

UNITED NATIONS
Cambodia Office of the High
Commissioner for Human Rights



NATIONS UNIES
Bureau du Haut Commissaire
aux droits de l'homme au Cambodge

Special Representative of the Secretary-General
for human rights in Cambodia
កំណត់សម្គាល់សម្រាប់លោកអគ្គលេខាធិការទទួលបន្ទុកសិទ្ធិមនុស្សកម្ពុជា



PRESS RELEASE

Phnom Penh 17 December 2007: The Special Representative of the United Nations Secretary General for Human Rights in Cambodia is issuing today the following clarification.

"The Special Representative is an independent expert appointed by the Secretary General of the United Nations. His mandate is to monitor the respect for human rights and fundamental freedoms in the country, to help the Government and the Cambodian people in ensuring that the Cambodian laws and the standards accepted by the State are effectively observed, foster international cooperation in the field of human rights, and report annually to the newly established United Nations Human Rights Council.

As Special Representative, he is not an employee of the United Nations and does not receive a salary. His work is pro bono. Mr. Yash Ghai is a professor of constitutional law and a human rights defender, with a lifelong experience in promoting rule of the law in many countries. He does not represent Kenya. He represents the human rights principles enshrined in the Charter of the United Nations, of which Cambodia is a Member State, the Universal Declaration of Human Rights and the International Human Rights treaties, several of which have been ratified by Cambodia, and are part of Cambodian law.

The Special Representative does not intend to dialogue with the Government through the media. He has sought meetings with several ministers well in advance of his visit. They either did not respond or refused to meet him. In the absence of such meetings, he has described publicly his main concerns as he is duty bound to do. These concerns will be addressed in detail in his forthcoming report. He hopes that the Government will respond to the substance of his assessment. He is ready to discuss it in detail, and will listen to the views of the Government at any time. The door of dialogue must always remain open. To have dialogue one must have interlocutors and the Special representative will pursue his efforts in this direction.

An honest scrutiny of the reports of the Special Representatives since 1993, shows that progress in the area of the rule of the law and the administration of justice, where they occurred, were duly reported, as any fair assessment requires. At the same time, matters of concern, such as those reported during previous visits, have continued to be highlighted. These are serious concerns for the lives of many Cambodians. These issues will not go away. They deserve attention. As a Cambodian proverb goes, one cannot hide a dead elephant with a basket. The role of the Special Representative is to understand these concerns, to draw the Government's attention to them, and work with it, with the Cambodian people and the international community to address them.

Lastly, it is important to clarify that the Special Representative has not called for the international community to cut its support to Cambodia. Rather, he has encouraged Member States, as bound by the Charter of the United Nations, to pursue their assistance efforts, while playing a more critical role in recognising human rights realities in Cambodia, the understanding of which the Special Representative mandate aims at contributing."

End of statement.