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Executive Summary

While Secretary-General of the UN stresses, “We cannot choose and pick among human rights”, the assessment of the situation of human rights in Cambodia often deviates from his approach and is carried out in a selective, speculative and prejudiced manner, without taking into consideration national and historical particularities of the kingdom.

Cambodia Human Rights Situationer II aims to offer the readers with insights on wide-ranging aspects of human rights and its challenges on the ground, thus helping form an informed and fair picture of Cambodia along with the assurances that Cambodia government remains resolute in pursuit of its obligations and commitment in the stewardship of the welfare and human rights of Cambodian citizens.

This report, which is a progressive continuation of the first episode (June 2019 to August 2020), highlights Cambodia’s constructive and productive engagements with the UN human rights mechanisms, namely the treaty body, the OHCHR, special procedures, universal period review, and endeavors to establish a national human rights institution. Moreover, it features policies, advocacies and accomplishments as to freedom of expression and media, freedom of peaceful assembly and association, civil society freedoms, pluralism and political space, new legislations, labor rights and workers’ welfare, and rights of persons with disability.

Furthermore, the text offers factual and legal clarifications to certain alleged restrictions arising in the course of law enforcement seeking to shield law-abiding citizens. Finally, this Situationer narrates success story of Cambodia in responding to the Covid-19, recognized by international organizations, and its concerted efforts to address the socio-economic impacts upon the vulnerable.

I. Introduction

The United Nations Secretary-General António Guterres repetitively underlines, “We cannot choose and pick among human rights.” Regrettably, an assessment of the situation of human rights in Cambodia often deviates from the Secretary-General’s approach and is carried out in a selective, speculative and incomplete fashion.

The Permanent Mission of the Kingdom of Cambodia maintains that an evaluation of a country’s human rights situation is reliable, professional and complete when all views, particularly verified source of data from the government, are taken into consideration with objectivity, non-selectivity and non-politicization, bearing in mind national particularities of each country.

In this regard, Cambodia Human Rights Situationer II (September 2020 – February 2021), which is a progressive continuation of the first episode (June 2019 to August 2020), aims to offer the readers insights on Cambodia’s progress and achievements in wide-ranging aspects of human rights as well as factual and legal clarifications on certain alleged restrictions in the course of law enforcement. Furthermore, the Permanent Mission of Cambodia reiterates its readiness to engage in an impartial dialogue on the above-said matters, including explanations pertinent to the bigger story and present development on the ground.

II. Engagements with the UN Human Rights Mechanisms

1. UN Treaty Body

Cambodia is a champion country for ratification of international human rights instruments, attesting to its resolute determination to promote and protect human rights for all. The kingdom has become a state party to eight out of nine core UN human rights conventions, and has fulfilled its report obligations under this treaty mechanism.

In 2021, Cambodia is ready to attend the review of its national reports before the Committee on the Rights of the Child, and the Committee on Human Rights respectively following its submission of the national reports and the replies to the list of issues.

2. Cooperation with the OHCHR

The Office of the High Commissioner for Human Rights (OHCHR) has enjoyed productive cooperation with Cambodia, which was the first country to host the former’s country office since 1993. It now becomes the oldest one in the world.

Lately, Cambodia renewed the Memorandum of Understanding (MoU) with the OHCHR on the implementation of technical cooperation programme on human rights for another period of two years, from 01 January 2021 through 31 December 2022.

The renewal of this MoU, which constitutes a bilateral agreement for the legitimate existence of the OHCHR’s field office in Cambodia, signifies the unwavering commitment of Cambodian government to upholding and advancing

the respect for fundamental freedoms and democracy as enshrined in the Constitution of Kingdom of Cambodia.

3. Cooperation with the Special Procedures

Cambodia attaches importance to the role of the special procedures. Since 1993, Cambodia has accepted six country Special Rapporteurs (SRs) whose mandate was renewed through a consensus resolution adopted without votes. Proposed country visits of the SRs have never been turned down. Despite the Covid-19 pandemic, the present SR had opportunities to interact with high-ranking government officials of Cambodia in August 2020 before presenting her annual report to the 45th Session of the Human Rights Council.

Cambodia also accepts the country visit of thematic rapporteurs. The kingdom will, later this year, receive Mr. Victor Madrigal-Borloz, Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity.

Cambodia always provides timely responses to joint communications and urgent appeals of special procedures on wide-ranging issues brought to their attention.

