

UNITED NATIONS

COMPILATION

OF THE UNIVERSAL PERIODIC REVIEW

RECOMMENDATIONS ACCEPTED BY CAMBODIA

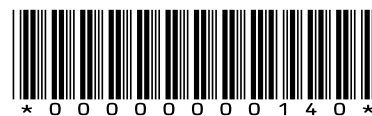
AND

RELATED RECOMMENDATIONS ISSUED BY OTHER

UNITED NATIONS HUMAN RIGHTS MECHANISMS



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER
Cambodia



August 2017

Compilation
of the Universal Periodic Review recommendations
accepted by Cambodia
and related recommendations issued by other United
Nations Human Rights Mechanisms

Prepared by the Cambodia Office
of the High Commissioner for Human Rights

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Preface

The Universal Periodic Review (UPR) mechanism of the Human Rights Council is a unique process by which the Council reviews the human rights record of each of the 193 UN Member States. With the ultimate goal of improving the human rights situation in every country reviewed, the UPR was designed to prompt, support and expand the promotion and protection of human rights on the ground. The UPR is a State-driven process, which provides the opportunity for each State to declare what actions it has taken to improve the human rights situation in the country and to fulfil its human rights obligations before other States and the general public. The UPR creates opportunities to provide technical assistance to States and enhance their capacity to deal effectively with human rights challenges and to share best practices in the field of human rights among States and other stakeholders. As one of the main features of the Human Rights Council, the UPR is designed to ensure equal treatment for every country when their human rights situations are assessed. All countries are subject to the same process and the same scrutiny, irrespective of treaty ratifications. Currently, no other universal mechanism of this kind exists.

Cambodia was first reviewed under the UPR process in December 2009. At the end of its first review, Cambodia accepted all 91 recommendations made by other States.¹ The first cycle of the UPR process ended in October 2011, when all 193 UN Member States were reviewed. The second cycle then commenced and Cambodia was once again reviewed on 28 January 2014. All inputs into the second review, including the Government's national report and compilations of information from the United Nations human rights mechanisms and NGOs, are available online.² The webcast of the review can also be viewed on the internet.³

During the 2014 review, 205 recommendations were made to Cambodia presenting a comprehensive assessment of the reality of human rights protection in Cambodia, as well as the relevant gaps and opportunities to strengthen protection. In January, Cambodia accepted 171 recommendations and deferred its decision on the remaining 34 recommendations to the June session of the Human Rights Council. On 26 June 2014, Cambodia announced its final position – it accepted 163 recommendations and noted the remaining 42. All 163 recommendations that Cambodia has accepted and thus committed to take action upon are reproduced below.

In order to demonstrate progress at the 2018 UPR cycle, the Government needs to immediately take concrete steps towards the implementation of the recommendations. Concerted and meaningful follow-up to the recommendations of the UPR is needed to ensure that all the efforts of the Government, civil society organizations, United Nations agencies, and the international community and other participating stakeholders will have been made toward meaningful progress. Such efforts will also contribute to the implementation of the recommendations previously made by other human rights mechanisms. The present publication compiles all UPR recommendations accepted by Cambodia in 2009 and 2014 and presents for each of them the related recommendations made by the treaty bodies (namely the committees of international independent experts tasked with monitoring the implementation of treaties by the States that have ratified them) and by the Special Rapporteur of the Human Rights Council on the

¹ These recommendations are available at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/KHSession6.aspx>

² All are available at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/KHSession18.aspx>. In order to view the individual UN and NGO submissions, please click on the footnotes on the webpage.

³ See <http://webtv.un.org/watch/cambodia-review-18th-session-of-universal-periodic-review/3119784522001/>

human rights situation of Cambodia. This second edition of the Compilation includes the latest recommendations issued by the Special Rapporteur in September 2016, as well as by the Committee on the Right of the Child on the implementation of two Optional Protocols to the Convention on the Right of the Child in February 2015 and by the Human Rights Committee on the implementation of civil and political rights in Cambodia in March 2015. Successful implementation will make the drafting of the next UPR report much easier.

To achieve this, it is important to identify within the State those specific entities that are responsible for the implementation of specific recommendations as well as the specific measures to be undertaken by them to fulfill these recommendations. It is important to recall that the responsibility to take action does not lie exclusively with the executive. On some recommendations which require the adoption or modification of laws, for instance, Parliament will have an important role to play. In November 2014, in a national workshop convened by the Cambodia Human Rights Committee (CHRC) and the Office of the High Commissioner for Human Rights (OHCHR) to disseminate the UPR recommendations, the CHRC led a process whereby responsible State entities were identified for the implementation of each UPR recommendation.

The unique feature of the UPR process is that it reflects a consolidation of international opinion on the human rights situation in each country under review and the resulting recommendations are voluntarily and publicly accepted by the State under review. The recommendations can therefore become very powerful advocacy tools for all relevant stakeholders. Each should elaborate concrete plans to implement or support the implementation of the UPR recommendations. The responsibility for the implementation of the UPR recommendations rests of course with the Government, but civil society can and should play an important role in assisting the Government's efforts in this regard. Civil society also plays a crucial role in monitoring the status of implementation of the recommendations.

Together with the recommendations of the expert mechanisms, such as the treaty monitoring committees and the special rapporteurs, the UPR recommendations address a wide range of issues covering sectors on which UN agencies often provide support to the Government. In this regard, by taking guidance from the recommendations, the UN agencies could provide useful assistance toward UPR implementation within their specific areas of competence.

The recommendations from all the human rights mechanisms can serve as a catalyst – and have done so in many countries – for the Government, civil society, the international community and the UN system to join efforts in implementing them for improved human rights protection. The opportunity to do the same in Cambodia must not be lost. The Office of the United Nations High Commissioner for Human Rights, in close cooperation with the many stakeholders deeply invested in the promotion of human rights in Cambodia, is ready to contribute to their implementation, taking advantage of the new openings for reform which make it timely to embark on this process in earnest. The present publication is offered by the Office as a contribution to that journey. It is dedicated to the people of Cambodia and to all those who defend their human rights.

Ms. Wan-Hea Lee
Representative OHCHR
Cambodia
June 2017

About the United Nations Human Rights Mechanisms

The UPR Process

Reviews are conducted every 4.5 years by the UPR Working Group which consists of the 47 members of the Human Rights Council; however any UN Member State can also take part in the discussion/dialogue with the reviewed States. Each State review is assisted by groups of three States, known as “troikas”, who serve as rapporteurs. The selection of the troikas for each State is done through a drawing of lots following elections for the Council membership in the General Assembly.

The three types of documents on which the reviews are based are:

1. information provided by the State under review, which can take the form of a “national report”;
2. information contained in the reports of independent human rights experts and groups, known as the Special Procedures, human rights treaty bodies, and other UN entities;
3. information from other stakeholders including national human rights institutions and non-governmental organizations.

The UPR assesses the extent to which States respect their human rights obligations set out in:

- (1) the UN Charter;
- (2) the Universal Declaration of Human Rights;
- (3) human rights instruments to which the State is party (human rights treaties ratified by the State concerned);
- (4) voluntary pledges and commitments made by the State (e.g. national human rights policies and/or programmes implemented); and,
- (5) applicable international humanitarian law.

Reviews take place through an interactive discussion between the State under review and other UN Member States. This discussion takes place during a meeting of the UPR Working Group in which any UN Member State can pose questions, comments and/or make recommendations to the States under review. The duration of the review is three hours and thirty minutes.

Following the review by the Working Group, a report is prepared by the troika with the involvement of the State under review and assistance from OHCHR. This report, referred to as the “outcome report”, provides a summary of the actual discussion. It therefore consists of the questions, comments and recommendations made by States to the country under review, as well as the responses of the reviewed State.

Time is allocated during the Working Group to adopt each of the “outcome reports” for the States reviewed during that session. The reviewed State has the opportunity to make preliminary comments on the recommendations, choosing to either accept or note them. Both accepted and noted recommendations are included in the report.

The report is then referred to the plenary of the Human Rights Council for adoption. At that time, the State under review can reply to questions and issues that were not sufficiently addressed during the Working Group and respond to recommendations that were raised by States during the review. Time is also allotted to member and observer States who may wish to express their

opinion on the outcome of the review and for National Human Rights Institutions, NGOs and other stakeholders to make general comments.

The State under review always has the primary responsibility to implement the recommendations contained in the final outcome. The UPR ensures that all countries are accountable for progress or failure in implementing these recommendations. During its next review, the State is expected to provide information on the measures it has taken to implement the recommendations made previously, as well as on any developments in the field of human rights. The international community has a role to play in assisting the implementation of the recommendations on capacity-building and technical assistance, in consultation with the country concerned.

Human Rights Treaty Bodies

Treaty bodies monitor the implementation of the core human rights treaties (nine human rights treaties and the Optional Protocol to the Convention against Torture). Treaty bodies are committees of independent experts of recognized competence in human rights, who are nominated and elected for fixed renewable terms of four years by the State parties to the relevant treaties.

Each State party to a treaty has an obligation to take steps to ensure that everyone in the State can enjoy the rights set out in the treaty. To this end, States have to submit periodic reports (“State reports”) to the respective treaty bodies on the implementation of their treaty obligations. The first State Report has to be submitted two years after the ratification of a human rights treaty and then subsequently every four to five years. Treaty bodies discuss these State Reports at their meetings with representatives of the respective State. Non- governmental organizations and National Human Rights Institutions often compile additional information, in the form of so-called “parallel reports” or “shadow reports”.

Following the examination of a State party report, the respective treaty body issues a set of “concluding observations” that contains its collective assessment of the progress and deficits in the implementation of human rights treaties and recommendations for the improved realization of the rights in question. The latest recommendations of the following six treaty bodies, as they relate to a UPR recommendation, are represented reflected in the present publication:

- The **Human Rights Committee (CCPR)** monitors implementation of the International Covenant on Civil and Political Rights (1966) and its optional protocols.
- The **Committee on Economic, Social and Cultural Rights (CESCR)** monitors implementation of the International Covenant on Economic, Social and Cultural Rights (1966);
- The **Committee on the Elimination of Racial Discrimination (CERD)** monitors implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (1965);
- The **Committee on the Elimination of Discrimination against Women (CEDAW)** monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women (1979) and its optional protocol (1999);
- The **Committee against Torture (CAT)** monitors implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (1984);
- The **Committee on the Rights of the Child (CRC)** monitors implementation of the Convention on the Rights of the Child (1989) and its optional protocols (2000).

Cambodia is also party to the Convention for the Protection of all Persons from Enforced Disappearance (CED) and to the Convention on the Rights of Persons with Disabilities

(CRPD), but has yet to submit its reports to the corresponding treaty bodies and be examined accordingly (CRPD report due on 20 January 2015 and CED report due on 27 July 2015).

Reporting status for abovementioned treaty bodies are as following⁴:

CCPR: next report is due in April 2019;

CESCR: the report was due on 30 June 2012;

CERD: the report was due on 28 December 2012;

CEDAW: next report is due on 1 October 2017;

CAT: the report was due on 19 November 2014;

CRC: the report is due on 13 May 2018.

Special Procedures of the Human Rights Council

The Special Procedures of the Human Rights Council are independent human rights experts, or groups of such experts, who report and advise on human rights from a thematic or country-specific perspective. They include Special Rapporteurs, Special Representatives, Working Groups, and Independent Experts. As of June 2015, the Human Rights Council oversaw 41 thematic mandates and 14 country-specific mandates, covering all human rights: civil, cultural, economic, political, and social.

Special procedures mandate holders serve in their personal capacities, meaning they are not UN staff members, do not receive a salary for their work, and do not represent their countries or particular interest groups. Each mandate holder may serve for a maximum of six years. This independent status is intended to allow these experts to carry out their functions with impartiality. In fulfilling their responsibilities, mandate holders enjoy the support of OHCHR.

The mandate of the **Special Rapporteur on the situation of human rights in Cambodia** is based on the Paris Peace Accords signed in 1993. His/her task is to assess the human rights situation, report publicly about it, and work with the Government, civil society and others to foster international cooperation in this field. The Special Rapporteur undertakes regularly visits or missions to Cambodia and reports annually to the Human Rights Council. OHCHR provides the Special Rapporteur with logistical and technical assistance. The current Special Rapporteur is Ms. Rhona Smith (UK), who was appointed in March 2015. The following country Special Rapporteur reports are reflected in the present publication:

A/HRC/7/42: 2008

A/HRC/15/46: 2010

A/HRC/18/46: 2011

A/HRC/21/63: 2012

A/HRC/21/63/Add.1/Rev.1: 2012

A/HRC/24/36: 2013

A/HRC/27/70: 2014

Cambodia has not yet received official visits by thematic special procedures, at the exception of a 2005 visit by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living. His recommendations are included in this compilation under the reference E/CN.4/2006/41/Add.3.

⁴ See http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx

I. Ratifications and Accessions to International Human Rights and Other Relevant Treaties, and Cooperation with the UN Human Rights System and the International Community, including International Criminal Court

I-A. Ratifications

2014 UPR Recommendations
<p>118.6 Ratify the International Convention on the Protection of the Rights of All Migrants Workers and Members of their Families. (Ecuador)</p> <p>118.7 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families that it signed in 2004. (Egypt)</p> <p>118.8 Take necessary steps to ratify the International Convention on the Protection of the Rights of All Migrants and Members of Their Families. (Ghana)</p> <p>118.9 Ratify the UNESCO Convention against Discrimination in Education. (Brazil)</p> <p>118.10 Ratify the UNESCO Convention against Discrimination in Education. (Chad)</p> <p>118.11 Take steps to ratify the UNESCO Convention against Discrimination in Education. (Austria)</p> <p>118.12 Continue the process of accession to the core human rights instruments. (Azerbaijan)</p>
2009 UPR Recommendations
<p>1. Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and the Convention on the Rights of Persons with Disabilities (CRPD); the two Optional Protocols to the International Covenant on Civil and Political Rights (ICCPR); the Optional Protocols to the Convention on the Elimination of All Forms of Discrimination against Women and CRPD; and Convention No. 169 of the International Labour Organization, and accomplish the human rights goals set by Human Rights Council resolution 9/12. (Brazil)</p> <p>2. Sign and ratify CED and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR); ratify OP-ICCPR, OP-CEDAW and CRPD and its Optional Protocol. (Spain)</p> <p>3. Consider ratifying CRPD and ensuring its full implementation in domestic law (New Zealand)</p> <p>4. Consider early ratification of OP-CEDAW, signed in 2001 (Slovakia)</p>

CCPR (2015) CCPR/C/KHM/CO/2

5. In addition, the Committee encourages the State party to accede to the Optional Protocol to the International Covenant on Civil and Political Rights on individual communications.

CRC (2015) CRC/C/OPAC/KHM/CO/1

34. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

9. The Committee reiterates its previous recommendations (CEDAW/C/KHM/CO/3, para.10) and recommends that the State party publish the Convention and its Optional Protocol in the official gazette without further delay, and to continue to review its legislation with a view to incorporating all provisions of the Convention into domestic law.

35. (c) Consider acceding to the ILO Convention No. 189 on decent work for domestic workers and the Convention on the Protection of All Migrant Workers and Members of their Families.

CRC (2011) CRC/C/KHM/CO/2-3

81. The Committee calls upon the State party to promptly submit its initial reports on the optional protocols to the Convention on the Rights of the Child. It also encourages the State party, in order to further strengthen the fulfillment of children's rights, to accede to all core human rights instruments, including the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the International Convention for the Protection of All Persons from Enforced Disappearances.

CAT (2010) CAT/C/KHM/CO/2

34. The Committee invites the State party to consider ratifying the core United Nations human rights treaties to which it is not yet a party, namely the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance.

CERD (2010) CERD/C/KHM/CO/8-13

21. Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties which it has not yet ratified, in particular treaties the provisions of which have a direct bearing on the subject of racial discrimination, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).

CESCR (2009) E/C.12/KHM/CO/1

44. The Committee encourages the State party to consider signing and ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.
45. The Committee also encourages the State party to consider ratifying ILO Conventions No. 81 (1947) concerning Labor Inspection in Industry and Commerce, and No. 102 (1952) concerning Minimum Standards of Social Security.

I-B. Cooperation with Human Rights mechanisms, Treaty Bodies

2014 UPR Recommendations

- 118.44 Consider further cooperation with the international human rights monitoring mechanisms, including treaty bodies and special procedures of the Human Rights Council. (Turkmenistan)

2009 UPR Recommendations

17. Submit its pending reports to the relevant treaty bodies. (Pakistan)

CEDAW (2013) CEDAW/C/KHM/CO/4-5

50. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 15 and 21 (a), (b) & (c).
51. The Committee invites the State party to submit combined 6th periodic report in Oct, 2017.
52. The Committee requests the State party to follow the “Harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents” (HRI/MC/2006/3 and Corr.1).

CRC (2011) CRC/C/KHM/CO/2-3

85. The Committee invites the State party to submit its next combined fourth to sixth reports by 13 May 2018. The Committee draws attention to its Harmonized Treaty-Specific Reporting Guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the State party to submit their report in accordance with the reporting guidelines. In the event that a report exceeding the page limitation is submitted, the State party will be asked to review and resubmit the report in accordance with the above-mentioned guidelines. The Committee reminds the State party that if it is unable to review and resubmit the report, translation of the report for purposes of examination by the treaty body cannot be guaranteed.

CERD (2010) CERD/C/KHM/CO/8-13

27. Noting that the State party submitted its Core Document in 1998, the Committee encourages the State party to submit an updated version in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document. [...]
28. In accordance with article 9, paragraph 1, of the Convention and rule 65 of its amended rules of procedure, the Committee requests that the State party provide information, within one year of the adoption of the present conclusions, on its follow-up to the recommendations contained in paragraphs 15, 16, 17 and 18 above.
29. The Committee also wishes to draw the attention of the State party to the particular importance of recommendations contained in paragraphs 11, 13 and 20 and request the State party to provide detailed information in its next periodic report on concrete measures taken to implement these recommendations.
30. The Committee recommends that the State party submit its fourteenth and fifteenth periodic reports in a single document, due on 28 December 2012, taking into account the guidelines for the CERD-specific document adopted by the Committee during its seventy-first session (CERD/C/2007/1), and that it address all points raised in the present concluding observations.

CAT (2010) CAT/C/KHM/CO/2

36. The Committee requests the State party to provide, within one year, information on its response to the Committee's recommendations contained in paragraphs 12, 14, 16, 26 and 27.
37. The Committee invites the State party to present its next periodic report in accordance with its reporting guidelines and to observe the page limit of 40 pages for the treaty-specific document. The Committee also invites the State party to submit an updated common core document in accordance with the requirements [...] and to observe the page limit of 80 pages for the common core document. The treaty-specific document and the common core document together constitute the reporting obligation of the State party under the Convention.
38. The State party is invited to submit its third periodic report by 19 November 2014.

CESCR (2009) E/C.12/KHM/CO/1

48. The Committee invites the State party to submit a common core document in accordance with the 2006 harmonized guidelines on reporting to the international human rights treaty monitoring bodies (HRI/GEN/2/Rev.5).
49. The Committee requests the State party to submit its combined second to fifth periodic report, in line with the Committee's treaty-specific guidelines for reporting (E/ C.12/2008/2) by 30 June 2012.

Special Rapporteur

A/HRC/27/70 Para 81 (o). Review its position on those recommendations from the universal periodic review that are legal obligations on Cambodia as a party to international treaties, and take steps to implement all such recommendations as well as those explicitly accepted in law and in practice.

A/HRC/33/62 Para 61 (a). Review outstanding recommendations made by the Special Rapporteur, treaty bodies and States (in the context of the universal periodic review) with a view to preparing a draft on an implementation strategy with a realistic timescale.

A/HRC/33/62 Para 61 (v). Prepare and maintain a working schedule for reporting obligations under treaties to which the State is a party, while continuing to develop broad consultation strategies to inform the reports prepared.

A/HRC/33/62 Para 61 (x). Conclude the Memorandum of Understanding with the United Nations to ensure the continued functioning of OHCHR in Cambodia.

I-C. Cooperation with Special Procedures

2014 UPR Recommendations

118.45 Continue the cooperation with the mandate of the Special Rapporteur on the situation of human rights in Cambodia and implement his recommendations. (Austria)

118.46 Strive to maintain a constructive working relationship with the Special Rapporteur on the situation of human rights in Cambodia in the respect of his independence and that of the OHCHR. (Belgium)

118.47 [...] and accept the visit requests by the special rapporteurs. (Switzerland)

2009 UPR Recommendations

18. Consider issuing a standing invitation to United Nations human rights special procedures (Brazil); issue and implement a standing invitation to all special procedures (Czech Republic); issue a standing invitation to all Council special procedures. (Slovakia)

19. Consider favourably the request for visits by thematic mandate-holders. (Norway)

20. Approve the request for a visit by the Special Rapporteur on the sale of children, child prostitution and child pornography respond positively to the requests for a visit by the Special Rapporteur on the sale of children. (Spain)

21. Grant the request made by the Special Rapporteur on the independence of judges and lawyers in 2006, 2008 and 2009 to visit the country approve the request for a visit by the Special Rapporteur on the independence of judges and lawyers. (Norway)

Special Rapporteur

A/HRC/21/63/Add.1/Rev.1. Para 238. In order to enable the further examination of the human rights impact of economic and other land concessions, the Government should extend a standing invitation to the United Nations special procedures mechanisms, or at least invite relevant mandate holders who may be able to provide detailed analysis. Particularly relevant would be the Special Rapporteur on indigenous peoples, the Working Group on business and human rights, and the Special Rapporteurs on the right to food, to adequate housing, to education, on extreme poverty, to safe drinking water and sanitation, and on cultural rights.

I-D. General international cooperation on Human Rights issues

2014 UPR Recommendations

- 118.39** Work on strengthening international cooperation in the field of human rights. (Turkmenistan)
- 118.40** Strengthen human rights cooperation and constructive dialogue, including those through the ASEAN Human Rights Commission and with the relevant United Nations Human Rights bodies and mechanisms. (Viet Nam)
- 118.41** Seek the support of the international community in the framework of technical and financial assistance in order to strengthen its capacities for the timely implementation of activities relating to human rights. (Angola)
- 118.47** Cooperate fully with the Office of the High Commissioner for Human Rights in Cambodia. [...] (Switzerland)
- 118.48** Further enhance its cooperation with the OHCHR, as well as the mechanisms of the Human Rights Council. (Kenya)

2009 UPR Recommendations

- 13.** Continue to cooperate with the international community in its effort to further advance democratic society and to improve human rights and the well-being of its people in accordance with national priorities as reflected in its development strategies and policies. (Bhutan)
- 82.** Continue to seek technical assistance in drafting legislation in the field of children's rights. (Slovenia)
- 90.** Continue to cooperate with the United Nations and other international organizations to strengthen human rights in Cambodia (Lao PDR); Elaborate an effective mechanism to facilitate cooperation with the relevant institutions of the United Nations. (Hungary)
- 91. (a)** Continue to cooperate and seek technical assistance, if and where necessary, in improving democracy and ensuring the protection and promotion of the human rights of all Cambodians. (Pakistan)

- (b) Cooperate with and seek the support of the international community in devising its plans and strategies and in the area of capacity-building to be able to implement them. (Egypt)
- (c) Continue its positive efforts in fighting poverty, with the assistance of international community, in particular the more developed countries, which should redouble cooperation with this small developing country. [...] (Cuba)

CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1

- 32. In the light of article 10, paragraph 1, of the Optional Protocol, the Committee encourages the State party to continue to strengthen international cooperation through multilateral, regional and bilateral arrangements, especially with neighbouring countries, including by strengthening procedures for and mechanisms to coordinate the implementation of such arrangements, with a view to improving prevention, detection, investigation, prosecution and punishment of those responsible for any of the offences covered under the Optional Protocol.
- 33. In this regard, the Committee also recommends that the State party cooperate with and seek technical assistance from, inter alia, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children’s Fund.

CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1

- 26. The Committee recommends that the State party continue and strengthen its cooperation with the International Committee of the Red Cross and with the Special Representative of the Secretary-General for Children and Armed Conflict, and that it explore increased cooperation with the United Nations Children’s Fund, the Office of the United Nations High Commissioner for Human Rights and other United Nations entities in the implementation of the Optional Protocol.

CRC (2011) CRC/C/KHM/CO/2-3

- 82. The Committee recommends that the State party cooperate with the Association of Southeast Asian Nations (ASEAN) Commission on Women and Children towards the implementation of the Convention and other human rights instruments, both in the State party and in other ASEAN member states.

Special Rapporteur

A/HRC/21/63/Add.1/Rev.1. Para 236. The use of international grievance procedures and mechanisms, as well as national human rights institutions abroad, should be further explored by civil society actors in order to bring complaints of alleged human rights abuses of foreign owned or operated business enterprises implicated in human rights violations in Cambodia (whether the businesses are majority or minority shareholders). The possible role of the ASEAN Inter-Governmental Commission on Human Rights may be further examined.

