



Corruption Monitor

Issue 6 - May 2008

Monthly review of corruption-related stories in the Cambodian media

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THIS MONTH

We are halfway through the year-long survey on corruption reporting in the media and at this point eight percent of all relevant stories mention "extortion" as being the corruption offence. This is a fairly low percentage, since surveys on the impact of corruption on Cambodians show a wide variety of bribes that need to be regularly paid that could easily be classified as extortion, such as the daily petty fees children have to bring for their teachers in order to be taught or even to be allowed into class. But these kind of corrupt acts are seldom described as extortion by reporters - in fact, such stories are rarely covered at all, being so common that they are not considered newsworthy. Page 2 gives an overview of extortion stories in April. For the first time this issue also features a story not related to corruption within Cambodia. Malaysia's plans to strengthen its anti-corruption body by making it more independent is worth noting in the context of Cambodia's much anticipated draft Law on Anti-Corruption.

HUN SEN WARNS PRIVATE COMPANIES OVER LAND DISPUTES

Prime Minister Hun Sen has ordered the Council for Development of Cambodia (CDC) to revoke licenses and seize land of private companies if found to be encroaching upon people's land, media reported April 24.

Addressing private companies' requests at the 13th Government-Private Sector Forum yesterday, he warned that private firms' business license will be annulled if they cause trouble or infringe upon others' land, reported *Samleung Yuvechun Khmer*.

"The CDC must monitor these companies and revoke their licenses if they encroach on land owned by the people. I will give incentives only to the private sector for investments which benefit the people," *The Mekong Times* quoted the premier as saying at the event.

His warning was likely aimed at the Phanemex firm and 7NG Group which have been involved in land disputes in

Lvea Aem and Khsach Kandal districts in Kandal province respectively, opined *Samleung Yuvechun Khmer*.

Deputy Sam Rainsy Party Secretary General Mu Sochua expressed doubts that the premier's measures would result action against the private firms in an interview with *Voice of America*. She alleged that, without support from high ranking officials, such firms would not have been able to force people off their land in the first place. "Senior government officials and local authorities are behind some of those companies," Mu Sochua claimed.

In 2007, there were 98 separate land disputes affecting 5,242 families, according to a report from the local human rights group Licadho. The group asserted that many cases involve "powerful individuals and companies ... often acting with the complicity of government and state officials," noted *The Mekong Times*.

ANTI-CORRUPTION WEBSITE KICKS OFF LAND CONFLICTS PLUNGE POOR CHILDREN INTO ILLITERACY

The website "Corruption-Free Cambodia" was officially launched April 8 at World Vision's headquarters in Phnom Penh, the site is hoped to enable the public to contribute ideas towards eradicating corruption in Cambodian society, *VOD* and *WMC* broadcasted April 8.

The website - [www.corruption-freecambodia.info] - provides corruption-related information collected from newspapers, magazines, radio and from certain civil society organizations, said guest speakers at the launching ceremony, *VOD* reported.

Keo Keang, Pact Cambodia's country deputy director, called for participation from all Cambodians to fight against corruption, reasoning that corruption can pollute nation's democracy levels, reported *VOD*.

"Corruption is a cruel disease which can destroy democratic reforms in Cambodia and have negative impacts on families," she said, adding the public can use the website as a base to conduct research on the anti-corruption fight, broadcasted *WMC*.

The launch of the website was also welcomed by Im Sokthy, executive director of the Open Forum of Cambodia and Sar Sambath, permanent member of the government's Anti-Corruption Unit.

"The website will allow people to understand the effects of corruption and share their opinions to reduce corruption," Sokthy claimed, reported *WMC*.

Nearly 200 school-age children in two remote villages of Phom Preuk district in Battambang province are facing a dire future of illiteracy due to poverty, land conflicts and school shortages, according to local education officials, *RFA* reported Apr 10.