While having extended the collaboration to the special procedures, Cambodian government hopes to see them undertake the function and mandate in full adherence to the Code of Conduct and the Operational Manual of the Special Procedures, which underlines the importance of observing national legislations and the UN Charter.

4. Universal Periodic Review

In the third cycle of Universal Periodic Review (UPR) in 2019, Cambodia received 198 recommendations offered by 73 delegations. Following the careful review in light of its means and resources, Cambodian government accepted 173 recommendations, accounting for nearly 88 percent, and took note of 25 others.

A number of steps were taken with regard to the accepted suggestions. They were forwarded to line ministries concerned for further actions. The UPR mechanism and its recommendations were also disseminated to law enforcers and relevant authorities at sub-national levels.

A follow-up workshop was envisaged for the mid-term assessment, but interrupted by the Covid-19 pandemic. The government remains committed to holding this seminar when the situation is significantly improved.

5. National Human Rights Institution

In September 2006, the government had tasked a number of leading human rights NGOs in Cambodia to prepare a draft law on the National Human Rights Institution (NHRI). However, they failed to complete the assignment due to their divergences in several issues.

In September 2019, the government has tasked the Cambodia Human Rights Committee (CHRC) to prepare the draft law on establishing the NHRI.

In June 2020, the CHRC announced that the process toward the creation of the NHRI is progressive with the draft law already prepared, which is subject to broad consultations with all stakeholders before it is conveyed to the Council of Ministers. The draft law, comprising of 7 chapters with 27 articles, was shared with the Cambodia-based OHCHR, several foreign embassies, Asia-Pacific Forum of National Human Rights Institutions and the Special Rapporteur on the situation of human rights in Cambodia for their additional inputs.

The CHRC will also consult this draft law with civil society organizations in order to ensure that the legislation runs parallel to the Paris Principles on Human Rights Institutions and the context of Cambodia.

III. Understanding Cambodia and its Contexts

1. Freedom of Expression and Press

A reliable and meaningful debate on the freedom of speech and media should dwell on statistics rather than perception or hearsay from unverified sources of information.

Cambodia's vibrant media freedom is evidenced through the presence of nearly 2,000 new and existing traditional and digital media outlets operating without censorship, many of which are critical ones, including the foreign government-funded Radio Free Asia and Voice of America broadcast in the local language.

Cambodia is also home to more than 10 million registered accounts of Facebook, equal to 65% of the total population. It is a powerful and popular platform for sharing news instantly and public opinions freely. The internet penetration, standing at about 60% nationwide, has never met any shutdown or limitation. Other social media applications commonly used by Cambodian citizens without any barrier include YouTube, Twitter, Instagram, WeChat, WhatsApp, TikTok, Telegram, etc.

Freedom of speech not equate to fake news and hate speech

Article 19 (3) of the International Covenant on Civil and Political Rights (ICCPR) emphasizes that the exercise of the freedom carries with it special duties, responsibilities and limitations provided by laws. Secretary-General of the United Nations António Guterres also cautions the danger of fake news and hate speech, which are an attack on the essence of human rights norms and principles. Additionally, the 73rd World Health Assembly in May 2020 adopted a consensus resolution on Covid-19 responses, calling on member states to take measures to counter misinformation and disinformation.

In this sense, freedom of expression must not be extended to freedom to spread fake news, to defame others, to incite hatred and violence, and to inflame an uprising against a legitimate government. Narratives with blasphemy and incitement to hatred and social chaos are well condemned in European countries.

There is no shortage of instances that certain opposition politicians in Cambodia engaged in racist remarks and dangerous politics of ethnic hatred to

win the electoral votes, which had been well documented by the US Embassy and Amnesty International. For instance, a former opposition leader Mr. Sam Rainsy has repetitively insulted the King of Cambodia despite his supporters' discontentment. In September 2019, the Special Rapporteur on the situation of human rights in Cambodia Professor Rhona Smith deplored, in the Human Rights Council, Mr. Sam Rainsy for his defamatory language and incitement to overthrow a legitimate government. Regrettably, the EU and its member states have turned their deaf ears to his treacherous conducts.

Application of Double Standards?

Legal actions by some Western countries against media outlets and journalists breaking the law or posing a security threat, are well documented. Home of some journalists was raided after they investigated publication of a classified document, which had the potential to undermine national security. Others were summoned for investigating the use of weapons in conflicting zones. In January 2021, giant social networks banned the accounts of a country's former president due to the risk of further incitement of violence.

