were chased and tasered by the police and the unidentified men, who were allegedly under the protection of the police.⁴²

On 31 October 2013, clashes took place between villagers and Daun Penh district security guards in the company of police outside Phnom Penh City Hall. During the clashes at least three people were injured including a 14-year-old girl, and a man who was repeatedly kicked whilst on the ground before being arrested.⁴³

Political Friction

On 28 July 2013, Cambodia held its fifth National Assembly elections since the country's elections organized by the UNTAC in 1993. Similarly to previous elections, the July elections were marred by irregularities and discrepancies, and are heavily disputed. It should be noted, that both during and after the election, while the police came under criticism for acting in a manner that was not nonpartisan,⁴⁴ they appeared to police the majority of demonstrations adequately. However, on one occasion, the excessive and indiscriminate force used by security forces led to one of the gravest incident this year, causing the death of one man.

³⁹ The Phnom Penh Post, 'Boeung Kak awaits justice' (18 December 2013) <http://bit.ly/1kRQWaS>

⁴⁰ The Phnom Penh Post 'Beatdown of Boeung Kak protesters' (14 March 2013) <http://bit.ly/JersG9>

⁴¹ The Phnom Penh Post 'Boeung Kak protester miscarries' (02 July 2013) <http://bit.ly/1cKgQWR>

⁴² The Phnom Penh Post 'Thugs, police attack protesters and journalists' (23 September 2013) <http://bit.ly/1bYB5Tc>

⁴³ The Phnom Penh Post 'Protesters beaten by guards' (31 October 2013) <http://bit.ly/1kvxaBU>

⁴⁴ Human Rights Watch, 'Cambodia: Army, Police Campaign for Ruling Party' (22 July 2013) <http://bit.ly/1bjZHS>

On 15 September 2013, clashes broke out in Phnom Penh between security forces and demonstrators who had attended a CNRP rally. As many as 30,000 CNRP supporters gathered in Freedom Park to express their discontent with the election results.⁴⁵ Some demonstrators spilled out of Freedom Park, hoping to stage an impromptu march through the city, however they were soon thwarted by security forces. After a lengthy face off with security forces, violence erupted around Sisowath Quay between dozens of stone-throwing youths and hundreds of military police and riot police armed with guns, rubber bullets, tear gas, smoke grenades and water cannons.⁴⁶

Throughout the day and late into the night, several tumultuous clashes occurred around Phnom Penh, leaving commuters, residents and workers trapped in the middle. During one clash at the Kbal Thnal overpass, some five kilometers from the scene of the original clashes at Sisowath Quay, the security forces discharged live ammunition, severely wounding at least nine and killing Mr. Mao Sok Chan, a 29-year-old bystander who was attempting to return home from his work as a newspaper hawkker. The police also beat several people during the course of the day. Subsequent to the fatal shooting, the security forces disrupted a number of peaceful protests and remembrance gatherings. One such a case occurred on 18 October 2013, when a large group gathered at Wat Phnom calling for an investigation into the death of Mao Sok Chan.⁴⁷ The demonstration was dispersed by security forces who beat demonstrators, injuring five.

2013 has seen the frequent mistreatment of demonstrators. While the majority of political demonstrations, especially since the killing of Mao Sok Chan, have been met with restraint, there is a worrying trend of violence exerted by security forces towards the people who are seemingly in the way of the “big business” of modern Cambodia.

Culture of Impunity

The international principles regarding the violations of human rights by law enforcement agents are quite clear. Law enforcement agencies shall be accountable to the community as a whole.⁴⁸ Obedience to superior orders shall not be a defense for violations committed by police.⁴⁹ Superior officers shall be held responsible for abuses if they knew, or should have known, of their occurrence, and did not take action.⁵⁰ Furthermore, victims are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered.⁵¹

However within Cambodia, while demonstrators often find themselves arrested, there is a clear lack of political will to bring implicated law enforcement agents to justice. This is exacerbated by a

⁴⁵ The Cambodia Daily 'One Dead, Several Injured as CNRP Supporters, Police Clash' (16 September 2013) <http://bit.ly/19keeDZ>

