

# Howard's way : East Timor has made waves for Australia

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To: PRADIP N. THOMAS

MEDIA AND HUMAN RIGHTS SEMINAR**Howard's way: East Timor has made waves for Australia**

The despatch of British Gurkhas has undoubtedly helped quell the violence in East Timor. By all accounts, they are performing a difficult task in exemplary fashion. Their deployment as part of the Australian-led international intervention force has also redeemed, to a limited extent "the government's deeply flawed" Indonesia policy. But few could have imagined that the arrival in Dili of a mere 164 British soldiers might change the course of history. Yet there is a very real possibility that Australians, who decide on November 6 whether to retain the Queen as head of state or become a republic, will be crucially swayed by Britain's swift support for their troops. Polls were already predicting a close referendum result. Now the dangers inherent in the operation, Indonesia's enmity, and the ugly, racist criticism emanating from some Asian "allies" have given Australians a sharp reminder of who, when the chips are down, their true friends are.

The possible rout of republicanism is not the only unexpected ramification of the Timor emergency in Australia. Prime Minister John Howard, a conservative monarchist, told parliament last week that the crisis had reaffirmed some awkward "home truths". Australia was not an Asian nation, as some of his predecessors had contended, but a western nation in Asia, he said. Its policy "must be based on a clear sense of the national interest and on our values." This meant maintaining trade and other regional links, but not at the expense of basic principles, such as democracy and human rights. As the leading regional power, by default, in the Timor crisis, "we have got on with the job of being ourselves."

The "Howard Doctrine" represents perhaps the biggest shift in Australia's debate about its identity and role since the days of Gough Whitlam almost 30 years ago. In Mr Howard's views on the need to re-emphasise ties with the US and Europe, Asian leaders claim to detect a reviving colonialism. "We don't want to see any country appointing itself protector of this region," the Malaysian deputy prime minister said. In truth, Canberra does not seek such a role - but if a more confident Australia is now reassessing its compromises with "Asian values" Asian countries which prevaricated, ducked, and appeased throughout the Timor crisis have only themselves to blame. They waited for someone else to tackle their problem. Luckily for them, Australia. (and the Gurkhas) obliged.

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Today Cambodia's population is just over 11 million, and nearly all of them—9.5 million—live in the countryside. Most of these people are farmers and fishermen, making a meager living off the land. They contend with rains that flood their fields and diseases that kill the healthy and frail.

Added to the hazards of the natural world are corrupt police and politicians, poor educational and health care systems, rampant land grabbing, food shortages and economic despair that leads many families to send their daughters into the cities to work in garment factories or—unbeknownst to them—as prostitutes.

In many Asian countries, human rights violations have increased since the 1997 economic crisis. This has not happened to the same extent in Cambodia, because here there was no booming economy to falter and collapse. But living conditions for many rural poor did decline after the economic downturn as farmers and fishermen made less money selling their products and had to pay more for daily necessities. For Cambodians, it was more of the same. Over the past three decades, bad living conditions and human rights abuses have become a way of life.



Many Cambodians, say human rights workers here, are simply unaware they have any rights. They have grown up in a country continually devastated by warfare and seem to expect bad things to happen to them. Analysts say media coverage of human rights violations in recent years has brought attention to abuses and prompted the government to take action in some cases, moving to draft better laws and crack down on corruption. But the countryside, analysts say, is still rife with human rights violations and the rural poor are largely powerless to defend themselves.

"The illiterate people cannot read the papers. Those who live in remote areas do not have radios and television so their knowledge of human rights is absolutely zero," said Chea Vanath, president of the Social Development Center of Cambodia. "Poverty prevents people from caring what human rights mean to them. Very often they do not know that their rights are being abused."

Present-day Cambodia has been shaped by more than three decades of war. Vast swaths of the country were bombed repeatedly by the United States during the Vietnam War and US troops and the Vietnamese fought up and down the Cambodian border.

