

RADIO PROFILE

in **Cambodia**



Konrad
Adenauer
Stiftung

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Puy Kea



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PREFACE

Due to long decades of civil war and political strife, many of the country's profiles, clippings and documentation on various fields including media sector--have been destroyed or left unfilled.

Prior to conducting such a research, I have realized that no such a tool has ever been produced.

This handbook is not complete and nor sufficient for the mass media, but I believe that this handbook can contribute towards helping communication actors, radio producers, and those who may wish to learn a brief and general picture of Cambodia's radio profile.

This handbook is based on the experience and innovative thinking of senior staff of, and with full support of the Konrad Adenauer Foundation, whose contribution I would like especially to acknowledge: Mr. Werner vom Busch, Regional Representative of Konrad Adenauer Foundation (KAF) based in Singapore, and Ms. Britt Gehder, program officer of KAF.

Last but not least, I wish and hope that more inputs of new pieces of information, and sources on the matter will arise upon the publication of this handbook, so as to make this handbook more accurate, and useful source for everyone in need.

RADIO PROFILE

in Cambodia

Cambodia is located in South East Asia, or better known as one of the former Indo-Chinese nations where experienced almost a century under the French protectorate (1863 to 1953). The country borders with Vietnam in the east, Laos in the north and Thailand in the west. It has a population of 14 million living in the area of 181,035 sq. kilometres. Cambodia has gone through long decades of civil war and political wrangling. Although, the country has enjoyed complete peace from 1999, this country is still listed as one of the poorest countries in the region in which 35 percent¹ of its total population remain poor who are living under the poverty line or earning less than one US Dollar a day.

As a result of the political and social problems, the percentage of literacy in Cambodia is 62.8 percent², a rate of which considered low, particularly, in rural areas, where about 80 percent of the population are farmers.

I. The Radio Articulation Background

In 1947, the first state-owned Radio Station was established in the Kingdom of Cambodia with the signature of His Majesty the King Preah Bat Sisowath, the King of the Kingdom of Cambodia. The station, which was named RNK for short

¹ World Bank Report released in Feb. 2006.

² The figure based on report of the General Population Census of Cambodia 1999

PRESENTATION EN KHMER

ពេលព្រឹក

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ពីម៉ោង ៧.០០ ទៅ ៨.៤៥ បម្រើអ្នកទិញដំបូង

៧.៤៥ សង្វាក់ប្លែកៗ

៨.៣០ ចក្ខុវិស័យវិទ្យុសាស្ត្រ

ពេលថ្ងៃត្រង់

១១.០០ ដំណើរការវិទ្យុសាស្ត្រ

១១.៤៥ ចម្រៀងស្នេហាដ៏ល្បីរបស់ខាងលើខ្មែរ

លោក ស៊ី.សាមុត ខាងកែវសេដ្ឋា

និងកងក្រុមយោធាសាវា

ក្នុងនាទីនេះ តុលាការ ល្អបំផុត

ឬទុកបាប

ពេលល្ងាច

១៧.០០ ដំណើរការវិទ្យុសាស្ត្រ

១៨.០០ ក្រុងភ្នំពេញស្រៀងរាង

១៩.៣០ វិទ្យុសាស្ត្រ

១៩.៤៥ ការបង្រៀនភាសាអង់គ្លេស

នៅម៉ោង ១៩.១៥ សូមអង្គុយក្នុង

បាឋកថាបស់លោកស៊ី-ធាម-ពេង

ក្រហមស្រៀក

១៣

វិច្ឆិកា

JEUDI

13

NOVEMBRE

MATIN

5 h. 30 lecture des programmes

5 h. 35 Gloire au Bouddha

5 h. 40 Prière Bouddhique

5 h. 45 Intermède musical

6 h. 00 Réveil musculaire

6 h. 50 Musique ininterrompue

PUBLI-RADIO (7h10 à 8h25)
est au service du VENDEUR
et à celui de l'ACHETEUR

8 h. 25 Rythmes variés

8 h. 30 Fin d'émission

MIDI

11 h. 00 lecture des programmes

11 h. 02 les plus belles chansons d'amour
avec Néang SENG DY-SISAMOUTH
Néang KEO SETHA et l'orchestre
DANTREI KHOSSNAKAR

Au cours de ce concert, Sisamouth
chantera pour vous
« Rose Blanche »

11 h. 45 « creusons le sillon... du disque »

SOIR

17 h. 00 lecture des programmes et prélude d'orchestre

18 h. 00 en nos studios: l'orchestre LOKHONKHOL

19 h. 30 La femme et le foyer par Mme Sakhon-Samon

19 h. 45 «Parlons Anglais» une émission réélisée par la BBC

20 h. 00 Intermède musical.

NE MANQUEZ PAS
à 18 h. 15
l'intéressante causerie de LY THEAM TENG
«L'Art dans la littérature»



Radio program archive in 1950s

(Radio Diffusion Nationale Khmère) was actually introduced and conducted under the French protectorate's policy (since the country was under such a protectorate for almost a century: 1864 to 1953). Cambodia's King Norodom Sihanouk was able to claim complete independence on 9th November. This Radio Station was under the direct supervision of Ministry of Propaganda³.

