



Corruption Monitor

Issue 4 - March 2008

Monthly review of corruption-related stories in the Cambodian media

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THIS MONTH

The Corruption Barometer opinion poll by Transparency International was released in detail this month, sparking much debate about the pervasiveness of petty corruption in Cambodia. Amongst its findings the poll showed that in particular the judiciary and police are widely suspected of corruption by most Cambodians. Prime Minister Hun Sen acknowledged early February during a speech that the Cambodian judicial system is unfair and affects the interests of the Government and Cambodian nationals as a whole. This Month's issue again demonstrates the wide ranging, and sometimes very ugly side of corruption: a serial rapist that impregnated a mentally disabled woman was exempted from jail after paying a \$10 bribe (summarized story of **Koh Santepheap** on page 3). Customs is this month's highlighted theme (page 2), where smuggling is extremely problematic.

PEOPLE PESSIMISTIC ABOUT CORRUPTION

A Transparency International survey reveals that 72 percent of Cambodians reported paying a bribe to receive a public service within the last year, local media reported.

The survey showed that 61 percent of Cambodians do not expect corruption to decrease in the next three years and 42 percent of respondents expect corruption to rise over that period, **VOD** broadcast February 20.

The poor and those in remote areas are particularly pessimistic, with 48 percent of remote respondents and 50 percent of those whose monthly household income is less than US\$100 predicting that corruption will rise, **VOD** added.

The survey also revealed that Cambodians view police and judiciary as more corrupt than other government and non-government agencies, **RFA** reported February 21 and **Sralanh Khmer** the following day.

Nearly 45 percent of respondents that came into contact with the le-

gal system within the past year paid a bribe and 62 percent paid a bribe to police within the same period. Though 30 percent of those in contact with the education system paid a bribe, this is worrisome because it undermines educational integrity and teaches children the wrong messages about corruption from an early age, **VOD** reported.

Only 29 percent of respondents view the Cambodian government's action either very or somewhat effective in fighting corruption. The high levels of corruption and low expectation of changes suggest that existing anti-corruption mechanisms are ineffective and inconsistently enforced, the survey reported.

Interior Ministry Spokesman Khieu Sopheap completely denied that police and judicial institutions are corrupt, but acknowledged that there are corrupt individuals in those institutions, **Moneak-sekar Khmer** reported on February 22.

"I acknowledge that there are corrupt
Continued on page 3

PM: CAMBODIAN COURT IS UNFAIR

Prime Minister Hun Sen has acknowledged that Cambodia's judicial system is unfair, while NGOs have claimed that the government is still interfering in the Cambodian court system, **VOD** reported February 4.

Unfair trials are a violation of the government and can affect the interests of all Cambodians, Hun Sen said February 4 during an inauguration of a high school in Kampong Speu province's Oudong district.

The remark was made after the Appeals Court ruled in favor of a businessman whom villagers and teachers accused of grabbing land from Hun Sen Ang Snoul High School in Kandal province's Ang Snoul district.

In January, at least 2,300 teachers and students from Hun Sen Ang Snoul High

School marched in protest against the Appeal Court's ruling January 24 — which allowed 672 square meters of the facility's land to be sold off, according to news archives.

Adhoc President Thun Saray welcomed the premier's claim, adding that it is good if Cambodia has a law which punishes judges and prosecutors who are not fair.

"This is a problem which has happened for a long time, and we all also recognize the issue. The remarks emphasize that even the leader of the government acknowledges that the Cambodian courts are unfair. So, the important thing to do is that all possible means must be sought to turn the Cambodian court system into one which can provide justice to our citizens," Saray added.

COMFREL ISSUES REPORT ON VERBAL ATTACKS AMONG LAWMAKERS

The Committee for Free and Fair Elections in Cambodia (Comfrel) on February 12 issued a report noting the unprecedented January 12 trading of verbal attacks between CPP and SRP lawmakers during a session of the National Assembly, local media reported.

The report claimed that, during the National Assembly's meeting on draft law on Cambodian-Japanese agreement on liberalization, lawmakers from the opposition party made harsh criticisms of the government for rampant corruption, one speaking saying he considered Cambodia "the most corrupt nation in the world," reported **Rasmei Kampuchea** February 14.

Opposition lawmakers also alleged large international firms investing in

Cambodia are like mafia who commit bribery, corruption and other illegal activities, the report said, according to **Koh Santepheap** February 14.

