



KINGDOM OF CAMBODIA
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Permanent Mission of the Kingdom of Cambodia
to the United Nations Office and other
International Organisations at Geneva

No. 2021/02/119

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, with reference to Joint Communication of the Special Procedures No. AL KHM 9/2020 dated 4 December 2020, has the honor to transmit to the latter response from the Ministry of Interior of the Kingdom of Cambodia as to the measures protecting the rights of persons deprived of liberty in the context of the Covid-19 pandemic.

The Permanent Mission of the Kingdom of Cambodia would be greatly appreciated if the above-mentioned information could be conveyed to its respective destinations.

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 1 February 2021



Office of the High Commissioner for Human Rights
Geneva

**Reply of the Ministry of Interior of the Kingdom of Cambodia to
the Joint Communication of the Special Rapporteurs**

No. AL KHM 9/2020 dated 04 December 2020

In response to the Joint Communication of the Special Rapporteur on the situation of human rights in Cambodia and Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Ministry of Interior of the Kingdom of Cambodia would like to offer clarifications as to measures protecting the rights of persons deprived of liberty in the context of the Covid-19 pandemic as follows:

1. To ensure rights to health of detainees are not infringed or compromised during the pandemic, the Directorate General of Prisons (DGP) of the Ministry of Interior issued various instructions in both prevention and intervention efforts. Apart from guidelines given to staff and detainees, the DGP in cooperation with Center for Disease Control (CDC) of the Ministry of Health (MOH) has established a technical working group (TWG) to link a quick-response reporting system directly to the Rapid Response Team (RRT) of the MOH. Other joint endeavors with development partners, namely ICRC, WHO and UN agencies, include distribution of hygiene kits, staff training, and awareness-raising among detainees of personal hygiene, communicable diseases in general and particularly the COVID-19. Detainees are also trained on how to monitor symptoms, protection, reporting and response. Prison staff are trained with regard to taking the swab test, packaging sample to the labs, and emergency response. Chlorite disinfectant sprays are administered weekly in prison buildings, cells, transporting vehicles, health post, and general and administrative areas in accordance with guidelines of the WHO and MOH.

In terms of the impact of this pandemic on detainees' mental health, concerns, fears and anxiety both inside and outside the prisons were noticed. However, with daily precautionary measures, constant monitoring, and rapid response system, we have ensured that effective daily operation and detainees' healthy lives are maintained. Evidently, more than 100 samples taken from detainees in suspicion of having similar symptoms of the COVID-19 were all tested negative while no single case of the COVID-19 among the detainees in Cambodian prisons has been found.

2. Conditions in detention facilities are constantly monitored and evaluated on the basis of four principles, namely security, safety, health and humanity. Based on new arrangements, DGP has been constantly working closely with the judiciary- provincial and municipal courts of first instance and regional

appeal courts- to transfer those who have been sentenced to more suitable detention facilities in order to reduce the burden of overcrowding facilities.

As for the hygienic measures, provincial and municipal prisons and correctional centres have been collaborating with provincial and municipal Health Departments, under the mechanism of Provincial and Municipal Committees to Combat Covid-19, and other development partners such as the WHO and ICRC. In addition, preventative measures have been taken. They include disinfection of detention facilities, administrative areas, visitation and general areas in line with guidelines of the WHO and MOH. All entries including goods and consignments bound for detainees from outside the prisons are disinfected before they are passed to detainees. Additional tabs and sinks have been installed in the general areas for hand washing along with distribution of supplementary hygiene kits. Supply of clean and safe water has been also enlarged in certain provinces where sources of clean water supply are short, namely Koh Kong, Udon Meanchey, and Preah Vihear.

3. During the pandemic, court hearings were postponed for public health reasons. Despite the effect, outcomes of the “Case Backlogs Clearing Campaign” at municipal and provincial Courts of First Instance have been satisfactory. As of 30 December 2020 (222 days after the campaign was launched), verdicts of 12,200 pending criminal cases (which were in the backlogs prior to the start of the operation) were successfully delivered while rulings of 36,500 new criminal cases (after the launching of the campaign) were reached. As a result, the nationwide incarceration rate has been stable thanks to a favourable policy toward diversion from prisons for minor and first time offences.
