



## **PERMANENT MISSION OF THE KINGDOM OF CAMBODIA TO THE UNITED NATIONS AT GENEVA**

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### **Statement by**

**Cambodia Ambassador and Permanent Representative Sokkhoeurn AN**

**At the 45<sup>th</sup> Session of the Human Rights Council**

**Agenda Item 10: Report of the Secretary General on**

**Role and Achievements of the OHCHR in Cambodia**

**05 October 2020, Geneva**

**[Speaking Time: 5 minutes]**

Mr. Vice President!

1. The OHCHR Country Office in Cambodia, which is the oldest one in the world, has enjoyed open and sincere cooperation from my government as acknowledged in the Secretary General's report under consideration.
2. While appreciating OHCHR's advisory services, my delegation maintains that technical cooperation must always be driven by the needs of the state concerned and be aligned to its national objective and priorities, bearing in mind the primary role of the state as the human rights duty bearer.
3. It is imperative that the OHCHR deliver its mandate in conformity with its founding Resolution (A/RES/48/141), placing the OHCHR to function within the UN Charter and under the obligation to respect sovereignty and domestic jurisdiction of the state.
4. Cambodia's responses to the Covid-19 in line with the WHO guidelines are to ensure that precious lives are not lost to it. All steps taken adhere to due process and principles of legality, necessity and proportionality. These actions, which aim to shield the rights of every citizen to live without fear, hatred and discrimination, should not be construed as clampdown of freedom of expression and media. Secretary General

António Guterres underlined that fake news and hate speech constitute an attack on the essence of human rights norms and principles.

5. As a result, Cambodia has managed the Covid-19 with 280 confirmed cases (as of 05 October 2020), with no fatalities, no sign of community transmission and no lockdown of the country.
6. Social protection interventions were put into place to sustain the livelihoods of the rural, poor, vulnerable households with disability, pregnancy and children as well as job-suspended workers through “cash for work” program, cash-handout scheme and income support package.

Mr. Vice President!

7. All legislations were carefully drafted with modality of cross-regional countries based on unique circumstances of Cambodia. The state of emergency law, which adheres to the principles of legality, proportionality and necessity, has never been invoked. A state of emergency, if proclaimed, requires a consensus among Prime Minister, President of the two Houses and the King, which reflects a check-and-balance nature.
8. At the request of all industry stakeholders, the Trade Union Law was amended in full compliance with the ILO Conventions. The draft Law on Access to Information, which will be soon forwarded to the Council of Ministers for approval, has enjoyed wide consultation with all stakeholders, including the CSOs and UN agencies.
9. The government is reviewing legality of proposed amendments to 14 articles of the NGOs Law. Like other countries, presence of police officers in the vicinity of various events should not be regarded as intimidation or disruption. They simply fulfil their duty to prevent any arising chaos or insecurity, and have been well instructed to facilitate all lawful activities

of the CSOs. The government remains committed to addressing challenges of CSOs through regular partnership forum.

10. Land eviction is not a policy of my government, which always focuses on poor and landless households. A number of measures were introduced to guarantee land tenure security and to reduce land disputes. Early this year, 81% of 7 million land titles have been successfully registered. The government is committed to the universal registration by 2021. Cambodia is also acknowledged as one of the leading countries in Asia to recognize and register land ownership rights of indigenous communities.
11. Protecting the rights of people deprived of liberty remains our priority. The Justice Ministry's case backlog-clearing campaign has achieved over 65%, which contributed to addressing overcrowded prison condition. Precautionary measures were also introduced to prevent the spread Covid-19 in the prison. Confidential interviews with detainees are permissible in accordance with Cambodia's Prison Law and obligations under the UN Convention concerned to which Cambodia is a state party.

Mr. Vice President!

12. My delegation maintains that freedom of expression, association and peaceful assembly should not be discussed in isolation and detached from corresponding obligations of the rights holders. International Covenant on Civil and Political Rights stresses that the exercise of those freedoms carries with it special duties, responsibilities and limitations provided by laws. An assessment on Cambodia can only be credible when it is properly informed by factual and legal context on the ground with verified source of information and holistic perspective.
13. A claim that opposition and rights activists are targeted is prejudiced and misleading. All citizens are equally treated before the law regardless

of their political tendency, professions or social status as stipulated in article 31 of the Constitution. An affiliation with a political party or an NGO does not entitle a person to break the law with impunity. A law-prescribed crime is a crime, and it cannot be justified for any aspirations. Cambodia's court rules a case based on concrete evidences, not hearsay.

14. Finally, my government continues to ensure the exercise of all rights and freedoms guaranteed under the Constitution and within the rule of law as well as remains resolute in our democratic journey with Cambodian characteristics to ensure that our sustainable development continues unimpeded and our hard-earned peace is intact.

Thank you!

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