**I-E. National Preventive Mechanisms (NPM): Obligations under
Optional Protocol to the Convention against Torture and other
Cruel, Inhuman, and Degrading Treatment**

2014 UPR Recommendations
118.13 [...] to establish an independent and adequately resourced national preventive mechanism according to OP-CAT requirements (Germany)
2009 UPR Recommendations
8. Build on progress towards the establishment of an independent national preventive mechanism with the necessary mandate and resources to fulfill its obligations under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. (Denmark)
CCPR (2015) CCPR/C/KHM/CO/2
13. The State party should establish an independent complaints mechanism with the authority to investigate all reported allegations of and complaints about acts of torture and ill-treatment. [...] In addition, the State party should speedily establish or designate a national preventive mechanism for the prevention of torture, as provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
CAT (2010) CAT/C/KHM/CO/2
30. The State party should take all necessary measures to ensure that its NPM will be established in accordance with the Optional Protocol to the Convention. To this end, the State party should ensure that the NPM will be created by constitutional amendment or organic law and that it will be institutionally and financially independent and professional. The State party should also ensure that the law establishing the NPM will specify that the NPM will have the ability to make unannounced visits to all places where persons are or may be deprived of their liberty and conduct private interviews with such persons, and that this law will provide for a transparent selection procedure aimed at appointing independent members to the body.
The Committee encourages the State party to consider the publication of the report of the Subcommittee on Prevention of Torture, following its visit in December 2009.

I-F. General education on Human Rights and Treaties

2014 UPR Recommendations
118.42 Continue its efforts for the human rights education and training at all levels including for government functionaries. (Pakistan)
2009 UPR Recommendations
15. Promote human rights education and training at all levels, including for Government officials, in order to raise awareness about human rights for all. (Thailand)
CCPR (2015) CCPR/C/KHM/CO/2
5. The State party should take appropriate measures to raise awareness of the Covenant among judges, prosecutors, lawyers and the public at large to ensure that its provisions are taken into account before national courts.
29. The State party should widely disseminate the Covenant, the text of its second periodic report, the written replies to the list of issues drawn up by the Committee and the present concluding observations among the judicial, legislative and administrative authorities, civil society and NGOs operating in the country, as well as the general public.
CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1
11. The Committee recommends that the State party enhance its dissemination efforts to make the principles and provisions of the Optional Protocol well known among government officials and law enforcement officers, including at the provincial level, and to develop specific information campaigns to raise awareness among parents, teachers, students, children and civil society actors. The Committee also recommends that the State party strengthen its training activities by including systematic and comprehensive education modules on the provisions of the Optional Protocol and on international humanitarian law for all relevant professional groups, police academies and for its military personnel, including its military personnel participating in international peacekeeping missions.
25. The Committee recommends that the State party strengthen its mine awareness programmes and demining activities in order to protect children against mines and explosive remnants of war. The Committee also recommends that the State party consider developing child-friendly programmes in order to ensure the provision of adequate services tailored to the specific needs of child victims, in particular children with disabilities caused by remaining mines and explosive remnants of war, and to provide them with physical and psychological rehabilitation, as well as social assistance.

CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1

13. The Committee urges the State party to take all necessary measures to make the provisions of the Optional Protocol widely known. To this end, the State party should in particular:

- (a) Develop and conduct, in consultation with communities, civil society organizations and children, long-term educational and awareness-raising programmes on the preventive measures and harmful effects of all the offences covered by the Optional Protocol, including on assistance and reporting mechanisms established to prevent children from falling victim to the offences in the Optional Protocol;
- (b) Disseminate systematically the Optional Protocol among government officials at the national, provincial and district levels, as well as to all relevant professional groups, especially police officers, judges and prosecutors;
- (c) Consider incorporating issues related to the Optional Protocol into the curricula of primary and secondary schools.

15. The Committee recommends that the State party:

- (a) Allocate adequate resources to ensure systematic and targeted training specifically on the provisions of the Optional Protocol and their implementation to all relevant professional groups working with and for children, as well as judges, prosecutors, police officers and civil servants, including at the provincial and municipal levels;
- (b) Ensure that such training includes multidisciplinary training programmes developed in consultation with communities, civil society organizations and child victims;
- (c) Conduct regular assessments of its training activities to ensure that the knowledge and skills acquired are translated into practice in order to effectively identify victims and protect children from the offences covered under the Optional Protocol;
- (d) Intensify its efforts to recruit and train social workers at the commune level and to allocate sufficient funds for them to fulfil their role.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

The Committee also reiterates its previous recommendations (CEDAW/C/KHM/CO/3, para.10), that the State party strengthen its measures to create awareness of the Convention and the Optional Protocol among judges, prosecutors and lawyers, and continue integrating training on the Convention in relevant curricula for civil servants, judicial officers and those used in the education system.

CRC (2011) CRC/C/KHM/CO/2-3

21. The Committee recommends that the State party strengthen its efforts to disseminate the Convention throughout the country, to raise public awareness, including among children themselves and parents, and disseminate information about its principles and provisions.

CAT (2010) CAT/C/KHM/CO/2

10. The State party should take all appropriate measures to ensure the full applicability of the provisions of the Convention in its domestic legal order. Such measures should include extensive training on the provisions of the international human rights treaties, including the Convention, for its State officials, law enforcement and other relevant officials, as well as judges, prosecutors and lawyers.

CERD (2010) CERD/C/KHM/CO/8-13

11. The Committee further recommends that the State party ensure that all these provisions [against discrimination] are fully understood and disseminated to the public and implemented.

CESCR (2009) E/C.12/KHM/CO/1

12. The Committee draws the attention of the State party to its General Comment No. 9 (1998) on the domestic application of the Covenant, take all appropriate measures to ensure the direct applicability of the Covenant provisions in its domestic legal order, including the conduct of training programmes for judges, lawyers and public officials.

Special Rapporteur

A/HRC/15/46 Para 100. Judges and prosecutors should receive adequate training in human rights law and on interpreting domestic laws in compliance with international human rights standards under the international human rights treaties to which Cambodia is a party.

II. Legal and Judicial Reforms and Rule of Law

II-A. Legal reform general

2014 UPR Recommendations
<p>118.27 Give continuity to legislative and institutional reforms for the promotion and protection of human rights. (Nepal)</p> <p>118.80 Ensure that the endeavours concerning legal reforms continue unhindered. (Sweden)</p> <p>118.91 Continue its efforts to enhance the rule of law as enshrined in its Constitution. (Singapore)</p> <p>118.133 Continue to make progress on important issues for the promotion of human rights and its democratization, particularly in judicial reform and measures to address land issues. (Japan)</p>
2009 UPR Recommendations
<p>5. Continue legal and judicial reforms and harmonization of the laws with international human rights instruments. (Morocco)</p> <p>6. Widen its consultation process on the development of policy, legislation and regulations to ensure that all legislative instruments are assessed as to their positive and negative impacts on human rights. (UK)</p> <p>10. Continue strengthening its reforms programmes in all sectors to guarantee the human rights and freedoms enshrined in the Constitution of Cambodia. (Brunei)</p> <p>34. Continue its efforts to promote and protect human rights and to strengthen good governance and respect for the rule of law; continue to strengthen the rule of law and good governance as a means to help enhance human rights promotion and protection within the country. (Thailand)</p> <p>77. Further strengthen the law reforms and policy aimed at protecting the people's rights and for the betterment of the poor and other disadvantaged groups. (Viet Nam)</p>
CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1
<p>17. The Committee recommends that the State party amend its Criminal Code with provisions that explicitly criminalize the recruitment and use of children under the age of 18 years in the Royal Armed Forces, in non-State armed groups and private security services or companies, as well as a definition of direct participation in hostilities.</p>

CEDAW (2013) CEDAW/C/KHM/CO/4-5

7. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of Government and invites the State party to encourage its Parliament, in line with its procedures and where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations between now and the next reporting period under the Convention.
9. The Committee reiterates its previous recommendations (CEDAW/C/KHM/CO/3, para.10) and recommends that the State party publish the Convention and its Optional Protocol in the official gazette without further delay, and to continue to review its legislation with a view to incorporating all provisions of the Convention into domestic law.
11. The Committee reiterates its previous recommendation (CEDAW /C/KHM/CO/3, para. 12) and recommends that the State party consider adopting comprehensive legislation governing gender equality, which should include a definition of discrimination against women that encompasses both direct and indirect discrimination in line with article1 of the Convention. It encourages the State party to seek technical assistance from the Office of the High Commissioner for Human Rights in the State party and relevant United Nations agencies in developing such legislation.

CRC (2011) CRC/C/KHM/CO/2-3

9. The Committee urges the State party to take all appropriate measures to ensure the full applicability of the principles and provisions of the Convention in its domestic legal order, including the establishment of adequate mechanisms, frameworks and systems to apply child-related laws at State, provincial and municipal levels. The Committee also requests the State party to report on progress made in this respect and on decisions of national courts, tribunals or administrative authorities to give effect to the rights enshrined in the Convention.
31. The Committee urges the State party to strengthen its efforts to ensure that the principle of the best interests of the child is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings, as well as in all policies, programmes and projects relevant to and with an impact on children. The legal reasoning of all judicial and administrative judgments and decisions should also be based on this principle.
78. The Committee recommends that the State party ensure, through adequate legal provisions and regulations, that all children victims and/or witnesses of crimes, e.g. abuse, domestic violence, sexual and economic exploitation, abduction and trafficking, are provided with the protection required by the Convention and that the State party take fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20, annex).

CAT (2010) CAT/C/KHM/CO/2

10. The State party should take all appropriate measures to ensure the full applicability of the provisions of the Convention in its domestic legal order. [...] The Committee also requests the State party to report back on progress made in this respect and on decisions of national courts, tribunals or administrative authorities giving effect to the rights enshrined in the Convention.

CERD (2010) CERD/C/KHM/CO/8-13

11. The Committee recommends that legislation be completed to ensure a clear definition of racial discrimination, in conformity with article 1 of the Convention, and the right of everyone not to be discriminated against in the enjoyment of all rights set forth in article 5 of the Convention. The Committee further recommends that the State party ensure that all these provisions are fully understood and disseminated to the public and implemented.

CESCR (2009) E/C.12/KHM/CO/1

12. The Committee draws the attention of the State party to its general comment No. 9 (1998) on the domestic application of the Covenant, take all appropriate measures to ensure the direct applicability of the Covenant provisions in its domestic legal order [...]. The Committee also requests the State party to include in its next periodic report detailed information on progress that has been made in this connection and on decisions of national courts, tribunals or administrative authorities giving effect to Covenant rights.

Special Rapporteur

A/HRC/7/42 Para 101. The Government must promote respect for the rule of law within the State and society. It must set the example, as guardian of the Constitution and the law. Laws must be implemented fairly and fully and effective remedies for the violation of rights ensured, if people are to trust the notion of rule of law.

A/HRC/15/46 Para 83. The Government should accelerate the process of drafting the administrative code and administrative procedure code.

Recommendations below all from A/HRC/18/46, until indicated otherwise

66. The Human Rights Commissions in Parliament should mainstream human rights as a cross-cutting issue and work towards ensuring the compliance of domestic laws with international human rights standards.

74. Draft laws should be published for public consultation and especially in outlets such as the *Official Gazette*. The *Gazette* itself should be made accessible to members of the public.

75. Laws should not be enforced until they are published in the *Official Gazette*.

76. Parliamentary Commissions should review regulations adopted by the Government to ascertain whether they exceed the scope of the original laws.

81. The Constitutional Council should review not only the laws enacted by Parliament but also the internal rules of Parliament in general and the National Assembly in particular to ascertain whether they are compatible with the Constitution, international human rights standards, and the principles of rule of law, including the principles of natural justice.

82. Any law enacted by Parliament which has direct implications for human rights should automatically be referred to the Constitutional Council for review before it is presented to the King for royal assent.

A/HRC/27/70 Para 81 (g). Give effect to the right to participate in public life by clearly instructing all the ministries and any other State institutions to organize public consultations on draft laws and to release such drafts publicly, inviting comments from any interested member of the public, prior to submission to the Council of Ministers. That applies in particular to the draft laws reportedly under preparation on associations and nongovernmental organizations and cybercrimes, as well as all other draft laws that carry implications for the enjoyment of human rights.

A/HRC/27/70 Para 81 (h). Undertake parliamentary reform, with a view to increasing transparency in the legislative process and ensuring the conformity of all draft laws that have human rights implications with international human rights standards.

A/HRC/33/62 Para 61 (k). Publicly disseminate drafts of laws at an early stage to facilitate meaningful consultations on them and their compatibility with human rights.

A/HRC/33/62 Para 61 (i). Apply the relevant provisions of the Criminal Code when women are depicted in a graphic manner, in particular victims of sexual assault and violence.

II-B. Independent and efficient judiciary and justice system

2014 UPR Recommendations

118.24 Implement the three draft laws aimed at promoting the independence and efficiency of the judiciary system once adopted. (Portugal)

118.79 Fully implement the framework for the reform of the justice system established in the September 2010 report by the Special Rapporteur on the situation of human rights in Cambodia. (Spain)

118.81 Step up efforts aimed at strengthening the independence of both of the judiciary and the media. (Italy)

118.82 Take all the necessary measures to guarantee the independence of justice without control or political interference. (Switzerland)

118.83 Establish a judicial reform which provides inter alia mechanisms to guarantee an independent justice as well as the effectiveness of the bodies responsible for combating corruption. (Belgium)

- 118.84** Continue with the judicial reform process, including the implementation of measures to strengthen institutions and guarantee their independence. (Chile)
- 118.85** Take measures which promote the independence of the judiciary in law and practice. (Botswana)
- 118.86** Further strengthen its judicial institutions, and [...], in order to guarantee their effective independence. (Kenya)
- 118.87** Undertake relevant reforms that guarantee the independence and impartiality of the judiciary, and ensure that it is free from political control and interference. (Poland)
- 118.88** Adopt and apply the laws on the status of judges and prosecutors, on the judicial organization and functioning of tribunals and on the High Council of the Judiciary to guarantee the independence of the judiciary system. (France)
- 118.89** Adopt all necessary measures to ensure the independence of justice, including by means of effective implementation of the judicial reform. (Slovakia)
- 118.90** Accelerate its judicial reform process to strengthen and guarantee the independence of the judiciary and to address corruption issues within the judiciary system by adopting relevant laws of reform. (Republic of Korea)

2009 UPR Recommendations

- 42.** Adopt and enact the Law on the Status of Judges, the Amendment of the Law on the Organization and Functioning of the Supreme Council of Magistracy, and the anti-corruption law in accordance with recommendations made by the Special Representative of the Secretary-General for human rights in Cambodia, the United Nations Development Assistance Framework and the Committee on Economic, Social and Cultural Rights, respectively, and create and adopt a code of conduct for judges, prosecutors and disciplinary councils, including disciplinary provisions (Israel)
- 40. (a)** Ensure the independence and impartiality of the judicial system. (Sweden)
- (b)** Ensure the independence of the judiciary, without any political intervention. (Switzerland)
- (c)** Strengthen mechanisms guaranteeing judicial independence, including fully empowering the Government anti-corruption unit to act against corruption within the judiciary. (New Zealand)
- (d)** Intensify its efforts towards establishment of a fully independent, impartial and neutral judiciary, free from corruption in accordance with international standards, guaranteeing that all perpetrators of human rights violations are held accountable and nobody goes unpunished. (Slovakia)
- (e)** Look for means to improve the remuneration system for judges to offer better guarantees of independence. (Spain)

CCPR (2015) CCPR/C/KHM/CO/2

20. The State party should take immediate steps to ensure and protect the full independence and impartiality of the judiciary, and guarantee that it is free to operate without pressure and interference from the executive. It should undertake a review of the three laws on the judiciary with a view to reducing the competences of the Ministry of Justice and strengthening judicial independence.

CAT (2010) CAT/C/KHM/CO/2

13. The State party should intensify its efforts to establish and ensure a fully independent and professional judiciary in conformity with international standards and ensure that it is free from political interference. Such efforts should include the immediate enactment of all relevant laws of reform, notably the Organic Law on the Organization and Functioning of the Courts; the Law on the Amendment of the Supreme Council of Magistracy; and the Law on the Status of Judges and Prosecutors. The State party should also ensure that those who engage in exerting and complying with undue pressure on the judiciary are investigated, prosecuted and convicted, and provide examples of such cases. In addition, the State party should take the necessary steps to ensure that the Bar Association is independent, transparent and allows for admission of a sufficient number of lawyers. The Committee further requests that the State party provide information on provisions of the Anti-Corruption Law that address the independence of the judiciary.

CERD (2010) CERD/C/KHM/CO/8-13

13. The Committee recommends that the State party continue and increase its efforts to strengthen and guarantee the independence of the judiciary and ensure that it is free from political control and interference through the early adoption of all relevant laws of reform. The Committee further recommends that the State Party take steps to increase its capacity to investigate and take disciplinary action in cases of incompetence and corruption.

Special Rapporteur

Recommendations below all from A/HRC/15/46, until indicated otherwise

66. Cambodia should adopt and enact the Law on the Status of Judges and Prosecutors and the Law on the Organization and Functioning of the Courts without any delay. These laws should be designed to ensure the independence both of institutions and of individuals in the judiciary as well as to take disciplinary action against judicial mal-practices, and corrupt and incompetent judges. The Constitution requires the enactment of these laws which have not been in place for nearly 17 years. These laws will contribute to safeguarding the tenure of judges and protecting the terms and conditions of their service, based on a code of conduct for judges and prosecutors.
67. The new laws should ban active party political members from holding judicial positions and ban judges and prosecutors from acting as advisers to party political leaders or ministers. The judges and prosecutors may be members of a political party prior to their appointment.

However, when they are appointed to judicial positions they should cease to be an active member of any political party or play any role in party political activities.

- 68.** Judges and prosecutors should be adequately remunerated, required to work full time and be banned from holding jobs outside the judiciary. Judges and prosecutors should receive their salary and other allowances from a single source, i.e. the Ministry of Justice. At present, judges are paid their basic salary from the Ministry of Justice and a separate performance allowance from the Council of Ministers. This practice is not conducive to judicial independence from the executive.
- 69.** The Supreme Court, and not the Ministry of Justice, should have overall responsibility for supervising the lower courts.
- 70.** Prosecutors should not come under the control of the MoJ, but under that of the SCM.
- 71.** There should be a separate and independent office of the Prosecutor General with powers to supervise prosecutors at all levels and all prosecutors should belong to an independent office rather than be simply attached to the courts concerned.
- 72.** The Law on the Organization and Functioning of the Supreme Council of Magistracy (SCM) should be amended to make it a truly independent body. [...] This would reinforce the independence of the judiciary by removing the current elements of executive control and would introduce a democratic and transparent procedure for selecting and appointing members. [...]
- 73.** Members of the SCM should cease to be active judges whilst they are in office and should not be members of any political party. [...]
- 77.** The Government should respect the independence of lawyers. The law on the Bar should be amended accordingly.
- 78.** The Bar Association itself should not interfere in the work of lawyers. The lawyers should be free to decide for whom to provide their legal services. Only the manner in which the legal services are provided should be the matter for regulation by the Bar Association in order to maintain standards of professional ethics. The code of conduct for lawyers should be amended accordingly.
- 82.** The process of admission to the training school to become judges and prosecutors should be more transparent and competitive (perhaps through entrance examinations) and be supervised by an independent external body consisting of representatives from the judiciary, the Bar Association, and the faculties of Law in Cambodia. There should be a provision for scholarships for people from disadvantaged groups on merit to enable them to enter the legal profession.
- 87.** The Government should have a more coherent policy and a consolidated mechanism in place to assist the judiciary. Such a policy should be designed to avoid a dual role for government departments in this regard. For this, the role of the Ministry of Justice should be strengthened and it should be provided with more resources in its task of assisting the judiciary. Government departments or Ministers should not have any role in controlling and influencing the work of the judiciary.
- 88.** The clerks and other court officials should be under the direct control of the relevant courts rather than under the control of the Ministry of Justice.

A/HRC/24/36 Para 66. The Government should accelerate the implementation of its promised reform agenda of State institutions responsible for upholding people’s rights, including enacting the three fundamental laws concerning enhancing the independence and capacity of the judiciary.

A/HRC/21/63/Add.1/Rev.1 Para 234. All efforts should be made to bolster the administrative capacity of the cadastral dispute resolution mechanisms and the judiciary to improve the accessibility of communities to remedies related to land disputes. The capacity and independence of the judiciary should be enhanced so that it can command the respect and trust of its constituents. The court system should not be used as a mechanism to criminalize land activists, individuals making claims for their land, human rights defenders and local authorities.

A/HRC/33/62 Para 61 (q). On the basis of the recommendations made by the previous mandate holder (see A/HRC/18/46), embark on a programme to strengthen the independence of the judiciary at all court levels, and separate the role of the executive in the functioning of the courts and in the training and discipline of members of the judiciary.

II-C. Judicial reform and corruption

2014 UPR Recommendations

- 118.83** Establish a judicial reform which provides inter alia mechanisms to guarantee an independent justice as well as the effectiveness of the bodies responsible for combating corruption. (Belgium)
- 118.90** Accelerate its judicial reform process to strengthen and guarantee the independence of the judiciary and to address corruption issues within the judiciary system by adopting relevant laws of reform. (Republic of Korea)

2009 UPR Recommendations

- 35.** Adopt a law against corruption. (Switzerland)
- 36.** Swiftly review and pass the anti-corruption law, which would include tough penalties for government corruption and would subject public officials to financial disclosures. (USA)
- 37.** Implement anti-corruption legislation through an independent and non-partisan anti-corruption commission. (Ireland)
- 38.** Take further measures to proceed with its judicial reform, to address land issues and to combat corruption, as these are important for the promotion and protection of human rights as well as the consolidation of democracy. (Japan)
- 41.** Complete the process of judicial reform and enact essential legislation such as a new penal code, an anti-corruption law and legislation to guarantee and safeguard the independence and impartiality of the court system, court personnel and judges in accordance with international standards. (Norway)

CEDAW (2013) CEDAW/C/KHM/CO/4-5

13. The Committee urges the State party to: [...]

(c) Continue to investigate and prosecute allegations of corruption in the administration of justice and, where applicable, punish the perpetrators.

CAT (2010) CAT/C/KHM/CO/2

12. The State party should take immediate and urgent measures to eradicate corruption throughout the country which is one of the most serious impediments to the rule of law and the implementation of the Convention. Such measures should include effective implementation of the anti-corruption legislation and the expeditious operationalization of the Anti-Corruption Unit, which should consist of independent members. The State party should also increase its capacity to investigate and prosecute cases of corruption. The State party should establish a programme of witness and whistle-blower protection to assist in ensuring confidentiality and to protect those who lodge allegations of corruption, and ensure that sufficient funding be allocated for its effective functioning. Furthermore, the State party should undertake training and capacity-building programs for the police and other law enforcement officers, prosecutors and judges, on the strict application of anti-corruption legislation as well as on relevant professional codes of ethics, and adopt effective mechanisms to ensure transparency in the conduct of public officials, in law and in practice. The Committee requests the State party to report back on progress achieved, and the difficulties encountered, in combating corruption. The Committee also requests the State party to provide information on the number of officials, including senior officials that have been prosecuted and punished on account of corruption charges.

CESCR (2009) E/C.12/KHM/CO/1

14. The Committee urges the State party to adopt its draft Anti-Corruption Law without delay, and to intensify its efforts to modernize and improve the work of the judiciary, including through a revamped Plan for Judicial Reform. The Committee recommends that the State party intensify its efforts to prosecute cases of corruption and review its sentencing policy for corruption-related offences. It also recommends that the State party undertake training and capacity-building programmes for the police and other law enforcement officers, prosecutors and judges, on the strict application of anti-corruption legislation and measures, and to adopt effective mechanisms to ensure transparency in the conduct of public authorities, in law and in practice. The Committee requests the State party to provide in its next periodic report, detailed information regarding progress that has been achieved, and the difficulties encountered, in combating corruption.

Special Rapporteur

A/HRC/7/42 Para 101. The Government must urgently enact laws on demonstration and anti-corruption, ensuring that it comply with the Constitution and human rights standards. (2008)

A/HRC/21/63/Add.1/Rev.1 Para 235. All efforts should be employed to monitor land dispute cases in the cadastral dispute resolution mechanisms and the judiciary for instances of conflicts of interest, political interference or corruption involving concession companies. Administrative or judicial officials making decisions based on personal motivation should be barred from any role in adjudication.

A/HRC/27/70 Para 81 (f). Renew its efforts aimed at legal and judicial reform, especially on improving the independence of the judiciary and its capacity to handle cases in a fair and expeditious manner and, in that regard, embark immediately upon amending the three fundamental laws on the judiciary to that end.

A/HRC/33/62 Para 61 (r). Ensure that the list of court fees is publicly displayed in all courts and that any additional fees that clerks may legitimately charge are also verified and publicly displayed.

