

Advisory Services in the Field of Human Rights

Report of the Special Representative of the Secretary-General, Justice Michael Kirby, on the situation of human rights in Cambodia submitted pursuant to Commission on Human Rights Resolution 1993/6

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REPORT OF THE SPECIAL REPRESENTATIVE
OF THE SECRETARY-GENERAL
FOR HUMAN RIGHTS IN CAMBODIA

A : Report

1. First mission and first report
2. Second and third missions
3. The mission of the High Commissioner for Human Rights
4. The continuing challenge of the security situation
5. The culture of candor and acknowledgement of mistakes
6. The human rights communications
7. Action upon the first report
8. Eight themes:
 - . Technical assistance and the range of human rights
 - . international human rights
 - . military and human rights
 - . non-governmental organizations
 - . media and freedom of expression
 - . immigration, law and ethnic minorities
 - . courts and their independence
 - . prisons and detention

B : Recommendations

1. Right to Health
2. Cultural rights
3. Education, including legal education
4. Right to work
5. Judicial independence and the rule of law
6. Fair and open trial
7. New laws and practices
8. Rights of appeal and renew
9. The police and military
10. Prisons and other custodial detentions
11. Press Law and freedom of expression
12. Vulnerable groups
13. Ratification and reporting
14. Security - the problem of mines
15. On-going technical support and assistance

B : Recommendations

1. Right to Health

101. The need to upgrade the infrastructure and delivery of health services remains urgent and substantially the same as stated in the first report.
102. Particularly urgent priority should be given to campaigns to prevent the transmission of HIV/AIDS. New initiatives should be taken, in consultation with the United Nations Development Programme (UNDP) and the World Health Organization (WHO) to promote awareness of AIDS in the media, in secondary schools, in other educational institutions and in other appropriate public ways. There must be a heightened sense of the urgency of promoting HIV/AIDS awareness and education in Cambodia. The Office of the United Nations Centre for Human Rights should, in cooperation with UNDP, WHO and other relevant international and national bodies promote seminars, workshops and other initiatives designed to mobilized non-governmental human rights organizations in campaigns of HIV/AIDS awareness. Particular attention should be addressed to the Department of Women's Affairs and women's NGOs and to the relevance of women's empowerment. The organization of sex workers (prostitutes) into associations for self-protection should be promoted. Investigations should be made concerning the availability from international donors of free condoms for distribution to sex workers with appropriate advice about HIV/AIDS and its modes of transmission. Mobile vans to provide such education and assistance should be established in main cities without delay.
103. The Special Representative welcomes the investigation by the National Assembly of the current availability of pharmaceutical drugs having dangers to life and health if used without strict medical supervision. The better control of such drugs, and scrutiny of the effectiveness of imported drugs, should have the attention of the Royal Government of Cambodia in a way consistent with the continued provision by pharmacies of cheap drugs and advice to members of the public unable to afford or to secure medical attention.

2. Cultural rights

103. The Special Representative welcomes the important work of UNESCO in Cambodia for the preservation and protection of the cultural heritage of the country, especially, the Angkor Wat complex. The assistance of the government of Switzerland is acknowledged in providing a legal expert to advise the Royal Government of Cambodia on the needs of legal regulation to

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environment of the Angkor Wat and other similar
sites of archeological and cultural importance.

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completion of the preparation of the draft law for
protection of the cultural heritage of Cambodia, it should
be submitted urgently for approval to the Council of Ministers
and, if necessary, to the National Assembly for enactment.

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Education, including legal education

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needs to re-enforce the infrastructure of the
educational system, noted in the first report, must
be one of the highest priorities of the Royal Government.
The Special Representative welcomes the
decision of the Royal Government to introduce procedures for
the external marking of secondary examinations
to reduce corruption and to raise pre-university
standards.

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Representative particularly welcomes the strong
support expressed by many representatives of the government
for the teaching of human rights to school children and to the
general population. Once again the first Prime Minister,
H.R.H. Ranariddh Varman, in his meeting with the High
Commissioner for Human Rights and the Special Representative,
has endorsed the need for general human rights information and
education. The Special Representative again requests the
assistance of the United Nations Centre for Human Rights
to explore ways in which this proposal can be
translated into practical reality. He welcomes the
initiative in this regard of United Nations agencies,
particularly UNESCO which has organized training courses and
assisted in the provision of curriculum materials for
teaching human rights in schools in Cambodia.

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Representative also notes with particular
appreciation the valuable work of Cambodian NGOs towards
the integration of human rights into the educational curriculum. Of
note in this respect is the plan of the Cambodian
Human Rights Institute to publish a book about human rights
methodology for distribution to Cambodia's 70,000
teachers. This plan should be supported with
funds provided by the Cambodia Office of the
United Nations Centre for Human Rights.

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Representative requests the said office to give
consideration, in consultation with Cambodian
officials, NGOs and informed citizens, to the ways
in which social and ethnic prejudice may be tackled by
educational means. There is a need to study
examples by which other countries have encouraged
the development of policies and attitudes of multi-cultural
understanding and tolerance. Initiatives beyond education should
also be considered. These include the use of the entertainment

media, appeals by community leaders, inclusion of representatives of ethnic minorities in the activities of governmental and private bodies and the encouragement of personal contacts which tend to break down the stereo-types upon which prejudice feeds. It is important that countries which are neighbours to Cambodia, with ethnic minorities of their own people in Cambodia, should appreciate that the way they treat, in their countries, people who are ethnic Khmers may be relevant in Cambodia to the achievement of ethnic and racial tolerance and acceptance for non-Khmers. The provision of good examples and reciprocal promotion of multi-cultural tolerance by neighbouring States may assist in the promotion of these values within Cambodia.

