

Report of the Fact-Finding Mission to

Cambodia

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Asian Human Rights Commission

Report of the Fact-Finding Mission to Cambodia

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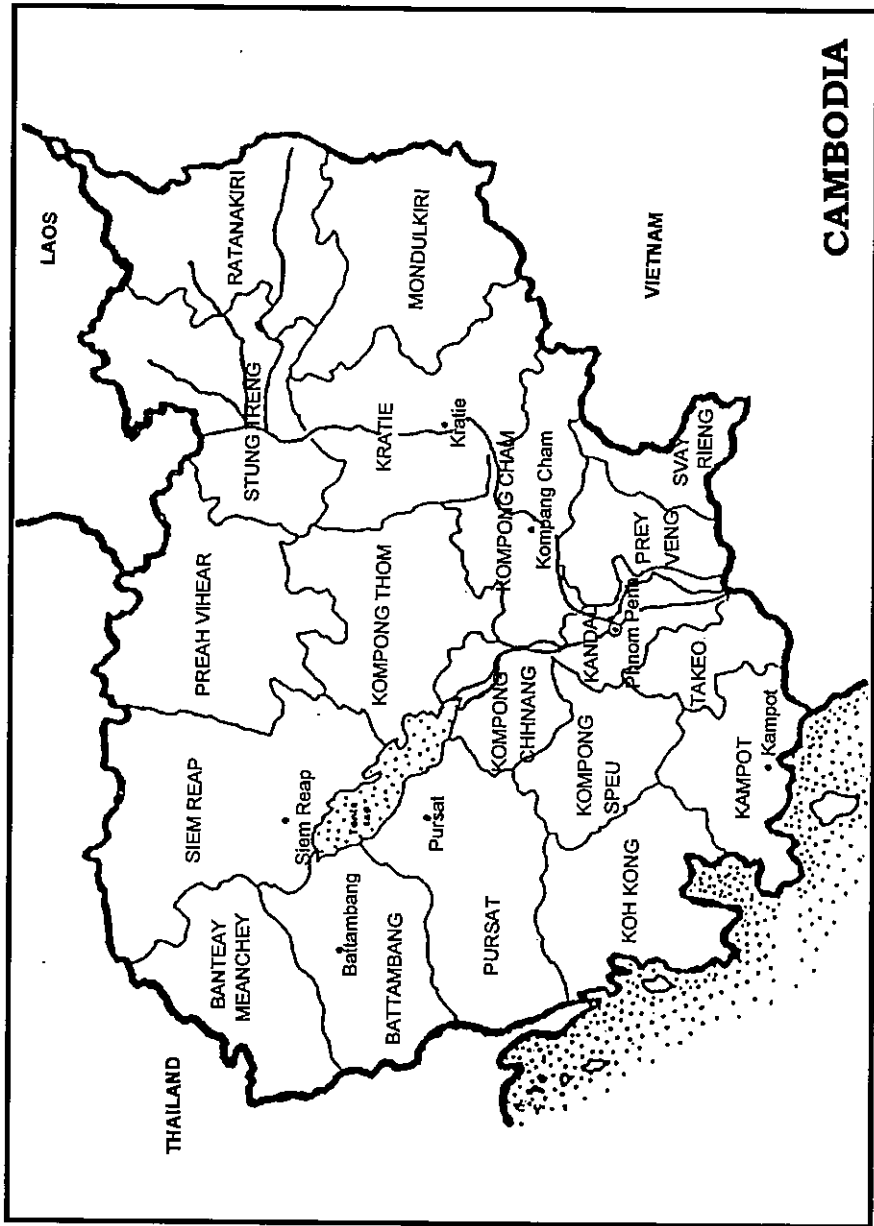
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Contents

Introduction	1
Brief Historical Overview	7
Findings:	
Building a Democratic Society	11
Law and Justice	17
Women in Cambodia	26
Minorities and Ethnic Groups	29
Land Mines and Demining	32
Conclusion and Recommendations	35
Postscript	43
Appendix:	
Organizations and Individuals who received the Mission	47



CAMBODIA

Introduction

After years of war and isolation, Cambodia is now one of the poorest countries in the world. Most of the basic infrastructure and social services have been destroyed, and the human rights of the Cambodian people have been seriously abused. On Oct. 23, 1991, a peace agreement, "Agreements on a Comprehensive Political Settlement of the Cambodia Conflict", was signed by four major political factions in Cambodia. A peace process was set in motion and delegated the United Nations Transitional Authority in Cambodia (UNTAC) to temporarily administer the country and to organize elections.

A major step towards peace and democracy was taken when elections were held. The May 23 to 28 elections in Cambodia in 1993 were completed with about 4.2 million out of the 4.7 million registered voters casting their ballots. This strongly reflected the determined demand for peace of the Cambodian people. Now the Cambodian people have begun to rebuild their country under the leadership of an elected government. However, at the same time, war has broken out between the new government and the Khmer Rouge, and continues to this day.

Thus, the peace that has so far been achieved in Cambodia remains fragile. The new government struggles to maintain national unity, restore stability and keep the country on the road to recovery. Many feared that the interest of the international com-

munity in the plight of the Cambodian people would wane after UNTAC's departure. On the contrary, many observers believe that the international community should continue to monitor developments in the country. International human rights organizations should all the more strengthen their linkages with the fledgling Cambodian human rights groups that have just been established by the Cambodian people themselves in an effort to contribute to national reconstruction.

The Asian Human Rights Commission (AHRC) has been concerned about Cambodia for the past two years and hopes to help keep the Asian community abreast of the developments in the country, particularly with regard to the promotion and protection of human rights. A fact-finding mission, therefore, was organized from March 28 to April 1, 1994, to determine the key human rights issues that the people of Cambodia now face and how human rights are being safeguarded in the new context.

Objectives of the Mission

The fact-finding mission sought to achieve the following objectives:

1. To observe how human rights is promoted and safeguarded under the new government and to identify the key human rights issues around which the solidarity of the Asian community can be strengthened;
2. To assess the current efforts to build a civil society and to identify the problems related to peace and national reconciliation;
3. To engage in a meaningful dialog with Cambodian non-governmental organizations (NGOs) and human rights

groups and to explore ways of collaboration between Cambodian NGOs and the Asian community;

4. To document and make a report of the findings of this mission.

Members of the Mission

The mission was composed of three members from different subregions (East, Southeast and South Asia) and two staff members of AHRC:

Mr. Toshiro Ueyanagi, lawyer, Japan

Ms. Ubonrat Siriyuvasak, lecturer, Thailand

Mr. Lakshman Gunasekara, journalist, Sri Lanka

Ms. Aida Jean Manipon, general secretary of AHRC

Mr. Wong Kai Shing, programme officer of AHRC

Mr. Toshiro Ueyanagi is a member of the Japan Jurist League for Cambodia, which coordinates the efforts of lawyers in Japan to support the Cambodian people. During the mission, he focused on law and justice in Cambodia. Dr. Ubonrat Siriyuvasak is a lecturer in the Department of Communication Art at Chulalongkorn University in Thailand. She is very concerned about issues on peace and non-violence and women. During the mission, she focused on the condition of women and minorities in Cambodia. Mr. Lakshman Gunasekara is an experienced journalist and very active in the work for justice and peace in Sri Lanka. During the mission, he focused on the political situation in Cambodia as it relates to human rights safeguards for the Cambodian people.

Schedule

During its five days in Cambodia, the mission sought to speak to as many people as possible who could enrich the group's understanding of the country. The mission met many responsible people from Cambodian NGOs who are involved with human rights, women, children and minorities. These included the **Cambodian Human Rights and Development Association (ADHOC)**, the **Cambodian League for Promotion and Defense of Human Rights (LICADHO)**, **Human Rights Vigilance of Cambodia (VIGILANCE)**, the **Cambodian Institute of Human Rights**, the **Cambodian Women's Development Association**, the **Cambodian Defenders Association**, the **Khmer Journalists' Association**, the **Khmer Women's Voice Center** and the **Khmer Kampuchea Krom Human Rights Association**. Representatives of the organizations discussed the main issues in Cambodia, especially those related to safeguarding human rights and the urgent needs in building a democratic society.