In response to the verbal attack, Finance Minister Keat Chhon said that SRP lawmakers always raise irrelevant topics, adding that, if opposition lawmakers did not enjoy impunity, they would have been sued for their words, wrote **Rasmei Kampuchea**.

National Assembly President Heng Samrin confirmed that the troublemakers are SRP lawmakers who repeatedly made irrelevant statements about forest crime, corruption and prices of gasoline to gain political advantages in the upcoming national election, reported **National Radio AM 918** February 13.

CORRUPTION & CUSTOMS

* The customs chief and deputy chief at the Phnom Preuk border crossing in Battambang province's Phnom Preuk district, have colluded with merchants to smuggle commodities from Thailand into Cambodia, **Sralanh Khmer** reported anonymous customs officials at the crossing as saying February 21.

Vuthy, customs official at the crossing, told **Sralanh Khmer** February 7 that the customs chief and deputy chief colluded with Battambang provincial authorities and merchants to smuggle commodities including sugar and fake cigarettes, which resulted in a heavy loss of state tax revenue. The accused could not be contacted for comment.

* Police officials at the district's Boeung Trokoun border crossing in Battambang said about 50 to 60 motorbikes have been smuggled [from Thailand] through Mohou Srop border crossing in Romeat commune. The same source claimed merchants also used O Bei Chorn border crossing to operate this business, **Koh Santepheap** reported February 13.

Anonymous merchants said that, without a green light given by relevant authorities, they would not have managed to smuggle motorbikes to the province, adding that they were obliged to give about 180,000 riel [approximately US\$45] per motorbike to customs officials.

The merchants also claimed that, if they want to transport the smuggled

motorbikes to sell in other provinces or in Phnom Penh, they must also pay taxes [money] to customs officials.

Customs officials denied the accusations, advising that impounding motorbikes without number plates would decrease the smuggling.

* Villagers in Kampot province's Prey Tonle commune, located near the Vietnamese province of Kieng Yang, have claimed that smugglers are using new methods to smuggle gasoline from Vietnam into Kampot, **Koh Santepheap** reported February 6.

They said that in the dry season merchants use motorbikes or bicycles to smuggle gasoline from Vietnam, while some smugglers tie containers full of smuggled gasoline to ropes, and drag them into Cambodia along shallow canals. In the rainy season merchants smuggle gasoline on boats along the commune's An Sa canal.

A smuggler said that 300 to 400 containers could be dragged by a motor-driven boat along the canal from Vietnam into Kampot, with border authorities claiming to have never noticed any misdemeanor. He said the authorities protected illegal merchants because the perpetrators bribed them from 150,000 to 200,000 riel [about US\$40 to 50] per boat.

* At least two gasoline companies in Cambodia have opened offices to buy gasoline smuggled on motorbikes from Vietnam through border crossings in Svay Rieng and Prey Veng provinces

before trucking it to Phnom Penh, according to economic police officials at the Ministry of Interior, reported **Moneaksekar Khmer** February 19.

The same source claimed there are three offices dealing in this business - two in Svay Rieng's Svay Chrum and Chan Trea districts and the other in Prey Veng's Peam Chor district, adding that the offices had been protected by a high-ranking official at the Customs and Excise Department.

The officials said the companies can smuggle from 160,000 to 240,000 liters of gasoline to Phnom Penh each night, while customs officials at the border crossings pretend not to notice, as they accept bribes from these firms.

* Gasoline sellers on National Road 6A in Siem Reap, who buy gasoline smuggled from Thailand, said that most people involved in selling smuggled gasoline are police and military officials in Siem Reap district, **Kampuchea Thmey** reported February 21.

They said that gasoline was smuggled from Thailand through the Anlong Veng border crossing and that at least 20 truck-loads' worth per week was smuggled into Siem Reap province.

Another source claimed that merchants need to pay 500,000 riel [about US\$120] in exchange for the green light from customs officials.

CORRECTION: In the December 2008 edition of this publication, the story "Alleged Corruption Blights Rural Project," summarized a story in **Rasmei Kampuchea** of December 6, 2007, in which anonymous officials involved with German-aid constructed Tertiary Roads Improvement Program (TRIP-IV) claimed the project was riddled with corruption. **Rasmei Kampuchea** published two days later a follow-up story in which the TRIP IV-project manager of the Ministry of Rural Development strongly denied the anonymous accusations, stating that the 10 million dollar-project is closely monitored by the German aid agency and that the project's database is secure enough to prevent all attempts at corruption. Corruption Monitor regrets that the December 6 story was summarized without including a reference to the follow-up story of December 8.

