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Torture Trial Set for Today

BY DAVID KIHARA
AND NHEM CHEA BUNLY
THE CAMBODIA DAILY

The Kompong Cham provincial court is scheduled to begin a landmark torture trial today involving five prison guards who are accused of severely beating inmates at the provincial prison.

The trial, which had taken more than two years to be heard in court, is reported to be the first time since 1993 that prison authorities will be prosecuted for alleged abuse of inmates.

"This is an important, precedent-setting case because it is one of the very few times that prison guards have been brought to trial for torture," a representative of the New York-based Human Rights Watch said on Thursday. "Torture by security officials of people in custody is all too common."

Officials in the Kompong Cham provincial court confirmed on Wednesday that prison guards Rong Piseth, Chhoung Sophea, Tun Kim, Kol Virak and Hak Yi will be tried today. The accused are charged with beating five inmates of the provincial prison in Kompong Cham town—a misdemeanor violation under Article 57 of the Untac law that carries a sentence of between one and five years.

"We always believe our clients are innocent because the victims ran away, so we need to have an action to suppress them—this is

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Party Politics Still Hinder National Assembly

BY LOR CHANDARA
THE CAMBODIA DAILY

Despite the National Assembly's remarkable progress in furthering democratic principals in recent years, lawmakers and critics say the parliament is still influenced too much by politics.

For example, while Sam Rainsy Party lawmakers and others can now freely express their opinions on legislation and can openly criticize the government, their suggestions are seldom heeded by the ruling party.

And many, even some CPP parliamentarians, say that implementing a vibrant parliamentary dem-

ocracy—as set forth in the nation's 11-year-old Constitution—has fallen "much short" of the goal.

"The Assembly has many positive points if you look at the [surface] picture, but the more deeply you look, you will see the old substance still exists," said Chea Vannath, director of the Center for Social Development. "Most debates don't get away from the party lines."

Political parties in many parliaments and even some presidential democracies throughout the world try to take advantage of each other for political power, she

said. These parties, though, often place the national interest above the party's. In Cambodia, she argued, legislators rarely consider the common interest.

Chea Vannath acknowledged, however, that there have been marked improvements in the parliament. As an example, she recalled that then-Assembly member Thach Reng was the only remaining opposition lawmaker immediately after the 1997 factional fighting. All other opposition lawmakers had gone into self-exile, she said.

"Since then, democracy has

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flourished in the parliament," she said. "Lawmakers enjoy freedom of expression—they can criticize the government."

Democracy advocate Lao Mong Hay also criticized the government, saying parliamentary democracy has not been fully implemented. He referred to the parliament as a "one-man show" democracy.

Some Sam Rainsy Party lawmakers claimed that contrary to what some think, democracy and freedom of speech have actually declined in the Assembly.

During the debates on the forestry law and the election law, for example, opposition lawmakers were banned from expressing opinions, opposition members said.

"The CPP Assembly leaders don't want us to speak up and criticize the floor," Sam Rainsy Party lawmaker Yim Sovann said. "They are the dictators lately."

Lawmakers from the CPP and Funcinpec disagreed.

"The opposition party can only see the bad in what the government does," said influential CPP parliamentarian Cheam Yeap,

who said he has served in the Assembly since 1981. "Their criticisms are destructive, and they should see what is positive about us."

He suggested that when the opposition party criticizes the government, it should suggest solutions. "Sometimes, the criticisms are correct and taken into consideration by the government for enforcement."

He went on to say that the culture of democracy is on the rise in the parliament and is at a much higher level than in previous years, especially in terms of passing laws. As evidence of this improvement, he brought up the number of laws passed by the Assembly since 1994: More than 150 laws have been passed, Cheam Yeap said.

"The more laws we have, the more we can improve democracy—all the laws must protect democracy," he said.

Funcinpec President and Assembly President Prince Norodom Ranariddh agreed with Cheam Yeap, saying, "I am proud of the National Assembly because

it has brought about such a vibrant democracy. It's historic that we have an opposition party, and I, as Assembly president, have given full freedom to the opposition to speak out on the Assembly floor."

Funcinpec lawmaker Klok Buddhi, the secretary of the Assembly's legislative commission, said that the Assembly has a "new wind of democracy" that dominates the lawmakers' debates.

He suggested, though, that the Assembly should have more technical experts to help the parliamentary commissions draft and pass better legislation.

"We don't have a strong staff, and many commission members are not capable or even knowledgeable," Klok Buddhi said. "So the law-making is slow."

