Speechon the topic of "Legal and Judicial Reform and Human Rights" by the Ambassador of France, M. Yvon ROE D'ALBERT
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The Royal government has appropriately defined the legal and judiciary reform as a key element of the rectangular strategy, the ambitious programme for the government's third mandate.

This reform, undertaken with the donors' active support, is fundamental for the edification of a democratic society, and respectful of human and citizens rights. It is very important for the Cambodian population which legitimately long for a profound improvement of the current judiciary system. It is also essential to build investors' confidence by ensuring legal security, which is needed for long term investment and it represents a basic condition for your country's development and its progressive return to balance. The reform is also critical to fill in the legal gap, which seriously undermines your country in a more competitive international environment than ever since your accession to the WTO. Cambodia's backwardness in this field to date must be regarded as a brake and a burden, soon to be removed to enable you to efficiently fight poverty.

I will not mention the details of this reform, which I already presented during our preparatory meeting on the 10th of September.

Please allow me to simply recall, in a few words, its components, its objectives and its philosophy.

Basically, it was first deemed necessary to rebuild a complete and coherent Cambodian legal framework. This is indeed a considerable and complex task. The basic codes are now almost completed. We expect that the Cambodian authorities will carry out each and every action needed in 2005, and we will support you in these efforts, in order to ensure that these basic texts come into effect together with those required for their implementation. All these texts will be the basis of an appropriate law for Cambodia.

In the long run, it is obvious that human resources formation training is a necessary prerequisite to the rebuilding of the judiciary. There again, a concrete result has been achieved quite quickly two years ago, with the establishment of the Royal School of Magistracy. The establishment of the Center for Training Lawyers and the measures taken for overseeing the legal and judicial reform process have been also positive results. We welcome too, of course, the recent enactment of the law concerning the Extraordinary Chambers, as an important step forward in a way expected by the international community.

In other areas, there has been little progress, and donors, on behalf of whom I am now speaking, deplore it all the more that some reforms are critical. Indeed these reforms aim to ensure the separation of powers and the independence of the magistracy, through the restructuring of the Supreme Council of Magistracy, the adoption of the statutes of magistrates, and on the other hand to complete the reconstruction of the judiciary, through the long awaited law on the organisation and the functioning of the adjudicate Courts of

Cambodia. A significant move forward is urgently needed in order to set up a strong and appropriate judicial system.

Finally, the justice institutions must be given the human, technical and political means to operate in terms of budget and salaries. This requirement has started to be taken in account for the magistrates. An effort has to be made for the Ministry of Justice. I do hope that the 2005 budget will provide for these requirements.

But the core is to spare no effort to restore the credibility of Cambodia's judicial institutions, which has been seriously undermined by corruption, as my American colleague has just mentioned. In a few words, one can say that a strong dynamic motion to tackle corruption is critically required.

Beyond legal and judicial concerns, I would especially like to raise a question that matters to each and every one of us: Human Rights. King Norodom Sihamoni himself decided to emphasise the importance attached to this matter on the occasion of his first speech to the Nation. In this respect, the situation in Cambodia is contrasted.

Great progress has been achieved over recent years thanks to the action of your Government: namely the organisation of free and fair elections in close co-operation and under the control of the International community, great freedom of the press, including foreign press; freedom of worship; the exceptional latitude in many regards let to the numerous non governmental organisations , domestic or foreign, which intervene in most various fields. However, donors encourage the Government to take further steps in the fight against the scourge of human trafficking, especially trafficking of women and children. We should also mentioned the land concessions issue and the respect of the rights of the village communities. Donors welcomed the Prime Minister's recent undertaking at the National Land Forum to address this crucial issue.

I mention the issue of Human Rights because this question is at the heart of the action collectively undertaken by your Government and your partners in order to restore the Rule of Law. Naturally, this undertaking aims at and involves the equality of citizens in front of the law; an appropriate conviction of the persons who have committed criminal acts, no matter who they are, what their motivations and the nature of their crimes; a careful respect not only of the main freedoms, including the freedom of peaceful assembly, but also of the subsequent obligations for each and every one, an effective protection of the rights of the economic and social actors and in particular of the poor who are the first and the foremost victims of corruption.

The formal intention of your Government to act along those lines should give a new impulse to the strengthening of the Rule of Law and the building of a reliable and permanent legal and judicial system. In this respect, we are convinced that this new legislature will be marked by significant steps in these essential fields for a continuous strengthening of democracy and an effective fight against poverty.

All initiatives that you will take in order to achieve these goals will be strongly supported by the donors community.