The main purpose for the establishment of the radio station was to air to the public the important event, occurring in the country and outside of it, as well as, education, customs, tradition, science, health, agriculture, road traffic, household knowledge, and entertainment through to traditional and modern songs, opera, drama, music among others.

Then, until 1960, Cambodia was able to launch another radio station with the support of the Chinese government.

Traditionally, China and its people like offering gifts for exchange of friendship, and such gifts are often given during any meeting or official visit made by any leader to a foreign country. One government official, who requested not to be named, said that China or its people hope to gain benefits in the future from that particular country or people to whom the gift was given.

In his opening speech at the inauguration of Stung Meanchey radio station on 6th May 1960, Chau Seng, then Minister of Propaganda of the Kingdom of Cambodia, , said "The history of this radio station is that the construction of this station

³ *Cambodia was under the French protectorate from 1864 to Nov. 9, 1953.*

began in November 1956 shortly after the visit of Chinese Prime Minister Chou En-Lai to Cambodia. During this visit he made a statement pledging to Samdech Norodom Sihanouk, head of state, a grant of a radio station with a capacity of 20 Kilowatts for medium wave (Ondes Moyennes) and other 15 Kilowatts short wave (Ondes Courtes).

On 14th April 1959 the first broadcast went on air, and the official hand-over of the station to Cambodia was made on 12th January 1960.

"We strongly believe that this Stung Meanchey radio station will serve the interests of our nation and people. We are also convinced that through this radio station, more understanding will overlap the differences made across the nations, and obstacles will be paved for peace and prosperity for all human beings," said Chau Seng.

At the launching of the second radio station on 21st June 1962, which was also provided by China, Pho Proeung, special representative of Samdech Norodom Sihanouk, head of state said: "Through this grant aid from China, we are able to articulate our voice to the world. This voice will be articulated and echoed for the only protection of the peace."

This audio apparatus mainly served as the Government outlet of the only articulation of what information was disseminated to the people, or in other words, it was a mouthpiece of the Government with which it acted as the informer to the public of royal decrees, sub-decrees, laws, declarations, decisions, circulars, and other material, including commercial advertisements, as happen almost every day. This still exists even today.

But, at the time, the reception of the airway was poor due to weak geographical radio signal strength, especially in the remote and mountainous areas. Furthermore, portable radios were not widely available.

A surviving witness, Im Sa On, 72, who used to work for public radio as a technician in the 1950's, 1960's and up to the 1990's said the main policy of national radio articulation since the beginning was to inform and educate people working for then Prince Sihanouk, head of state, in order to protect peace, to upgrade national prosperity, national solidarity, and the maintenance of national identity.

"Specific programs such as: morality, education, and voices of supports to the royal Cambodian government were regularly aired," said Im Sa On, and added that the radio widely covered the nation, mainly the areas of Phnom Penh, Kandal, Kompong Cham, and Siem Reap.

Besides this, radio "Voice of Cambodia" also issued its weekly bulletin entitled "La Radio Diffusion National Khmer". The bulletin was published in two languages: Khmer and French. The bulletin gave readers the schedule of the weekly radio programs and was the voice of propaganda to its audience.

By that time, only A.M band had been broadcast and no-one had initiated a launch of any privately owned stations. Although the regimes had been changed consecutively under the different political directions since the 1950s, the radio broadcasting policy was still intact, and the government was always keen to launch the radio broadcast to promote their political agenda and platform, whether or not the articulated information was the people's choice. Instead, it served as the government's mouthpiece.



Between 1953 and 1970⁴, the RNK broadcast three times a day. First, from 5:30 am to 8:30 am; second, from 11:00 am to 2:00 pm; and third from 5:00 pm to 11:00 pm. The broadcast waves were: MW918 KHz, at 326 meters and SW6090 KHz at 49 meters. During this period, the most popular programs were entertainment: Basak Drama, Chapey Dangveng (long-handled Khmer guitar), songs, fairy tales, and talk shows.

Besides the local language in Khmer, RNK also broadcast in six other languages: French, English, Chinese, Vietnamese, Lao, and Thai. Each of those foreign language programs was aired only 15 minutes twice a day: at 7am, and at 7pm. through MW1300KHz at 221 meters, and SW11.940KHz at 25 meters.

On 18 March 1970, after Norodom Sihanouk, then head of state, was toppled by Lon Nol, with the partial support of the United States, National Radio of Cambodia was an important tool used for downplaying Sihanouk and his regime. The radio, in other words, was used as a mouthpiece of the government and a propaganda tool to draw the attention of youth to patriotic movements. It is worth noting that from March 18, 1970 to 1972 radio broadcasting was normally aired, despite the fact that some programs were changed due to the political platform set forth by the new regime. But from 1973 until the collapse of the Lon Nol regime in 1975, the country was in turmoil and chaos, as the liberators had occupied some parts of the country at the appeal of the Khmer Rouge movement and the ousted Sihanouk. During this time no new programs were produced, but only the old ones were aired, especially the entertainment programs such as drama, opera, and Chapey Dangveng.

⁴ Data collected by Chey Saphan, a senior staff of National Radio of Cambodia, who has worked for nearly two decades since 1980s.

