



**អង្គការសហប្រជាជាតិ
ការិយាល័យនៃឧត្តមស្នងការអន្តរជាតិសម្រាប់សិទ្ធិមនុស្សកម្ពុជា**



**WORKSHOP ON
THE IMPLEMENTATION OF THE NEW PEACEFUL DEMONSTRATIONS LAW
29 MARCH 2010**

**Closing remarks by Christophe Peschoux
Representative of the Office of the High Commissioner for Human Rights.**

Excellencies, Ladies and Gentlemen,

It has been a long day for everyone, but a fruitful one.

The discussion has been rich and has helped clarify several aspects of the practical implementation of this important law, which, hopefully, will facilitate its implementation.

Given the importance of this law for the future development of Cambodian society, the OHCHR has taken a keen interest in cooperating with the Ministry of Interior to help prepare the best possible law, taking into account Cambodian circumstances.

We have been working closely with His Excellency Nouth Saan and his colleagues throughout the development of this law since 2005 to provide legal analysis and advice to improve the draft with regard to its compliance with international human rights standards accepted by Cambodia.

The value of a law resides in itself but also, and more importantly in its implementation. And we all know that law implementation remains weak in Cambodia, leading to all kinds of problems and human rights abuses. Cambodia has adopted many laws since 1979 and many of them are good laws. However, they are often disregarded or enforced in an unfair manner.

The purpose of this workshop was to look into the practical problems in the implementation of the law, as far as they can be foreseen, and prevent them through the development of the Guide. This is an excellent idea, which deserved to be promoted.

To be able to assemble peacefully in order to discuss freely matters of common concern about how society should be organised, and this without fear of being killed, beaten, imprisoned or otherwise punished, is an essential condition of the development of any society. No leader has the miracle cure to the many problems faced by society - - it is by opening a dialogue with society, inviting people to

express their views, listening to what they have to say about their lives, that long-term solutions, which respond to these problems, can be developed. In this process, civil society actors who often have their thumb on the pulse of society, are an important contributors, and we welcome the Ministry of Interior's invitation to civil society to participate in today's discussion.

With freedom of assembly, go the freedoms of expression, association and movement. These are the four pillars of a healthy society, of a healthy democratic process. If one or more are missing, the society goes cripple. And if it goes cripple, more problems will arise. There are two ways to address conflicts in society: dialogue and cooperation or violence and repression. The choice between the two is a political one.

It is for these reasons that international human rights law promotes these fundamental values, and restricts freedom of assembly in only exceptional circumstances. The right to assemble, like many other rights, is not absolute: it must be peaceful and must be exercised in the respect of the rights of others. Rights always go with responsibility. My rights are limited by your rights. My freedom stops where yours start, and so on and so forth. I am pleased that this Workshop and the draft Implementation Guide provide guidance in this respect.

A second important point, which will hopefully be clarified in this guide, is that this law, as any law, should be implemented in a fair manner. This means that regardless of race, nationality, sex, political or religious beliefs, the right to peaceful assembly should be enjoyed equally by all. This right is not reserved to people who think like me, but also to people who think differently. Our Office together with the East-West Management Institute has been eager to support the initiative of His Excellency Nuth Saan to develop an Implementation Guide. I hope that it will be a useful tool and I look forward to further cooperate with the Ministry of Interior to facilitate the dissemination, understanding, and implementation of the law by the authorities in charge of translating it into practice.

As someone who has been following the evolution of this country for many years, I appreciate the value of dialogue and consultation with individuals and groups in society over the violence of the past. I appreciate the progress made in this regard.

Today's workshop is an example of good practice, whereby the Ministry of Interior, other Government institutions, civil society actors and the United Nations, are joining hands to discuss and work together towards the implementation of an enabling law. This is model, which the Ministry of Interior should be proud of and to promote with regard to future important pieces of legislation.

We look forward to continue to work with the Ministry of Interior and the Government in this constructive spirit.

Thank you very much.