

**Oral statement delivered by Ms. Angkana Krabuansaeng on behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA)**

**13th Session of the UN Human Rights Council
Item 6: Universal Periodic Review (UPR) Plenary on Cambodia**

Wednesday, 17 March 2010

Thank you, Mr. President. FORUM-ASIA regrets that Cambodian government did not provide any written response in advance regarding its position on each recommendation by the UPR Working Group of last December. We believe that the practice of submitting a written response for circulation prior to the adoption of the UPR outcome report has been developed in the Council thus making this one-hour plenary meeting a more substantive exercise. In the same vein, we urge the Cambodian government to make proactive efforts to publicize and widely disseminate this UPR report and to take genuine steps to engage with civil society organizations in the country following up on its first UPR outcome.

Mr. President, during the UPR Working Group, the Cambodian delegation rhetorically stated that freedom of expression is enshrined in the Constitution as one of the fundamental rights while asserting that the government would not tolerate social disorder or endangering national unity and security. We do not see how human rights defenders who are protecting fundamental rights such as land and housing rights with peaceful means, can be perceived as a threat to social order or national security.¹ This form of discretionary approach by the government to the right to freedom of assembly and expression is also shown in the recent crackdown against the demonstrators in Dangkor District, Phnom Penh City, on 1 March 2010, who protested alleged seizure of their farmland. Legitimate activities of human rights defenders were also obstructed in the incident when the monitors from human rights groups had their cameras confiscated and all photo evidence was deleted.²

Mr. President, the concerns of the international community regarding the gravity of forced evictions and land grabbing in Cambodia are unequivocal. We echo the recommendations made during the UPR Working Group to fully implement the 2001 Land Law and institute a moratorium on evictions until safeguards such as prior consultation, full compensation and access to basic services and infrastructure in relocation areas can be guaranteed.

Lastly, Mr. President, we note the outstanding country visit requests to Cambodia by the Special Rapporteur on the Independence of Judges and Lawyers, and urge the Cambodian government to accommodate these requests at its earliest. All allegations of corruption within the judiciary should be immediately investigated by an independent mechanism, if the government seriously hopes the Extraordinary Chambers in the Courts of Cambodia (ECCC) becomes a model court for future judicial systems not only in Cambodia but also for the world as stated by the Cambodian delegation during the UPR Working Group. Thank you, Mr. President.

¹ FORUM-ASIA, ADHOC, LICADHO, FIDH Press Statement, 2 December 2009, "Cambodia's First UPR: A Lengthy List of Human Rights Challenges Ahead for the Country Hiding behind the Retrospective of the Past"

² ADHOC, CCHR, CLECT, LICADHO, Press Release, 5 March 2010, "Rights of Monitors Abused and Protestors Blackmailed as Crackdown on Freedom of Expression Continues Unabated"