On the other hand, during the time of the new regime, which lasted from 1975 to 1979 (and whose leaders were accountable for the deaths of as many as 1.7 million Cambodians) the radio, was functioning normally, but only in Khmer language. It aired three times a day, with one hour of programming each time. The content of the programs announced the regime's communist policy, agricultural activities, and farmers' songs. There was no live broadcast, only recorded ones.

However, the Khmer Rouge regime, better known as the genocide regime, could not last for long, and it was defeated in 1979. From the liberation year onward, the radio functioned, but in a very difficult situation as the recruited staff met severe shortages of equipment due to the warfare that had resulted in great destruction, while human resources were severely limited due to the genocide, especially those in this profession.

Chey Saphan, a senior staff of National Radio of Cambodia has filed a brief profile of radio history in Cambodia, in which he documented that in between 1975 and 1979 the Khmer Rouge used the radio to mobilize the forces, and disseminate its communist policy.

"The broadcast was mainly focused on the appeals by the Khmer Rouge leaders to the supporters and armed forces of Lon Nol regime⁵ to abandon and join with them," he said, adding that "The content of the news as well as arts focused mainly on the propaganda of the Kampuchea Communist Party's policy. All the programs were not live, but pre-recorded."

⁵ Lon Nol regime was backed by the United States, between 1970 to 1975.

From 1979 to 1987, the Radio of the “Voice of Cambodian People” was budgeted only by the state. During this time advertisements and other commercial news were prohibited. However, by 1987, Hun Sen, who then served as chairman of Council of Ministers, verbally announced that both the Radio of the Voice of Cambodian People and Television Kampuchea were allowed to air ads and commercial news. By this time, the radio aired three times a day: 5:30 am to 9:00am; 11:00 am to 14:00 pm; and 5:00 pm to 10:30 pm, on MW918Khz at 326 meters, and on SW6090KHz at 49 meters. The programs included: news (local and international news), education (custom, tradition, household skills, and agriculture), and editorials (on the political context of state policy). Such programs and status enjoyed by the Radio of the Voice of the Cambodian People continued until the early 1990s.

However, over the past two decades, the information and news are more widely broadcast and more informative than those run by privately owned stations, and those supported by the U.S. (in kind and in cash), such as Voice of America, and Radio Free Asia. Radio France International has also jumped into Cambodia.

By 1992, the United Nations Transitional Authority in Cambodia (UNTAC) was established to ensure the implementation of the Agreements on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991. The mandate given to UNTAC (February 1992 to September 1993) included aspects relating to human rights, the organization and conduct of free and fair general elections, military arrangements, civil administration, the

maintenance of law and order, the repatriation and resettlement of Cambodian refugees and displaced persons, and the rehabilitation of essential Cambodian infrastructure during the transitional period.

During this time UNTAC laid a foundation for the change of broadcasting style, by switching to more participative and people oriented information, and information about the general election process.

It was the culmination of months of meetings and exchanges of letters between UNTAC and the incumbent administration, with the personal involvement of the then Prime Minister of the State of Cambodia (SoC), Hun Sen, which enabled UNTAC to have its own voice over the air-waves of Cambodia. For UNTAC to reach the masses of the war-ravaged country, for UNTAC to explain to the fear-ridden and confused populace its role in the country's quest for peace and democracy, for UNTAC to convince the people that the ballot was mightier than the bullet; not only did UNTAC have absolute control over the contents of its broadcast programs, it had exclusive access to air-waves of its own in order to broadcast its program as it deemed appropriate in support of the peace and electoral process.

Discussions on the matter officially began on 30th July 1992 between Hun Sen and the United Nation's Special Representative of the Secretary-General (SRSG), Yasushi Akashi. Intermittent meetings kept UNTAC's search for air-waves alive. Progress there obviously was, albeit at a creeping pace. By 9th October 1992, the Deputy SRSG, Behrooz Sadry, was in a position to write to Hun Sen, seeking the

latter's confirmation of the duration of UNTAC's mandate in Cambodia:

- UNTAC would shift on MW 918 KHz radio frequency on exclusive basis, and
- SoC would hand over to UNTAC a Philips 120 KW radio transmitter and antenna mast for UN TAC's "exclusive and uninhibited use, free of charge". UNTAC would procure and/or install:
 - Spare parts deemed necessary for the maintenance of the Philips transmitter, a generator, this to be housed on a site adjacent to the Philips transmitter,
 - A provincial relay transmitter, and
 - A microwave link between UNTAC's own studios, to be located on UNTAC premises, and the Philips transmitter.

The results of the 1993-general elections that were organized and conducted by the United Nations, was the basis for forming a new and democratically-elected government.

- UNTAC, the result of the United Nations Security Council resolution 745 (1992) of 28th February 1992, became operational on 15th March, 1992, with Yasushi Akashi, Under Secretary-General of the United Nations, as the Special Representative of the Secretary-General (SRSG). UNTAC was given a life-span of 18 months. It was the United Nations' largest ever peacekeeping mission, involving an outlay of around US\$ 2 billion and more than 20,000 personnel.

The decision to invest in a broadcasting facility was in itself a ground-breaking move for the United Nations. It enabled UNTAC to have its own voice in Cambodia -- known throughout Cambodia as "Radio UNTAC" -- to get its message through to the people of Cambodia without interference.

