



General Assembly

Distr.: General
11 August 2021

English only

Human Rights Council

Forty-eighth session

13 September 2021–1 October 2021

Agenda item 10

Technical assistance and capacity-building

Situation of human rights in Cambodia

Report of the Special Rapporteur on the situation of human rights in Cambodia

Comments by the State*

* The present document is being issued without formal editing.



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I. The Overview to the Report

1. This is to comment on the Draft Report of the newly appointed Special Rapporteur on the Situation of Human Rights in Cambodia, Professor Vitit Muntarbhorn upon the request of the Office of the High Commissioner for Human Rights in Geneva dated on June 04, 2021.
2. Cambodia welcomes the appointment of new Special Rapporteur on the Situation of Human Rights in Cambodia and recognizes its roles and mandates in assisting Cambodia in the promotion and protection of human rights. Cambodia maintains the view that the assistance or cooperation must always be driven by the needs of the relevant State and be aligned to its national objectives and priorities, taking into account the national particularities and ownership. The primacy of the role of the State as the human rights duty bearer should be in this process.
3. The assistance and support provided by the Special Rapporteur on the Situation of Human Rights in Cambodia to the government and people of Cambodia in the promotion and protection of human rights is much appreciated. However, the Government of Cambodia is dismayed by the countless accusation in this report without any evidence base, which is mostly made and provided by the opposition and their alliance.
4. Overall, the report focuses on issues raised by illegal group or some NGOs that work in favor of foreign movement against the Royal Government of Cambodia. It is noted that the source of information mostly quoted/cited from websites and personal social media, without detailed consultation with international institutions and development partners, who work with the government to solve major problems and challenges.
5. Cambodia has, so far, always respected and promoted the rights to life as stipulated in the UN Charter. Along this line, Cambodia has worked on the improvement of the quality of life and well-being of the people, targeting poverty alleviation and minimization of the adverse impacts of demographic change by promoting the inclusion of population issues in development plans at all levels and within the framework of national and global actions.

II. Progression

Paragraph 9

6. Cambodia's recent economy has shifted from agriculture to garment, tourism **and construction**. At the same time, Cambodia's openness to trade is a factor that will spur the development of its economy and trade with partners, **not just China and Korea (ROK)**.
7. In the late 1990s, Cambodia became a member of ASEAN. The country joined ASEAN Trade in Goods Agreement (ATIGA), ASEAN-China Free Trade Agreement (ACFTA), ASEAN-Korea Free Trade Agreement (AKFTA), ASEAN-Japan Comprehensive Economic Partnership Agreement (AJCEP), ASEAN - Australia and New Zealand Free Trade Agreement (AANZFTA), and ASEAN-India Free Trade Agreement (AIFTA). The country recently joined the regional economic grouping-Regional Comprehensive Economic Partnership (RCEP). Its outreach in economic cooperation has broadened, now with a free trade area with China and another with the Republic of Korea.

Paragraph 10

8. The Constitution of the Kingdom of Cambodia never stipulates the death penalty. **Hence, it is no necessary to mention "Cambodia to abolish the death penalty".**
9. [...]. From being a country that had international peace-keepers operating on its territory after the Peace Agreements, notably it now contributes peacekeepers to operations as far and wide as in Africa. **Cambodia will continue to actively contribute to the maintenance of peace in the world by dispatching its forces to participate in the UN peacekeeping missions, professionally carry out humanitarian actions, strictly adhere to international laws and regulations, and build good relations with local community and people. Starting from 2006 up to June 2021, Cambodia has dispatched 7,527 personnel (468 women) to the 10 UN peacekeeping missions in 9 countries, including**

Sudan, South Sudan, Chad, Central Africa, Lebanon, Cyprus, Syria, Mali, and Yemen. By 11 June 2021, 787 Cambodian troops are deployed in service (105 women) in South Sudan, Lebanon, Mali, Central Africa and Yemen. [...]

III. Dimensions

10. (MoE) The whole section IV. Dimensions. The report should reflect the achievements of measures put forward by RGC, recognized by international institutions, UN Agencies i.e. World Health Organization (WHO). The citations from single source of information (mostly World Bank) **could render the report bias, thus incomprehensive.**

A. COVID-19 and Its Impact

Paragraph 18

11. Due to the global phenomena and consequences of COVID-19, it is inappropriate to attribute the increase in poverty resulting from the Disease, **but rather the decline in income.**

Paragraph 21

12. It is, until now, the encouraged by RGC to apply measures on wearing masks, using hand sanitizers and practicing social distancing as well as is effective, and so does the suggestion to avoid close contact with others, to remain in closed air-conditioned rooms, and to gather less than 20 people to minimize community transmission. In addition, **this paragraph mentioned the food shortage and the need for a sustain response. It seems that the Rapporteur does not process updated information regarding the RGC's program, which has been publicly announced.**

B. State of Emergency Law

13. The assertion that the Law on the Management of the Nation in State of Emergency jeopardizes human rights is unfounded and indicative of a selective and biased application of human rights. The fact is that this law is permissible by national and international human rights instruments, namely the Constitution of Cambodia, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights.

14. To respond to the Covid-19 pandemic, many countries in the world have declared state of emergency and lockdown measures to prevent and contain the spread of this virus by inter alia provisionally derogating the people's freedom of movement, rights to peaceful assembly and privacy. Therefore, it is unfair to chide Cambodia for vital legislation.

15. Law on the Management of the Nation in State of Emergency is drafted in compliance with Article 22 new of the Constitution of the Kingdom of Cambodia, in which a decision to place the country in a state of emergency shall be made when the nation faces danger from a war-caused incident or an invasion by foreign forces, a serious emergency affecting public health that leads to disease outbreaks, utter chaos to national security and public order, as well as grave danger that threatens or may cause nationwide spread.

16. The establishment of the Law on the Management of the Nation in State of Emergency is neither, by nature, a human rights violation nor a power-gathering tool as alleged by a handful of opposition groups, but it is a valuable legal tool for the defense of the right to life, the right to peace, social stability and development, which is the people's aspiration throughout the country and in compliance with the principles of the rule of law in the democratic society. This Law also provides a legal basis for implementing Article 22 new of the Constitution and a legal basis for determining Government's authorities to introduce measures which are, by nature, prohibitions or restrictions on the rights of citizens. However, this measure is indispensable in response to the state of emergency for the purpose of protecting national security and public order, people's lives and health, as well as property and environment.

17. Looking at international practice and a number of democratic countries in the region, Cambodia's laws adhere to a set of balanced and central norms and standards, which are neither too strict nor too loose as Cambodia has studied the patterns of practice taken by those democratic countries, including the Cambodian context. In international practice, certain countries adopt strict and rigorous standards, delegating all powers to the executive branch to take all necessary measures without control, while some others allow parliamentary or/and judicial control mechanisms; and in the event of a serious emergency affecting national security, the use of martial law is even permitted.

