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Cambodia: Respect the right to freedom of peaceful assembly

As the opposition Cambodia National Rescue Party (CNRP) prepares to hold a peaceful “meditative” assembly on 7 September 2013 to demand an independent investigation into what it alleges are irregularities, including fraud, around the national election of 28 July, the undersigned non-governmental organizations and civil society groups make the following statement:

The Cambodian government, armed forces and police should not discourage or prevent people from enjoying the right to freedom of peaceful assembly, whether through threats, intimidation or the use of unlawful force. Instead, it is the authorities’ obligation to make possible the full exercise of this right, which is guaranteed in Cambodia’s Constitution and in the International Covenant on Civil and Political Rights, to which Cambodia is a state party. This positive obligation includes ensuring the safety and security of the organizers and of the participants in assemblies. At the same time, the right to freedom of peaceful assembly does not imply a right to commit human rights abuses against others.

In this regard, we welcome recent positive statements by the caretaker government led by the ruling Cambodian People’s Party (CPP), including passages in its statement of 31 August 2013 calling on all authorities to adhere to the highest moral and ethical standards and exercise the utmost tolerance in the current circumstances. We also welcome the guidance contained in the CNRP code of conduct issued the next day calling on demonstrators to remain peaceful, including by not inciting racial violence, which has occurred in Cambodia in the past.

In order to ensure the extent and permissible limitations of the right to freedom of peaceful assembly are understood and adhered to both by the authorities and demonstrators, we call on the government, armed forces, police and political parties to commit publicly to follow the relevant international standards, principles and best practices, which we ourselves fully endorse, and to urgently disseminate them throughout their ranks and among the general population.

These texts include the following, which are available on the online human rights portal sithi.org (at <http://sithi.org/peacefulassembly/>), where translated excerpts are also posted:

- “Report of the United Nations High Commissioner for Human Rights” (2013);
- “Report of the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association” (2012);
- “Guidelines on Freedom of Peaceful Assembly” (2007) published by the Organization for Security and Cooperation in Europe (endorsed in the UN Special Rapporteur’s report as “the most advanced set of good practices” on peaceful assembly);
- “Human Rights Standards and Practice for the Police” (2004) published by the Office of the UN High Commissioner for Human Rights;
- UN “Basic Principles on the Use of Force and Firearms by Law Enforcement Officials” (1990); and
- UN “Code of Conduct for Law Enforcement Officials” (1979).

We also call on foreign governments, the UN and other intergovernmental organizations to join us in urging public commitment by all concerned to the legal obligations and recommendations contained in these texts, in disseminating them as widely as possible and in facilitating such dissemination.

We would also welcome the attention of the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association to the current situation in Cambodia.

Signed by:

Amnesty International
Cambodian Center for Human Rights (CCHR)
Cambodian Committee of Women (CAMBOW)
Cambodian Domestic Worker Network (CDWN)
Cambodian Food and Service Worker Federation (CFSWF)
Cambodian Human Rights and Development Association (ADHOC)
Cambodia's Independent Civil-servants Association (CICA)
Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
The Cambodian NGO Committee on CEDAW (NGO-CEDAW)
Cambodian Worker Center for Development (CWCD)
Cambodian Youth Network (CYN)
Civil Rights Defenders
Coalition of Cambodian Farmer Community (CCFC)
Community Legal Education Center (CLEC)
Community Peace Building Network (CPN)
Equitable Cambodia (EC)
Farmer Development Association (FDA)
Housing Rights Task Force (HRTF)
Human Rights Watch
Independent Democracy of Informal Economy Association (IDEA)
Life with Dignity (LWD)
Neutral and Impartial Committee for Free and Fair Elections in Cambodia (NICFEC)
People's Action for Change (PAC)
Sahmakum Teang Tnaut (STT)