# GUIDELINES FOR A SAFER (WORKING) ENVIRONMENT





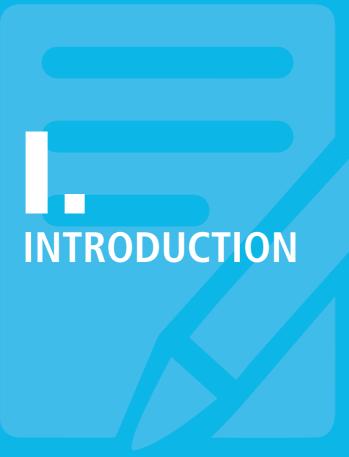


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#### 1) Legal Provisions

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status [...]

(Article 2 of the Universal Declaration of Human Rights (UDHR)).

The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, the covenants and conventions related to human rights, women and children's rights

(Article 31 of the Constitution of the Kingdom of Cambodia).

Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels

(Article 1, Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders).

# Human rights defender

is a term used to describe people who, individually or with others, act to promote or protect human rights. Human rights defenders document and call attention to violations and abuses by any actor, including governments, businesses, individuals, groups and non-state actors" (Office of the High Commissioner for Human Rights (OHCHR)).

In line with its duties under international law, Cambodia has to refrain from violating the rights of Human Rights Defenders because of their human rights work, to protect HRDs from abuses by third parties because of their human rights work and to promote the full realization of the rights of HRDs.

#### 2. Definition of Human Rights Defenders (HRDs)

- The work of human rights defenders is invaluable for the overall realization of human rights protection and promotion, and consists of gathering and disseminating information, advocacy, and mobilization of public opinion, empowerment as well as support of victims of human rights violations. HRDs play an extremely important role, encouraging political participation and pushing for good governance and transparency.
- HRDs can be women, men, boys or girls of any background.
- HRDs can be, for example,
   Journalists, including in social media.

#### Bloggers.

- Activists (women, youth, community, land, etc.)
- Political activists.
- Trade unionists.
- Anti-corruption activists.
- Civil Society Organization's (CSO) staff.
- Lawyers.
- Health workers.
- Teachers.
- Artists.
- HRDs are identified by: what they do in favor of human rights.
- HRDs promote all human rights: civil, political, economic, social and cultural.
- HRDs act on behalf of individuals or groups.
- Civil Society Organizations in these Guidelines refer to HRDs working together to promote and protect human rights.
- A CSO can be a formal association such a non-governmental association (NGO), or a trade union, but also a more informal community based group.

Provide HRDs with a practical tool for improving their security and protection.

Assist HRDs to own their entire security-protection process.

Assist HRDs to set up their own procedures for improving their security.

Assist HRDs to assess the risks they face.

Assist HRDs to identify the threats and vulnerabilities in their environment.

Assist HRDs to identify the capacities they already have or they are able to build.

#### **WARNING**

Each HRD needs to adapt the handbook to his/her specific needs.

Advice is rarely applicable to ALL the HRDs under threat.

BE AWARE THAT NO BOOK CAN TELL YOU HOW TO MAKE YOURSELF COMPLETELY SECURE





#### **SECURITY**

to be free from risk, danger or threat



#### **PROTECTION**

to take measures to improve security



#### **RISK**

to be exposed to danger or harm



#### **THREAT**

to be exposed to a person or thing that causes damage



#### **VULNERABILITY**

to be exposed to the possibility of being attacked



#### **CAPACITY**

strengths and resources that improve security



#### **SECURITY INDICENT**

event that could indicate or lead to threats





#### **ALWAYS BE CAREFUL.**

**KEEP CONFIDENTIAL** plans, activities, locations and meetings with people.

**KEEP INFORMED** only trustworthy people such as family or colleagues.

**BASE JUDGMENTS** on quality information and good analysis.

**REVIEW THE SITUATION** regularly to adjust actions and plans.

ASSESS RISKS in each case and at every step.

TRUST YOURSELF because you are the one who has a better understanding of your environment.

**REMAIN RESPONSIBLE FOR YOUR OWN SAFETY** to avoid being dependent upon others.

**DO NOT EXPOSE SAFETY** of persons if you cannot protect them.

**DO NOT RAISE EXPECTATIONS** you cannot fulfil.



# RISKS FACED BY HUMAN RIGHTS DEFENDERS

#### 1. Legal Provisions

All are equal before the law and are entitled without any discrimination to equal protection of the law

(Article 7 of UDHR).

No one shall be subjected to arbitrary arrest, detention or exile

(Article 9 of UDHR)

Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention

(Article 9 of the International Covenant on Civil and Political Rights (ICCPR)).

Every citizen of Cambodia shall have equality before the law, enjoying the same rights and freedoms and fulfilling the same obligations without discrimination as to race, color, sex, language, belief, religion, political tendency, national origin, social status, resources or other status

(Article 31 of the Constitution of the Kingdom of Cambodia).

Every citizen of Cambodia shall have the right to life, liberty and security of the person

(Article 38 of the Constitution of the Kingdom of Cambodia

The law guarantees there shall be no physical abuse against any individual

(Article 32 of the Constitution of the Kingdom of Cambodia).

The prosecution, arrest, or detention of any person shall not be done except in accordance with the provisions of the law

(Article 38 of the Constitution of the Kingdom of Cambodia).

# 2. Impact of Criminalization on Human Rights Defenders

Arrests, with or without criminal charges, and threats to be arrested are used as a method to intimidate HRDs and inhibit social protest.

Criminalization paralyzes HRDs' efforts to defend human rights, since their time, resources, and energy are dedicated to their own defence.

#### Psychological Impact

Criminalization psychologically affects HRDs and has a negative impact on their work, and creates situations of fear, uncertainty, defenselessness, vulnerability and isolation that are damaging sources of stress.

Stress is the reaction that people have to pressure or demands. It has various effects on mental health (feelings such as anger, anxiety, depression etc.), on behavior (irritability, increased food or alcohol consumption, disturbed sleep, etc. and on the body (frequent colds or other infections, palpitations, breathlessness, chest pain, headaches, etc.).

