



The right to be tried by an independent and impartial tribunal



A cornerstone of fair trial rights, this right ensures the accused is tried objectively



The right provides that:

- There are no exceptions permitted to this right - it is absolute.
- Judges must be independent of the political interference at all times throughout the case.
- A reasonable observer should be able to deem the trial impartial.
- The State must ensure there is independence throughout the court system.
- If the defendant is faced with dislike from the public or support for one party and the court takes this into account in the proceedings, the trial is not impartial.
- All persons in the proceedings must be treated without any discrimination of any kind: race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Domestic Law



Constitution of the Kingdom of Cambodia

Article 128 (New)

Enshrines the independence & impartiality of the judiciary in domestic law

Article 132 (New)

Duty of the King to ensure the independence & impartiality of the judiciary



International Law



International Covenant on Civil and Political Rights

Article 14(1)

Everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal

Universal Declaration of Human Rights

Article 10

Everyone is entitled in full equality to a fair & public hearing by an independent and impartial tribunal.