A representative of 115 families residing in Terk Chenh Thom and O Sra Lav villages in the province said 186 children aged from 12 to 19 had not received education as no schools have been built near their homes, which are located as far as 10 kilometers from the district's center.

The representative claimed that to prevent the children from illiteracy, the impoverished 115 households had raised their own money to construct a two-room school, but the construction was suspended by commune and district authorities due to the land conflict with Pan Veth, a soldier at Unit 52 whom villagers accused of making a fraudulent land title to own the immobile property.

"Ban Veth is the one who made a fake land title on the land owned by people since 2000," the representative stated. However, Veth denied the accusation, claiming that he had possessed a land title for the disputed land.

Tith Vorn, Phnom Preuk District land management official, acknowledged that he had issued a land title for the soldier with recognition from the commune and district

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CORRUPTION & EXTORTION

*Many passengers and car owners have complained they were extorted by a ferry owner at a bridge crossing Andong Terk canal in Koh Kong Province on April 10, **Rasmei Kampuchea** reported April 12. The Thai company collecting tolls at the bridge granted a request by the Cambodian government to allow passengers for five days to cross the bridge freely to ease traffic jams during Khmer New Year. However, the ferry owner, who claimed to be a deputy district military chief, told passengers using the bridge instead of his ferry to still pay the ferry fees.

*Abattoirs have accused Bun Phalla, director of Stung Treng District Agriculture Department, of extortion, **Rasmei Kampuchea** reported April 9. The butchers said that Bun Phalla increased the monthly tax for sanitation from 3,000 riel to 5,000 riel without providing any receipts or legal documents indicating they had paid tax. They claimed that in Kampong Cham province the tax is only 1,000 riel [US\$0.25]. Bun Phalla could not be contacted for comment on the accusation. Touch Thea, director of Stung Treng Provincial Agriculture Department, said the increase in tax stemmed from the increased prices of living pigs

on current markets by the sellers themselves.

*Villagers said that an illegal toll had been set up along National Road No.2 in Preik Kompersh commune in Kandal province to extort money from truck owners, **Kampuchea Thmey** reported April 9. They claimed that the illegal post operates both day and night, with five to six police officers armed with guns, handcuffs and electric batons demanding money from owners of vehicles transporting sand, stones and goods passing the road. Kandal Stung District Police Chief Siek Bunly denied that his police officers are involved in the extortion. A police official at the illegal checkpoint, who declined to be named, said that without significant pay-offs powerful officials at Kandal Province Hall would close the illegal checkpoint.

* Three residents of Saang Phnom commune registered a complaint with Kandal Provincial Hall against So Sophal, new-appointed commune chief, for extorting money from them or forcing them to give him a plot of land in an exchange for his signature on a land sale contract, **Kampuchea Thmey** reported April 3. The villagers claimed that a previous Commune chief had issued a legal document which allowed them to legally

control the land, but So Sophal refused to recognize the document. They also alleged that So Sophal is a money-minded commune chief, who always tells land owners who want to sell their land to pay him US\$ 2,000 or give him a plot of land in an exchange for his signature. So Sophal turned down the allegation, stating he could not give his signature since the land owned by the three villagers had overlapped 10 meters on that of Saang Phnom Commune Hall.

*Drivers have been angered by a truck scale operating along National Road No.5 in Kampong Chhnang province's Kampong Trolach district, as they claim it has been extorting money from over weight though their vehicles are empty, **VOD** reported April 7. Phana, a 35-year-old driver, told **VOD** April 5 that the company had demanded US\$25 from him although his truck was not carrying anything. But, he claimed that the company pretended not to see trucks carrying loads believed to be owned by high-ranking officials. Hang Sarim, who works for the company, refused to make any comment, referring the issue to higher levels. The president of Kampong Chhnang Provincial Public Works and Transport Department could not be reached for comment.

MINISTRY'S SOLUTION FOR CORRUPTION SCANDAL CRITICIZED

Staff working at Kampong Cham National School of Agriculture (KCNSA) claims the Ministry of Agriculture's solution to a corruption scandal involving a director of the school is riddled with irregularities and injustice.