It is unfortunate that some Western states continue to construe the application of laws in Cambodia, which seek to shield the law-abiding citizens, as suppression of a particular group. Paradoxically, the same measures, when employed in the above-said countries, are considered necessary and lawful to maintain public order and social stability as well as to uphold their sovereignty.

Journalism: neither violates the rights of others nor twists the fact

Charges against a handful of reporters have nothing to do with the exercise of press freedom or mere quoting of public officials' statement, but a crime related to incitement of hatred and violence with malicious intention, which is prescribed in articles 494 and 495 of Cambodia's penal code, crafted with the help of Western legal experts. For instance, one of them violated terms and conditions of the license as well as an agreement deposited with the Ministry of Information with regard to dissemination of distorted news harmful to national security and social order. Cambodia needs journalists who neither violate the rights of others nor twist the facts. Representatives of some CSOs acknowledged the imperative need for enhancing professionalism among reporters in Cambodia.

Cambodian government has offered pro-bono attorneys to assist journalists in conflict with the law in the course of their professional assignments. Since 2016, the Prime Minister has held annual meetings with all journalists. In addition, the Ministry of Information hosts an annual forum with editors to exchange views on their daily activities and challenges of the media outlets.

2. Freedom of Peaceful Assembly and Association

Like other countries, public gatherings in Cambodia are subject to permission from local authorities in order to ensure security and public order. When marching on public roads, they must ensure their compliance with the Law on Peaceful Demonstrations. Article 5 of the said law requires any individuals

wishing to hold a peaceful demonstration in a public space to notify local authorities in writing of the intended rally.

Freedom of assembly: constitutional rights vs. mercenary protests

Cambodian government continues to ensure the exercise of the rights guaranteed by the Constitution. However, it is the government's parallel duty to enforce the acknowledged and clear limits of the rights. Article 21 of the ICCPR stresses that restrictions may be placed on the exercise of the right of peaceful assembly in conformity with the law and when necessary in the interests of national security or public safety, public order, protection of public health or morals or protection of the rights and freedoms of others.

Some Western countries introduced amendments to law on public assemblies to include penalty against organizers not complying with the law. In those nations, police dispersed people protesting anti-Covid measures while other demonstrators were convicted for contempt of public officials and holding a protest without complying with notification requirements.

Peaceful assembly in cooperation with local authorities and in full adherence to security and safety measures are the constitutional exercise of the right. On the contrary, any illegal or mercenary protests that seek to pressure the judiciary or lead to violence, social chaos and disruption of public order is a crime. Therefore, the authorities are entitled to discharge their duty. In August 2020, the Cambodian Interior Minister publicly instructed all police forces to refrain from violence when it comes to the peaceful demonstrations. There were instances that law enforcers were penalized for breaching their duty.

Some people have been mobilized to hold daily or weekly demonstrations to demand an extrajudicial release of certain individuals. Such a deed, which interferes and pressures the judiciary, is a punishable offense in line with article 522 of Cambodia's penal code. In a state of law, the defense against a criminal charge shall be carried out before the court of law, not on the street. In this regard, the accused is fully entitled to a fair trial with their legal representation to prove his innocence and integrity. It is imperative that domestic accountability mechanism be encouraged.

A claim that freedom of assembly in Cambodia is restricted is an exaggeration. Since August 2020, protesters have marched to hand their petitions to a number of Phnom Penh-based foreign embassies and the OHCHR. In December 2020, many provincial communities and some CSOs gathered separately to celebrate "Human Rights Day" and to voice their grievances in both physical and virtual formats. Some CSOs agreed to postpone their public gatherings in the Covid-19 pandemic at the request of the local authority.

3. Civil Society Freedom and Human Rights Defenders

A notion that Cambodia's civic space is shrinking is not substantiated given the fact that Cambodia is home to 5,734 registered CSOs whose instrumental roles in the betterment of good governance, social accountability and justice

system, protection of environment and human rights, and promotion of rural development are well recognized.

Law on Associations and NGOs

Since the promulgation of the Law on Associations and NGOs (LANGO) in August 2015, more than 1,000 CSOs have been further registered with the Ministry of Interior, and the Ministry of Foreign Affairs and International Cooperation. Should the said LANGO be allegedly restrictive, the number of additionally registered CSOs would not have risen at all.

