



KINGDOM OF CAMBODIA

*Ministry of Foreign Affairs
and International Cooperation*

No. 1109 IO/MFA.IC

The Ministry of Foreign Affairs and International Cooperation presents its compliments to the Offices of the UN High Commissioner for Human Rights, UNICEF, UNFPA and UN Women in Phnom Penh, and has the honour to inform the latter that we have read with surprise the comments / criticism made by Ms. Wan-Hea Lea, Ms. Rana Flowers, Mr. Marc Derveeuw and Ms. Wenny Kusuma about the Draft Law on the Association and the Non-Governmental Organization, published in Phnom Penh Post newspaper on 12 May 2015 under the title "The importance of trust".

In this connection, we wish to draw your attention as follows:

- In the Cambodian Constitution there is no single word calling for consultation with NGO and civil society before submitting a draft law to the parliament.*
- As Representatives of respective UN agencies, namely UNOHCHR, UNICEF, UNFPA, and UN Women, you should perform your activities by respecting the UN Charter and your specific mandate.*
- The Article 2, Paragraph 7 of the UN Charter stipulates that "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state". So your comments in your capacity as UN agencies are going beyond the UN Charter.*
- Moreover, in the letter of your respective nomination, there are no words allowing you to comment or / and criticize the Royal Government about the draft law which is not under your mandate.*
- If sometimes, in performing your mandate, should you have some ideas to improve whatever we do, you can submit them to the relevant national institutions for consideration and cooperation instead of publish your comment / criticism in the media.*

- As far as the OHCHR is concerned, the MoU signed by the Deputy Prime Minister and Minister of Foreign Affairs with the High Commissioner for Human Rights has not at all authorized you to make through the media criticism against a draft of law of the Kingdom of Cambodia which is not at all related to human rights. This draft of law has nothing to do with human rights, with children, with Cambodian population or women.

- As a state of law, we just want to know who does what in this sovereign country and member of the United Nations, we need transparency and order when thousands of NGOs, Civil Societies and Associations perform their duties throughout the country.

The Ministry of Foreign Affairs and International Cooperation avails itself of this opportunity to renew to the Offices of the UN High Commissioner for Human Rights, UNICEF, UNFPA and UN Women the assurances of its highest consideration.

Phnom Penh, 18 May 2015



- Office of UN HCHR
- Office of UNICEF
- Office of UNFPA
- Office of UN Women

Phnom Penh

Cc:

- Office of the UN Resident Coordinator