Abuse, intimidation and threat as well as the work itself create a very important source of stress for HRDs and can lead them to stop their activities because of psychological problems.

Working alone in an office can have negative impacts on an individual and the stress suffered by HRDs and can lead to serious burnouts.

#### Impact on HRDs' Family Life

Criminalization might have an impact on HRD's family life (family breakdowns, etc.). The stigmatization linked to the criminalization affects the reputation of individuals and can have a disastrous effect on the social relations of family members. For HRDs children, it might lead to anxiety and problems at school.

#### Impact on HRDs' Work

#### Community/Land/Environment Activists

HRDs who work in the field of land issues, protection and preservation of natural resources might face particular difficulties in carrying out their daily activities. Activists working closely with indigenous populations meet the same problems and can be under strict restriction.

They often suffer from pressure because they:

- Work in remote areas.
- Have little access to media and the international community.
- Lack access to lawyers, legal advice and institutions of the judicial system.
- Lack financial means.

#### Independent Journalists

Security of independent journalists is very important as they can be harassed and threatened because of their work. Authorities, police and private companies might also target social media activists which can lead to arrests. Journalists might seek asylum as a result of being harassed or threatened.

#### Union Activists

Workers might be punished for joining unions or for striking and union leaders can be the target of regular threats and harassment. Activists face difficulties to defend themselves because they lack access to legal protection and as well as contact with NGOs and international partners and often do not have the sufficient financial means

#### Women Human Rights Defenders (WHRDs)

Women's human rights defenders face all of the challenges generally experienced by HRDs. However, female defenders are under different pressures from those confronted by men and often face gender-specific threats and violence. WHRDs might experience:

- Sexual harassment
- Humiliation through language or gestures.
- Misunderstanding or even rejection of their work by male colleagues.
- Domestic violence.
- Pressure from family.

#### CSO Activists

CSO activists working in the field of protection and promotion of human rights might face threats and attacks coming from authorities, police and/or powerful companies and economic interests.

HRDs' criminalization has a negative impact on the organizations for which they

work and will lead some CSOs to cease human rights defense activities.

The impact on HRD's colleagues might be also important as they can decide to stop working because they fear becoming targets of criminalization themselves. It also sends a dissuasive message to all who are active in the defense of human rights.

#### 3. Threats Faced by Human Rights Defenders

- > To be physically harmed.
- ▶ To be arrested and taken through the criminal justice system.
- > To face fabricated charges and jail terms.
- To be accused of "defamation of the nation" and being "anti-state", "agents of foreign powers" or "members of the opposition".
- > To be intimidated by economically powerful groups.
- > To be intimidated by threats against family members.
- To be prevented from carrying out activities, especially when they want to receive justice related to a case.
- > To be prevented from organizing meetings, workshops and trainings.

#### 1. Freedom of Expression

#### Legal Provisions

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers

(Article 19 of UDHR)

Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice

(Article 19 of ICCPR)

The Cambodian Press Law 1995 guarantees the "freedom of the press" and "freedom of publication" (Article 1). It also guarantees that the "publication of official information may not be penalized if such publication is fully true or an accurate summary of the truth

(Article 4).

#### Unjustifiable Limitations of the Freedom of Expression

- Targeting by authorities might force TV stations, radio and press outlets to shut down.
- ▶ Independent journalists and media activists might not be able to report news that is critical of the Government. They might be subject to violence or administrative and legal harassment if they try reporting on political or economic issues.
- Intimidation can create a chilling effect and a culture of self-censorship.

#### 2. Freedom of Assembly

#### Legal Provisions

Everyone has the right to freedom of peaceful assembly and association

(Article 20 of UDHR).

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law [...]

(Article 21 of ICCPR).

For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels to meet or assemble peacefully [...]

(Article 5 of the Declaration on Human Rights Defenders).

Citizens of Cambodia of either sex shall have the right to participate actively in the political, economic, social and cultural life of the nation

(Article 35 of the Constitution of the Kingdom of Cambodia).

The right to strike and to non-violent demonstration shall be implemented within the framework of a law

(Article 37 of the Constitution of the Kingdom of Cambodia).

Khmer citizens shall have freedom of expression, press, publication and assembly

(Article 41 of the Constitution of the Kingdom of Cambodia).

Article 2 of the Cambodian Law on Peaceful Assembly provides that the purpose of the law is to ensure the freedom of expression of Cambodian citizens through peaceful demonstration (Article 2).

According to the notification of the Ministry of Interior issued on 27 November 2018, "associations, non-governmental organizations, which are legally registered, as well as the local communities have full freedom to operate their activities in the Kingdom of Cambodia according to laws and other existing regulations and their statutes/by-laws deposited at the Ministry of Interior without needing to notify the local authorities three days in advance prior to conducting their activities as previously required".

#### Unjustifiable Limitations of the Freedom of Assembly

- Meetings, workshops and trainings can be difficult to organize if several notifications are required for approval or if the rules are not implemented on a consistent manner by the local authorities.
- Authorization to hold meetings can be refused or subject to refusal without legal basis.

#### 3. Freedom of Association

#### Legal Provisions

Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms

(Article 12 of the Declaration on Human Rights Defenders).

Everyone has the right to freedom of peaceful assembly and association

(Article 20 of UDHR).

Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests

(Article 22 of ICCPR).

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language

(Article 27 of ICCPR).

For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels" ... "To form, join and participate in non-governmental organizations, associations or groups; to communicate with non-governmental or intergovernmental organizations

(Article 5 of the Declaration on Human Rights Defenders).

Citizens of Cambodia shall have the right to establish associations and political parties. These rights shall be determined by law" and "All citizens of Cambodia may participate in mass organizations for their mutual benefit to protect national achievements and social order

(Article 42 of the Constitution of the Kingdom of Cambodia).

Citizens of Cambodia of either sex shall have the right to form and to be members of trade unions

(Article 36 of the Constitution of the Kingdom of Cambodia).