The teachers at the provincial school recently submitted a request to the ministry, calling for the removal of KCNSA Director Sam Saron, whom they accused of embezzlement and cronyism.

After seeing the complaint, which was also published in local newspapers, audit and inspection staff from the ministry went to the school to conduct a three-day investigation into the corruption scandal, however, no investigation results have been revealed, the teachers said.

Noticing that the corruption accusation was being heard in local media, Agriculture Minister Chan Sarun on April 1

sent a group of delegates including Nou Mot, under secretary of state of the ministry, to address the issue. The school side requested a separate meeting between the ministry's officials and the school's staff, so that it will be easier for them to reveal the truth, but the request was turned down by the under secretary of state without him giving any reasons, the staff added.

The meeting, held with the presence of the school director, ended with no solid results and the delegates, one of whom was seen meeting with Saron secretly, returned to Phnom Penh the same night, they said.

Saron also colluded with Lim Phany, accountant and finance chief at the facility to steal state money for experimental plans and from students' fees for Sunday and Saturday private classes, alleged the teachers.

The state donates more than US\$350,000 each year to support the school's experimental plans, the teachers said, adding that since 2000, approximately 700 students have registered for the weekend classes which require associate students to pay US\$300 a year and bachelor students to pay US\$350.

The same source claimed that Saron also obliged students to pay about US\$9 each for the issuance of a foundation-year certificate, which is against the policy of the Accreditation Committee of Cambodia (ACC), which requires a student to pay only US\$2.5.

Saron could not be reached for comment on the accusations as his two phones were turned off. Phany claimed that Saron was busy attending a congress in Phnom Penh.

Rasmei Kampuchea, Apr 1&3, 2008

Continued from page 1

authorities because he was not informed that the land was planned for a school.

Phnom Preuk District Governor Buth Bunthouen said that Phnom Preuk District Land Conflict Resolution Committee is addressing the issue, and Battambang Provincial Education Department Director Mao Merl said that he would ask experts to conduct study on the construction of the two-room facility.

The **Corruption Monitor** of the **Clean Hand Campaign** is produced every month by **Media Consulting & Development** as part of a year-long survey commissioned by **PACT Cambodia**. During this survey the following newspapers and radio news programs are daily monitored on corruption-related stories: **Rasmei Kampuchea, Koh Santepheap, Kampuchea Thmey, Moneaksekar Khmer, Sralanh Khmer** and news broadcasts of **National Radio Kampuchea AM 918, FM 102 (Women Media Centre), Voice of Democracy (VOD on FM 105)**

and **Radio Free Asia (RFA on FM 102)**.

This review gives an overview of samples found. Corruption-related stories brought by other media are included if found relevant.

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www.pactcambodia.org
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CT DIRECTOR REMOVED OVER CORRUPTION ACCUSATIONS

The Ministry of Post and Telecommunications has removed Nhek Kosal Vichea from his post as general director of the Cambodian Telecommunications (CT) for allegedly embezzling million of dollars of state funds from country's international phone networks.

The removal took place April 18 following a September-2007 report which revealed he had recorded only 5 percent of state revenues from the international phone incomes totaling US\$414,000. He was also accused of inflating the number of his advisors from seven to nine, as well as that of aid workers and of pocketing salaries of phantom workers. "His term was ended. He is allowed to work only for three years. Therefore, after three years, we must make a change," So Khun, Minister of Post and Telecommunications said.

Asked if the removal is connected to corruption, So Khun said, "Please allow relevant authorities to carry out more investigations since the Ministry of National Assembly Senate Relations and Inspection is conducting more investigation into the issue."

Lao Saroeun, a senior official at CT, will replace Nhek Kosal Vichea, who

still holds a post at the Ministry of P&T although he is also under investigation over the issue.

