

## Joint Statement of Civil Society Organizations

on

### the adoption of the Law on Associations and Non-Governmental Organizations by the National Assembly

**Phnom Penh, 16 July 2015:** We, the undersigned civil society organizations (CSOs) condemn the National Assembly's unanimous approval of the Law on Associations and Non-Governmental Organizations (LANGO) on 13 July 2015 and urge the Senate to reject the law, or alternatively request modifications of the draft law taking into consideration the concerns raised by all stakeholders.

The LANGO in its current form is unacceptable and contravenes the Cambodian Constitution and Cambodia's international legal obligations. The process that characterized its adoption and the content of this law undermine democracy and could severely impair the exercise of the rights to freedom of association, freedom of assembly and freedom of expression.

The drafting and adoption process has been marred by a lack of transparency and meaningful consultations after 2011. Two consultations were conducted by the Ministry of Interior in 2011 with few inputs and concerns taken into consideration in the 4<sup>th</sup> version. Since then, the Royal Government of Cambodia refused to make the new draft law public and consult with CSOs. The 5th and final version of the LANGO, yet to be officially released despite the adoption by the National Assembly, added further controversial provisions. The workshop conducted by the National Assembly with CSOs on 8 July 2015, just few days before the scheduled vote meeting, was a nominal consultation in terms of time and process. Many questions and concerns from CSOs remained unanswered.

The LANGO contains provisions that unlawfully restrict freedom of association, assembly and expression, as well as the right to participate in public life. More than 10 articles of the LANGO need to be carefully and fully reviewed, and several need to be rephrased or reworded. The following articles are of particular concern:

- **Article 8** provides arbitrary authority to the Ministry of Interior to deny the registration of a domestic association or NGO, including on the broad ground of deeming that the purpose and objective of an association or NGO "could adversely affect public security, stability and order, or generate a threat to national security, national unity, or the culture, traditions and good customs of Cambodian national society";
- **Article 9** of the LANGO imposes mandatory registration for all domestic associations and NGOs. Onerous registration requirements are stated in other provisions, including article 6. Organizations that are not registered are not allowed to conduct any activity. The law also criminalizes unregistered groups conducting activities. This is a direct violation of Article 22 of the International Covenant on Civil and Political Rights (ICCPR);
- **Article 24** requires all domestic NGOs, foreign associations and foreign NGOs to be neutral toward all political parties in the Kingdom of Cambodia, under the threat of de-registration. This constitutes a direct violation to the right to freedom of expression as guaranteed in Article 19 of the ICCPR and freedom of opinion as provided for in Article 41 of the Constitution;
- **Article 35** contains vague grounds for termination of memorandum of understanding entered with foreign associations and NGOs. This allows subjective interpretation, which may lead to abuses in cases of activities critical towards the authorities.

Having a bad law is worse than having no law. We reaffirm that the LANGO in its current form is unacceptable, and by impairing the capacity of civil society to operate in Cambodia will ultimately have a damaging impact on all Cambodian citizens.

We strongly urge the Senate to reject the law, or alternatively send it back to the National Assembly with recommendations to address the serious concerns expressed by Cambodian CSOs and the international community at large.

### **Endorsement Update as at 23-07-2015 = 67 CSOs**

<b>NO</b>	<b>ORGANIZATION NAME</b>	<b>AGRONYM</b>
1	Aide et Action	
2	Asia Development Alliance	ADA
3	Asian Health Institute	AHI
4	Asian Hope Cambodia	
5	Banteay Srei	
6	Bareebo Organization	
7	Bread for the World	BfdW
8	Build Your Future Today Center	BFT
9	CamASEAN Youth's Future	CamASEAN
10	Cambodian Center for Human Rights	CCHR
11	Cambodian Center for Independent Media	CCIM
12	Cambodian Center for the Protection of Children's Right	CCPCR
13	Cambodian League for the Promotion & Defense of Human Rights	LICADHO
14	Cambodian Young Empowerment Network	CYWEN
15	Centro Cooperazione Sviluppo	CCS Italy
16	Child Rights Foundation	CRF
17	Coalition of Cambodian Farmer Community	CCFC
18	Community Council for development organization	CCD
19	Community Legal Education Center	CLEC

20	DanChurchAid/Christian Aid	DCA/CA
21	Danmission	
22	Development and Partnership in Action	DPA
23	Diakonia	Diakonia
24	Equitable Cambodia	
25	Finn Church Aid	FCA
26	Freedom House	
27	Gender and Development for Cambodia	GADC
28	German Agro Action	GAA
29	Global Witness	
30	Hearts of Gold	HG
31	HEKS/EPER(Swiss Church Aid)	HEKS
32	International Relief and Development-Cambodia	IRD-Cambodia
33	Just Associates Southeast Asia	JASS SEA
34	Kdei Karuna	
35	Khmer Association For Development Of Country-side Cambodia	KAFOC
36	Khmer Youth Congress	
37	Lawyers' Rights Watch Canada	
38	Legal Support for Children and Women	
39	LICADHO Canada	LC
40	Marynoll	Marynoll
41	Mlup Baitong	
42	NGO Education Partnership	NEP
43	Non-Timber Forest Products	NTFP
44	One-2-One Cambodia	
45	Oxfam	
46	Pact	Pact
47	Peace Bridges Organization	
48	People Improvement Organization	PIO

49	PEPY Empowering Youth	
50	Phnom Neang Kangrei Association	PNKA
51	Ponleu Ney Kdey Sankhum	PNKS
52	Puthi Komar Organization	PKO
53	Rabbit School organization	
54	Rural Community and Environment Development Organization	RCEDO
55	Salariin Kampuchea Organization	SK
56	Save the Children	SC
57	STAR Kampuchea	
58	Sustainable Cambodia	SC
59	The Cambodian Human Rights & Development Association	ADHOC
60	The Cambodian Rural Development Team	CRDT
61	Union Aid Abroad-APHEDA	
62	Welthungerhilfe	WHH
63	Women organization for Modern Economy and Nursing	WOMEN
64	Women Peacemakers	WPM
65	Young Women Leadership Network	YWLN
66	Youth Resource Development Program	YRDP
67	Youth With A Mission	YWAM