109. The Cambodia Office of the United Nations Centre for Human Rights should give consideration to the conduct of a workshop or seminar of Cambodian human rights NGOs - including those connected with ethnic minorities in Cambodia - to explore the development of an action plan of practical ways to promote ethnic and racial tolerance and harmony. The report of such a workshop or seminar should be made available to the Centre for Human Rights and the Special Representative to help plan future initiatives - in consultation with the Royal Government of Cambodia - to promote multi-cultural tolerance and acceptance of ethnic diversity within Cambodia. Several Ministers stressed to the High Commissioner for Human Rights and to the Special Representative the high sensitivity of ethnic issues in the context of Cambodia. Their sensitivity is not doubted. Nor is the Special Representative unaware of the feeling of anxiety in many quarters in Cambodia concerning the vulnerability of the Cambodia culture and language to external pressure from more numerous neighbours. The building of a strong Khmer culture, confident in the presence of loyal citizens of different ethnicities, should be the goal.
110. The Special Representative particularly welcomes the contributions of France to legal education and specifically the education of the judiciary in Cambodia. The Special Representative fully supports the efforts of the highly expert judicial officers from France who have assisted in the selection and training of Cambodia's judges. Particularly to be applauded is their contribution to the control on numbers and the assurance of quality in selection, by tests conducted by procedures designed to prevent favoritism and corruption. He urges that the selection of judges should continue to follow this strict procedure. The appointment of other persons, who have not been chosen in this way, should be terminated. Such appointments highlight the urgency of the establishment by law of the Supreme Council of the Judiciary.
111. The Special Representative also welcomes the contribution of the United States of America, the Asia Foundation and others, to legal education in Cambodia. He notes with satisfaction the establishment of a certified course in contract law. He participated with pleasure in the group of international

advisers providing legal expertise to various governmental agencies. He encourages the enlargement of this group to include appropriate Cambodian lawyers and para legal officers. He welcomes the consideration of plans for a second law school in Cambodia conforming to international standards.

112. The problems in legal education which were identified in the first report remain to be tackled. The recommendations in that report are again commended to the Royal Government of Cambodia. The Special Representative welcomes the agreement between the Office of the Centre for Human Rights and the Faculty of Law and Economics in Phnom Penh to conduct a series of human rights seminars, to provide a number of internships to students of the Faculty and to provide training to teaching assistants. He also welcomes the initiative of the Office to provide lectures on human rights at the Royal College of Administration in Phnom Penh.

4. Right to Work

113. The Special Representative welcomes the joint initiative of the United Nations Development Programme (UNDP) and the International Labour Organization (ILO) designed to promote employment generation in Cambodia. In Battambang and later in Phnom Penh he received from both of these agencies information concerning the employment generation programmes for Cambodia. This has involved the selection of target employment projects and population groups. It has included concentration on road building, irrigation and other like activities, including the commencement of expansion of small businesses. Groups specially targeted have included returning refugees, internally displaced persons, female heads of families and demobilized and disabled military personnel and other war effected persons. The provision of work to such groups is essential to the re-building to the civil society in Cambodia.
114. Two special problems have been drawn to the notice of the Special Representative in connection with the above activities. The first is alleged instances of enforced conscription into the army of recruits in the training courses at the ILO Provincial Training Centre at Battambang. The High Commissioner for Human Rights and the Special Representative were assured by the responsible Minister that this practice was contrary to government policy. Any conscription should be conducted only pursuant to a clear law containing appropriate safeguards. To the extent that enforced conscription occurs outside the framework of law it should be terminated and redress provided to those who have been illegally conscripted into the army. It would be specially regretted if this practice interfered in the UNDO/ILO work regeneration programme. The Office of the United Nations Centre for Human Rights in Cambodia should continue to monitor this issue.
115. The UNDP/ILO programme has also revealed a need for better

planning and coordination in the services of aid agencies to NGOs to avoid or reduce duplication of services and wastage of human and material resources. The Office of the United Nations Centre for Human Rights in Cambodia in consultation with UNDP and ILO and other human rights NGOs should cooperate in the realization of initiatives to promote and encourage work regeneration programmes in the most efficient ways possible.

5. Judicial independence and the rule of law

116. The problems for judicial independence, identified in the first report of the Special Representative remain substantially as there stated. They should continue to be addressed. They include:

- . The urgent need to adopt a code of judicial practice;
- . The need to increase or supplement the salaries of the judges beyond the wholly inadequate sum of US\$ 20 per month which renders judges vulnerable to temptation to corruption or influence;
- . The need to improve the supply of legal materials and resources to the judges; and
- . The need to introduce the system of judicial mentors.

The Special Representative welcomes the initiative of France to provide the funding for judicial offices to participate in the training of Cambodian judges.

117. The Special Representative welcomes the consideration by the International Bank of Reconstruction and Development, in consultation with the Royal Government of Cambodia, of a project to assist the Government to collect and publish the Statute Law of Cambodia and the jurisprudence of the higher courts of Cambodia. He encourages the furtherance of this project. Without the easy access to the law it is virtually impossible to build a modern rule of law society in Cambodia.

118. The Special Representative also commends to the Bank and other funding agencies in consultation with the Royal Government of Cambodia, the provision of assistance in Statutory and legal drafting. One of the reasons for the slow progress of legislation has been a shortage of trained drafters. As the Special Representative was informed only 2 drafters are normally available to the National Assembly. An enhancement of this capacity would contribute disproportionately to the quality and speed of law making.

119. To the problems mentioned in the first report must be added examples of serious challenges to judicial independence observed since the last report. They derive, in the main but not exclusively, from military sources. These challenges undermine the authority and so weaken the independence of the judges. The most serious of these incidents related to the threat to the life of the Chief Judge of the Court at

Sihanoukville on 13 May 1994. A military officer, Sok Tha, whose parents had been found guilty of a trademark offence - and who had been sentenced but not yet committed to prison - invaded the court building in company with other military personnel who were armed. The judge and prosecutor were forced to flee in fear of their lives. Although certain steps were later taken to respond to this attack on the court, they were not, in the opinion of the Special Representative, adequate to its gravity.

- . The report that the military officer chiefly involved was permanently demoted in rank and transferred has been disputed;
- . The military personnel were not prosecuted in the civil court as they should have been for the offence to its integrity and to the administration of civil justice;
- . The military prosecutor does not appear to have brought any prosecutions of the offenders before any military tribunal; and
- . The parents of the military officer concerned remain unpunished on their sentence despite the lawful order of the Sihanoukville Court which was not subject to appeal.

The unsatisfactory features of the case were brought to the notice of the Royal Government of Cambodia in a regular communication of the Special Representative. Whilst in Sihanoukville, the Special Representative sought to discuss the above case with military personnel. Despite an appointment for the purpose, senior military officers were unavailable to the Special Representative for consultation - the only time this has ever occurred in Cambodia. Whilst in Sihanoukville, the Special Representative drew the seriousness of the case to the notice of the provincial governor and the Deputy Governor. He offered support and advice to the Chief Judge and prosecutor. It is recommended that the Royal Government of Cambodia take urgent steps to ensure that the above concerns are fully redressed.

120. The foregoing case illustrates a number of matters of general concern which, in the opinion of the Special Representative, warrant assistance and technical advice to the Royal Government of Cambodia by the Office of the United Nations Centre for Human Rights in Cambodia:

- . The early enactment by the National Assembly of a law governing interference in the due administration of justice (contempt of court);
- . The clarification of the liability of military personnel to civil courts and to the general law when committing offences of a private character outside their military functions; and
- . The elucidation of the duty of military prosecutors and tribunals to cooperate with and facilitate the work of the civil courts in respect of civil offences by military personnel.