It is with deep regret that a handful of well-structured groupings have refused to register with the competent authorities. Some even engaged in acts of incitement to undermine stability, health safety and public order. Therefore, their operation contravenes articles 9, 30 and 32 of the LANGO. Certain self-proclaimed environmental and youth networks conducted anarchic patrols and unfaithful cooperation, including trespassing, under an environment-conserving banner, on protected areas in breach of article 11 of the Law on Natural Protected Areas.

Dialogues with CSOs to amend the LANGO

A number of dialogue mechanisms were established to build a closer and more fruitful partnership between the government and the CSOs as well as to address the latter's concerns and challenges in the course of their lawful operations. Among the instruments is a working group to amend the LANGO. The dialogues have been held six times during which 14 articles of the law were examined. The government remains committed to the continued conversations.

Bi-annual Dialogues with CSOs to address their challenges

Another framework is the bi-annual government-CSO partnership forum. Sub-national administration has also been instructed to hold twice a year regular consultative forum with local CSOs. Among the significant results was the lifting of requirement of a 3-day prior notification to the local authority by the CSOs, which hold a public event. Additionally, contact details for direct communication and reporting of any problems related to the undertaking of their activities at the grassroots level were exchanged.

Like other countries, the presence of police officers in the vicinity of certain CSO-organized events should not be construed as an intimidation or disruption. They simply carry out their duty to prevent any arising chaos or insecurity. They were well instructed to strictly adhere to the essence of the guidelines laid down by the Ministry of Interior as to the legitimate activities of the CSOs.

Continued prevalence of reports of CSOs critical to the government

Since June 2020, a dozen of local human rights CSOs freely published reports critical of the government as to freedom of expression, the situation of human rights defenders, children's rights, several draft laws, etc. Still, those CSOs continue functioning without any harassment or intimidation. This

reinforces the conviction that all law-abiding political parties, civil society and media can operate freely in Cambodia. Only the law-breakers are disbanded in accordance with the laws. This practice holds true in other countries.

As for the above-said reports, one should question their research methodology. Their texts are a sheer compilation of selective events without cross examination of the motivation as well as factual and legal aspects leading to lawful actions by the government. Cambodia maintains that a complete and professional assessment of a situation must take into account all views, including verified sources of information. Therefore, the credibility of their reports suffers due to the lack of scientific methods and conclusions.

4. Pluralism and Political Space

As of October 2020, Cambodia has 47 political parties registered with the Ministry of Interior. The registered ones have been operating freely in accordance with the Law on Political Parties (LPP) and other regulations.

Conversations with political parties

Regular consultative dialogues between the Ministry of Interior and those establishments have been held with a view to strengthening their responsibility for implementing the LPP, with the last meeting held in late 2019. However, the one scheduled in 2020 was postponed owing to the Covid-19 pandemic.

Plurality of voices in politics and enhanced scrutiny in social justice

To state that Cambodia does not have a political pluralism is to insult 20 political parties that had taken part in the peaceful, orderly, free and transparent election of 2018, and even almost 1.5 million voters (or 23.15%) of the valid votes for the opposition parties.

In the spirit of plurality, a Supreme Consultative Council (SCC), comprised of the ruling party and 15 non-elected parties, was created in the wake of the 2018 democratic elections. Until presently, it has grilled specific ministers on sensitive questions and independently investigates issues affecting land disputes, social justice and public services. As of August 2020, the SCC carried out more than 400 missions to inspect alleged irregularities across the country and reported with concrete evidences directly to the Prime Minister nearly 200 cases of issues, many of which elicited responses from the Premier.

Reinstatement of political rights

Furthermore, amendments to the Law on Political Party paved the way for rehabilitation of political rights of 118 senior officials of the former Cambodia National Rescue Party (CNRP), dissolved by the Supreme Court in 2017. To date, 14 of them have their political rights reinstated, with some forming or intending to form new political parties to challenge the ruling party through elections. While many more wish to seek the reinstatement, they had been blocked by their own leadership, who branded those doing so as “traitors”.

Transparent and participatory trial of Mr. Kem Sokha

With the revised judicial supervision in late 2019, Mr. Kem Sokha, the former President of the defunct-CNRP, has enjoyed total mobility within the country except overseas travel and political doing. Over the months, he has hosted dozens of foreign ambassadors, interacted with the Prime Minister, visited all corners of Cambodia and engaged in humanitarian affairs nationwide.