Years of fighting between the US-backed Lon Nol regime and the Khmer Rouge guerrilla movement ended in 1975 with complete domination of Cambodia by the Khmer Rouge. For four years the population lived in forced-labor camps and by 1979, when the Vietnamese invaded the country, close to two million Cambodians were dead from starvation, sickness or execution. Those who were not killed by Pol Pot's regime were weakened both physically and spiritually.

The Vietnamese invasion saved Cambodia from the Khmer Rouge, but the country still dominated by a regime. And the fighting did not end, at least in western Cambodia, where the Vietnamese army fought the Khmer Rouge, which had sought refuge in the jungle.

In 1991, with the Paris Peace Accords, the people of Cambodia were offered their best chance for peace and self determination. But after the 1993 elections, Cambodians found that their leaders were still not ready to support the wishes of the people. Though the Funcinpec party won the general election, beating the Cambodian People's Party by 8 percent in the polls, King Norodom Sihanouk chose to form a power-sharing government, with Funcinpec and the CPP together at the helm. Sihanouk, who was reinstated as king as part of the deal, later said he was blackmailed into pushing for the coalition by the CPP, which threatened renewed civil war if they were left out of the government.

After the coup in July 1997 and a short period of fighting between CPP and Funcinpec forces, Hun Sen, then the second prime minister, took full control of the country, ousting first prime minister Prince Norodom Ranariddh.

In the 1998 general elections, CPP was declared the winner, though Funcinpec and the opposition Sam Rainsy Party protested the results. Funcinpec continued to lose influence and today it has little real power. In the countryside, there is a presence from Funcinpec and the Sam Rainsy Party, as well as other small parties, but the vast majority of the communes are controlled by the CPP.

The elections in 1993 and 1998 did bring some stability, but there was still war in the west as the government fought the Khmer Rouge. This continued until late last year when the remnants of the Khmer Rouge accepted Prime Minister Hun Sen's offer of amnesty to Khmer Rouge soldiers who would defect to the government.

Though the country is now at peace, Cambodians live in a land scarred by war. Much of the infrastructure was destroyed and has yet to be replaced or repaired. And many of the rural poor who make their living from the land must contend with the millions of land mines and unexploded bombs still buried throughout the country.

And while the soldiers have stopped fighting, Cambodians in rural areas still must deal with a corrupt military that extorts money from Cambodians, steals their land and illegally logs the forests. To the governments credit, it is trying to clamp down on such activities, but incidents are still regularly reported from provinces throughout the country.

There is land grabbing by police officials and powerful local officials



as well. And the people in the countryside often feel they cannot turn to the police for help, as they are often times involved in the human rights violations.

Added to these are problems common throughout the country. Health care is poor and in some remote areas nonexistent. There are few educational opportunities for children, particularly girls, who often go to the cities as prostitutes or to labor under harsh conditions in garment factories to make money to send back to their families.

Many of these problems have existed for years and were only exacerbated by the financial crisis in 1997. While Cambodia fared well compared to its Asian neighbors, the economic downturn was felt here, particularly for those who live in the countryside. For some farmers and fishermen, their income decreased as the price for goods at the market fell. Likewise, daily costs for food, medicine and educational opportunities rose for these people. Even though the effects of the crisis were not devastating, they did not come at a good time for Cambodia and only added to the country's troubles.

"The most serious issue our people—especially the rural poor—are facing now is our natural resources have been destroyed by corruption," said Chea Vanath, of the Social Development Center of Cambodia. "So the people abandon their homes and look for jobs in the city. Some become beggars and prostitutes. Some children are addicted to glue."

Deforestation and illegal fishing, done with the approval of government and military officials and often for their financial gain, impacts most strongly on the poor, who are too weak to speak out against it, Chea Vanath said.