#### Unjustifiable Limitations of the Freedom of Association

- Registration or Re-registration of Organizations
  - Compulsory registration of CSOs to allow them to carry out their activities limits their freedom of association.
  - The right to suspend or delist a CSO if it does not follow its own statutes, even when it does not constitute a crime, is also a limitation to the freedom of association.
- Administrative and Financial Constraints

Civic space may shrink due to administrative and financial constraints imposed on CSOs such as:

- Registration: CSOs may be requested to submit annual reports and report on all funding agreements with donors. The authorities may request, "if necessary", organizations to provide copies of all their activities and financial reports. They may also have to to submit to certain organizational checks and audits.
- Authorities might apply different standards depending on the CSO and its activities.

#### Office Surveillance

Police officers can harass HRDs by regularly monitoring their offices and by asking questions about the staff (names, telephone numbers, etc.) or the registration of documents and the activities. Police officers might also take photos of the premises.

#### Surveillance of Activities

Police officers and/or authorities can disrupt meetings organized by HRDs by:

- Taking photographs or videos.
- Requesting identification documents from the participants.
- Interrogating participants on the content of the presentations.
- Preventing participants from going to meetings.

#### Physical Surveillance

- Someone may listen to HRD's telephone calls, read his/her emails, and watch where he/she goes and with whom he/she meets.
- Surveillance is used to gather information; to intimidate and/or to prepare to detain or attack HRDs.
- HRDs might be monitored daily or on specific occasions (elections, court trials, etc.). Police officers, local authorities or private security quards can also be in charge of the surveillance.
- People from the HRDs' neighborhood might also monitor the HRDs' life and work and report to the authorities.
- HRDs might be prevented from traveling to join an event, a meeting or to file a complaint/petition.
- Travel restrictions might be imposed on HRDs who participate in international meetings and forums for the promotion and protection of human rights.

# STEPS FOR IMPROVING THE SECURITY OF HUMAN RIGHTS DEFENDERS



# WARNING

THE FOUNDATION OF HRDs' WORK IS BASED ON THEIR SECURITY AND WITHOUT IT, HUMAN RIGHTS CANNOT BE MAINTAINED



# WHAT TO DO TO IMPROVE SECURITY

Analyzing HRD's living and working environment.

Assessing HRD's risk(s).

Assessing HRD's threat(s) and analyzing security incidents.

Analyzing and improving HRD's capacities.

Producing a security plan.

Implementing and reviewing the security plan.

# WHAT TO DO TO BETTER KNOW THE ENVIRONMENT

Study the streets near home and work: knowing who lives there.

Maintain cordial relations with neighbours, shopkeepers, caretakers especially those living nearby.

Analyze who may represent a threat in the neighborhood.

Make sure that children are under supervision, as they give information to strangers more easily.

Make sure that all the members of the family have the same information and behave the same way.





#### WHAT TO DO

Identify the risk(s).

Try to identify where risk(s) may come from.

#### **QUESTIONS TO ASK FOR EACH RISK IDENTIFIED**

#### 1. What is the probability of this risk occurring?

Probability will be based on the history of the actions taken against HRDs.

Classify the probability for each risk. For example, the degree of risk can be placed on the below scale:

- very low
- low
- medium
- high
- very high

#### 2. What will be the personal impact if this risk happens?

The assessment of the impact should take into account the damage that can be done to a person and his/her organization.

Remember that some HRDs are more vulnerable in some situations according to their gender and/or activities.



# REMINDER

Risk is dynamic and must be assessed periodically, especially if the working environment, threats and capacities change.



#### WHAT TO DO

Select relevant threats.

Prioritize the listed threats, actual or potential.

For prioritizing threats, use one of these criteria:

- the most serious threat
  OR
- the most probable and serious threat

#### 1. General Threats

#### **FACT(S) SURROUNDING THE THREAT**

What exactly are the facts surrounding the threat?

Who communicated what, when and how?

What was the language and tone?

Did it follow some new activity by the HRD?

#### PATTERN(S) OF THE THREAT

#### 1. Pattern(s) could include:

Series of threatening calls or messages.

Surveillance of the HRD and/or his/her family.

Questioning of HRDs by the authorities.

Detention of HRDs

#### 2. Pattern(s) could involve:

The type of threat issued.

The means by which the threat is made (in person, by phone, etc.).

The timing of the threat (day of the week and time).

The perpetrators of the threat (if they are known).

The place the threat is made.

The events preceding the threat (new activity, press release, etc.).

#### **OBJECTIVE(S) OF THE THREAT**

What seems to be the objective of the threat?

Is it clear from the threat what the perpetrator wants the HRD to do?

If this is not clear, analyze what actions have been planned or have been taken recently to explain the threat.

#### **AUTHOR(S) OF THE THREAT**

Who is making the threat?

Who is the person or group who has been affected by the HRD's work?

Does HRD's work challenge powerful people?

Who would like to stop the HRD to carry out his/her work?

Consider if a signed threat is really from the person/organization whose name is used.

If the author of the threat is known, consider if he/she has the resources to carry out the threat. If confirmed, that increases the likelihood that the perpetrator will follow up on the threat with an attack.

#### **REALIZATION OF THE THREAT**

Would the threat be put into action?

Assessing the probability of the threat to be put into action is difficult and HRDs can never be 100% sure.

The response will take into account the context including the history of attacks



against HRDs in the country, the perpetrators' capacities, and the degree of impunity for perpetrators.

When in doubt, choose the option which seems to be the safest.

All threats must be taken seriously and steps must be taken to avoid risks.

#### 2. Specific Threats

#### WHAT TO DO IN CASE OF SURVEILLANCE

Make a plan on how to deal with this before it happens (for example, agree on code words and phrases, or passwords for encrypted messages with family and colleagues, obtain an emergency phone not connected to your name and arrange access to a vehicle for use in emergencies).

Assess the purpose of the surveillance: is it for information gathering, intimidation, or preparation of arrest?

Avoid putting others at risk.

Act naturally. For example, look outside the house in the morning by taking the rubbish out, or have someone at home discretely watch what happens after leaving.

Change routines: differ the times to go in to work, take different routes if possible, and do not develop predictable habits.