Klok Buddhi also proposed that the Assembly establish sub-commissions for each of the nine parliamentary commissions in order to follow up and monitor the government, as required in the Constitution. These sub-commissions could be similar to those in democratic countries

like the US, he said.

Donor countries have only recently turned more attention to the parliament in terms of initiating and formulating legislation, reviewing legislation and setting up policy priorities.

The UN Development Fund, for example, donates more than \$1.5 million to support capacity development in the parliament, Funcinpec lawmaker Ok Socheat said. Ok Socheat, who is on the Assembly's Foreign Affairs Commission, said the direct beneficiaries of this three-year UNDP project will be members and the permanent staff of the Assembly and the Senate.

Some still criticize the Assembly despite the purported gains and international aid.

Lao Mong Hay compared parliamentary democracy to a family, with the government acting as the child and the Assembly the parent.

"In a family, parents influence their children," he said. "But our parliamentary democracy is opposite: The child controls the parent."

NATIONAL

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Briefing**Ex-Gov't Official To Head Watchdog Group**

A former government official has been tapped to lead an activist group charged with monitoring the government. Former secretary of state for women's affairs Keat Sukun has been appointed director of the Khmer Institute of Democracy, according to a news release from the group. Keat Sukun, who will take over the institute Monday, was a leader of the Khmer People's National Liberation Front from the mid-1980s to early 1990s, the release stated. He was responsible for women's affairs, reporting to the Council of Ministers, from 1993 until the Ministry of Women's Affairs was created in 1998. Until this month, he was an adviser to National Assembly President Prince Norodom Ranariddh, the release stated. Co-founder Julio Jeldres has served as the institute's acting director since Lao Mong Hay resigned from the organization March 7, after seven years as its leader. Lao Mong Hay now serves as the chief of the Center for Social Development's legal unit. (Bill Myers)

Chinese Leaders Bound For US Convention

Leaders of the Chinese business community in Cambodia plan to go to Los Angeles in September for a convention of ethnic Chinese with roots in Indochina, community leaders said Wednesday. The 2002 World Convention of United Cambodian, Lao and Vietnamese Chinese Associations will be held over three days at a Los Angeles hotel, said Heng Kheang, a land developer and real estate trader who will lead the Phnom Penh group. "The hope is to exchange useful information between participants and we hope to be able to show people that Cambodia is a safe place to visit and do business," he said. The delegates also plan to go to Las Vegas, the well-known gambling city in the state of Nevada. More than 20 delegates from Cambodia plan to attend, many of whom look forward to reuniting with family members settled in the US, said Nhim Puong of the Cambodian Chinese Association, who operates a tourism business in Phnom Penh. The convention is held every other year, the association's Gia Liang said. (AP)

Ranariddh, Hun Sen Cancel Trips Abroad

BY LOR CHANDARA
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Funcinpec President Prince Norodom Ranariddh has canceled his planned trip to the US because of the recent Mekong River flooding, close aides to the prince confirmed on Thursday.

"There is no other reason but the floods" preventing the prince from traveling, a protocol official said. "The prince has to stay with the people at this difficult time."

But some Funcinpec members said the prince probably canceled his trip because he feared being criticized for leaving the country at this time.

With the country hit simultaneously by natural disasters and political turmoil in recent weeks, the prince likely fears being accused of running away from a difficult

situation, they say.

The prince's cancellation came after Prime Minister Hun Sen called off his plans to visit the World Summit on Sustainable Development which is currently under way in Johannesburg, South Africa. Hun Sen also declared he had to stay home because of the floods.

Under his original schedule, Prince Ranariddh—whose supporters in the US include many Cambodian-Americans—was to meet with US officials and lawmakers, along with Funcinpec Secretary-General Prince Norodom Sirivudh and Deputy Secretary-General Nhieuk Bun Chhay.

He was also supposed to meet Cambodian-Americans in cities with large concentrations of Cambodians, such as including Long

Beach in the state of California.

But in the wake of recent political events, some party members say the prince may have lost international credibility. Tensions within the party became evident when Prince Ranariddh publicly criticized a National Assembly boycott that included at least 15 Funcinpec lawmakers.

"Both his American friends and the Cambodian-Americans who used to support the prince may have lost faith in him," said a party member who asked not to be named.

Newly appointed Funcinpec spokesman Kol Pheng, secretary-general of the Assembly, could not be reached for comment.

Prince Sirivudh will lead the trip to the US in Prince Ranariddh's absence.

