

24th session of the Human Rights Council

Extract from the Address by Ms. Flavia Pansieri

United Nations Deputy High Commissioner for Human Rights

Introduction to country reports of the Secretary-General and of the High Commissioner for Human Rights under items 2 and 10

Geneva, 25 September 2013

I am pleased to introduce is a report of the Secretary-General on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and People of Cambodia in the promotion and protection of human rights which is A/HRC/24/32 and covers the period between July 2012 and May of this year. During this period, OHCHR continued to work with the Government and the people of Cambodia in a number of key areas such as rule of law; prison reform; fundamental freedoms; land and housing rights. And we also expanded our work on the issue of business and human rights.

I would like to start by saying that we were very satisfied by the cooperation which the authorities extended to the office and which in fact during this period deepened with a number of key government counterparts; particularly, I would like to single out the Cambodian Human Rights Commission, the Ministry of Justice, and the Ministry of Interior, as well as a number of provincial governments.

There remain considerable challenges but also be quite important achievements that have been recorded. With respect to rule of law, the cooperation with the Ministry of Justice, judges, prosecutors has increased markedly, especially with the appeal courts. There has been progress in prison reform where OHCHR has a dedicated programme, including through the professionalization of prison officials and physical improvements in detention facilities. We've also worked with the Bar Association to strengthen the capacity of lawyers. There is a need to build nonetheless a truly independent and functional justice system which we will continue to work towards in the months to come.

But I would like to mention very briefly recently received information and that is that this morning the Supreme Court in Phnom Penh upheld the appeals of Mr. Born Samnang and Mr. Sok Sam Oeun overturning their conviction and ordering their immediate release. Mr. Samnang and Mr. Sam Oeun were convicted in 2004 of the murder of a prominent Cambodian trade union leader, Mr. Chea Vichea. They spent years in prison. And the fact is that they were convicted despite the total lack of evidence linking them to the crime and the fact that numerous parties including the High Commissioner, the Special Rapporteur on Cambodia and others repeatedly called for their release. Our Office has been following this case quite closely providing support to these two persons. And this morning's decision to release them and uphold their appeals brings finally a just conclusion to a long ordeal.

There have been a number of other contributions that the Office has made during the period under the review, working closely with authorities, civil society, communities to avoid and prevent violence, prevent violations of human rights or end continuing violations. We provided assistance to individuals with respect to land cases, limitations on freedom of expression, the right to fair trial, arbitrary detention and the conditions under which detention took place, sometimes going all the way to ill-treatment. The office has also played a critical role in monitoring and protecting during demonstrations, protests, intimidations. The very fact of the Office's presence has been recognized and been helpful in addressing the potential for violation.

Cambodia's interactions, and I am happy to report on that as well, with the international human rights mechanisms have improved over the reporting period. It has ratified the Convention on the Rights of Persons with Disabilities and drastically reduced the number of overdue reports to various mechanisms from 14 to just 2. As the country prepares for the second UPR review, we will continue to work with them and with civil society. Since the National Assembly elections on 28 of July, we also work very closely with security forces and protestors to diffuse tensions that resulted from the event, to prevent violence from occurring or from escalating. And our human rights officers have been present whenever there was a large gathering organised whether in Phnom Penh or in Battambang, keeping a dialogue with the authorities to ensure that no excessive use of force took place. The High Commissioner has asked me also in the context of this presentation to add her concern to the concern expressed by the Special Rapporteur in his Report to this Council this week about the developments that have taken place since the election. She stressed the importance of the National Assembly being representative of the Cambodian people as a whole, and urged the elected parties to resolve any irregularities transparently and through a constructive dialogue. She urges the Government to exercise maximum restraint in dealing with demonstrations to avoid any more injury or loss of life, and calls on the Government to promptly and thoroughly investigate the recent incidents of violence, bring the perpetrators to justice, and provide compensation where compensation is due.

So finally to conclude, we hope that Cambodia will embark, as promised, on an ambitious programme to reform of some of its key institutions which are fundamental for the promotion and protection of human rights, including the judiciary and the National Assembly. OHCHR will continue to remain fully committed to supporting the Government and the people of Cambodia in this important endeavour. I will be visiting Cambodia later in the year and we do look forward to a continued constructive dialogue and to the extension of the Memorandum of Understanding between the Royal Government of Cambodia and OHCHR, which makes our presence in the country possible.

Thank you for your attention.