#### WHAT IS NOT GOOD TO DO WHEN UNDER SURVEILLANCE

Do not challenge anyone who seems monitoring your activities.

Do not use old-fashioned counter-surveillance techniques such as looking in shop windows or speeding away from a car.

#### WHAT TO DO IN CASE OF ARREST AND DETENTION

Police must tell immediately the HRD the reasons of his/her arrest/detention.

After 2 days of detention, the police must either charge or release the HRD.

After 24 yours in custody, the HRD must be able to see a lawyer or another person of his/her choice. If he/she cannot afford a lawyer, there are legal aid organizations who can help.

The HRD should not confess to something that he/she did not do. If torture is used to force the person to confess, the confession is not valid.

As soon as possible after the arrest, the HRD should see a judge. The judge will investigate the case and must make sure that he/she is well treated.

The HRD has the right to inform his/her family when arrested.

The HRD should complain to the lawyer if his/her rights have been denied.

The HRD should check everything written before signing or thumb printing it. If he/she cannot read, the document should be read to him/her before thumb printing it.

The HRD should not be asked to pay for his/her release.

The HRD should report to his/her lawyer or to the prosecutor any torture, ill-treatment or threats made by the arresting officer or during the police interrogation.

#### 3. Security Incidents

#### **QUESTIONS TO ASK IN CASE OF A SECURITY INCIDENT**

What happened?

When did it happen?

Where did it happen?

Who was affected?

Was violence against women involved?

In the case of aggressions, who was responsible?

What was its origin: HRD work or another reason (personal, political, etc.)?

#### WHAT TO DO IN CASE OF A SECURITY INCIDENT

Immediately write down the facts and circumstances of the security incident.

Create a security incident book, where each threat or security incident is logged.

If working in team, make clear that all team members should mention any security incident in the security incidents book.



Discuss the security incident with colleagues or with someone you trust.

Analyze the security incident and decide what action to take.

Move the security plan to a more rigorous level if there is an escalation in the number of security incidents within a short period.

A pattern of security incidents can mean that you are under surveillance by authorities or others.

#### WHO CAN ASSIST HRDs IN CASE OF A SECURITY INCIDENT

Some national and local CSOs can help HRDs when they face security issues, especially through a legal assistance (see list in Chapter VI).

At an international level, the United Nations has specific protection mechanisms which can receive complaints on human rights violations.

- ▶ The Office of the High Commissioner for Human Rights monitors and reports on cases against HRDs, including reprisals against people who cooperate with the UN on human rights (for details, see Chapter VII).
- Any individual, group, CSOs, inter-governmental entity or national human rights bodies can submit information to the Special Procedures of the Human Rights Council. The identity of the source of the information is kept confidential. Submissions can be sent by post mail or e-mails (for details, see list in Chapter VI).

# WHAT TO DO TO INCREASE HRDs' CAPACITIES AND REDUCING VULNERABILITIES

#### Assess and improve, if necessary:

Personal information sharing

Communication means

Travel means

Networking

Written and digital information/ documentation management

Home and office protection

Family's protection

Stress management

# 1. WHAT TO DO TO IMPROVE THE SHARING OF PERSONNAL INFORMATION

Keep family and friends informed of activities (location, interlocutors, timelines...).

Share instructions with family on what to do in case of security incidents.

## 2. WHAT TO DO TO IMPROVE THE MEANS OF COMMUNICATION

Get good access to effective and secure means of communication.

If it is not possible to get an individual smartphone, chose a trustworthy person who can be the focal point to contact organizations in case of security problems.

When using a mobile phone, check the privacy settings; prioritize the use of secure apps, etc.

Use a mobile phone, charged, with credit, and emergency contact number registered.

#### 3. WHAT TO DO TO SECURE TRAVEL

Avoid travelling alone. Travel with one or two other people.

During group trips, do not travel all together.

Get good access to safe ground transportation.

Avoid travelling at night.

#### 4. WHAT TO DO TO IMPROVE THE NETWORKING

Create a network of other HRDs, media and local and international NGOs and organizations.

Find out what protection services can be provided by the HRDs networks.

Get good support from other HRDs through networks or a system for joint responses when HRDs are attacked.

# 5. WHAT TO DO TO IMPROVE THE MANAGEMENT OF WRITTEN AND DIGITAL INFORMATION/ DOCUMENTATION

Be aware that leakage of information on sensitive cases can cause security threats.

Make copies of all written documents.

Do not keep the copies at the same place.

Keep confidential and private documents in a safe place (locked drawers). For example, documents like family books, living books, birth certificates, ID cards, and school certificates should all be kept in a safe place.

As members of a community network, keep information related to network activities safe from getting lost, stolen or destroyed.

#### **Digital Knowledge**

If possible, ensure you understand information technologies (IT): computers and mobile phones.

If working in team, help one member to get a good level of digital knowledge to assist the others.

#### **Digital Applications**

Use confidential applications.

When sending sensitive information in emails, use, if possible a code.

Set up strong passwords on all communication means and change them often.

#### **Social Network**

Understand and analyze the security risks involved in using social networking sites.

Protect data when using social networking sites.

#### **Sensitive Information Sharing**

Avoid discussing or sharing sensitive information over the phone or via email.

Avoid mentioning names and locations when talking on the phone.

#### **Sensitive Information**

If necessary, destroy sensitive information.





# **WARNING**

TELECOMMUNICATION AND INTERNET NETWORKS HAVE MADE COMMUNICATING WITH PEOPLE EASIER THAN EVER, BUT HAVE ALSO MADE SURVEILLANCE MUCH EASIER.

EVERY PHONE CALL, TEXT
MESSAGE, EMAIL, VIDEO CHAT
AND SOCIAL MEDIA MESSAGE
CAN BE MONITORED.

THE SAFEST WAY TO
COMMUNICATE WITH OTHERS
IS IN PERSON, WITHOUT
COMPUTERS OR PHONES
INVOLVED.



#### 6. WHAT TO DO TO PROTECT HOME AND OFFICE

Lock doors and windows.

If financial means available, install and use cameras, alarms and external lights.