II-D. Means for the justice system and improved access to justice / legal aid

2014 UPR Recommendations
118.94 Adopt the necessary measures to guarantee access to justice for women. (Spain)
118.95 Strengthen the means at the disposal of justice and make it more accessible to indigent persons. (Senegal)
2009 UPR Recommendations
39. Take measures to ensure everyone's equal access to justice, in accordance with international standards. (Sweden)
CEDAW (2013) CEDAW/C/KHM/CO/4-5
13. The Committee urges the State party to:
<ul style="list-style-type: none"> (a) Develop a comprehensive legal aid scheme in order to ensure effective access by women to courts and tribunals, in accordance with the United Nations Principles and Guidelines on Access to Legal aid in Criminal Justice Systems (GA resolution 67/187), in particular Guideline 9 on the implementation of the right of women to access legal aid; (b) Provide adequate funding to the Bar Association and women's organizations providing free legal counselling to ensure effective access to justice by women [...]
CAT (2010) CAT/C/KHM/CO/2
14. The State party should promptly implement effective measures to ensure that all detainees are afforded, in practice, all fundamental legal safeguards from the very outset of their detention. To this end, the State party should amend the Penal Procedure Code so as to

guarantee detainees the right to have prompt access to a lawyer from the very outset of their deprivation of liberty and throughout the investigation phase, the whole of the trial and during appeals, as well as access to an independent medical examination, preferably by a doctor of one's own choice, to notify a relative, and to be informed of their rights at the time of detention, including about the charges laid against them, and the right to appear expeditiously before a judge. The State party should, as a matter of urgency, expand the number of defence lawyers, including legal aid defence lawyers, in the country and remove unjustified barriers to entry for individuals who wish to be admitted to the Bar Association. The State party should ensure prompt registration of persons deprived of their liberty and ensure that custody records at police and prison facilities are periodically inspected to make sure that they are being maintained in accordance with procedures established by law.

CERD (2010) CERD/C/KHM/CO/8-13

17. [...] In its effort to improve the judiciary, the State party should ensure greater efficiency of the judicial system to ensure equal access to justice for all, including minorities and indigenous peoples, in conformity with the Committee's General Recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system.

Special Rapporteur

A/HRC/7/42 Para 101. The Government must devote more resources to the justice sector. Efforts to train lawyers and to recruit prosecutors and judges should continue and the aim should be for everyone to be within easy reach of a court and for delays in proceedings to be minimized. (2008)

Recommendations below all from A/HRC/15/46

75. The Supreme Council of Magistracy should have its own secretariat. [...] A strengthened secretariat, coupled with full-time members, would allow for increased capacity. [...]
76. The capacity of the Court of Appeals should be seriously enhanced to enable it to resolve its enormous backlog and manage new cases in a proper, timely and orderly manner. Additional courts of appeals covering one or more provinces should also be considered. The Court of Appeals in Phnom Penh should have more courtrooms and more resources to support its activities.
79. The Bar Association should support and protect public interest lawyers, whose role is crucial in promoting justice in the country.
80. The international development partners of Cambodia should increase their financial support to legal and judicial reform and assist the Bar Association to provide legal aid to the needy.
81. There should be a substantial increase in the budget devoted to justice. The Government should fund legal education for more people, especially from poorer and disadvantaged backgrounds.
84. There should be provision for legal education and training for the judicial police who have an important role to play in the conduct of criminal investigations.

- 85. The Government should ensure that those who are arrested and detained have proper legal representation and immediate access to a lawyer. The Criminal Procedure Code should be amended to ensure that a person accused of committing a crime should have a legal representative present during police questioning.
- 86. The country should provide for special protection for people belonging to special groups, such as a separate juvenile justice system and should have provision for a family court.
- 87. There should be provision for proper training in forensic science for the judicial police, prosecutors and investigating judges.
- 88. There should be provision for legal aid from the State for the poorest of the poor and other people belonging to vulnerable and marginalized groups.
- 89. The concept of model courts should be expanded and they should be provided with more resources to enable them to function as real model courts.
- 90. Every court should have its own registrar and have a proper system of record/file keeping. The judges themselves should not keep the case files with them nor move to other courts with such case files when transferred to another court.
- 91. The courts should pursue a more transparent policy in releasing copies of judgments and other court papers to the relevant parties.

A/HRC/33/62 Para 61 (g). Strengthen judicial mechanisms protecting victims of domestic violence and trafficking, intensifying efforts to train judicial officers and law enforcement officials on the law on the prevention of domestic violence to ensure effective prosecutions rather than recourse to mediation; and ensure that mediation and informal mechanisms are used only for non-criminal cases.

A/HRC/33/62 Para 61 (s). Increase efforts to systematically record and report cases with a summary of the reasoning.

II-E. Juvenile justice

2014 UPR recommendations
118.93 Put in place a juvenile justice system adapted to the needs of juvenile delinquents particularly so that minors are not detained with adults. (Djibouti)
2009 UPR Recommendations
81. Incorporate a legal definition of the child, a minimum age for criminal responsibility and sexual consent, and enforce the law on the minimum age of marriage, as recommended by the Committee on the Rights of the Child, and develop and implement national legislation which criminalizes and penalizes the distribution, sale and display of child pornography. (Israel)

CCPR (2015) CCPR/C/KHM/CO/2

15. The State party should take measures to establish a comprehensive juvenile justice system in order to ensure that juveniles are treated in a manner commensurate with their age. It should also ensure the strict separation of juveniles and adults in places of detention, in compliance with international standards.

CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1

29. In accordance with article 8, paragraph 1, of the Optional Protocol and the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (Economic and Social Council resolution 2005/20, annex), the Committee urges the State party to ensure, through adequate legal provisions and regulations, that all child victims and/or witnesses of crimes under the Optional Protocol are treated in a child-sensitive way by the criminal justice system throughout the investigation and trial process and provided with adequate assistance. In particular, the State party is requested to:

- (a) Establish clear child-sensitive procedures and standards for the provision of such assistance at all stages of the criminal and judicial process;
- (b) Ensure that court screens are made available to children and extend the video link project to all provinces in the State party;
- (c) Provide child victims with free or subsidized legal aid and with the support of child psychologists and social workers;
- (d) Ensure that child victims of offences under the Optional Protocol are not treated as offenders in practice and that law enforcement officials are made aware of the State party's legislation in this regard

31. The Committee recommends that the State party take all necessary measures to ensure that child victims of the offences under the Optional Protocol are provided with appropriate assistance, including for their physical and psychological recovery and full social reintegration, in particular at the commune level. In this regard, it calls on the State party to take full responsibility for such efforts, by increasing the availability of State-run social services and by strengthening the capacity of government agencies to support and coordinate assistance to child victims of offences under the Optional Protocol. The State party should also ensure the participation of children in the development of policies and programmes for their recovery and reintegration.

CRC (2011) CRC/C/KHM/CO/2-3

7. The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations on its initial report that have not yet been implemented or sufficiently implemented, particularly those related to non-discrimination, children with disabilities, adolescent health and juvenile justice.

9. The Committee further urges the State party to speed up the enactment of a comprehensive Child Protection Law covering all principles and provisions of the Convention and to ensure that the juvenile justice law currently being drafted is fully incorporated into this law.
77. The Committee recommends that the State party bring the system of juvenile justice fully in line with the Convention, in particular articles 37, 39 and 40, and with other relevant standards, including the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Vienna Guidelines for Action on Children in the Criminal Justice System; and the Committee's General Comment No. 10 (2007) on the rights of the child in juvenile justice. In particular, the Committee urges the State party to:
- (a) Establish specialized juvenile courts throughout the country;
 - (b) Ensure that no child is subjected to abuse and torture when in contact or in conflict with the law, especially during the stages of arrest and investigation;
 - (c) Provide children, both victims and accused, with adequate legal and other assistance at an early stage of the procedure and throughout the legal proceedings;
 - (d) Ensure that children deprived of liberty or in rehabilitation centres or detention facilities are never kept with adults, that they have a safe, child-sensitive environment, that they maintain regular contact with their families and are provided with food, education and vocational training;
 - (e) Provide children deprived of liberty in any form the right to review the placement decision;
 - (f) Promote alternative measures to detention, such as diversion, probation, counseling, community service or suspended sentences, wherever possible;
 - (g) Request further technical assistance in the area of juvenile justice and police training from the Interagency Panel on Juvenile Justice, which includes UNODC, UNICEF, OHCHR, and NGOs.

CAT (2010) CAT/C/KHM/CO/2

23. The State party should, as a matter of urgency, establish a separate juvenile justice system, adapted to the particular needs of juveniles, their status and special requirements. To this end, the State party should expeditiously enact the draft Law on Juvenile Justice and ensure that this Law is in conformity with international standards, and develop corresponding guidelines and directives for judges, prosecutors and judicial police on the concept of a child-friendly justice system. The State party should further take all necessary measures to develop and implement a comprehensive system of alternative measures to ensure that deprivation of liberty of juveniles is used only as a measure of last resort, for the shortest possible time and in appropriate conditions. In addition, the State party should take the necessary measures to ensure that persons below 18 years of age are not detained with adults.

II-F. Non-refoulement

CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1
<p>25. The Committee recommends that the State party take the necessary measures to repeal the double criminality requirement for extradition for offences covered by the Optional Protocol when they are committed outside its territory and, in the absence of a bilateral or multilateral treaty of extradition, to consider using the Optional Protocol as a legal basis for extradition, in line with its article 5.</p>
CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1
<p>19. The Committee recommends that the State party take all legal and practical measures necessary to ensure that its domestic legislation enables it to establish and exercise extraterritorial jurisdiction over all offences covered by the Optional Protocol, including conscripting or enlisting children into armed forces or armed groups or using them to participate actively in hostilities, if such crimes are committed by or against a Cambodian national or a person who is a resident of the State party. The Committee further recommends that the State party repeal the double criminality requirement for extradition regarding offences under the Optional Protocol.</p>
CRC (2011) CRC/C/KHM/CO/2-3
<p>75. Sharing the concern expressed notably by the Committee against Torture (CAT/C/KHM/CO/2 Para. 24) on the forced repatriation to China in 2009 of twenty Uighur asylum-seekers, including two children, the Committee urges the State party to uphold the principle of non-refoulement in accordance with international refugee and human rights law, including the Convention.</p>
CAT (2010) CAT/C/KHM/CO/2
<p>24. The State party should formulate and adopt domestic legislation guaranteeing the rights of refugees and asylum-seeking persons, including unaccompanied children in need of international protection. The State party should also formulate and adopt legal provisions to implement article 3 of the Convention into its domestic law. Under no circumstances should the State party expel, return or extradite a person to a State where there are substantial grounds for believing that he or she would be in danger of being subjected to torture or ill-treatment. The Committee requests the State party to ensure appropriate follow-up with regard to the status of the 674 Montagnard and 20 Uighur asylum seekers and to provide the Committee with information as to these cases.</p>

CERD (2010) CERD/C/KHM/CO/8-13

14. The Committee requests that the State party ensure that adopted legislation, including the law on asylum, are fully and faithfully implemented in order to provide the full protection under the law, a respect for the principle of “non-refoulement”, and enjoyment on an equal footing of equal rights and benefits.

Special Rapporteur

A/HRC/27/70 Para 84. Lastly, the Special Rapporteur recommends that the Government of Cambodia and the Government of Australia, as States parties to the Convention relating to the Status of Refugees, of 1951, take necessary steps to ensure that Cambodia is fully prepared to offer refugees the opportunity to rebuild their lives in safety and dignity in line with international standards, before any agreement is concluded and refugees are transferred to Cambodia.

III. Freedom of Expression (including Freedom of Information), Association and Assembly

III-A. Freedom of expression and legislative reforms

2014 UPR Recommendations

- 118.14** Ensure the full implementation of the recently adopted regulations referring to the Criminal Code. (Montenegro)
- 118.15** Review the penal code to ensure it aligns with Cambodia’s obligations under the International Convention on Civil and Political Rights pertaining to freedom of expression and take necessary actions to amend or repeal any articles which do not meet these obligations. (Canada)
- 118.16** Revise the Penal Code in order to bring it into line with international standards and Cambodia’s obligations under the International Covenant on Civil and Political Rights. (Belgium)
- 118.18** Adopt legislative and other measures that promote the enjoyment of freedom of expression. (Botswana)
- 118.19** Take action to ensure that Cambodian legislation enables all political parties, labor unions and other civil society groups to exercise their rights to freedom of expression, association and peaceful assembly; and that peaceful demonstration can occur safely and without fear of intimidation or excessive use of force on the part of Cambodian authorities. (Canada)
- 118.20** Revise the Penal Code as well as other laws so that they comply with international freedom of expression standards and prevent the harassment of human rights defenders, journalists, and NGOs. (Czech Republic)
- 118.102** Ensure that the concept of defamation and disturbance of public order is in line with the human right to freedom of expression in law and practice. (Germany)

2009 UPR Recommendations

- 46. (a)** Ensure that the freedom of expression and of the press guaranteed in the Constitution are effectively respected. (Switzerland)
- (b)** Review its newly adopted penal code with a view to ensuring its compliance with the permissible limitations to freedom of expression as stated in ICCPR. (Czech Republic)
- (c)** Take effective measures to ensure the freedom of expression and opinion by amending the press law that allows for a broad interpretation of the vague term “humiliation of national institutions” and authorizes censorship, the suspension of publishing and imprisonment under the guise of national security and political stability. (Israel)

- (d) Adopt legislative measures necessary so that journalists are not persecuted while exercising their profession and violations of the limits on freedom of expression are not sanctioned criminally. (Mexico)
- (e) Define the scope of defamation and disinformation charges to ensure that these do not impinge on freedom of expression and give clear guidance to judicial officials so that these provisions do not result in a large number of cases where the charges are disproportionate. (UK)

CCPR (2015) CCPR/C/KHM/CO/2

21. The State party should ensure that [...]

- (c) Consider decriminalizing defamation and bring any other relevant provisions of the Criminal Code into line with article 19 of the Covenant.

Review its current and pending legislation, including the draft laws on cybercrimes and on associations and non-governmental organizations, to avoid the use of vague terminology and overbroad restrictions, to ensure that any restrictions on the exercise of freedom of expression and association comply with the strict requirements of article 19, paragraph 3, and 22 of the Covenant.

Special Rapporteur

A/HRC/15/46 Para 95. The Government should review the new Penal Code with a view to ensuring its compliance with the permissible limitations to freedom of expression as stated in the 1966 International Covenant on Civil and Political Rights (ICCPR).

A/HRC/15/46 Para 96. The judiciary should apply the Press Law in relation to journalists and allow for retractions, corrections and right of reply before resorting to legal proceedings against journalists for publishing information that is deemed incorrect or harming reputations of individuals or even threatening national security or public order. Legal proceedings in these cases should be civil lawsuits and not criminal ones.

A/HRC/15/46 Para 97. Public figures should be prepared to tolerate more criticism and avoid using the courts to silence critics as part of a healthy democracy. Untruth is better fought by truth, rather than intimidation through court action. Government departments could employ spokespersons to rebut any criticisms of governmental policy or react to any media story uncomfortable to people in public positions rather than resort to criminal proceedings.

A/HRC/15/46 Para 98 .Defamation and disinformation should be decriminalized altogether. Statements deemed threatening to national security must be interpreted in line with Cambodia's ICCPR obligations.

A/HRC/18/46 Para 86. Parliament should review the new Penal Code with a view to ensuring its compliance with the permissible limitation to freedom of expression under international human rights law.

A/HRC/18/46 Para 87. Parliament should safeguard the right to freedom of expression of its own members and protect their parliamentary immunity.

A/HRC/18/46 Para 88. The judiciary should interpret the provisions of the Penal Code in line with international human rights standards of freedom of expression. The Ministry of Justice should call on the international community, including the Office of the United Nations High Commissioner for Human Rights, to provide training for judges, prosecutors and lawyers in this regard.

A/HRC/24/36 Para 68. Freedom of expression of all stakeholders in Cambodian society should be respected at all times, including prior to, during and after elections.

A/HRC/27/70 Para 81 (d). Fully respect the freedom of expression of all stakeholders in Cambodian society and freedom of peaceful assembly at all times, refrain from suspending them in an arbitrary manner and, in that regard, officially lift the demonstration ban in law and in practice.

A/HRC/33/62 Para 61 (m). Reconsider provisions of the Criminal Code that can be used to restrict freedom of expression to achieve greater compatibility with international human rights standards, decriminalizing offences as necessary.

III-B. Freedom of assembly

2014 UPR Recommendations

118.104 Promote a safe and favorable environment that allows individuals and groups to exercise the freedoms of expression, association and peaceful assembly and put an end to harassment, intimidation, arbitrary arrests and physical attacks particularly in the context of peaceful demonstrations. (Switzerland)

118.106 Ensure the right of individuals and organizations to defend and promote human rights, including protection and promotion of the rights of freedom of expression, assembly and association. (Colombia)

118.107 Ensure the protection of workers exercising the right to freedom of peaceful assembly and association and enable the full implementation of the rights to freedom of expression in the country. (Croatia)

118.108 Actively protect the rights to freedom of expression and to peaceful assembly by ensuring that any restriction on those rights is lawful, necessary and proportionate. (New Zealand)

118.109 Adopt and implement effective measures in order to prevent the use of violence against demonstrators, in accordance with the Law on Peaceful Assembly, and enable all groups, including those expressing dissent views, to have their rights to freedom of peaceful assembly and association fully restored. (Czech Republic)

2009 UPR Recommendation

51. Strengthen efforts to protect freedom of expression and the right of all human rights defenders, including those working on land rights issues, to conduct their work without hindrance or intimidation, including by way of safeguarding freedom of assembly and association. (Sweden)

CCPR (2015) CCPR/C/KHM/CO/2

22. The State party should ensure that the Law on Peaceful Demonstrations is implemented in conformity with the Covenant. It should also ensure that the exercise of the right to peaceful assembly is not subject to restrictions other than the ones permissible under the Covenant.

Special Rapporteur

A/HRC/15/46 Para. 99. The concept of “threat to public order” should be defined in the narrowest terms possible by the laws and the judiciary with the aim of allowing for freedom of expression. In their decisions, judges should demonstrate in actual terms how a particular statement or expression has or will threaten public order. Any such claims made in the abstract should not be entertained by courts.

A/HRC/7/42 Para 101. The Government must urgently enact laws on demonstration [...], ensuring that it comply with the Constitution and human rights standards.

A/HRC/21/63/Add.1/Rev.1 Para 240. Given the increasing violations of the rights to freedom of expression and assembly, the Government should take measures to further implement the Law on Peaceful Demonstration, including disseminating and training on its implementation guide. The Ministry of Interior should continue to provide guidance and raise awareness amongst provincial and municipal level authorities, including law enforcement officials, on how to apply the Law on Peaceful Demonstrations in a manner consistent with Cambodia’s international human rights obligations.

A/HRC/27/70 Para 81 (d). Fully respect the freedom of expression of all stakeholders in Cambodian society and freedom of peaceful assembly at all times, refrain from suspending them in an arbitrary manner and, in that regard, officially lift the demonstration ban in law and in practice.

III-C. Freedom of association including trade unions

2014 UPR Recommendations

118.110 Ensure freedom of assembly and association and recognize the importance of trade unions and a diverse civil society in a democracy. (Netherlands)

118.111 Ensure full respect, in law and in practice, for the freedom of peaceful assembly and of association, consistent with international law. (Australia)

2009 UPR Recommendations

56. Ensure that the draft law on non-governmental organizations does not make their working conditions more difficult and respect their freedom of expression and association. (France)

58. Take all necessary measures to ensure that the trade union rights of workers in Cambodia are fully respected and that trade unionists are able to exercise their activities in a climate free of intimidation and risk to their personal security and their lives. (USA)

59. Establish labour courts in an effort to guarantee respect for worker rights and to provide legal and efficient solutions to labour disputes, and revise the law on trade unions. (USA)

CCPR (2015) CCPR/C/KHM/CO/2

21. The State party should ensure that everyone can freely exercise their right to freedom of expression and association, in accordance with articles 19 and 22 of the Covenant and the Committee's general comment No. 34 (2011) on freedoms of opinion and expression.

CAT (2010) CAT/C/KHM/CO/2

31. The State party should ensure that civil society organizations, including NGOs, are not restricted with respect to their establishment and operations and that they are able to function independently of the Government. In particular, the Committee urges the State party to provide an enabling environment for the establishment and active involvement of NGOs in promoting the implementation of the Convention.

CESCR (2009) E/C.12/KHM/CO/1

24. The Committee affirms that the rights of workers as provided for under article 8 of the Covenant can only be exercised in a climate free from violence, pressure or threats of any kind. The Committee urges the State party to take all necessary measures as requested by the ILO Committee on Freedom of Association, to ensure that the trade-union rights of workers in Cambodia are fully respected and that trade unionists are able to exercise their activities in a climate free of intimidation and risk to their personal security or their lives. The Committee requests the State party to seek the technical cooperation facilities of the ILO, notably in the area of reinforcing institutional capacity, as well as with respect to the establishment of labour courts and the revision of the Law on Trade Unions. The Committee also requests the State party, in its next periodic report, to provide a detailed update regarding this concern.

Special Rapporteur

A/HRC/21/63/Add.1/Rev.1 Para 241. The Government at both national and provincials should ensure that civil society organizations, communities and community-based networks are free to engage in activities related to land rights education, regardless of simultaneous events related to, for example, preparation for and follow up to elections, land titling procedures, and political parties' activities.

A/HRC/33/62 Para 61 (l). Ensure the full dissemination of the law on peaceful demonstrations and the implementing guide thereon, supported by appropriate training programmes for provincial authorities and law enforcement officials to ensure that the law is correctly applied; and consider preparing similar guidelines on the application of the law on associations and non-governmental organizations and trade union law, in cooperation with stakeholders, to ensure that the law is applied in a manner consistent with the State's human rights obligations.

III-D. Online media, access to information

2014 UPR Recommendations	
118.14	Establish a law on freedom of information in accordance with international standards. (Belgium)
118.101	In line with its commitment under the previous UPR cycle, work towards ensuring free access to the electronic media and liberalize the electronic media ownership rules by drafting a Cyber Law in accordance with international standards. (Hungary)
118.103	Approach the issue of regulating freedom of expression on the internet through consultations with all stakeholders. (Sweden)
2009 UPR Recommendations	
47.	Elaborate an action plan for ensuring free access to the electronic media and for liberalizing the electronic media ownership rules. (Hungary)
Special Rapporteur	
A/HRC/15/46 Para 101.	There should be a freedom of information law in the country to enable journalists and members of the public to obtain information on matters of public interest. Such a law would also promote responsible journalism, transparency and accountability.

IV. Impunity and Human Rights Defenders

2014 UPR Recommendations

- 118.13** Adopt effective measures to combat the culture of violence and impunity.[...] (Germany)
- 118.92** Continue with measures to strengthen independent and impartial investigations into human rights abuses. (Argentina)
- 118.105** Respect and protect the rights of human rights defenders and journalists to conduct their work without hindrance, intimidation or harassment. (Austria)
- 118.112** Ensure that the rights of human rights defenders are respected, in line with the recommendations accepted by Cambodia during the first UPR cycle. (Belgium)
- 118.113** Adopt the necessary measures to respect and protect human rights defenders. (Chile)
- 118.114** Take all necessary measures for the protection of human rights defenders, particularly by prosecuting the perpetrators of violence or intimidation against them. (France)
- 118.115** Protect the rights of human rights defenders. (Germany)
- 118.116** Ensure that the right of human rights defenders to conduct their work without hindrance, intimidation or harassment is respected and protected, as recommended in the previous cycle and accepted by Cambodia. (Ireland)

2009 UPR Recommendations

- 52.** Facilitate the work of non-governmental organizations and other relevant civil society groups in the country. (Italy)
- 53.** Develop a policy to protect human rights defenders. (Brazil)
- 54. (a)** In line with a previous recommendation made by the Committee on Economic, Social and Cultural Rights, adopt effective measures to combat the culture of violence and impunity and to better protect human rights defenders, including indigenous leaders and peasant activists. (Germany)
- (b)** Publicly speak out on reported cases of intimidation and violence-including murder – of trade unionists, the staff of non-governmental organizations and journalists and to ensure effective investigations and accountability for perpetrators. (Austria)
- (c)** Effectively investigate and prosecute crimes and violations against human rights defenders and punish those responsible. (Norway)
- (d)** Investigate and prosecute any attacks on – or false allegations in relation to – human rights defenders, in particular those working with communities to protect land, houses and access to natural resources and prevent forced displacement, an issue that has been reported on by the Special Rapporteur and the Committee on Economic, Social and Cultural Rights. (Ireland)
- 55.** Adopt appropriate measures to disseminate widely and ensure full observance of the Declaration on Human Rights Defenders. (Norway)

CCPR (2015) CCPR/C/KHM/CO/2

11. The Committee recalls its previous recommendation (CCPR/C/79/Add.108, para. 11) that the State party has an obligation to investigate all cases of past human rights violations, in particular violations of article 6 of the Covenant, prosecute the perpetrators and, where appropriate, punish them and provide compensation to the families of the victims.