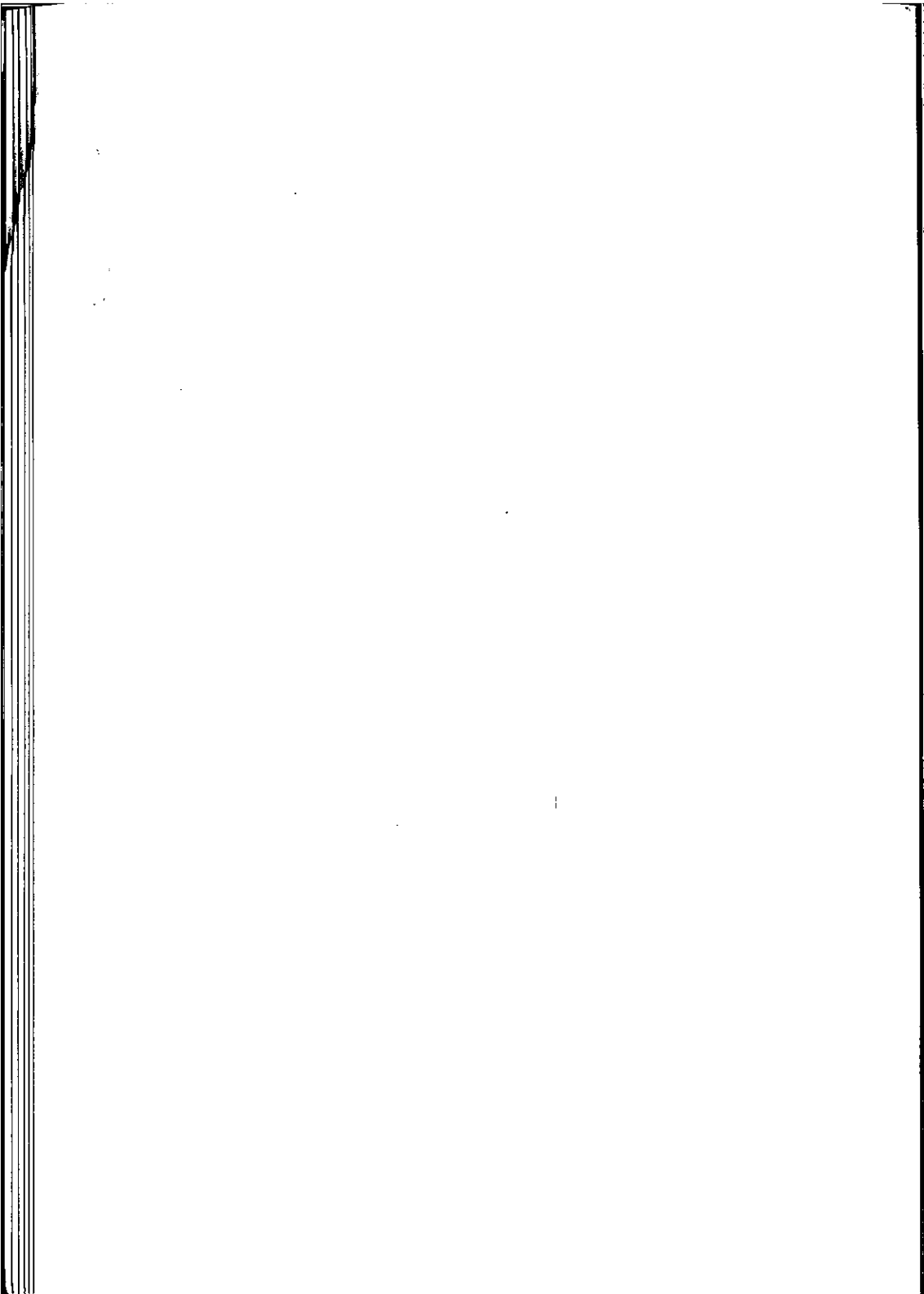
The mission was able to meet Mr. Kem Sokha, M.P., the chairman of the **Commission on Human Rights and Complaints of the National Assembly**. He explained the role of the commission as an important channel for people to report about human rights abuses. The mission was met Dr. Lao Mong Hay, the acting director of the **Cambodian Mine Action Centre** within the public administration, who gave a briefing on the continued threat to life due to the heavy presence of land mines. He also discussed the de-mining efforts of the government.

The mission was also able to meet Samdech Preah Maha Ghosanada and Ven. Yos Hut Khemacaro. Samdech Preah Maha Ghosanada is the symbol of the movement for peace and non-violence among the Cambodian people, and Ven. Yos Hut Khemacaro is the key organizer of the movement. They shared

the efforts of Buddhist monks in promoting peace and reconciliation in Cambodia.

The meetings with Mr. Basil Fernando and Mr. Peter Condlife of the **United Nations Center for Human Rights**, Mr. Alex Marcelino of the **Human Rights Task Force on Cambodia** as well as representatives of several international NGOs who are part of the **Cooperation Committee for Cambodia (CCC)** provided the mission with a broader picture of the participation of the international community in rebuilding Cambodian society.

To have a deeper understanding of the Cambodian context, the mission made several field visits. The mission was able to attend a court session to observe procedures, and it received permission from the Ministry of Justice to visit a prison in Phnom Penh. The mission also visited an ethnic Vietnamese village near Phnom Penh, the Toul Kok red-light district in the capital, the Toul Sleng Genocidal Museum and the killing field at Choeung Ek.



Brief Historical Overview

Cambodia, bordered by Thailand, Laos and Vietnam, is located in central Southeast Asia and has a population of about nine million. Approximately 45 percent of the people are under 15 years old, and about 57 percent of the adult population are female.

In the 9th to 14th centuries, the Angkor Empire during its zenith controlled all of Cambodia and parts of Laos, Thailand and Vietnam. By the 19th century, however, Cambodia was dominated by neighbouring Thailand and Vietnam, which were fighting for political control of the country. In 1863, Cambodia became a French protectorate.

In 1953, Cambodia gained its independence under Prince Norodom Sihanouk. However, beginning in 1970, Cambodia plunged into a state of civil war for 20 years. In 1970, Prime Minister Lon Nol launched a military coup to overthrow Prince Sihanouk. Cambodia also was drawn into the Vietnam War. In 1975, the Khmer Rouge led by Pol Pot seized power. A program of total social transformation was implemented that led to the extermination of more than one million people. All of the social institutions were nearly destroyed. Many professionals and intellectuals were killed or fled the country. The country's basic infrastructure, such as its transportation and communication systems, basic health services and education, totally collapsed.

The Vietnamese army invaded Cambodia in December 1978, which ended the rule of the Khmer Rouge. There followed a period of war and foreign occupation, however. A guerrilla war continued against the Vietnamese regime by a coalition that included the ousted Khmer Rouge and two non-communist groups headed by Prince Sihanouk and Son Sann. In 1982, the international community stopped emergency aid and isolated Cambodia, both politically and economically. Aid sources were limited to funds from the U.S.S.R. and a few international organizations and NGOs until September 1989 when the Vietnamese army withdrew from Cambodia. Economically during this civil war period, Cambodia began an extensive foreign trade program and made a transition to a market economy.

After a year of peace talks, the four factions at war in Cambodia in October 1991 signed the Agreement on a Comprehensive Political Settlement of the Cambodian Conflict, commonly known as the Paris Peace Accords. The Supreme National Council (SNC), composed of all factions, was formed under the presidency of Sihanouk to represent the sovereignty of Cambodia during the transitional period.

Under the agreement, the United Nations was given temporary authority to assume the administrative functions of the government of Cambodia. UNTAC was established to supervise the administration of Cambodia and to ensure a neutral political environment in which nationwide elections could be held.

The UNTAC succeeded in creating stability, which allowed the local people to rebuild their lives and to see the hope of peace. During this transitional period, human rights education was widely promoted. However, the UNTAC failed to disarm all factions, especially the Khmer Rouge. The election was a success for the UNTAC only in terms of maintaining a secret ballot that allowed the people to cast a real vote. The UNTAC also failed to take corrective action to prevent or stop political intimidation and

a series of killings, especially the politically motivated killings of the ethnic Vietnamese people that occurred before the election. On the other hand, many human rights NGOs and other concerned groups in this period were established which became important agents for building a civil society.

During this period, the SNC acceded to most of the major human rights instruments in 1992, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the 1951 Convention on the Status of Refugees and its 1967 protocol and the Convention on the Rights of the Child.

From May 23 to 25, 1993, 20 political parties took part in the election. The turnout rate was 89.6 percent. FUNCINPEC led by Prince Norodom Ranariddh, son of Prince Sihanouk, won 58 seats in the National Assembly; the Cambodian Peoples' Party (CPP), representing the previous Cambodian government, won 51 seats; the Buddhist Liberal Democratic Party (BLDP) won 10 seats; and the Molinaka won one seat.

The National Assembly adopted a liberal constitution to create a constitutional monarchy. On Oct. 29, 1993, a cabinet led by two prime ministers was adopted by the National Assembly. Prince Norodom Ranariddh was selected as first prime minister and Hun Sen as second prime minister. In the cabinet, the United Front for an Independent, Neutral and Free Cambodia (FUNCINPEC) controls the office of the prime minister as well as the ministries of Foreign Affairs, Finance, Industry, Education, Rural Development, Tourism, Public Services, Transport and Religious Affairs. The CPP retained control of all other ministries, including Defense and National Security. The Ministry of Information and the Secretariat for Women's Affairs were given to the BLDP. How-

ever, a new war began between the incoming government and the Khmer Rouge, which remains the major destabilizing force in Cambodia.

