

**Special Rapporteur on the rights to freedom of peaceful assembly and of association**

REFERENCE: OL  
KHM 2/2015

8 May 2015

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the rights to freedom of peaceful assembly and of association pursuant to Human Rights Council resolutions 24/5.

In this connection, I would like to again draw the attention of your Excellency's Government to the **draft Law on Associations and Non-Governmental Organizations (LANGO)**, in follow up to a previous communication sent to your Excellency's Government on 13 May 2011 (KHM 3/2011) regarding the provisions contained in a 2011 draft of the LANGO, by the mandates of the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights in Cambodia. That draft of the law included problematic provisions including, *inter alia*, vague or ambiguous definitions, bureaucratic registration processes, unrealistic membership requirements, additional burdensome processes on foreign NGOs, reporting obligations and requirements related to staff recruitment, notification of activities and inspection of reports of financial status.

While still awaiting a response on the above mentioned communication, I continued receiving information that the LANGO may be adopted as early as May 2015 without having undergone a public consultation process despite repeated promises in this respect and without the publication to date of the draft Law.

Without a response from your Excellency's Government or a copy of the draft Law, I am led to believe that the concerns expressed in the May 2011 communication may still be applicable to the current draft. In addition, my concern about a process which lacked meaningful public consultation particularly in light of the lack of established and standardized law-making mechanisms seems to persist.

Besides the responses to the questions listed in the May 2011 communication, I would be grateful if your Government could provide me with a copy of the current draft

of the Law on Associations and Non-Governmental Organizations and information on the consultation process to be put in place including whether the public, including civil society representatives, will have an opportunity to review the draft law and provide comments thereon. If so, please indicate the timeline envisioned. Your Government's response will be made available in a report to be presented to the Human Rights Council.

While I remain available to provide advice on legislation to regulate associations which comply with international human rights law and standards, it is also my intention to publicly recall the shortcomings of the process for elaborating this draft law as, in my view, these are matters warranting immediate public attention. The press release will indicate that I have been in contact with your Excellency's Government to clarify the issues in question.

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

Maina Kiai

Special Rapporteur on the rights to freedom of peaceful assembly and of association