



**KINGDOM OF CAMBODIA
NATION RELIGION KING**



**SENIOR MINISTER
MINISTER OF FOREIGN AFFAIRS
AND INTERNATIONAL COOPERATION**

Phnom Penh, 22 November 2016

H.E. Mr. Zeid Ra'ad Al Hussein
United Nations High Commissioner
for Human Rights

Geneva

Excellency,

As per to my previous communications, I am writing to you to reiterate Cambodia's position concerning the Memorandum of Understanding (MoU) between the Royal Government of Cambodia (RGC) and the Office of United Nations High Commissioner for Human Rights (OHCHR) as follows:

With its firm commitment to upholding the respect for democracy and human rights as enshrined in the Constitution of the Kingdom of Cambodia, the RGC has employed a wide range of mechanisms for the promotion and protection of fundamental freedoms in the country, inter alia, the continued presence of the Special Rapporteur, Universal Periodic Review of the Human Rights Council, nation-wide operation of hundreds of international NGOs and thousands of local NGOs, social media network and radio frequencies, etc., all of which can play both monitoring and advisory roles concerning the situation of human rights in Cambodia.

Moreover, the RGC has consented to the field presence of the OHCHR in Cambodia since 1993 through a bilateral agreement, known as the MoU between the OHCHR and the RGC for Implementation of Technical Cooperation Programs on Human Rights, which has been renewed several times.

Unfortunately, the RGC has noted with deep regret that the OHCHR in Cambodia has consistently overstepped the bounds of its roles defined in the said MoU. Despite the RGC's efforts to enhance the smooth, constructive and effective cooperation based on mutual respect, the OHCHR has furthermore been stepping up its interference in

internal affairs of Cambodia. More than ever, its representatives and spokesperson have been taking arrogant and disrespectful behaviors toward the sovereignty of Cambodia which is unacceptable and contravenes to the diplomatic decorum as stipulated in the article 41 (paragraph 1 and 2) of the Vienna Convention on Diplomatic Relations of 1961.

As you are well aware, the latest MoU, which allowed a legitimate field operation of the OHCHR in Cambodia, has been expired since 31 December 2015. Despite the RGC's goodwill and firm commitment to the advancement of human rights and rule of law, this status quo cannot be permitted indefinitely.

In this connection, the RGC has decided to wait until 30 December 2016 for the OHCHR's confirmation to conclude a new MoU between the RGC and the OHCHR on the basis of the principle of respect for sovereignty and non-interference in Cambodia's internal affairs in full conformity of Article 2 (paragraph 7) of the UN Charter. Otherwise, the RGC has no choice but to execute its sovereign rights on the future of the field presence of the OHCHR in Cambodia.

Please accept, Excellency, the assurances of my high consideration.

A handwritten signature in black ink, consisting of a large, stylized initial 'P' followed by several loops and a long horizontal stroke extending to the right.

PRAK Sokhonn