Use locks to secure important places (drawers, desks, etc.).

No keys should be visible or accessible to visitors. Keep all keys in a drawer with a lock.

Screen visitors to the office and take their identities.

Consider having a guard dog.

#### 7. WHAT TO DO TO PROTECT MEMBERS OF THE FAMILY

The members of the family should know what the work of the HRDs is and what it implies in terms of security.

As each family situation is different (children or not, number of children, elderly living in the house, etc.), adapt the security rules to apply.

Make sure that the security process is not imposed to the family members, but discussed together.

Both children and adults should participate in the process, particularly women, because they face different risks, sometimes greater.

Family members should know how to react to any danger and emergency. It is important to know whom to call in case of emergency, which public services are useful and which trusted relatives or neighbors could help.

Family members should know all the useful numbers to call in case of emergency. It is very important that children can reach their parents at any time.

Family members should be discreet with sharing information.

Family member should be discreet when using telephones, the internet and social networks.

Family members should be familiar with the environment in which they live, their street and neighbors.

Family members should be able to identify suspicious people and circumstances, record information and share it with the rest of the family.

## 8. WHAT TO DO IN CASE OF STRESS

Some ideas to deal with stress:

- > Asking for assistance and support from the HRDs networks.
- > Talking to friends and trustworthy people.
- Going out with friends.
- Playing with children.
- Going for long walks.
- Doing physical exercise.
- Shutting down the phone for few hours.
- Meditating.
- Listening to music.
- Having a massage.
- > Sitting down quietly for a few hours and trying to relax.
- Sleeping as much as possible, even during the day.

A security plan is aimed at reducing risks.

A security plan should include measures for preventing and managing specific situations.

## A security plan is based on:



An assessment of risks



An assessment and analysis of threat(s)



An assessment of capacities/vulnerabilities



## WARNING

No training or planning can make HRDs totally safe, BUT by being aware of potential threats AND by increasing capacities HRDs can reduce their risks.



## WHAT TO DO TO DEVELOP A SECURITY PLAN

## 1. What to Do When Working in an Organization

Bring together all colleagues to discuss and list the risks faced by the CSO and for people working within the organization.

Build security awareness and commitment to adhere to security measures.

Involve everyone. Support staff such as the receptionist and driver may not be the most at risk, but they may be the first to spot security incidents.

Encourage everyone to contribute and consider each contribution seriously.

Discuss the way the work with groups and individuals, victims of violence, witnesses etc., is carried out and the risks they may face because of contact with a HRD. Meeting with representatives of these groups and individuals might be organized to explain the security plan.

Allocate responsibilities for the drafting of the plan and fix a deadline for the production of the plan.

Maintain a clear communication among all parties involved in the development of the plan.

Share the security plan with all staff of the CSO. It is better to present it face-to-face to allow everyone to discuss the importance of security. Be sure that everybody in the CSO agrees on the contents of the plan.

Ensure that one person is responsible for monitoring the implementation and review of the security plan.

## 2. What to do When Working in a Local Community/Network

Organize a meeting with other members of the community/network to discuss the possibility of developing a security plan.

Build security awareness and commitment to adhere to security measures.

Encourage everyone to contribute.

Allocate responsibilities for the drafting of the plan.



Maintain clear communication among all the members of the community/ network involved in the development of the plan.

Ensure that one person is responsible for monitoring the implementation and review of the security plan.

Be sure that the security plan can be shared within the community/network confidentially.

## 3. Drafting

The contents of the security plan will be different depending on the context of the CSO and its members, the risks they face, the threats they receive, their vulnerabilities and their capacities.

Make the plan concise, precise, and available as a reference document, user friendly, and with up-to-dated information.

A plan must be realistic and feasible. For example, a long list of things to do before every field trip will not work.

Keep the plan confidential.

## WHAT TO DO TO IMPLEMENT A SECURITY PLAN

The security plan should be implemented at three levels:

- ▶ The individual level. Each person has to follow the plan in order for it to work.
- The organizational level. The whole organization has to follow the plan.
- ▶ The inter-organizational level. Cooperation between organizations is usually better to maintain security.

## WHAT TO DO TO REVIEW A SECURITY PLAN

The security plan is a work in progress. It should be reviewed when a new risk happens or a threat is received to check that planed actions are adequate to deal with the danger.

The security plan should be reviewed after an incident to check that everyone follows it.

When the security plan is revised, the version and the date should be clearly identified, so it is clear which is the most updated one. Keep everyone aware of the review

The security plan should be reviewed every year, even though changes in the context seem little.





## **WARNING**

THE EXAMPLES HAVE
TO BE ADAPTED
TO EACH HRD/CSO
SITUATION



PROFILES	AREAS OF WORK	THREATS DUE TO WORK	VULNERABILITY/ CAPACITIES
JOURNALISTS MEDIA ACTIVISTS BLOGGERS	<ul> <li>Investigation</li> <li>Publication of human rights violations</li> </ul>	<ul> <li>Stigmatization</li> <li>Arrest</li> <li>Radios, newspapers shut down</li> <li>Financial constraints</li> </ul>	TO BE COMPLETED BY HRD
COMMUNITY ACTIVISTS	Investigations on human rights violations against indigenous populations	<ul> <li>Surveillance</li> <li>Intimidation</li> <li>Stigmatization</li> <li>Legal and administrative harassment</li> </ul>	TO BE COMPLETED BY HRD
LAND ACTIVISTS	<ul><li>Land rights</li><li>Land claim and recovery</li><li>Petitions filing</li></ul>	<ul> <li>Surveillance</li> <li>Intimidation</li> <li>Stigmatization</li> <li>Legal and administrative harassment</li> </ul>	TO BE COMPLETED BY HRD

<sup>1</sup> Example adapted from the table of the New Protection Manual for Human Rights Defenders. Protection International, pp. 202-204.