121. The Special Representative received a separate report of apparent military interference in the judicial process at Battambang. On 29 March 1994 a group of armed men, apparently military personnel, seemingly from the Fourth Military Region, stormed the Battambang prison threatening the lives of guards and other prisoners and forcing the release from the prison of a prisoner, Tes Sokhuntea. He had been convicted of offences of smuggling Khmer antiquities into Thailand. This incident was confirmed by officers at the Battambang prison who acted with considerable restraint when under attack. It was also confirmed by the Chief Judge of Battambang who indicated that the prisoner was still at large. It was the belief of the Battambang prison officials that the persons involved in the enforced release of the prisoner were military personnel. The interference in the carrying out of a lawful sentence imposed by a court is an affront to the authority of the court. It should not go unredressed. The Special Representative recommends that the incident be investigated fully by the Royal Government of Cambodia. The persons responsible should be brought to justice. Every effort should be made to recapture the prisoner. He should be punished for escaping from lawful custody.
122. The Special Representative was informed of a new sub decree not yet promulgated, by which military personnel are to be mandated in certain additional circumstances to offer support and assistance to the civil courts. The Special Representative welcomes this development. The Office of the United Nations Centre for Human Rights in Cambodia should offer its assistance to the Royal Government as necessary, to ensure the early operation of this decree. It is essential that military personnel should clearly understand that their duties include the upholding of the constitution of Cambodia and the rule of law under which it establishes. They are not above the law. Whenever military personnel challenge the independence and authority of the civil courts these courts should be entitled to look to the Minister of Justice to ensure that the culprits are promptly charged and, if found guilty, punished for their offences. Appropriate training of military personnel in human rights should include the provision of information about the essential nature of judicial independence and authority and the duty of the military to respect and uphold the same. The Office of the United Nations Centre for Human Rights in Cambodia should continue to cooperate with the Royal Government in the design of courses to include this element.
123. The Special Representative received further reports of contact between judges and the Ministry of Justice in relation of particular cases and their disposition. The Special Representative repeats his strong advice that the alleged practice of consultation by judges with the Minister of Justice, officers of his department or other Ministers or departments should cease. This practice is incompatible with the independence of the judiciary.

124. The Special Representative also advises the Royal Government of Cambodia that Ministers should not write to courts concerning cases currently being determined by them. Any representations by the government or Ministers to courts must be confined to cases in which the government or the relevant Ministers are parties or are allowed by the court to intervene. Such representation must then be made in the presence of the other parties and in open court so that they can be disputed or contradicted. Great care must be exercised in publicly communicating with courts or judges concerning current cases, lest the court's appearance of manifest impartiality and justice are undermined. If Ministers wish to initiate action by courts (for example in relation to alleged infringements of law as freedom of expression) they should do so by legal process, involving a charge brought by a prosecutor - not by writing a letter to the court. Such informal procedures have the undesirable consequence, if responded to by the court, of making the court appear to be a servant of the Executive branch of government - instead of the independent guardian of the law, holding the scales of justice equally between the Executive and the individual.

125. It is appropriate that the Special Rapporteur should note with commendation the improvements seen in respects of the administration of justice since his first report. For example, the Judges at Battambang and Sihanoukville, impressed the Special Representative with their dedication to their offices, the extremely heavy workload assumed, the diligent performance of their duties including prison inspection and attention to the prompt hearing of matters before them. In particular the Special Representative was impressed with the action taken at the Battambang court house to improve the facilities of the court building, the layout of the public waiting areas, the provision of information to the public, the improvement of the layout of the court room - including the introduction of appropriate facilities for the defender and suitable distinctions between arrangements for the hearing of civil and criminal cases. All of these are encouraging developments. They provide a model for courts in other parts of Cambodia. The United Nations Centre for Human Rights in Cambodia, in conjunction with the Asia Foundation which has provided assistance to the Battambang Court and other bodies, should continue to provide advice to the Royal Cambodian Government on improvements in the provision of Court services.

6. Fair and open trial

126. The requirements called to attention in the first report remain only partially attained. They require continuing attention. The Office of the United Nations Centre for Human Rights in Cambodia should continue to monitor observance of the law of Cambodia for the bringing of persons accused of criminal offences promptly before a judge and for limiting pre-trial detention.

127. In notable cases, such as the hearing of the allegations against the journalist Mr. Ngoun Noun referred to below (para XXX) it is encouraging to the Special Representative that the proceedings were heard in open court. Such proceedings were thus observed by officers of the United Nations Centre for Human Rights, NGOs, members of the diplomatic corps and others. This open administration of justice, including in a sensitive case allegedly involving issues of national security, is to be welcomed. On the other hand, there were aspects of the conduct of the trial which were thus revealed which in the opinion of the Special Representative, as reported, fall short of appropriate international standards and, as it is believed, Cambodia's own laws. It appeared to reliable observers who have reported to the Special Representative that the judge may have consulted others before determining the provision of an adjournment as requested by the defender at the preliminary hearing. The Special Representative repeats his strong advice that the independence of the judiciary requires that all judicial decisions concerning a disputed case must be made by the judge alone without reference to others.

7. New laws and practices

128. Most of the new laws for which the Special Representative called in his first report have not yet been enacted. Particularly urgent is the presentation and enactment of the laws on :

- . the establishment of the Constitutional Council;
- . the establishment of the Supreme Council of the Judiciary as envisaged by the Constitution;
- . a Press Law;
- . a law on the peaceful settlement of land claims;
- . a law on associations; and
- . a law on immigration and nationality.

129. The absence of the above laws (and others) continues to contribute to many of the challenges to the rule of law in Cambodia. The Special Representative acknowledging the full opportunity which he and the United Nations Centre for Human Rights in Cambodia have enjoyed to make comments to the Royal Government of Cambodia and the National Assembly on particular laws, notably the draft Press Law and the draft Immigration Law. The Special Representative welcomes the assurance that representations have been taken into account in the re-drafting of such laws. The Office of the Centre for Human Rights should continue to provide a monitoring role, to examine draft legislation having implications for human rights and to provide advice to the Royal Government of Cambodia. It should also continue to assist the National Assembly Commission on the Protection of Human Rights and Reception of Complaints of the National Assembly on the performance of its vital role.