18. In regard with sanctions for obstruction and violations of government measures in this law, it is very necessary for the effectiveness of law enforcement; without sanction law cannot be enforced. Comparing to law in many other advanced democratic countries, the sanction mechanism in Cambodia's law is much lenient, whereas the law in other countries even permits the use of martial law in the event of a serious emergency affecting national security.

19. In Cambodian laws, powers are not delegated to the executive branch to take measures without any limit, namely under the mechanism of parliamentary control up to two levels: the National Assembly and the Senate (Article 6 of the draft law); in accordance with the parliamentary system of democratic regime, including legal responsibilities of competent authorities who arbitrarily abuse their powers, which violates and contradicts the purpose of this Law (Article 10 of the draft law).

20. The circumstances state of emergency is unpredictable and the declaration of placing the country in a state of emergency is to be considered when desperately needed for the purpose of safeguarding and maintaining security and public order, including lives, health, interests and property of citizens and society as a whole. However, what is most important in this law is the review mechanism, which permits either the National Assembly or Senate to declare separately the state of emergency terminated when the situation permits.

21. The critics so far seem to regurgitate their usual political attacks against government measures or policies. In particular, they aim to criticize Prime Minister Hun Sen. It looks like they assume that the baby will be abusive even before he is born. The critics should have reviewed the SOE Law from a more objective lens than just their human right utopia.

22. As the world faces the Covid-19 pandemic, there are growing concerns about the potential dangers to the nation and society which necessitates emergency actions. It is better to have the law in place. Even if he does not need to use it now, it can be used when it is needed.

Paragraph 23 (MoH)

23. [...]. Violators are subject to up to 10 years' imprisonment and substantial fines. [...] This should be changed to just **"Violators are subject to substantial fines."** In fact, Article 9 of COVID-19 Law stated that 5 to 10 years' imprisonment is applied ONLY to those who intentionally use all means to infect COVID-19 to others.

C. COVID-19 Law

24. The outbreak of COVID-19 has come to a point that the government found it difficult to control. In this sense, imposing lockdown was due to concerns over the health of the citizen and was aimed at identifying and treating those infected from COVID-19. This medical and administrative measures to contain the virus spread is not only practiced by Cambodia, but many countries in the world. The penalties were intended to prevent the spread of COVID-19 from the infected or the ones being suspected, who refused the treatment or refused to follow government's instruction and tried to infect others people, and aimed to protect other individuals' right.

25. The establishment of covid-19 law is neither, by nature, a human rights violation nor a power-gathering tool as alleged by a handful of opposition groups, but it is a valuable legal tool for the defense of the right to life, the right to peace, social stability, public health and development, which is the people's aspiration throughout the country and in compliance with

the principles of the rule of law in the democratic society. This Law also provides a legal basis for determining Government's authorities to introduce measures which are, by nature, prohibitions or restrictions on the rights of citizens. However, this measure is indispensable, proportionate, legitimate and necessary in response to covid-19 for the purpose of protecting national security and public order, people's lives and health.

26. In regard with sanctions for obstruction and violations of government measures in this law, it is very necessary for the effectiveness of law enforcement; without sanction law cannot be enforced. Comparing to law in many other advanced democratic countries, the sanction mechanism in Cambodia's law is much lenient. Harsher penalty and heavy fine in Cambodian law are reserved only for those acting with more serious consequence to the society, such as escaping from treatment centers or hospitals, infecting others intentionally and under a clearly organised criminal enterprise. Comparing with penalties and fine in other countries, penalties and fines in Cambodian law are not any harsher and should not be a cause for any concerns. Accordingly, Cambodia should not be unfairly singled out.

Paragraph 25

27. [...]. Those in breach are subject to penalties of up to 20 years' imprisonment and hefty fine. This should be amended to **"Those in breach (of the described measures) are subject to fine"** and remove "up to 20 years' imprisonment". Again, Article 9 of COVID-19 Law stated imprisonment from 10 to 20 years is ONLY for individuals who intentionally disperse COVID-10 to others with premeditation through organized groups.

D. Disclosure of the Names of COVID-19 Cases and Infringement of Privacy

28. The disclosure of limited person identity of certain individual positive of the covid-19 by the authority is permissible in article of this law and relevant regulations. It is always a tough yet urgent decision with absolute necessity to speedily break the chain of community transmission associated with the 20 February incident in the interest of public health safety and security of the entire population guaranteed by international law.

29. Our past experiences proved that this provisional and time-bound choice had encouraged and promoted early and timely tracing, testing, and quarantine of individuals involved in order to contribute to preclusion of uncontrollable cluster infection that certain parts of the world have terribly undergoing.

Paragraph 27

30. Regarding the rights to privacy, Cambodia has clearly indicated the attempt to involve public participation to prevent the pandemic by disclosure of personal information of those infected with COVID-19 so as to take precautionary actions, especially with those who are not willing to comply with public health measure, Article 17 of ICCPR mentions **(1). No one shall be subject to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attack on his honor and reputation, and (2). Everyone has the right to the protection of the law against such interference or attack.** It clearly indicated the right to privacy for those carry deadly virus is not counted.

Paragraph 28

31. The "Stop COVID" QR code was used solely to prevent the virus from spreading into the community, and was on a voluntary basis, no one has been punished for not using it. Notably, the "Stop COVID" QR code system enabled authorities to carry out contact tracing, help individuals who have been exposed to COVID-19 to self-quarantine, get tested and treated timely to prevent the virus spreading. **It is inappropriate to link this case to the right to privacy.**

32. This measure is used only for tracing purpose in order to cut the circuit on time, not for revealing personal info. of any individual. Thanks to this measure, many infected

people have been traced to be quarantined, tested and treated on time. Otherwise, the tragedy could be worse than what we see today.

E. Overcrowding of Prisons and the need for COVID-19 tests

33. Ministry of Justice has been launching a campaign to address the case backlog and prison overcrowding issue. This campaign lasted for one year starting from May 2020 to address some contemporary and shortcoming challenges related with case backlog and prison overcrowding issues. As the result of this one year campaign, it help a lot in preventing sharp increase of the numbers of inmates in the prison. Without this campaign, the number of inmates in the prison today would become double. However, the Ministry also set up a long term plan and strategies enshrined in our legal and judicial reform program to address those issues, such as establishment of mechanism to enforce alternative dispute resolution and sentencing, modernization and digitalization of case registration and management, establishment of specialized courts and regional appeal courts, expansion of legal aid budget and mechanism and increase of more financial and human resources in court system ...etc.