21. [...] In doing so, the State party should:

- (a) Take immediate action to investigate complaints of killings, and provide effective protection to journalists, human rights defenders and other civil society actors, who are subjected to intimidation and attacks due to their professional activities;
- (b) Refrain from prosecuting journalists, human rights defenders and other civil society actors as a means of deterring or discouraging them from freely expressing their opinions;

CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1

23. The Committee urges the State party to intensify its efforts to combat the impunity enjoyed by perpetrators and to ensure that crimes under the Optional Protocol are investigated and that alleged perpetrators are prosecuted and duly sanctioned. To this end, the State party should:

- (a) Issue clear instructions to all prosecutors to actively prosecute cases and ensure that criminal legal proceedings are systematically brought against the perpetrators of offences under the Optional Protocol;
- (b) Address the issue of corruption as a matter of priority through rigorous investigations of complaints of complicity by government officials and ensure that sanctions are imposed on law enforcement officials and police officers who display inaction and/or engage in corruption in addressing the offences covered under the Optional Protocol.

CRC (2011) CRC/C/KHM/CO/2-3

25. The Committee urges the State party to take concrete steps to give legitimate recognition to human rights defenders and their work, to reinstate a climate of trust and cooperation with civil society and to systematically involve communities as well as civil society and children's organizations in the planning, implementation, monitoring and evaluation of policies, plans and programmes related to child rights. The Committee also urges the State party to ensure that reported instances of intimidation and harassment are investigated promptly. The Committee further urges the State party to implement the recommendations made by the Special Rapporteur on the situation of human rights in Cambodia in this regard (A/HRC/15/46 Para. 95).

CERD (2010) CERD/C/KHM/CO/8-13

17. The Committee urges the State party to provide full protection to vulnerable groups against physical attacks and intimidation as they seek to exercise their rights as they relates to communal lands. It urges the State party to bring perpetrators of such violations to justice. [...]

CESCR (2009) E/C.12/KHM/CO/1

31. The Committee urges the State party to take all necessary measures to combat the culture of violence and impunity prevalent in the State party, and for the protection of human rights defenders, including indigenous leaders, peasant activists engaged in defending the economic, social and cultural rights of their communities against any intimidation, threat and violence, whether perpetrated by State security forces and agents or non- State actors. It also calls on the State party to ensure that all alleged cases of repression and abuse are promptly and thoroughly investigated, and that alleged perpetrators are prosecuted and appropriately punished, if found guilty. The Committee requests the State party to provide, in its next periodic report, detailed information on the progress made in preventing and punishing the repressions and abuses.

Special Rapporteur

A/HRC/24/36 Para 69. Human rights defenders and especially those defending land rights should be allowed to carry on with their work without intimidation and harassment.

A/HRC/24/36 Para 74. The Government should expedite its investigation of a long list of cases which have not been properly investigated in which no one has been brought to justice.

A/HRC/7/42 Para 101. The Government must respect the duty and right of civil society to promote and protect human rights and observe United Nations resolutions on the rights of human rights defenders. No restrictions should be placed on reasonable activities of local communities and non-governmental associations. The Government must deal fairly with specific cases brought to its attention in recent reports of the Special Representatives and human rights organizations, including the circumstances in which the Venerable Tim Sakhorn disappeared. These steps should include justice for the alleged killers of union leader Chea Vichea and bringing to justice his real killers.

A/HRC/27/70 Para 81 (e). Immediately bring all perpetrators of violence during demonstrations to justice, including members of the security forces who caused human death and injury, and ensure that adequate reparation is provided to the victims or their survivors.

A/HRC/21/63/Add.1/Rev.1 Para 221. The Government should ensure that concession companies do not use or encourage private security guards to engage or use force against concession-affected communities and protesters.

A/HRC/27/70 Para 81 (l). Protect human rights defenders and especially those defending land rights and workers' rights, so that they may be able to carry out their work without intimidation or harassment.

A/HRC/27/70 Para 81 (m). Refrain from using the judiciary to intimidate, harass and imprison human rights defenders and trade union representatives.

V. Electoral Reform and Political Participation

2014 UPR Recommendations

- 118.23** Take the necessary steps to strengthen the legal framework surrounding elections so as to ensure that future elections are free and fair, thereby allowing Cambodian citizens to have a say in the decisions that affect their lives and to elect the officials who reflect and respond effectively to their needs. (Canada)
- 118.117** Address the electoral shortcomings raised by numerous actors, including the Special Rapporteur on Cambodia and the EU technical assistance mission. (Sweden)
- 118.118** By the end of 2014, adopt and implement the recommendations of the Special Rapporteur on Cambodia on electoral reform. (UK)
- 11.8.119** Undertake key electoral reforms to: improve the integrity of the voter registration system and vote list; ensure that all candidates have equal access to the media; and ensure that the National Election Committee retains full independence. (United States of America)
- 118.120** Ensure equal access of all candidates to the media, avoid manipulation of voters and foster a culture of dialogue amongst all political parties. (Czech Republic)
- 118.121** The parties concerned should promote dialogue and cooperation, with regard to the outcome of the last year's general elections, in order to swiftly normalize the situation and to realize election reform. (Japan)
- 118.122** Implement electoral reform as recommended by the Special Rapporteur on Cambodia in order to prevent future recurrences of these issues. (New Zealand)
- 118.123** Undertake electoral reforms to ensure credible electoral processes. (Australia)

2009 UPR Recommendations

- 48. (a)** Commit itself to respecting freedom of expression and opinion for all, in particular for members of the opposition. (Canada)
- (b)** Re-examine the modalities for lifting parliamentary immunity to ensure that this practice does not contravene the principles of pluralism and respect for freedom of expression. (France)
- 49.** Take due steps towards the full implementation of the election regulations in the future. (Hungary)

CCPR (2015) CCPR/C/KHM/CO/2

- 25.** The State party should ensure transparency in the legislative process and consider making public all draft legislation to facilitate public debate and dialogue by citizens with their representatives, taking due account of the Committee's general comment no. 25(1996) on the right to participate in public affairs, voting rights and the right of equal access to public service.

26. The State party should review its legislation denying all convicted prisoners the right to vote, in light of paragraph 14 of the Committee's general comment no. 25 (1996) on article 25 (participation in public affairs and the right to vote). It should also ensure that its legislation does not discriminate against persons with psychosocial disabilities by denying them the right to vote on bases that are disproportionate or that have no reasonable and objective relation to their ability to vote, taking account of article 25 of the Covenant.

Special Rapporteur

Recommendations below all from A/HRC/18/46, until indicated otherwise

64. Cambodia needs to accelerate the process of democratization in the country. There should be a genuine will and attempt at political reconciliation so that all political actors enjoy equal opportunities to make their contribution to the country's political and economic development and parliamentary process. The right of all parliamentarians, including minority as well as majority parties, to carry out their duties should be fully respected.
68. The internal procedures of Parliament in general and the National Assembly in particular should be revised to encourage equitable or proportionate sharing of power and responsibility in parliamentary activities and especially in the leadership positions in the various parliamentary Commissions.
69. The procedure for removing parliamentary immunity and other disciplinary actions against sitting Members of Parliament should be brought in line with the principles of natural justice, constitutional standards and freedom of expression.
77. The requirement to be part of a group of 10 Members of Parliament in order to participate in parliamentary debate should be removed, affording all individual Members of Parliament equal opportunity to participate in such debate.
78. The main opposition party should have a constructive role to play in the appointment of members of various constitutional bodies, such as the election commission, to ensure that they are able to operate in an impartial and independent manner.

Recommendations below all from A/HRC/21/63, until indicated otherwise

65. The National Election Committee should have independent and autonomous status in the constitutional and legal structure of Cambodia, with its own independent budget allocated by the parliament. The president and members of the Committee should be drawn from a pool of retired senior judges, senior and distinguished members of the Cambodian bar and senior professors of law, politics and public administration.
66. There should be consensus among the major political parties represented in the parliament on the appointment of the president and members of the National Election Committee and the provincial election committees.

67. The Government should initiate a process to amend article 13 (new) (2) of the law concerning the National Election Committee and other relevant articles to ensure that, within the composition of election bodies of all levels, there is balanced representation of all political parties with representation in the National Assembly.
68. The president and members of the National Election Committee and the provincial election committees should be appointed for a fixed term and have security of tenure. They should be barred from holding positions in political parties during and up to two years after the expiry of their terms of office.
69. The Special Rapporteur has reviewed the mechanism to resolve electoral disputes and is of the view that it should be improved. Currently, the election officials themselves are entrusted with the task of resolving preliminary election disputes. To increase the confidence of all political parties in the election process, there is a need to amend the law and to create another institution, such as a special election tribunal or election court within the judicial structure of Cambodia or as a special election tribunal within the National Constitutional Council to resolve election-related disputes, rather than using the National Election Committee itself to do so.
70. All major political parties should have fair and equal access to the mass media to convey their messages to the electorate. This should include the opportunity to broadcast their message during primetime viewing hours. The way forward could be to establish an independent committee on the management and use of State-run television and radio stations, allowing all major political parties that are represented in the National Assembly to fully use the stations until the day of election campaign on an equal footing.
71. Another issue is the use of State resources, including the time of Government employees, motor vehicles and materials, by political parties during their campaigning. The Government must ensure that all civil servants, police and military personnel do not participate in political activities or use Government resources while working in their official capacities, and that neutrality is paramount.
72. For the elections to be credible, all opposition parties must be free to organize and campaign without fear and hindrance. Elections are not only about polling day, but also the overall human rights context in Cambodia. The Special Rapporteur has been informed of cases of harassment and intimidation of people attending party political meetings of opposition parties by Government officials and the secret police. The Government must therefore ensure that opposition parties are free to carry out their political activities without harassment and intimidation not only around the dates of elections but also in the lead-up to the elections and throughout the parliamentary cycle.
73. There should be a more effective, impartial and non-discriminatory procedure for the registration of voters in Cambodia. Accordingly, the Government should expeditiously provide necessary documents, Khmer nationality identity cards, passports and other necessary civil registration documents to all citizens for nominal fees and should reregister voters using the data from those cards as a basis to establish a new electoral roll.
74. Any Cambodian citizen eligible to vote should be entitled to request registration with the electoral and/or local authorities at any point during the year. Once he or she is issued with an identification card, that card should be valid for life, unless a change in personal circumstances warrants amendment.

- 75.** The commune council elections in June 2012 identified continuing problems with voter identity documents, especially the issuance and use of fraudulent documents (the now- abolished form 1018). The National Election Committee should review the process of issuing such documents to ensure that the system is not abused by political parties in their favour and that there are no electoral malpractices.
- 76.** The National Election Committee should devise special measures to ensure that those who are homeless or have been recently evicted from their land are not disenfranchised in the forthcoming elections.
- 77.** To hold free and fair elections, the entire political environment should be free and conducive to exercising the rights and freedoms guaranteed in the Constitution and the international human rights treaties ratified by Cambodia. The Government should therefore ensure that all persons are able to exercise their rights to freedom of expression, assembly and association.
- 78.** The electoral process, including the voter registration process, and the manner in which electoral disputes are dealt with should be transparent and conform to international standards. For example, the National Electoral Committee should make public the names of polling officers and make the voter list available to candidates from all political parties upon request, affording them an opportunity to challenge the fraudulent inclusion of names on the list.
- 79.** The National Electoral Committee should appoint professional election administrators to replace village chiefs during voter registration and on election day and bring all commune election officers and processes under its own stricter supervision mechanism.
- 80.** The current law, which requires a person to be nominated to stand for election by a political party, should be amended to make it possible for independent candidates to stand in the national elections.
- 81.** Since Cambodia allows dual citizenship, the National Election Committee should make it possible for Cambodians living abroad to exercise their voting rights, at least in the countries where it has diplomatic and/or consular representation, as done by many other countries.
- 82.** Lastly, the Special Rapporteur is aware of the situation of Sam Rainsy, the leader of the Sam Rainsy Party. He has been convicted on charges that are allegedly politically motivated. A political solution should be found to enable him, as the leader of the opposition, to play a full role in Cambodian politics. The Special Rapporteur believes that a concerted effort by the ruling and opposition parties towards reconciliation is in the interests of stronger and deeper democratization of Cambodia. This is especially so in the lead-up to the national assembly elections. For longer-term peace and prosperity in Cambodia, there should be a level playing field for all political parties to compete on an equal footing. The people should have faith in the system of governance in the country and in periodic elections, which are at the core of democracy.

A/HRC/24/36 Para 67. Regardless of the results of the elections to the National Assembly, due to take place on 28 July 2013, appropriate measures should be taken to enhance the independence and capacity of the National Election Committee to enable it to command the full trust and confidence of the entire electorate within the country in future elections. In particular, much greater efforts to enable all eligible voters to exercise their political rights in a meaningful way must be made.

A/HRC/24/36 Para 75. The Special Rapporteur expresses hope that all the political parties and the National Election Committee will have ensured free, fair and peaceful elections on 28 July 2013, with all sides enabled to play on a level playing field.

A/HRC/27/70 Para 81(c). Reach a detailed agreement with the opposition on the promised reform of the electoral, parliamentary and other institutions responsible for upholding people's rights, and move to implement them without delay.

A/HRC/33/62 Para 61 (u). Consider mechanisms to facilitate the timely registration and vote of all eligible Cambodian voters, including those who are homeless, disabled, relocated, in pretrial detention or homeless, or are internal migrant workers, while taking into consideration Cambodians who are documented or undocumented migrants overseas, including in other ASEAN countries.

A/HRC/33/62 Para 61 (f). Review laws, policies and strategies, as necessary, to ensure that equality of men and women becomes a reality, undertaking public education to reinforce positive messages of equality, and consider taking measures to eliminate barriers to women standing for election, reflecting on the possibility of temporary special measures, including women-only shortlists or lists alternating men and women.

VI. National Human Rights Institution

2014 UPR Recommendations

- 118.28** Continue strengthening its national institutional capacity in promoting and protecting human rights, including through completing the process of establishment of a national human rights institution in accordance with the Paris Principles. (Indonesia)
- 118.29** Rapidly create a national human rights institution in conformity with Paris Principles. (Tunisia)
- 118.30** Establish an independent an institution in charge of human rights in accordance with the Paris Principles. (Algeria)
- 118.31** Finalize the establishment of a National Human Rights Institution in accordance with the Paris Principles. (Egypt)
- 118.32** Consider the establishment of a National Human Rights Institution in line with the Paris Principles. (India)
- 118.33** Establish an independent national human rights institution. (Thailand)
- 118.34** Increase efforts to establish a national human rights institution in compliance with the Paris Principles. (Chile)
- 118.35** Continue the positive steps it has undertaken to establish a national human rights institution based on the Paris Principles. (Malaysia)
- 118.36** Establish a national institution for the promotion and protection of human rights in conformity with the Paris Principles. (Morocco)
- 118.37** Continue with its efforts for the establishment of an independent national human rights institution in accordance with the Paris Principles. (Pakistan)
- 118.38** Establish an independent national human rights institution, consistent with the Paris Principles. (Australia)
- 118.86** Further strengthen [...] the national human rights institution, in order to guarantee their effective independence. (Kenya)

2009 UPR Recommendations

7. Expedite operationalization of an independent human rights institution in accordance with the Paris Principles. (Pakistan)
- Accelerate the steps currently under way for the establishment of a national human rights institution consistent with the Paris Principles. (Egypt)
- Continue its efforts to establish a national human rights institution in accordance with the Paris Principles, which would strengthen the human rights infrastructure within the country (Thailand)
- Advance the process of establishing an independent national human rights institution in a pragmatic manner and in consultation with all relevant actors. (Philippines)

CCPR (2015) CCPR/C/KHM/CO/2

6. The Committee encourages the State party to establish an independent national human rights institution, in accordance with the Paris Principles (General Assembly resolution 48/134, annex).

CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1

9. In the light of its previous recommendations (CRC/C/KHM/CO/2-3, para. 15), the Committee urges the State party to establish an independent mechanism to monitor the fulfilment of rights under the Optional Protocol and to deal with children's complaints in a child-friendly and expeditious manner.

CRC (2011) CRC/C/KHM/CO/2-3

15. The Committee reiterates its call on the State party to establish an independent mechanism in accordance with the Paris principles either as part of a national human rights institution with a Child Unit, or to set up a separate mechanism. Such a mechanism should be accessible to children, monitor the fulfillment of their rights and deal with complaints of violations of their rights in a child-friendly and expeditious manner and provide remedies for such violations. The Committee draws the attention of the State party to its General Comment No. 2 (2002) on the role of independent human rights institutions (CRC/GC/ 2002/2).

CAT (2010) CAT/C/KHM/CO/2

29. The State party should expedite its efforts to establish an independent national human rights institution that conforms to the Paris Principles. The Committee requests the State party to ensure that the envisioned national human rights institution be mandated to protect and promote the human rights provisions of the Convention, and that adequate financial resources be provided for its independent operation. In this regard, the State party may wish to seek technical assistance from the OHCHR Cambodia Country Office.

CERD (2010) CERD/C/KHM/CO/8-13

15. The Committee encourages the State party to establish an independent human rights institution, in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (General Assembly Resolution 48/134). In this regard, the Committee recommends that the Government consult with the Office of the High Commissioner in Cambodia and consider receiving technical assistance to re-invigorate the ongoing efforts to draft a law on the establishment of such National Human Rights Institution, in full compliance with the Paris Principles.

CESCR (2009) E/C.12/KHM/CO/1

13. The Committee strongly recommends that the State party, in accordance with the Prime Minister's proposal of September 2006, expedite its efforts in establishing an independent national human rights institution that conforms to the Paris Principles. The Committee requests the State party to ensure that the envisioned national human rights institution be mandated to protect and promote the provisions of the Covenant, and that adequate financial resources be provided for its independent operations. In this regard, the Committee urges the State party to seek the technical assistance of the OHCHR Cambodia Country Office.

Special Rapporteur

A/HRC/7/42 Para 101. The Government must establish an independent authority to receive complaints about the maladministration by the State (including institutions of justice). A Human Rights Commission fully established on the Paris Principles could be given this task.

A/HRC/27/70 Para 81(b). Accelerate the process of establishing an independent national human rights institution in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

VII. The ECCC

2014 UPR Recommendations
<p>118.97 Make further efforts, including in a financial sense, to ensure the smooth implementation and successful conclusion of the Khmer Rouge Tribunal, in cooperation with the international community. (Japan)</p> <p>118.98 Ensure, as a matter of urgency, that the national portion of the budget for the Extraordinary Courts is met. (New Zealand)</p> <p>118.99 Pursue the measures which had been taken on judicial reform to support the activity of the Extraordinary Chambers, and continue the cooperation with the UN Special Rapporteur. (Romania)</p>
2009 UPR Recommendations
<p>45. Fully cooperate with the United Nations to ensure that all allegations of corruption and political influence are rapidly investigated by an independent and impartial mechanism and that cases found are submitted to the authorities for judicial proceeding. (Belgium)</p>
CCPR (2015) CCPR/C/KHM/CO/2
<p>19. The State party should take steps to protect the full independence of the ECCC and cooperate with the ECCC in the fulfilment of its functions.</p>
CEDAW (2013) CEDAW/C/KHM/CO/4-5
<p>15. The Committee urges the State party to:</p> <ul style="list-style-type: none">(a) Provide effective redress to victims of gender-based violence, in particular sexual violence against women committed during the Khmer Rouge regime, and develop effective non-judicial transitional justice programmes, including the provision of adequate reparations, psychological and other appropriate support; and(b) Take advantage of the drafting process of the second National Action Plan to End Violence against Women (NAPVAW) to fully incorporate the provisions of the Convention and of the United Nations' Security Council Resolution 1325.
Special Rapporteur
<p>A/HRC/7/42 Para 101. The Government must respect the independence of all prosecutors and judges, including those (and defenders and administrative staff) within ECCC.</p> <p>A/HRC/7/42 Para 103. Educational institutions and NGOs should engage the public, through seminar, media and publications, on the procedures and practices as well as the rulings and judgments of ECCC, to create awareness of the meaning and importance of the rule of law.</p>

VIII. Law Enforcement

VIII-A. Torture, ill-treatment and law enforcement

2014 UPR Recommendations
<p>118.66 Take the necessary measures so that children and minors in rehabilitation centres and youth centres are not in any way submitted to torture or ill-treatment, in conformity with the provisions of the Convention on the Rights of the Child. (Belgium)</p> <p>118.96 Strengthen law enforcement authorities. (Iraq)</p>
2009 UPR Recommendations
<p>27. Establish independent and impartial investigations into all allegations of torture and other ill-treatment and bring perpetrators to justice. (Denmark)</p> <p>28. Take further concrete steps to address cases of torture in prisons, in particular to ensure impartial and independent investigation of all cases of alleged mistreatment or torture, punish all personnel responsible for torture or mistreatment and provide victims of torture effective access to remedy. (Czech Republic)</p>
CCPR (2015) CCPR/C/KHM/CO/2
<p>12. The State party should investigate all allegations relating to the excessive use of force, especially the use of lethal force, by police and military personnel, and ensure that the perpetrators are prosecuted and the victims adequately compensated. Furthermore, the State party should increase its efforts to systematically provide training to all security forces, including municipal security guards, on the use of force, especially in the context of demonstrations, taking due account of the United Nations Principles on the Use of Force and Firearms by Law Enforcement Officials.</p> <p>13. [...] It should also ensure that alleged perpetrators of these crimes are prosecuted and that the victims are adequately compensated. The State party should take the steps necessary to ensure that confessions obtained under torture or ill-treatment are inadmissible in court in all cases, in line with its domestic legislation and article 14 of the Covenant. [...]</p>
CAT (2010) CAT/C/KHM/CO/2
<p>15. As a matter of urgency, the State party should take immediate and effective measures to prevent acts of torture and ill-treatment, including sexual violence in detention, throughout the country, including through the announcement of a policy that would produce measurable results in the eradication of torture and ill-treatment by State officials, and through monitoring and/or recording of police interrogation sessions.</p> <p>The State party should also ensure that all allegations of torture and ill-treatment, including sexual violence in detention, are investigated promptly, effectively and impartially, and that the perpetrators are prosecuted and convicted in accordance with the gravity of the</p>

acts, as required by article 4 of the Convention. The State party should enact a sentencing scheme governing convictions of torture and ill-treatment by government officials to ensure that adequate sentences are given to those who are found guilty of such acts.

The State party should ensure that its domestic legislation includes a provision expressly prohibiting the invocation of exceptional circumstances as a justification of torture.

- 16.** The State party should strengthen its measures to ensure prompt, impartial and effective investigations into all allegations of torture and ill-treatment of convicted prisoners and detainees, including in police stations, and to bring to justice law enforcement and prison officials who carried out, ordered or acquiesced in such practices. The State party should establish an independent law enforcement complaint mechanism and ensure that investigations into complaints of torture and ill-treatment by law enforcement officials are undertaken by an independent civilian oversight body. In connection with prima facie cases of torture and ill-treatment, the alleged suspect should as a rule be subject to suspension or re-assignment during the process of investigation, to avoid any risk that he or she might impede the investigation or continue any reported impermissible actions in breach of the Convention.

Furthermore, the State party should establish a programme of victim and witness protection to assist in ensuring confidentiality and to protect those who come forward to report or complain about acts of torture, as well as ensure that sufficient funding be allocated for its effective functioning.

- 25.** The State party should further develop and strengthen educational programmes, including in cooperation with NGOs, to ensure that all officials, including law enforcement and penitentiary personnel, are fully aware of the provisions of the Convention that reported breaches, including cases of sexual violence, will not be tolerated and will be investigated, and that offenders will be prosecuted. Furthermore, police and other relevant officials should receive training in witness interviewing, witness protection, forensic methods and evidence gathering and all relevant personnel should receive specific training on how to identify signs of torture and ill-treatment, including those officials who will investigate and document these cases.

Such training should include the use of the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). In addition, the State party should ensure that related professional codes of ethics and the importance of respecting such codes be made an integral part of training activities. Furthermore, the State party should assess the effectiveness and impact of its training/educational programmes.

- 26.** The Committee underlines that it is the responsibility of the State to provide for redress to victims of torture and their families. To this end, the State party should strengthen its efforts to provide these victims with redress, including fair and adequate compensation and as full rehabilitation as possible. The State party should further strengthen its efforts to improve the access to medical and psychological services for victims of torture, especially during and after imprisonment, and assure that they receive effective and prompt rehabilitation services; raise awareness on the consequences of torture and the need for rehabilitation for victims of torture among health and social welfare professionals in order to increase referrals of these victims from the primary health-care system to specialized services; and increase the capacity of national health agencies in providing specialized rehabilitation services, based on recommended international standards, to victims of torture, including their family members, specifically in the field of mental health.