On 9th November 1992, Radio UNTAC on MW 918 KHz became a reality. Radio UNTAC operated under the Production Unit of UNTAC's Division of Information and Education. The unit was entrusted with giving the peace and electoral process audio, visual, and print support. Each of these contributed invaluable to the process but irrefutably, it was radio that made the greatest impact.

Chea Sundaneth, one of the program officers working for Radio UNTACT, said that there were many different kinds of programs aired during the period.

"The programs covered electoral process nationwide, agriculture, women issues, songs, dedications, household knowledge, and culture," she said, adding "most of the staff was highly qualified, of course with high pay, and worked together with foreign staff and experts."

Chea Sundaneth is currently⁶ working as co-director of Radio of Women's Voice FM 102. The contribution of Radio UNTAC to Cambodia's historic election of 23-28 May 1993 cannot, of course, be quantified. It is, however, the consensus of all the concerned parties that its role was significant, as reflected in the voter turn-out of some 90% of total

⁶ By the end of 2006.

registered voters, in clearly having convinced the electorate that “your vote is secret”.

The SRSG acknowledge publicly the role played by Radio UNTAC: “..... it was one of the most influential instruments by which we were able to communicate the importance of UNTAC’s mandate; in particular, that is how we were able to convey the message that the vote of all Cambodians would be secret”.

Radio UNTAC had an unpromising start in the early months of the mission. But by the first quarter of 1993, it had become a household name in Cambodia. By the time of the May 1993 election, tuning in to Radio UNTAC (broadcast in Khmer, the lingua franca of the 9.2 million Cambodians) had become a way of life for the people of Cambodia.

When the Constitution was adopted by the 120-member Constituent Assembly on 21st September 1993, Radio UNTAC’s role in the peace process came to an end. On 22nd September 1993, at 1800 hours, Radio UNTAC signed off for the last time.

Chea Sundaneth said that the equipments were handed to Cambodia’s Ministry of Information which then shared it with the National Radio of Cambodia.

Tan Yan, director of National Radio of Cambodia, said that just a small portion of the total estimated \$4 million radio equipment used during the UNTAC period was handed to his station.

"UNTAC gave us only studio equipment that has been used until today," he said, while the rest he said he was not aware where it was taken too. Another source in the government said on condition of anonymity that the remaining materials were taken away by several powerful people to their affiliated radio stations.

Besides the radio station sponsored and run by UNTAC, others such as: Radio FM 90 established by royalist FUNCINPEC Party, a contending party against the ruling Cambodian People's Party -- moved accordingly to the rule of law (introduced by UNTAC). The law states that: "To ensure fair access to the media, including press, television, and radio, for all political parties contesting in the election, all newspapers,...and broadcasting media controlled by public authorities in Cambodia shall be made available at no cost to the special Representative for the purpose of publicity and electoral education connected with the election".

This initiative gave a stepping stone to the importance of the information that linked the people's choice and the expected services from their own chosen government. The freedom of expression and the rights of receiving information from different sources as accountable, fair, and equitable were introduced during the period. The private media has commenced their business since then.

The number of media establishments increased markedly over the past few years, especially the radio stations in both the capital city of Phnom Penh and other provinces and municipalities, although the power of those stations is limited. Radio AM frequencies were widely used in the past,

but the majority of Cambodians are no longer fond of these AM frequencies, and instead are preferring FM frequencies as they are clearer in voice. And while audio service (radio) is the cheapest means of accessing information, more and more Cambodians prefer to use this media tool to print media and TV.

After the 1993 general election, Cambodia changed to a new era. The new constitution stipulates free speech, free marketing, and a liberal democratic regime.

As of today, no document has been published which explains why the government decided to open up the radio sector after monopolizing it for so long. But, several government officials felt that the October 23, 1991 Paris Peace Accord and the 1993 Cambodia's Constitution were the two main factors which led Cambodia to open up this radio sector.

In Annex 3 of the Paris Peace Agreement, it says that "Freedom of speech, assembly and movement will be fully respected. All registered political parties will enjoy fair access to media, including the press, television and radio."

In accordance with this guaranty, many radio stations have hosted a special program every morning, reading news from various local newspapers, leaving some print media publishers and owners upset. "I don't blame them for using my articles for further diffusion, but I am a bit upset because they never ask me permission to read my articles," said Pen Samitthy, editor-in-chief of Rasmei Kampuchea, the most influential newspaper in Cambodia.

The Ministry of Information was recreated and promulgated by a new law on 24th January 1996, and until today the Ministry of Information runs independently from the Ministry of Culture. The main task of the Ministry of Information is to exclusively control and manage all the state-run media, including radio stations -- all of which serve the government's interest, and are mainly beneficial to the ruling Cambodian People's Party (CPP). The Ministry of Information also runs a bulletin, a magazine (Cambodian Magazine), television (Television Kampuchea = TVK), and a news agency (Agence Khmer Press = AKP).

Theoretically, the Ministry of Information is instead known as an institution that gives information to both local and foreign media establishments, and informs the public of any news events. But practically, this institution works very little for the media as a whole, except its regular work of granting licenses for new media establishments and issuing press cards to both local and foreign journalists who are working or on field missions in Cambodia.