Paragraph 30

34. The Report would record the RGC's vaccine program for foreign officials working in Cambodia without payment. Likewise, **the Report should discuss the movement inciting individuals not to accept vaccines, and latter urge everyone to get vaccinated.**

35. In fact, Government was highly encouraging people to get the vaccines, rather than threatening to influence people's decisions. Staff who were not vaccinated were not fired from their jobs; the government just suggested them to work from home because the unvaccinated people were more likely to have a weakened immune system than the vaccinated ones.

F. Compulsory Vaccination for Civil Servants

Paragraph 30 – 31

36. The Report discussed and mentioned the vaccine that is not endorsed by WHO. However, with the period of the records, the vaccine is likely to be endorsed. **May 2021, WHO listed Sinopharm COVID-19 vaccine for emergency use, giving the green light for vaccine to be rolled out globally. Later in June 2021, WHO also validates Sinovac COVID-19 vaccine for emergency use and issue interim policy recommendations.**

37. The Ministry of Civil Service is of the view that the issuance of the Sub-decree on Mandatory Vaccination against COVID-19 is justified, pursuant to the [following] Constitution and applicable legal instruments and in line with the spread of the COVID-19 epidemic in the Kingdom of Cambodia:

- Article 32 of the Constitution states that, "Every Khmer citizen shall have the right to life, personal freedom, and security";
- Article 6 of the Law on the Organisation and Functioning of the Council of Ministers defines that, "The Royal Government shall protect the legitimacy and ensure public order and security";
- Article 33 of the Law on the Common Statute of Civil Servants states that, "Each civil servant shall respect the law, regulations and instructions of his/her superiors";
- The Royal Government of Cambodia has stated in the Sub-decree on Mandatory Vaccination against COVID-19 that the sub-decree is issued to combat and prevent the spread of COVID-19.

Paragraph 32

38. The claim is vague and does not have valid reasons to support how the medical lockdown is a political clampdown.

G. Democratic Space and Civil and Political Rights

39. By May 2021, Cambodia has 47 political parties, of which 46 are registered and 1 party has been formed. In the spirit for national unity and to ensure for better political freedom and democratic space, as well as the exercise of the legitimate rights and freedom of the people, so far among the 118 individuals, the former leaders of the former main opposition party (CNRP) which were prohibited from political activity by the Supreme Court, there were 24 individuals have been rehabilitation of political rights by the King in accordance with the provisions of the new Article 45 (Duplicate) of the Law on Political Parties. Among the recipients of rehabilitation of political rights above, there were 13 individuals participated in political activities, whom formed and registered four new political parties namely: Khmer Conservatism Party, Cambodia National Love Party, Cambodia Reform Party and Kampuchea Niyum Party.

Paragraph 34

40. This electoral result derived from the voters' will reflected via the 29 July 2018 Election in accordance with the principle of multi-party liberal democracy with the participation of 20 registered political parties contesting in this election out of other legally registered parties in accordance with the Law on Political Party at the Ministry of Interior, and 83.02% of Khmer citizens having names in the voter lists franchised their voting right, which has been deemed high turnout compared to the previous elections in Cambodia. This election was conducted by the NEC in conformity with the Constitution of the Kingdom of Cambodia and the principle of multi-party liberal democracy. The Constitution of the Kingdom of Cambodia, Article 1, stipulated, "Cambodia is a Kingdom with a King who shall rule according to the Constitution and to the principles of liberal democracy and pluralism."

41. The Report would also discuss the recent evolution of the politicians among the 118 members who got pardons, and validated to resume political careers.

Paragraph 35

42. The seats of Commune/Sangkat councils of former CNRP, which was dissolved by the Supreme Court's judgment was redistributed following the Article 20 new of the Law on the Amendment of the Law on the Election of Commune/Sangkat Councils stipulated, "In case a political party abandons gained seats or is removed from the political party list or is dissolved in accordance with the Law on Political Party, all candidate lists and Commune/Sangkat councilors of the political party become neither valid nor qualified anymore. In this case, the NEC shall redistribute the vacant seat(s) not later than 14 (fourteen) days to other candidate lists of the political party contesting in the election of Commune/Sangkat councils..."

Paragraph 36

43. The Kingdom of Cambodia has conducted the elections regularly as determined by law.

44. The voter lists 2020 consisted of completeness, accuracy, and currency (according to the voter lists audit undertaken by some CSOs witnessing the quality of NEC voter lists reached 98.45%).

45. Voter turnout in the election of Commune/Sangkat councils 2017 was 90.37% while the voter turnout in the election of members of the national assembly was 83.02%.

46. Recently, many political parties have been newly established and officially registered at the Ministry of Interior. The NEC, thus, welcomes all political parties registered legally at the Ministry of Interior to compete in the subsequent elections.

H. Constrains on Freedom of Expression, Assembly and Association

Paragraph 37

47. The rights to freedom of expression, assembly and association are the backbone of not only political rights but also democracy. While it is true that Cambodia has a large number of media, it is not only the quantity that counts. The state of ambivalence in the country is seen via a variety of anomalies that restrict the enjoyment of such rights and compromise democratic aspirations. For instance, various comments on and critiques of the authorities' responses to COVID-19 have been countered by intolerant responses such as arrests and detentions. Moreover, the imposition of Red Zones has blocked media unnecessarily from covering operations in such areas. **However, the authorities have clarified that all measures which have been taken were to benefit the citizens and social orders as well as protect public health in the preventing the large spread of COVID-19 into communities. It was not the restriction of freedom of expression, assembly and association.** Media, especially social media, are likely to be more confined in their coverage if the proposed new law which would impose a national internet gateway (with much discretion to censor and block materials considered unpalatable by the authorities) is passed in the future. The previous Special Rapporteur with two other Rapporteurs thus asked the authorities to clarify the implications of a sub-decree to establish a national internet gateway to reroute all internet via a regulatory body before being accessible to users. This is amidst a range of attacks on journalists and the impact of official sanctions against various independent media in recent years. **However, the authorities have clarified that the sub-decree to establish a national internet gateway is the purpose of increasing the effectiveness of national revenue collection on the basis of fair and honest competitions, and transparency between the state and operators, as well as to prevent illegal cross-border network connections, illegal online gambling, cyber threats, pornography, online frauds, etc. Additionally, the authorities have also reiterated that there was no any provision in the sub-decree to restrict the freedom of expression and freedom of press.**

48. The mention of restrictions on red zone entry in this report is biased. The control and prevention of transmission, especially from red zone—the high risk of transmission, is the immediate actions. Within a certain period of time, internet was not cut-off and social media functioned normally as usual.

49. The measure has been imposed on all individuals, not just any media staff, for not traveling in and out of the area for non-necessary purpose, so that the virus wouldn't be further spread to other areas. This kind of protection has been provided to all individuals, so no specific group is differently treated. Plus, so far, there are lots of news reported from the red zone.

