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ការិយាល័យនៃឧត្តមស្នងការនៃទីស្នងការដ្ឋានបណ្តុះបណ្តាលសិទ្ធិមនុស្សប្រចាំកម្ពុជា



**Statement by Christophe Peschoux,
Representative of the Office of the High Commissioner for Human Rights,
following the deportation from Cambodia of 22 Uighurs to China
21 December 2009**

"As Representative of the High Commissioner for Human Rights, but also as a human being who is profoundly attached to the principle of international protection of persons seeking asylum from persecution, I am dismayed. Anyone can become a refugee in today's world, and may have to seek international protection under international refugee law.

Cambodia has ratified the 1951 Refugee Convention and had the legal obligation to examine the asylum claims of these 20 individuals and to fairly determine their status. Up to this weekend, Cambodia was a safe asylum country for persecuted people and was applying a generous, humane policy. Although the authorities initially gave strong assurances that they considered these individuals asylum seekers and that they would complete the refugee status determination with regard to the 20, this was suddenly overturned over the weekend, when, obviously under pressure, and the asylum seekers were for the first time labeled illegal immigrants.

Cambodia is also a party to the Convention against Torture and the Convention on Civil and Political Rights. Both reiterate the fundamental principle of the Refugee Convention of "non-refoulement", whereby no one should be forcibly returned to a place where he or she may be tortured, judicially or otherwise. This is a cardinal principle of international protection, which has offered safe asylum, protected against torture and saved the lives of hundreds of thousands of refugees worldwide. Such risks should have been assessed fairly and objectively before any decision be taken about these persons.

This deportation is all the more disturbing in a country that has known massive persecution during the wars and the Khmer rouge regime, and which knows all too well the price and value of refugee protection. Thousands of Cambodians have had their lives saved thanks to the international refugee protection system, including many of the leaders of this country, past and present.

The credibility and reliability of the system of refugee protection patiently built in Cambodia, with the crucial support and assistance of the UNHCR, is now seriously questioned. Critical to this process is the willingness of the Cambodian Government to honor its own commitment to refugee protection, to respect the cardinal principle of non-refoulement, and withstand outside pressure from more powerful countries; but also, and as importantly, is that these countries, including China, respect Cambodia's international legal commitment under the conventions it has ratified (Refugees, CAT, ICCPR) so that they refrain from pressurizing a smaller country to hand over to them individuals who may be in need of asylum.

Unless the policy shift of last week is overturned, no asylum seekers from China will feel safe, and will be safe in Cambodia any longer.

This deportation has created a very unfortunate precedent not only in Cambodia, but more widely. With the plane of shame that took off Saturday night, it is our freedom from want and fear, that has become narrower in this part of the world."