The trial of Mr. Kem Sokha, which has been transparent and participatory, was abruptly suspended by the Covid-19 outbreak and at the request of the defence lawyers. The resumption date is decided at the court's discretion, taking into consideration the ongoing concerns of the pandemic and its prioritization of the criminal cases with pre-trial detention, which is a recent initiative of the Ministry of Justice to clear a backlog of judicial cases and to ease prison overcrowding.

Trial of those involved in the "9 November" plot

A claim that the hearings of certain individuals linked to the attempted return to Cambodia on 09 November 2019 of Mr. Sam Rainsy are politically motivated and form an intimidation strategy against dissenting voices is groundless and indicative of utter contempt for the independent judiciary of a sovereign state. The truth is that the "9 November" campaign was not a democracy and human rights narrative but a plot by Mr. Sam Rainsy and his conspirators who incited the armed forces to rise up against the people-elected government; inflamed the people power to topple the legitimate administration in an undemocratic fashion; and mobilized fund in support of this sabotage, equivalent to a coup. The offenses of "attack" and "incitement to commit a felony" are evidently prescribed in articles 451 and 495 of Cambodia's Penal Code. It is indeed the court's jurisdiction in determining and proceeding with the charges in light of legal and factual basis. The defendants have full opportunity to be heard, including the right to counsel, to disprove the charges against them and to present their arguments in court as part of the rights to due process guaranteed under the Constitution. They were even afforded pro-bono lawyers, but some preferred the ones of their choosing.

Freedom of speech and border issues

Voicing concerns over the border issue is a freedom of expression. However, a statement fabricating land border encroachment is a crime. The legal action against Mr. Rong Chhun has nothing to do with his presidency of the Cambodian Confederation of Unions nor his role as a trade unionist. The border matter, which is both sensitive and complicated in nature, must be resolved by recognized experts, and not be instrumentalized for a political manipulation. He was prosecuted for his personal and deliberate provocation (in line with article 495 of Cambodia's Penal Code) to the ongoing border delimitation, which had a potential to inflame the rise of ultra-nationalist sentiment from the historical context. The distorting discourse will also jeopardize national security and cordial relations between Cambodia and the neighbor.

5. New Legislations and Other Draft Laws

An assertion that the Law on Management of National State of Emergency (LMNSE) jeopardizes human rights in Cambodia is both unwarranted and prejudiced. Article 22 of Cambodia's Constitution permits the state of emergency, but offers no procedures and applications. Therefore, the LMNSE is imperative to fill the legal vacuum. It is common that each country must possess such a law, which can be applied in certain contexts, namely health pandemic, the act of aggressions by other countries, etc. This long-overdue legislation adheres to the principles of legality, accountability, proportionality and necessity. Unlike other countries, a proclaimed emergency in Cambodia requires a consensus among Prime Minister, President of the two-tier parliament and the King, which reflects a check-and-balance nature. Anyway, the kingdom's LMNSE has never been invoked since its adoption April 2020. The Prime Minister has repetitively announced that the state of emergency would not be proclaimed in the Covid-19 context thanks to Cambodian people's broad participation in the fight the pandemic, which has been managed well by the government.

The draft law on cybercrime, which was initiated in 2016, was widely reviewed and revised following a series of meetings with wide-ranging stakeholders. During the drafting process, the working group consulted with legal experts from the US Department of Justice, and representatives of four major US companies, namely Facebook, Google, Amazon and Oracle with the coordination of the US Embassy in Phnom Penh. The draft law, which is based on the Budapest Convention on Cybercrime and legal modality in some EU member states, will be submitted to an inter-ministerial meeting for further considerations. This law will help support and secure e-commerce and industry.

The Draft Law on Rights to Information (R2I) aims to further protect and promote freedom of expression and media as enshrined in the Constitution. Its drafting process enjoyed wide consultations with all stakeholders, especially UN agencies present in Cambodia (UNESCO and OHCHR) and human rights CSOs. Most comments were integrated into the draft. As for an independent oversight body, the research finds out that R2I Law of some countries does not possess this mechanism either. The creation of such a body also requires additional resources. The final procedure to resolve the conflicts of information request is decided by the court. The draft law will soon be forwarded to the Council of Ministers for further considerations.