Paragraph 39

50. The Ministry of Labor and Vocational Training **requests to delete this paragraph 39** from the report, which it is contrast with the purpose and spirit of the law and its amendment and the actual fact regarding the exercise of freedom of association and rights at work in the kingdom.

51. The adoption of Law on Trade Union in 2016 marks a significant improvement of legislation governing freedom of association in Cambodia. With rapid development of labor relations and in the view to further strengthening the freedom of association, Law on Trade Union was enacted following the close consultations with ILO, tripartite parties as well as other stakeholders.

52. Upon execution of Law on Trade Union, we have seen a remarkable increase in the number of unions and significant improvement of industrial relation.

53. However, in spite of the positive results, the government with collaboration of ILO, tripartite parties and other development partners continues to amend more articles of Law on Trade Union to further protect and promote freedom of association. This amendment was made to:

- (a) Further promote the freedom of association of domestic workers;
- (b) Facilitate the procedures and formalities of trade union registration and maintaining registration;
- (c) Facilitate the requirements to acquire the MRS; and
- (d) Promote the rights and duties of minority worker unions.

54. As of May 2021, there are 5 564 trade unions registered out of which:

- 5 277 are local trade unions;
- 237 are trade union federations;
- 39 are trade union confederation and;
- 11 are employers' associations.

55. Out of this, 22 trade union confederations, 138 trade union federations, 1926 local trade unions, and 6 employers' associations have been registered with the Ministry of Labour and Vocational Training since the adoption of the LTU in 2016.

56. This figure is enough to undoubtedly project considerable progress of freedom of association in Cambodia, totally contradict to the negative statement that unionizing in Cambodia is not a simple matter.

57. On the other hand, with regard in furtherance to the accusation of murder and arrest of trade unionists, we would like to reiterate that, in Cambodia, there has never been a case in which an individual was arrested or convicted for their legitimate union activities.

58. As a democratic country adhering to the rule of law, all Cambodian citizens are equally treated before the law regardless of their political affiliation, profession, or social status as guaranteed by the Constitution.

59. Trade unionists are also citizens, so they shall also be responsible before the laws for their wrong doings. Individuals are prosecuted or convicted by judicial authority not because of who they are, but because of offences they have committed. In any circumstances, legitimate union rights should not be construed as a shield for law-breaking. And ILO Convention No. 87 also does not provide any privilege to impunity to trade unionist. Having said that it does not mean Cambodia overlooks the legitimate union rights. We are upholding and protecting union rights without denigrating the rule of law and undermining law-abiding citizen.

Paragraph 40

60. On another front, with regard to a possible law on access to information, it should ensure access by the public to information in the hands of public officials broadly and without bureaucratization. Exceptions limiting access need to comply with international standards such as necessity and proportionality, and there should be channels to receive complaints and to provide remedies where access is blocked. Little progress has been made on passing the law in recent years. **However, based on the Annual Results Report 2020 Cambodia, issued by the United Nation-Cambodia, the process of drafting the law has organized the consultative forums involving 1200 rights-holders including women, indigenous people, people with disabilities, and ethnic and religious minorities. Moreover, the Ministry of Information has established a Technical Working Group for drafting Access to Information Law that enabled direct inputs in or comments on the drafted law from UN agencies in Cambodia (UNESCO and OHCHR), rights-holders, and relevant government's institutions. The Ministry of Information has also reiterated it will make concerted effort to submit the draft law to the Council of Ministers and Legislative Levels for approval in this 2021.**

I. Mass Trials

Kem Sokha Case

61. There are not any political prisoners or prisoners of conscience in Cambodia; there are only politicians convicted of criminal offences. The application of law to politicians who have committed offences and the dissolution of political parties that acted against the law are not a restriction on political freedoms and the democratic space, but rather a legal measure to promote democracy and the rule of law in Cambodia.

62. Apparently, according to provision of law and judicial process of Cambodia, Mr Kem Sokha has never been placed under house arrest in the past, and Cambodian law does not provide for such house arrest. The court, that is to say, ruled that he was out of jail under judicial supervision with certain conditions. Mr Kem Sokha has been travelling freely throughout the country and interacted with all members of the public, including diplomats as well. Following the COVID-19 pandemic, Mr Kem Sokha's trial was temporarily postponed at the request of the lawyers for both parties.

63. The case of Mr Kem Sokha is now within the jurisdiction of the court, which is an independent body, and any decision is left to its discretion. Mr Kem Sokha is not under detention now. Therefore, the hearing of this case is not a priority. The high priority is to hold hearings in cases involving detainees in order to avoid overdue legal detention, especially while the courts are launching a campaign to resolve backlog of criminal cases. Accordingly, if Mr Kem Sokha were held in detention, the hearing would also be held as a matter of priority....

The case of 9 November event

64. The 9 November event was planned by a handful of overseas politicians led by Sam Rainsy (1) to incite the armed forces not to listen to orders and to revolt against the Royal Government; (2) to inspire and incite the population across the country to rise to their feet and act against the authorities; (3) to raise funds to support these activities. Thus, the 9 November plan is a coup plot, a serious crime that affects national security as stipulated in the Criminal Code of the Kingdom of Cambodia.

65. Many people inside and outside the country involve in the 9 November plan. However, because the plan was prevented and cracked down on time, the number of those involved is relatively small compared to foreign cases. If the plan were carried out, the number of people arrested would be higher. For this reason, what is important is not about having the number of many or more people; it is about having irrefutable evidence. The coup plotters shall face a prosecution for attack, while those involved face a conspiratorial prosecution.

J. Overuse of Criminal Law and Laws' Ambivalence

66. The criminal law of Cambodia was established with the support from French experts and most of its stipulation is taken from the French criminal code as well. Ministry of Justice, from its legal and judicial reform program, is also on the process to review all the four fundamental laws in justice sector which are criminal code, criminal procedure code, civil code and civil procedure code, to make it more consistent with internal principle of human rights and also responsive to people need according to the social context of Cambodia. We realize that there is always the imperfection of law; however, having law better than no law and we can review it later to make it better.

K. Economic, Social and Cultural Rights

Paragraph 51

67. Socio-economic development continued in Cambodia until the advent of the COVID-19 epidemic that has caused poverty and inequality to rise again. However, as a result of the implementation of the cash subsidy programme from June 2020 to January 2021, 685,447 families (2,720,345 people) out of roughly 710,377 households (2.8 million people) who have a poor priority equity card have received social assistance from the cash aid programme during the fight against COVID-19.

68. [...] “More than 685,000 households (2.7 million people) [...] January 2021, while only 560,000 households (2.3 million people) were eligible in June 2020. This implies that, with the introduction of On-demand Identification Mechanism, at least 150,000 households (0.5 million people) have been identified as newly poor between June 2020 and January 2021, while inclusion errors were also subsequently reduced.