Findings

I. Building a Democratic Society

In Cambodia, after decades of dictatorial and authoritarian rule and a cult of arbitrary violence, we see today the establishment of a state constitution which provides for extensive guarantees of democratic government.

The government officials, the representatives of international agencies and the representatives of local NGOs with whom the mission met all expressed confidence in the ability of the new Constitution of the Kingdom of Cambodia to sustain a democratic society. The implementation of the form of democratic government conceived of in the Constitution seems, as yet, to be in a very embryonic stage with vital measures required to be taken concerning a wide range of structures for political decision making, public administration, law and order, mass communication, and autonomous public action.

A system of democratic government in a country is necessarily founded on a political culture which promotes democratic behavior among the people as a whole. Such a political culture, in turn, must be nurtured by the proper functioning of democratic political structures and institutions at all levels of society.

Government

Judging by the information provided to the mission and by observations made by the group, there yet remains some uncertainty as to the balance of power in the present coalition government. Many observers are anxiously watching the evolution of a smooth process of collective decision making in the new government in which all of the political parties in power participate fairly and in accordance with their electoral strength as established in the recent general elections.

The continued excessive influence of political groups which were in power prior to the Paris Peace Accords of 1991 - out of proportion to their present electoral strength - needs to be redressed in order to inject a greater sense of confidence in the processes of government. It is hoped that the political parties concerned will be sensitive to the real danger to Cambodia's fledgling democracy posed by such imbalances and will act without delay. Every single action in the spirit of fairness and in accordance with the newly established democratic norms is vital for the promotion of a democratic political culture in a society which has suffered so terribly from the lack of one.

Neutrality of Public Administration

All of the observers and organizational representatives that the mission met in Cambodia pointed to continuing evidence of exclusive political party control of public administration and the institutions of law and order - reminiscent of that seen in the pre-1991 period. They were emphatic that this continued direct influence exercised by one political party was contradictory to the democratic intentions of the Constitution. While such intervention may appear to be diminishing in the Phnom Penh area - perhaps partly because of this region's high visibility to monitor-

ing agencies - the mission was informed that in the provinces, most of which are not yet easily accessible, party influence has remained as powerful and arbitrary as ever.

In a democratic state, the institutions of administration and law and order cannot fulfill their role under the influence of any one political party or personality. The political neutrality of these institutions is essential if the practice of democracy is to be realized in a meaningful way. The political intervention of one party should be minimized and halted quickly to enable these institutions to fulfill their role in rebuilding Cambodian society.

The stark fact is that after decades of war, the nihilism of the Khmer Rouge era and the subsequent one-party rule of the post-1979 period Cambodia hardly has had any institutionalized public administration, and what structures that exist are those originally geared for a one-party system of government. The genocide, particularly the massacre of those in the professional and bureaucratic classes, has left few people possessing the training or the socialization necessary to staff a public administration system suitable for liberal democracy. The legal system, or the lack of one, is an example of the chaos that still permeates every corner of the country.

Non-Governmental Organizations

In the current context, the determination of the Cambodian people to end violent confrontations, the pragmatism of the established political parties in allowing a plurality of civic initiatives and the strict monitoring of democratic processes by U.N. agencies have all contributed to freeing a considerable political space for the activities of numerous non-party, civic action groups. The emergence of several NGOs concerned with human rights as well as other fundamental social needs has been

facilitated by the generous support of a number of Western-based international NGOs and Western governments.

In Cambodia's unique and adverse circumstances, the established political parties are joined in a coalition government. In the past, for several decades of authoritarian and totalitarian rule, no civilian political opposition was tolerated by successive regimes, resulting in the use of military action by opposition groups. The lack of active opposition political parties has seen the Cambodian people turning to the emerging NGOs in the country for the fulfillment of their needs in the sphere of political processes — needs which are usually met in other countries by political parties.

Hundreds of thousands of ordinary Cambodian citizens, many of whom have never before experienced democracy, have flocked to join such NGOs as LICADHO and ADHOC. Therefore these are providing powerful popular backing to the series of measures that have been taken to establish a democratic electoral process and a democratic constitutional framework.

The enthusiastic participation of tens of thousands of ordinary Cambodians in public campaigns launched by these NGOs has helped ensure that various measures adopted by political parties adhere to democratic principles. The work of these NGOs has been crucial for the redressing of thousands of individual cases of human rights violations. In terms of sheer size of membership and organizational capacity, some of these human rights NGOs appear to be among the largest such bodies in the Third World. However, the elementary legal framework, practices and justice institutions available in other Third World crisis situations do not exist in Cambodia. The further strengthening of these NGOs and the creation of more NGOs to meet a range of other social needs remains therefore an urgent task.

It is important to note that the very existence and functioning of these NGOs promotes forms of civic behavior and civilian

political practices in line with the norms of a democratic political culture. These NGOs themselves have launched several projects that consciously promote an awareness of human rights and a liberal democratic political culture among the Cambodian people. These programmes will need to continue on an expanded scale for several more years, and they will need continuing support, both in technical and material resources. Also noteworthy is the presence within almost all of these NGOs of foreign, usually Western, expert staff members whose presence has obviously been essential for the building and sustaining of these organizations. While these foreign personnel are no doubt making a useful contribution, there can also be no doubt that the contributions of NGOs from countries of the Asian region itself, deriving from their experiences in socio-cultural contexts more akin to that of Cambodia, would be even more relevant to the needs of Cambodian NGOs.

Mass Media

In Cambodia, within the space of a few years, there has emerged a relatively pluralistic mass media sector. The mission was informed that already there are about 30 regular journals of various genres that are being published on a daily, weekly or monthly basis in the Khmer, Chinese, French and English languages. A Vietnamese language journal is apparently also to begin publication shortly — a most welcome development in light of the present confusion over the national status of ethnic Vietnamese now resident in Cambodia.

Again, as in the NGO sector, the foreign presence in the local mass media is of significance. The sole Khmer language daily newspaper is owned by a Thai company which has other parallel business operations in Cambodia. Many other publications, including the European language press, are foreign-owned while in some other publications the extent of foreign participation is

unclear. It must be acknowledged that, in a country which has seen the total destruction of its business community, the capital needed for a mass media venture may have to come from foreign private investment. However, market or audience considerations are not the only factors which govern the orientation and content of mass communication. Thus, in the long term, Cambodian ownership and control of at least the core units in the various mass media sectors could help ensure that the communication needs of society are better met. It must be remembered that one factor prompting the rise of the Khmer Rouge and its xenophobic orientation was the popular resentment against foreign control and influence over various aspects of Cambodian life.

A dynamic mass media is urgently required in Cambodia for two reasons:

- The need for the rapid spread of human rights awareness and a democratic political culture at every level of society, and
- The need for the exchange of information in all parts of the country and among all social groups so that Cambodians may closely monitor and creatively respond to the ongoing multifarious steps required to rebuild their society.

The near total destruction of the professional class has left Cambodia with very few skilled journalists. There is a great need for training programmes geared towards deepening and broadening journalistic skills and guidance in newsroom management. These are essential to enable the slowly growing cadre of journalists, often underpaid, to better facilitate communication in Cambodian society.

Media Rights

While the Constitution guarantees freedom of expression, the media community is yet anxiously awaiting the formulation and enactment of a law governing the mass media and the right of publication and broadcasting. A cause of worry has been a recent hint by a government minister that an old, pre-1991 law enabling the forcible closure of publications was yet valid. All human rights groups and journalists insist that such a law cannot help efforts to promote a democratic political culture. Even more disturbing was the recent arrest of a journalist without adequate legal cause subsequent to the publication of an article critical of certain government officials. Reassuring, however, was the prompt action taken by the king to ensure his release and the declaration made by His Majesty that "Khmer and foreign press freedom must be 100 percent respected."

II. Law and Justice

After UNTAC

As to the recent situation concerning prisons in Cambodia, the judiciary and civil and political rights, reports have already been written such as the "Human Rights Component Final Report" by UNTAC (Phnom Penh, September 1993) and "A Continued United Nations Human Rights Presence in Cambodia: Report of the Special Representative of the Secretary-General, Mr. Michael Kirby (Australia), on the Situation of Human Rights in Cambodia," submitted in accordance with commission resolution 1993/6 (E/CN.4/1994/73, Feb. 24, 1994) (hereinafter, "Kirby Report") and its addendum (E/CN.4/1994/73/Add.1, Feb. 21, 1994) (hereinafter, "Kirby Report Addendum").