GOV'T URGED TO PASS ANTI-CORRUPTION LAW

Villagers in Kampong Cham province suggested February 9 that the Cambodian government intensify efforts to pass the long-awaited anti-corruption law, with some warning that they could lose confidence in the government should the bill not be passed soon, **VOD** reported February 9.

The request came after residents in the villages of Kandal and Chrouy added their thumbprints to the "Million Signature Campaign," a nationwide petition in support of the bill organized by the Democracy Resource Center for National Development.

Chon Siem, a Thbong Khmom villager, said that her thumbprint and others' would put pressure on the government to swiftly pass the law. She added that corruption is the main motive behind injustice and is widening the gap between the rich and poor in the Kingdom.

"We can see that there is a big gap between the rich and the poor now. So, the government should hasten the ap-

proval of the anti-corruption law so that our people can escape from poverty," said Phon Thoun, who lives in Ponhea Krak district.

Bun Rithy, executive director of the Democracy Resource Center for National Development, said that after gaining permission from Kampong Cham Provincial Governor Hun Neng, the campaign would be launched with the cooperation of 346 teachers from 173 communes in the province's 16 districts. He also claimed that the campaign plans to collect 270,000 signatures from 1,800,000 people in the province.

The **Corruption Monitor** is part of a year-long survey commissioned by USAID/PACT Cambodia. During this survey the following newspapers and radio news programs are 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 105)**.

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

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ACCESS TO INFORMATION DISCUSSED

The Cambodian National Assembly organized a workshop February 22 to create awareness for the need of a policy paper on access to information before a draft law on freedom of information is submitted to the National Assembly, newspapers reported February 23.

The discussion was attended by USAID, the World Bank (WB), the British Embassy, senate members and local NGOs, *Koh Santepheap* reported.

USAID Cambodia Mission Director Erin Soto stated that if approved a draft law can benefit Cambodia, adding rights to access information are a fun-

damental element of good governance and a characteristic of a modern and strong democracy, *Rasmei Kampuchea* wrote. Furthermore, the rights can help attract investors to Cambodia and eliminate complicated issues caused by corruption, she added.

Moun Chien Narith, a staffmember from Internews, said that a draft law is good as it has international standards. However, he is concerned that some important points in a draft law would be removed when it is submitted to the National Assembly and Council of Ministers, according to *Koh Santepheap*.

"We are concerned when a draft law reaches the Council of Ministers and National Assembly, some significant points will be extracted like happened with the media law in 1994. The government should not follow the previous example," he said, *Koh Santepheap* added.

Adhoc Director Thun Saray said that the media plays a very significant role in a democratic society and that the rights to access information promote freedom of expression, *Rasmei Kampuchea* reported.

Saray added that the right to receive information can contribute to fighting corruption and it is the light that shines in all dark places, which can frighten wrongdoers.

VICTIMS PUT CURSE ON RICH LAND GRABBERS

Approximately 200 land-grabbing victims residing in Kampong Chhnang province's Kampong Tralach district gathered February 17 to take part in a spiritual ceremony invoking idols, deities and divinities to put curses on the rich and powerful who have grabbed their land. They decided to choose this way instead of seeking legal action after losing confidence in local authorities' ineffective resolutions.

The ceremony was arranged after residents in Lor Peang village had nearly 200 hectares of land grabbed from them since 2006 by a private company named KDC, with provincial authorities and the courts not only failing to provide any justice to the residents, but also jailing two of them who had protested.

The company is owned by Mrs. Chea Kheng, who had the support of armed policemen and commune officials to remove villagers from their land. As acknowledged by the courts, the firm had used fake thumbprints to claim the villagers had sold their land to Chea Kheng, according to news archives.

Sgoun Ghean, who claimed to be a representative of the victims, told *VOD* that the victimized villagers wrapped up sand and walked around the village carrying it on their heads. They then placed it in front of a holy statue to pray for happiness, prosperity, justice, to prevent people's land from being grabbed, and to curse anyone who confiscated their land with complete destruction.

"We villagers put leaves on the

ground, praying that if the leaves should disintegrate or fall from their branches, so will the KDC president's rank. As for the sand which we carried on our heads: we pray that, if the KDC president or any KDC representatives have colluded with the authorities to grab our land, they will carry our land on their heads adversely when they die..." said the representative.