Yang Kim Eng, director of the People Center for Development and Peace in Cambodia, argued it is not strange that the government transfers its corrupt officials to other positions as a measure to fight corruption. "This is the normal way [to deal with corrupt officials] of the government, and measures like this will not teach any lessons to corrupt officials."

SPR Lawmaker Yim Sovann claimed there are more officials who have been involved in state fund embezzlement. "The transfer of the position will pave the way for investigation into corruption accusation. We welcome it, and we call for a proper investigation by an independent committee," Sovann said.

Nhek Kosal Vichea could not be contacted for comment.

RFA, April 21, 2008

REPORTER THREATENED FOR INVESTIGATIVE WORK

A reporter from *Radio Free Asia* said that he had received anonymous threatening phone messages on Jan 18 and Feb 15 over his stories which cover controversial topics such as corruption in judicial system, forest crime, land disputes between the poor and the powerful.

He has also been involved in the publication of the Free Press Magazine, which included articles and cartoon that are very critical of former King Sihanouk and Prime Minister Hun Sen.

Lim Piseth claimed that another intimidating act took place for the third time on April 10 when his 11-year-old daughter found six bullets placed men-

acingly on his house fence. After the event, he reported the incident to local police and human rights organizations in the province.

The Cambodian Center for Human Rights (CCHR) has expressed concern over the safety of the reporter and has also called for an immediate and timely investigation from relevant authorities.

Battambang District and Wat Kor Commune police said Piseth had only lived in the commune for about nearly three months and that the three threats were "individual revenge" and not politically motivated.

Rasmei Kampuchea, April 12, 2008

MALAYSIA PLANS INDEPENDENCE FOR ANTI-CORRUPTION AGENCY

Malaysia's prime minister announced Monday April 21 he will make the state Anti-Corruption Agency independent and more than triple its number of officers as part of sweeping reforms to battle corruption, international press agencies reported Tuesday April 22.

So far the ACA reports to the Prime Minister, not Parliament, and has been criticized for apparently bungling political sensitive cases and failing to secure enough high-profile convictions, *The Cambodia Daily* quoted news agency *Reuters* as saying.

According to the Associated Press (AP) Malaysian leader Abdullah Ahmad Badawi said in a speech the anti-graft agency will be turned into a commission, *The Mekong Times* reported. Abdullah also said he will increase the number of anti-corruption officers from fewer than 2,000 to more than 7,000 over the next five years and propose new laws to protect whistle-blowers and witnesses.

The new anti-graft body will have the power to hire and fire staff and to choose which cases to investigate. The new commission will report to the prime minister's office, but also appear before a parliamentary committee annually. It will be advised by a panel appointed by the king on the prime minister's advice.

"Despite our best efforts we seem to have fallen short of public expectation.

There is a strong perception that the anti-corruption enforcement has protected so-called big fish ... while only the small fry face the full brunt of the law," AP quoted Abdullah as saying.

"I have always believed that, given the weight and importance of its work, the ACA must be given freedom to carry out its responsibilities", adding that it must undertake its duties "without fear or favor" said Abdullah, reported *Reuters*.

The move came days after Abdullah announced that he will set up an inde-

pendent panel to help appoint senior judges, who are currently named by the prime minister. But Abdullah denied he's trying to salvage his political career.

Corruption watchdog Transparency International welcomed the news. This is a breakthrough which we didn't expect", *Reuters* quoted the head of the TI Malaysian unit, Ramon Navaratnam as saying. TI ranked Malaysia 43rd out of 179 nations on its 2007 corruption perception index. [Note CM: On that same index Cambodia was ranked 162nd].

POLICE CAN'T FINE DRIVERS WITHOUT HELMET

Phnom Penh municipality has ordered that from April 30 road traffic wardens stop imposing fines on drivers of motorbikes without rear mirror or failing to wear safety helmets, newspapers reported May 1.

