



សម្ព័ន្ធនៃខ្មែរជំរឿននិងការការពារសិទ្ធិមនុស្ស លីកាដូ

**LICADHO**

CAMBODIAN LEAGUE FOR THE PROMOTION  
AND DEFENSE OF HUMAN RIGHTS

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October 28, 2010

Mr. Ban Ki-moon  
Secretary-General of the United Nations  
United Nations Headquarters  
760 United Nations Plaza  
New York, NY 10017  
USA

Dear Secretary General,

We write to welcome you and your wife to Cambodia, and to summarize what we perceive as some of the most pressing human rights issues affecting Cambodia.

Cambodia is currently facing its most serious crisis since the 1997 coup, which constitutes a backward slide in the country's democratization. The international community, notably the UN, made significant contributions to bringing peace and the concept of democracy and rule of law to Cambodia. Sadly, the hard-won steps which have been made toward pluralistic democracy are now in danger. In particular, efforts to promote Human Rights are deteriorating.

We would like to touch upon the most pressing threats to Cambodia's democracy and urge you to raise the following issues with the Cambodian government:

**Independence of the judiciary:** Justice is never assured inside a Cambodian courtroom. Corrupt courts are used by the executive or politically-connected businessmen to "legitimize" land grabs and to groundlessly charge and sentence community representatives to prison terms. As of mid-2010, over 60 villagers affected by land grabbing were unjustly imprisoned. This blatant misuse of the judiciary is an effective weapon against communities in preventing from obtaining fair and just solutions.

**Freedom of Expression and Human Rights Defenders:** Journalists continue to be prosecuted. People who speak out are at risk of being beaten, threatened, killed or thrown in jail. An increasing number of communities affected by land grabbing are deprived of their freedom of movement and assembly. Villagers are routinely prevented from reaching the capital to raise grievances with national authorities. The scope and breadth of the actions taken by the government have the markings of a crackdown<sup>1</sup>.

**Law on local and international Associations and NGOs:** The Royal Government of Cambodia is considering - as a priority - a new law to regulate local and international Associations and NGOs. So far, the government has refused all requests to obtain copies of the draft law by members of civil society and embassies. Ruling party officials have publicly

<sup>1</sup> See LICADHO's forthcoming report, "Freedom of Expression in Cambodia: The Illusion of Democracy," due for release on Dec. 10, 2010 [to be available at [www.licadho-cambodia.org](http://www.licadho-cambodia.org)]



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and repeatedly stated that the law is intended for NGOs who speak too freely and those which “rock the boat” by advocating on issues such as corruption and deforestation. We are gravely concerned that the law will empower the government to control all organizations which dare criticize the ruling party. If this is the case, the NGO law will destroy the very notion of civil society in Cambodia, perceived by many observers as one of the few remaining positive legacies of UNTAC.

With the upcoming NGO Law, Cambodia put itself on the same level with Russia, Belarus, Iraq and other countries in the Middle East, where such controlling NGO laws with “mandatory registration” systems are in place<sup>2</sup>.

Please accept the expression of my highest consideration and gratitude.

Yours sincerely,

Dr. Pung Chhiv Kek

President & Founder

The Cambodian League for the Promotion and Defense of Human Rights

(LICADHO)

<sup>2</sup> The European Parliament stressed on 21 October 2010 in its Resolution on Cambodia, in particular on Sam Rainsy, its concerns about this intended NGO law: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2010-0389+0+DOC+XML+V0//EN&language=EN>