VIII-B. Detention and Prison conditions

2014 UPR Recommendations
<p>118.60 Consider taking necessary measures to further improve prison conditions. (India)</p> <p>118.61 Take measures to avoid the use of excessive force and ensure that conditions of arrest and pre-trial detention match with international standards. (Belgium)</p>
2009 UPR Recommendations
<p>29. Adjust detention and prison facilities as well as standards of treatment so that they are gender-sensitive and ensure effective protection of the personal safety of all detainees and prisoners. (Czech Republic)</p>
CCPR (2015) CCPR/C/KHM/CO/2
<p>14. The State party should adopt effective measures to reduce overcrowding in detention centres and ensure conditions of detention that respect the dignity of prisoners, in accordance with article 10 of the Covenant. It should also ensure independent and prompt investigation, and the resultant prosecution of State officials responsible for corruption in the penitentiary. In addition, the State party should ensure that defendants are detained pending trial only when strictly required, and implement alternatives to imprisonment. Urgent measures should be taken to ensure the communication of final court judgments to prison authorities and the persons concerned.</p> <p>16. The State party should take all necessary measures to put an end to the arbitrary arrest and detention of homeless people, beggars, people who use drugs, children in street situations and sex workers. All instances of torture and ill-treatment should be investigated and, if substantiated, prosecuted and punished.</p> <p>17. The State party should guarantee that all aspects of its law and practice on pre-trial detention are harmonized with the requirements of articles 9 and 14 of the Covenant, as expressed in general comment no. 32 (2007) on the right to equality before the courts and tribunals and to a fair trial, and general comment no. 35 (2014) on the right to liberty and security of person, including by permitting detained persons charged with a criminal offence immediate access to a lawyer from the outset of their deprivation of liberty. Access to counsel should be granted at all stages of the criminal procedure.</p>
CRC (2011) CRC/C/KHM/CO/2-3
<p>39. The Committee urges the State party to:</p> <p>(a) Ensure that children in any form of arbitrary detention, whether in drug treatment and rehabilitation, social rehabilitation or any other type of Government-run centre are released without delay.</p>

(b) Ensure prompt investigation into allegations of ill treatment and torture of children in those centres and ensure that perpetrators are brought to justice.

(c) Set up an independent child-sensitive mechanism to receive complaints against law enforcement officers and to provide victims with redress as already recommended by the Committee against Torture (CAT/C/KHM/CO/2, para. 20).

56. The Committee also recommends the State party to: [...]

(b) Ensure that dependence, detoxification, treatment, rehabilitation and reintegration interventions of children using drugs comply with international human rights standards and to this aim, develop community-based drug treatment and rehabilitation programs.

64. The Committee urges the State party to ensure that the rights of children and their mothers living in prison are respected. The Committee urges the State party to take immediate measures to ensure that mothers and their children are provided with food and health services, and that children have access to education and recreational activities. The Committee also urges the State party to take all necessary measures to protect children from all forms of abuse, to investigate all reports of abuse of children by prison officials and other inmates and to take appropriate disciplinary measures against perpetrators of abuse against children.

CAT (2010) CAT/C/KHM/CO/2

19. The State party should intensify its efforts to effectively alleviate the overcrowding in places where persons are deprived of their liberty, including police stations and prisons, and to improve the conditions in such places, including with respect to hygiene and food supply. To this end, the Committee recommends that the State party apply alternative measures to imprisonment and ensure sufficient budgetary allocations to develop and renovate the infrastructure of prisons and other detention facilities. Furthermore, the State party should clearly frame and regulate the function and role of the “prisoner self-management committees” and ensure that cases of abuse and ill-treatment by such bodies are investigated and perpetrators punished. In addition, the GDP officials ignoring or condoning such acts should be held accountable, with the alleged suspects being subjected to suspension or re-assignment during the process of investigation. The Committee also requests updated information on the circumstances surrounding the deaths of Kong La, Heng Touch and Mao Sok as well as information on investigations, prosecutions and convictions arising from these cases.

The State party should also review current policies and procedures for the custody and treatment of detainees, including in police stations, ensure separation of female detainees from males and that female detainees be guarded by officers of the same gender, monitor and document incidents of sexual violence in detention, and provide the Committee with data thereon, disaggregated by relevant indicators. The Committee also recommends that the State party consider compiling a reliable and accurate profile of the prison population, including details as to the length of the sentence, the commitment of offence and the age of the offender, to help inform criminal justice policy decisions.

CESCR (2009) E/C.12/KHM/CO/1

33. The Committee strongly recommends that the State party consider enacting a mental health law and adopting a comprehensive mental health strategic plan that includes partnership with NGOs and private sector stakeholders. The Committee also recommends that the State party ensure that individuals with mental health problems are not sent to prison.

Special Rapporteur

A/HRC/33/62 Para 61 (q). On the basis of the recommendations made by the previous mandate holder (see A/HRC/18/46), embark on a programme to strengthen the independence of the judiciary at all court levels, and separate the role of the executive in the functioning of the courts and in the training and discipline of members of the judiciary.

A/HRC/33/62 Para 61 (t). Increase efforts to minimize pretrial detention in order to, inter alia, reduce prison overcrowding.

IX. Socio-Economic Development

IX-A. Socio-economic development / MDGs

2014 UPR Recommendations
<p>118.139 Continue its efforts to maintain social stability and to promote economic development, and make a good effort to develop people's lives and improve it (China)</p> <p>118.144 Continue its work on meeting its objectives in the field of development as set out in the Millennium Declaration (Russian Federation)</p> <p>118.145 Continue to increase its efforts to ensure the enjoyment of socio-economic rights by citizens (Russian Federation)</p> <p>118.158 Boost activities and strategies aimed at achieving all MDGs, especially those related to rights to education and health care and rights of vulnerable groups (Viet Nam)</p>
2009 UPR Recommendations
<p>11. Redouble its efforts and resources to reach the target sets by the United Nations Millennium Development Goals for the improvement of the political, economic, social and cultural rights of the Cambodian people. (Malaysia)</p> <p>12. Continue its efforts to combat poverty; ensure sustainable development; improve access to health care and education; and achieve the Millennium Development Goals. (Russian Federation)</p> <p>69. Intensify programmes aimed at eradicating poverty and improving socio-economic indicators. (Algeria)</p> <p>89. Continue to strengthen the economic, political and social development with full participation of its population. (Lao PDR)</p>
CEDAW (2013) CEDAW/C/KHM/CO/4-5
<p>49. The Committee calls for the integration of a gender perspective in accordance with the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals as well as in the new development framework as of 2015.</p>
CRC (2011) CRC/C/KHM/CO/2-3
<p>17. The Committee urges the State party, to:</p> <p style="padding-left: 20px;">a) Allocate adequate budgetary resources in accordance with article 4 of the Convention for the implementation of the rights of children and in particular increase the budget allocated to social sectors, including, but not exclusively to education;</p>

- b) Utilize a child right's approach in the elaboration of the State budget by implementing a tracking system for the allocation and the use of resources for children throughout the budget, thus providing visibility to the investment on children. The Committee also urges that this tracking system is used for impact assessments on how investments in any sector may serve "the best interests of the child", ensuring that the differential impact of such investment on girls and boys is measured;
- c) When possible, follow UN recommendation to start budgeting-by-results to monitor and assess the effectiveness of resource allocation and, if necessary, seek international cooperation to this effect;
- d) Conduct a comprehensive assessment of budget needs and establish clear allocations for those areas that progressively address the disparities in indicators related to children's rights;
- e) Ensure transparent and participatory budgeting through public dialogue, especially with children and for proper accountability by local authorities;
- f) Define strategic budgetary lines for children in disadvantaged or vulnerable situations that may require affirmative social measures and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies;
- g) Take immediate measures to combat corruption and strengthen institutional capacities to effectively detect, investigate and prosecute corruption; and
- h) Take into account the Committee's recommendations during its Day of General Discussion in 2007 on "Resources for the Rights of the Child - Responsibility of States".

CESCR (2009) E/C.12/KHM/CO/1

27. The Committee draws the attention of the State party to its statement on "An evaluation of the obligation to take steps to the 'maximum of its available resources' under an Optional Protocol to the Covenant" (E/C. 12/2007/1), and recommends that the State party increase its national spending on social services and assistance such as housing, food, health and education so as to achieve, in accordance with article 2, para 1, the progressive realization of the economic, social and cultural rights provided for in the Covenant. The Committee further recommends that the State party allocate sufficient funds for the implementation of its poverty eradication strategy, and ensure the full integration of economic, social and cultural rights in the strategy, as recommended by the Committee in its Statement on "Poverty and the International Covenant on Economic, Social and Cultural Rights" (E/C.12/2001/10).
38. The Committee urges the State party to ensure that maximum available resources are allocated for the protection and fulfillment of economic, social and cultural rights, especially to the most vulnerable and marginalized individuals and groups. The Committee encourages the State party to foster transparency and accountability to improve effectiveness in the implementation of development programs funded by international donors, in particular judicial and institutional reforms and for the improvement of the lives of those living in poverty. In this regard, the Committee draws the attention of the State party to its general comment No. 3 on the nature of States' parties obligations (E/1991/23) and its Statement on "An evaluation of the obligation to take steps to the 'maximum of its available resources' under an Optional Protocol to the Covenant: (E/C.12/2007/1). (art. 2.1)

Special Rapporteur

A/HRC/33/62, Para. 61 (b). Consult widely, finalize and publish strategic plans and policies for achieving measurable success in attaining the Sustainable Development Goals.

IX-B. Poverty reduction / wealth gap / urban-rural

2014 UPR Recommendations

- 118.128.** Strengthen efforts to reduce poverty in rural areas and bridge the wealth gap between rural and urban areas. (Sri Lanka)
- 118.134.** Continue the reform of the land tenure system to meet the national objectives of poverty reduction, food security and environmental protection. (Morocco)
- 118.136.** Intensify its efforts to achieve the national goals for poverty reduction, food security and socio-economic development, including through land management reforms. (Malaysia)
- 118.138.** Intensify its efforts to reduce the rural-urban income inequalities with support from the international community and other relevant United Nations agencies. (Bhutan)
- 118.141.** Continue reducing the poverty rate in rural areas and the wealth gap between the rich and poor and between the urban and rural populations. (Myanmar)
- 118.142.** Reduce the gap between urban and rural areas through poverty reduction in rural areas. (Iraq)
- 118.143.** Implement, in cooperation with the international community, effective programmes aimed at reducing poverty, especially in the rural areas of the country. (Azerbaijan)

2009 UPR Recommendations

- 14.** Continue to pay particular attention to continuing an inclusive process which takes into account all elements of society, and to create favourable conditions, in particular for those living in rural areas, in the framework of the strategic development plan mentioned in paragraph 33 of the national report. (Morocco)
- 63.** Consider fostering policies on land use and urban-rural inequality and continue efforts to combat poverty. (Brazil)
- 70.** Continue to implement its national strategy to reduce poverty, especially in rural areas, and to enhance the general standard of living of its citizens. (Belarus)
- 73.** Promote and protect the rights of vulnerable peoples, the right to education and to right to development to bring down poverty in urban and rural areas simultaneously while maintaining peace, stability and protection of the environment. (Lao PDR)

76. Intensify its public expenditure on the implementation of economic, social and cultural rights. (Netherlands);

Continue efforts in allocating more resources to ensure the betterment of economic and social rights of citizens, in particular in the areas of poverty reduction, urban-rural equality, education, public services, etc. (Viet Nam);

Carry out the necessary efforts to increase expenditures for social programmes, particularly relative to education and access to housing further increase its national spending on health and education sectors to meet the targets of the Millennium Development Goals. (Azerbaijan)

78. Stay steadfast in promoting adequate social policies that aim to achieve just distribution of wealth and social wellbeing of the population. (Venezuela)

91. (d) Continue to put in place with international assistance effective programs aimed at reducing poverty, especially in the rural areas which host 80 percent of the whole population. (Azerbaijan)

CEDAW (2013) CEDAW/C/KHM/CO/4-5

41. The Committee recommends that the State party:

(a) Intensify its efforts to facilitate access by rural women to basic services, latrines, safe drinking water, education, employment, health services, credit and loan facilities. In this regard, the State party should consider the inclusion of information communication technology in its information dissemination strategies on economic empowerment programmes for women in rural areas;

(b) Develop indicators that better reflect regional and socio-economic variables as part of its efforts to improve health, education and employment programmes for rural women; and

Further ensure that women are actively involved in decision making, both in the prevention and management of disaster policies and programmes, particularly those relating to climate change adaptation and mitigation.

CRC (2011) CRC/C/KHM/CO/2-3

60. The Committee urges the State party to strengthen its efforts to provide support and material assistance to economically disadvantaged families, notably those living in rural areas, and to guarantee the right of all children to an adequate standard of living.

CERD (2010) CERD/C/KHM/CO/8-13

16. The Committee recommends that the State party ensure that a proper balance between development and the rights of its citizens is achieved and ensure that its economic development does not come at the expense of the rights of vulnerable persons and groups covered by this Convention. [...]

Special Rapporteur

A/HRC/21/63/Add.1/Rev.1 Para 212. All efforts should be enhanced by the Government to implement the multiple laws, policies and regulations that require environmental and social impact assessment to be carried out *before* the granting of a land concession, including the 1996 Law on Environmental Protection and Natural Resource Management, and the findings made public.

A/HRC/21/63/Add.1/Rev.1 Para 226. The livelihoods and income generation opportunities of families affected by concessions should be examined and made part of a quantitative and qualitative study, with solutions proposed to address negative financial impacts at the household and community level.

IX-C. Business responsibilities, employment

2014 UPR Recommendations

- 118.125** Strengthen its policies to improve labour standards for all workers and continue its efforts in reducing child labour. (Spain)
- 118.126** Continue strengthening effective job creation programmes to combat poverty and social inequality. (Venezuela (Bolivarian Republic of))
- 118.127** Promote a legislation on corporate social responsibility and the dissemination of guiding principles on business and human rights with the view to improving safety in work places as well as working conditions for employees. (Mexico)

2009 UPR Recommendations

- 57.** Work towards a further reduction of the level of unemployment, including through the design and implementation of programmes of vocational training and retraining of its citizens and job creation. (Belarus)
- 75.** Ensure transparent management of oil, gas and mineral revenues to meet the social and economic rights of people living in Cambodia by adopting international best practice, in particular implementation of the Extractive Industries Transparency Initiative. (Ireland)

CEDAW (2013) CEDAW/C/KHM/CO/4-5

- 35.** The Committee recommends that the State party:
- (a)** Continue adopting proactive and concrete measures to eliminate occupational segregation and to narrow the gender pay gap;
 - (b)** Take measures to ensure that labour laws are enforced effectively, and increase their number adequately equip labour inspectors to enable them to effectively monitor women's working conditions, in particular in the garment industry and in other low-paid sectors.

CRC (2011) CRC/C/KHM/CO/2-3

27. The Committee recommends that the State party continue to be vigilant about the compliance of its national law by local and foreign companies throughout its territory, and to establish and implement regulations to ensure that the business sector complies with international and domestic standards on corporate social and environmental responsibility, particularly with regard to child rights, in line with the United Nations Framework for Business and Human Rights which was adopted unanimously by the Human Rights Council in 2008, and which outlines the duty of States to protect against human rights abuses by businesses, corporate responsibilities to respect human rights, and the need for more effective access to remedies when violations occur.

CERD (2010) CERD/C/KHM/CO/8-13

16. [...] The Committee further encourages corporate business entities when engaging in economic land concessions to take into consideration their corporate social responsibility as it relates to the rights and well-being of local populations.

CESCR (2009) E/C.12/KHM/CO/1

21. The Committee recommends that the State party review its employment policies and develop a strategic employment plan to promote youth employment. The Committee also recommends a review of the training strategy with a view to ensuring technical, vocational education that responds to labour demands, in consultation with workers' and employers' organizations as well as local stakeholders.

22. The Committee strongly recommends to the State party that the principle of equal pay for work of equal value for men and women should be fully and clearly reflected in the legislation, that the legislation should be strictly enforced and that concrete and effective measures be undertaken in this regard.

23. The Committee recommends that the State party establish a universal minimum wage that will enable all workers and their families to enjoy an adequate standard of living.

Special Rapporteur

A/HRC/18/46 Para 93. When engaging in land deals either with the Government of Cambodia or other land owners, foreign Governments and international business organizations should bear in mind that they have a responsibility under international law to respect the human rights of the people of Cambodia. Sponsorship of the use of armed law enforcement officials to carry out an unlawful eviction is illegal under international law and should be made illegal in Cambodia as well.

Recommendations below all from A/HRC/21/63/Add.1/Rev.1, until indicated otherwise

216. Due consideration should be given to proposals by concessionaires with enhanced legal and regulatory requirements attached to their investments (such as third party certification schemes and rigorous codes of conduct) which incorporate international standards of environmental and social sustainability.

Companies of all sizes, structures and modes of operation, both domestic and foreign, and whether wholly or partly owned by the State, should address their human rights impact by practicing due diligence, including implementing measures to identify, prevent, and mitigate adverse human rights consequences and account for their business activities.

222. Concession companies should take all measures to avoid environmental destruction in their operations, including preventing water contamination, soil deterioration, and unnecessary clearing of land or illicit logging. They should ensure that access to infrastructure, such as new roads on their concessions, is accessible to all surrounding communities and should refrain from blocking transportation within the boundaries of the concession.

224. Concession companies – with use of revenue from concession activity – should increase their contributions to the local communities, including by providing social benefits such as health services, educational opportunities and environmental protection measures.

Recommendations below all from A/HRC/27/70

81 (i) Ensure that the new mechanism to set the minimum wage takes into consideration the research necessary for evidence-based decision-making and regular revision, in particular setting a wage level sufficient to provide all workers and their families with a decent standard of living, as required by the International Covenant on Economic, Social and Cultural Rights, and to periodically review the national minimum wage so determined.

(j) Pursue public administration reform and, in doing so, establish a wage structure to ensure that public servants will be guaranteed adequate remuneration to provide for an adequate standard of living; establish clear performance indicators and accountability mechanisms for all public servants; and establish a programme to more vigorously combat corruption at all levels.

(k) Fully respect the trade union rights of all workers in Cambodia and protect trade unionists so that they are able to exercise their activities in a climate free of intimidation and risk to their personal security or their lives.

X. Land and Housing Rights

X-A. Land tenure, evictions and relocations and legal framework

2014 UPR Recommendations
<p>118.129 Cease forced dispossession and guarantee just and transparent process when it comes to land tenure. (Mexico)</p> <p>118.130 Implement a strict legislative framework which ensures that evictions and relocations are legal, negotiated and fairly compensated. (Austria)</p> <p>118.133 Continue to make progress on important issues for the promotion of human rights and its democratization, particularly in judicial reform and measures to address land issues. (Japan)</p> <p>118.134 Continue the reform of the land tenure system to meet the national objectives of poverty reduction, food security and environmental protection. (Morocco)</p> <p>118.135 Increase measures to tackle illegal land evictions, including those against indigenous people, and consider fortifying the legislative framework consistently with international standards. (Italy)</p>
2009 UPR Recommendations
<p>60. Intensify its engagement with the international community to share its experiences in strengthening good governance and the land reform programme with a view to effectively fulfilling the Government's duties with accountability and pursuing equitable and efficient management of the distribution and utilization of land. (Myanmar)</p> <p>61. Intensify efforts to promote fair access to land ownership and good governance, and continue reforms undertaken with the assistance of the international community, in particular the High Commissioner for Human Rights, to reinforce institutional capacities and achieve the enjoyment of full human rights by the population. (Algeria)</p> <p>64. (a) Fully implement the 2001 land law and institute a moratorium on evictions until safeguards such as full compensation and access to basic services in resettlement areas can be guaranteed. (Sweden);</p> <p>(b) Adopt a moratorium on eviction until measures are taken to guarantee effective implementation of the 2001 law on land property and to deal with this problem in a more humane and dignified manner. (Switzerland);</p> <p>(c) Put an end to forced evictions, notably by improving the application of the land law of 2001, ensuring a better verification of land titles and guaranteeing strengthened protection of the population affected by the expropriations, which implies in particular prior consultations, a search for alternative solutions to expropriations, offers of re-housing and appropriate compensation of evicted persons. (France)</p>

- 65.** Continue to prioritize the issue of land evictions and to work with the Special Rapporteur to ensure an end to forced evictions and fulfill its obligations to respect and protect the human rights of all Cambodians, including individuals belonging to indigenous groups. (Ireland)
- 66. (a)** Undertake a transparent and fair process to determine the conditions and procedures of involuntary relocation. (Canada)
- (b)** Halt relocations of families to uninhabitable sites and consider evictions as a last recourse, as was requested by the Secretary-General. (Germany)
- (c)** Develop an effective, transparent and fair resettlement policy and process that is based on national consultations and international best practice and suspend all planned resettlements until this framework is in place. (UK)
- (d)** Increase efforts to ensure that evictions occur in compliance with the land law and that greater attention is paid to ensuring that communities relocated to resettlement sites have access to appropriate facilities, especially in urban areas (Australia);
- (e)** Work to advance the legal and policy framework on evictions, expropriations and resettlements and to ensure that those resettled have access to the necessary facilities and support. (New Zealand)
- 67.** Adopt and implement a strict legislative framework on evictions and resettlement which ensures that evictions and relocations are legal, negotiated and fairly compensated.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

43. The Committee urges the State party to:

- (a)** Improve women's access to land and tenure security, ensure that land acquisitions for economic and other concessions follow due process, and that adequate compensation is provided following sufficient consultative processes;
- (b)** Recognize that forced evictions are not a gender-neutral phenomenon, but that they disproportionately affect women, and take immediate measures to protect women and girls from further evictions;
- (c)** Promptly investigate, and wherever appropriate, prosecute cases of intimidation and harassment by law enforcement personnel against women human rights defenders advocating for land rights; and
- (d)** Ensure that evicted communities are relocated to sites which enable women to access their places of employment, schools, health care centers (including sexual and reproductive care), community centers, and other services and amenities necessary to ensure the realization of their rights under the Convention.

CRC (2011) CRC/C/KHM/CO/2-3

- 62.** The Committee urges the State party to establish a national moratorium on evictions until the determination of the legality of land claims is made. The Committee also urges the State party to ensure that families and their children are not made homeless as a result of evictions for private and development activities. The Committee further recommends that the State party fully implement the recommendations of the Special Rapporteur on the situation of human rights in Cambodia in relation to access to land and livelihood (A/HRC/4/36 and A/HRC/7/42).

CESCR (2009) E/C.12/KHM/CO/1

- 16.** The Committee urges the State party to implement the 2001 Land Law without further delay and to ensure that its policies on registration of communal lands do not contravene the spirit of this law. The Committee emphasizes the need for carrying out environmental and social impact assessments and consultations with affected communities with regard to economic activities including mining and oil explorations, with a view to ensuring that these activities do not deprive the indigenous peoples of the full enjoyment of their rights to their ancestral lands and natural resources. The Committee encourages the State party to consider ratifying ILO Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries.
- 29.** The Committee urges the State party to adopt as a matter of priority, a National Housing Policy that would upgrade poor urban settlements and ensure security of tenure, with clear institutional responsibilities at the national, provincial and local levels, and adequate financial resources for its effective implementation.
- 30.** The Committee urges the State party to implement a moratorium on all evictions until the proper legal framework is in place and the process of land titling is completed, in order to ensure the protection of human rights of all Cambodians, including indigenous peoples. The Committee recommends that the State party undertake urgent consultations with all stakeholders in order to reach a definition of "public interest" to complement the 2001 Land Law and develop clear guidelines for possible evictions. The Committee also urges the State party clearly to identify the demarcation of State public land and State private land. The Committee strongly recommends that the State party, as a matter of priority, undertake open, participatory and meaningful consultations with affected residents and communities prior to implementing development and urban renewal projects and to ensure that persons forcibly evicted from their properties be provided with adequate compensation and/or offered relocation that complies with the guidelines adopted by the Committee in its general comment No. 7 (1997) on forced evictions and guarantee that relocation sites are provided with basic services including drinking water, electricity, washing and sanitation, as well as adequate facilities including schools, health care centres and transportation at the time the resettlement takes place. The Committee also draws the attention of the State party to the guidelines on Development-based Evictions and Displacements (A/HRC/4/18), prepared by the Special Rapporteur on adequate housing.

Special Rapporteur

Recommendations below all from E/CN.4/2006/41/Add.3, until indicated otherwise

82. The Special Rapporteur, therefore, strongly argues for the adoption of an indivisibility approach with respect to the right to adequate housing and other rights relating to his mandate, and would like to submit the following specific recommendations:

(a) There is an urgent need for a clear mapping of the housing needs of the country and interpretation of the data from a human rights perspective, aiming at the development of a comprehensive national housing policy;

(b) In connection with the previous recommendation, there is also a need for increasing transparency in the development of policies and openness in the assessment of priorities and results, with space for public monitoring and full participation of the affected population;

(c) Urgent attention must be given to those living in distressed housing and living conditions, including slum and relocation site dwellers, with the immediate provision of basic amenities;

(d) The housing-related provisions of the 2001 Property Law should be immediately implemented, including those of the newly adopted sub-decrees. Regulations should be adopted that include provisions regarding the housing situation of families living in State property and clarify the legal situation of all land swaps that occurred between the 2001 Property Law and its own adoption. In addition, information concerning all land swaps under negotiation should be immediately disclosed. In the meanwhile, besides halting all swaps, full attention should be given to the families already affected to guarantee adequate housing conditions and security of tenure in their relocation sites. Whenever evictions are still pending, all efforts should be made to actually consider relocation as a last resort and ensure consultation with the affected community;

(e) A national evictions act should be adopted in accordance with international human rights standards, especially CESCR's general comments 4 and 7;

(f) The judiciary and the Cadastral Commission have an important role in housing conflicts and their work should be strengthened through strict respect for the rule of law and due process, including the establishment of impartial investigative procedures to verify the authenticity of ownership claims and impartial review of court and administrative decisions;

(g) Specific policies should be developed to address discrimination against women in relation to equal access to and ownership of housing and land. Such policies should address the disproportionately adverse impact that forced evictions, displacement and poor living conditions have on women;

(h) Measures aiming at the realization of the indigenous peoples' right to adequate housing should include respect for their traditional lands and elaboration of culturally sensitive land and housing policies. Until the adoption of the sub-decree on collective ownership of indigenous lands, a moratorium on land sales affecting indigenous peoples should be considered by relevant authorities;

(i) Measures should be adopted to facilitate the work of human rights and development NGOs in the country, with full respect for the rights to freedom of association, expression and movement.