Paragraph 52

69. Request to paraphrase **...one the important issue of education, the country had done well with nearly universal access to primary education and gender parity, especial before COVID-19.**

L. Vulnerabilities and Special Concerns of Women, Children and Other Groups

1. Women

Paragraph 55

70. [...]. For example, maternal mortality declined from 472 per **100,000** live births in 2005 to 170 in **2014⁴⁴** and to **141 in 2019⁴⁵**.

71. **For official data of the government, the following footnotes should be used:**

- ⁴⁴National Institute of Statistics, Directorate General for Health, and ICF International, 2015. *Cambodia Demographic and Health Survey 2014*. Phnom Penh, Cambodia, and Rockville, Maryland, USA: National Institute of Statistics, Directorate General for Health, and ICF International. <http://dhsprogram.com/pubs/pdf/fr312/fr312.pdf>
- ⁴⁵National Institute of Statistics, 2020. General Population Census of the Kingdom of Cambodia 2019: National Report on Final Census Results. Ministry of Planning, Cambodia. https://www.nis.gov.kh/nis/Census2019/Provisional%20Population%20Census%202019_English_FINAL.pdf

Paragraph 56

72. [...]. ***“The law on the issue – the Domestic Violence Law of 2005 - has been critiqued for enabling too much mediation and not enough accountability for those who commit crimes against women.”***

73. The Law on the Protection of Domestic Violence and the Protection of Victims (2015) permits reconciliation or mediation only for the offences that are the mental/psychological or economic effected violent acts and minor misdemeanors, or petty crimes (Article 26), and this can be concluded with the agreement from both parties.

74. Article 36 also states that criminal prosecution shall not be possible if there is a request from a victim who is an adult due to the offences are minor misdemeanors or petty crimes. In case domestic violence has been repeated in violation of the penal law, the court shall charge the perpetrators in accordance with the penal procedures, even if there is a request from the victim again.

75. [...]. **“The committee also expressed concern on the lack of access to justice and legal aid for women, especially for gender-based violence (para. 11)”**

76. Over the last 5 years, the Royal Government has significantly increased the budget allocation for justice services including legal aid for poor women and girls. The national budget for legal aid service increased from USD 125,000 in 2014 to USD 350,000 in 2019. In 2021, the Cambodian National Council for Women revised and signed a new Memorandum of Understanding with the Bar Association of the Kingdom of Cambodia to expand the delivery of legal aid services for poor women. Moreover, in 2019 our Prime Minister established a lawyer group to provide pro-bono service for women and girl victims of violence.

77. The Ministry of Women’s Affairs (MoWA) has cooperated proactively with line ministries to strengthen the implementation of VAW related laws. MoWA has a close collaboration with the Ministry of Interior (MoI) to provide training course on VAW related laws and legal procedure for local authorities in 25 provinces/municipalities and between 2018 and 2019, 1,284 participants (1,124 females) attended these trainings. In addition, Minimum Standards for Basic Counselling for Women and Girls Survivors of GBV and other gender sensitive approaches for supporting VAW survivors are being incorporated into the new curriculum at the Royal Police Academy. Both Operational Standards and Codes of Conduct for police have been implemented, which include ethical codes that are reflective of CEDAW and UNSCR 1325.

78. In total, 94 of MoWA’s and PDoWA’s were assigned as Judicial Police Officers (JPOs) by the Ministry of Justice (MoJ)’s inter-ministerial Prakas No.165 issued on 17 July 2016; and at the provincial level they play a crucial role in directly supporting survivors. The Judicial Police of the Ministry of Women’s Affairs, which was created according to the Law on Domestic Violence (passed in 2005), is responsible for protecting survivors and assisting them in keeping justice through the legal system. MoWA trained the JPOs on legal procedures and multi-sectoral reconciliation processes to legally protect women’s rights. From 2018-2019, CNCW provided assistance to 237 female survivors of gender-based violence through MoWA JPOs. The JPOs effectively coordinated with local authorities and court officials to speed up the procedure on cases of violence against women and children, particularly juvenile cases by referring the cases to the court for legal action.

79. [...], **“through the National Action Plan to Prevent Violence against Women 2019-2023, interlinked with SDG 5, but the key is implementation, rendered more difficult and aggravated by COVID-19.”**

80. The Royal Government of Cambodia, through the Ministry of Women’s Affairs in close collaboration with national and international partners, has undertaken special measures to ensure that women and girls who are at risk of violence have access to relevant COVID-19 prevention messages, protective items, and where/how to access relevant information and services:

Ensuring continuity of essential GBV services provision:

- (a) Support provincial departments of women’s affairs (PDoWA) in operating online counselling by developing succinct guiding notes;
- (b) Equip PDoWA with adequate material (smart phone or tablets) to run online services;
- (c) Online psychosocial consultation and online coaching for trained local providers.

Communication and prevention message:

- (a) Share information on existing hotline and through social media such as Facebook, Telegram application;
- (b) Message through social media on anger management, psychosocial support;
- (c) Print leaflets and distribute hand fans with GBV hotline and service information in targeted provinces.

Humanitarian response:

- (a) Provide hand sanitizers and Kromar with designed information on GBV;
- (b) Distribute masks and sanitizing gel for local authorities in targeted provinces;
- (c) Document information and evidence on impact of COVID-19 in GBV cases and demand for services.

81. Since 2020, due to the global pandemic, the Ministry undertook the digital media campaign to engage with public audiences and spread-out gender-based violence prevention messages which reached out almost 1 million views especially young people.

82. There is strong support from the government to stop violence against women. There are many cases that free lawyers have been assigned to support women in filing the law suit against the violent persons. Particularly, Cambodia launched national action plan against gender violence 2019-2023.

Paragraph 57

83. The issue of infant mortality rate does not imply with Child Rights. Justification is need otherwise remove.

Paragraph 58 (MoSVY)

84. As regards the alleged domestic violence against a child due to the COVID-19 disease, the Ministry of Social Affairs, Veterans and Youth Rehabilitation is of the view that this allegation has no clear source and evidence, and that the Ministry has neither received a report nor encountered such a case.

85. It is noted that the Royal Government has taken into consideration and drawn close attention to children who are learning online. For those living in rural areas who do not have internet access, teachers visit them in small groups at home or at appropriate locations and pagodas, which enables them to maintain social distancing easily. Civil society and non-governmental organisations working with children have also been actively promoting the implementation of online learning programmes and the development of information technology initiatives to facilitate student learning at home, with the support of their parents and guardians. Meanwhile, the Royal Government has launched the National Policy on Child Protection and Action Plans to Prevent and Respond to Online Child Sexual Exploitation in 2021-2025.