130. One measure which was enacted by the National Assembly on 7 July 1994 was the Outlawry Law. Formally, this measure is called the Law on the Outlawing of the "Democratic Kampuchea" Group. The purpose is to outlaw members of the Khmer Rouge and their armed forces. They are deemed "offenders against the Constitution and laws of the Kingdom of Cambodia". Provision is made following conviction for sentences of between 20 to 30 years imprisonment or for life imprisonment. An amnesty is provided for six months to permit those affected to "return to live under the authority of the Royal Government in the Kingdom without facing punishment for crimes they have committed" (Article 5). Only leaders of the "Democratic Kampuchea" Group (Khmer Rouge) are exempted from this amnesty (Article 6). Once the law comes into force all property of the party of the "Democratic Kampuchea" Group and of offenders is forfeited to the Royal Government of Cambodia.

131. During the passage of the proposed law through the National Assembly important amendments were introduced to the Bill which became the Outlawry Law:

- . Defining more closely the persons liable to prosecution;
- . Defining more precisely the crimes attracting the application of the law;
- . Acknowledging the right of His Majesty the King to give partial or complete amnesty as stated in Article 27 of the Constitution; and
- . Pushing persons who "use this law to violate the rights of people or threatening, charging, arresting, detaining, torturing or violating the dwelling house unreasonably" or who "misinform, witness falsely, give false evidence ... by using the law to violate the rights of people" such persons are liable on conviction to punishment of between 5 and 6 years imprisonment. The victim of the injustice has the right to apply for damages for any of the foregoing violations.

132. The Outlawry Law has a large potential to offend basic human rights. The amendments introduced by the National Assembly are welcomed by the Special Representative. They introduce important protections. However, the law should be analyzed by the Office of the United Nations Centre for Human Rights in Cambodia by reference to the Constitution and the international instruments which Cambodia has ratified relevant to human rights. It should be carefully monitored to ensure to that it does not become an instrument for oppression and misuse of power.

133. Of particular concern are the possible implication of the Outlawry Law for human rights NGOs and defenders called upon to defend the rights of persons accused under the law. Accusation does not establish the offence. Every person who is accused under the Law is entitled to a fair trial and to have a defender. Abuses of the law and in its administration should be exposed by human rights NGOs without fear of being thereby accused of collaboration. The coming into force of

the Outlawry Law will present a major test to the courts and Constitution of Cambodia. The Special Representative will keep in close contact with the Office of the United Nations Centre for Human Rights in Cambodia and human rights NGOs and will offer his advice and assistance to the Royal Government of Cambodia on this measure, as is appropriate.

134. One provision in the Outlawry Law calls to attention a provision in Cambodia's criminal law and procedure which requires reform. In this regard the provisions in Article 9 permitting the right to an award of damages in the criminal proceedings is referred to. Whilst the facility of damages compensation is entirely acceptable, it is contrary to principle that persons should be imprisoned for civil debts. The Office of the United Nations Centre for Human Rights in Cambodia should conduct a review of all Cambodian laws and practices in this regard with a view to advice to the Royal Government on the removal of such provisions from the criminal law and practice of Cambodia. During the Special Representative's visit to prisons in Cambodia he met several prisoners imprisoned for the failure to pay court ordered damages.

8. Right of appeal and review

135. The Special Representative welcomes the establishment, since the first report, of a Court of Appeal and the initiation of its jurisdiction. The jurisdiction of the Court of Appeal to hear appeals and to perform judicial review should be clarified. As a result of consultations with judges, NGOs, prisoners and others, the Special Representative makes the following recommendations to the Royal Government with a view to the passage of the necessary laws or the adoption of the necessary practices:

- a) A facility to appeal against criminal conviction and sentence should, in special circumstances, be available outside the present period of 2 months provided. In some cases of illiteracy, ignorance, mistake, the neglect of others a proper basis for an extension of time could be made out. It should be left to the trial judge or the Court of Appeal, in special circumstances, to provide an extension where justice requires that course;
- b) Arrangements should be made for oral and written notification of the right to appeal and the time to appeal to be given to a convicted prisoner both by the judge at the time of conviction and after the prisoner's arrival at prison, if a sentence of imprisonment is imposed. A follow-up advice is desirable, because, at the time of sentence a prisoner may not attend closely to all the details of the judge's remarks; and
- c) Instructions should be available at prisons concerning

the way undefended prisoners may appeal and a minimum of formality should continue to be observed in relation to the lodging of appeals.

136. The Special Representative welcomes the provision to prisoners at the Battambang prison of access to human rights NGOs. The enlightened policy in this regard is deserving of praise which has been conveyed to the Royal Government of Cambodia. This facility should be available to prisoners throughout the country. The Special Representative recommends that the Royal Government give instructions to officers in charge of prisons to authorize accredited representatives of human rights NGOs to visit prisons to inform prisoners generally on their rights, to hear complaints and to take appropriate action for prisoners wishing the services of a defender.
137. It is essential that judges and prosecutors continue to visit prisons at regular intervals to ensure that only persons still undergoing lawful sentence are confined; to investigate complaints of wrong-doing against gaolers or other prisoners and to ensure that facilities for appeal and review rights are respected.

9. The police and military

138. The alleged involvement of members of the military in human rights abuses, often unredressed, continues to be a matter of concern to the Special Representative which he has called to the attention to the Royal Government of Cambodia. A list of examples, far from exhaustive - includes :
- . the raid in the Battambang prison on 29 March 1994 described above;
 - . the murder of Mr. Angkouy, a high ranking civil servant apparently by military personnel in the Kampot province in 19 April 1994;
 - . the attack on the judge and prosecutor at the Sihanoukville Court House on 13 May 1994 described above;
 - . the attempted killing of the Deputy Governor of Pheng Kim on 5 June 1994; and
 - . the conduct of the "secret prison" Chheu Kmou, detailed below.
139. It is essential that those responsible for the above incidents, and like incidents, should be tracked down and brought to justice. The honour of the Royal Cambodian Armed Forces is at stake. But so is the rule of law and the submission of the military to the civil government defensive of human rights established by the Constitution.
140. The Minister of Defence, in consultation with the Co-Ministers of the Interior and the Justice should consider the institutional implications of the recurring problems of military lawlessness. To the above list of cases must be

added complaints received by the Special Representative concerning

- . The extraction of unlawful taxes at illegal checkpoints on roads and highways supervised by military personnel;
- . The conduct of enforced conscription;
- . The exemption from enforced conscription upon payment of unlawful "fines" to military personnel.