The mission found that the situation concerning prisons, the judiciary and civil and political rights in Cambodia has changed only a little after UNTAC departed in September 1993 and that the "Human Rights Component Final Report," "Kirby Report" and "Kirby Report Addendum" are a most reliable description of the present situation. The mission also found that recommendations by these reports are still very urgent.

In this chapter, we would like to raise a couple of issues that the mission found most urgent and that need to be improved. In this matter, the assistance of the international and regional community should be sought. These are concerns relating to: (i) prisons, (ii) defenders and (iii) courts.

Some encouraging recent developments, including the establishment of the Commission on Human Rights and Complaints of the National Assembly and NGOs' activities on defender training, improvements in prisons and the handling of human rights complaints are also discussed in this report.

Arrested Persons and Prisons

Although Cambodian prison authorities have allowed UNTAC human rights staff members and others to visit since June 1992 and a number of political prisoners have been released, the conditions of prisoners and prisons in Cambodia are still poor and not in compliance with the provisions of the International Covenant on Civil and Political Rights. Full research to make a comprehensive improvement plan should be undertaken immediately by international and local authorities and NGOs.

In June 1992, the human rights component of UNTAC with its civil police department initiated prison visits. Following representations by UNTAC in June to the Cambodian Ministry of National Security, a directive was issued to all prisons throughout

the country to remove inmates' shackles. In August 1992, the ministry established a Prisons Commission to review the cases of the inmates detained in prisons. In Phnom Penh, the review resulted in the decision to refer 73 cases to the Phnom Penh Peoples' Tribunal for trial and the release of 140 prisoners for whom there was insufficient evidence or who had already been held for an excessive period without trial. This review process was repeated in July 1993 at the request of the UNTAC human rights component.

However, after the 1993 election and the end of the UNTAC mandate, very little improvement has been realized because of a lack of will, an inadequate budget for the authority and insufficient supervision and cooperation by the international community. As a result, there still remain many serious problems, such as:

- 1) Prisoners are held for lengthy periods without being charged;
- 2) Prisons are in very poor physical condition, including the water supply and sanitary facilities;
- 3) There is insufficient medical treatment and food;
- 4) Prisoners who have not been charged are not segregated from convicted prisoners; and
- 5) Juvenile prisoners are not segregated from adult prisoners.

The mission visited the T3 prison in the central area of Phnom Penh on April 1, 1994. The T3 had 183 prisoners, including 8 women. Out of this total prison population, only 30 prisoners had been tried.

A prison officer told us that there was no electricity, the water supply was poor and that the prison doctor had no medicine.

Prisoners live together in large rooms. Each room has between 15-30 prisoners. The ventilation is poor. Newly arrived prisoners are put in solitary cell, but we were not allowed to look at these cells. He also told us that they brought prisoners to court with the prison police officer's personal car because the prison lacked its own vehicles. Furthermore, NGOs, including LICADHO, had initiated a prison improvement program but that such activities have been decreasing since the 1993 election. He asked us to call upon the international community for financial and technical assistance to help them.

The mission met a few women prisoners. A woman who was arrested for suspicion of murder was imprisoned for 10 years before she went before the court, which sentenced her to 20 years in prison. A Vietnamese girl who was 15 years old was detained in a cell that was not separated from adults. One women prisoner had a baby with her, and gave birth while in prison.

The mission recommends that a comprehensive improvement plan should be immediately established. A thorough investigation of prisons throughout the country should be done by international and local authorities and NGOs.

Courts, Judges and Defenders

The mission regrettably found that problems related to the courts and judiciary have not changed substantially in spite of the articulation of issues and the recommendations and the assistance of UNTAC and international NGOs.

A functioning judiciary to resolve civil disputes and to hear criminal cases is essential to build a peaceful society. Otherwise, citizens have no other recourse than to resort to bribery or violence.

There have been no substantial changes in the court structure. The judiciary is not independent from the Ministry of Justice. The Supreme Court itself observed in the **"Report on the Activities of the People's Supreme Court during the First Semester of 1989"**, which was presented to the 17th session of the first National Assembly, that *"...the People's Supreme Court...is not competent to resolve the suits itself; [it] has only examined them...so that they may be turned over to the competent organs to be dealt with. This is because we feel that the work of receiving and resolving suits is a matter of ideology."* This mentality and practice still remain.

Cambodia lacks any form of higher judiciary. There is no Court of Appeal, and the Supreme Court exists only in name. Such high courts as the Court of Appeal and Supreme Court have not functioned since 1975.

The issue of high courts is not just a matter of the judicial system. It is a very important factor in the democratic system itself. The independence of judiciary is a central part of the conception of separation of powers which is the basis on which the checks and balances of democratic institutions is founded. It is vital to the independence of judiciary that the high courts not only exist but that they have vitality and power. It is the high courts that intervene in disputes between the State and individuals or social groups; it is the high courts that interpret the laws. Thus, it is the courts that prevent the natural inclination of the executive branch and the legislature to interfere with the system of justice. It should, therefore, be considered a top priority to establish these high courts and to find suitable people to give leadership in the field of the administration of justice. Until this occurs, democracy in Cambodia will not become a reality.

The practical importance of the high judiciary should be recognized and all people who are involved in assisting the Royal Government of Cambodia in the process of democratization

should give a high priority to this issue. In this connection, the mission observed that the Constitutional Council, envisaged in the Constitution, has not been established. The function of the interpretation of the Constitution is assigned to this body. Thus, as laws are enacted by the National Assembly, it is likely that many issues of constitutional importance, that needs to be adjudicated will arise. Unless this Constitutional Council is established as soon as possible, this function will not take place. Its absence would retard the democratization of the country.

For individual cases, the mission learned that the Ministry of Justice or provincial governor still exert much influence. No legal representation is permitted in civil procedures, and very few and insufficient representations by "defenders" are allowed in criminal cases. In addition, municipal and provincial court judges must support themselves with salaries that remain as low as US\$20 per month.

There is great concern among local and international NGOs in Phnom Penh that the newly established Supreme Council of Magistracy is not competent to discuss judiciary reform because one of its members is the minister of justice.

In addition to establishing criminal justice, establishing civil justice is very important and urgent in the democratization process.

The mission observed a few civil dispute hearings in the Phnom Penh Municipal Court. Each hearing took about 15 to 20 minutes. The judge had received scripts of the case. He addressed some brief questions to both parties and one or two witnesses. There were no lawyers or other representatives. At the end of the hearing, the judge asked both parties and a person from the legislative body to make a brief final statement and then delivered his decision. The procedure seemed very short, simple and informal.

The mission suspects that the court system is not in compliance with international standards - some of which Cambodia has already ratified - and it is not functioning to resolve disputes adequately and effectively. Considering that the number of land disputes is increasing dramatically, the need to establish a competent civil court system is an immediate concern.

When one thinks about how to change the present Cambodian court system and its practices, it should be noted that, as Mr. Kirby pointed out, *"It is necessary to understand the historical factors behind this in order to advocate reforms in the Cambodian judicial system."* ("Kirby Report," page 63)

Cambodia has almost no qualified lawyers, judges or an independent judiciary in terms of non-Cambodian or international standards. However, it does not mean that there is no structure; Cambodia has had a type of judiciary. It is important that Cambodia and Cambodians themselves understand the necessity of an independent judiciary and competent lawyers and that they think about how to improve their system.

In this context, the mission believes that the initiative of local NGOs is most important and that the first priority of international assistance should be to strengthen defenders and their association, the **Cambodian Defenders Association** which has independent and capable members. The **Cambodian Defenders Association** was founded in September 1993. It has 46 members, including four women. Most of its members graduated from a two- year course that was taught by the law faculty at the University of Phnom Penh, and have received certificates from the UNTAC human rights component to acknowledge and authenticate their defender's training. They handled more than 60 cases in 1993 and about 40 cases this year.

The defenders represent the accused party in criminal procedures to ensure a fair trial, and they propose reforms of the criminal and civil justice systems from a citizens' viewpoint.

Commission on Human Rights and Complaints of the National Assembly

The Human Rights Commission of the National Assembly was established in the fall of 1993. Although it is too early to evaluate its function, it can be said that citizens' awareness and expectations for human rights protection moved this country's legislative body to establish the commission.

It is one of the nine parliamentary commissions that the National Assembly established for the first time. It is composed of seven members of the National Assembly: three from the CPP, three from FUNCIPPEC and one from the BLDP, who is the chairperson. Its only office is in the National Assembly; there are no provincial offices.

Since it was created four months ago, the commission has received about 500 complaints with land disputes accounting for 90 percent of this total. Local NGOs, which hold regular monthly meetings with the commission, often refer the complaints that they receive to the commission.

The chairperson, Mr. Kem Sokha, M.P., told us that the commission did not have sufficient power, but it could ask government and competent authorities to take action. He asked us to call upon the international and regional community to provide assistance for the commission.

