UN special rapporteur on human rights Rhona Smith’s mandate will last until 2021. Heng Chivoan

Cambodia's permanent mission to the UN in Geneva on Monday reminded the country’s special rapporteur on human rights to carry out the role with independence and impartiality.

Cambodian ambassador and permanent representative to the UN in Geneva, Switzerland, An Sokkhoeurn reminded the Human Rights Council’s 43rd General Session in a statement that Cambodia is committed to human rights and the special rapporteur must carry out her duties objectively.

He said Cambodia had accepted the role of special procedures in promotion and protection of human rights. As a result, it has allowed six country special rapporteurs since 1993. But he accused them of bias.

“The special procedures should not treat every report made by those critical of the government as a ‘fait accompli’ without questioning the accuracy of the details, the background and the political motivation.


“Special rapporteurs must always seek to establish facts based on objective, reliable information emanating from credible and duly cross-checked sources as prescribed in Articles 6, 8 and 9 of the Code of Conduct of the Human Rights Council,” he said.
Sokkhoeurn said these principles must be enforced when it comes to communication and press statements.

“The special rapporteurs who serve in their personal capacity should abide by the fundamental purposes and principles of the UN charter, which underlines non-interference and respect for sovereignty.

“Their mandates are to assist the member states in the field of human rights through dialogues and cooperation without implying any value judgment. They are neither a judge nor a prosecutor,” he said.

Cambodia Human Rights Committee (CHRC) spokesman Chin Malin said previous special rapporteurs were different from Rhona Smith, the present UN special rapporteur, on the situation of human rights.

She was the first special rapporteur to continue her mandate until 2021 as agreed by the government.

“Rhona Smith has fulfilled her obligations as an academician rather than previous special rapporteurs who carry out a political agenda. Previous special rapporteurs seemed to pay attention to opposition groups rather than the government,” he said.

He noted that Smith has carried out her work with all parties – the government, opposition and civil society organisations. Therefore, she is always welcomed by government representatives and other high officials.

“However, not all her reports are perfect or accurate in response to the real situations in Cambodia because the reports are her views as an expert and her reports don’t represent any international body,” Malin said.

By saying that even though Smith’s reports didn’t represent any institution, those who tend to oppose the government have always used her reports as a basis to attack and denigrate the government, he said.

The executive director of the Cambodian Centre for Human Rights, Chak Sopheap, said on Wednesday that the role of the UN special rapporteur on the human rights situation in Cambodia is integral and legitimate.

“The mandate is filled by independent experts to shine an impartial light on the human rights situation in Cambodia to encourage better protection of human rights.

“It is paramount that special rapporteurs exercise their mandates free of stakeholder interference or pressure, to maintain independence and impartiality.

“It is regretful that the government has failed to acknowledge human rights abuses that occur within its jurisdiction. Instead, distracting from the human rights situation and shifting blame.
“The government should further its cooperation and engagement with all UN special procedures, fostering meaningful engagement and working purposefully towards a mutual objective of better protection of human rights in Cambodia,” Sopheap said.

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