

NGOs Working Group for Human Rights Day, December 10

JOINT STATEMENT

Cambodian Civil Society Celebrates the 63rd Anniversary of Human Rights Day

December 10, 1948 – December 10, 2011

Today, Civil Society in Cambodia is celebrating the 63rd Anniversary of the Universal Declaration on Human Rights (UDHR) (10 December 1948 – 10 December 2011) with the participation of the King's representative, members of parliament, government representatives, foreign diplomats and citizens under the main theme: ***“Independent Judiciary and Freedom of Expression are the Foundations of Social Justice and Respect for Human Rights”*** in Phnom Penh, Kingdom of Cambodia.

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

The United Nations General Assembly adopted the UDHR on December 10, 1948. This Declaration sets out a wide range of fundamental human rights and freedoms to which all men and women everywhere in the world are entitled, with no adverse distinction, regardless of race, color, sex, language, religion culture, political opinion, social status or origin, wealth, and others. Since its adoption, the Declaration has been universally considered as *“a common standard of achievement for all peoples and all nations.”*

Although this human rights bill is a foundation for the promotion and protection of human rights that all state members of the United Nations have adopted 62 years ago, the current practices in some countries, however, do not cope with those standards; violations of human rights continue to exist, discrimination against millions of people is prevailing in many places around the world, which requires all of us intensifying our efforts to urge all the state parties to fulfill their obligations under this Declaration and other international covenants which they have ratified.

As a member state of the United Nations, the Kingdom of Cambodia is strongly committed to its international obligation. Article 31 of the 1993 Constitution stipulate 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”*.

Due to this recognition, the Royal Government of Cambodia is obliged to promote, respect and fulfill these international covenants properly and adequately. To date, the Civil Society has noted that there are a number of positive developments with regard to the respect and promotion of human rights in the Kingdom of Cambodia. Cambodia has progressively ratified many international covenants; including the accession in regional forums, particularly the participation in Association of South East Asian Nations (ASEAN) as a representative of the newly established ASEAN Intergovernmental Commission for Human Rights (AICHR); the adoption of many new laws; and the strengthening of the quality and effectiveness of the law enforcement institutions based on national development strategies.

However, there are many remaining serious concerns observed by the Civil Society, such as the slow progress of legal and judicial reform towards independence and full competency; fundamental laws development, and effective implementation of laws; 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, etc. 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 regard, the Civil Society wishes to urge to the Royal Government of Cambodia, the National Assembly, the Senate, and the courts at all levels to take the following suggested measures:

- ❖ Fasten the process of making 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 Status of Judges and Prosecutors, Access to Information Law, which are all 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.
- ❖ Strengthen the independence and impartiality of the courts at all levels to guarantee just and fair trials.
- ❖ 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, especially to avoid restriction through a newly introduced controversial Law on Association and NGOs. In particular, when Cambodia hosts the ASEAN chairship in 2012, the Government should provide more space for freedoms so as to provide the opportunity for the Civil Society group to express its concerns and bring them to the attention of the ASEAN leaders making sure that human rights in the region are well promoted, protected and respected as enshrined in the ASEAN Charter.
- ❖ Develop a new development vision by taking into consideration 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.
- ❖ Stop discrimination against human rights defenders in demanding for justice and protect victims of human rights violations.
- ❖ Develop a Land and Housing policy that ensures 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.
- ❖ Stop forced evictions in any land dispute and community land throughout the country which are considered part of implementing the national development programs.
- ❖ Use peaceful negotiation to resolve disputes while implementing the law effectively instead of continuing to resort to the armed forces to resolve all problems.
- ❖ 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 political field.
- ❖ 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, 2011

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The Members of the NGOs Working Group for Human Rights Day, 63rd

- 1- Cambodian Human Rights Action Committee (CHRAC)
- 2- NGO Forum on Cambodia (NGO Forum)
- 3- MEDiCAM
- 4- Cooperation Committee for Cambodia (CCC)
- 5- Gender and Development for Cambodia (GADC)
- 6- Cambodia Labour Confederation (CLC)
- 7- Committee to Promote Women in Politics (CPWP)
- 8- Cambodian NGO Committee on CEDAW (CEDAW)
- 9- NGO Coalition to Address Sexual Exploitation of Children in Cambodia (COSECAM)
- 10- Committee for Free and Fair Election in Cambodia (COMFREL)
- 11- Housing Rights Task Force (HRTF)
- 12- Neutral and Independent Committee for Free and Fair Election in Cambodia (NICFEC)
- 13- PACT-Cambodia
- 14- Advocacy and Policy Institute (API)
- 15- Cambodian Disabled Persons Organization (CDPO)
- 16- Star Kampuchea (STAR)
- 17- Youth Council of Cambodia (YCC)
- 18- NGO Committee on Rights of Children (NGO CRC)
- 19- Youth Committee for Unity and Development (YCUD)
- 20- End Child Prostitution Abuses and Trafficking (ECPAT Cambodia)
- 21- Civic Alliance for Social Accountability (CASA)
- 22- Indigenous Community Support Organization (ICSO)