Non-governmental Organizations

The mission was happy to find that Cambodian human rights NGOs continue to be very active after the departure of UNTAC. Their presence and daily activities are extremely encouraging for the creation of a functioning judiciary and the rule of law.

Tens of thousands of people are involved, and they are very energetic and dedicated. They advocate the need for an independent judiciary, for improvements in prisons and for human rights protection.

In his report, Mr. Kirby said, *"The slow and still fragile emergence of civil society can be observed in the flourishing of a relatively free press, in the continuing development of some 27 grassroots-level NGOs and in the new confidence displayed by Cambodian citizens, often from remote villages, who travel to the capital to speak out and demonstrate for their rights. This was unimaginable a year ago. An eloquent illustration of the birth (or rebirth) of these social attitudes is given by the deluge of complaints, often relating to official abuse, received daily by the Human Rights Commission of the National Assembly."*

Human rights NGOs, including **ADHOC, Human Rights Vigilance of Cambodia** and others, also receive a large number of complaints of human rights violations and other disputes. They submit these complaints to the authorities and the Human Rights Commission of the National Assembly.

Cambodian NGOs, including the **Cambodian Institute of Human Rights**, have translated a number of international human rights instruments into Khmer. Continuing support for human rights education and training is needed.

Prison visits and other improvement programs have been undertaken by NGOs, such as LICADHO, although resources are not sufficient.

As for defenders, it should be noted that the **Cambodian Defenders Association** initiated a training program in collaboration with the **Human Rights Task Force**. They need resources for publications through which they can introduce their activities and advocate their views to a Cambodian and international audience.

III. Women in Cambodia

*"Homeless women have got a terrible life. They gather in towns and cities, especially in Phnom Penh. They live in parks and public places, sleeping on the sidewalks and in public gardens where there are no lavatories or running water."
- a Khmer woman*

The plight of women in Cambodia is extremely precarious after decades of war and internal political conflict. More women are now widows and the head of households. But the worst condition befalls young girls under the age of 15 who are kidnaped and sold to brothels in Phnom Penh or other countries. A large number of women are forced to become prostitutes because of their destitute living conditions.

The mission met with two women's groups: the **Cambodian Women's Development Association (CWDA)** and the **Khmer Women's Voice Center (KWVC)**. The **CWDA** has existed since 1979 as the Women Association of Phnom Penh Municipality. It became an NGO in May 1993. The major areas on which it

presently concentrates are the prostitution of women, HIV monitoring, vocational training for women and literacy for children and young girls.

The newly established **KWVC** focuses on three main areas: advocacy, research and media campaigns. Prior to its inception in 1994, members of **KWVC** mobilized women to go to the polls during the election in May 1993. It also engaged in a wide range of seminars in order to propose recommendations for the rights of women in the Constitution. Clause 36 of Chapter 3 that is entitled "**The Rights and Obligations of Cambodian Citizens**" states:

"Cambodian citizens of both sexes shall enjoy the right to choose employment appropriate to their ability and the needs of society. Cambodian citizens of both sexes shall have their right to obtain the same remuneration for the same job. Housework has the same value as outdoor work. Cambodian citizens of both sexes shall have the right to obtain social security and other social interests as determined by law..."

The president of **KWVC** said that, in working closely with other women's groups and human rights NGOs, the rights of women and the value of housework in particular is, hence, guaranteed in the new Constitution.

It is very important that the rights of women are guaranteed and upheld since women comprise a large portion of the Cambodian population. Women account for 65 percent of the total adult population between the age of 35 and 40. They head 30 percent of households of which 41 percent are widows. Women also constitute 74 percent of the total labour force. They dominate small-scale businesses and work mostly in factories and the service sector. In the rural areas, women comprise more than 60 percent of the agricultural labour force. Women in both the rural and urban areas work more than 16 hours a day because of their

double workload inside and outside of the home. However, in the area of public administration and politics, women hold very few positions. There are only five women among the 120 members of the National Assembly; three of these legislators are members of the National Assembly Human Rights Commission. No woman though holds a ministerial position, including the post of secretary for women's affairs.

Some of the worst problems facing Cambodian women are health conditions, illiteracy and violence, both domestic violence and in public places. Only 15 percent of women in the rural areas have access to safe drinking water, and 90 percent of the women above the age of 30 are illiterate. The United Nations Development Fund for Women (UNIFEM) pointed out that the lack of educational opportunities for Cambodian women is the greatest obstacle to their advancement in society. In many poor families, female children are forced to discontinue school to help with farm work and housework; only 19 percent of high school students are female.

In the family, women not only shoulder economic and all household responsibilities but they are faced with a great deal of tension and domestic violence. Some are abandoned by their husbands, and some are divorced, but a large number of women are domestically abused and must tolerate polygamy practiced by their partners. The secretary for women's affairs explained that Cambodian customs play a central role in legitimizing and perpetuating domestic violence against women, and thus, laws prohibiting domestic violence must be advocated.

A major threat to the safety of women, especially young girls, is the sex trade. In the Toul Kok red-light district in Phnom Penh, 35 percent of the prostitute women are under 18 years of age. It is alarming that the CWDA survey in February 1994 revealed that 47 percent of all prostitute women had been sold into brothels and that 86 percent of these were sold by their parents, neigh-

bours, friends or relatives whom they trusted. Many of these girls are also kidnaped. Girls are sold for US\$600 to US\$700 as a virgin; but across the border in Thailand, the sex trader fetches higher prices of up to US\$1,200. The southern port city of Koh Kong and the western border town of Poipet have now become the center of sex trafficking.

Because of the sex trade, the spread of AIDS is unavoidable. At present, there are 30 known cases of people infected with the HIV virus. A 1993 report by the United Nations Research Institute for Social Development (UNRISD) on the peace process in Cambodia stated that the presence of UNTAC contributed to an increase in prostitution and the spread of sexually transmitted diseases.

Women's organizations are monitoring the situation of women while training programmes are held simultaneously in order to provide an opportunity for women's social and economic advancement. At the same time, these groups, along with other human rights groups and UNIFEM, are working on the draft proposal of gender sensitization in education and legislation. The proposal is expected to promote gender equality in all areas.

IV. Minorities and Ethnic Groups

The majority - 90 percent - of the Cambodian people are ethnic Khmer. The remainder are from several minorities and ethnic groups. They are Chinese, Vietnamese, Cham, Khmer Kampuchea Krom and other indigenous groups who are primarily hill tribe people. The Chinese, mostly merchants, are presently assimilated into Cambodian society.

The ethnic Vietnamese, comprising about 5 percent of the total Cambodian population, are the largest minority group. They

have been facing continued threats to their security during the past two years. The racial prejudices against the ethnic Vietnamese stem largely from historical and contemporary political conflicts between Cambodia and Vietnam. At present, the political rights of the Vietnamese are not guaranteed. Despite the constitutional recognition of the rights and freedom of Khmer citizens, the Vietnamese in Cambodia do not receive the same treatment as the ethnic Khmer. Many generations of Vietnamese who were born in Cambodia are not permitted to become Cambodian citizens. As a result, most of them were unable to go to the polls during the election in May 1993.

Another significant difference between the Khmer people and the Vietnamese are religious beliefs. Most Vietnamese communities are Catholic. The Cambodians see both the ethnicity and the religious beliefs of the Vietnamese as a distinctive demarcation between "us Khmer" and "they Vietnamese." Hence, social discrimination is deep-rooted.

The mission visited a Vietnamese fishing village near Phnom Penh located by a river next to a Khmer village. Most of the 195 families are Catholics. Like most other villages, there is no water system nor electricity. The elders of the village run a school to prepare Vietnamese children for the public school in the city. The majority of the villagers earn their living from fishing, and some are craftsmen. They feel insecure because they are not accepted as Cambodian citizens. Their livelihood is also threatened because of the decreasing number of fish in the river and the heavy taxes levied by the local authority.

On the Cambodian-Vietnamese border, there are several thousand Vietnamese refugees who were forced to leave Cambodia prior to the election in 1993. An anti-Vietnamese campaign was launched by the Khmer Rouge in 1992, and at least 50 ethnic Vietnamese were killed in the attack. Just before the election, there were more attacks in Siem Reap and Phnom Penh. At

present, the refugees on the border are barred from returning to their home villages. Without fair citizenship and immigration laws, ethnic Vietnamese people in Cambodia will continue to be discriminated against politically and socially.

"Cham" is the name for the Muslim population in Cambodia. There are various groups among the Cham, such as Cham Champa, who largely work on the plantations; Cham Chhwee, who are mainly fishermen; Cham Khmer; and even Cham Indonesian and Cham Arabian, who are very few in number. They share the same religion but have different religious practices and languages according to their ethnic and cultural backgrounds.

