

Check against delivery



**Statement of the
Special Representative of the Secretary-General
for human rights in Cambodia,
Professor Peter Leuprecht**

Third Committee-General Assembly

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This is the first time I have the honour to present a report to the Third Committee in my capacity as Special Representative of the Secretary-General for human rights in Cambodia. Since my appointment in August of last year I have followed developments in Cambodia very closely and have paid three visits to the country. I shall return there at the end of this week. From the outset, I would like to emphasize that on the whole I have received good cooperation from the Government. As I told Prime Minister Hun Sen last June, I regard the Government's response to the report I presented to the Commission on Human Rights last April as mature, responsible and constructive and as a good basis for the continuation of a fruitful dialogue.

In my view, one of the main objectives of the peaceful combat for human rights is to reduce and prevent human suffering. Cambodians have experienced terrible suffering in their turbulent recent history, particularly under the Khmer Rouge regime. Since then the situation has considerably improved, but there is still an unacceptably high degree of suffering some of which I witness when I visit the country. I have seen poor people who have been expelled from the land on which they previously lived and who have been relocated in appalling conditions on heavily mined land. I have met victims of human trafficking and sexual exploitation, young women and girls, some of them not older than six or seven years. Those I met have been rescued and now receive education, vocational training, counseling and support in a shelter run by a Cambodian NGO. The story of the suffering of so many other women and children, victims of human trafficking, will never be told. I have seen the suffering of detainees, some of them extremely young, in Cambodian prisons where conditions are gravely inadequate. I have seen babies and small children who spend the first years of their lives with their mothers in prison under conditions that will probably traumatize them for life.

What are the root causes of all this human suffering and how can it be reduced, remedied and prevented for the future?

In my view the root causes are four fundamental and closely interrelated evils that continue to plague Cambodian society, namely, poverty, violence, corruption, and lawlessness. When I met Prime Minister Hun Sen on 26 June 2001 he agreed with my analysis. In order to reduce human suffering each and all of these four evils must be addressed with a high degree of determination. A strong political will is required to eradicate these evils. The responsibility for doing so lies in the first place with the Government of Cambodia. At the same time Cambodians must be able to rely on the active solidarity of the international community.

I would like to take this opportunity to pay tribute to Cambodia's donor countries, Japan in the first place, as well as the European Union and its members and other countries such as Canada and Australia. It is to be hoped that the tragic events of the last two months will not detract attention from the burning needs of Cambodia, one of the world's poorest countries. I strongly encourage donor countries to follow through on their pledged assistance. Protection and promotion of human rights should be taken into account in all assistance programs. For its part, the Cambodian Government should realize and understand that the donor community is increasingly eager to see concrete results from the government reform programs and that these will determine the degree of support in the future.

I would also like to pay a warm tribute to the remarkable work carried out by the Cambodia Office of the High Commissioner for Human Rights, national and international NGOs who are making an essential contribution to the reduction of human suffering and to the building of a peaceful and democratic society in Cambodia in which human rights are respected.

In the report I have submitted to the General Assembly I focus on a number of specific issues such as land rights and land grabbing, natural resources, demobilization of armed forces and human trafficking – issues the solution of which would undoubtedly foster the enjoyment of human rights and reduce human suffering in Cambodia. It is obvious that these problems cannot be solved overnight. However, the Cambodian authorities must demonstrate a clear and strong political will to tackle them.

Let me now briefly address four specific issues.

In my reports to the Commission on Human Rights and to the General Assembly I have drawn attention to the sad state of the Cambodian judiciary. Several of its chronic shortcomings have been demonstrated in the course of the trials of the so-called Cambodian Freedom Fighters. I strongly appeal to the Cambodian authorities to address and remedy these shortcomings and to intensify efforts for legal and judicial reform.

The commune elections scheduled for February 2002 will, it is to be hoped, be a further step towards the consolidation of democracy in Cambodia. In my report I raise some concerns with regard to the political climate leading up to these elections and, in particular, the danger of political violence. I welcome the agreement between the two parties in power to abstain from all acts of violence. Of course, all parties should benefit from a non-violent approach to commune elections. Regrettably, cases of violence including killings have occurred. These must be seriously investigated and those responsible must be brought to justice. There cannot be any impunity for those responsible for acts of violence. In a public statement I issued last August, I also expressed concern about the involvement of local authorities in carrying out opinion surveys on behalf of the ruling Cambodian People's Party.

With regard to the Special Tribunal to try those responsible for crimes during the Democratic Kampuchea regime, the law has been approved by all competent Cambodian authorities and signed by His Majesty, King Norodom Sihanouk. It has been transmitted to and is being examined by the Legal Council of the United Nations. It is to be hoped that an agreement will be concluded in the near future between the United Nations and the Royal Government of Cambodia so that the tribunal can come into operation soon.

Finally, I would like to raise a point that is a cause for considerable regret and frustration. It concerns the still outstanding issue of the Memorandum of Understanding between the Government of Cambodia and the Cambodia Office of the High Commissioner for Human Rights. When I met Prime Minister Hun Sen on 26 June 2001 he expressed firm support for the early signature of the MoU. In spite of his encouraging assurances it has still not been possible to reach agreement on a MoU that would be in line with the Convention on the Privileges and Immunities of the United Nations and with state and UN practice in these matters.

To conclude, I would like to express the strong hope that thanks to the joint efforts of the authorities and peoples of Cambodia and the international community it will be possible to reduce human suffering in this country and to ensure that its future will be better than its past.