Whilst the Special Representative has been assured by the Government - and accepts the assurance - that none of the foregoing are sanctioned by law or Government policy, it is clear that they exist. To a very large extent, it is also clear that the police and the judiciary lack the power, or the effective means of support to enforce the law against such abuses. Such conduct undermines the confidence of the people of Cambodia in the Government and its agencies and personnel. It plays into the hands of the enemies of the government and of its attempts to build a civil society. The Special Representative urges the Royal Government of Cambodia to consider the creation of a Joint Commission of the Ministries of Defence, Interior and Justice to propose laws and policies which tackle abuse of power by military personnel and, to provide effective means of redress no matter how highly placed is the official involved. The Office of the United Nations Centre for Human Rights in Cambodia should make itself available to the Ministries (and any others concerned) to provide advice and assistance in tackling this important continuing challenge to respect for human rights in Cambodia.

141. The Office of the United Nations Centre for Human Rights in Cambodia should continue its efforts, in consultation with other United Nations agencies, national initiatives and NGOs, to provide human rights elements in the training courses for military and police personnel.
142. Of possible relevance to the reduction of abuse of power within the military branches of the government was the report given to the Special Representative during his third mission to Cambodia that a facility had been granted to the armed forces in respect of the grant of permits to conduct logging in the forests of Cambodia. Similar arrangements in other countries have led to an abuse of power as well as despoilation of the natural environment. The enjoyment of the environment is essential to a full realization of human rights. It is, to that extent, relevant to the mandate of the Special Representative. However, it is also relevant, if a general license for logging is confirmed, to the attempts of the Special Representative to encourage the Royal Government of Cambodia to ensure that abuses of power by military personnel are redressed. The assurance to the military of sources of funds outside the regular budget and from activities not strictly relevant to military functions has obvious implications for human rights. It presents a risk of creating a State within a State, beyond effective civil power

and influence. Whilst it is no part of the Special Representative's functions to interfere in the financial arrangement of government in Cambodia, in the context of other matters called to notice, in this report, the development is a cause for concern. If a license for logging is confirmed to the military in Cambodia its excuse will need to be most closely monitored for its implications for a number of basic human rights.

10. Prisons and other custodial detention

143. The Special Representative welcomes a number of improvements detected in the administration of prisons in Cambodia since his last report as:

- . As a result of recommendations made following an inspection during his second mission, the PJ (Police Judiciaire) prison in central Phnom Penh, has, with the help of financial assistance from Australia been improved. The sewerage system has been renewed to remove human excrement; the water system for the supply of water to the male cells has been improved; the roof has been renewed in the female prison to remove leaks and the numbers of prisoners housed in the PJ prison has been reduced by the transfer of prisoners elsewhere;
- . the conditions at Battambang prison continue to improve. The administration of the prison has a generally enlightened approach. Sports and recreation facilities are adequate; the cells are clean and the prison food is reported as satisfactory. Indeed it was pointed out that prisoners receive a daily subvention for food of 1000 riels which is more than that provided for soldiers' food (600 riels).
- . Proposals are under consideration to close and redevelop the T3 prison in Phnom Penh and to build a prison outside the city. This would reportedly require an initial outlay of US\$ 3 million to accommodate 1000 prisoners. Such funds are not immediately available.

144. The Special Representative welcomes the complete cooperation of which he received during his second and third missions in visiting prisons as requested. It is noted that the natural rate of imprisonment in Cambodia - as shown is a survey conducted by the Office of the Centre for Human Rights in Cambodia - is very low by the standards of comparable countries.

145. A number of features of Cambodian prisons were revealed in the foregoing survey. There are 22 civilian prisons in Cambodia. There is a total of about 1800 prisoners. Only 4 to 5 per cent of prisoners are female. All prisons are dilapidated. The conduct of the survey is a valuable exercise of the Centre. Its results should be regularly updated and provided

to relevant government bodies. They should also be shared with other United Nations agencies or national representatives or bodies which might be able to provide funding to improve the physical condition of Cambodia's prisons. The representatives of the Royal Government of Cambodia assured the High Commissioner for Human Rights and the Special Representative that they would welcome international assistance to help improve the state of Cambodia's prisons. The Office of the Centre should actively explore this question. It should fix a list of priority tasks with practical objectives which could be shared equitably and sensibly amongst funding bodies.

146. The Special Representative welcomes the initiative of the National Assembly Commission on the Protection of Human Rights and Reception of Complaints (recommendation 111) dated 25 April 1994 addressed to the Co-Prime Ministers of Cambodia concerning the administration of prisons. In this communication, the Commission recommended:

- the separation of remand (unconvicted) from convicted prisoners; minors from adult prisoners; and separate treatment and detention of women prisoners;
- the provision of police women to supervise female prisoners;
- the provision of separate clothing to convicted prisoners;
- the provision of education to prisoners who are minors; and
- the assurance of speedy trial to ensure that unconvicted prisoners are not held for more than six months without trial.

It is noted that these recommendations conform to international principles and to proposals in the first report of the Special Representative. They are supported by the Special Representative.

147. The observations of the Special Representative during his visits to prisons in Phnom Penh (PJ), Battambang and Sihanoukville during his second and third missions confirm that some only of the above recommendations have been implemented. Women prisoners confirmed that they were housed separately and made no complaints to the Special Representative about abuse. On the other hand minor were found in all prisons, no facility for education appeared to be provided and distinctive clothing was not provided to separate convict from unconvicted prisoners.
148. The following are the major problems seen in prisons inspected by the Special Representative during the period under report. They are called to attention of the Royal Government of Cambodia and have been discussed with senior prison officials:
- In PJ prison, Phnom Penh: until recent repairs the

conditions were mainly appalling, involving gross over-crowding, dark and inadequately ventilated cells, unremoved human excrement, poor water supply, the presence of one prisoner in iron manacles and one serious case of beri-beri (due to malnutrition);

In Battambang prison : extraction of punishment on an escapee returned to the prison by "supervisors" appointed amongst prisoners and assigned in each cell. This punishment involved cruel beatings which were contrary to the international human rights norms and should have been prevented by the prison authorities, not condoned by them. The officials have been counselled. The Chief Judge of the Battambang court has been informed by the Special Representative. Some prisoners also complained of lack of cooperation in the provisions of advice about appeals and others about arbitrary cancellation or curtailment of exercise time out of cells or group punishment by reduction of out of cell time; and

In Sihanoukville prison : mosquito nets, new sewerage facilities and reduction of serious over-crowding must be urgently secured. Food is also poor in quantity and quality as a result of the inflated costs of food in the local market following collapse of a bridge linking the city with Phnom Penh. The prison had a bad smell, was flooded in parts and room for more prisoners in each cell was afforded by the expedient of inserting an additional wooden landing in each cell to permit twice as many prisoners to be accommodated except in one cell occupied by the sole female prisoner. Medical facilities were inadequate. A prisoner admitted two days before the visit of the Special Representative had an apparently untreated gun shot injury which revealed an open wound exposing the bone on the prisoner's right lower arm. The prison guards complained of lack of transport and funds to arrange for the hospital attention to the wound which was clearly of urgent necessity. The Special Representative informed the Chief Judge of the Sihanoukville Court about this case. He also contacted the local office of Médecins du monde to secure urgent care. The Chief Judge assured the Special Representative that immediate care would be provided, if necessary by the use of his own vehicle.