86. E-learning is not too new for Cambodia as the Ministry of Education has been mainstreaming digital education as part of its Education Strategic Plan (2019-2023) to respond to the national plan for digital economy. “Digital Education” was the title of the 2019 Education Congress. Although COVID-19 pandemic has dramatically impacted all sectors of the society, the Ministry of Education has transformed this challenge into opportunity by setting out multiple mechanisms aiming at both preventing the spread of the virus and swiftly fostering digital education in a national scope.

Prevention Intervention:

- (a) Care for well-being of children in which the intervention focus on sanitation training for parents, how to reduce risk, the promotion of hand-washing and good nutrition;
- (b) Psychological well-being by way of explanation to the students during the lockdown, stress reduction and affection sharing within the families and communities;
- (c) Information dissemination on social media to educate students and parents to help promote sanitation, language development and intellectual development;
- (d) The introduction of cartoon on literacy and happy family on how to promote prevention and key practices.

Continuation of Education:

- (a) The Ministry of Education took the initiative to develop multiple e-learning platforms and produce video contents for all grade levels (K-12 and higher education) and

all subjects. The introduction of video contents via various e-learning platforms and social medias was conducted in parallel with teacher training nationwide on how to use those e-learning platforms and distance learning tools. To date, MoEYS has been able to complete both content development and teacher training nationwide;

(b) With the public and private partnerships, MoEYS managed to establish satellite TV for Education in order to expand the access, especially for those in the remote areas with little access to the Internet connection;

(c) With assistance from UNICEF and other Development Partners, MoEYS has produced special radio programs for indigenous groups in two indigenous languages. In addition, MoEYS has produced cartoon broadcasted on social media and TV;

(d) The Ministry has also been able to integrate sign language in the video contents for students with disability;

(e) In certain remote areas where families do not have access to either online, radio or TV, the teachers use paper-based distance learning approach in which they visit houses to ensure education continuation;

(f) These are the mechanisms the Ministry of Education has been conducting to ensure safety of our educators and students and education continuation as well as to minimize the gap between those who have and those who have not;

(g) The author should raise some specific cases of violation against children that had stay home for online learning due to covid-19 and other groups. This could be the necessary information for the government identify issues and take appropriate actions.

Paragraph 59

87. Currently, the Ministry of Social Affairs, Veterans and Youth Rehabilitation has been preparing the procedure for the transfer of minors from prisons to rehabilitation centres.

4. Indigenous Communities and Minorities

Paragraph 61-63

88. In consistent with the Sub-Decree No. 83 dated June 9th, 2009, the Ministry of Interior has the sole role of deciding on filing (registering) without requiring any payment to indigenous communities to become legal individuals for obtaining land registration as collective property of indigenous communities. So far, the Ministry of Interior has registered a total of **152 indigenous communities**.

89. In order to review the principles and measures for effectively management and development the collective land of indigenous communities, as well as to raise the awareness of indigenous communities, the Royal Government of Cambodia has decided to establish a working group to do survey of the collective land of Indigenous Communities in Monduliri Province through decision letter No. 30 dated March 1st, 2021, comprising the representatives from the Ministry of Interior, Ministry of Environment, Ministry of Agriculture, Forestry and Fisheries, Ministry of Tourism, Ministry of Land Management, Urban Planning and Construction, Ministry of Rural Development, Ministry of Culture and Fine Arts, as well as the Governor of Monduliri Province. The main roles and responsibilities of this team are:

(a) Study and research the status of collective land registration and update on community land types of collective land management of indigenous communities;

(b) Study and understand the principles and measures that have been put in place and the challenges in the registration of collective land, the management and the arrangement given by the Royal Government for the purpose of effective conservation and development of indigenous communities effectively;

(c) Study the situation and compile practical experiences and evaluate the management work for collective land of indigenous communities in the country and abroad;

(d) Communicate, coordinate, cooperate and consult with relevant ministries/institutions, and others relevant partnership organizations;

(e) Organize the meetings and consultative workshops to collect input.

90. In addition, after the completion of the survey of Mondulkiri Province, the working group will continue to work with indigenous peoples in all provinces in the Kingdom of Cambodia.

91. Accordance to Sub-Decree No. 103 dated 29 December, 2000 on Civil Status, Article 27 states: "The Aliens/Foreigners who reside in Cambodia legally give birth to a baby in any territory of the Kingdom of Cambodia, the parents of the baby can register the birth certificate at the commune or district where he/she lives permanently or can register the birth certificate at the embassy, consulate general or consulate of his/her country in the Kingdom of Cambodia." In conclusion, if the parents of Vietnamese and Muslims' children are aliens/foreigners who are living legally in the Kingdom of Cambodia, they can apply for birth registration of their children at the commune/district where they live permanently or at the Embassy, Consulate General or Consulate of their country in the Kingdom of Cambodia.

92. The Report should further look into the recent actions by RGC on the management and allocation of land for rural people who were located in protected areas and biodiversity corridors. It should be also noted that RGC always focused on household income generation, especially local communities by creating and enabling opportunities/favorable conditions to better livelihood in sustainable manner. The Ministry of Environment, in cooperation with local authorities, is working actively with development partners, and relevant stakeholders (i.e. local communities/local and international NGOs/private sectors...) to raise living standards and the right to equal benefits as Cambodian citizens.

Paragraph 62

93. The Constitution of the Kingdom of Cambodia states the equal right of every Cambodian, and Cambodia's National Vaccination Master Plan (NVMP) does not exclude and Cambodian.

7. Other Groups

Paragraph 66

94. Regarding the difficulties and challenging effect of COVID-19 faced by migrant workers and returnees from other countries, government, beyond various intervention measures for overall people, has taken immediate measures necessary to response to their needs.

95. The Government has established Provincial Sub-Committees in each province to facilitate the migrant workers' repatriation, access to health facilities and transportation to their hometown. Returning migrant workers are also provided with local job opportunities and short-term and medium-term technical and vocational trainings.

96. Moreover, the Government has rolled out social protection measures for workers who lost their jobs, poor families and migrant workers who have returned to their hometown.

97. Youth access to education: Despite the disruption caused by the COVID-19 pandemic, higher education institutions continue to actively provide online high education. Each higher education institution organizes online graduation exams and provides temporary certificates or diplomas to the graduates for use in accordance with the requirements, such as: applying for a job or applying for a scholarship.

98. The Ministry of Education, Youth and Sport (MoEYS) has strongly promoted the capacity building among young people to respond to the context of the digital economy and the context of the Industrial Revolution 4.0. The MoEYS has strengthened the sub-sector of higher education and the sub-sector of youth by launching a national action plan to implement the national policy on the development of Cambodian youth, action plan to implement scientific research policy and higher education vision policy. The MoEYS has also been

implementing a project to improve the quality of higher education, which is directly implemented by higher education institutions. These mechanisms are to ensure not only higher education continuation but also youth capacity for employment opportunity.