Chakrapong, Sam Rainsy Agree to Cooperate

BY THET SAMBATH
THE CAMBODIA DAILY

Prince Norodom Chakrapong, president of the Norodom Chakrapong Khmer Soul Party, and opposition leader Sam Rainsy met last week and agreed that their two political parties should "cooperate," Prince Chakrapong acknowledged Thursday.

"I met Sam Rainsy last week because we are old friends and we exchanged ideas," said Prince Chakrapong, who is also president of Royal Phnom Penh Airways. "We will officially hold a meeting between the two political parties in the future, and each party will express its political program and party's stance in order to have cooperation," he said.

Prince Chakrapong refused to characterize the agreement as a coalition or partnership. In addition to being "old friends" with

Sam Rainsy, the prince said he is related to Sam Rainsy's wife, opposition parliamentarian Tioulong Saumura.

Dozens of new parties were created for the last national elections in 1998. Then-co-prime minister Hun Sen had urged the creation of 100 new parties in a nationwide address in 1996.

The trend may continue for next year's elections, slated for July. Former Funcinpec member Hang Dara's new political party was approved by co-Ministers of Interior Sar Kheng and You Hockry on Wednesday.

The Hang Dara Democratic Movement Party will hold a congress Sept 22 at its headquarters, where the party will choose a president and secretary-general, enact a constitution and create committees.

Hang Dara said Thursday that

"around 500 to 700 members" were expected to attend. "We wanted to invite more than 2,000 members to join, but due to drought and floods, we decided to call less than 1,000 to allow farmers to save their rice fields and their living," he said.

Members from Oddar Meanchey, Stung Treng, Preah Vihear, Ratanakkiri and Mondolkiri provinces will not attend because the rainy season makes travel between their homes and Phnom Penh too difficult, he said.

Sam Rainsy, meanwhile, will meet with his Cambodian supporters living in the US this weekend, said Phi Thach, opposition Cabinet chief. Sam Rainsy returns to Phnom Penh Sept 12.

Phi Thach said he didn't know about the meeting with Prince Chakrapong. "It is good if it happened," he said.

50-Riel Note Comes Back Into Circulation

BY NHEM CHEA BUNLY
THE CAMBODIA DAILY

Officially taken out of circulation by the National Bank of Cambodia several years ago, the 50-riel note is making a comeback. Between 10 million and 12 million of the notes were distributed through the markets and commercial banks starting Thursday, National Bank officials said.

The notes were circulated to meet the growing needs of the people, especially the poor, said Tieng Seng, general cashier of the National Bank. The notes will be useful to the poor and those living in rural areas so that they

can buy smaller amounts of goods, such as vegetables, and not lose money in the transaction, he said.

The notes were expected to be welcomed by the public, National Bank officials said.

An exchange shop owner said Thursday that people were enthusiastic about the new notes.

The new notes were circulating at their full value, she said. No one would have to cut their value because they were new, she said.

After 30 years of civil war, many Cambodians are used to seeing money change with regimes. But the 50-riel denomina-

tion is nothing new.

Coins in 50-riel denominations, as well as 100-, 200- and 500-riel, circulated during the 1980s. But the current regime has only minted paper money, which is cheaper to produce, with the smallest denomination being 100 riel.

The new notes feature the Banteay Srei temple, in Siem Reap province, on one side, and Kandal province's Tuk Thla dam on the other. Like other notes, it has 11 different features to prevent counterfeiting, such as colors that appear under ultra-violet light and a graduated color strip that foils photocopy machines.

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Comedians Warned About Using Crude Humor on Television

BY YUN SAMEAN
THE CAMBODIA DAILY

The deputy director of the Cambodian Television Association has warned comedians who perform live on television to avoid jokes about sex, religion, vulgar behavior and philandering US politicians.

Crude humor threatens the sanctity of Cambodian culture, said Sok Ey San, who is also general director of Apsara Radio and Television.

"We want audiences to be happy and we also want them to get educated while we protect our culture," he said.

The new order will require comedians to describe their acts in detail before going on the air. They must also say beforehand how many audience members their act requires, he said.

Those who defy the refinement order will be kicked off of television.

The ban may kill the spontaneity of live comedy acts, comedians complained.

To Chamroung, who made his way onto popular television portraying the befuddled tycoon San

Mao, said some acts may go too far. But requiring comedians to describe their acts in detail before they go on stage is unfair, he said.

"It's OK if the association wants to ban sexual or impolite words, but don't require us to provide details of our acts beforehand," To Chamroung said.