83. The existing obstacles against the implementation of the right to adequate housing are of enormous proportions and facing the challenges will require joint efforts by not only the Government, but also national non-governmental actors and the international community alike.

A/HRC/7/42 Para 101. The Government must do all it can to stop forced evictions. It must never be complicit in unlawful evictions. Internationally accepted guidelines must be observed, including the principles that nobody should be made homeless as a result of development-based evictions, the full and informed consent of those targeted for eviction. Evictions should be carried out only in exceptional circumstances, and solely for the purpose of promoting the general welfare in a democratic society. The use of force should be prohibited. No one should be imprisoned in relation to protecting their rights to land and housing and anyone detained in this context should be released. A moratorium on forced evictions should be declared, to allow the determination of the legality of land claims to be made in an objective and fair manner.

A/HRC/21/63/Add.1/Rev.1 Para 219. Evictions and resettlement should only be used as a last resort, and a moratorium on forced evictions should be in place in relation to all concession activity. In the case of past abuses, all efforts should be made to ensure remediation. When due process has been followed and eviction has been deemed to be legal and in the public interest, affected families should be consulted on how and when the relocation will occur and all efforts made to ensure it is carried out under conditions that adhere to international human rights standards related to adequate housing and fair and just compensation. Additional efforts should be made to re-establish livelihood opportunities.

A/HRC/18/46 Para 92. The Government is urged to enforce the existing provisions of the 2001 Land Law that prohibit interference with indigenous land and accelerate the pace of land registration for indigenous peoples to obtain collective title; interim protection measures should be implemented on all land where indigenous communities live until the registration process is completed and titles obtained.

A/HRC/21/63/Add.1/Rev.1 Para 215. The lands traditionally occupied and used by indigenous peoples should be mapped and demarcated in an expedited manner. No land concessions should be granted on or near the land of indigenous peoples until *after* the processes for recognition and registration and application for communal land title are completed. The 2011 Inter-ministerial Circular on interim protective measures should be rigorously applied for those communities recognized by the Ministry of Rural Development and the Ministry of the Interior, and the process of communal land title should be expedited to avoid further disputes.

A/HRC/27/70 Para 81 (n). Immediately resolve the existing disputes relating to land rights as a matter of priority, and ensure in law and in practice that new land concessions are granted only when the rights of the people affected by them are provided for; review all relocation sites to immediately bring them up to human rights standards and prohibit all forced relocations in the future to sites that do not meet those standards.

A/HRC/33/62 Para 61 (c). Implement a holistic approach to all issues with an impact on indigenous peoples, ensuring genuine consultation on all decisions affecting them; should resettlement be required, practise genuine consultation to ensure free and prior informed consent of indigenous peoples to any required resettlement, and seriously consider the feasibility of alternatives proposed by the communities.

A/HRC/33/62 Para 61 (d). Accelerate the granting of communal land titles for indigenous peoples, issue and enforce interim protection orders, and consider simplifying the process.

X-B. Transparent and inclusive process on land

2014 UPR Recommendations
118.131 Continue efforts in land matters, including through the effective and transparent implementation of measures of land allocations. (France)
2009 UPR Recommendations
62. Promote a legal framework that provides legal certainty in property matters, in particular land ownership and protection against forced evictions. (Mexico)
68. Enter into a dialogue with the civil society concerned with a view to addressing incidents of unlawful land-grabbing and evictions. (Netherlands)
CESCR (2009) E/C.12/KHM/CO/1
29. The Committee urges the State party to adopt as a matter of priority, a National Housing Policy that would upgrade poor urban settlements and ensure security of tenure, with clear institutional responsibilities at the national, provincial and local levels, and adequate financial resources for its effective implementation.
Special Rapporteur
A/HRC/15/46 Para 94. The Government and other State institutions should recognize the importance of complying with the division of tasks between Cadastral Commissions and courts, in accordance with the provision in Article 47 of the Land Law 2001
A/HRC/18/46 Para 89. The Government is urged to examine the current trend of unresolved land disputes in the country and address the alarming patterns of violence by facilitating dialogue among potentially affected communities, local, provincial and national authorities, and private enterprises.
A/HRC/18/46 Para 90. The Government should engage the people affected by land disputes in meaningful consultation regarding adequate compensation, or adequate alternative housing options, where applicable. Authorities should respect and protect the rights of such people, including by ensuring that they are not subjected to excessive use of force, harassment and intimidation that they can exercise their right to peaceful protest, and that defamation, disinformation and incitement charges are not brought arbitrarily.
A/HRC/24/36 Para 72. Additional measures should be taken to further implement the access to remedy related to land disputes, whether through strengthening formal and dedicated national dispute resolution systems, ensuring improved oversight over business enterprises which are party to disputes, or through improving the conflict prevention and consultation capacity of officials and armed forces in their dealings with affected communities.
A/HRC/21/63/Add.1/Rev.1 Para 206. A more coordinated and inclusive system to the granting of land concessions should be considered by the Government and applied by governing authorities,

including taking into account national and provincial level planning processes. The approach should be participatory, and the development processes inclusive, in line with the National Strategic Development Plan Update (2009-2013).

A/HRC/33/62 Para 61 (n). Take steps to ensure that land disputes are settled swiftly, fairly and definitively, and make attempts to standardize and publicize dispute resolution opportunities in order to minimize repetition and conflicting decisions by different bodies.

A/HRC/33/62 Para 61 (o). In the case of communities that have to be relocated, ensure that resettlement planning is holistic, including consideration of food, water, work, education and health care; and take steps to provide additional training as necessary, and give access to food, water and energy, while the communities develop their farming, fishing and usufructuary skills to a sustainable level.

A/HRC/33/62 Para 61 (p). Require, and enforce the requirement for, more meaningful consultations with communities in advance of compulsory resettlement.

X-C. Land concessions

2014 UPR Recommendations

118.132 Ensure that the granting of land concessions or the withdrawal of land titles or the legal rights to land use does not lead to violations of human rights. (Germany)

CERD (2010) CERD/C/KHM/CO/8-13

16. [The Committee] also recommends that the State Party develop appropriate protective measures, such as a delay in the issuance of a concession on lands inhabited by indigenous communities who have applied to be registered legally in order to obtain land titles until the issue of collective ownership titles and indigenous peoples' rights to possess, develop, control and use their communal lands, where at issue, has been assessed and determined and after consultation with and the informed consent of the indigenous peoples.

The Committee further encourages corporate business entities when engaging in economic land concessions to take into consideration their corporate social responsibility as it relates to the rights and well-being of local populations.

CESCR (2009) E/C.12/KHM/CO/1

15. The Committee urges the State party to review its policy regarding the conversion of protected zones into economic concessions, by conducting environmental and social impact assessments including consultations with relevant stakeholders and communities with due regard to their right to participate in informed decisions that affect their lives. The Committee strongly recommends that the granting of economic concessions take into account the need for sustainable development and for all Cambodians to share in the benefits of progress rather than for private gain alone. The Committee requests the State party to give, in its next periodic report, detailed information on the progress made in the implementation of these policies.

16. The Committee urges the State party to implement the 2001 Land Law without further delay and to ensure that its policies on registration of communal lands do not contravene the spirit of this law. The Committee emphasizes the need for carrying out environmental and social impact assessments and consultations with affected communities with regard to economic activities including mining and oil explorations, with a view to ensuring that these activities do not deprive the indigenous peoples of the full enjoyment of their rights to their ancestral lands and natural resources. The Committee encourages the State party to consider ratifying ILO Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries.

Special Rapporteur

A/HRC/18/46 Para 91. The Government is advised to exercise greater transparency in economic land concessions and other land deals involving Government officials or private enterprises, and is encouraged to strengthen the capacity and independence of the court system, the cadastral commissions, and the National Authority for Land Dispute Resolution so that they may exercise accountability, impartiality and greater efficiency in resolving disputes.

A/HRC/24/36 Para 70. The promised review of the existing economic and other land concessions should be carried out as a matter of priority and the interests of the people affected by such concessions should be at the heart of such review.

A/HRC/24/36 Para 71. Further attention should be given to improving access to information and transparency on a range of issues, including consultation and oversight, in line with the recommendations contained in the Special Rapporteur's report on the granting and management of economic and other land concessions.

A/HRC/21/63/Add.1/Rev.1 Para 223. All efforts should be made by authorities authorized to approve concessions to prevent activities on areas of cultural and spiritual significance, as well as to address (through remediation) adverse impacts that have already occurred. Relevant government ministries, such as the Ministry of Culture and Fine Arts, may intervene to address the impacts.

A/HRC/21/63/Add.1/Rev.1 Para 229. In the case where a land concession has been granted on the land traditionally occupied and used by indigenous peoples, restitution should be provided and the land reinstated where possible, with the opportunity for the communities to register as legal entities and apply for communal land title.

A/HRC/27/70 Para 81 (n). [...] ensure in law and in practice that new land concessions are granted only when the rights of the people affected by them are provided for [...].

XI. Health and Education, Safety net and vulnerable groups, Minorities

XI-A. Health, including HIV

2014 UPR Recommendations	
118.147	Further support the development of the health sector, paying special attention to rural areas where availability, accessibility, quality and use of health services remain limited, in an effort to further promote and protect the human rights of its people. (State of Palestine)
118.148	Increase its ongoing efforts aimed at promoting equitable health rights for all Cambodian people. (Timor-Leste)
118.150	Provide free treatment to women and men living with HIV/AIDS to prevent mother-child transmission. (Uruguay)
118.151	Step up information on sexual and reproductive health, including modern contraceptive methods, in particular for women living in rural areas. (Uruguay)
118.152	Continue its efforts in achieving the MDGs, in particular in the area of health of its population. (Venezuela (Bolivarian Republic of))
118.153	Continue to adopt effective social policy regarding access to education and health services, in particular for women and children.(Venezuela (Bolivarian Republic of))
118.154	Further improve the quality of its health services through the implementation of its National Health Strategic Plan. (Brunei Darussalam)
118.155	Continue to pay attention to the right to health of the child, the elderly people, the poor and other vulnerable groups. (China)
118.156	Continue to promote the sustainable development of health sector, prioritizing the partnership with the national community in delivering health services to all citizens. (Democratic People's Republic of Korea)
118.157	Pursue, even consolidate policies and programmes facilitating access to health care services for vulnerable persons. (Senegal)
118.160	Promote access to free education and healthcare services, especially in rural areas, including through enhanced cooperation with neighboring countries and development partners. (Thailand)
2009 UPR Recommendations	
91. (e)	Strengthen its partnership with the international community with a view to improving public health of the country. (Angola)

CEDAW (2013) CEDAW/C/KHM/CO/4-5

37. The Committee calls upon the State party to:

- (a)** Ensure that medically safe modern methods of abortion are available and accessible, in line with General Recommendation No. 24 (2004) on women and health;
- (b)** Provide free antiretroviral treatment for women and men living with HIV/AIDS, including women engaged in prostitution and pregnant women in order to prevent MTCT;
- (c)** Combat all forms of discrimination against pregnant women living with HIV/AIDS; and
- (d)** Intensify the provision of sexual and reproductive health information and services to women including modern methods of contraception, particularly to those living in rural areas.

39. The Committee recommends the State party to:

- (a)** Strengthen the implementation of programmes and policies aimed at providing affordable access for women to health-care, particularly poor women, women with disabilities and older women; and
- (b)** Pay special attention to the health needs of women with disabilities by ensuring their access to prenatal care and reproductive health services.

CRC (2011) CRC/C/KHM/CO/2-3

54. The Committee recommends that the State party: a) Expand access to free primary health-care services across all provinces and allocate sufficient human, technical and financial resources for the delivery of these services in such a manner as to benefit people in both urban and rural areas; b) Strengthen its efforts to reduce the death rates of newborn and young children and pregnant mothers, including better pre-natal and delivery care, c) Take urgent measures to address comprehensively the problem of malnutrition in children under the age of five; d) Take urgent action to address preventable health problems among children, including iodine deficiency, malaria, diarrhea, acute respiratory diseases, measles and meningitis; e) Develop a comprehensive national child mental health policy, together with all obligatory components of core recommendations by WHO, including mental health promotion, counselling, prevention of mental health disorders in primary health care, schools and communities, as well as out-patient and in-patient mental health services for children and adolescents with severe mental health problems; and f) Seek technical assistance from, inter alia, UNICEF and WHO in this regard.

56. The Committee reiterates its previous recommendation to the State party (CRC/C/15/ Add.128 para.53) to undertake a comprehensive and multidisciplinary study to determine the scope of adolescent health problems, including mental health, as a basis for promoting adolescent health policies and strengthening reproductive health education. The Committee also recommends the State party to:

- (a)** Strengthen its efforts for the development of adolescent-friendly and gender-sensitive counseling services as well as care and rehabilitation facilities for adolescents; [...]

(c) Undertake an in-depth study of youth suicide and its causes and use this information to develop and implement a national plan of action on youth suicide, in cooperation with social workers, teachers, health workers and other relevant professionals; and

(d) Take guidance from the Committee's General Comment No. 4 (2003) on adolescent health and development.

58. The Committee urges the State party to allocate the necessary human, technical and financial resources for the full implementation of the National Strategic Plan for HIV Prevention and Control, and to take the necessary measures to prevent stigmatization and discrimination against children living with HIV/AIDS, in particular through public education campaigns. The Committee draws the attention of the State party to its General Comment No. 3 (2003) on HIV/AIDS and the rights of the child, and the International Guidelines on HIV/AIDS and Human Rights.

CAT (2010) CAT/C/KHM/CO/2

26. The State party should further strengthen its efforts to improve the access to medical and psychological services for victims of torture, especially during and after imprisonment, and assure that they receive effective and prompt rehabilitation services; raise awareness on the consequences of torture and the need for rehabilitation for victims of torture among health and social welfare professionals in order to increase referrals of these victims from the primary health-care system to specialized services; and increase the capacity of national health agencies in providing specialized rehabilitation services, based on recommended international standards, to victims of torture, including their family members, specifically in the field of mental health.

CESCR (2009) E/C.12/KHM/CO/1

19. The Committee recommends that the State party address the negative stereotypes that increase the vulnerability of women to HIV/AIDS and promote the engagement of men in programmes that provide information about sexual and reproductive rights. The Committee emphasizes the importance of sensitizing law enforcement officers and others in positions of authority by offering more effective information programmes for them.

32. The Committee recommends that the State party enforce and monitor the implementation of the Ministry of Health's re-deployment and rotation policy to ensure midwives in all health centres country-wide and to provide accommodation and living allowance for midwives. The Committee also recommends that the State party develop maternal "waiting homes" in remote areas, community care for mothers and newborns and establish in-service training for midwives. The Committee strongly recommends that the State party upgrade training and service delivery for the full implementation of the Law on Abortions.

33. The Committee strongly recommends that the State party consider enacting a mental health law and adopting a comprehensive mental health strategic plan that includes partnership with NGOs and private sector stakeholders. The Committee also recommends that the State party ensure that individuals with mental health problems are not sent to prison.

XI-B. Education

2014 UPR Recommendations

- 118.140** Continue to take measures ensuring poverty eradication and access to health and education services. (Cuba)
- 118.159** Further increase its national spending on health and education sector to meet the targets of MDGs. (Azerbaijan)
- 118.162** Continue efforts to achieve universal primary education in line with the vision of the National Plan of “Education for All”. (Sri Lanka)
- 118.163** Continue implementing measures aimed at improving the coverage and quality of education services, particularly in remote areas. (State of Palestine)
- 118.164** In cooperation with UNDP and UNESCO, continue to improve its education system and vocational training for its people. (Singapore)
- 118.165** Continue to promote free of charge school enrolment. (Democratic People’s Republic of Korea)
- 118.166** Continue its efforts to transform its progress on the level of macroeconomic indicators into enhanced measures of social justice, and elevated degrees of human developments, particularly by ensuring universal, compulsory and free basic education. (Egypt)
- 118.167** Continue working on its National Plan “Education for all” so that all Cambodian children and youth further enjoy the equitable education service. (Myanmar)
- 118.168** Continue to promote programmes for access to education for all in particular in primary education. (Nicaragua)

2009 UPR Recommendations

- 71.** Continue to implement strategies to reduce poverty and to improve and promote education. (Angola)
- 85.** Make primary education compulsory, and integrate the fight against illiteracy into the “Educational Strategic Plan” of the Government. (Turkey)
- 86.** Give more emphasis to the education sector to gradually transform to a quality and advanced education system since education is a vital tool for national development. (Myanmar)
- 87.** Through appropriate international assistance, seek to strengthen its educational system and education for all programmes, including for women and persons with disabilities. (Philippines)

CEDAW (2013) CEDAW/C/KHM/CO/4-5

33. The Committee recommends that the State party:

- (a)** Take effective measure to increase access to education for girls, including by strengthening the school infrastructure and increasing the availability of spaces in secondary level schools, particularly in Communes;
- (b)** Develop measures aimed at ensuring the effective retention of women and girls in schools, particularly when transitioning from primary to secondary school and at higher levels of education;
- (c)** Intensify age-appropriate education on sexual and reproductive rights in schools on gender relations and responsible sexual behaviour in order to combat teenage pregnancies; and
- (d)** Enhance the quality of education by training teachers and ensuring that they are adequately remunerated.

CRC (2011) CRC/C/KHM/CO/2-3

66. The Committee recommends that the State party:

- (a)** Make basic education compulsory ;
- (b)** Allocate increased resources to the education sector in order to expand, build and reconstruct adequate school facilities throughout the State party, and create a truly inclusive educational system welcoming children with disabilities as well as children from all minorities;
- (c)** Take the necessary measures to stop all forms of corruption in the educational system;
- (d)** Make greater efforts to address drop-out and repetition rates, paying special attention to regions with high minority population such as in the provinces of Ratanakiri and Monduliri;
- (e)** Take active measures to promote the right of girls to education through social mobilization campaigns, and increase the number of adequately trained female teachers, and ensure their security;
- (f)** Further expand bilingual education for non-Khmer speakers;
- (g)** Promote the quality of education by revising the curricula, using interactive learning methods, and employing trained teachers;
- (h)** Further develop holistic early childhood development and education programmes, including community-based programmes and ensure that children living in low-income families and families living in rural areas can also have access to them;
- (i)** Provide vocational education for adolescents and early school leavers; and
- (j)** Take into account General Comment No.1 on the aims of education (CRC/GC/2001/1).

CERD (2010) CERD/C/KHM/CO/8-13

20. The Committee recommends the State party to continue its efforts to achieve its goal of “Education for All”, and consider bilingual education programmes, as appropriate, in remote areas as a means of improving the learning environment for ethnic minorities and indigenous peoples.

CESCR (2009) E/C.12/KHM/CO/1

35. The Committee recommends to the State party that the civil service reform should put a special emphasis on increasing teacher salaries and incentives, linked to a clarification of teachers’ roles, rights and responsibilities.

43. The Committee recommends that the State party ensure adequate budget allocation for all levels of education especially basic education, and the transparency of the allocation and disbursement system for the implementation of the right to education. The Committee also recommends that the State party expand non- formal education programmes, particularly for out-of-school girls. (art. 13).

Special Rapporteur

A/HRC/33/62 Para 61 (e). Continue the bilingual education programme for indigenous children, and ensure that the culture and beliefs of indigenous peoples are included in the national curriculum and actively protected in law and in practice.

XI-C. Safety nets, vulnerable groups

2014 UPR Recommendations

118.73 Design an adequate mechanism for assisting street children so that they can benefit from aid and reintegration services. (Djibouti)

118.74 Improve its efforts on child protection system, particularly children belonging to marginalized and disadvantaged groups. (Iran (Islamic Republic of))

118.146 Strengthen and improve social safety networks. (Iraq)

118.149 Further develop national programmes with a focus on providing access to health services to people living under the poverty line. (Timor-Leste)

118.171 Continue its efforts on health, social service system and education in order to help the vulnerable and disabled people, particularly those of women and children. (Iran (Islamic Republic of))

2009 UPR Recommendations

72. Make it a priority in its future plans to improve the situation of certain vulnerable groups, such as women, particularly those in rural areas, children, and persons with disabilities. (Algeria)
Take further measures to provide protection and assistance to vulnerable social groups, including the elderly, persons with disabilities, poor families, orphans and others. (Belarus)
74. Close the so-called rehabilitation centres, where poor people living on the streets arrested in police operations are held, and pursue adequate social policies that address the problems of the concerned socially disadvantaged groups. (Austria)

CEDAW (2013) CEDAW/C/KHM/CO/4-5

45. The Committee recommends that the State party collect and analyze data disaggregated by age and sex to inform policy making, and adopt a life cycle approach towards addressing discrimination against older women.

CRC (2011) CRC/C/KHM/CO/2-3

29. The Committee urges the State party to carefully and regularly evaluate existing disparities in enjoyment by children of their rights and on the basis of that evaluation, undertake the necessary steps to combat discrimination against children belonging to marginalized and disadvantaged groups.
70. The Committee urges the State party to:
- (a) Take all necessary measures to protect children in street situations, ensure that they are provided with recovery and reintegration services and prioritize family and community-based interventions aimed at reuniting these children into their families;
 - (b) Stop conducting “cleaning up the streets” operations and treating children in street situations as offenders, but rather address their situation in a manner that respects their rights and dignity; and
 - (c) Launch independent investigations into the detention and abuse of children in Koh Romduol and Prey Speu centres and provide in its next periodic report comprehensive information about the outcome of those investigations.

CAT (2010) CAT/C/KHM/CO/2

20. [...] The State party should ensure that all relevant governmental departments respect the right not to be arbitrarily detained on the basis of social status in the view of the Government and without any legal basis and judicial warrant. [...] Furthermore, the Committee encourages the State party, in cooperation with relevant partners, to find sustainable and humane alternatives for disadvantaged and vulnerable groups, including persons living and working in the streets, and to provide such groups with the type of assistance they require.

CESCR (2009) E/C.12/KHM/CO/1

17. The Committee recommends that the State party adopt the draft national law on the rights of persons with disabilities. The Committee requests the State party in its next periodic report to provide detailed information on persons with disabilities, including children and women, with regard to their enjoyment of economic, social and cultural rights.
28. The Committee recommends to the State party to strengthen its strategic interventions in response to the alarming situation of increasing food insecurity. The Committee requests the State party in its next periodic report to provide detailed information on the results of these strategic interventions.
40. The committee urges the State party to extend the coverage of the social safety nets by developing targeted measures to address the situation of disadvantaged and marginalized individuals and groups, in particular the homeless in urban centres, victims of trafficking, children living on the streets or in conflict with the law, and poor people and households. The Committee further urges the State party to consider establishing a universal social assistance programme to guarantee the enjoyment of the right to social security for everyone in the State.

XI-D. Minorities

2014 UPR Recommendations

- 118.58 Create conditions favorable to inter-ethnic tolerance in Cambodia for the democratic future of the country. (Switzerland)
- 118.59 Continue with measures to guarantee birth registration of children with no discrimination in particular of migrant children, and continue strengthening the legal framework for the procedures of acquisition of nationality. (Argentina)

2009 UPR Recommendations

84. Ensure registration at birth of all children, including non-Khmer citizens born in Cambodia. (Czech Republic)
88. Take additional measures to support access to education of minority children to help them to maintain and develop their own traditions and languages. (Morocco)

CCPR (2015) CCPR/C/KHM/CO/2

8. The State party should strengthen its efforts to combat racist attacks against ethnic Vietnamese. The State party should also consider developing a national action plan against racial discrimination.
27. The State party should take all necessary measures to ensure the full enjoyment of the Covenant rights by all residents including stateless persons. It should also facilitate access to identification documentation. In addition, the State party should guarantee the right of stateless children who were born on the territory of Cambodia to stateless parents to acquire a nationality.

28. The State party should establish an effective consultation mechanism and ensure meaningful consultation with indigenous peoples in decision-making in all areas having an impact on their rights.

CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1

15. The Committee calls on the State party to:

(a) Continue and strengthen its efforts to ensure the birth registration of all children, including through mobile units, as a measure to prevent the recruitment of children, including children living in remote areas and villages and children in street situations, as recommended by the Committee in its previous concluding observations (CRC/C/KHM/CO/2-3, para. 37);

(b) Remove all impediments with a view to facilitating universal access to birth registration procedures;

(c) Ensure that existing recruitment procedures are strictly adhered to by all military and police institutions that recruit professional or contracted personnel and by all military schools, and establish measures to detect the use of forged documents by persons under the age of 18.

23. The Committee recommends that the State party put in place mechanisms and procedures to ensure the full protection of asylum seeking, refugee, migrant and unaccompanied children under the State party's jurisdiction, by identifying at an early stage children who may have been involved in armed conflict and ensuring that personnel responsible for such identification are trained on children's rights, child protection and child-friendly interviewing skills. The Committee further recommends that the State party ensure that such children are provided with adequate assistance for their physical and psychological recovery and their social reintegration.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

31. The Committee calls upon the State party to:

(a) Intensify efforts to facilitate the birth registration of children born to Vietnamese mothers and their acquisition of citizenship; and

(b) Consider acceding to the 1951 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

CRC (2011) CRC/C/KHM/CO/2-3

37. In the light of article 7 of the Convention, the Committee urges the State party to guarantee free birth registration for all, regardless of their parent's legal status and origins.

80. The Committee urges the State party to acknowledge that children of Vietnamese origin are subject to discrimination and to take all the necessary measures to address their situation and ensure that they have effective access to birth registration, identity documents, public education and health care services. The Committee also urges the State party to provide information in its next periodic report on the measures taken to end discrimination against children of Vietnamese origin and to prevent sexual exploitation and abuse of women and girls belonging to this community.

CERD (2010) CERD/C/KHM/CO/8-13

11. The Committee recommends that legislation be completed to ensure a clear definition of racial discrimination in conformity with article 1 of the Convention and the right of everyone not to be discriminated against in the enjoyment of all rights set forth in article 5 of the Convention. The Committee further recommends the State party to ensure that all these provisions are fully understood and disseminated to the public and implemented.

12. In line with its general recommendation No. 8 (1990) and with paragraphs 10 to 12 of the reporting guidelines for the CERD-specific document adopted at its seventy-first session, CERD/ C/2007/1, the Committee requests the State party to include in its next periodic report disaggregated data on the State Party's ethnic minorities, including indigenous minorities, and data on their socio-economic status.

18. The Committee recommends the State party to ensure that each individual Khmer Krom who seeks to affirm and document his/her citizenship is able to obtain citizenship documents in a timely manner and under identical and equal procedures that exist for all persons deemed to be Cambodian citizens.

19. Considering that the name of an individual is a fundamental aspect of the cultural and ethnic identity and that personal histories, including date and place of birth, are also part of this identity, the Committee strongly recommends that the State party take the necessary measures to ensure that Khmer Krom who seek to confirm their citizenship fully enjoy their rights to record their true name and place of birth if they so choose.

20. The Committee recommends the State party to continue its efforts to achieve its goal of "Education for All", and consider bilingual education programmes, as appropriate, in remote areas as a means of improving the learning environment for ethnic minorities and indigenous peoples.

CESCR (2009) E/C.12/KHM/CO/1

16. The Committee urges the State party to implement the 2001 Land Law without further delay and to ensure that its policies on registration of communal lands do not contravene the spirit of this law. The Committee emphasizes the need for carrying out environmental and social impact assessments and consultations with affected communities with regard to economic activities including mining and oil explorations, with a view to ensuring that these activities do not deprive the indigenous peoples of the full enjoyment of their rights to their ancestral lands and natural resources. The Committee encourages the State party to consider ratifying ILO Convention No. 169 on Indigenous and Tribal Peoples.

34. The Committee recommends that the State party extend the coverage of the Education Law to ensure the right to education to all Cambodian children whose first language is not Khmer.

Special Rapporteur

A/HRC/7/42 Para 101. The Government must protect the rights of indigenous persons and others who, due to illiteracy, customary practices and expectations, communal forms of organization, etc., are not familiar with the law or its procedures, the rules for making of economic transactions or with the market economy. Steps must be taken to ensure that State authorities, including communes, are no longer involved in transactions of dubious morality or law that undermine the rights of these communities and individuals.

See recommendations regarding indigenous communities' land rights under Section IX on land.

A/HRC/27/70 Para 82. The Special Rapporteur appeals to all political actors in Cambodia to respect diversity and promote racial harmony and tolerance.

XII. Rights of Women, Children, and Persons with Disabilities

XII-A. General protection of women and children

2014 UPR Recommendations
<p>118.51 Continue its progress in promoting and protecting women’s rights with the consolidation of the institutional mechanisms and the implementation of laws which are being positively promoted. (Venezuela (Bolivarian Republic))</p> <p>118.55 Continue empowering women, children and underprivileged sections of the society. (Nepal)</p> <p>118.65 Reform national legislation with the aim to improve protection of children and women from violence and first of all domestic violence. (Russian Federation)</p>
2009 UPR Recommendations
<p>79. As recommended by the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights, intensify efforts to achieve better promotion and protection of the rights of the child. (Algeria)</p> <p>80. Continue the development of specific legislation to promote and protect the rights of the child, including civil society participation, preventive measures in education and reinsertion into society of minors in difficult situations. (Spain)</p>
CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1
<p>17. With reference to its previous concluding observations on child labour (CRC/C/KHM/ CO/2-3, para. 68) and sexual exploitation and abuse (para. 72), the Committee recommends that the State party:</p> <ul style="list-style-type: none">(a) Adopt a comprehensive and targeted approach that addresses the relevant root causes and risk factors of offences under the Optional Protocol, including poverty, unemployment and seasonal employment, and that targets children in the most vulnerable situations who are at risk of becoming victims of the offences under the Optional Protocol;(b) Pursue its efforts to ensure birth registration of all children, as recommended in other concluding observations of the Committee (CRC/C/KHM/CO/2-3, para. 37 and CRC/C/OPAC/KHM/CO/1, para. 14);(c) Strengthen the enforcement of existing laws as well as administrative measures, social policies and programmes aimed at prevention and increase the number of labour inspections, including with a view to protecting children working in the informal sector, in hazardous work places and in entertainment venues;

(d) Ensure that all cases of adoption are in full conformity with the Optional Protocol and with the principles and provisions of the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption, by adopting pending implementing decrees to the Law on Inter-country Adoption, by developing and implementing a programme to prevent illegal adoptions and by regulating the licensing and monitoring of agencies, as well as the fees they charge for their various services;

Implement targeted campaigns and specialized educational programmes to combat child pornography and child prostitution, to address the risks associated with the Internet by providing education on Internet safety to children, and to tackle the issue of demand for children for purposes of sexual exploitation.

CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1

21. The Committee urges the State party to ensure that no children wearing uniforms are present along the Cambodian-Thai border and to provide those who may have been involved in armed conflict with appropriate assistance for their physical and psychological recovery and their social reintegration.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

17. The Committee calls on the State party to continue harmonizing and strengthening the national machinery for the advancement of women. The Committee also recommends that the State party increase the budgetary allocation to the machinery and such a mechanism, and ensure that the resources correspond to its mandate and activities. The State party should also ensure that the budgetary allocation is reviewed annually and adjusted as needed.

CRC (2011) CRC/C/KHM/CO/2-3

13. The Committee recommends that the State party develop and implement a comprehensive policy and strategy on children and adopt a National Plan of Action for children or other such framework for their implementation which encompasses the various sectoral action plans and covers all areas of the Convention. The Committee also recommends that this strategy be closely linked to the National Strategic Development Plan (2009-2013) and the Social Protection Strategy and be adequately resourced. The Committee recommends that in formulating such a policy and plans, appropriate attention be paid to the outcome document of the 2002 Special Session of the General Assembly of the United Nations “A world fit for children” and its mid-term review in 2007, and to its General Comment No. 5 of 2003 on the general measures of implementation of the Convention on the Rights of the Child.

XII-B. Gender equality and discrimination against women

2014 UPR Recommendations

- 118.49** Make further efforts to raise awareness on gender equality and to combat discrimination of women. (Slovenia)
- 118.50** Implement all measures, including national awareness-raising campaigns, and efforts aimed at amending or eliminating patriarchal attitudes and stereo-types discriminating against women, including those based on the Chbab Srey. (Uruguay)
- 118.52** Continue efforts on the elimination of all forms of discrimination against women. (Algeria)
- 118.53** Promote a gender equality law regarding the rights to property, inheritance and marriage. (Mexico)
- 118.54** Continue its measures on awareness raising campaign and other necessary measures with regard to the promotion of equity in the society and elimination of discrimination against women. (Azerbaijan)
- 118.56** Continue its efforts for the elimination of discrimination against women. (Pakistan)
- 118.64** Increase the awareness-raising campaign on the rights of women and children, involving journalists and media professionals as one of its focus groups. (Italy)

2009 UPR Recommendations

- 22.** Enact legislation that clearly defines discrimination against women and provides for effective remedies. (Austria)
- 23.** Continue the implementation of the necessary affirmative measures to achieve gender parity. (Cuba)
- 24.** Tackle the roots of gender inequality through concrete actions aimed at safeguarding women's rights within the family as well as appropriate measures of awareness-raising and human rights education. (Italy)
- 25.** Increase its effort in promoting women's empowerment and capacity-building through public awareness, education and skill training. (Malaysia)
- 26.** Conduct a wide awareness-raising campaign to sensitize society to issues of gender equality. (Azerbaijan)

CCPR (2015) CCPR/C/KHM/CO/2

- 7.** The State party should reinforce its measures to ensure equality between women and men in all spheres, including by more effective implementation of the relevant legislation and policies. In this regard, it should continue to implement special interim measures to increase women's participation in political and public life. The State party should also intensify its efforts to eliminate gender stereotyping with a view to changing the perception of women's

roles in society. In addition, it should take concrete measures to reduce the gender wage gap and address all causes for that gap.

9. The State party should review its legislation to ensure that discrimination on grounds of sexual orientation and gender identity are prohibited. It should also conduct public awareness-raising activities to combat the social stigmatization against LGBT persons.
23. The State party should repeal provisions that discriminate on the basis of sex, age and income with regard to marriage.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

19. The Committee reiterates its previous recommendation (CEDAW/ C/KHM/CO/3 Para. 18) and recommends that the State party:
 - (a) Include in *Neary Rattanak IV* an effective and comprehensive strategy aimed at modifying or eliminating patriarchal attitudes and stereotypes that discriminate against women, including those based on the *Chbab Srey*;
 - (b) Conduct national public information and awareness-raising campaigns and stimulate broader public debate in order to address attitudes and stereotypes that discriminate against women, in collaboration with civil society, community leaders and the media;
 - (c) Explore the use of information communication technologies, including social media, in the dissemination of information on women's rights and gender equality; and
 - (d) Establish an effective monitoring and evaluation mechanism aimed at evaluating progress made in eliminating existing gender stereotypes.
27. The Committee recommends that the State party take effective measures to address the root causes of prostitution, including through the provision of exit programmes for women who wish to leave prostitution.
29. The Committee reiterates its previous concluding observations (CEDAW/C/KHM/CO/3 Para.14), and urges the State party to ensure that the *Neary Rattanak IV* provides for effective strategies, including temporary special measures, aimed at increasing the representation of women in decision-making positions, particularly in politics, the judiciary, and the foreign and diplomatic service.
48. The Committee calls upon the State party to utilize the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.

CRC (2011) CRC/C/KHM/CO/2-3

29. The Committee also urges the State party to strengthen its efforts to specifically end discrimination against girls and to eliminate the prevailing gender-based attitudes, practices and codes that perpetuate an inferior role for women and girls in society.

CESCR (2009) E/C.12/KHM/CO/1

18. The Committee strongly recommends that the State party remove the *Chbap Srey* from the primary school curriculum and to replace it with an educational tool that promotes the value of women both in the home and in society. The Committee also recommends that the State party undertake effective measures to implement its legislation on discrimination against women, and information campaigns and awareness-raising programmes to eliminate the prevailing attitudes and practices that perpetuate the inferior role of women.
20. The Committee draws the attention of the State party to its general comment No. 16 on the equal rights of men and women in the enjoyment of all economic, social and cultural rights, and requests the State party in its next periodic report, detailed information on the progress made in this regard.

Special Rapporteur

A/HRC/15/46 Para 74. A number of positions on the Council should be reserved for women. This proposal is in line with Cambodia's responsibilities under the CEDAW. In addition, the Law on the SCM should contain an explicit duty for the Council to promote the appointment and promotion of competent and qualified women judges and prosecutors.

A/HRC/33/62 Para 61 (f). Review laws, policies and strategies, as necessary, to ensure that equality of men and women becomes a reality, undertaking public education to reinforce positive messages of equality, and consider taking measures to eliminate barriers to women standing for election, reflecting on the possibility of temporary special measures, including women-only shortlists or lists alternating men and women.

A/HRC/33/62 Para 61 (j). Continue to develop strategies in formal and informal education to raise awareness of women's rights and to combat traditional gender stereotyping.

XII-C. Violence against women and children

2014 UPR Recommendations

- 118.26** Adopt and implement laws that prohibit all forms of ill-treatment against children and that protect them from forced labour, sexual exploitation and abuse. (Portugal)
- 118.62** Take all the measures to prevent and combat violence and sexual abuse against women and children, including rape, by promoting an effective mechanism to receive and investigate complaints of sexual violence as well as by offering to the victims a psycho-logical and medical assistance. (Uruguay)
- 118.63** Deploy further efforts in order to prevent and punish violence, including rapes, against women and children, and pay special attention to the most vulnerable families living in poor environment. (Italy)
- 118.72** Combat the issues of rape and prostitution of minors by ensuring a full implementation of laws criminalizing sexual abuse and exploitation. (Belgium)

118.124 Step up the fight against false job offers and sign agreements with countries where Cambodian women are hired. (Spain)

2009 UPR Recommendations

30. On sexual violence against women, undertake due and timely investigations of all reported cases, punish the perpetrators and implement necessary rehabilitation programmes for the victims; intensify Government efforts to raise public awareness against this negative phenomenon and to fight persistent traditional stereotypes. (Slovakia)

31. Sensitize police officers and law enforcement officials and take measures to effectively prosecute sexual and domestic violence. (Austria)

CCPR (2015) CCPR/C/KHM/CO/2

10. The State party should ensure that cases of domestic and sexual violence are thoroughly investigated, the perpetrators are prosecuted and the victims adequately compensated. It should also provide mandatory trainings on the prosecution of gender-based violence for law enforcement and judicial officers, and facilitate victims' access to justice.

24. The State party should take practical steps, including through legislative measures, where appropriate, to put an end to corporal punishment in all settings. It should encourage non-violent forms of discipline as alternatives to corporal punishment, and should conduct public information campaigns to raise awareness about its harmful effects.

CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1

19. The Committee urges the State party to pursue its efforts to prevent child sex tourism and orphanage tourism and to protect children from becoming victims by strengthening its regulatory framework and awareness-raising measures, including in rural areas, and to take all necessary measures to ensure that all cases of child sex tourism and orphanage tourism are investigated and that alleged perpetrators are prosecuted and duly sanctioned. The Committee also recommends that the State party:

- (a) Conduct advocacy with the tourism industry and the media on the harmful effects of child sex tourism, widely disseminate the World Tourism Organization Global Code of Ethics for Tourism among travel agents and tourism agencies, and encourage these enterprises to become signatories to the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism;
- (b) Intensify the conduct of monitoring visits and inspections in all alternative care institutions to uphold the minimum standards for alternative care, as well as in entertainment venues;
- (c) Strengthen its legislative and regulatory framework by swiftly adopting pending sub-decrees on the management of alternative care institutions and ensure the continued enforcement of the compulsory registration of all alternative care institutions;
- (d) Ensure systematic background checks of all staff and/or volunteers who will be working directly with children;

Establish confidential and safe reporting procedures for children in residential care.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

15. The Committee urges the State party to:

(b) Take advantage of the drafting process of the second National Action Plan to End Violence against Women (NAPVAW) to fully incorporate the provisions of the Convention and of the United Nations' Security Council Resolution 1325.

21. Recalling its General Recommendation No. 19 (1992) on violence against women, and its previous recommendation (CEDAW/C/KHM/CO/3 Para.16), the Committee urges the State party to:

(a) Intensify efforts to train judicial officers and law enforcement on the strict application of the Law on the Prevention of Domestic Violence and Protection of Victims to ensure that cases of violence against women, including domestic and sexual violence, are effectively prosecuted and not systematically diverted to mediation;

(b) Encourage women to lodge formal complaints about domestic and sexual violence, by destigmatising victims and raising awareness about the criminal nature of such acts;

(c) Continue public awareness-raising campaigns on all forms of violence against women, particularly in rural areas; and

(d) Provide information in the next periodic report on the number of protection orders issued during the reporting period, and the number of shelters available for women victims of violence.

23. The Committee recommends that the State party intensify efforts aimed at raising awareness among medical practitioners on how to handle cases of violence against women. It should also raise awareness on government's policy on exemptions of charges for all forensic examination of victims of rape and sexual assault.

27. [...] Furthermore, the State party should investigate and prosecute cases of sexual assault by law enforcement personnel committed against women engaged in prostitution, and ensure that the perpetrators are punished with appropriate sanctions. The Committee also recommends that it adopts a comprehensive policy to address the demand side of prostitution and consider adopting the use of sanctions against purchasers of sexual services.

CRC (2011) CRC/C/KHM/CO/2-3

41. The Committee urges the State party to:

(a) Repeal article 1045 of the Civil Code and provisions of the Law on the Prevention of Domestic Violence and Protection of the Victims authorizing corporal punishment of children;

(b) Enact legislation to explicitly prohibit corporal punishment of children in all settings, including within the family;

(c) Ensure that laws prohibiting corporal punishment are effectively implemented and that legal proceedings are systematically initiated against those responsible for violence against children;

(d) Introduce public education, awareness-raising and social mobilization campaigns on the harmful effects of corporal punishment with a view to changing the general attitude towards this practice and promote positive, non-violent, participatory forms of child-rearing and education as an alternative to corporal punishment;

(e) Refer to the Committee's general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment.

42. The Committee encourages the State party to:

(a) Prioritize elimination of all forms of violence against children, including by ensuring implementation of the recommendations of the United Nations Study on violence against children, paying particular attention to gender;

(b) Provide information concerning the implementation by the State party of the recommendations of the study in the next periodic report, particularly those highlighted by the Special Representative of the Secretary General on violence against children, namely:

1. The development of a national comprehensive strategy to prevent and address all forms of violence against children;

2. The introduction of an explicit national legal ban on all forms of violence against children in all settings; and

3. The consolidation of a national system of data collection, analysis and dissemination, and a research agenda on violence against children.

(c) Cooperate with and seek technical assistance from the Special Representative of the Secretary General on violence against children, UNICEF, OHCHR, World Health Organization (WHO), and other relevant agencies, inter alia, ILO, UNESCO, UNHCR, United Nations Office on Drugs and Crime (UNODC), as well as NGO partners.

50. The Committee urges the State party to take immediate and effective measures to combat domestic violence and in particular to:

a) Take all the necessary measures for the full implementation of the Law on the Prevention of Domestic Violence and Protection of the Victims, including the prompt adoption of the *Prakas* enabling commune and village officials to act to protect victims of domestic violence;

b) Set up a child protection system with clear responsibilities placed on specific local authorities, including a system for reporting child abuse, dealing with such reports and the development of supportive and other measures to prevent further violence;

c) Collect reliable data on domestic violence, including sexual abuse of children and undertake studies on root causes and scope of the problem of violence against children;

d) Coordinate a nationwide awareness raising programmes, including campaigns about the problem of domestic violence, with the view to changing public attitudes and traditions that inhibit victims, particularly women and girls, from reporting; and

e) Investigate cases of domestic violence through child-sensitive judicial procedures, and ensure that sanctions be applied to perpetrators with due regard given to guaranteeing the rights of the child, including the right to privacy.

72. The Committee urges the State party to:

- a) Strengthen its efforts to implement its legislation, criminalizing sexual exploitation and abuse with a view to ensuring that those who perpetrate sexual offences against children are duly brought to justice and sanctioned with appropriate penalties;
- b) Condemn and take active measures against individuals and enterprises that enable, facilitate or exacerbate sex tourism; and

Establish shelters for child victims of sexual abuse and exploitation and provide them with rehabilitation, recovery and social reintegration services.

CAT (2010) CAT/C/KHM/CO/2

21. The State party should take effective measures to prevent and combat sexual violence and abuse against women and children, including rape. To this end, the State party should establish and promote an effective mechanism for receiving complaints of sexual violence and investigate such complaints, providing victims with psycho logical and medical protection as well as access to redress, including compensation and rehabilitation, as appropriate. The Committee requests the State party to provide statistics on the number of complaints of rape as well as information on investigations, prosecutions and convictions in such cases.

CESCR (2009) E/C.12/KHM/CO/1

20. The Committee urges the State party to strictly enforce and penalize offenders of the Domestic Violence Law and the penal code, and to fully implement the National Action Plan to prevent violence against women.

Special Rapporteur

A/HRC/33/62 Para 61 (g). Strengthen judicial mechanisms protecting victims of domestic violence and trafficking, intensifying efforts to train judicial officers and law enforcement officials on the law on the prevention of domestic violence to ensure effective prosecutions rather than recourse to mediation; and ensure that mediation and informal mechanisms are used only for non-criminal cases.

A/HRC/33/62 Para 61 (h). Train more women to work with victims of violence and trafficking, and develop safe locations for women who are victims of violence and trafficking and programmes to ensure recovery and reintegration into society.

A/HRC/33/62 Para 61 (i). Apply the relevant provisions of the Criminal Code when women are depicted in a graphic manner, in particular victims of sexual assault and violence.

XII-D. Child labour

2014 UPR Recommendations

- 118.26** Adopt and implement laws that prohibit all forms of ill-treatment against children and that protect them from forced labour, sexual exploitation and abuse. (Portugal)
- 118.67** Continue its efforts in promoting and protecting rights of the child, including finalizing and implementing the new draft of a national plan to eliminate the worst forms of child labour for the period of 2013-2018. (Indonesia)
- 118.68** Ensure full compliance of laws on child labour and implement its National Plan of Action on the Elimination of the worst forms of child labour, strengthen the legislation prohibiting child labour with priority to the situation of children in domestic work, increase the number of labour inspections and ensure that fines and criminal sanctions against persons who use illegal child labour are imposed. (Uruguay)
- 118.69** Strengthen the measures to combat child labour and exploitation of children. (Algeria)
- 118.70** Continue Government efforts to eradicate the worst forms of child labour and to improve the safety standards at work. (Cuba)
- 118.71** Implement the plan of action to eliminate the worst forms of child labour. (Iraq)
- 118.125** Strengthen its policies to improve labour standards for all workers and continue its efforts in reducing child labour. (Spain)

2009 UPR Recommendations

- 9.** Reinforce relevant institutional capacity to maximize the implementation of its five-year plan (2006-2012 for the elimination of the worst forms of child labour). (USA)
- 33.** Intensify its fight to eliminate forced labour and the severest forms of child labour. (Congo)

CRC (2011) CRC/C/KHM/CO/2-3

- 68.** The Committee urges the State party to fully enforce child labour laws and to implement its National Plan of Action on the Elimination of the Worst Forms of Child Labour, through, inter alia:
- (a) Strengthening its national legislation prohibiting child labour;
 - (b) Giving priority in this regard to addressing the vulnerable situation of child domestic workers in accordance with international standards;
 - (c) Increasing the number of labour inspectorates; ensuring the imposition of fines and criminal sanctions to persons making use of illegal child labour;
 - (d) Organizing mandatory training for law enforcement officials, prosecutors and judges; and
 - (e) Adopting appropriate measures to facilitate recovery and access to educational opportunities for former child workers, in a gender-sensitive manner.

CESCR (2009) E/C.12/KHM/CO/1

25. The Committee urges the State party to intensify its efforts to combat child labour and protect children from all forms of sexual and economic exploitation, including the worst forms of child labour, inter alia through strengthening its national legislation prohibiting child labour in accordance with international standards; increasing the number of labour inspections in order to ensure the respect of its national legislation prohibiting child labour; ensuring the imposition of fines and criminal sanctions to persons making use of illegal child labour; organizing mandatory training for law enforcement officials, prosecutors and judges; and adopting appropriate measures to facilitate recovery and access to educational opportunities for former child workers.

XII-E. Family

2014 UPR Recommendations

- 118.43** Support the family oriented approaches for the protection of rights of child and implement already existing national policy in this regard. (Serbia)
- 118.100** Provide in accordance with its obligations under international human rights law, effective protection for the family as the fundamental and natural unit of society. (Egypt)

2009 UPR Recommendations

- 83.** Strengthen its policy for the full guarantee of the rights of the child with attention to the implementation of the Guidelines for the Alternative Care of Children, in accordance with Council Resolution 11/7 and General Assembly Draft Resolution A/C.3/64/L.50. (Brazil)

CRC-OPSC (2015) CRC/C/OPSC/KHM/CO/1

- 9.** With reference to its concluding observations under the Convention (CRC/C/KHM/CO/2-3, para. 13), the Committee recommends that the State party:
- (a) Expedite the adoption of the new action plan against trafficking and sexual exploitation of children, which should include all issues covered under the Optional Protocol, with measures aimed at prevention, protection and the physical and psychological recovery and social reintegration of child victims, as well as the investigation and prosecution of the offences covered by the Optional Protocol;
 - (b) Consider incorporating the new action plan into a comprehensive policy and strategy with clear indicators and timetables in order to assess the implementation of the plan, as well as adequate human, technical and financial resources;
 - (c) Conduct periodic monitoring and evaluation of all measures taken in order to inform further strategy and policy development.