⁴⁶ Ibid

⁴⁷ Frontline Defenders 'Cambodia: Human rights defender Tep Vanny, assaulted by security forces during peaceful protest' (21 October 2013) <http://bit.ly/1bYLC08>

⁴⁸ Code of Conduct for Law Enforcement Officials, Adopted by General Assembly resolution 34/169 (17 December 1979) Article 1 <http://bit.ly/1l6AErY>

⁴⁹ Office of the United Nations High Commissioner for Human Rights (OHCHR), Human Rights Standards and Practice for the Police, Professional Training Series No. 5/Add.3 (2004) <http://bit.ly/1a1HJoA>

⁵⁰ Ibid

⁵¹ United Nations General Assembly, International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976), Article 17, <http://bit.ly/1j1mTd1>

politically dependent judiciary that continually fails to provide fair and prompt resolutions for citizens who have been the victims of the excessive use of force by security forces. Perpetrators of crimes often go unpunished and victims of these crimes never see justice.

For instance, the investigations into the killing of both Mao Sok Chan and Eng Sokhom have still yet failed to reach a fruitful resolution. Instead of holding those involved accountable, less than one month after the fatal shooting of Mao Sok Chan, Interior Minister Sar Kheng, speaking at a ceremony where police officers received certificates of appreciation for their post-election work, praised the “patience” of police officers who were present at the incident.⁵² He claimed that the police managed the situation in a manner, which minimized injuries and the death toll.

The rampant impunity shown towards law enforcement agents perpetuates their crimes and produces a situation where the victims, or their representatives, never receive appropriate forms of redress. The stance taken by the RGC is consistent with that of a state, which seems intent on allowing the malpractice of law enforcement agents to continually go unpunished.

Conclusions and Recommendations

There is an urgent need for the RGC to conduct a thorough review and fully reform its practice of policing demonstrations. The government and law enforcement agents all too often continue to show a complete disregard for the right to freedom of expression and peaceful assembly in Cambodia. Throughout 2013, the security forces when policing demonstrations have regularly failed to meet the criteria of proportionality and necessity, when exercising the use of force.

On two separate occasions, security forces used unnecessary and indiscriminate lethal force, which led to the death of innocent bystanders. Additionally, one person has been paralyzed, and 16 others have been wounded after being shot by security forces at demonstrations. Three women suffering miscarriages and countless numbers of demonstrators were injured after being beaten by security forces. Incessantly, these crimes are being carried out with impunity. As such, to respect the right to freedom of peaceful assembly and to avoid the use of excessive force by law enforcement officials the RGC should:

- Ensure that the right of every citizen to participate in peaceful assemblies is fully respected and comply with and ensure that existing laws are properly implemented, applied and respected;
- Amend the Demonstration Law to ensure it fully complies with international human rights standards and that it incorporates the circumstances justifying the use of force, following the strictly necessary and proportionate parameters of the Basic Principles and Code of Conduct and including a clause of liability for the unjustified or disproportionate use of force;
- Only deploy military personnel in matters of grave national security and cease involving district security guards in the dispersal of assemblies;
- Ensure that law enforcement agents use non-lethal incapacitating weapons as much as possible and that they stop carrying to demonstrations heavy weapons such as AK47 rifles;

⁵² The Phnom Penh Post ‘Patience’ of riot cops praised’ (10 October 2013) <http://bit.ly/1fRm3Al>

- Ensure that all law enforcement officials are provided with relevant trainings and are tested in accordance with appropriate proficiency standards in the use of force;
- Ensure prompt, thorough, and effective investigations by independent and impartial bodies into all reports of excessive use of force and firearms by law enforcement officials; and
- Make publicly available in order to ensure greater transparency, informations on all security forces respective roles, codes of conduct, and line of accountability.

Finally, CCHR also calls on demonstrators to exercise restraint and to remain peaceful at all time during protests.

For more information, please contact CCHR President Ou Virak via telephone at +855 (0) 1240 4051 or e-mail at ouvirak@cchrcambodia.org or CCHR Consultant Elise Tillet via telephone at +855 (0) 77 70 97 23 or e-mail at elise.tillet@cchrcambodia.org