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**ការិយាល័យនៃឧត្តមស្នងការអង្គការសហប្រជាជាតិ
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**Cambodian Parliament Marks the 60th Anniversary of the UDHR (1948-2008)
Statement by Christophe Peschoux
Representative of the Office High Commissioner for Human Rights in Cambodia**

Excellencies
Distinguished members of the National Assembly and the Senate
Ladies and gentlemen

It is both an honor and pleasure to say a few words before this august assembly on the occasion of the 60th Birthday of the Universal Declaration of Human Rights (UDHR):

I would like to start by recalling some of the most important elements of the Declaration:

“All human beings are born free and equal in dignity and rights... “

“Everyone has the right to life, liberty and security of person...”

“All are equal before the law.”

The declaration then lays out a list of specific rights, ranging from:

- the rights not to be tortured, enslaved or arbitrarily detained
- the rights to freedom of opinion, expression and religion
- rights to education, health, and the right to equal pay for equal work

The declaration proclaims that everyone is entitled to these rights *“without distinction of any kind, such as race color, sex, language, religion and political or other opinion...”*

It also outlines that the *“recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”*

Excellencies,

As you know, Article 31 of the Constitution makes the UDHR part of Cambodian law. This is unusual in any country since the UDHR is not a binding treaty, but it is something about which Cambodia can be proud.

This year is not only the 60th anniversary of the UDHR but also marks the 15th birthday of the Constitution. Chapter III of the Constitution - in accordance with the requirements of the Paris Peace Accords - amounts to a Cambodian Declaration of Human Rights making neatly the point that human rights are not a luxury or an option but sit at the core of Cambodian law. This principle was confirmed in July 2007 by a key ruling of the Constitutional Council.

When they drafted the Constitution in 1993, the members of the constituent assembly were like the drafters of the Declaration in 1948. They had in mind the dark days of the history of the country over the past three decades. And they were wondering how to incorporate in the Constitution -- the most fundamental law of the Kingdom for many years to come -- safeguards to prevent the recurrence of these dark days of fear, suffering, death and sorrow. They were wondering: now that peace is within reach how to consolidate it, and rebuild the Cambodian House to ensure that it becomes a humane home for everyone. They naturally turned towards the Declaration, which was drafted for exactly the same purpose: how to prevent the return of the policies and practices of the past?

They were aware, after so many years of suffering, that human rights were not abstract principles – but that they reflected the common aspiration to live as a human being, realizing one’s full potentials, and how each of us -- you and me, our parents, children, families, friends and country men and women -- would like to be treated by others and the Government.

It is in this sense, that they are universal. I do not know anyone who would like to be killed, tortured, thrown in prison for nothing, tried by a corrupt court, married by force, be prevented from accessing to education, health care or employment because he is a boy or a girl, or because he is poor, or speak a different language.

Everyone knows in Cambodia the value of changing government through peaceful means.

So human rights reflect the universal aspiration of human being to realize their humanity

Our common humanity.

Of course it is an ideal. But we need the vision of an ideal to elevate ourselves above the ground and realize our humanity. I believe that without an ideal, without the dream of the world we want to live in, life becomes quickly a narrow prison.

We need to have an ideal to project ourselves in the future and construct the world we want to live in, and to be pragmatic to realize it, step by step.

Let me now turn to the role of MPs and Senators:

Based on this core foundation, your role is to elaborate laws, and in doing so, ensure that they conform to international human rights and other treaties which Cambodia has adopted – so that they contain the best guarantees to protect all Cambodian citizen’s rights under the Constitution.

The role of my office, the OHCHR, is, among others, to provide cooperation to lawmakers and the Government in the form of expert legal advice to ensure that laws conform with these treaties.

Several very important laws will be before you in the coming legislature:

- 1) The Penal Code
- 2) The law on the organisation and functioning of the courts
- 3) The law on the status of judges
- 4) The amendment to the law on the Supreme Council of Magistracy
- 5) The Anti-corruption law
- 6) The law on peaceful demonstrations
- 7) The NGO law

Our Office stands ready, as it has in the past since 1993, to work closely with interested members, and commissions of the National Assembly and Senate to provide legal information, assistance and advice in the drafting to these laws. We are at your disposal -- please make use of our resources.

My last comment will be about laws and their implementation.

Since 1993, numerous laws have been adopted by the National Assembly and the Senate. Many of these laws are good laws: they contain important safeguards to protect the rights of the people against abuse or arbitrary restrictions. But we also know that in this country, like in most countries, good laws are useful to the extent that they are properly implemented, that is in a fair and equitable manner. If we take the example of the land law of 2001, which is a crucial law for millions of Cambodians, we know that if it was effectively implemented, many of the disputes and conflicts that we are observing throughout the country could be averted or peacefully resolved.

So perhaps, to anticipate the discussion that will follow in a while, it would be interesting to listen to the views of lawmakers on this issue, and how the Parliament intends to do with regard to improving their implementation?

In the meanwhile, I would like to extend to all of you, distinguished members of the National Assembly and Senate, our warm congratulations, to wish you a successful legislature, and an excellent human rights day tomorrow.