The mission met the **Khmer Kampuchea Krom Human Rights Association** which is concerned about the promotion of the rights of the minorities in Cambodia. They told the mission that in some areas the Chams were not allowed by the local authorities to practice their religion properly, such as being prohibited from holding worship services, building mosques or establishing schools using their own language. In some cases, the association helped to negotiate with the local authorities, and the Chams were able to engage in their religious practices again. They also pointed out that the Chams were very poor and lacked educational opportunities for their children, but the Cambodian government in its development programs has offered no plans to improve the lives of the Chams.

The Khmer Kampuchea Krom are ethnic Khmers who originated from Southern Vietnam in an area formerly part of the Khmer Empire. According to the Khmer Krom Human Rights Association, there are presently about six million Khmer Kampuchea Krom in Southern Vietnam. Before the 1970s, the Khmer Kampuchea Krom who returned to Cambodia were granted citizenship by the Cambodian government under Sihanouk's regime. After 1979, as the Vietnamese government identified the Khmer Kampuchea Krom as a minority group in Vietnam, the

Cambodian government, backed by the Vietnamese government, was not in a position to grant them citizenship. Therefore, the Khmer Kampuchea Krom who returned to Cambodia after 1979 are officially not Cambodian citizens. The association told the mission that in Cambodia there were still some biases against the Khmer Kampuchea Krom because of the impression that they were affiliated with Vietnam.

V. Land Mines and Demining

After 20 years of war, the millions of land mines laid in Cambodia are one of the main obstacles for the rehabilitation of refugees and the reconstruction and development of the country. Moreover, every day the land mines cause deaths and amputees. Now most parts of the country that could be used productively are uninhabitable because of the presence of land mines.

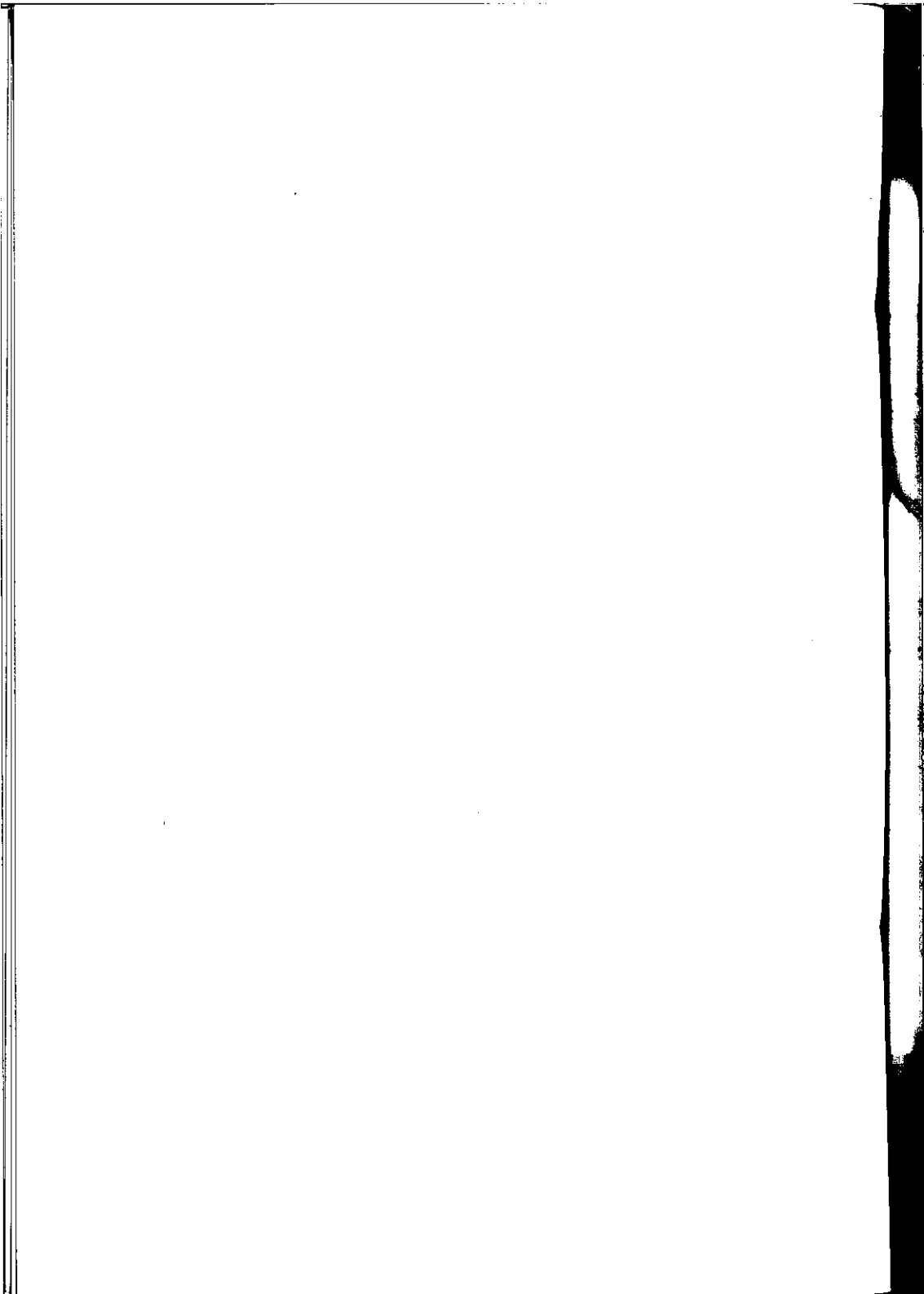
Cambodia was extensively mined during the conflicts that engulfed the country since the 1960s. The number of land mines now laid in Cambodia is estimated to be between 6 million and 10 million, representing 7 percent to 11 percent of the estimated 85 million to 90 million uncleared mines in the world today. This figure includes anti-personnel mines, anti-tank mines and unexploded ordnance (UXOs). According to the **Cambodian Mine Action Centre (CMAC)**, there are about 300 people killed or injured every month. The total number of amputees in Cambodia is estimated to be between 30,000 to 40,000 - one of the highest proportions of amputees in the world.

The land mines have caused many difficulties in the rehabilitation of returned refugees and the reintegration of internally displaced families as few lands are available because of the widespread use of the mines. Large tracts of land are now unable to be cultivated because of the land mines; and because of

poverty, many Cambodian people have to risk their lives stepping on mines to plow the fields or to collect forest materials. The freedom of movement of the people also has been restricted by the mines.

The CMAC was created by UNTAC and is now part of the Cambodian government. The work of CMAC is to coordinate demining activities throughout Cambodia. The activities of the centre include mine clearance, mine awareness, mine information, minefield marking and training in mine clearance. According to the centre, about 1,787 minefields covering 3,232 million square meters have been identified. At present, about 7.288 million square meters of the minefields have been cleared, which is only about 0.2 percent of the identified minefields.

The clearance of mines in Cambodia is now a very essential task. Without resolving the threat posed by the mines, Cambodia cannot reconstruct the economy properly, and the right to life of the people will be endangered continuously. It is estimated that it will take US\$10 million a year for six to 10 years to remove the mines from inhabited areas and to mark off the rest in the forests and mountains.



Conclusion and Recommendations

After the May 1993 elections, the formation of a coalition government has established basic stability in Cambodia. To rebuild the country, the Royal Government of Cambodia in February 1994 promulgated the National Programme to Rehabilitate and Develop Cambodia that stated the priorities and strategies of its plan. At present the new government is quite open to work with foreign and Cambodian NGOs in building a civil and democratic society.

However, many things have yet to be done. The emerging civil society is still weak. Most people that the mission met expressed deep concerns about ongoing incidents of serious corruption and the abuse of power by government officials, especially by the police and military at the provincial level. People also are concerned about the serious intervention of political parties and their control over public administration, which greatly inhibits the building of a neutral and trustworthy public administration. On the other hand, the internal war with the Khmer Rouge remains the most serious threat to peace in Cambodia, and it is continuing to drain the already limited resources of the new government.

In this report, the mission is only able to focus on several issues because of our short visit. We are grateful for the coop-

eration of the Cambodian and international NGOs and their sincere exchange with us on the present situation in Cambodia. We also appreciate the useful discussion with the Human Rights Commission of the National Assembly and the permission from the Cambodian government for us to visit a prison.

The Role of Asian NGOs

We would like to call for the cooperation of the international community, especially the Asian community, to provide assistance to the Cambodian government and Cambodian NGOs in rebuilding a democratic society with safeguards for human rights. Although financial support is very important for Cambodian NGOs, an exchange of experiences and direct staff support are also very essential for them in implementing actual work and programmes. Specifically, the experience of Asian NGOs will be very helpful because of a similar context and culture among Asian countries. Therefore, again, the mission calls for the active participation of Asian NGOs in providing assistance to Cambodia.

