

UN OHCHR Remarks for Court of Appeal opening

10 October 2012

Ms. Marie-Dominique Parent, Human Rights Officer and Officer-in-Charge

Excellency Sok An, Deputy Prime Minister, Minister in charge of the Office of the Council of Ministers, and Co-Chair of the Council for Legal and Judicial Reform,
Excellency Dith Munthy, President of the Supreme Court and Co-Chair of the Council for Legal and Judicial Reform,
Excellency Ang Vong Vathana, Minister of Justice
Excellency Prom Sokha, Secretary of State at the Ministry of Interior,
Excellency You Bunleng, President of the Court of Appeal,
Excellency Ouk Savuth, Prosecutor General attached to the Court of Appeal,
Excellency Penny Richards, Australian Ambassador to Cambodia,
Excellencies, Distinguished guests, ladies and gentlemen,

It is a great pleasure for our Office, the Office of the United Nations High Commissioner for Human Rights, to be present today on such an important day. The opening of the expanded Court of Appeal marks a new beginning. Many people have worked very hard over several years to make this day happen, and we would like to congratulate the Court of Appeal, the Office of the Prosecutor General, and all staff, for this well-deserved achievement.

The mandate of the Office of the United Nations High Commissioner for Human Rights is to assist the authorities in meeting their human rights obligations. Under international human rights law, everyone has a right to have their case dealt with within a reasonable amount of time, and to have their conviction and sentence reviewed by a higher tribunal according to law. And when people are detained, they should not see their time in prison increase, just because they are waiting for an appeal.

For several years, our Office has been concerned about cases of excessive detention since many accused people, whether convicted or acquitted in first instance, have been waiting long periods for their appeals to be heard. This has been a particular concern in view of the level of prison overcrowding that Cambodia has been facing for several years, despite important efforts by the Royal Government in building more prison space.

This is why our Office has been very committed to the project of expanding the capacity of the Court of Appeal. We have been all the more so supportive, as we could already see the results achieved by the Court of Appeal, in improving efficiency in the use of the existing court space, and in improving case management, thanks to a new database making it easier to enquire and follow the status of court cases. These results were achieved under the leadership of H.E. You Bunleng, and with the active participation from H.E. the Prosecutor General, and all judges, prosecutors, and clerks at the Court of Appeal.

Our Office and the Court of Appeal have worked closely together since 2009, in order to mobilize donor support for this project. In 2010, we organised a meeting of all relevant developments partners for them to hear presentations about the needs and plans of the Court of Appeal. We were thrilled that, following this donor roundtable, the Government of Australia generously agreed to provide the necessary funding to build additional space, in order to allow the Court to function better and hear appeals in a timelier manner. Our Office has also provided equipment to the new Court – furniture, sound-, video-, IT- and other office-equipment. Today, we are extremely pleased to see the new building of the Court of Appeal. And we are particularly glad that more appeal hearings are now taking place as a result.

From the first dedicated efforts in 2009 to this opening in 2012, almost four years have passed. During these four years, the Office of the United Nations High Commissioner for Human Rights has maintained its principled message in favour of progress in Legal and Judicial Reforms, for a strengthened justice system in Cambodia and improved access to justice for all in the Kingdom. During these years, we have also continued supporting and working together with all relevant actors in order to reach the important results that we are celebrating today.

Cooperation between our Office and the Court of Appeal is still ongoing. We work closely together in order to identify priority cases to be heard on appeal, in particular long-pending cases. This is part of the wider efforts made by the Court of Appeal and the Office of the Prosecutor General to continue improving the judicial process and in particular cooperation between courts, prosecutors and prisons.

In this regard, the Court of Appeal took the important initiative to organize last month, with the support of our Office, a meeting gathering all prison directors, court presidents and chief prosecutors, in order to discuss increased information-sharing and cooperation. We are confident that the recommendations of these fruitful discussions can go a long way in improving cooperation between the respective actors and thus the efficiency and fairness of the justice system in Cambodia. The Royal Government has accepted several recommendations related to the justice system at the time of the Universal Periodic Review at the United Nations Human Rights Council in 2009. We believe all these efforts contribute to implementing these recommendations.

This expanded Court of Appeal is a testament to your collective determination and commitment to improving the justice system in Cambodia, in accordance with the Legal and Judicial Reform Strategy of the Royal Government. And we have been proud to be able to assist in this endeavour.

The Office of the United Nations High Commissioner for Human Rights greatly appreciates its long-standing cooperation with the Court of Appeal and the Royal Government of Cambodia. We stand ready to continue offering our support and assistance as required, to further the protection and promotion of human rights for all in Cambodia.