He said he makes \$15 or \$20 a show.

The anti-vulgarity measure also bars from television women's clothing that shows too much flesh, Sok Ey San said.

"Some singers complain about the order [barring risqué clothing] because if they wear short clothing they will become more popular," Sok Ey San said.

The dancers have been told to cover themselves before: Prime Minister Hun Sen banned short skirts from television in April 2000, saying the provocative clothing degraded Cambodian culture.

Although it's hard to say how free performers are in Cambodia, compared to other countries, various cases of censorship in Cambodia led the World Press Freedom Committee to rate

Cambodia's media as "not free" in its 2000 report.

Cambodian law outlaws negative statements about the King through the constitution's Article 7 of Chapter II: "The King shall be inviolable."

Laws written during the UN's period of rebuilding Cambodia in the early 1990s call for penalties of up to three years in prison for slanderous remarks or statements. Article 63 of state law, meanwhile, sets the penalty at up to one year in prison and fines of \$400 to \$4,000.

An additional press law, passed in 1995, forbids the publication of "false information which leads to the humiliation or degradation of national organs or public authorities." Comparing politicians to dogs, for example, could be grounds for a lawsuit.

Still, some comedians said the order will have little effect on their acts. Comedian Chuong Chey, famous as the stage goof Kuy, said he never uses sexual or rude words.

"I never kiss or use impolite words [with female comedians] to make people laugh," he said.

He said he agreed with the association's plan and hoped it would clean up Cambodia's comedy acts.

Not everyone agrees.

Ou Pon Narath, one of Cambodia's most popular comedians, said the order puts too much pressure on performers.

He said a lot of comedians use metaphors to compare sex to more innocent things to make people laugh, he said.

Meanwhile, comedians in other countries use politicians' names in their acts and no one minds, Ou Pon Narath said.

"The association's suggestions wander close to communist rules," he said.

He said he intends to perform as he did before, with no changes. "The prime minister never criticized my performance," said the comedian.

That could lead to a show-down. Sok Ey San said if comedians insist on using sexy words during their live performances, he will instruct technicians to switch the station's broadcast to a film. *(Additional reporting by Matt McKinney)*

Torture...

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something [the prison officials] cannot avoid," Kea Eav, lawyer for the accused, said Wednesday.

Three of the five accused are still employed at the provincial prison.

The case stems from a 1999 incident at the prison. According to sources, on the morning of Dec 13, 1999, more than 50 inmates at the prison were led into the prison's courtyard for their daily exercises. While most of the inmates were exercising, five inmates tried to escape by climbing the prison's walls.

The five were caught immediately by the guards. The guards placed the five in front of the cell-block and allegedly hit, kicked and beat them with sticks in front of other inmates, sources said Tuesday and Wednesday. Several of the victims lost consciousness.

"The police who tortured the victims beat them with wooden bed slats and the handles of hoes because they were angry with the escapees," said Khov Chantha, a lawyer representing some of the victims.

"The condition of the inmates

was serious—several of them had broken bones," said one human rights official who interviewed the inmates in January 1999. "The prison medical team provided preliminary treatment—they bandaged and cleaned the wounds—but would not let us see the prisoners for an entire month."

One doctor with a leading human rights NGO reported that when he finally provided care to the inmates, a month after the alleged incident, they were covered with bruises and scars consistent with beating.

The five victims, identified as Thim Tha, Sao Sroean, Roenun Phal, Roek Chan Thuon and Kim Rann, had been convicted of crimes ranging from murder and weapons possession to armed robbery, sources said. They were serving sentences ranging from eight to 21 years.

All five victims, who are still serving out their sentences, brought formal complaints against the prison guards in early 2000 with help from the human rights group Licadho, the UN High Commissioner for Human Rights Office and the Cambodian Defenders Project.

The provincial court started investigating the case in October

2000 and filed formal charges in August 2000.

Although the trial was set to go forward in late 2001, the court delayed it for an unspecified reason. One human rights official who has worked on the case since January 2000, who declined to be identified, said the court delayed the case because it involves prison officials.

"The case is very slow because the court does not want to work [on this case] for political reasons," the official said.

Many human rights workers interviewed for this article asked not to be identified because they are concerned for their personal safety.

Court officials disputed the accusation that they have been intentionally dragging their feet.

"We are going to try them in order to warn the police from abusing the prisoners," said Tith Sothy, court director.

Although the court is scheduled to begin the trial today, several human rights officials expressed concern that the government may not transport the victims from the prisons where they are held to the courthouse in Kompong Cham.