The rural poor are also victimized through land grabbing by the military and local authorities, she said. "When farmers do not have land for farming, they will run into the city for jobs. The number of people has increased remarkably. We have more room, but we do not have the infrastructure, the schools, hospitals and markets that people depend on."

Chea Vanath said local papers have had little impact on human rights because they largely avoid the topic, in favor of politics. While there is more freedom of speech today, she said, many local papers lack professionalism.

Local media has disclosed perhaps half of the human rights abuses in Cambodia, according to Sek Barisothe, director of the Cambodian Communication Institution. "But their roles are limited as they cannot improve things. They are not strong enough to change things," he said. "The perpetrators have never been brought to court. They have never been punished or fined. The media cannot help decrease the worst things relating to human rights abuses." It is better, he said, to go to where the people are, talk to them about the incidents and tell them of their rights. "In doing so it has more impact and is more effective," he said. "But communication is a problem, especially in the far, remote areas."

Pen Samitthy, editor of Rasmei Kampuchea—Cambodia's largest newspaper and one of the most respected Khmer-language papers—acknowledged that the country is in need of stronger human rights enforcement and more education, but said his paper is limited by the size of the country and number of human rights violations.

"Human rights theory is new to the Cambodian people. Their understanding about it is limited," he said. "We try to find the truth, but we can't do our report 100 percent balanced because of the difficult situation. We do not have enough reporters to cover all human rights issues in the provinces, in remote areas where they are still having problems with communications."

Pen Samitthy said his newspaper relies on reports from stringers in the provinces as well as information from the human rights group Adhoc and Licado. The newspaper has also created an office where people can provide information or complaints about rights abuses. Still, this can not reach people in the distant provinces. "People who live in remote areas do not know who to run to for help when they have a problem," he said.

He said the overall impact of media reporting on human rights issues cannot be measured. But there are small measurable successes, when the



publication of a story elicits strong reaction from the government, police or community, he said.

Sok Serey, office manager for Radio Free Asia, said RFA has a difficult time reporting on human rights because of officials' tendency to blame the victims and try to discredit them. "Even though we have seen the event of violation and talked with witnesses and victims who complained about the violation, when we check with the authorities they falsify the protest by turning it into a political issue," he said. "So it is difficult to find the truth."

And, like other media organizations, Sok Serey said RFA has limited resources. "It's better to go to the place and observe the situation ourselves," he said. "But very often we can't go to all the places. We are not the investigating body. We receive information from our sources. To get the news on human rights violations, we depend on human rights organizations as our source and partners."

One advantage RFA has is the tremendous reach of radio. Many Cambodians, especially in the countryside can't read. But, if they have access to a radio, they can listen to news reports. Radio stations can also feature special human rights programming that often would not be found in newspapers and magazines. "Our broadcasts have more impact," he said. "We have created a 15 minute program educating people about human rights, what their rights are and how to protect themselves and protest against violations. It's short, but better than nothing. We are better than local FM radios which spend an hour of their time mostly on love requesting song by telephone."

The problem with radio, of course, is that not everyone has access to one.

Khieu Kanharith, secretary of state for the ministry of information and a spokesman for the ruling Cambodia People's Party, said newspapers in Cambodia have raised awareness of human rights issues. Media coverage of abuses, he said, has drawn the attention of the abusers. "They feel afraid and concerned about their reputation and honor and facing the law. They will correct themselves. This is a positive way."

But most of these media reports have benefited only literate people, he said, while those in the countryside still have had little access to information.

Khieu Kanharith said the government plans to spread the reach of FM radio into the provinces to educate the rural poor. The government hopes to have radio stations in every province by 2005. "Radio provides quick education to a number of illiterate people. It's cheap and can be used in all places. It is a great contribution to educating people," he said. "Those who live in the country are cut off."

But radio programming still has a long way to go in providing quality education, he said. "The media plays an important role in providing people information, entertainment and education. Because of lack of ability and lack of money, those media shows offer more entertainment than education. The quality is still poor," he said.