TRADE UNIONISTS	Labor human rights	<ul> <li>Surveillance</li> <li>Intimidation</li> <li>Stigmatization</li> <li>Legal and administrative harassment</li> </ul>	TO BE COMPLETED BY HRD
LAWYERS	<ul> <li>Defense of HR cases</li> <li>Struggle against impunity and for trial observation</li> <li>Juridical and political consultancy</li> <li>Public denunciation of HR violations</li> </ul>	<ul> <li>Intimidation</li> <li>Legal and administrative harassment</li> </ul>	TO BE COMPLETED BY HRD

EXAMPLES OF COMPONENTS OF VULNERABILITIES AND CAPACITIES	EXAMPLES OF INFORMATION NEEDED TO ASSESS VULNERABILITIES OR CAPACITIES		
Geographical, technical and physical aspects	Geographical, technical and physical aspects		
Exposure	Do you need to be in, or to pass through, dangerous areas to carry out normal daily or occasional activities? Is the neighborhood where you live and where you work safe?		
Home	Is your house safe? What are the characteristics of your housing, doors, windows, night-lights?		
Offices	Is the office open to public? Are there areas reserved for the personnel?		
Transportation	Do you have access to safe transportation (private or public)? Do you have access to safe accommodation when travelling?		
Communication	Do you have good means of communication, especially mobile phones? Do you have easy access to them? Do they work properly at all times? Can they be stolen?		

<sup>2</sup> Protection Manual for Human Rights Defenders. Front Line Defenders, pp. 24-27.

Management of information	Management of information
Keeping, sending and receiving information	Can you keep information in a safe and reliable place? Could it be stolen? Can it be protected from viruses and hackers? Can you send and receive information safely?
Managing digital information	Do you keep your computer secure? Do you have strong passwords? Do you have a code for sensitive information? Are you prepared for a loss of your computer? Do you have a backup of all of your information in a separate place? Do you destroy unwanted information? Do you know how to access or send information confidentially?
Organizational aspects	Organizational aspects
Structure of the organization	Are the main responsibilities carried out by one or by several? How are the decisions taken? How high is the level of participation among the staff? How does the information circulate? If something happens to the ones who take decisions, is the staff ready to replace them?
Security plans and procedures	Are security rules and procedures in place? Is everyone aware of these rules? Do people follow the security rules?
Recruiting personnel and receiving visitors	Do you have specific procedures to recruit personal? Do you have a specific security approach for your occasional volunteers? How do you receive your visitors? Are they checked at the entrance of your office? Do they sign a registry?

Taking care of victims or witnesses you work with	Do you assess the risk of witnesses and victims when you are working with them on their cases?  Do you take security measures when you have to meet them?
Work resources	Do you have access to accurate information about your environment? Can you get a clear understanding of threats, vulnerabilities and capacities?
Partners	Can you get to particular partners that could increase your protection capacities?
Mobilization capacity	Are you able to mobilize people for public activities?
Financial resources	Do you have enough financial resources for your security?
Access to national and international networks	Do you have national and international contacts? Can you issue urgent actions with national or international groups if needed?
Access to media	Do you have access to national and international media? Do you know how to use them to obtain result from them?
Psychological aspects	Psychological aspects
Ability to manage stress and fear	How do you deal with stress? Is everyone in the organization able to express his/her stress or fear? How is the understanding and unity inside the organization? Are there staff who have expressed a loss of hope?

What exactly are the facts surrounding the threats?
 Has there been a pattern of threats over time?
 What seems to be the objective of the threat?
 Do you know who is making the threat?
 Finally, after analyzing the above questions, do you think that the threat will be put into action?
 Given your own vulnerabilities and capacities, what actions will you take?

Have you received threats? If yes, take some time to go through the five steps of

<sup>3</sup> Workbook on Security: Practical Steps for Human Rights Defenders at risk. Front Line Defenders, pp. 30 and 32.



## **GENERAL PRESENTATION**

Risk 1:
Threat assessment:
Vulnerabilities:
Capacities:
Action Plan:
1
2
3
4
5
Risk 2:
Threat assessment:
Vulnerabilities:
Capacities:
Action Plan:
1
2
3
4
5

<sup>4</sup> Ibid, pp. 51 and 52.

### **EXAMPLE<sup>5</sup>**

Risk 1: Arrest in the context of police search of home and

confiscation of papers/ phone/ laptop

**Threat assessment:** Police usually raid homes in the early hours of the morning.

**Vulnerabilities:** We deal with sensitive information in my organization and

a search warrant will not be issued nor will there be a right to have a lawyer present, so we feel compromised, given

that there is also no due process.

**Capacities:** Ability to plan (thinking through how you can best respond

in advance reduces the losses you could incur).

## **Action Plan:**

 Discuss the risk with my spouse and tell him/her who to call if the police arrive. Possibly getting colleagues / friends to witness the search (if their presence will not put them at risk of arrest too) and who to call afterwards (human rights organizations).

- 2. Arrange for the children to sleep in another home for a few days when the risks are high.
- 3. Record the incident.
- 4. Be aware of my rights in detention so I can request them authoritatively (even though they might not be granted).
- 5. Have a lawyer briefed in case I am allowed access to a lawyer.
- 6. Do not store sensitive work information at home.
- 7. Delete sensitive information from computer and phone.
- 8. Ensure all my personal affairs (taxes ...) are in order so that they cannot become a pretext for prosecution).

## 1. Knowledge about:

- ▶ The risks and threats you face.
- Your legal rights, your country's laws, national and international remedies.
- Your community, culture and political system.
- How to deal with stress.

## 2. Contacts:

- Supportive local community.
- Capacity to mobilize large numbers of people quickly.
- Local contacts human rights organizations, media, and influential figures.
- Contacts in the government, police and other key actors.
- Contacts in Embassies, which have specific guidelines for the protection of HRDs.
- Regional and international human rights networks and organizations.

## 3. Planning:

- Security plans for every day risks.
- Contingency plans in case the worst risks materialize.
- Emergency plan (in the event of unexpected risk materializing).
- Clear responsibilities for security.
- Regular reviews of security plans.

<sup>6</sup> Ibid, p. 72.