Provincial authorities and KDC could not be contacted for comment on the villagers' accusations and curses.

Lor Peang Village Chief Toch Ly, who also attended the ritual, said it is right that the victims, who have never been given suitable solutions or justice, should be entitled to express their anger and misery caused by the land-grabbing.

VOD, February 17, 2008

MENTALLY-ILL WOMAN RAPED FOUR TIMES

A mentally-ill woman residing in Kampot province's Sdech Kong village has been raped four times by two irresponsible men who lived in the same village, leaving her with three children and pregnant of a fourth.

Kroy, 28, was raped for the first time ten years ago by a man identified as Acha Mey. After the rape, Kroy became pregnant and gave birth to a son named Sin Phong, who later was kicked to death by his mother when he was only two-years old. At that time, the perpetrator was sentenced to two years in prison.

After spending two years in jail, Mey returned to the village and raped her for the second time, making her pregnant with a daughter named Sin Krorn,

who is now six years old. Meanwhile Mey himself died.

Kroy was raped for the third time by another man named Khem Ren, leading her to give birth to a second son who is now three years old.

After that rape, family of the victim also filed a complaint to the local authorities, but the criminal was set free after paying 50,000 riel [about US\$ 12] to the poor woman to support his unfortunate son.

With intervention from the Human Rights NGO Licadho in Kampot, the perpetrator was summoned by the provincial court for questioning, but later the case was closed without any public announcement.

After running away for a while, Ren came back to the village six months ago and raped Kroy again, leaving her pregnant once again. Anonymous sources claimed that the victim's relatives lodged their complaint to the village authorities three months ago, but the perpetrator managed to flee again.

Sdech Kong Village authorities said that they did not have any grounds for charges because the perpetrator just coaxed the victim into having sex with him.

Khem Toun, father of the mentally-ill woman, said that he really wants to see justice for his unfortunate daughter, suggesting that Ren should have been put on trial.

Koh Santepheap, February 20, 2008

Continued from page 1

individuals in police and judicial institutions, and we have punished those corrupt officials with both administrative and legal measures," the spokesman said, ac-

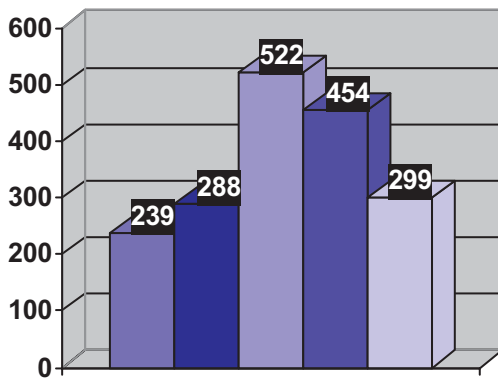
cording to *Moneaksekar Khmer*.

Om Yenteng, Prime Minister Hun's Advisor and head of Anti-corruption Unit, called the release of the survey politically motivated and that it was

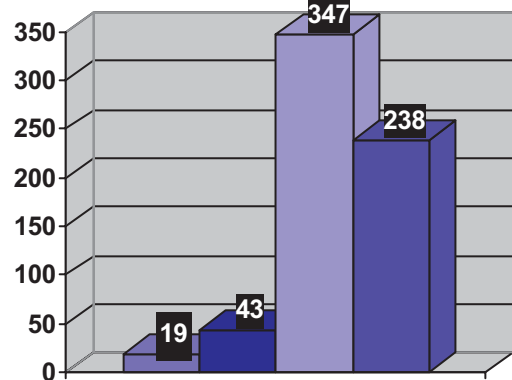
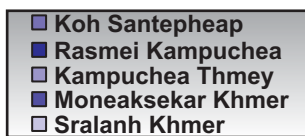
designed only to help opposition parties in Cambodia. "If you [NGOs] want to help opposition parties, please help [them] directly", Yenteng said, reported *Moneaksekar Khmer*.

