

PRESS RELEASE

Re: Paris Peace Agreements of 1991

Khmer People Network for Cambodia

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On November 26, 2013, the Khmer People Network for Cambodia (“KPNC”) sent to twenty four heads of state, and the Secretary of the United Nations a letter regarding the Paris Peace Agreements (“PPA”). The full letter may be found using the following link:

http://www.cahrad.org/announcements/Paris_Peace_Agreements_full_letter.pdf.

A summary of the letter follows:

On October 23, 1991, the PPA was concluded, establishing a framework for the future government of Cambodia. It provided for core civil and political rights benefitting the Cambodian people. Nineteen countries, and the United Nations, executed the PPA, which now includes the following principles:

1. Free and fair elections; the establishment of laws and procedures for holding them; the prohibition of coercion; a voter education and inclusive registration program; fair media access; full citizen participation; fair polling; the facilitation of foreign observers; fair vote counts and identification resolution of irregularities; and certification of those properly elected.
2. The right of return of Cambodians and their right to live in safety, security and dignity.
3. The right to human rights and fundamental freedoms, as embodied in the Universal Declaration of Human Rights and other relevant international human rights instruments; including activities which promote human rights and fundamental freedoms; the expectation of governmental adherence to international human rights instruments; the support of the signatories of the PPA to promote respect for human rights and fundamental freedoms.
4. The creation of a new constitution which incorporates human rights and fundamental freedoms, including all of the rights in the Universal Declaration of Human Rights; equality before the law; the right to life, freedom, and personal security; to security from exile, arrest and deportation, and the protection of those living abroad; to vote and to stand as candidates; to participate in the life of the nation; to complain to the government; to travel, to privacy, to confidentiality, and to security in one’s home; to free expression, freedom of information, publication and assembly; to establish associations and political parties; to freedom of religion; and to property.

5. The guarantee and support of the signatories in ensuring the principles of the PPA.

The PPA, as the source of the legal regime, continues to insist that democratic provisions take hold, and the agreements retain the endorsement of the signatories to ensure the honest functioning of democratic institutions.

According to objective observers, the elections of July 28, 2013 in Cambodia were not free and fair. In particular, they were not neutral, but coercive by the ruling Cambodian People's Party ("CPP"), evidencing financial influence of votes, biased voter education programs, biased registration programs, with inaccurate voters lists and candidates, inadequate access to the media, an unfair system of balloting and polling, the inability of some observers to observe, unfair and inaccurate vote counts, the refusal of the National Election Committee and the Constitutional Council to investigate complaints of electoral irregularities, and the improper certification of persons elected. Corruption and bribery were commonplace. The president of the Cambodian National Rescue Party ("CNRP"), Sam Rainsy, was not permitted to enter the country, or to campaign until approximately a week prior to the election. The government censored election results and substituted "canned" results that remained unrelenting. Despite all of the restrictions, it was likely that the CNRP won. Because the CNRP has refused to take its minority seats in the National Assembly until the election is properly investigated, the CPP now governs as a one-party state.

As widely documented, the government has curtailed the freedoms of assembly, free speech, security, and travel of those supporting the CNRP. The government has inflicted punishment, harassment, threats, and acts of violence for denunciations of the limitations of basic freedoms. As recently as last month, the government indicated it may gerrymander voting districts in Phnom Penh to slant elections in favor of the CPP.

Approximately 2.2 million Cambodian citizens placed their thumbprints on petitions protesting the elections. The government opposed lawful and peaceful protest marches delivering the petitions, and has responded not with an open mind, but with weapons. On August 5, 2013, the United Nations Special Rapporteur for Cambodia, Surya P. Subedi, found multiple election irregularities, including questionable voter lists, excess number of ballots, intimidation by the CPP, lack of freedom of expression, and many other violations. The government has never responded positively to the earlier July, 2012 eighteen-point recommendations of Mr. Subedi.

KPNC requested that the signatories respond to their guarantees and assurances of support. It respectfully asked that each signatory participate in working with the KPNC in discussing the issues and possible solutions, including condemning the conduct of the Cambodian government; obtaining enforceable promises of reform; making public statements; refusing to recognize the legitimacy of the government pending compliance with the PPA and the constitution; considering whether the government is properly seated at the UN; monitoring the election and possibly requesting another election; investigating the killings and disproportionate use of force by the government during protest demonstrations; referring unresolved matters to competent courts; and considering a halt to non-humanitarian aid pending a resolution of the issues.

Release Date & Time: Immediate