M. Land and Environment

Paragraph 61-63

99. The Ministry of Rural Development and relevant ministries and institutions have been focusing on the implementation of the National Policy on the Development of Indigenous Peoples, focusing on four main goals:

- (a) All indigenous peoples shall live free from hunger and extreme poverty;
- (b) All indigenous peoples are provided with at least 9 years of basic education and with vocational training services tailored to suit their needs and geographical locations;
- (c) Indigenous peoples' health has been better maintained; and
- (d) Indigenous peoples' cultures have been better protected and maintained.

100. As regards the conservation, the Ministry of Rural Development has done its actual work such as:

- (a) Identifying identities and issuing certificates of identities, preparing internal regulations of indigenous communities on traditional land use management;
- (b) Organising the annual celebration of the International Day of Indigenous Peoples in accordance with Resolution 49/215, dated 23 December 1994, United Nations General Assembly;
- (d) Maintaining a balance between traditional cultures and rural modernisation, supporting the preservation of rural indigenous cultures and traditions, and ensuring the harmonisation of traditional cultures and religions between rural indigenous peoples;
- (e) Participating in maintaining lively traditional identities such as art, traditional songs, tools or materials, clothing, languages, traditional beliefs, traditional livelihoods such as farming or traditional plantations (rotation plantations), harvesting non-timber forest products such as honey, resin, Ung resin, wild vegetables, tips of rattan, fishing and so on; and in all development projects, the Ministry always takes into account the social and environmental impacts, having prepared the document of the social and environmental safeguards to avoid any negative impacts that may occur.

101. In particular, with regard to the development, the Ministry has been strengthening and expanding the scope of its activities in rural areas, including the areas where indigenous peoples live, including:

- (a) Rural economic development through basic skills training, provision of credit to create jobs for the purpose of promoting the living standards of rural people to a decent living;
- (b) Rural health development and improvement of living conditions in rural communities through water supply, cleansing and sanitation to ensure the improvement of living conditions of rural people;
- (c) Development of rural communities with security, safety, social order and morality, harmony, respect for the law and social justice to ensure the promotion of rural community values to dignified communities; and
- (d) Development of physical infrastructure and rural transport in order to increase connectivity in rural areas, promotion and facilitation of economic and social activities in rural areas, and increment of the possibilities and potential of rural areas.

102. Overall, the Ministry has paid attention to both conservation and development, maintaining a balance between the preservation of ancient cultures and the modernisation of rural areas, supporting the preservation of indigenous cultures and traditions in rural areas,

and ensuring the harmonisation of traditional cultures and religions of rural indigenous peoples.

Paragraph 67

103. Competition for land and resources in a growing economy has been one of the most visible points of conflict in recent years and poses challenges to the conservation of forests and natural resources. ~~It is linked with evictions and dislocations of communities, including low income settlements and indigenous groups. In urban areas, the poor are being pushed to the side by the advent of commercialization, and new arrivals – rural migrants – are housed in compressed habitat; questions of the right to housing and shelter come into view.~~ So-called economic growth therein also puts pressures on whatever green areas remain. Interlinked with rural areas, there are difficult issues with traditional lands and there are overlaps with the more modern introduction of protected areas by the State.

Points to be removed based on the following grounds:

104. The Kingdom of Cambodia has the Expropriation Law for confiscating ownership and real estate rights from private property to public property of the state, with the state having to make fair and just compensation in advance. Evictions or relocations of communities or groups are the only legal action taken against individuals or groups who have violated the possession of public or private property. Some of these groups have been favoured by the compensation policy, while some others have not only received the compensation policy but also been fined and/or punished according to the extent of each offence.

105. In the Kingdom of Cambodia, neither zones are divided for the poor or the rich nor common shelters are organised. Citizens migrate or relocate according to their own will, based on socio-economic development. Those having no land or really lacking land for housing and family farming will get it through the Royal Government's Social Land Concession Programme. As of May 2021, the Royal Government has provided a total of 1,352,664.28 hectares of social land concession to 485,699 families and built 7,769 houses for them.

106. Investment projects required/are subjected to the environmental impact assessment. The RGC's strategic objective is multifold, ranging from ensuring a balance between development and preservation aimed at ensuring sustainability of forest resources and ecological system. As a result, the forest cover has been maintained at around 60% of the country's total land area, more than 410,000 hectares of economic land concessions have been withdrawn and reconverted into social land concession, grants or reforestation activities. To date, Cambodia is working with development partners in promoting sustainable management of forests, including through the implementation of COP Decisions on Reducing Emission from Deforestation and Forest Degradation and the role of conservation, sustainable management of forest and enhancement of forest carbon stocks (REDD-plus). It is remarkably noted that Cambodia is also making the progress in the establishment of protected areas and biodiversity in high rate compared to some countries all over the world.

Paragraph 68

107. The Rapporteur should further study the processes of environmental impact assessment.

Paragraph 69

108. The construction of flood relief system and drainages under cooperation with development partners, i.e. Japan, should be reflected, taking into account the efforts to cope with flooding issues.

Paragraph 70

109. Actions taken by authorities based on actual offenses. Illegal profiteering of opportunists will be subject to legal action.

Paragraph 71

110. Climate change is becoming more frequent and intense with severe affects to such key sectors as human health, agriculture, forestry, water resources, eco-systems, and economics. Cambodia is still facing those challenges due to limited adaptive and institutional capacity, technology, and financial resources. We also work on the reduction of the vulnerability of Cambodian rural livelihoods through enhanced sub-national climate change planning and execution of priority actions, with the inclusion of climate change in policies and budget allocations at all levels.

N. Civil Society

Paragraph 72-76

111. By the end of May 2021, there are **5,831 domestic associations and non-governmental organizations (NGOs)**, in which comprise of **2,424 domestic associations** and **3,407 domestic NGOs**. Among the total number above, there are **32 associations** and non-governmental organizations for legal entities, comprising of **30 associations** and **2 NGOs**. In the first five months of 2021, **74 associations and NGOs** are registered, including **43 associations** and **31 NGOs**.

112. To enhance civil society organization's activities, the Royal Government of Cambodia has established national and sub-national mechanisms to respond to any inactive activity, and irregularity. Also, the Ministry of Interior continues to take into consideration of all concerns, requests and suggestions of civil society organizations that reported or requested for the cooperation with working group or the capital and provincial administration in order to discuss, for coordinating and finding solutions to problems that have arisen in the purpose of showing a sincere and genuine partnership. Through this mechanism, it makes local authorities able to provide better support and cooperate with domestic associations and non-governmental organizations and communities in their jurisdictions.

