



# HUMAN RIGHTS COUNCIL - 48<sup>th</sup> SESSION

## Interactive dialogue with the Special Rapporteur on situation of human rights in Cambodia

### Mr Vitit Muntarbhorn - Special Rapporteur on the situation of human rights in Cambodia:

- *Report of the Special Rapporteur: [A/HRC/48/79](#)*

The Special Rapporteur appreciated the **kind help** provided by the permanent mission of Cambodia in Geneva, **facilitating meetings with officials in Cambodia**, including the prime minister.

In recent years there has been **disturbing regression of democratic space and civil freedoms**. The current **restrictive atmosphere** caused by executive officials is **intimidating**. In such context, the 5 following interlinked challenges deserve attention:

#### 1) Covid-19 and its consequences :

Some measures used to counter the pandemic deserve praise. But on other hand the **“anti-COVID-19 law”** resulted in **arrests of hundreds of persons**, sometimes with sentences amounting to **30 years of imprisonment**. Intolerance towards online criticism of the COVID-19 response has led to **arrests and prosecutions** with a chilling impact on **freedom of expression**, leading to both **self-censorship** and **censorship**.

#### 2) Civic space and related civil and political rights:

In recent years there has been a **severe restriction of civic space**. Constraints are imposed on activities of **human rights defenders** and **NGOs** when they are seen to be **critical of authorities**. Several human rights defenders have been **imprisoned and journalists** are recurrently **harassed**. We can also observe a concerning **closure of the political space in Cambodia**. **Political opponent and opposition parties** are **harassed and prosecuted**. The coming **2022 and 2023 elections** may not **be free and fair**. Currently all National Seats Assembly are at the **hands of the ruling party**.

#### 3) Law enforcement and administration of justice:

**Draconian laws** are passed by the government. For example the **“National Internet Gateway Law”**, severely **undermining freedom of expression and information**. There is also a concerning case of a 16-year-old boy imprisoned for months, for comments made on internet.

#### 4) Economic and Social Rights

**Budget allocations** remain an issue of concern in Cambodia. **13% of the 2021 national budget was allocated for defence, security and surveillance**, with much less for the social sector.

#### 5) Key vulnerabilities:

**Women, children** and **indigenous peoples** deserve special attention. COVID exacerbated **vulnerabilities**. More thematically, there is a troubling phenomenon of State lands being reclassified in private hands and being commercialized. **Forced evictions** should not take place during pandemic.

#### **Recommendations:**

**Suspend draconian laws**. Drop court cases and **end the detention** of those who disagree with the authorities. **Restore political rights** to members of the political opposition, and propel reconciliation. Share the power and **end the monopoly**.



### Delegation of Cambodia – Speaking as the country concerned:

Cambodia appreciated the Special Rapporteur's **recognition of Cambodia's advancement** in several areas of society. Cambodia also expressed its appreciation of the **cooperation with the new Special Rapporteur**, who met several times with government officials in past months.

However the Special Rapporteur's **report is biased**, and indicate **false information** regarding freedom of expression. The report is **non-objective** and do not represent a fair assessment of the situation. For example, the "anti-COVID law" aims at saving people's lives.

Cambodia invited the Special Rapporteur to **modify a certain number of charges** and allegations contained in the report. **Human rights cannot be used to advance a political agenda**. Mandate holders must respect the **territorial integrity** and **sovereignty** and should **not interfere** in internal affairs.

### INTERACTIVE DIALOGUE

#### Delegations that took the floor during the Interactive Dialogue (30 statements)

Brunei Darussalam *on behalf of ASEAN*, European Union, Iceland *on behalf of Nordic-Baltic countries*, Australia, Japan, France, Switzerland, Venezuela, Vietnam, Russian Federation, Belarus, United States, Belgium, China, Philippines, United Kingdom, Lao People's Democratic Republic, Sri Lanka, Lebanon, Cuba, India, Brunei Darussalam, Cameroon, Turkey, Indonesia, Egypt, Thailand, Kyrgyzstan, Azerbaijan, Kuwait.

Delegations taking the floor **commended Cambodia and the Special Rapporteur for their fruitful cooperation** and the several constructive meetings held. A majority of State congratulated Cambodia for its **recent achievements in the field of human rights**, and in the socio-economic sphere. States also commended Cambodia for its **successful management of the COVID-19 pandemic** and for its campaign of vaccination.

Some States expressed their **concerns over the deteriorating human rights situation**. They denounced the **shrinking democratic and civic space**, the **restrictions on freedoms of expression, assembly and movement**, the **harassment of human rights defenders, journalists and political opposition members**. These States were worried that the **coming 2022 and 2023 election** could not be held in a **free, fair and democratic environment**. (European Union, Iceland on behalf of Nordic Baltic countries, Australia, Japan, France, Switzerland, United States, Belgium, United Kingdom).

Several States **opposed the practice of country specific mandates** and reminded the **importance of respecting territorial integrity and sovereignty** of UN member States. Some of these States reminded the Special Rapporteur to **abide by the code of conduct** and exercise its mandate with **impartiality** and **objectivity**. (Brunei Darussalam on behalf of ASEAN, Venezuela, Democratic People's Republic of Korea, Vietnam, Russian Federation, Belarus, China, Lao, Sri Lanka, Cuba, Azerbaijan).

#### 10 NGOs took the floor during the Interactive Dialogue:

Liberal International, FIDH, Lawyer's Rights Watch Canada, Article-19, Human Rights Watch, Forum Asia, CIVICUS, Human Rights Now, Amnesty International, Ingenieurs du Monde.

Civil society organizations taking the floor widely expressed their **concerns over the deteriorating human rights situation** in Cambodia and the **shrinking democratic space**. NGOs denounced harassment of **human rights defenders, journalists and political opposition members**. They deplored use of **torture, arbitrary arrests and repression of protests**.

NGOs denounced **draconian laws** such as the "anti COVID-19 law" or the "**National Internet Gateway Law**", severely undermining freedoms of expression, association and movement. NGOs expressed concerns over the coming 2022 and 2023 elections, fearing that they could **not be free and fair**.

Watch the full Interactive Dialogue on Cambodia on [UN WebTV](#)