The radio articulates mostly the contents of the government's development issues such as: meeting forums with donors, signing ceremonies of foreign aids, visits of foreign leaders and delegations, and vice versa, the Cambodian leaders to foreign countries.

Last but not least, the radio never airing activities of the government's leaders in the country such as the visits of Prime Minister Hun Sen to rural areas, inauguration ceremonies of schools, hospitals, bridges, and the activities of other CPP key leaders in the government and senate, as

well as a great deal of entertainment programs such as songs and drama, with less information about demonstrations, poverty, grievances, or the activities of the opposition political parties.

Obviously, the activities of Prime Minister Hun Sen or Sok An, deputy Prime Minister and Minister of the Office of the Council of Ministers are broadcasted on a daily basis.

“The national radio of Cambodia airs every day on AM 918 KHz from 5:30 am to 22:30 pm and on FM 96 MHz from 5:00 am to 12:00 pm. The programs included the activities of His Majesty the King, Prime Minister Hun Sen (replay of his whole speeches), and other major political activities of the Royal Government,”⁷ said the report of the Ministry of Information.

II. Radio Stations and Their Political Affiliations

Of these dozens of radio stations nationwide, the majority or most of them are run, sponsored, and controlled by the government in both AM and FM frequencies (run refers to the direct execution of the programming; while sponsor refers to the fund, whether provided by a government's institution, a private company, or an individual; and control refers to the influence or under the direct command of any institution, a company, or an individual).

A senior official of Royalist FUNCINPEC party, who preferred not to be identified, said that the reason that FUNCINPEC

⁷ Annual report of the Ministry of Information, dated: May 25-26, 2006

decided to invest in radio was to voice the party's political program and activities for the salvation of Cambodia from Vietnamese occupation, a move which was aimed at reaching its goal of winning the 1993 election, and the upcoming elections.

"The radio aired all the voices of FUNCINPEC leaders, especially, Prince Norodom Ranariddh, who is the president of the party," he said.

The rest, which are sponsored or partially funded by private companies or non-governmental organizations, are limited or restricted in their broadcasting coverage and outreach. As already indicated in the lists of radio stations in the capital of Phnom Penh and other provinces and municipalities, below are the selected radio stations considered privately owned or partially funded by non-governmental originations:

◆ Beehive Radio FM 105: privately owned by Mam Sonando, a Cambodian national. According to his wife, Mam Dy Phandara⁸, Beehive Radio FM 105 was created on August 5th, 1996, aimed at giving true, accurate information on poverty and employment opportunities to poor Cambodians.

"My husband has created a program on Khmers help Khmers and give information to the poor with employment opportunity," she said.

The contents of the broadcast include: news, Khmers help Khmers (job opportunities), Buddhism, songs, call-in show,

⁸ The interview was made in October 2005.

poetry, and rebroadcast of daily Voice of America and Radio Free Asia, both in Khmer language.

◆ Women's Voice FM 102: Australia-funded program was created in March 1999. It is one of the best equipped radio stations in the country. It is the first women's voice radio station in Cambodia's history.

A group of Cambodian female journalists have joined hands in establishing this radio station under sponsorships, mainly by Australia, the United Kingdom and UNESCO. The main purpose of the program is to upgrade women's rights, and discuss gender issues after the country had suffered more than two decades of civil strife.

The programs include: news, songs, gender issue, HIV/AIDS awareness, and life of Cambodian women, domestic violence, laws, and talk show.

◆ Radio France International (RFI), run by Cambodian-French community based in Paris through FM 92, with the supports and some programs inserted from and by French Embassy in Phnom Penh. Radio France International was created in March 1993, less than two years after the Paris Peace Agreement on 23 October 1991. The service concentrates on Asian news and some European news. The programs include: daily news on Cambodia, world news report, Khmer literature, and political analysis.

◆ BBC FM 100, partially managed by British Embassy in Phnom Penh. It is broadcasting in English.

Opposition Sam Rainsy Party has twice asked the government for a license of its own radio station, but failed.

Samrithy Duonghak⁹, chief of the Cabinet of the Sam Rainsy Party said that his party has asked the government twice, once in 1996, and another request was made in early 2000, both were turned down by the government.

"In response to our request, the Ministry of Information said that there is not enough frequency," he said.

Observers shared the opinions that lobby is useless unless the leaders are committed to such openness, fearing that the oppositions' voices through such public airtime will benefit the opposition party by gaining more support from the people.

Khieu Kola, a Cambodian freelance journalist who monitors radio broadcast in the country, said that several radio stations were used as mouthpieces by the political parties, and that some of those parties' members voiced their instigations, incitements, insults, or defamations at one another, especially, during the tense political situation.

Such statements were aired and heard in the following stations:

1. Radio Bayon FM 95, a privately owned, but linked to Prime Minister Hun Sen
2. Radio APSARA FM 97 owned by the ruling Cambodian People's Party

⁹ The interview was made in February 2006.

3. FM 90 of FUNCINPEC Party
4. Beehive Radio FM 105, a privately owned.

Kola, meanwhile, added that it is not a good policy to air such insulting statements at each other; instead, he said, the airtimes should better cover the education, tourism, agriculture, culture, and other development contents being practiced in developed countries, especially, in western nations.