Media in Cambodia do have an advantage over their counterparts in many other Asian countries. Cambodian law endorses a free press and the government has, for the most part, been cooperative and allowed the press here to operate unhindered. Part of this may be due to the fact that the donor countries that pour millions of dollars a year into Cambodia want to see a free press flourish and the government, to protect its main source of funding, grudgingly allows the media significant freedom. But there is still plenty of tension between the government and media outlets.

"The government complains that the media always creates trouble for them," Khieu Kanharith said. "So we need a permanent dialog and cooperation among the government, politicians and the media. The government must help the press to be stronger because the press is their eyes and ears. Once the press is strong, the government is strong too. When the government is strong, the media have nothing to say bad about them. In a democratic game, the government must dare to face the truth."

But, Khieu Kanharith added, "professionalism in the media must be improved."

Though the government is committed in some instances to addressing



human rights issues, government institutions are responsible for one of the biggest human rights violations in the country, rights workers say.

Kek Galabru, founder of the human rights group Licado, says land seizures in the countryside are most often driven by the military, police and authorities. She said Licado is currently investigating 30 such cases. "The victims complained to the authorities but most of the cases have never been resolved as the perpetrators have strong backers, so the victims run to human rights organizations," Galabru said. "Very few cases were solved locally and most cases never have success. When the military is involved, it is particularly difficult to solve. It is useless to run to the court. People can never win."

Government spokesman Khieu Kanharith said land grabbing is not a major issue because it is not widespread, but occurs infrequently in isolated areas. Galabru and other human rights workers dispute this interpretation, and say land seizures are a constant problem and one of the most serious facing the country. "If people do not have land, it means they do not have rice," Galabru said.

Illegal land seizures are threatening the ability of the rural poor to make a living. As an example, according to a UN High Commission for Human Rights report, people in Chet village, Bar Keo district, were cheated to sign a certificate they could not read, which they were told would entitle them to a gift of four tons of salt. After signing the document, they were told by the district police commissioner that they had agreed to sell 5,000 hectares of land for four tons of salt.

Land seizures flourish in Cambodia because there is not an adequate land law and corrupt officials stymie farmers efforts to gain proper documentation for their land. According to a recent research study by the humanitarian organization Oxfam of people who had their land seized, less than 10 percent had land title papers, and of the existing titles, most were incorrectly issued by authorities.

The current land law, written in 1992, recognizes and protects the ownership of immovable objects, such as houses. But while the land law recognizes residential land titles, it does not recognize the fields away from the house that a farmer might own. Most Cambodians in the countryside have a difficult time registering their land because of illiteracy, an inability to pay land tax and an inability to navigate the legal process. In many cases, authorities are working for personal gain, and not to help a farmer secure legitimate claim to his land.

To stop land grabbing, or at least make it significantly more difficult, the government needs to draft national guidelines on the use, control and ownership of land. But in drafting a new law, the government should not just consult other government institutions. Rather, it should consult the landowners in the countryside who are in danger of having their land taken.

"We have more land left, but if we do not have a good land guideline, it will spoil the national economy and make the country poor," said Kassie Neou, president of the Cambodian Institute for Human Rights. "This is a disease which must be cured. We have walked back a long distance."

As a side issue to land seizure, the government also needs to continue its crackdown on illegal logging. According to a study by the World Bank, the valuable trees in Cambodia will be gone if logging is not stopped. The report also notes that the destruction of Cambodia's forests has also caused periods of flooding and drought and has led to a decrease in fish and underground water. People are kicked off their land by logging companies and the fish that feeds villages dwindles from the deforestation.

Despite the government's announcement to crack down on illegal logging, this move may not be enough to stop the practice because the perpetrators—businessmen, members of military units and politicians—are not punished or fined in accordance with the law. To successfully implement the government's policy on logging bans and illegal overseas transportation, all of Cambodia must have the will to cooperate. Likewise, Laos, Vietnam and Thailand should respect Cambodia's ban on illegal logging.