113. The Ministry of Interior has cooperated with UNDP in implementing a project entitled **"Building Capacities for Civic Engagement, Peace building and Inclusive Dialogue: Towards Inclusive and Participatory Governance."** for 3 years (2020-2023). This project will help to develop additional capacity for public servants in national and sub-national, as well as the civil society organizations to enhance the partnership between civil servants and civil society organizations. At the same time, the project also supports and strengthens better quality of organizing the forum on the partnership between the Royal Government and civil society organizations and the consultative forum between the capital and provincial administration and civil society organizations.

114. After the Law on Associations and Non-Governmental Organizations was promulgated on August 12th, 2015, until the end of May 2021, the number of domestic association and NGOs registered at the Ministry of Interior are **1,233** of which **647** are associations and **586** are NGOs. In addition, approximately **13 new domestic associations and NGOs** are registered per month at Ministry of Interior.

115. Overall, the Law on Associations and Non-Governmental Organizations aims safeguarding the right to freedom of establishing association and non-governmental organization in the Kingdom of Cambodia in order to protect their legitimate interests and to protect the public interest, as well as to promote partnership cooperation between associations and/or NGOs, and the public authorities for the development of Cambodian society. At the same time, associations and NGOs must act in a neutral manner towards all political parties and must ensure their integrity, transparency and accountability.

116. After consulting with representatives of civil society organizations, the Royal Government working group for facilitating the requests of civil society organizations held two internal meetings, reviewing the content of 5 articles among the 14 proposed articles which based on national laws, international instruments and experiences from other countries, as well as the past practices in order to ensure that this law is in consistent with the development of society, especially to protect people and public interest.

O. Accountability and Remedies

Paragraph 77-78

(a) Accountability of officialdom is always transparent, including in regard to corruption;

(b) Both administrative and criminal disciplines are always applied to public officials who violate the law (there have been one after the other) in accordance with **Samdech Techo Prime Minister**'s five approaches (self-reflection, showering, exfoliation, treatment and surgery);

(c) Consistent statistics on disciplinary action and sentencing are all recorded by relevant institutions and made public; and

(d) All aspects of the Khmer Rouge Tribunal must be weighed, including its requirements, budget, legal proceedings, timeframe and so on.

Paragraph 78

117. On a more international and historical front, in regard to the Extraordinary Chambers in the Courts of Cambodia (ECCC) dealing with the period of the Khmer Rouge regime in the mid-1970s, four (Case 001, Case 002/1, Case 004/1 and Case 004/2) out of seven cases before the ECCC are judicially completed. There have been three convictions and two of the convicted have died. The only remaining convict, Khieu Samphan, is also the defendant in Case 002/02, currently on appeal before the Supreme Court Chamber. Two cases are before the Pre-Trial Chamber, namely Case 003 against Meas Muth and Case 004 against Yim Tith. They are problematic as the co-investigating judges have issued separate and opposing closing orders. In each instance, the national co-investigating judge dismissed the charges, and the international co-investigating judge indicted the accused. On appeal, these conflicting closing orders presented a procedural challenge for the Pre-Trial Chamber. In April 2021, the Pre-Trial Chamber issued its Consideration in Case 003, declaring that the issuance of the Two Conflicting Closing Orders was illegal. In May 2021, the Co-Investigating Judges jointly denied the International Co-Prosecutor's Request to forward the case file to the Trial Chamber. In the appeals against the conflicting Closing Orders in Case 004, the Pre-Trial Chamber projects its decision during second quarter of 2021. Despite the cost of the Extraordinary Chambers and a small number of cases, there are lessons learned from its presence and their work have had positive impact on the Cambodian society. The ECCC's work is important as a historical record for the country and provides an informed and vetted narrative based on evidence collection, collation, deliberation, and analysis. It is also educational as the open process enables the population to learn about legal proceedings and the tragic events of the past which must not be repeated. Over 300,000 people have witnessed the trials to date and have become part of that momentous socialization process.

P. Engagement and Cooperation

118. Cambodia has a strong will to promote and protect human rights, which has been clearly demonstrated through the ratification and accession of eight out of the nine international human rights treaties – i.e. making this country an outstanding one in the region in the name of a party to the international human rights treaties.

119. Cambodia has been actively involved in all United Nations (UN) human rights mechanisms, along with other treaty bodies. For example, since 1993, Cambodia has been the only country in ASEAN to welcome the presence of the Special Rapporteur and the Office of the High Commissioner for Human Rights in order to monitor the human rights situation in Cambodia; and the mandate of the Special Rapporteur and the Office of the High Commissioner for Human Rights in Cambodia has been extended until the present day. In addition, Cambodia has never turned down any request for a visit made by the Special Rapporteur.

120. Government attaches great importance to each treaty body reporting mechanism and UPR and will continue to uphold the principles of the UPR with its non-confrontational, non-

politicized and non-selective approach. However, we resolutely oppose the practice of using human rights as a pretext to interfere in internal affairs of others and to undermine their sovereignty and territorial integrity.

121. After the adoption of the report of the 3rd cycle review, Cambodian Human Rights Committee - CHRC and OHCHR in Cambodia had been working together to co-organize workshops and other program activities to disseminate all accepted recommendations to all relevant line ministries and institutions for implementation. Cambodian Human Rights Committee is now monitoring the implementation of those recommendations and will report back to the council either in the in the next cycle review

122. The treaty body reports that are under the responsibility of CHRC had already been submitted on time. However, for other treaty body reports under the responsibility of other line ministries, CHRC will also try to communicate and coordinate with them, so that they can complete and submit the report within the timeframe provided.

123. Cambodian Human Rights Committee is also now finalizing another report on enforced disappearance to be submitted soon to the Committee on enforced disappearance and also the core document to be finalised and submitted soon to OHCHR in Geneva.

IV. Conclusion and Recommendations

Paragraph 83

124. The Report should review the past and current actions taken Cambodia in collaboration with international communities to fight against COVID-19, then suggest constructive criticism. The COVID-19, transmission cannot be an exceptional case.

Paragraph 84

125. The ASEAN Charter indicates ...united by a common desire and collective will to live in a region of lasting peace, security and stability, sustained economic growth, shared prosperity and social progress, and to promote vital interests, ideals and aspiration. With this regard, the Report should look into the result of the 25th international Conference on the Future Asia in Tokyo. During the Conference, Cambodia called for strengthening cooperation in the context of globalization, which is a global trend that has spurred significant economic growth and created unprecedented conditions for poverty reduction and improvement of people's livelihoods, especially in poor countries like Cambodia. Likewise, in the P4G Seoul Summit, Cambodia mentioned the World need to build back better for well prepared for future shocks. Cambodia mention some key orientations, based on thinking in Cambodia and also the work done ASEAN on a comprehensive COVID recovery framework.