The Cambodian NGOs are now taking an important role in building a democratic society and actively participating in promoting human rights in their country. Asian NGOs in the human rights and legal fields are invited to explore possibilities for collaboration with the Cambodian government and NGOs in strengthening the capacity of the entire range of institutions in these sectors. Specific projects could be short-term or long-term expert consultancies, internships, exchange visits, scholarships for Cambodian personnel, training courses and material and financial aid.

Contemporary Cambodian experience is one of the most unique one in the world, and more particularly in Asia. However, the involvement of the Asian intellectuals in promoting understanding of the total phenomena — historical, social, moral,

philosophical, cultural — is negligible. Certain experience need to figure prominently in the discussion on Asian issues, and this could happen only if the Asian themselves show a deeper commitment to this issue. The mission, therefore, urges the Asian universities, other institutions devoted to research, the professional associations, peoples, organizations, churches of various religions, and students to take a serious interest in Cambodia, and thereby contribute to collective understanding of this important Asian experience.

Recommendations

Building a Democratic Society

1. To nurture a civic culture of human rights and democracy, the understanding of human rights and democracy should be actively promoted among the population through both formal educational institutions and the media. Training and courses on human rights should be provided for government officials, soldiers and police officers.
2. The **Commission on Human Rights and Complaints of the National Assembly** is an important mechanism to protect human rights and to receive complaints from the people and NGOs. More resources, including financial and staff support, should be provided for the commission to fulfill its task. It is important to ensure that the recommendations made by the commission for the resolution of complaints are effectively and speedily implemented and that appropriate remedies are provided to victims.

3. Freedom of the press is one of the important elements in preserving a civil society. The newly formulated press law should safeguard this freedom rather than restrict it. Asian media institutions and journalist's associations, both national and regional, are invited to collaborate with the local journalist's association in providing training for the local media and to exchange experiences.
4. Twenty years of war has led to extensive social trauma among the Cambodian people. A healing process should be initiated jointly by the government and Cambodian NGOs.

Law and Justice

5. To establish an independent and integrated judiciary with competent laws, judges and lawyers is one of the most important tasks for Cambodian and foreign governments and NGOs in order to build a peaceful civil society as well as to guarantee human rights. Greater attention by the international community should be paid to recommendations on "**Judicial Independence and the Rule of Law**" of the "**Kirby Report**" ("**Kirby Report Addendum**," para. 26-32), which is fully endorsed by our finding.
6. At this transitional period, Asian NGOs may consider a programme of volunteer lawyers from Asian region to be sent to Cambodia to assist the Cambodian defenders. These Asian lawyers could provide practical experience to defenders in dealing with detainees and in defending clients. Programmes for defenders to visit other Asian countries and witness the actual workings of trials in criminal cases and the workings of Human Rights Commission etc, would contribute to the understanding of unusual experience of Cambodia, by other Asians and may lead to deeper collaboration, which may result in far more significant contributions.

7. In addition, to begin to build an independent judiciary, we would like to stress that Cambodian "defenders" and the Cambodian Defenders Association have the capability to play a significant role. We urge international and Asian NGOs to collaborate with them. Training programs for defenders - one of which the task force has already begun - and the publication of defenders' activities and advocacy campaigns are especially needed during the initial formative stage of development.
8. We would also like to call for cooperation with Cambodian NGOs, including the **Cambodian Defenders Association**, by international NGOs, especially those in Asia, which have experience in efforts to realize international standards under a judicial system that is not fully independent.
9. Considering that after the departure of UNTAC there has been very little improvement in prison conditions and little international presence there, a continuing and thorough research program in all prisons in Cambodia should be initiated, and comprehensive recommendations for their improvement should be provided to Cambodian NGOs and the U.N. Centre for Human Rights.
10. Juvenile prisoners should be segregated from convicted prisoners.
11. To build competent civil courts and procedures, much attention and assistance to Cambodia and Cambodian NGOs is needed from the international community. International and regional experiences concerning ways to build a land dispute resolution system and land registration system will be extremely appreciated.

Women

12. Women have played a very important role in Cambodian society. All present and future development and rehabilitation programmes in Cambodia should reflect the significant role of women and their needs in society.
13. The participation of women in the decision making process and in public administration should be encouraged.
14. Resources should be provided for the education of women.
15. Laws should be enacted and implemented against the kidnaping and trafficking of women and children for prostitution.
16. Programmes should be initiated to care for HIV victims and to educate people to prevent HIV infection.
17. As a signatory of the Convention on the Elimination of All Forms of Discrimination Against Women, the Cambodian government should take steps to implement the requirements of the convention through making appropriate laws and policies in consultation with women's groups.

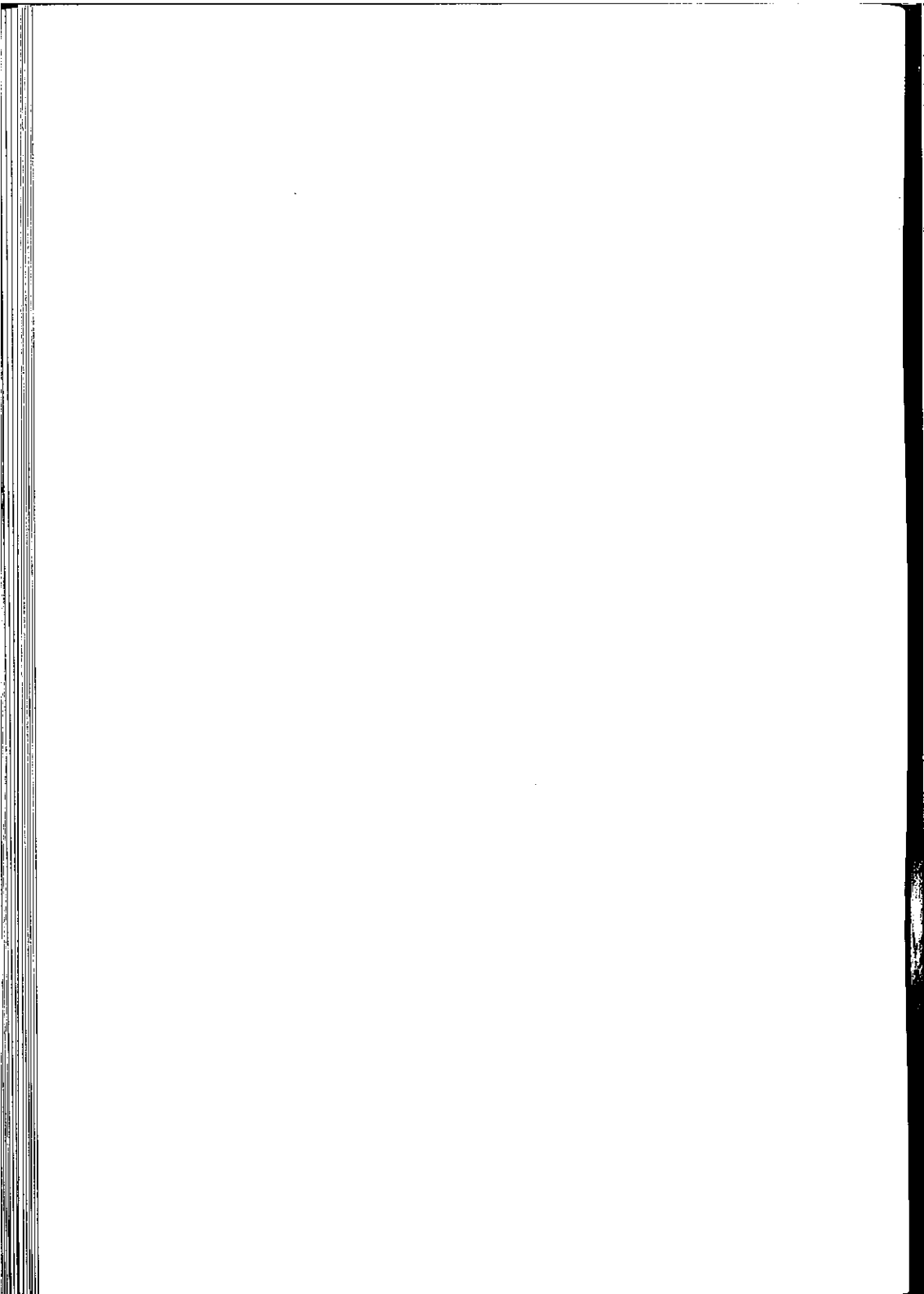
Minorities and Ethnic Groups

18. The present Constitution of Cambodia asserts rights only to a "Khmer citizen", which may allow discriminatory practices towards non-Khmers. To ensure equal rights to all people within the territory of Cambodia, regardless of ethnicity or nationality, the Cambodian government and the National Assembly should consider altering the restrictive term "Khmer citizen" in the Constitution.

