

Statement
by
His Excellency Om Yentheng
President of the Cambodian Human Rights Committee

Mr. President,

Once again, the Delegation of Cambodia expresses its disappointment at the Report of the Special Representative of the Secretary General on his evaluation of human rights in Cambodia which does not fairly reflect the reality in the country.

We regret that the Special Representative has ignored the progress and the efforts made by the Government of Cambodia. We also found that many of the cases related issues and references described in the Report are selectively made for sensational purposes and/or overly exaggerated.

On the whole, the Report has neither listed Cambodia's achievements in the areas of human rights nor does it recognize the sincere efforts of the Royal Government to further advance human rights in Cambodia.

Mr President,

In view of the time limit, the delegation of Cambodia is obliged to draw the kind attention of this August Assembly to the following points for clarification:

Rules of Law

The assessment of the Report stating that the "Cambodia judiciary has failed" is not acceptable for the Government nor is it realistic in reflecting the overall context of country's development process in which Cambodia has been evolving along side with its current transformation from a post conflict country.

In the area of legal and judicial reform, the Government has made a significant progress by adopting most of key legislations, over the last five years.

For example, the drafting of two legislations namely Civil Procedure Code, and Penal Procedure Code have been conducted over many years through the consultation and with the support by France and Japan respectively, in order to respond to the compelling need associated with the new development of the

country. Therefore the criticism of the Special Representative on this related issue should take into account of the experience and views from our development partners as well.

The Special Representative was not able to make the substantial and true description of the legal proceeding associated with several cases of the report and some cases are at the stage of on-going investigation

We acknowledge that the legal system in Cambodia remains one of the bold challenges ahead in furthering the reform of the agenda of the Royal Government. However the result obtained from the past efforts should not be ignored, while the international community remains engaged in assisting Cambodia in this area.

Democratic process

Over the years, Cambodia's progress toward the creation of a democratic society and its institutions has been consolidated in order to meet the objectives enshrined in the Constitution. The country is moving on the right track with the successful holding of three national and two communal elections over the past period. On economic front, Cambodia is now emerging with high average economic growth (more than 10 % during 1994-2006 and 9% in 2007).

As overall assessment of the country, the opinion survey which has been conducted by the International Republic Institute (IRI) between December 20, 2006 and January 20, 2007 has shown that 71% of interviewed Cambodians believe that "Cambodia is moving in the right direction".

The communal elections in 2007 and the planned election at both district (Srok) and provincial (Khet) levels in 2009 clearly demonstrate Cambodia's strong commitment to extend its democracy building to the grassroots of the society. At the same time, hundred of national and international NGOs and civil society, particularly those dealing with human rights and not biased toward the government, are authorized to work freely and openly in Cambodia nationwide. In fact, the Royal Government of Cambodia has even been working closely with many of them.

Land Reform

The Royal Government is fully aware of the complicated issue of land disputes which have historical, political, social and economical dimension in

Cambodia. To address this unique issue mainly due to the current trend of economic development, the Government has embarked on land reform program, by taking step to enhance land dispute resolutions mechanisms through the establishment of the National Authority responsible for these matters since 2003. Prime Minister Samdech Hun Sen stated that political stability and social security appeared to be the main factors of growing progress in the social and economic development in Cambodia. The Royal Government will continue to take step to distribute land and provide land titling to the population, especially the genuinely landless poor living in remote areas.

As an example, the Government has taken back thousands of hectares of land from sparsely forested areas; unused state land and land illegally encroached by individuals to be redistributed to thousands of genuinely landless families and provided them with land titles

Further, with the support from development partners, the Royal Government has planned to distribute concession land to 10 thousand poor families in the provinces and cities as part of the implementation of Land Allocation for Social and Economic Development (LASED) Project for 2008.

In line with this, the Council for Land Policy undertook work, along with other relevant agencies, to prepare and implement a National Policy on the Development of Indigenous Ethnic Minority Region, including charting a policy on Registration of the Indigenous Ethnic Minority Communal Land.

Mr. President,

We believe that the Report should cover all the picture of the recent developments. Substantial analysis of the historical, political, economic and cultural background should be made in a pragmatic and objective manner, along with other impacts on the country while bearing in mind that human rights is interrelated with others as a cross cutting issue.

Obviously no country can claim that it achieves full human rights. So does Cambodia, in light of the challenges ahead. However it is an undeniable fact that Cambodia remains committed to human rights and the efforts must be acknowledged. It would therefore have been appreciated, if a balanced judgement, criticism and recommendations were made in a good spirit and partnership in order to address effectively human rights in Cambodia.

Thank you