For more checklists, see Appendix 4 to 15 in the Workbook on Security: Practical Steps for Human Rights Defenders at risk and the Protection Manual for Human Rights Defenders. Front Line Defenders, pp. 75, 81 and 83.

## 4. Organization / office:

- Good public reputation.
- Relevant physical security gates, locks, secure doors and windows, safe, good lighting etc.
- Clear organizational mandate.
- Supportive environment for discussing risks.
- IT security.
- ▶ Clear systems for handling sensitive information.
- Visitor policy to prevent unauthorized access.

## 5. Other:

- Own behavior living within the law.
- Supportive family.
- > Access to a safe house if required.
- Safe transport.
- Financial resources.
- Health insurance.
- Ability to manage stress.

# GENERAL HANDBOOKS ON THE SECURITY OF HUMAN RIGHTS DEFENDERS

- Guidelines on the Protection of Human Rights Defenders, OSCE/ODIHR, 2014.
- Protecting and Supporting Human Rights Defenders. Public Guidelines of the Foreign Ministry of Finland on the Implementation of the European Union Guidelines on Human Rights Defenders, Finland, 2014.
- Swiss Guidelines on the Protection of Human Rights Defenders, Switzerland, 2013.
- ▶ Voices at Risk: Canada's Guidelines on Supporting Human Rights Defenders, Canada.



- A Tool Kit for Human Rights Defenders in Nepal, 2011.
- Human Rights Defenders: Protecting the Right to Defend Human Rights, Fact Sheet No. 29
- Your Rights if the Police Detain You, 2013.

## 1. Front Line Defenders

- Protection Manual for Human Rights Defenders, 2005.
- ▶ Holistic Security: A strategy Manual for Human Rights Defenders.
- Protection Handbook for Human Rights Defenders, 2007.
- Workbook on Security: Practical Steps for Human Rights Defenders at Risk, 2011.
- 2017 Dublin Platform for Human Rights Defenders at Risk, 2017.
- ▶ European Guidelines on HRD and Front Line Handbook on HRD. What Protection Can EU and Norwegian Diplomatic Missions Offer? 2007.
- Security In-A-Box. Digital Security Tools and Tactics (https://securityinabox. org).

## 2. Protection International

- New Protection Manual for Human Rights Defenders, 2009.
- Human Rights Defenders at High Risk, 2014.
- Protecting Your Life, My Life, Our Lives. A Guide to Women Human Rights Defenders in Kenya, 2014.
- Guide for Facilitators for the New Protection Manual for Human Rights Defenders.
- ▶ Criminalisation of Human Rights Defenders. Categorisation of the Problem and Measures in Response, 2015.
- > Stand UP! Security Guide for Human Rights Defenders in Africa, 2017.

## 3. Defend Defenders

Book II: Digital Safety.

## 1. Cambodian Centre for Human Rights (CCHR)

- ▶ Defending the Defenders: Security for Cambodian Human Rights Defenders, CCHR and Article 19, 2013.
- ▶ Human Rights Defenders Emergency Toolkit, 2017.
- Human Rights Defenders Project, 2018.

## 2. Equitable Cambodia (EC)

▶ A Guide to Personal Security for Human Rights Defenders. 'Facilitators' Edition, 2010.

## ORGANIZATIONS ASSISTING HUMAN RIGHTS DEFENDERS

## 1. Cambodian Centre for Human Rights (CCHR)

The Human Rights Defenders Project seeks to monitor the situation of HRDs in Cambodia and to raise public awareness on their situation.

**Tel:** 017 50 50 50 (Hotline)

**Email:** info@cchrcambodia.org

Website: https://cchrcambodia.org

## 2. Cambodian Human Rights and Development Association (ADHOC)

**Tel:** (+855-23) 218-653 / 210-518 / 990-544

Email: info@adhoccambodia.org

Website: https://adhoccambodia.org

## 3. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)

**Tel:** (855) 23 727 102 or (855) 23 216 602

Email: contact@licadho-cambodia.org

Website: www.licadho-cambodia.org



## 1. Forum-Asia

Forum-Asia is Human Rights Defenders Programme works to facilitate the creation of a better work environment for HRDs by reducing threats coming from their activities

Forum-Asia is a member of the EU mechanism www.protectdefenders.eu

**Tel:** +66 2 1082643-45 Ext: (208 / 209)

Emails: hrd@forum-asia.org

protection@forum-asia.org (for emergency assistance)

Website: www.forum-asia.org

## 2. Protection International

Protection International has a Protection Support Fund (PSF) to help organizations to incorporate the cost of protection measures in their regular fundraising.

 $\label{protection} Protection International is a member of the EU mechanism www.protectdefenders. \\ eu.$ 

**Tel:** +32 2 609 4405

Website: https://protectioninternational.org

## 3. Front Line Defenders

Front Line Defenders is an organization aimed at protecting HRDs at risk. Front Line Defenders addresses the protection needs identified by HRDs themselves.

Front Line Defenders is a member of the EU mechanism www.protectdefenders. eu.

**Tel:** +353 1 210 0489 (Emergency 24-hour phone line for human rights

defenders operating in Arabic, English, French, Russian and Spanish)

**Email:** info@frontlinedefenders.org

Website: www.frontlinedefenders.org

## 4. International Federation for Human Rights

The FIDH operates a public grant-making mechanism to strengthen and sustain sensitive initiatives by local HRDs organizations, advertised on its website and via its regional desks. Observatory for the Protection of Human Rights Defenders

FIDH is a member of the EU mechanism www.protectdefenders.eu.

**Tel:** + 33 1 43 55 55 05 (FIDH)

+ 41 22 809 49 39 (OMCT)

**Email:** Appeals@fidh-omct.org

Website: www.fidh.org

## 5. OMCT SOS-Torture Network

OMCT provides support to local human rights organizations from any region of the world in order to enable them to consolidate their operational activities.

OMCT is a member of the EU Mechanism www.protectdefenders.eu.

**Tel:** + 41 22 809 4939

**Email:** omct(@)omct.org

Website: www.omct.org

## 6. Reporters without Borders

RSF supports journalists and bloggers in the field by organizing campaigns, by providing legal aid, financial assistance and safety equipment and protection and training and assistance with digital safety.

