

AMNESTY INTERNATIONAL and HUMAN RIGHTS WATCH

Public Statement

Index number ASA 23/013/2008
15 September 2008

Statement to the 9th session of the Human Rights Council

Item 3: Review, Rationalisation and Improvement of the mandate of the Special Representative of the Secretary General for Human Rights in Cambodia.

Amnesty International and Human Rights Watch call on the Human Rights Council members to extend the mandate of the Secretary General's Special Representative for Human Rights in Cambodia.

The systemic lack of protection for human rights in Cambodia is a consequence of impunity, the absence of the rule of law and the seriously stunted legal and judicial reform. The government continues to demonstrate its unwillingness to seriously address human rights.

Although marked improvements have taken place since the first resolution on Cambodia by the Commission on Human Rights was adopted in 1993, the unfulfilled need to institutionalize human rights protection – through the legal system, the government administrative structures, and independent institutions – testifies to the need for continued UN engagement. Key to such an engagement is the SRSG's independent and authoritative assessments of the human rights situation for the international community through the Human Rights Council, as well as the SRSG's recommendations to bring about improvements, support for human rights defenders, and cooperation with and technical assistance to the Cambodian government.

Lack of integrity and independence within the court system sits at the centre of Cambodia's current human rights problems. Forced evictions further impoverish the marginalized, who are routinely deprived of redress. Violence against women goes unpunished. Freedoms of expression and association are compromised and human rights defenders, opposition journalists, and community activists defending land and natural resources are increasingly imprisoned on baseless charges, physically attacked, or murdered. The perpetrators are rarely brought to justice.

The 1991 Paris Peace Accords recommended the establishment of the Special Representative, whose mandate includes protecting and promoting human rights. Until the Cambodian government implements concrete reforms needed to establish an independent judiciary and other independent institutions to provide checks and balances on the government it is crucial that the Special Representative's mandate be continued. To end or reduce the mandate's reporting function will deprive Cambodians of the international oversight essential to achieving the effective promotion and fulfilment of the human rights to which they aspire and deserve.