A Cambodian national who works for Radio Free Asia said the government is too sensitive about the news reports aired by non-government controlled radio stations, especially the programs and those transmitted through Behive radio FM105 and another privately owned station, FM93.5, while the rest are almost controlled or biased to the ruling parties.

"The recent arrests of a radio journalist and a number of pro-human rights activists were the indirect threats to all reporters despite they have been already released from prison," he said, but asked not to be named.

Another reporter who works for the U.S funded Voice of America said the government does not restrict nor ban him from sources of information, depending upon the individual's capability and his/her professional journalism.

"I face no restriction or any ban to sources of information, instead I would rather say it depends on individual journalist whether he/she is professional or not," he said, but also asked for anonymity.

Keo Sothearith, radio producer for BBC World Service Trust (BBCWST) in Khmer language said BBCWST has hired two local radio stations for its programs: National Radio of Cambodia; and a private owned Phnom Penh Municipal Radio FM 103.

"BBCWST hires the National Radio of Cambodia for two hours per week: one hour on Wednesday and one hour on Sunday, while on FM 103, BBCWST hires only on Sunday, but also with two hours, " he said.

The London-based Department for International Development (DFID) is the sponsor for radio programs of BBCWST in Cambodia. Therefore those programs must answer to the projects assigned by the donor, Keo Sothearith added. "As of today, the programs focused on HIV/AIDS, health for mother and children, and little social issue, all of which are successful in terms of public awareness," he said.

In spite of a number of privately owned radio stations which were allowed to operate, the Ministry of Information, in early 2005, issued a statement saying that no more radio stations will be allowed to open due to the narrow and limited frequencies.

"Ministry of Information has the honor to inform the public, especially to those who wish to operate radio and TV businesses that, as of today, there have been many requests for radio and TV operations in provinces as well as in municipalities, a considered good movement which helps contribute to the development policy of the Royal Government of Cambodia. But there are, today, too many radio and TV

stations across the nation, the floating number which always disrupt radio and TV frequencies aired and broadcast from Phnom Penh as well as among those in the regions.¹⁰

By the end of 2005, there were 51¹¹ radio stations across the country, 10 of which were run by the government, 13 were privately and state-run stations, 20 were privately owned, and 8 were run with foreign support. Of the 51 run nationwide, 20 were run in Phnom Penh and were privately owned.

III. Legal Environment

Article 51 of Cambodia's Constitution says: "The Kingdom of Cambodia adopts a policy of Liberal Democracy and Pluralism. The Cambodian people are the masters of their own country. All power belongs to the people..."

Cambodia's constitution also guarantees the freedom of expression, of which Article 41 says: "Khmer citizens shall have freedom of expression, press, publication and assembly. No one shall exercise this right to infringe upon the rights of others, to affect the good traditions of the society, to violate public law and order and national security. The regime of the media shall be determined by law."

Despite the fact that Cambodia's constitution guarantees the freedom of expression, and such guarantee is repeated in the country's Press Law which was adopted in 1995, the

¹⁰ Announcement released by the Ministry of Information, dated: April 20, 2005, signed by Khieu Kanharith, minister of information, from the ruling Cambodian People's Party.

¹¹ Annual report of the Ministry of Information, dated: May 25-26, 2006.

government has instead used the criminal code to severely punish reporters.

In just five years (2002-2006), four reporters were arrested and charged with defamation. Mam Sonando, radio journalist and the owner of Beehive Radio station was twice (2003 and 2005) put in jail for his courageous airing of articles and interviews critical of the government.

1. On January 31, 2003, **Mr. Mam Sonando** was arrested and put in jail. He was charged with incitement and defamation on a program that coincided with an anti-Thai riot that led to the burning of its embassy in Phnom Penh. However, he was released on February 11, 2003 after the court found that his radio station was not involved nor the cause of the violence. And on October 11, 2005, Mam Sonando was arrested and put in jail for the second time, again on defamation charges, after he had broadcast his interviews with Sean Peng Se, president of the Paris-based Cambodian Boarder Committee, who criticized Prime Minister Hun Sen for the alleged ceding of Cambodia's territory to Vietnam.
2. **Mr. Keo Sophoan**, publisher of Ckakraval Newspaper was arrested on Sept. 21, 2002 for defaming Prince Norodom Ranariddh.
3. **Mr. In Chansivutha**, the editor of the daily *Rasmei Angkor*, was charged along with 42 other people on 1 February, 2003 with inciting riots, inciting property destruction and inciting looting in the disturbances of

29 January, 2003. His newspaper was responsible for setting off a wave of anti-Thai sentiment and the editor acknowledged that he had not verified the report he published. Mam Sonando and In Chansivutha were released on bail on 11 February as a result of a request to the authorities made jointly by their lawyers and the Cambodian Human Rights Action Committee.

4. **Mr. Pa Nguon Teang**, radio program manager (Voice of Democracy) was arrested on Jan. 4, 2006 for false information and incitement that leads to violence.