19. Programmes should be initiated to promote education about racial equality and non-discrimination in Cambodian society.
20. Laws should be made to safeguard the right to practice religion.
21. Any new citizenship and immigration laws should conform to human rights requirements in the international human rights instruments that ensure the granting of citizenship without discrimination.
22. Present and future rehabilitation and development programmes should address the needs of deprived minorities.

Land Mines and Demining

23. The international community should continue to provide financial resources and personnel to accelerate the pace of demining in Cambodia.
24. The international community should take steps to stop the production of mines and to ban their use.
25. The international community should immediately assist the rehabilitation of victims of land mines, promptly pay attention to their other needs, particularly socio-economic, as well as enable the government and local NGOs to strengthen their capacity in this area.



Postscript

After the mission we have learned that the political situation in Cambodia has undergone a dramatic change for the worse following National Army of Democratic Kampuchea (NADK) or Khmer Rouge regaining Pailin area after the victory of Royal Government forces which lasted only for one month. Following this victory NADK increased it's activities outside their territories to provinces such as Battambang, Banteay Meanchey, and Siem Reap. One direct result was the sharp decrease of tourists coming to Cambodia.

The Minister of Finance and other spokespersons for the government admitted that the bad public image that the nation acquired after this conflict as a highly unstable place, had hit the economy very badly. The assistance promised at the International Committee on the Reconstruction of Cambodia (ICORC) meeting may not be forth coming and the investments which were on the increase have begun to withdraw. Hotels have begun to retrenched it's staff. (Cambodiana, which is the best known hotel in Phnom Penh retrench 150 out of it's 800 local staff.) Airlines have reduced their flights.

Amidst such conflict King Noradom Sihanouk declared that the peace process initiated by the Paris Agreements have failed and the two billion dollars spent by the international community for UNTAC sponsored elections have been wasted since Cam-

bodian leaders are incapable of making peace. This statement has resulted in further discouraging those who are involved in attempting to develop peace initiatives conducive to resolving of countries grave problems. The general impression now is that the country has again shifted back to a period of anarchy.

This anarchy is visible by way of increased crimes, particularly violent robberies. The kidnapping of several foreigners have increased the insecurity among the foreigners, many of whom are engaged in relief activities. When NADK was expelled from Phnom Penh in mid-May they declared that there would be further increase of violence. NADK was expelled after the failure of peace talks which were undertaken at the initiative of King Sihanouk. The general consensus among the observers is that the NADK was not genuine about the peace talks.

The central aspect of the debate now is whether or not to provide military assistance to Royal Government of Cambodia. The argument against giving of such aid is that the armed forces of the Royal government is not ready to receive or use such assistance. Armed forces with two thousand generals who are perceived to be rich and corrupt and hardly have trained soldiers is unlikely to inspire any confidence. The possibility that arms supplied to such forces may be sold to NADK itself has been seriously discussed. That any assistance must accompany measures for serious reforms to eradicate the bandit aspects of these forces and will receive the support of the populations who are daily victims of violence from the members or ex-members of these forces.

The UN Centre for Human Rights and number of NGO's have complained of very serious violations of human rights done by the armed forces or done with the assistance of the armed forces. These involves keeping persons in secret prisons after extortion, death of a news paper editor, attacks on a deputy governor and attacks on judges who have dared to take action on military

personnel. In fact daily violations of human rights as result of anarchy is very many.

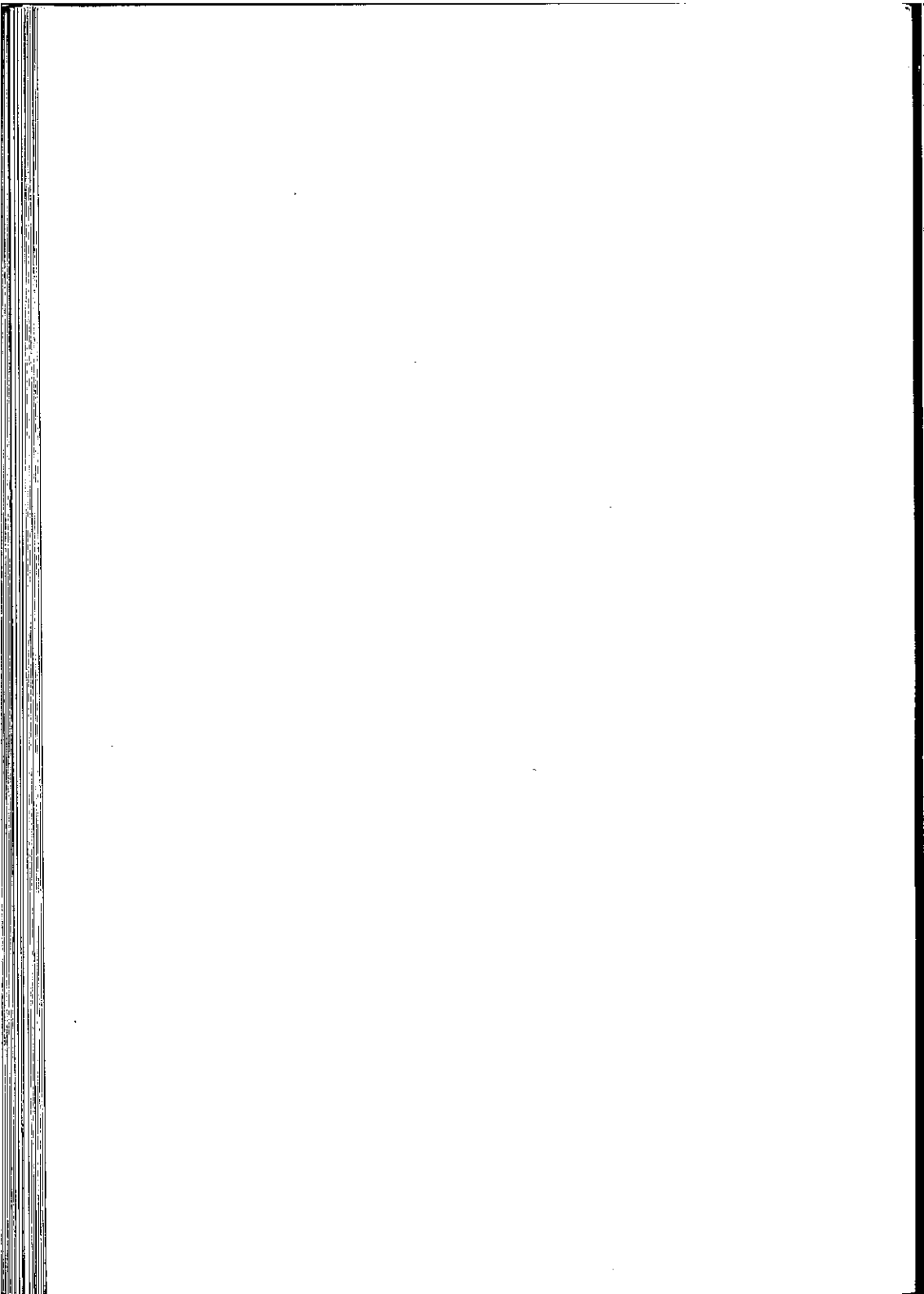
The great danger in the present situation is that the severe military conflict (following the outlawing of NADK) may lead to the abandoning of reform programmes much needed for the country. The violent nature of the situation may become an easy excuse not to proceed with much needed changes that people expected when they participated in the May 1993 elections.

The militarized situation also provide a cover to the violations of rights of minorities such as Vietnamese and indigenous people. In some places like Prey Veng province, identity cards have been withdrawn from the Vietnamese in a large scale, leading to much security.

The NGO's and media fear that the law to outlaw the NADK will be used to suppress dissent in Cambodia. The NGO's particularly fear that their normal activities may be suppressed under the pretext of implementing the new law. There is a fear that former police state practices, such as illegal arrests and torture may be revived.

Cambodia needs international support now more than ever. It is only through such support that the country could carry on in the path of reforms that had brought about enormous participation from the people. The military aspect is only one aspect of the matter. The reform of police and armed forces is essential from the point of view of rule of law, democracy and human rights too. The reforms of education, health, and justice systems is essential to rebuild the nation from the abyss to which it had been pushed. Cambodia remains a challenge to the conscience of mankind. The international community has a special duty to monitor the human rights situation in Cambodia particularly at this stage.

(28th June, 1994)



Appendix

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The Asian Human Rights Commission(AHRC) is an independent non-governmental body which seek to promote greater awareness and realisation of human rights in the Asian region, and mobilise Asian and international public opinion to obtain relief and redress for the victims of human rights violations.

The main objectives of AHRC are to monitor the Asian human rights situation; to investigate specific human rights violations and prepare reports; and to take appropriate action to prevent anticipated or continuing human rights violations.