Tin Proser, chief of the Municipal Road Traffic Office, said that Governor Kep Chuktema has recommended the reversal of the fining measures—which kicked off in February—due to improper practices and inadequate public awareness of the regulation, according to *Rasmei Kampuchea*.

"Traffic police stationed in Phnom Penh capital have suspended fining, but are required instead to use the 'form of education' [for motorbike drivers] be-

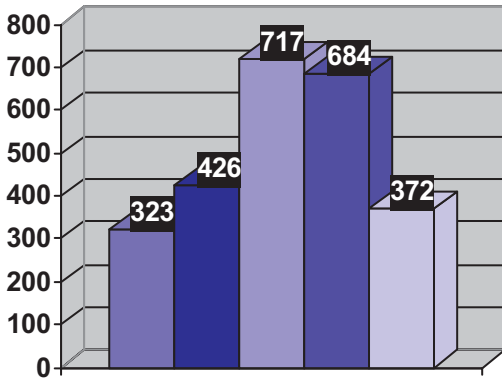
cause some citizens have yet to explicitly understand the new road traffic law," Tin Proser said, *Koh Santepheap* reported.

He also admitted that some traffic officers failed to appropriately implement the fine measures by demanding excessive fines or refusing to give fine receipts to motorbike owners, the news wrote.

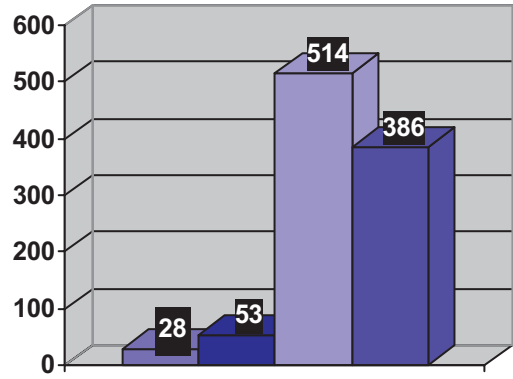
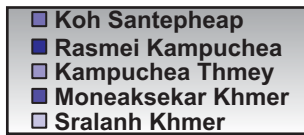
The measures state that the owner of a motorbike without rear mirrors should be punished with a fine of 3,000 riel (US\$ 0.75) while a driver who fails to wear helmet should pay 4,000 riel (US\$ 1), *Koh Santepheap* reported. For both accounts, the driver would pay only 4,000 riel if he did not demand a receipt from police, a teacher told the newspaper on condition of anonymity.

UPDATE SURVEY ON CORRUPTION-RELATED STORIES

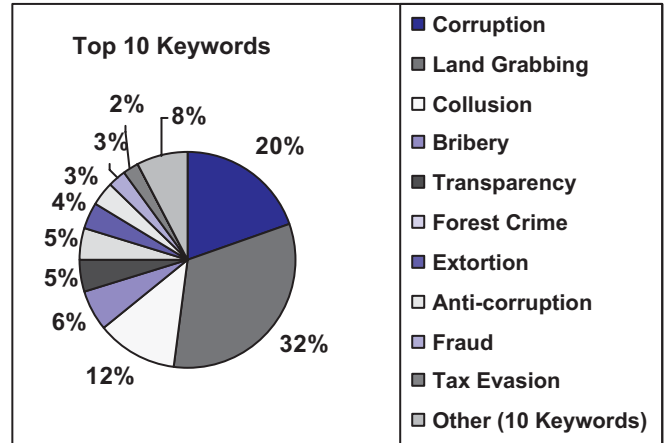
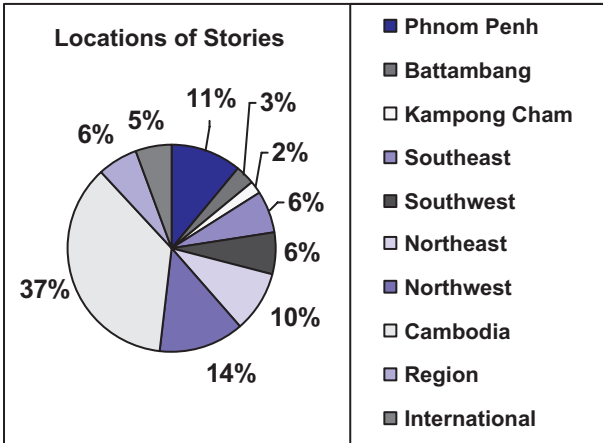
តម្រង់ថ្មីនៃការស្ទង់មតិស្តីពីអត្តសញ្ញាណដៃគូរដៀបរយនិងអំពើពុករលួយ



