

JOINT STATEMENT

Cambodian Civil Society Congratulates the 62nd Anniversary of Human Rights Day

December 10, 1948 – December 10, 2010

On December 10th 2010, the day which marks the 62nd Anniversary of the Universal Declaration on Human Rights (UDHR), Cambodian Civil Society in collaboration with other international NGOs have the great pleasure to celebrate this year's Human Rights Day under the main themes: "***We all have obligation to protect human rights***" and "***Stop discrimination against human rights defenders***" throughout the Kingdom of Cambodia.

On this occasion, the Cambodian Civil Society would also like to express our deepest appreciations and commemorate heroes and human rights activists around the world as well as in Cambodia who have devoted their efforts and sacrificed a big part of their lives to the cause and for the protection of human rights deserve our greatest thanks.

The Universal Declaration on Human Rights was adopted by the United Nations General Assembly on December 10, 1948. This Declaration sets out a broad range of fundamental human rights and freedoms to which all men and women everywhere in the world are entitled, without distinction. Since it was adopted, the Declaration has come to be considered as "*a common standard of achievement for all peoples and all nations.*"

In its statement in relation to this year's celebration, the United Nations Head Office of the High Commissioner for Human Rights (OHCHR) has highlighted that "*the human rights defenders play most important role in promoting the human rights respect and dare to speak out about various human rights violations including discrimination, exclusion, oppression and violence, etc. Therefore, government has an obligation to open more spaces for freedom of expression as well as to stop discrimination against human rights defenders fulfilling their roles and duties to protect victims of all forms of human rights violations occurring wherever and whenever*". Although the Declaration was adopted and proclaimed 62 years ago setting out the basic premises of international human rights law, millions around the globe continue to fight against human rights violations and discrimination. They endeavour to push United Nations member states to act in accordance with their obligations under the Universal Declaration of Human Rights and other international human rights treaties.

As a member state of the United Nations, the Kingdom of Cambodia is strongly committed to its international obligation by virtue of Article 31 of the 1993 Constitution as saying that: "*The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, and the covenants and conventions related to human rights, women's and children's rights*". This recognizes the Universal Declaration on Human Rights as part of the Kingdom of Cambodia's national law.

Due to this recognition, the Royal Government of Cambodia is obliged to promote and respect these international covenants properly and adequately. The Civil Society has noted that there are a number of positive developments with regard to the respect for and promotion of human rights in the Kingdom such as participation in international covenants and the adoption of many laws. This includes laws on anti-corruption, protection and promotion of rights with disabilities, and laws to strengthen the quality and effectiveness of the law enforcement institutions based on national development strategies.

However, there are many remaining serious concerns such as the slow progress of judicial reform towards independence, full competency, fundamental laws development and effective implementation of the law; impunity for human rights violations continues; ongoing land grabbing and forced evictions; threats against human rights defenders, as well as bans or restrictions on the freedom of peaceful assembly and the freedom of expression at public areas. Furthermore, there are ongoing human rights violations, including trafficking in and exploitation of women and children, violations against indigenous people with regard to their property rights of community lands, discrimination against persons with disabilities and violations of labor law rights relating to peaceful assemblies and strikes.

In this respect, the Civil Society wishes to appeal to the Royal Government of Cambodia, National Assembly, Senate, and the courts at all levels to take the following suggested measures:

- Urgently make and adopt the fundamental laws such as the Law on the Amendment of the Supreme Council of Magistracy, the Law on the Organization and Functioning of the Court and the Law on Statute of Judges and Prosecutors which are necessarily required in order to have a fully-functional rule of law and judicial reform in the country through enhancing efficiency and effectiveness of the judicial institutions and judicial officials at all levels.
- Open more spaces for the freedom of expression and the freedom of assembly in public places, so as to enhance all activities in public governance for promoting and defending human rights, the rule of law and democracy.
- Stop discrimination against human rights defenders in demanding for justice and protect victims of human rights violations.
- Develop a new development vision by taking into consideration of the happiness and interests of the people and to develop step by step a strategy that would minimize the effect to society and the environment.
- Develop a Land and Housing policy to ensure an appropriate standard of living for all people by insuring adequate housing, health care, basic services, access to education, as well as to put an end to forced evictions in relation to land disputes.
- Develop a city and economic development plan which takes into account vulnerable populations who live in target areas. Such development must be for all, not only for investors and public authorities.
- Use peaceful negotiation to resolve disputes while implementing the law effectively instead of continuing to resort to the armed forces to resolve all problems.
- Strengthen the independence and impartiality of the courts at all levels to guarantee just and fair trials.
- Promote and respect the rights of laborers through the strengthening of labor conflict resolution mechanisms.

- Take special actions to promote gender equality in the public systems and eliminate all forms of discrimination against women, in particular women's rights in the field of politics.
- Protect and promote the rights of indigenous people as well as those of the minorities, who are living in Cambodia, from being discriminated in all forms.
- Put an end to and eliminate all forms of trafficking in and exploitation of women and children by effectively implementing the anti-trafficking law.
- Urge for an effective implementation of the Law on the Defense and Promotion of the Rights of Persons with Disabilities and to ratify the Convention on Rights of Persons with Disabilities.
- Take special action to prevent all forms of discrimination against persons with HIV/AIDS, as well as ensuring equal access for them in social activities.

Phnom Penh, December 10, 2010

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The Members of The NGOs Working Group for Human Rights Day, Dec. 10:

- 1- Cambodian Human Rights Action Committee (CHRAC)
- 2- NGO Forum on Cambodia (NGO Forum)
- 3- Cambodia Labour Confederation (CLC)
- 4- Cambodian NGO Committee on CEDAW (CEDAW)
- 5- Committee to Promote Women in Politics (CPWP)
- 6- Cooperation Committee for Cambodia (CCC)
- 7- NGO Coalition to Address Sexual Exploitation of Children in Cambodia (COSECAM)
- 8- Committee for Free and Fair Election in Cambodia (COMFREL)
- 9- Housing Rights Task Force (HRTF)
- 10- Neutral and Independent Committee for Free and Fair Election in Cambodia (NICFEC)
- 11- Advocacy and Policy Institute (API)
- 12- Cambodian Disabled Persons Organization/Disabled NGO network (CDPO)
- 13- Star Kampuchea (STAR)
- 14- Youth Council of Cambodia (YCC)
- 15- NGO Committee on Rights of Children (NGO-CRC)
- 16- Cambodian Committee for Women's Rights (CAMBOW)
- 17- Youth Committee for Unity and Development (YCUD)
- 18- End Child Prostitution Abuses and Trafficking (ECPAT)