149. The foregoing inspections of fairly typical prisons of Cambodia reveal the following needs for remedial action:

- a) Urgent arrangements must be made for serious cases of illness and medical urgency affecting prisoners;
- b) Beating by prisoners as a measure of punishment must be forbidden. The only punishment of prisoners must be authorized by the judge (if a criminal offence is committed) or by prison rules for minor offences;
- c) Group punishment of prisoners not involved in misconduct

should be forbidden;

- d) Consideration should be given to supplementary food allowance where, because of special local conditions, the standard daily allowance of 1000 riels per prisoner is not adequate to secure a proper nutritious diet;
- e) Sewerage facilities should be repaired as a matter of urgent necessity to remove human excrement from prison cells. Water supply and ventilation should be adequate. Mosquito nets should be provided as necessary.
- f) Advice about appeal and review rights should be made available by the prison authorities on request; and
- g) Local human rights NGOs should be given access to prisoners at appointed times to permit the functioning of general advice, the receipt of complaints and the provision of a defender where appropriate. This facility is now available in the Battambang prison and should be extended to prisons generally.

150. The Special Representative recommends that national prison regulations conforming to international standards should be promulgated without delay by the Royal Government of Cambodia. The Office of the Centre for Human Rights in Cambodia should offer its assistance in the drafting of a model code of prison regulations conforming to international standards.

151. A serious case of abuse of power involving a so called "secret prison" at Chheu Kmau out of Battambang came to the notice of the Special Representative after his first report. It resulted in urgent representations to the Royal Government of Cambodia and to urgent enquiries and investigations by the Office of the United Nations Centre of Human Rights in Cambodia. The Special Representative welcomes the steps taken by the government to respond to his representations. A high level of commission of inquiry was, by decision of the Royal Government, despatched to Battambang province. It conducted its enquiry and prepared its report. It was also reported to the Special Representative by high officials of the government in the Province that one, at least, of the senior military officers involved in the maintenance of the "secret prison" at Chheu Kmau had been arrested and conveyed under arrest to Phnom Penh. The Special Representative whilst in Battambang visited at the hospital an alleged inmate of the prison who had lost two arms, the sight of his right eye and the power of one leg as a result of being forced at gunpoint by "prison" guards to engage in the removal of land mines planted at the perimeter of the "prison" to ensure its security. This profoundly injured man painted a vivid picture of his "arrest" by military personnel allegedly for relatively minor civil offences, his removal to the "secret prison", his witness to gross crimes and terrible suffering and finally his own shocking injuries when performing enforced de-mining for which he was totally unprepared and uninstructed.

152. The response of the Royal Government to the recommendations for action in respect of the "secret prison" at Chheu Kmau,

although welcomed, was, in the opinion of the Special Representative, unduly delayed. It lacked at first the resolution that such a serious challenge to civil authority required. Had the response come earlier, the suffering of the above prisoner and that of others would have been avoided. It is recommended that any such "secret prison" should not be tolerated, and that all those responsible should be charged and if convicted should be punished according to law. Steps should be taken to provide protection to the injured prisoner and his family so that he might give evidence against the perpetrators of such grave crimes without fear for himself or his family of reprisals from the violent men responsible for these infractions of basic human rights and challenges to the rule of law. The Special Representative urges the Royal Government of Cambodia to be vigilant to ensure that no further "secret prisons" are tolerated in Cambodia.

153. The Special Representative again calls attention to the other recommendations on prisons contained in his first report and repeats them. The Office of the United Nations Centre for Human Rights in Cambodia should cooperate fully with the Royal Government of Cambodia in ensuring the observation of basic principles of basic human rights in the prisons of Cambodia. The Special Representative commend the senior officers of the Police, responsible for prisons, for their cooperation with the Office of the United Nations Centre for Human Rights in Cambodia in the raising of standards and improvement of conditions.

11. Press law and freedom of expression

154. The Special Representative welcomes the high level of media and press freedom enjoyed in Cambodia. In many ways Cambodia enjoys greater freedom of expression than other countries in the region. In comparison to its recent history, under different regimes of one party government, a single controlled media and stern limits on freedom of expression, the freedom now enjoyed in Cambodia is unique to its history. Very large numbers of both international and local (Khmer) newspapers flourish in Cambodia. There are, for example, 22 Khmer language newspapers. They are of varying quality. There is a large contingent of international journalists resident in Cambodia vigilantly observing local politics and developments and reporting on them. The local media flourishes. It is of variable quality. This doubtless reflects the fact that few local publishers or journalists have had professional training in the skills and ethics of journalism until the establishment of the UNTAC and the adoption of the present Cambodian Constitution. As the High Commissioner for Human Rights observed at the Council of Ministers and the National Assembly during his mission to Cambodia, freedom of expression is vital amongst human rights. It is the capacity to share ideas which afford human beings their unique character. The High Commissioner also welcomed the high level of freedom of

expression in Cambodia. The Royal Government should make greater use than it does of the capacity of the media to present news of achievements of the government and administration. Consideration should be given to enhancing the provision of more hard news copy to the media, the appointment for this purpose of more Governmental press officers and the establishment, as recommended by the Khmer Journalists' Association, of a central facility for the provision of information on Ministerial and governmental initiatives and viewpoints.

155. The Special Representative welcomes the diversity of free expression in Cambodia. He is appreciative of the care with which the Royal Government of Cambodia - and particularly the Minister for Information - has considered necessary suggestions made by the Special Representative for the improvement of the draft Press Law. The Special Representative expresses the hope that the enactment by the National Assembly of a draft Press Law in proper form - complying both with the guarantees of free expression in the Cambodian Constitution - and with the international instruments to which Cambodia has adhered - will occur without further delay. Only this will ensure that a clear and modern law is put in place of the Press Law of the State of Cambodia presently being enforced. That law, drafted in a time of strictly limited freedom of expression and for a one party State, is not suitable to the current conditions of Cambodia and the compliance by Cambodia with its obligations to respect the basic human right of free expression.

