



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

"Dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights"

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ICJ Intervention on the Adoption of the Outcome Document of the Universal Periodic Review of Cambodia

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Mr. President,

The International Commission of Jurists (ICJ) requests that the Government of Cambodia take prompt measures to fulfil all recommendations addressed to Cambodia by the Council's Universal Periodic Review mechanism (UPR).

The ICJ welcomes Cambodia's ratification of international human rights instruments and the incorporation of international standards into the Cambodian Constitution.

As reflected in the outcome document, frequent and persistent reports of the improper use of legal processes by the executive branch of government, in order to arbitrarily restrict freedom of expression and to intimidate political opponents, in particular from the Sam Rainsy Party, journalists, human rights defenders and lawyers, have been of grave concern.

The ICJ is particularly concerned that that the Government of Cambodia is acting to undermine the independence of the judiciary and the legal profession. In 2009, spurious disciplinary proceedings were brought at the Bar Association against lawyer Kong Sam Onn in connection with his legal representation of opposition politicians. Reports of corruption and the improper exercise of political influence over the judiciary are common, including in cases relating to forcible evictions without appropriate compensation. Such cases are particularly common in areas inhabited by ethnic minority groups who lack formal legal title to their lands. Lawyers and human rights defenders face threats, harassment and intimidation. The ICJ is also concerned about persistent reports of corruption and improper political interference at the Extraordinary Chambers in the Courts of Cambodia. Reports of torture and other ill-treatment in places of detention and by police in order to gain "confessions", as well as the subsequent admission of statements obtained by such means in criminal trials, are also matters of serious concern.

The ICJ agrees with recommendations made by a number of States that the Government of Cambodia ensure that international standards on the independence and impartiality of judges, lawyers and prosecutors are respected, including at the Bar Association and in the Extraordinary Chambers in the Courts of Cambodia. The ICJ also calls upon the Government to respect and protect the rights to freedom of expression, assembly and association of political opponents, journalists, lawyers and human rights defenders, and to ensure their safety. The ICJ supports the recommendations to strengthen protection for communities, in particular ethnic minorities, from land-grabs and forced evictions and to investigate promptly, impartially and independently all allegations of torture and ill-treatment and bring to justice the perpetrators.

I thank you.