Corruption-related stories per Newspaper Nov 2007 - Apr 2008



Corruption-related stories per Radio News Program Nov 2007 - Apr 2008



Between November 2007 and October 2008 all stories of five main Cambodian newspapers and four main radio news broadcasts are monitored daily on twenty keywords related to corruption. The survey assesses all stories on both quantitative and qualitative parameters. Above the sixth update with quantitative findings for November 1 - April 30.

After an average of almost 450 stories per month in the previous five months, in April, with a total of 291 corruption stories, there was a significant reduction in the number of corruption-related stories found. The main reason: *Sralanh Khmer*, which after its metamorphosis from an opposition newspaper into a CPP-supportive one, is only publishing infrequently. In April it only appeared five times in the newsstands. The second reason, which also caused a slightly lower number of stories found in radio programs, is the holiday period during Khmer New Year.

ចន្លោះពីខែវិច្ឆិកា ឆ្នាំ២០០៧ និងខែតុលា ឆ្នាំ២០០៨ គ្រប់រឿងទាំងអស់ដែលប្រមូលបានពីកាសែតជាភាសាខ្មែរចំនួន ៥ និង វិទ្យុចំនួន ៤ សំខាន់ៗត្រូវបានត្រួតពិនិត្យជាប្រចាំថ្ងៃលើពាក្យសំខាន់ៗចំនួន ២០ ដែលទាក់ទងនឹងអំពើពុករលួយ ។

ការស្ទង់នេះ វាយតម្លៃលើរឿងទាំងអស់ ទាំងគុណភាព និងបរិមាណ ។ ខាងលើនេះជាព័ត៌មានថ្មីទី ៦ ជាមួយនិងលទ្ធផលនៃបរិមាណរឿងពីខែវិច្ឆិកា ថ្ងៃទី០១ ដល់ខែមេសា ថ្ងៃទី៣០ ។

បន្ទាប់ពីរឿងជាមធ្យមស្មើតើ ៤៩០ រឿងក្នុង ១ ខែ នៅប្រាំខែមុន គេឃើញមានតែ ២៩១ រឿងប៉ុណ្ណោះនៅក្នុងខែមេសា ដែលរកឃើញនៅក្នុងកាសែតចំនួន ៥ នេះជាការធ្លាក់ចុះយ៉ាងគំហុកខាងចំនួនរឿង ។ មូលហេតុចំបងគឺថាកាសែត *ស្រលាញ់ខ្មែរ* ដែលបន្ទាប់ពីការផ្លាស់ប្តូររបស់ខ្លួនពីកាសែតប្រឆាំងទៅជាកាសែតគាំទ្រគណបក្សប្រជាជនកម្ពុជាវិញនោះបានចាប់ផ្តើមការចេញផ្សាយរបស់ខ្លួនមិនឡើងទាត់ ។ នៅខែមេសាកាសែតនេះមាននៅលើតុបកាសែតតែប្រាំដងប៉ុណ្ណោះ ។ ហេតុផលទី ២ ដែលបានបង្កឱ្យមានការធ្លាក់ចុះបន្តិចបន្តួចខាងចំនួនរឿងដែលរកឃើញនៅតាមកម្មវិធីវិទ្យុនោះគឺដោយសារតែថ្ងៃឈប់សំរាកនៅអំឡុងបុណ្យចូលឆ្នាំខ្មែរ ។