



CCHR Media Comment - 26 November 2012

Prime Minister’s speech regarding land disputes is in contravention of fundamental rights and democratic principles

The Cambodian Center for Human Rights (“CCHR”) is deeply concerned about the Prime Minister Hun Sen’s remarks during a land-titling ceremony in Preah Vihear province, which took place on Friday 23 November 2012. Addressing nearly 1,000 students, farmers and government officials, Prime Minister Hun Sen warned them not to politicize or amplify their disputes over land.

According to a report in the Cambodia Daily newspaper dated 26 November 2012, the Prime Minister stated: *“I will not resolve and will stall [the land issues] whenever there is involvement from politicians, non-governmental organizations or political parties.”* In response to this statement, CCHR reiterates the legal duty of the Royal Government of Cambodia (“RGC”) to ensure adequate housing for all Cambodian people.

Cambodia has ratified various international human rights treaties, which place obligations on the RGC to promote and protect these human rights. Article 25 of the Universal Declaration of Human Rights, which is recognized and respected under Article 31 of the Cambodian Constitution, states that *“everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing and housing.”* In addition, Article 11 of the International Covenant on Economic, Social and Cultural Rights provides for the *“right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”* and states that *“the State Parties will take appropriate steps to ensure the realization of this right”*.

In refusing to resolve land issues when there is outside involvement from non-governmental organizations (“NGOs”), politicians and political parties, the Prime Minister is threatening to breach Cambodian citizen’s rights under international and domestic law. By warning victims of land rights violations not to engage with NGOs, the RGC is treating civil society as an adversary rather than a valuable counterpart. Furthermore, in warning against speaking out about disputes, the Prime Minister is in contravention of the internationally and domestically protected fundamental right to freedom of expression.

As the government has faltered in its duty to provide solutions to land conflicts, NGOs have provided support to victims through training, advocacy, humanitarian aid and in assisting them with the filing of complaints. By trying to separate the victims from NGOs and political parties now, the human rights situation is only likely to get worse.

Vann Sophath, Project Co-ordinator of CCHR’s Land Reform Project, comments:

“The Prime Minister’s speech has clearly shown his intent of holding absolute power in Cambodia. The message highlights the extent of the restrictions on human rights and freedoms of victims of land conflicts but also shows Hun Sen’s wish to control NGOs and to crush any political opposition.” Vann Sophath adds, “I am very sorry that the victims of land conflicts have been used as political hostages in Cambodia. The Prime Minister’s message has raised serious doubts amongst the Cambodian people with regards to the motives of CPP’s land reform policy, especially in the run up to the general election in 2013.”

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Notes to the Editor:

CCHR, founded in November 2002, is a non-aligned, independent, non-governmental organization (NGO) that works to promote and protect democracy and respect for human rights throughout Cambodia.

CCHR is a member of the International Freedom of Expression Exchange (IFEX), the global network for freedom of expression.

The Cambodian Human Rights Portal www.sithi.org is the 2011 winner of the Information Society Innovation Fund Award in the category of Rights and Freedoms.