One victim and at least five witnesses are being held at Prey Sar

prison in Phnom Penh while they appeal their previous convictions. The other four victims are imprisoned in Trapeang Klong town in Kompong Cham's Ponhea Krek district—a two- to three-hour drive from Kompong Cham town.

Several human rights officials and a Ministry of Interior official said it was not uncommon for inmates who are serving long sentences for violent crimes to be transferred to smaller district prisons in order to decrease overcrowding in city prisons.

Ministry of Interior Director General for Administration Sak Setha assured to Tith Sothy that the ministry would provide transportation for all the witnesses and victims, Tith Sothy said.

Sak Setha could not be reached for comment.

The last reported trial involving a prison official abusing inmates occurred in 1993, when the Phnom Penh Municipal Court convicted the deputy director of the Battambang provincial prison, Ten Seng, for torturing inmates.

Ten Seng was reported to have been sentenced by the municipal court to serve one year in prison, but it remains unclear whether he served all, part or any of the sentence.

NATIONAL

Rainy Weather Taking Toll on Small Temples in Siem Reap

BY YUN SAMEAN
THE CAMBODIA DAILY

At least 30 percent of the small brick ancient temples in Siem Reap province are decaying over the course of the rainy season, an Angkor Conservation official said on Thursday.

Rain, fungus and trees growing on the temples are all contributing to their deterioration, causing bricks to fall off the structures, said Keo Saravuth, Angkor Conservation bureau chief.

He accused the Apsara Authority of failing to pay attention to these small temples because they are not the main monuments visited by tourists.

"It's not only the red brick temples—the foundations of some ancient [stone] temples are also affected, and we should protect all of them," Keo Saravuth said.

He said the most affected temples include the 9th-century Bath Chum, built of brick, as well as 12th-century Banteay Thom and Ta Prohm, both stone temples.

They have been seriously damaged by the environment, and no measures have been put in place,

he said.

Eventually, they could crumble altogether, he added.

The government of India earlier this year agreed to renovate Ta Prohm, a tourist favorite that has purposely been left largely to nature to give visitors the sensation of awe that the first modern French explorers experienced when they stumbled on the Angkor temples in the middle of the then-dense jungle.

But the trees' roots are destroying the stone, Keo Saravuth said. "The Apsara Authority should cut the trees out of the temples and install wooden supports to keep the temples intact," he said.

Apsara Authority Deputy Director General Ros Barath said Thursday that it is common for bricks to fall off the red brick temples because they are so old.

Bath Chum, he said, has already been renovated, but continues to deteriorate. The authority needs time to formulate a proper, step-by-step plan to protect all the imperiled temples, he said.

In addition, the authority is hampered by a lack of resources.

Mother Petitions Hun Sen For CFF Member's Release

BY THET SAMBATH
THE CAMBODIA DAILY

The mother of a man convicted of being a member of a terrorist group has sent a petition asking Prime Minister Hun Sen to pardon the jailed man, after winning the petition back from police earlier this year.

Duong Sopheap, 30, of Prey Veng province, is serving a seven-year sentence for his conviction on charges he was a member of the Cambodian Freedom Fighters.

His mother, Tith Sovanna, claims that more than 100 relatives, neighbors, friends and supporters affixed their thumbprints to a petition seeking his release, but police confiscated it in April. Authorities gave the petition back in July after human rights groups intervened, Tith Sovanna said.

The petition drive has received support from Senate Human Rights Committee Chairman Kem Sokha. He forwarded the petition to Hun Sen and is waiting for a reply. "I have a duty to help people and I accept everyone's complaints," Kem Sokha said.

The CFF, led by US-based

accountant Chhun Yasith, took credit for a November 2000 raid in the capital, saying it was an attempt to overthrow the government. In the months after the failed assault, the government arrested hundreds of alleged CFF members, including Funcinpec and Sam Rainsy Party activists. Human rights workers and party leaders have accused the government of using the CFF as a smokescreen to crack down on rivals.

Tith Sovanna caused a stir last November when she got down on both knees and begged King Norodom Sihanouk to pardon her son as the King left a wreath-laying ceremony at the Independence Monument. The 55-year-old Prey Veng woman said the petition states that Duong Sopheap will admit his crimes and apologize if the government releases him.

Tith Sovanna said she doubts the petition will make it to Hun Sen. "Police do not want me to take these thumbprints to Phnom Penh," she said. "They intend to destroy it."