



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

តំណាងពិសេសរបស់លោកអគ្គលេខាធិការអន្តរជាតិសម្រាប់សិទ្ធិមនុស្សប្រចាំកម្ពុជា



Press Conference
by Thomas Hammarberg, SRSGHRC
FCCC, 5 September 1997

Introduction

I went through documentation that was collected by the UN Centre for Human Rights Office in Phnom Penh about abuses that had occurred in July. I decided that this information should be submitted in a memorandum to the government. In a cover letter, I asked the government both to initiate and facilitate judicial criminal investigations and set up a comprehensive inquiry on reports on the serious human rights violations from July onwards.

During this short visit, I had meetings with several Ministers and His Majesty the King. Let me summarize for you the meetings with the King and the lengthy meeting with the Second Prime Minister which took place yesterday.

At the audience with the King, there was a warm reception. The King repeated that for him, human rights is now a major preoccupation. He interprets the Constitution to mean that the King is the protector of human rights and said he will speak out on human rights matters in the future as well. He declared full support to me as the SRSGHRC and to the Cambodia Office. And in fact, he repeated his statement of support through our one hour conversation. I welcome his support for my work and that of the Cambodia Office.

In an extended meeting with the Second Prime Minister, I pointed out that the Memorandum was a very serious and high level human rights research by our team in Phnom Penh. This document contains information about 41 cases, prima facie evidence that executions took place. The information is credible. The Memorandum does not include unsubstantiated materials or rumors.

As described in the Memorandum, we have also received testimonies that bodies were brought to pagodas by soldiers with instructions to rapidly cremate their bodies. I have no doubt that this indeed happened, and that this deed seemed to be undertaken with the aim at destroying evidence. We asked for an investigation that will make sure that these acts are not tolerated in the future.

The rest of the facts in the document involve some other cases the Office continues to investigate. I would like to emphasize that there is also information about and we continue to investigate atrocities committed by the other political side in the battle.

How did government now respond to the Memorandum? In my meeting with His Excellency Hun Sen and other Ministers, they did not raise any problem with respect to accuracy of facts in the Memorandum. They all said there is a need to investigate but it does not necessarily mean they accept it. They believe that the information contained in the Memorandum should be taken seriously and investigated.

The Second Prime Minister said that our Memorandum helped clarify untrue rumors and confusion. He said that this was a positive and constructive point between the Cambodia Office UNCHR and the Government, and that this Memorandum has contributed to stabilize the situation and provide an opportunity to take measures for these things not to occur again.

There is no objection on the Government's part as to substance. I welcome that. To His Excellency Hun Sen's statement that the investigation would be serious, I welcome that even more because I am disappointed that previous assassinations with political connotations, attacks against journalists and political activists, the grenade attack on peaceful demonstrators did not lead to the identification and arrest of those responsible.

There was also discussion with Hun Sen about the Cambodia Office. He repeated what he had said in his public statements about staff members. But he asserted that it was up to the UN to sort this out. I got a strong impression that it is the end of discussion and the issue has been laid to rest.

There was also a discussion of the creation of an independent national institution for human rights, which the Second Prime Minister has previously mentioned publicly. I noted that it needed to be genuinely independent, including financial independence, and that any such body would need to have authority. The Second Prime Minister said that the human rights NGO should draft the legal statutes.

The Second Prime Minister also pledged that the UN Centre for Human Rights Office would receive blanket permission to visit all places of detention in the Kingdom including regular prisons and military detention facilities. This will facilitate future investigation and monitor work, but I would like to reiterate that the government had assisted to facilitate such access in the investigation leading to the Memorandum.

Lastly, I discussed with both the King and the Second Prime Minister the June 21 letter for both Prime Ministers seeking UN assistance vis-à-vis a tribunal for those responsible for the crimes of the Khmer Rouge era. I mentioned my intention to recommend to the General Assembly that a Commission of Experts be established as the next step. Both the King and the Second Prime Minister supported this idea and I want to reemphasize that I view the failure to bring to justice those responsible for the terrible crimes of that period as a substantial part of the present and serious problem of impunity.