156. The High Commissioner during his mission received the assurance of the Royal Government of Cambodia, that press freedom would be respected. No "black list" or retaliation would be contemplated against foreign journalists accused of "negative reporting". These assurances are to be welcomed. The Special Representative points out to the Royal Government that a measure of error and even of excess is inherent in freedom. Experience has shown that attempts to eliminate this generally results in excessive control and loss of freedom. By the same token the Special Representative is understanding of the complaints of government, professional journalists (international and local) and sensible citizens that some media elements, particularly in the local print media has sometimes abused their freedom by

- publication of unattributed, unsourced materials;
- publication of rumour and grossly biased reports; and
- publication of grossly insulting and offensive cartoons and articles of a particularly crude character.

The Special Representative urges the Office of the Centre for Human Rights, in consultation with UNESCO, the Khmer Journalists' Association and other relevant NGOs and persons to explore ways, by training and assistance, that standards may be improved so as to obviate the excessive use of law in

the control of freedom of expression. Consideration should be given to the viability in Cambodian circumstances, of the establishment of a Press Council or Press Ombudsman to receive citizens' complaints outside the strictly legal process and to uphold standards of accuracy and fairness in reporting.

157. The Special Representative welcomes the efforts of the Khmer Journalists' Association to raise professional standards amongst its members and the acceptance, on the advice of the Office of the United Nations Centre for Human Rights in Cambodia of the necessity to allow for other journalists' associations providing guidance to their members.
158. A number of developments and events since the last report give cause for concern. These are drawn to notice by the Special Representative:
 - . The arrest and detention for 48 hours on 23 March 1994 of Mr. Nguon Noun, editor of the Morning News newspaper;
 - . The grenade attack on 24 March 1994 on the office of Antarakoum newspaper by unknown attackers;
 - . The closure of the Sokal newspaper on 16 May 1994 by order of the Minister of the Interior and confiscation of 10,000 copies of an issue said to be critical of high ranking military officials;
 - . The Ministerial order on 7 June 1994 to the editor of Prum Bayon newspaper ordering suspension of publication;
 - . The death (and apparent murder) of Mr. Thou Chham Mongkol, editor of Antarakoum newspaper, on 11 June 1994 ostensibly in a traffic accident, still under investigation at the time of this report;
 - . The reported suggestion to foreign correspondents in June/July 1994, unimplemented, that their visas might be terminated and they expelled as a result of displeasure at certain articles written by them;
 - . Reported threats to the director of the Khmer Institute for Democracy concerning a public forum called by the Institute to discuss the draft Press Law;
 - . The second arrest of Mr. Nguon Noun on 7 July 1994 following the publication in Morning News of articles concerning the aborted coup d'etat on 2 July 1994.
159. The Special Representative made written recommendations about Nguon Noun's arrest. He called at the PJ prison twice on 17 July 1994 to see Mr. Nguon Noun. Eventually on 18 July 1994 he was granted access. Subsequently representations were made by the Special Representative concerning the physical conditions of Mr. Nguon Noun and the facility of access to his family. This was later allowed. Eventually on 25 July 1994 the High Commissioner for Human Rights appealed to the First Prime Minister that Mr. Nguon Noun might be released. He repeated that request on 26 July 1994 to the Council of Ministers. (On 27 July 1994 Mr. Nguon Noun was released from custody.) Whilst the English language translation of the articles written by Mr. Nguon Noun appear to suggest a rather

poor standard of journalism and whilst Mr. Nguon Noun has himself apologized for some of his writings, the Special Representative urges the Royal Government of Cambodia to act with particular restraint in prosecuting journalists for criminal offenses. Usually the civil law of defamation should be invoked to redress suggested civil wrongs by the media. A significant defamation damages award in a meritorious case could have an appropriately salutary effect. The danger of misuse of preventative arrest and detention - particularly in the unhealthy conditions of Cambodia's prisons - could have a chilling effect which would be disproportionate to the necessity of the case and the basic human rights at stake - which must embrace even its occasional excessive or erroneous exercise.

12. Vulnerable Groups

160. During his mission the High Commissioner for Human Rights suggested to the Officer of the Centre for Human Rights and to other United Nations agencies the desirability of identifying specific projects designed to redress lack of equality on gender issues. The Special Representative supports this suggestion. He calls attention to a number of relevant suggestions in his first report which remain unimplemented. The Office of the Centre should follow-up a number of projects of specific relevance to women, children and the elderly. It should include in these endeavours close consultation with NGOs devoted to the redress of inequalities suffered by women, children and the elderly in Cambodian society. Relevant projects should include:

Assistance to the Royal Government of Cambodia in the drafting laws to provide an effective legal regime to tackle the problems of;

- Child prostitution;
- trafficking in unconsensual adult prostitution;
- domestic violence and abuse, particularly directed at women and especially in rural districts;
- child labour, particularly in rural districts.

Consideration should be given to encouraging

- the provision of more female defenders to provide advice and assistance to women particularly those who are the victims of domestic or other violence;
- the provision of education in schools and in the general media, directed to the reduction of violence against women and neglect and abuse of children;
- the use of the unemployed elderly in conjunction with schools to supplement the regeneration of the educational system of Cambodia; and
- the adoption of a legal minimum age for child labour and its enforcement.

161. The Special Representative repeats the call to the Royal

Government voiced by the High Commissioner for Human Rights during his mission to Cambodia relating to the plight of the ethnic Vietnamese Cambodians at Chrey Thom on the border between Cambodia and Vietnam. These boat people numbering about 5,000 persons have been stranded in small boats for nearly 18 months. They live on an inadequate diet of sea snails and other meagre food, supplemented by the World Food Programme as well as assistance provided by the United Nations High Commissioner for Refugees and local Cambodia human rights NGOs notably LICADHO, CAFAAD, ADHOC, LCDHC, OUTREACH, KID, KKKHRA and KSIA. Appeals by international agencies and Cambodian NGOs - including those addressed to His Majesty the King of Cambodia have not evoked action. His Majesty the King has insisted upon respect of the "rights of his subjects who are of non-Khmer ethnicity". The High Commissioner for Refugees has undertaken to provide funding to resettle the persons concerned in their former villages. They fled, mostly under UNTAC protection, to escape massacres of ethnic Vietnamese in Cambodia which have blighted the recent history of Cambodia. Many have documentary proof of permanent residence status granted to them or their families in earlier times. Many can prove that their parents and even grandparents were born in Cambodia. Most could establish long term association with districts of Cambodia by "family book" records kept in Cambodian offices. Most asserted acquaintance with many Khmer friends who, they claimed, would vouch for them as good citizens and workers. All have established their commitment to Cambodia by living an arduous, precarious and even dangerous life in their boats since their removal to the border to escape violence. Most have gradually lost accumulated savings. They suffer a miserable existence. Their children are receiving no education. Their health conditions, as witnessed by the Special Representative, are poor. Their general standard of life is appalling. Most speak the Khmer language and amongst themselves speak a mixed dialect of Khmer and Vietnamese. All wish to return to their homes in Cambodia.

