



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

តំណាងពិសេសរបស់លោកអគ្គលេខាធិការអន្តរជាតិសម្រាប់កម្ពុជា



STATEMENT BY AMBASSADOR THOMAS HAMMARBERG,
SPECIAL REPRESENTATIVE OF THE UNITED NATIONS SECRETARY-GENERAL
FOR HUMAN RIGHTS IN CAMBODIA
28 August 1998

The Special Representative encourages the government, political party leaders and all Cambodians to exercise restraint to ensure that Cambodians are able to exercise their freedom of assembly in a safe and peaceful manner.

Freedom of assembly is a fundamental human right under international and Cambodian law. Article 21 of the International Covenant on Civil and Political Rights, to which Cambodia is a party, protects “the right of peaceful assembly.” Articles 37 and 41 of the Cambodian Constitution also protect the “right to peacefully demonstrate” and “freedom of assembly.” Cambodian law also permits peaceful gatherings such as the one currently occurring in front of the National Assembly.

Both the authorities and the demonstrators have responsibilities which, if not properly observed, may result in violence, injury and death. Only violent demonstrations or those which may lead to violence by the demonstrators should be banned or broken up. If a demonstration is broken up the least amount of force necessary must be used, and in all cases only non-lethal force must be employed. It should be noted that since 1993 no serious violence has ever been carried out by demonstrators. The only such violence thus far has been aimed at demonstrators, such as on 30 March 1997. Freedom of assembly should not be limited because of the threat from outside groups against demonstrators. Instead, it is the duty of the police and other relevant authorities to protect demonstrators from threats from political opponents or others.

During all demonstrations it is the joint responsibility of the authorities and demonstration organizers to ensure public health and the safety of the demonstrators, bystanders, passersby and security personnel. The Special Representative welcomes the role of the authorities thus far in ensuring that the assembly has remained peaceful. He also welcomes the efforts made by the organizers of the demonstration to cooperate with the authorities to keep public roads and sidewalks clear, ensure proper sanitation, provide food and water to those in need, and keep weapons out of the park area.

Thus far the demonstrators have behaved in a generally peaceful manner. The Special Representative is deeply concerned, however, about recent public statements by political leaders which may incite violence against a particular political party or an ethnic group. It is the responsibility of public speakers, such as political party leaders addressing the current gathering, to avoid any language which may incite listeners to violence. He reiterates his earlier call that they refrain from using xenophobic rhetoric, particularly directed against persons of Vietnamese origin.

The Special Representative encourages continued dialogue between the relevant authorities and demonstration organizers to avoid misunderstandings and to resolve differences in a peaceful manner.