Government Officials Defend Need for NGO Law

Sok Khemara, VOA Khmer | Washington, DC
Tuesday, 01 March 2011

Cambodian NGOs at a social forum.

Cambodian officials continue to defend the need for a law on NGOs, saying the sector has grown too large and has gone unregulated for too long.

Critics of the draft law on NGOs, which will regulate the registration and activities of thousands of non-governmental entities across the country, will hinder their work and open the possibility for extrajudicial abuse.

In a visit to Cambodia last week, the US’s top
diplomat for democracy and human rights, Dan Baer, questioned the necessity of the law and whether it would be potentially harmful to the flourishing of an open society.

Koy Kuong, a spokesman for the Ministry of Foreign Affairs, said the government was drafting the law “to prevent any extreme activities of NGOs.”

“This law does not have the purpose of restricting freedom for NGOs at all,” he said.

Cambodia has more than 3,000 non-governmental organizations, which bolster government functions like healthcare, education and development areas from human rights groups to agriculture.

Proponents of the draft law say it is now time to regulate the sector, including registration, action plans and other reports on activities. They point to the activities of the terrorist groups like Jemaah Islamiya in Cambodia in 2003 as reason for the law.

Nuth Sa An, secretary of state for the Ministry of Interior, who is in charge of the draft law, could not be reached for comment last week.

Government spokesman Phay Siphan said US concern over the law was understandable, but NGOs have become too used to operating
without law or transparency.

Not everyone is convinced.

Ou Virak, head of the Cambodian Center for Human Rights, said he met with Baer on his visit and remains concerned Cambodia does not need a law specifically for NGOs.

Cambodia already has counter-terrorism laws, an anti-corruption law and a penal code to address wrongdoings of organizations, he said.

“So this law is for nothing but to complicate registration,” he said. “And only to put NGOs under the pressure of the government.”

Abuse of the law could “restrict freedom of people and space for democracy,” he said. “And it will strongly impact that democracy in Cambodia in the future.”

Concerns remain over how difficult the law will make organizing small community groups into associations, said Chhaya Hang, executive director of the Khmer Institute for Democracy.

On his visit, Baer said he would continue to monitor the progress of the law and was encouraged by ongoing dialogue between the government and the NGO sector.