



Special Representative of the Secretary-General
for Human Rights in Cambodia

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**The Special Representative of the Secretary-General for human rights in Cambodia,
Mr. Yash Ghai, concludes his third official visit to Cambodia**

Phnom Penh 31 May 2007 - The Special Representative of the Secretary-General for human rights in Cambodia, Yash Ghai, conducted his third official visit to Cambodia from 29 to 31 May 2007. The main objective of the visit was for the Special Representative to get feedback on his latest report to the United Nations Human Rights Council and to update himself on the human rights situation in the country. In this regard, he very much appreciated the opportunity to meet and discuss with H.E. Deputy Prime Minister Sar Kheng during his visit. However, he regrets that none of the other senior government officials he had hoped to meet were available to see him. While in Phnom Penh, Mr. Ghai had fruitful discussions with representatives of civil society, political parties, the National Election Commission, United Nations agencies and the diplomatic community.

The Special Representative welcomes the imminent adoption of the Code of Penal Procedure, after many years of preparation. He hopes that the Code will overcome many of the problems that have dogged the Cambodian justice system and the Government will give priority to its implementation.

Impunity for human rights violations continues to pose a threat to the rule of law in Cambodia. The Special Representative again expresses deep regret over the decision by the Appeal Court on 12 April 2007 to uphold, despite strong exculpatory evidence, the conviction of Born Samnang and Sok Sam Ouen, who in 2005 were sentenced by the Phnom Penh Municipal Court, following fundamentally flawed proceedings, to 20 years imprisonment for the murder of trade union leader Chea Vichea in January 2004. The upholding of these sentences is a grave injustice and the Special Representative reiterates his calls for a thorough, impartial and credible investigation into the murder of Chea Vichea, and for the prosecution of those responsible. He also supports the appeals for a Royal Pardon for Born Samnang and Sok Sam Ouen.

The Special Representative notes with alarm the continuation of attacks and intimidation against members of the workers' movement in the course of the last year. Serious restrictions have been placed, illegally, on their right to assemble and carry out their responsibilities. He is appalled at the assassination of trade union leader Hy Vuthy on 24 February 2007. There must be no impunity for the murderer this time.

While welcoming Cambodia's economic growth, he warns that human rights and equity must not be sacrificed in the pursuit of growth. He will shortly release a report presenting a human rights perspective on economic land concessions. The report shows that economic land concessions, as presently granted, have compromised and destroyed the livelihoods of rural communities in favour of the enrichment of a few connected to the political establishment. He is deeply concerned about the continuing alienation of indigenous land through 'land grabbing', illegal or coercive sales, and the grant of concessions, including mining licenses.

The Special Representative looks forward to the speedy adoption of the Internal Rules for the Extraordinary Chambers in the Courts of Cambodia (ECCC), and welcomes the agreement reached on the question of international defence counsel. He wishes to emphasize the importance of independent international monitoring of the trials and the responsibility of any monitor to bring matters of concern to public attention. In the interest of maintaining the integrity of the trial process, he endorses the calls for a thorough and transparent investigation of the allegations regarding irregular hiring practices at the ECCC.

The Special Representative is pleased to note that the commune council elections on 1 April were conducted in an atmosphere marked by less violence, threats and confrontation than in previous elections. He welcomes the assurance of the National Election Commission that the reasons for the drop in voter turn out will be investigated and every effort will be made to ensure that all those who wish to vote in next year's general elections will have full opportunity to register and cast their votes, and that political parties will be able to conduct their campaigns fairly and freely.