



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

តំណាងពិសេសរបស់លោកអគ្គលេខាធិការអន្តរជាតិសម្រាប់កម្ពុជា



**United Nations Special Representative of the Secretary-General for human rights in Cambodia “seriously concerned” about restrictions on freedom of movement
20 September 1998**

The Special Representative of the UN Secretary-General for Human Rights in Cambodia is seriously concerned at reports that the Royal Government of Cambodia has imposed a ban on international travel on all current and elected members of the National Assembly and other opposition party figures. Government officials have made it clear this decision has been taken at the highest levels and will not immediately be reversed.

On 10 September, H.E. Kem Sokha, member of the National Assembly from Takeo province and Chairperson of the National Assembly Commission on Human Rights and Reception of Complaints, was prevented from leaving the country at Pochentong Airport. On 18 September, other members of the National Assembly were reportedly also refused the right to exit the country from Siem Reap airport.

Freedom of movement is a fundamental freedom recognised under international and Cambodian law. Article 12 of the International Covenant on Civil and Political Rights, to which Cambodia is a party, states that “Everyone shall be free to leave any country, including his own” and that “Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement...” Article 40 of the Cambodian Constitution states that “Khmer citizens shall have the right to travel and settle abroad and return to the country.”

Members of the National Assembly enjoy additional protection under Article 80 of the Cambodian Constitution, which states that “Members of the National Assembly shall enjoy parliamentary impunity... The accusation, arrest or detention of a member of the National Assembly shall be made only with the permission of the assembly... by a 2/3rd vote of the assembly members.” All current members of the National Assembly are covered by this provision.

Freedom of movement may only be limited in individual cases in which a person is under lawful arrest or detention for a duly prescribed criminal act or subject to a lawful arrest warrant. The Special Representative is unaware of any such legal arrest warrant at the time the travel ban was imposed until the present.