On the case of Mam Sonando who was arrested and put in jail for the second time in 2005, was charged with what he had quoted and Sean Peng Se as telling him in the interview that “In 1982 Mr. Hun Sen is a person who signed with Vietnam on controversial maritime border, and this means that Hun Sen recognizes all the treaties he had illegally made with Vietnam. In 1982, he gave Krochok Ses Island to Vietnam. Historically, no Cambodians had given land to (foreigner) like done Hun Sen”. The warrant also accused Mam Sonando of using bad words against Prime Minister Hun Sen, stating that he was guilty of “libeling and spoiling the name of Cambodian Prime Minister Hun Sen.”

The Following are extracts of Mam Sonando’s interview with Sean Peng Se:

Q: Mam Sonando: The country's leader seems not respecting the October 23, 1991 Paris Peace Agreement, is there any interest for the country, what do you think about it?

A: Sean Peng Se: You are right on this matter... Unfortunately our leader Mr. Hun Sen is a communist.

Q: Mam Sonando: The October 23, 1991 Paris Peace Agreement is the interest of our country. For you, what would you do in order to have this agreement re-effected?

A: Sean Peng Se: The co-presidents of Paris Peace Agreement have to invite the signatories of this accord for a meeting so as to solve the problem in Cambodia.

Legally, there is a possibility that journalists have a right to challenge state repression, but that has never been practical at all in Cambodia. Most of the repression and intimidation of reporters is normally made by the high ranking officials from the ruling Cambodian People's Party (CPP). And such repression and intimidation is normally made against the anti-CPP journalists. The court does not have the possibility to stop state repression, instead it is rather known as a puppet of the government and it always helps and works for the state and the CPP's senior officials.

For instance, a defamation charge against Kay Kimsong, a reporter for an English tabloid, The Cambodia Daily, was upheld at the Supreme Court on August 31, 2005, with a 30 million riel fine (approximately US\$7,500).

The Supreme Court upheld a previous ruling that an article published on January 13, 2001, allegedly defamed Foreign Minister Hor Namhong by quoting a comment, saying Hor Namhong was a member of the Khmer Rouge. The comment made by a source was quoted as saying that Hor Namhong

was a director of Boeung Trabek “re-education” camp in Phnom Penh in late 1977, but he insisted that he was just a prisoner and forced into that position.

Kimsong’s article followed up on comments made on the floor of the Senate earlier by a Senator Keo Bunthouk. Bunthouk told the Senate that “Brother Yaem”- later identified as Namhong – sent children and adults to be tortured at S21.

It is unclear, however, why Kimsong’s article bore the brunt of the defamation charge, as the Senator’s comments were originally reported in the Daily under a joint byline of another Cambodian journalist and a foreign reporter. Hor Namhong is a CPP senior official, deputy prime minister, and minister of foreign affairs.

The case, however, was finally settled as Hor Namhong decided to drop the case, following easing of political tensions at the decision of Prime Minister to restore the country’s reputation on “defamation lawsuits.”

There are mixed sectors of the population or particular social strata whose political interests are not represented in media coverage. However, it depends upon the radio stations and media establishments whether they are biased or controlled by any political party or act independently.

There are no sections of the population which are deliberately excluded by state actions from their rights to freedom of information, unlike under the genocide regime (1975 to 1979), in which Cambodians were not allowed free access to information, particularly, to Voice of America, and of course

newspapers were not available. In contrast, the mass population enjoys full rights to all types of news whenever they are on air and in publications.

Self-censorship in media coverage does exist in Cambodia, and that normally occurs in all the units of the media that are pro-the ruling Cambodian People's Party (CPP), that is, TV, radio and newspapers. The owners, publishers, or editors-in-chiefs are normally the CPP members. The self-censorship is basically made on that political spectrum.

The self-censorship was originally instigated by warning the owners of radio stations or editors-in-chief to be careful of broadcasting any articles or news reporting on topics relating to politics, especially, the affiliated media to the CPP.

Kong Sothanarith, Cambodian, a radio journalist for Radio France International in the Khmer language, said that no one controls the foreign radio which broadcast in Cambodia, but local radio, especially Cambodian national radio, as well as other local FM radios -- whose bosses are the members of the ruling Cambodian People's Party -- are often influenced or receive pressure from the government and the party.

"For any radio station which is affiliated to the government or the ruling party it must abide by the party's line with their self-censorship," Sothanarith said.

There is no doubt that journalists, media companies or organizations have to fear state repression because threats and intimidation are often used against journalists. In other words, repression in Cambodia is also caused by the existing laws, which are used against journalists.

Article 63 of 1992 Criminal Law and Article 12 of 1995 Press Law are the problem. For instance, two Cambodian journalists became the victims of the articles: Mr. Kay Kimsong, a reporter of The Cambodia Daily was heavily fined in cash, and Mam Sonando was sent to jail twice.

IV. Challenges

Despite the journalistic functioning and atmosphere in general have been improved over the years, death threats against reporters are still on reports. Outstandingly, the Paris-based Reporters Without Borders (Reporters Sans Frontières) recently released a statement concerning the traffic accident incurred on a radio reporter.

