

PROGRESS ON THE IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS TO CAMBODIA REGARDING ACCESS TO JUSTICE

WHAT IS THE UPR?

The **Universal Periodic Review (UPR)** is a **United Nations (UN)** mechanism to **review** the human rights records of all UN Member States. The UPR is a **State-driven process**, whereby each State **declares** what **actions** they have taken to **improve** the human rights situations in their countries and to fulfil their human rights obligations.

Cambodia was reviewed by UPR in January of 2019, where it **received 198** recommendations and **accepted 173** recommendations at the adoption of its UPR outcome at the Human Rights Council 41, in July 2019. This is an **increase of 6%** when compared to the 2nd cycle.

The below recommendations have been accepted by the Royal Government of Cambodia (RGC).



1

Advance judiciary reforms and establish an independent justice system that is trusted and utilized by the people. To this end, make maximum use of the Extraordinary Chambers in the Courts of Cambodia (Japan).

Amend the Laws on the Organisation of the Courts, the Statute of Judges and Prosecutors, and the Organisation and Functioning of the Supreme Council of the Magistracy, to guarantee the independence of the judiciary (Belgium, Austria).

2



3

Overcome obstacles to access to justice for women victims of violence, including eradicating discrimination and harmful practices against women in the legal sphere (Iraq).

Redouble efforts to eradicate discrimination against women in the legal sphere and put an end to harmful practices and discriminatory stereotypes of which Cambodian women are victims.

4



5

Provide trainings on the prosecution procedures of cases of gender-based violence for law enforcement and judicial officers.

Allocate sufficient human and financial resources to establish at least five one-stop service centres by 2024 to provide support free of charge to victims of gender-based violence.

6



7

Conduct comprehensive investigations of cases of domestic and sexual violence and ensure that perpetrators are prosecuted and victims are adequately compensated.

Reform the national legislation to strengthen the protection of women and children against family violence.

8



9

Reinforce the judicial mechanisms to fight sexual and family Violence and human trafficking and carry out a program for awareness raising and education on these issues (Togo)

AREAS OF PROGRESS

Since receiving the recommendations, the RGC has made progress in the following areas:

- The RGC enacted laws regarding the judiciary and has established a Judicial Administration Unit that cannot interfere with the affairs of trials.
- The Ministry of Justice, in collaboration with the OHCHR, is reviewing three laws regarding the Organisation of the Judiciary, the Statute of Judges and Prosecutors, and the Organisation and Functioning of the Supreme Council of the Magistracy.
- The RGC launched its strategy for "Growth, Employment, Equity and Efficiency", recognising the roles and socioeconomic needs of women, and has introduced other policies regarding gender equality and violence against women.
- The RGC implemented an action plan and policies to prevent violence against children.

THE WAY FORWARD

Despite such progress, it is recommended that the RGC:

- Continue to review the three laws with OHCHR.
- Continue to promote gender equality and efforts to combat violence against women.
- Train and build the capacity of law enforcement officials.

CCHR reminds the RGC of its human rights obligations under the ICCPR and encourages the RGC to implement all accepted recommendations before the next UPR cycle. CCHR also urges the RGC to reconsider accepting all recommendations marked as noted in the fourth cycle.