RSF is a member of the EU Mechanism www.protectdefenders.eu.

**Tel:** + 33 1 4483 6056

**Email:** assistance@rsf.org

Website: https://rsf.org



## Special Rapporteur on the Situation of Human Rights Defenders

The Special Rapporteur is an independent expert who seeks, examines and responds to information on the situation of HRDs; conducts dialogue with governments and concerned stakeholders; recommends effective strategies to protect HRDs and follows up on these recommendations.

## 2. Special Rapporteur on the Situation of Human rights in Cambodia

The Special Rapporteur is an independent expert whose task is to assess the human rights situation in Cambodia, to report publicly about it, and work with the Government, civil society and others to improve it. The Special Rapporteur undertakes regular visits to Cambodia and reports annually to the Human Rights Council

## 3. International Complaint Mechanisms

## Communication to Special Procedures

- Communications are letters sent by the Special Procedures to Governments and others (intergovernmental organizations, businesses etc.) in which, the experts report on allegations of human rights violations they have received.
- It might concern an individual case or a particular community, general patterns of human rights violations or the content of draft or existing legislation, policy or practice considered not compatible with human rights standards.
- Any individual, group, CSOs, inter-governmental entity or national human rights bodies can submit information to the Special Procedures. A person wishing to make a submission can use the online form/guestionnaire at

the link "Online submission to special procedures" Submissions can also be submitted without a questionnaire and send by email to urgent-action@ohchr.org or by postal mail.

Mail OHCHR-UNOG

8-14 Avenue de la Paix,

1211 Geneva 10

Switzerland

Online: https://spsubmission.ohchr.org/

**Email:** urgent-action@ohchr.org

Website: https://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.

aspx

## Complaints Procedures of Human Rights Treaty Bodies

- Individual complaints or communications from individuals may be sent, under certain conditions, to the bodies of independent experts monitoring human rights treaties, such as the Convention on the Elimination of Discrimination against Women (CEDAW) and its Optional Protocol
- Inquiries can be initiated if there is reliable information on serious, grave or systematic violations carried out by a State party to CEDAW.

**Mail** Petitions and Inquiries Section

Office of the High Commissioner for Human Rights

United Nations Office at Geneva

1211 Geneva 10, Switzerland

**Email:** petitions@ohchr.org

Website: https://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx

## Complaint Procedure of the Human Rights Council (HRC)

Individuals, groups, or NGOs that claim to be victims of human rights violations or that have direct knowledge of such violations can submit communications to the Complaint Procedure of the HRC. The communications has to meet several criteria.

Email: CP@ohchr.org

Website: http://www.ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx



**Tel:** (855) (0) 23 987 671 or 672

Address: #4, Street 271

Phsar Daeum Thkov

Chamkar Morn, P.O Box 108

Phnom Penh, Cambodia

Email: cambodia@ohchr.org

**Website:** http://cambodia.ohchr.org/

## 1. European Union

ProtectDefenders.eu is the European Union HRDs mechanism, established to protect defenders at high risk and facing the most difficult situations worldwide. The emergency grants programme ensures that HRDs can access and implement urgent security measures to protect themselves, their family and their work.

Tel: +353 1 21 00 489 (Emergency 24-hour phone line for human rights

defenders operating in Arabic, English, French, Russian and Spanish)

Website: www.protectdefenders.eu

## 2. Netherlands

The Human Rights Fund (MRF) supports organizations that work for human rights worldwide.

**Tel:** + 31 77 465 6767.

Email: MRF2017-2020@minbuza.nl or DMM@minbuza.nl

Website: www.government.nl

## ANNEX

NOTIFICATION OF THE CAMBODIAN MINISTRY OF INTERIOR RELATED TO THE ACTIVITIES OF ASSOCIATIONS, NGOS AND LOCAL COMMUNITIES (unofficial translation from Khmer)

## **ANNEX**

## NOTIFICATION OF THE CAMBODIAN MINISTRY OF INTERIOR RELATED TO THE ACTIVITIES OF ASSOCIATIONS, NGO'S AND LOCAL COMMUNITIES (unofficial translation from Khmer)

Royal Government of Cambodia Nation Religion King

No: 2006 Sar.Cho.Nor

Ministry of Interior



Tuesday 5th Waning, Month of Karttika, Year of Dog, 10t Era,
Buddhist Era of 2562
Phnom Penh. 27 November 2018

To:

H.E Governors of the Municipal-Provincial Governing Boards, who are the Chiefs of the Commanding Boards of the Municipal-Provincial Administrations

**Subject:** Operation of activities by Associations, non-governmental organizations and local communities.

**Ref:** Circular No. 040 Sar.Nor.No., dated Wednesday 7th Waning, Month of Asvina, Year of Dog, 10t Era, Buddhist Era of 2562, 31 October 2018.



As per the afore-mentioned subject and reference, I would like to inform H.E governors of the municipal-provincial governing boards, who are the chiefs of the commanding boards of the municipal-provincial administrations that, in order to strengthen the collaboration and partnership between the Royal government, and the subnational administrations and the associations and non-governmental organizations as well as with the local communities, Ministry of Interior issued a circular No. 040 Sar.Nor.No, dated Wednesday 7th Waning, Month of Asvina, Year of Dog, 10t Era, Buddhist Era of 2562, 31 October 2018. This means that associations, non-governmental organizations, which are legally registered, as well as the local communities have full freedom to operate their activities in the Kingdom of Cambodia according to laws and other existing regulations and their statutes/by-laws deposited at the Ministry of Interior without needing to notify the local authorities three days in advance prior to conducting their activities as previously required.

Therefore, please H.E governors of the municipal-provincial governing boards, who are the chiefs of the commanding boards of the municipal-provincial administrations, kindly be informed and implement effectively.

Please, His and Her Excellences, accept the assurances of my high considerations.

Deputy Prime Minister Interior Minister

Samdech Krolahom Sar Kheng



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- **▶** UNCOHCHR
- http://cambodia.ohchr.org
- cambodia@ohchr.org