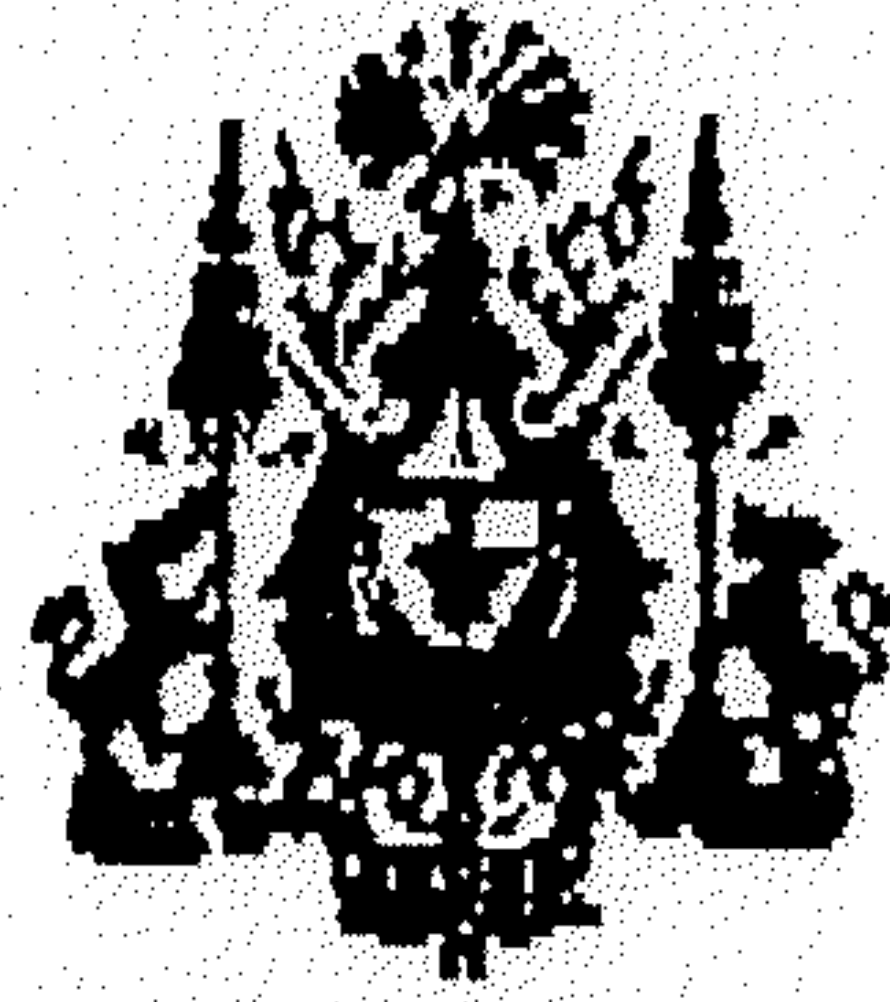


Honorary Minister
Cabinet of H.M. the King of Cambodia



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2538/PC/066

26 August 1995

Senator the Hon. Gareth Evans QC
Minister for Foreign Affairs
Parliament House
CANBERRA ACT 2600

Dear Gareth,

CAMBODIA: FREEDOM OF THE PRESS

I was deeply troubled to learn that the Royal Cambodian Government is seeking criminal prosecution against three newspapers in Cambodia: the leading English language "The Phnom Penh Post" and two Khmer language newspapers "Morning News" and "Khmer Conscience". There are also reports that two other Khmer language newspapers will also be affected by criminal prosecution.

In the case of the Phnom Penh Post, I understand that a story by Nate Thayer in the Post's 24 March-April 6, 1995 issue is the cause of the Royal Government's reaction. The story which I have read and re-read, entitled "Security jitters while PMs away" describes various alleged security threats and measures taken by the Royal Government while the prime ministers attended the April 1995 donors' meeting.

The article clearly marks many assertions as "rumour" or the opinions or statements of unnamed third parties. I am sure that yourself, as a lawyer, will agree with me, that the law should never be used to force a journalist to disclose sources merely to prove they are genuine unless there is a highly compelling need. That is because any forced compromise of confidential journalistic sources severely curtails the ability of the press to report on and the people's right to be informed about matters of public interest, such as government abuse.

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In Nate Thayer's case, far from showing a malicious intent, he contrasted many of the allegations raised by unnamed sources with statements from named government representatives.

As you know, criminal prosecutions are only one of the Royal Government's actions that threaten to destroy freedom of the press in Cambodia. On more than a dozen occasions over the last year, the Ministry of Information has ordered the closure, suspension or confiscation of newspapers, in many cases relying on a 1992 press regulation that was never adopted as law by Cambodia's sovereign authority of the time, the Supreme National Council. At least three journalists have been killed in the same period in circumstances that have raised questions about official complicity; in no case has the government found and convicted those responsible. These events have instilled a climate of fear that is stifling free debate.

I respectfully urge you to do everything in your power to represent to the Royal Cambodian government that it is not in Cambodia's interests to continue with these actions which convey a clear impression that basic civic liberties have severely deteriorated since the May 1993 elections.

Yours sincerely,



[JULIO A. JELDRES]