162. The Special Representative echoes the appeal of the High Commissioner to the Royal Government of Cambodia to treat these people as a special case. It is urged that their case is separate from the sensitive and difficult question of the rights of ethnic Vietnamese generally in Cambodia. These are people with a claim of generations upon Cambodia. It is urged that their cases should be treated as one requiring the action of the Executive Government. It should not be required to await the passage and implementation of the Immigration or Nationality laws. Provided they can establish by papers or other reliable evidence, permanent residence in a part of Cambodia for themselves or their families for an appropriate interval and are not otherwise disqualified, they should be permitted to return to their homes in a manner supervised and paid for by the United Nations High Commissioner for Refugees. The Special Representative expressed his appreciation to UNHCR and the Office in Cambodia for its assistance in respect of

this special problem for the human rights of the particularly vulnerable groups of persons in Cambodia. The Special Representative is very conscious of the sensitivity of the issue of ethnicity in Cambodia. However, he believes that Cambodians who knew of the long term connexion with and commitment to Cambodia of the boat people of Vietnamese ethnicity, would withdraw their objections to their returning to their homes. Their case is separate from the general issue of ethnic immigrants.

163. As to the draft Immigration Law the Special Representative recommends as follows:

13. Human Rights Commission of the National Assembly

164. The importance of the National Assembly Commission on the Protection of Human Rights and Reception of Complaints (NACPHRRC) was emphasized by the Special Representative in his first report. Recommendations there made concerning the vital need to support this important and indigenous national human rights mechanism for Cambodia cannot be over-stated. Since its establishment the NAHRC has received more than 800 complaints of human rights infringements. It needs urgent support to ensure that it can discharge the mandate efficiently without loss of credibility. The following needs require special attention and are recommended to the Royal Government of Cambodia and the National Assembly of Cambodia:

- NAHRC, its members and officers should be given a general power to secure access to prisoners and other persons in detention. At present requests for access must be made in each case with a resulting loss of time. It would be unacceptable for the NAHRC to be denied an access now increasingly provided to human rights NGOs;
- proposals for laws having important human rights implications should be submitted for review and report to the NAHRC and not confined to consideration by specialized Commissions of the National Assembly; and
- the Co-Prime Ministers should instruct all government Ministers and officials to respond without unreasonable delay to formal request and recommendations addressed to them by the NAHRC.

14. Ratification and Reporting

165. Cambodia has ratified or adhered to the following international conventions having reporting obligations:

The Special Representative urges the Royal Government of Cambodia to give consideration to the ratification or adherence to other international conventions having relevance to human rights.

166. The High Commissioner for Human Rights during his mission to Cambodia urged that Cambodia should not delay its reports under the foregoing treaty obligations. It would be preferable that a report, even in abbreviated terms, should be lodged rather than that reporting be delayed. The Special Representative repeats this advice to the Royal Government of Cambodia. The Office of the United Nations Centre for Human Rights in Cambodia should provide assistance as required - as should other United Nations agencies - to help Cambodia to conform to its international reporting obligations. Because of Cambodia's recent history and the special commitment of the United Nations manifested through UNTAC, there is a heightened interest in Cambodia's reports under treaty obligations. Timely reporting by Cambodia should therefore, in the view of the Special Representative, be attempted.

15. Security - The problem of mines

167. The Special Representative during his third mission received detailed briefings on, and took an active part in discussion about, the works of Cambodian Mine Action Centre (CMAC) and NGOs involved in de-mining in Cambodia. He welcomes the strong support given by Royal Government of Cambodia and international support for the important work of removing anti-personnel and anti-tank mines which proliferate in Cambodia.
168. The Special Representative endorses the recommendations of the group of agencies and NGOs concerned in the activities of mine clearance, released on 29 July 1994 during his field mission. In particular these urge;
- strict implementation by the Royal Government of Cambodia of legal regulations on the possession and use of land mines in Cambodia;
 - a unilateral cessation of the deposit of further anti-personnel mines by the Royal Cambodia Armed Forces to stop the cycle of land-mines despoilation of the territory of Cambodia;
 - the re-invigoration of the international moves to renew

the 1980 Convention and Protocol which have proved ineffective in the control of the manufacture, export and use of land mines; and

An appeal the Secretary-General to summon in 1995 an international conference to give a fresh impetus to progress on this devastating means of waging war with such terrible and indiscriminating consequences for civilians.

169. The Special Representative again calls attention to the recommendations contained in his first report concerning international control of the manufacture, export and trade in anti-personnel and anti-tank land mines. He repeats the recommendations there stated. They are given a heightened sense of urgency by what he saw during his third mission to Cambodia and the toll upon human life and the environment of Cambodia and the stability of the civil society of that country.

16. Ongoing Technical Support and Assistance

170. The Special Representative welcomes the steps taken by the Centre for Human Rights to facilitate the operation of the Office in Cambodia. A number of problems have emerged in the administrative arrangements for funding the Office and supporting its operations from Geneva. The Special Representative has made representations concerning these and recommends that they continue to have attention at the highest level of the United Nations Organization. The Special Representative welcomes the appointment of first Director of the Office of the United Nations Centre for Human Rights in Cambodia.
171. United Nations Volunteers should be utilized in Cambodia, as advised by the Office of the United Nations Centre for Human Rights and as the security situation permits. The Special Representative encourages the Office to consider ways by which, particularly in provincial towns, United Nations Volunteers might supplement the work of the Office - particularly in supporting and advising local human rights NGOs.
172. The general duty to support and assist Cambodian Government, NGOs and people should be the primary mission of the Office of the United Nations Centre for Human Rights. The Special Representative commends the dedicated and effective work performed by officers of the Office to date. He was gratified by the repeated expressions of appreciation for their assistance voiced to him during his missions by representatives of the Royal Government of Cambodia, NGOs, the diplomatic corps, other United Nations agencies and others.
173. Cambodia should propose and request help from the Office and the Centre. It should count on the Special Representative to

provide ongoing advice and support. It can count on the understanding of Special Representative as well as of the Secretary-General. Most importantly, it can also rely on the support and interest of the High Commissioner for Human Rights whose mission to Cambodia re-enforced that of the Special Representative.