UPDATE SURVEY ON CORRUPTION-RELATED STORIES

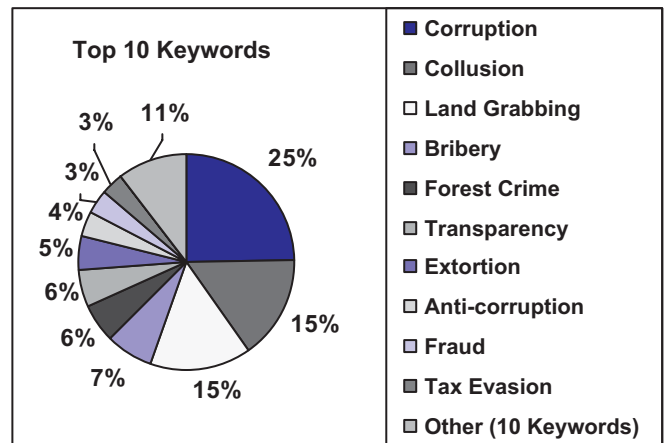
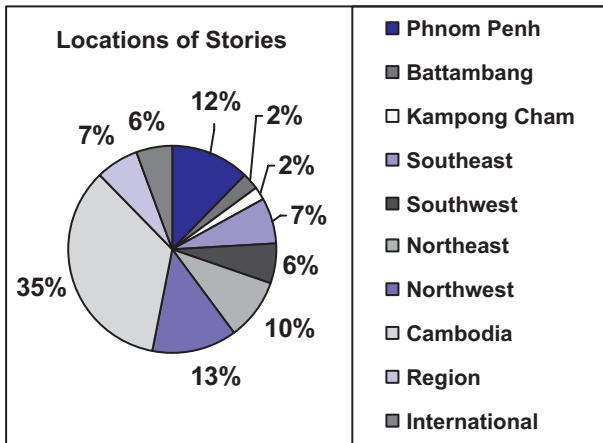
ទម្រង់ថ្មីនៃការស្ទង់មតិស្តីពីអត្ថបទដែលទាក់ទងនឹងអំពើពុករលួយ



Corruption-related stories per Newspaper Nov 2007 - Feb 2008



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



Between November 2007 and October 2008 all stories of five main Cambodian newspapers and four main radio news broadcasts are daily monitored on twenty keywords related to corruption. The survey assesses all stories on both quantitative and qualitative parameters. Above the fourth update with quantitative findings for November 1 – February 29.

Compared with the first three months February saw a significant drop in the average number of stories found in newspapers. This is not so much due to the fact that February has less days (29 this year), but because of Chinese New Year. It is not an official public holiday, but three of the five newspapers skipped three, four or even seven days publications around this period. All radio newscasts continued their programs during Chinese New Year as usual.

ចន្លោះពីខែ វិច្ឆិកា ឆ្នាំ ២០០៧ និងខែ តុលា ឆ្នាំ ២០០៨ គ្រប់រឿងទាំងអស់ដែលប្រមូលបានពីកាសែតជាភាសាខ្មែរចំនួន ៥ និងវិទ្យុចំនួន ៤ សំខាន់ៗ ត្រូវបានត្រួតពិនិត្យជាប្រចាំថ្ងៃលើពាក្យសំខាន់ចំនួន ២០ ដែលទាក់ទងនឹងអំពើពុករលួយ។ ការស្ទង់នេះវាយតម្លៃលើរឿងទាំងអស់ទាំងគុណភាព និងបរិមាណ។ ខាងលើនេះ ជាព័ត៌មានថ្មីៗ ៤ ជាមួយនឹងលទ្ធផលនៃបរិមាណរឿងពីខែវិច្ឆិកា ថ្ងៃទី០១ ដល់ខែកុម្ភៈ ថ្ងៃទី២៩។

បើប្រៀបធៀបនឹងបីខែដំបូងនៅខែកុម្ភៈនេះ គេឃើញមានការធ្លាក់ចុះយ៉ាងខ្លាំងនៃ ចំនួនរឿងជាមធ្យមដែលរកឃើញនៅក្នុងកាសែត។ បញ្ហានេះមិនមែនមកពីខែកុម្ភៈមានតែ ២៩ថ្ងៃនោះទេ ប៉ុន្តែដោយសារថ្ងៃបុណ្យចូលឆ្នាំចិន ដែលមិនមែនជាថ្ងៃបុណ្យជាតិទេ ប៉ុន្តែកាសែតចំនួន ៣ ក្នុងចំណោមកាសែតចំនួន ៥ នោះមិនបានបោះពុម្ពផ្សាយរយៈពេលបីបួន រហូតដល់ប្រាំពីរថ្ងៃ។ វិទ្យុបន្តការផ្សាយកម្មវិធីរបស់ខ្លួនតាមធម្មតានៅថ្ងៃបុណ្យចូលឆ្នាំចិន។