

## Cambodia

<b>Field presence</b>	Country Office Operation established in 1993
<b>Engagement with the human rights mechanisms</b>	
See overview table on page 216	
<b>Visits by special procedures in the past five years</b>	
The Special Rapporteur for Cambodia visits the country twice a year. No other thematic visit requests have been accepted.	
<b>Pending visit requests by special procedures</b>	
Special Rapporteurs on sale of children; freedom of peaceful assembly and association; water and sanitation; human rights defenders; and truth, justice, reparation and guarantees of non-recurrence	
<b>Specific mandates of the Human Rights Council</b>	
Special Rapporteur on the human rights situation in Cambodia	

Cambodia has continued to experience strong economic growth (approximately 7 per cent annually), relative political stability, lower levels of violence and a higher standard of living for many. This trend, however, has not been accompanied by reforms of the justice system and key institutions which are needed to prevent a possible reversal of the gains made, strengthen democratic culture and curb impunity on abuses. Many of the improvements were due in greater part to political actions rather than genuine checks and balances on the exercise of executive power. A resurging issue in the July 2013 election was the need to effectively combat corruption. A 2012 Transparency International survey ranked Cambodia as one of the most corrupt countries in the world (156 out of 176), revealed scant or no openness about the national budget and a wide perception of the judiciary as the most corrupt institution (67 per cent).

Nevertheless, the political context is seeing dramatic changes, the full consequences of which are only now emerging. The July 13 official election results, which continue to be contested, awarded a significantly reduced majority to the ruling party in the National Assembly. The calls of many people for “change” were amassed by a newly unified opposition, which won 55 of the 123 seats. A boycott of seats by the opposition has resulted,

however, in an awarding of all of the important posts to the ruling party, which is once again in control of all three branches of the State.

The origins of OHCHR’s presence in Cambodia can be traced back to the establishment of the United Nations Transitional Authority in Cambodia (UNTAC). Its mandate derived from the 1993 Paris Peace Accords which called on the UN to monitor the human rights situation after the withdrawal of UNTAC. Resolution 1993/6 of the Commission on Human Rights gave OHCHR a mandate which combines monitoring, protection and public reporting functions with technical assistance and advisory services. The Human Rights Council adopts the resolution on a two-year basis.

Building on the current United Nations Development Assistance Frameworks (UNDAF) 2011-2015, OHCHR is participating in efforts to elaborate a new UNDAF. This work has been delayed pending finalization of the Government National Strategic Development Plan (2014-2018), which in turn has been held up by a political stalemate.

### Thematic priorities

- ▶ Strengthening the effectiveness of international human rights mechanisms with a focus on: ratifications; submissions of reports by States Parties and submission of information by civil society actors, national human rights institutions (NHRIs) and the United Nations to treaty bodies, special procedures and the Universal Periodic Review; and implementation of recommendations of human rights mechanisms.
- ▶ Integrating human rights in development and the economic sphere with a focus on: land, water and sanitation and housing rights; and public policies and budget processes.
- ▶ Widening the democratic space with a focus on: “public freedoms” (freedom of expression, assembly and association and incitement to hatred); human rights defenders; and human rights education with a focus on: youth.
- ▶ Combating impunity and strengthening accountability and the rule of law with a focus on: human rights in the administration of justice; transitional justice; torture, deprivation of liberty; and legal and judicial protection of economic, social and cultural rights.

## OHCHR expected contribution

## ALL HUMAN RIGHTS FOR ALL IN CAMBODIA

RIGHTS-HOLDERS	DUTY-BEARERS
<p><b>[EA5]</b> ▶ Rights-holders meaningfully participate in the design of public policy related to land and housing and the management of natural resources.</p>	<p><b>[EA1]</b> Improved compliance with international human rights standards of legislation in the area of:</p> <ul style="list-style-type: none"> <li>▶ Freedom of opinion and expression, peaceful assembly, and association; and the</li> <li>▶ Code of Criminal Procedure, Criminal Code, Law on the Bar and Juvenile Justice Law.</li> <li>▶ Subnational government use of human rights standards and principles in applying the law on peaceful demonstrations.</li> <li>▶ Human rights education programmes established at high school and university levels.</li> <li>▶ All prisons under the authority of the Ministry of Interior improve compliance with international human rights standards.</li> <li>▶ The Lawyers Training Centre and the Royal Academy of Judicial Professions include a human rights training module focusing on fair trial rights; and the General Department of Prisons and the Police Academy systematically train prison staff on good prison management practices and integrating human rights core values and principles.</li> <li>▶ Relevant institutions, namely the Ministry of Land Management, Urban Planning and Construction, the Ministry of Environment, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Interior and the Ministry of Rural Development, apply human rights principles and standards in handling land issues.</li> <li>▶ International human rights law, especially related to economic, social and cultural rights and women's rights, has been used in some court proceedings.</li> </ul>
<p><b>[EA7]</b> ▶ Civil society organizations and UN entities, in particular UNWomen and UNICEF, submit reports to treaty bodies, including the Human Rights Committee, CRPD and CAT and use the individual complaints procedure of CEDAW.</p>	<p><b>[EA2]</b> ▶ ICMW, ICCPR-OP2 and at least another individual communications procedure ratified.</p> <p><b>[EA3]</b> ▶ Existing dispute resolution mechanisms, including the courts, improve their compliance with human rights standards in handling land issues.</p> <ul style="list-style-type: none"> <li>▶ Civil society organizations substantially reinforce their own protection system.</li> <li>▶ A transitional justice system functions in full compliance with international human rights standards.</li> <li>▶ A National Preventive Mechanism against torture is established and functioning to monitor places of detention in compliance with OP-CAT.</li> <li>▶ Allegations of torture and ill-treatment by the police, including military police, are promptly investigated and where confirmed, appropriate action is taken by police chiefs and prosecutors.</li> </ul> <p><b>[EA6]</b> ▶ The Cambodian Human Rights Committee coordinates the implementation of the 2014 UPR and the 2015 Human Rights Committee recommendations.</p> <ul style="list-style-type: none"> <li>▶ At least three outstanding reports are submitted to the treaty bodies in conformity with reporting guidelines.</li> </ul>
<p><b>[EA10]</b> ▶ The international community engages with the Government, when and as necessary, in relation to specific human rights issues, specially relating to freedom of expression, the independence of the judiciary and protection of human rights defenders.</p>	

By 2017, OHCHR expects to have contributed to the achievement of the results outlined on the table above, in support of national efforts in the different thematic priority areas (colour scheme). OHCHR will pursue these behavioural, institutional and legislative changes in cooperation with relevant partners, using the different strategic tools at its disposal – monitoring and reporting, capacity-building and advisory services, advocacy and awareness-raising (see chapter one) – on the basis of an assessment of the specific context. It is expected that if achieved, these results will contribute to improving the duty-bearers' compliance with their international human rights obligations and to the rights-holders' ability to claim their rights and thereby to the enjoyment of all rights for all in Cambodia.