21. The Committee urges the State party to revise the Law on the Suppression of Human Trafficking and Sexual Exploitation, and to bring it into full compliance with articles 2 and 3 of the Optional Protocol, by properly defining and criminalizing all forms of sale of children and child pornography. In particular, the State party should:

(a) Amend the Law by incorporating a comprehensive definition of sale of children, which includes the acts of offering, delivering or accepting a child for the purpose of sexual exploitation or illegal adoption, for the engagement of a child in forced labour and for the transfer of organs of the child for profit, in accordance with article 3 (a) of the Optional Protocol, and repeal, in article 12 of the Law, the requirement of an element of force or other forms of coercion in all forms of sale of children;

(b) Expand the definition of child pornography contained in articles 2 (c) and 3 (c) of the Optional Protocol to explicitly include suggestive representations of children that do not depict children engaged in explicit sexual activity and to encompass acts of producing, distributing, disseminating, importing, exporting, offering, selling, as well as possessing or knowingly accessing or viewing child pornography.

27. In the light of article 9, paragraph 3, of the Optional Protocol, the Committee recommends that the State party place high priority in the public agenda on combating all forms of sexual exploitation of children with a view to strengthening the deterrent effect of its existing framework. In so doing, the State party should:

(a) Ensure that complaints mechanisms at the community level are easily accessible and available to children whose rights under the Optional Protocol may have been violated;

(b) Strengthen the capacity of all law enforcement authorities, including local authorities and the judiciary, through specialized training;

(c) Establish mechanisms and procedures for the early detection and identification of child victims of the offences under the Optional Protocol, including through increased information-sharing and cooperation mechanisms between law enforcement agencies, relevant ministries and social services;

(d) Take measures to guarantee that all child victims have access to adequate procedures to seek, without discrimination, compensation for damages from those legally responsible, in accordance with article 9, paragraph 4, of the Optional Protocol, and establish a fund for compensation for child victims, for those cases where they cannot obtain compensation from the perpetrator.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

47. The Committee urges the State party to repeal article 9 of the Law on Marriage and Family which is discriminatory and unduly restricts the right of women to remarry because paternity can easily be established by other less-restrictive means in the field of medicine. The Committee also recommends that the State party take measures to facilitate the formalization of marriages contracted under customary law by ensuring that registration is affordable and not cumbersome.

CRC (2011) CRC/C/KHM/CO/2-3

44. The Committee recommends that the State party in cooperation with national and international organizations strengthen the existing counseling services for parents, further develop family education and awareness through, for example, training for parents on early childhood care, parental guidance and joint parental responsibilities, in light of article 18 of the Convention. The Committee also recommends that the State party build up a child-protection system to follow up on families that need supportive measures in order to give proper care and attention to their children.
46. The Committee calls on the State party to promptly adopt the *Prakas* related to the Policy on Alternative Care for Children and to allocate the necessary human, technical and financial resources for the full implementation of this policy and the Minimum Standards on Alternative Care for Children. The Committee also urges the State party to:
- (a) Undertake effective measures to promote, through counseling and community-based programmes, the family as the best environment for the child and empower parents to take care of their children in order to avoid placement in child welfare centres;
 - (b) Develop comprehensive admission criteria and strategies to reduce the number of children living in care institutions, including through policies to strengthen and support families, and ensure that placement of children in institutions is only used as a last resort;
 - (c) Implement mechanisms to reintegrate institutionalized children into their families;
 - (d) Recruit additional child-care workers and ensure that they are adequately trained and remunerated to monitor family-type alternative care measures; and
 - (e) Take into account the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex).

XII-F. Trafficking

2014 UPR Recommendations

- 118.75 Continue efforts to combat trafficking in persons. (Uzbekistan)
- 118.76 Redouble efforts to combat trafficking in persons especially women and children. (Ecuador)
- 118.77 Continue to take the necessary measures for effectively fighting human trafficking and child labour. (Germany)
- 118.78 Continue making efforts to combat trafficking in persons in particular children. (Nicaragua)

2009 UPR Recommendations

32. (a) Intensify its effort to improve human rights for women and to combat key problems such as human trafficking, sexual violence, domestic violence and exploitation of women and children. (Norway)

- (b) Continue to fight discrimination and sexual exploitation of women and girls especially through enhancing efforts to combat trafficking in persons. (Philippines)
- (c) Strengthen and amend when necessary its Second National Plan on Human Trafficking and Sex Trafficking, 2006-2010, as well as the law on anti-trafficking passed in 2008, and ensure their due implementation. (Slovakia)
- (d) Fully implement the Second National Plan on Human Trafficking and Sex Trafficking, with particular emphasis on measures to support victims, such as legal medical and psychological support and provisions of shelters. (Italy)
- (e) Intensify its efforts to combat trafficking in persons and eliminate violence against persons. (Belarus)
- (f) Intensify its fight against trafficking, including by addressing the root causes of the problem such as gender-based poverty. (Malaysia)
- (g) Strengthen the role of its police and other enforcement authorities in dealing with trafficking in women and children. (Malaysia)
- (h) Deepen its actions in fighting child prostitution and trafficking of minors. (Spain)
- (i) Continue to take the necessary measures for effectively fighting human trafficking and child labour. (Germany)

CCPR (2015) CCPR/C/KHM/CO/2

18. The State party should intensify and better coordinate its efforts to combat trafficking in persons, and should also consider establishing a central, authoritative agency responsible for combating human trafficking, and by systematically and vigorously investigating and prosecuting perpetrators. In addition, the State party should guarantee adequate protection, reparation and compensation to victims, including rehabilitation.

CEDAW (2013) CEDAW/C/KHM/CO/4-5

25. The Committee urges the State party to:

- (a) Strengthen the implementation of the Law on the Suppression of Human Trafficking and Sexual Exploitation;
- (b) Increase the dissemination of information on labour migration and provide information on deceptive recruitment agencies involved in human trafficking;
- (c) Ensure that traffickers and other persons responsible for sexual exploitation of women and girls are prosecuted and adequately punished; and
- (d) Strengthen bilateral and multilateral cooperation in combating human trafficking for domestic servitude and sexual exploitation;
- (e) Include in the next periodic report data on migrant domestic workers who are victims of trafficking, information on the national referral mechanism, if any, and ensure that victims of trafficking are properly identified and adequately supported and protected from re-trafficking.

CRC (2011) CRC/C/KHM/CO/2-3

48. The Committee also urges the State party to adopt without delay the *Prakas* to implement the Law on Inter-Country Adoption. The Committee also urges the State party to ensure strict transparency and follow-up controls with regard to international adoptions, and to prosecute those involved in illegal adoptions and sale of children for adoption purposes.
74. The Committee recommends that the State party intensify its efforts to combat the sale and trafficking in human beings, especially women and children, for the purpose of sexual exploitation and forced labour, inter alia, by prosecuting and convicting offenders, supporting programmes and information campaigns to prevent trafficking, providing mandatory training for law enforcement officials, prosecutors and judges on the anti-trafficking legislation and increasing the provision of medical, psychological and legal support for victims.

CAT (2010) CAT/C/KHM/CO/2

22. The State party should intensify its efforts to prevent and combat trafficking in human being, especially women and children, including by implementing the anti-trafficking legislation, providing protection for victims and ensuring their access to medical, social, rehabilitative and legal services, including counseling services, as appropriate. The State party should also create adequate conditions for victims to exercise their right to make complaints, conduct prompt, impartial and effective investigations into all allegations of trafficking and ensure that those who are found guilty of such crimes are punished with penalties appropriate to the nature of their crimes.

CESCR (2009) E/C.12/KHM/CO/1

26. The Committee recommends that the State party intensify its efforts to combat trafficking in human beings, especially women and children, for purposes of sexual exploitation and forced labour, inter alia by prosecuting and convicting offenders of the law against trafficking, supporting programmes and information campaigns to prevent trafficking, providing mandatory training for law enforcement officials, prosecutors and judges on the anti-trafficking legislation and increasing the provision of medical, psychological and legal support for victims.

Special Rapporteur

A/HRC/27/70 Para 83. Furthermore, the Special Rapporteur recommends that the Government of Cambodia and the Government of Thailand continue to facilitate through legal channels the return to Thailand of the Cambodian migrant workers who wish to return, in a manner that increases their protection against trafficking and other human rights abuses.

A/HRC/33/62 Para 61 (g). Strengthen judicial mechanisms protecting victims of domestic violence and trafficking, intensifying efforts to train judicial officers and law enforcement officials on the law on the prevention of domestic violence to ensure effective prosecutions rather than recourse to mediation; and ensure that mediation and informal mechanisms are used only for non-criminal cases.

A/HRC/33/62 Para 61 (h). Train more women to work with victims of violence and trafficking, and develop safe locations for women who are victims of violence and trafficking and programmes to ensure recovery and reintegration into society.

XII-G. Disability

2014 UPR Recommendations

- 118.25** Implement and strengthen policies and laws to protect and promote the rights of persons with disabilities, and ensure that these mechanisms enjoy a human rights based approach consistent with the CRPD and in consultation with civil society. (Colombia)
- 118.137** Continue taking measures to protect social rights, including the rights of children, women and persons with disability. (Uzbekistan)
- 118.169** Continue to protect and promote the rights of persons with disabilities. (Djibouti)
- 118.170** Intensify its endeavours to implement effectively the Law on Promotion and Protection of the Rights of Persons with Disabilities. (Iran (Islamic Republic of))

2009 UPR Recommendations

- 16.** Further strengthen its advocacy efforts to enhance public awareness of human rights in general and the human rights of vulnerable groups, including women, children, the disabled, the elderly and indigenous people, in particular. (Republic of Korea)

CRC (2011)CRC/C/KHM/CO/2-3

- 52.** The Committee urges the State party to ensure effective implementation of the Law on Promotion and Protection of the Rights of Persons with Disabilities and the 2008 Policy on Education for Children with Disabilities notably by allocating the necessary human, technical and financial resources. The Committee also recommends that the State party:
- (a)** Collect comprehensive data on children with disabilities disaggregated by age, sex, type of disabilities, geographic location, ethnicity and socio-economic background and use such data in analyzing the causes of disabilities and in developing policies and programmes to prevent disabilities and to assist children with disabilities;
 - (b)** Adopt a policy for early screening, identification, early intervention and prevention of disabilities;
 - (c)** Ensure that basic services for children with disabilities are provided as a State responsibility;
 - (d)** Train more health specialists and conduct mobile clinics offering health services to children with disabilities, especially in rural areas;

- (e) Conduct programmes with the assistance of the media, civil society organizations and community leaders, to raise awareness of the rights of children with disabilities and to combat discrimination against them;
- (f) Improve the quality of mainstream and special education, and further develop non formal education programmes as well as comprehensive and regular teacher trainings adapted to the different types of disabilities;
- (g) Ratify the International Convention on the Rights of Persons with Disabilities; and
- (h) Take into consideration the Committee's General Comment No. 9 of 2006 on the rights of children with disabilities (CRC/C/GC/9).

CESCR (2009) E/C.12/KHM/CO/1

17. The Committee recommends that the State party adopt the draft national law on the rights of persons with disabilities. The Committee requests the State party in its next periodic report to provide detailed information on persons with disabilities, including children and women, with regard to their enjoyment of economic, social and cultural rights.

XIII. Recommendations related to the Sustainable Development Goals

Goal 1: End poverty in all its forms everywhere

See IX-B. Poverty reduction/ wealth gap/ urban-rural

Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture

2014 UPR Recommendations
<p>118.134. Continue the reform of the land tenure system to meet the national objectives of poverty reduction, food security and environmental protection. (Morocco)</p> <p>118.136. Intensify its efforts to achieve the national goals for poverty reduction, food security and socio-economic development, including through land management reforms. (Malaysia)</p>
CRC (2011) CRC/C/KHM/CO/2-3
<p>54. The Committee recommends that the State party: a) Expand access to free primary health-care services across all provinces and allocate sufficient human, technical and financial resources for the delivery of these services in such a manner as to benefit people in both urban and rural areas; b) Strengthen its efforts to reduce the death rates of newborn and young children and pregnant mothers, including better pre-natal and delivery care, c) Take urgent measures to address comprehensively the problem of malnutrition in children under the age of five; d) Take urgent action to address preventable health problems among children, including iodine deficiency, malaria, diarrhea, acute respiratory diseases, measles and meningitis; e) Develop a comprehensive national child mental health policy, together with all obligatory components of core recommendations by WHO, including mental health promotion, counselling, prevention of mental health disorders in primary health care, schools and communities, as well as out-patient and in-patient mental health services for children and adolescents with severe mental health problems; and f) Seek technical assistance from, inter alia, UNICEF and WHO in this regard.</p>

Goal 3: Ensure healthy lives and promote well-being for all at all ages

See XI-A. Health, including HIV

Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

See XI-B. Education

Goal 5: Achieve gender equality and empower all women and girls

See XII. Rights of Women, Children, and Persons with Disabilities

Goal 6: Ensure availability and sustainable management of water and sanitation for all

Special Rapporteur

A/HRC/21/63/Add.1/Rev.1.

- 222.** Concession companies should take all measures to avoid environmental destruction in their operations, including preventing water contamination, soil deterioration, and unnecessary clearing of land or illicit logging. They should ensure that access to infrastructure, such as new roads on their concessions, is accessible to all surrounding communities and should refrain from blocking transportation within the boundaries of the concession
- 238.** In order to enable the further examination of the human rights impact of economic and other land concessions, the Government should extend a standing invitation to the United Nations special procedures mechanisms, or at least invite relevant mandate holders who may be able to provide detailed analysis. Particularly relevant would be the Special Rapporteur on indigenous peoples, the Working Group on business and human rights, and the Special Rapporteurs on the right to food, to adequate housing, to education, on extreme poverty, to safe drinking water and sanitation, and on cultural rights.

Goal 7: Ensure access to affordable, reliable, sustainable and modern energy for all

2009 UPR Recommendations

- 75.** Ensure transparent management of oil, gas and mineral revenues to meet the social and economic rights of people living in Cambodia by adopting international best practice, in particular implementation of the Extractive Industries Transparency Initiative. (Ireland)

CESCR (2009) E/C.12/KHM/CO/1

- 30.** The Committee urges the State party to implement a moratorium on all evictions until the proper legal framework is in place and the process of land titling is completed, in order to ensure the protection of human rights of all Cambodians, including indigenous peoples. The Committee recommends that the State party undertake urgent consultations with all stakeholders in order to reach a definition of "public interest" to complement the 2001 Land Law and develop clear guidelines for possible evictions. The Committee also urges the State party clearly to identify the demarcation of State public land and State private land. The Committee strongly recommends that the State party, as a matter of priority, undertake open, participatory and meaningful consultations with affected residents and communities prior to implementing development and urban renewal projects and to ensure that persons forcibly evicted from their properties be provided with adequate compensation and/or offered relocation that complies with the guidelines adopted by the Committee in its general comment No. 7 (1997) on forced evictions and guarantee that relocation sites are provided with basic services including drinking water, electricity, washing and sanitation, as well as adequate facilities including schools, health care centres and transportation at the time the resettlement takes place. The Committee also draws the attention of the State party to the guidelines on Development-based Evictions and Displacements (A/HRC/4/18), prepared by the Special Rapporteur on adequate housing.

Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

CEDAW (2013) CEDAW/C/KHM/CO/4-5
35. (c) Consider acceding to the ILO Convention No. 189 on decent work for domestic workers and the Convention on the Protection of All Migrant Workers and Members of their Families.
CESCR (2009) E/C.12/KHM/CO/1
45. The Committee also encourages the State party to consider ratifying ILO Conventions No. 81 (1947) concerning Labor Inspection in Industry and Commerce, and No. 102 (1952) concerning Minimum Standards of Social Security.

Goal 9: Build infrastructure, promote inclusive and sustainable industrialization and foster innovation

CEDAW (2013) CEDAW/C/KHM/CO/4-5
33. The Committee recommends that the State party: <ul style="list-style-type: none"> (a) Take effective measure to increase access to education for girls, including by strengthening the school infrastructure and increasing the availability of spaces in secondary level schools, particularly in Communes;
CAT (2010) CAT/C/KHM/CO/2
19. The State party should intensify its efforts to effectively alleviate the overcrowding in places where persons are deprived of their liberty, including police stations and prisons, and to improve the conditions in such places, including with respect to hygiene and food supply. To this end, the Committee recommends that the State party apply alternative measures to imprisonment and ensure sufficient budgetary allocations to develop and renovate the infrastructure of prisons and other detention facilities [...].

Goal 10: Reduce inequality within and among countries

2014 UPR Recommendations
118.128. Strengthen efforts to reduce poverty in rural areas and bridge the wealth gap between rural and urban areas. (Sri Lanka)
118.138. Intensify its efforts to reduce the rural-urban income inequalities with support from the international community and other relevant United Nations agencies. (Bhutan)

- 118.141** Continue reducing the poverty rate in rural areas and the wealth gap between the rich and poor and between the urban and rural populations. (Myanmar)
- 118.142** Reduce the gap between urban and rural areas through poverty reduction in rural areas. (Iraq)
- 118.143** Implement, in cooperation with the international community, effective programmes aimed at reducing poverty, especially in the rural areas of the country. (Azerbaijan)

2009 UPR Recommendations

- 63.** Consider fostering policies on land use and urban-rural inequality and continue efforts to combat poverty. (Brazil)

Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable

See X. Land and Housing Rights

Goal 12: Ensure sustainable consumption and production patterns

2009 UPR Recommendations

- 73.** Promote and protect the rights of vulnerable peoples, the right to education and to right to development to bring down poverty in urban and rural areas simultaneously while maintaining peace, stability and protection of the environment. (Lao PDR)

CESCR (2009) E/C.12/KHM/CO/1

- 15.** The Committee urges the State party to review its policy regarding the conversion of protected zones into economic concessions, by conducting environmental and social impact assessments including consultations with relevant stakeholders and communities with due regard to their right to participate in informed decisions that affect their lives. The Committee strongly recommends that the granting of economic concessions take into account the need for sustainable development and for all Cambodians to share in the benefits of progress rather than for private gain alone. The Committee requests the State party to give, in its next periodic report, detailed information on the progress made in the implementation of these policies.
- 16.** The Committee urges the State party to implement the 2001 Land Law without further delay and to ensure that its policies on registration of communal lands do not contravene the spirit of this law. The Committee emphasizes the need for carrying out environmental and social impact assessments and consultations with affected communities with regard to economic activities including mining and oil explorations, with a view to ensuring that these activities do not deprive the indigenous peoples of the full enjoyment of their rights to their ancestral lands and natural resources. The Committee encourages the State party to consider ratifying ILO Convention No. 169 on Indigenous and Tribal Peoples.

Special Rapporteur

A/HRC/21/63/Add.1/Rev.1. para 216. Due consideration should be given to proposals by concessionaires with enhanced legal and regulatory requirements attached to their investments (such as third party certification schemes and rigorous codes of conduct) which incorporate international standards of environmental and social sustainability.

A/HRC/21/63/Add.1/Rev.1. para 217. Companies of all sizes, structures and modes of operation, both domestic and foreign, and whether wholly or partly owned by the State, should address their human rights impact by practicing due diligence, including implementing measures to identify, prevent, and mitigate adverse human rights consequences and account for their business activities.

A/HRC/21/63/Add.1/Rev.1. para 222. Concession companies should take all measures to avoid environmental destruction in their operations, including preventing water contamination, soil deterioration, and unnecessary clearing of land or illicit logging. They should ensure that access to infrastructure, such as new roads on their concessions, is accessible to all surrounding communities and should refrain from blocking transportation within the boundaries of the concession.

A/HRC/21/63/Add.1/Rev.1. para 224. Concession companies – with use of revenue from concession activity – should increase their contributions to the local communities, including by providing social benefits such as health services, educational opportunities and environmental protection measures.

Goal 13: Take urgent action to combat climate change and its impacts

CEDAW (2013) CEDAW/C/KHM/CO/4-5

41. (c) The Committee recommends that the State party: [...] Further ensure that women are actively involved in decision making, both in the prevention and management of disaster policies and programmes, particularly those relating to climate change adaptation and mitigation.

Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development

Special Rapporteur

A/HRC/21/63/Add.1/Rev.1 222. Concession companies should take all measures to avoid environmental destruction in their operations, including preventing water contamination, soil deterioration, and unnecessary clearing of land or illicit logging. They should ensure that access to infrastructure, such as new roads on their concessions, is accessible to all surrounding communities and should refrain from blocking transportation within the boundaries of the concession.

Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

2014 UPR Recommendations
118.134. Continue the reform of the land tenure system to meet the national objectives of poverty reduction, food security and environmental protection. (Morocco)
2009 UPR Recommendations
73. Promote and protect the rights of vulnerable peoples, the right to education and to right to development to bring down poverty in urban and rural areas simultaneously while maintaining peace, stability and protection of the environment. (Lao PDR)
CESCR (2009) E/C.12/KHM/CO/1
<p>15. The Committee urges the State party to review its policy regarding the conversion of protected zones into economic concessions, by conducting environmental and social impact assessments including consultations with relevant stakeholders and communities with due regard to their right to participate in informed decisions that affect their lives. The Committee strongly recommends that the granting of economic concessions take into account the need for sustainable development and for all Cambodians to share in the benefits of progress rather than for private gain alone. The Committee requests the State party to give, in its next periodic report, detailed information on the progress made in the implementation of these policies.</p> <p>16. The Committee urges the State party to implement the 2001 Land Law without further delay and to ensure that its policies on registration of communal lands do not contravene the spirit of this law. The Committee emphasizes the need for carrying out environmental and social impact assessments and consultations with affected communities with regard to economic activities including mining and oil explorations, with a view to ensuring that these activities do not deprive the indigenous peoples of the full enjoyment of their rights to their ancestral lands and natural resources. The Committee encourages the State party to consider ratifying ILO Convention No. 169 on Indigenous and Tribal Peoples.</p>

A/HRC/21/63/Add.1/Rev.1

- 212.** All efforts should be enhanced by the Government to implement the multiple laws, policies and regulations that require environmental and social impact assessment to be carried out *before* the granting of a land concession, including the 1996 Law on Environmental Protection and Natural Resource Management, and the findings made public.
- 216.** Due consideration should be given to proposals by concessionaires with enhanced legal and regulatory requirements attached to their investments (such as third party certification schemes and rigorous codes of conduct) which incorporate international standards of environmental and social sustainability.
- 217.** Companies of all sizes, structures and modes of operation, both domestic and foreign, and whether wholly or partly owned by the State, should address their human rights impact by practicing due diligence, including implementing measures to identify, prevent, and mitigate adverse human rights consequences and account for their business activities.
- 222.** Concession companies should take all measures to avoid environmental destruction in their operations, including preventing water contamination, soil deterioration, and unnecessary clearing of land or illicit logging. They should ensure that access to infrastructure, such as new roads on their concessions, is accessible to all surrounding communities and should refrain from blocking transportation within the boundaries of the concession.
- 224.** Concession companies – with use of revenue from concession activity – should increase their contributions to the local communities, including by providing social benefits such as health services, educational opportunities and environmental protection measures.

Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

- See II. Legal and Judicial Reforms and Rule of Law,
III. Freedom of Expression, Association and Assembly
IV. Impunity and Human Rights Defenders,
V. Electoral Reform and Political Participation,
VII. The ECCC,
VIII. Law Enforcement, and
X. Land and Housing Rights

Goal 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development

2009 UPR Recommendations
91. (e) Strengthen its partnership with the international community with a view to improving public health of the country. (Angola)
CESCR (2009) E/C.12/KHM/CO/1
33. The Committee strongly recommends that the State party consider enacting a mental health law and adopting a comprehensive mental health strategic plan that includes partnership with NGOs and private sector stakeholders. The Committee also recommends that the State party ensure that individuals with mental health problems are not sent to prison.
Special Rapporteur
A/HRC/33/62 Para 61 (b) Consult widely, finalize and publish strategic plans and policies for achieving measurable success in attaining the Sustainable Development Goals.

Goal 18: Demining/Removing Explosive Remnants of War and Victim Assistance

CRC-OPAC (2015) CRC/C/OPAC/KHM/CO/1
25. The Committee recommends that the State party strengthen its mine awareness programmes and demining activities in order to protect children against mines and explosive remnants of war. The Committee also recommends that the State party consider developing child-friendly programmes in order to ensure the provision of adequate services tailored to the specific needs of child victims, in particular children with disabilities caused by remaining mines and explosive remnants of war, and to provide them with physical and psychological rehabilitation, as well as social assistance.

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