Traditionally, the way to protect citizens from right abuses is to have



leaders who will act in the best interest of the people, defending them against injustice. The United Nations came to Cambodia in the early 1990s with the goal of holding free and fair elections to put such leaders in place. But, as the Cambodian people have come to find, injustice and human rights abuses are prevalent after two general elections.

The next hope for the Cambodian people to elect genuine leaders who will work to protect them will come next year with the commune elections. Many fear those elections will be rife with political intimidation because the CPP, which controls most of the countryside, has so much to lose if Funcinpec or the Sam Rainsy Party has success at the polls.

Khieu Kanharith downplayed the possibility, saying the international community will be watching Cambodia closely during the elections. "The government will create a good climate for all the people to exercise their rights, freely choosing their leaders," Khieu Kanharith said. But he did express concern that some politicians—presumably from the opposition parties—would "politicize" the issue of intimidation during the elections.

Rights workers say that based on incidents before, during and after the last election, political intimidation can be expected in the commune elections.

Pen Samitthy, editor of Rasmei Kampuchea, said his paper will have particular problems covering the elections because there are so many communes. For reports of political intimidation and human rights abuses, he will be relying on help from rights groups.

Rights groups, who will be watching the elections closely, say there is much at stake for the Cambodian people. "The commune chiefs are elected by the people and they are with the people," said Chan Soveth, head of monitoring for the human rights group Adhoc. "They can develop the villages and communes in accordance with the need of the people. They are the eyes and ears of the people. They will have as much power as the prime minister because they are elected by the people who give them all the power to protect their interests, their environment."

In the past, Chan Soveth said, the commune chiefs had little real power, because they were chosen by a political party and had to fit into the party power structure. In many ways, that is still the case, he said. "They have no power. They are just servants of the government. They can't represent the will of the people. They must listen to the people's words and respect their ideas. Then there will be good progress in the communes."

The implementation of human rights in Cambodia, from land seizures to political intimidation and child trafficking, depends largely on the attitudes of powerful leaders. But to influence these attitudes, ordinary people must be aware of the importance of these rights that protect their lives. The rights of citizens outlined in the Constitution, along with stipulations in international conventions, used need to be used to press political leaders to strengthen their positions on human rights. Ultimately, human rights will be protected by strong laws, an effective and independent judiciary and an impartial and well-trained police and military. Monitoring by the media, opposition parties and rights groups are crucial to improving human rights in Cambodia.

Cambodia is fortunate because it has many experienced, energetic and capable human rights organizations. They have made progress in playing a more pronounced role as monitors and the government has pointed out that these group are its key partners in identifying and preventing rights violations. And the media, of course, plays a necessary role in telling the government about its mistakes and putting it on the right track, acting in the best interest of all the people.

Cambodia still has a huge dependence on foreign countries for aid; and because of this, donor countries wield significant influence in domestic affairs. But for the donors to exercise their roles fully, they must be kept informed about what is happening throughout the country. To do this, the media must play a watchdog role, pushing the government and other rights abusers to realize what they have done and helping victims



who have no one to protect them or speak for them.

The media also plays a key role in educating people about their rights, teaching them what treatment they are entitled to and how they can both exercise and defend their rights. To achieve this, the media must be independent. It cannot be politicized and its professionalism must be improved.

Most Cambodians live in the countryside. They are poor and illiterate. They struggle with food shortages, flooding, land mines, poor transportation and poor communication infrastructure, not to mention people who prey on them for their land, their money, their children. Radio offers the best prospects for educating these people and credit should go to the government for trying to establish radio stations in all of the country's provinces—if they truly intend to broadcast human right education programs. The government often complains that the media does nothing but make trouble for it. But, as government spokesman Khieu Kanharith said, "in a democratic process, the government must dare to face the truth."

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