"Reporters Without Borders (RWB) today called for a thorough and impartial investigation into a traffic accident in which **Sok Serei**, one of the Cambodia correspondents of *Radio Free Asia's* Khmer-language service, was knocked off his motorcycle and seriously injured in Phnom Penh on the evening of 13 December," RWB said in the statement¹².

"As there are witnesses who say a vehicle deliberately struck Sok Serei's motorcycle, it would seem the authorities should urgently explore all leads and try to identify the vehicle involved as quickly as possible," the press freedom organization said. "If nothing is done, the entire journalistic community in Cambodia could feel threatened."

"At least four Cambodian journalists have received death threats this year because of their reporting on corruption," it added in the statement.

¹² Statement of Reporters Without Borders, dated Dec. 15, 2006.

Sok Serei was hit by a 4WD vehicle in the centre of Phnom Penh. Some witnesses said he was struck from behind. Others said the driver opened the door of his vehicle in order to knock Sok Serei off his motorcycle. Sok Serei hit his head hard against the ground in the fall which left him in a coma over night. He continues to receive hospital treatment.

Sok Serei is known for his investigative reports into allegations of corruption by government officials, which were broadcast by Radio Free Asia, the statement said.

The statement, meanwhile, added that Radio Free Asia's correspondent in northeastern Cambodia, **Sok Rattha** (who is better known by the pseudonym of Rattha Visal), was also threatened by the governor of Rattanakiri province at the end of Nov. 2006.

"He told me he wanted to verify reports before they were broadcast," the statement quoted Sok Rattha as saying.

However, in recent years, Reporters Without Borders has praised Cambodia's efforts in improving the press freedom, with which Cambodia was ranked No. 1 among the ten ASEAN- member state, 97th of the 191-UN members.

V. Media Situation

While discussions around the radio situation are widely debated among business people, political parties, politicians, and experts, Khieu Kanharith, minister of information, admitted that some difficulties remain in audio management due to the lack of laws and regulations. He said that as of today, no law on audio has been adopted, and therefore, the custom and practices which have been in use since the 1980s remain valid until today.

The government does not spend any money on political advertisements on TV, radio, and print media. Instead, most of those media establishments need support from the government (support here basically refers to political support); otherwise their operations will be in trouble (temporarily halted) or the owners blamed. If they give such support, the media establishments are secured with the flow of advertisements from business owners. Therefore, they voluntarily publish or report the positive things of the government without getting any pay. Of course, they can get ads or support from foreign donors and NGOs. The coverage of media can be evaluated as being very friendly towards the government. On the other hand, the business owners rarely submit ads to opposition newspapers; otherwise, they are marked as affiliated to the opposition party which will cause disturbance to their business.

There are certain economic aspects that lead to disadvantages for media houses. Those aspects are listed as: high taxation on paper, and other imports of printing materials, as well as high prices on gasoline and electricity.

VI. Assessment

Journalists or media companies are not only afraid of state repression, but also fear the ruling political party, especially, the CPP. The political party through its party members uses threat and intimidation of journalists.

The topic of non-state repression is normally linked to violence, crimes or defamation cases. Such repression executed quite often.

The state authorities do prosecute attacks against journalists but not in the form of assassinations; instead, legal measures or the threat thereof are now replaced because of strong pressures and alerts imposed by the international community, especially the local and international human rights watchdogs, and the United States, and among the international media watchdogs. And if the state wishes to protect journalists, then it becomes a strong shield for them. As of today, none of the pro-government media companies have been sued in court.

There has been no change of intimidation through non-state repression over the past five years. However, the media has seen slight improvement because reporters developed professionally through many forums and training made available to Cambodian reporters.

In general, journalism in Cambodia, especially free coverage, as been improved over the past five years, if we compare it media in the communist or socialist countries. Reporters are allowed to access any information, but that depends upon individual institutions. Often, certain ministers or senior officials at certain ministries are not willing to give facts and figures to reporters, and they often deny access to information by journalists.

The media sector here is far from unexplored, and yet, there is a general lack of information and reliable statistics regarding owners, patrons, and, not least, the media consumers. Traditionally, the main sources of information in Cambodia have been the grapevine, informal channels of words of mouth. Oral information has generally been much more important than the written word.

The general situation of freedom of media in Cambodia is a freedom with restrictions. Press freedom is enjoyed to a certain degree, but was paid for by a high price 15 years ago. However, journalism remains a dangerous profession in this country as far as suspensions, intimidation, threats, arrests, and killings are concerned.

In general, there is no systematic repression against the press, regardless of political alignment. Over the last five years, there has been a steady development of the newspapers despite many local media companies not having sufficient money to run on their own, but instead rely on patrons or parties (who require loyalty). The major obstacles to free media coverage are the government officials and Article 12 of the Press Law that spells out the point of national security. There is no clear explanation of national security, but that term can be easily applied or used as a pretext to accuse or jail journalists whom they (government) don't like or once they discover the media company is anti-government.

The major obstacles to free media coverage are:

- Many government officials are not aware of the responsible press offices and the significant role played by the media.
- Cambodian journalists are still in low profile careers
- Threats and intimidation are still used against journalists
- Low illiteracy rate

It is noted that facts and figures are very rare, and most of middle-ranking and even senior officials are inclined to refer policy questions to top leaders rather than elaborate on the answers themselves.