6. Labor Rights and Welfare of the Workers

Cambodia is one of the only three member states of ASEAN, which have ratified all eight core labor conventions of the International Labor Organization (ILO). Workers and employers can exercise their rights to form and join their respective professional organizations. As of December 2020, there are 5,484 registered trade unions operating in the kingdom.

With this figure, it is an indisputable fact that Cambodia provides a very conducive environment for trade unions to grow. The Law on Trade Unions (LTU) does not create any obstacle but instead provides easier and faster

procedures for trade union registration. However, it is quite common that the difficulties in implementing the newly established law are inevitable. At the request of industry stakeholders, the LTU was amended in full compliance with the ILO conventions.

Continued pay rise in the context of the Covid-19

Cambodia fully complies with ILO Convention 131 on Minimum Wages Fixing by using the social criteria as the elements for setting the minimum wages. Cambodia's minimum wages ranked fourth in terms of the fastest rise in the region. And, Cambodia is the only country in the region that raised the minimum wages at the height of Covid-19 pandemic. This pay rise was unanimously adopted by the National Council for Minimum Wages, which is the tripartite mechanism for setting the minimum wages.

Social and health benefits for woman workers

In the female-dominant garment industry with almost 800,000 jobs, the government has continued, notwithstanding the Covid-19 pandemic, offering the workers a package of numerous benefits, including free health care during pregnancy and post-delivery, cash transfer for child delivery and birth, as well as 120% salary payment during a maternity leave.

7. Rights of Persons with Disability

In December 2020, Cambodia celebrated the 22nd Cambodian Day of Persons with Disabilities and the 38th International Day of Persons with Disabilities during which the Prime Minister reaffirms the government's firm commitment to promoting disabled rights and improving their quality of life.

In early 2021, the government has started digitalizing the number of persons with disabilities nationwide and issuing an identification card to them in order to ensure they enjoy the benefits from wide-ranging public and private support services.

In addition, draft amendments to the Law on the Protection and Promotion of the Rights of Persons with Disabilities, which was adopted in 2009, were discussed with a view to improving the quality of life for disabled persons in response to the current global crisis.

In late 2020, the government decided to issue a driving license to people with disabilities, providing that they meet the set requirements. Its validity is ten years for Cambodians and one year for foreigners respectively.

IV. Cambodia's Responses to the Covid-19

1. Success Story

Across the world, the handling of the Covid-19 pandemic requires extraordinary and unprecedented measures, taking into account national circumstances. As for Cambodia, the responses with a whole-of-government and whole-of-society approach in line with the WHO guidelines, are to ensure that precious lives are not lost to it. Cambodia has, as of 9th February 2021,

managed the coronavirus with fewer than 500 confirmed cases with no fatalities and no lockdown of the country.

Cambodia ranked 1st in Asia and 3rd globally with the best Covid-19 control, according to Bureau de Perspective Economique of Senegal. Moreover, SBS News-DATELINE of Australia (www.sbs.com.au) reported in January 2021, “As the world grapples with the pandemic more than a year since the first Covid-19 cases were declared, Cambodia has emerged as an unassuming success story. Cambodia is one of few mainland countries to have recorded zero deaths from Covid-19, despite having an underfunded healthcare system.” Moreover, a WHO Representative to Cambodia, congratulated, in November 2020, Cambodia’s early detection, rapid response with targeted interventions, essential elements for successfully managing the Covid-19 event.

It is with deep regret that some countries and NGOs, which purposefully overlooked the said accomplishments, launched a smear campaign that the government has used the Covid-19 pandemic as a pretext to silence dissenting views at the time that the government has strived in concerted efforts to thwart the cluster infection and community transmission. The whole-of-government approach relies upon three fronts, namely preventing the recurrence of imported cases into the country, averting community transmission, and administering treatment to the infected. Moreover, inter-agency coordination and central-local government communication and coordination have been intensified.

The impressive records of achievements did not come by luck, but resolute commitment of the government to good governance, rapid response and human rights values anchored with right to life, survival and health as the first and foremost. Other measures include strict quarantine, strategic testing and tracing, and an aggressive public awareness campaign.

In solidarity and collective efforts to fight the Covid-19 pandemic at regional level, Cambodia contributed humanitarian donations of more than 7 million masks along with many other personal protective equipment and medical gears to four Asian countries, namely Laos, Myanmar, Timor-Leste and Nepal.

2. Social Support for the Vulnerable

Amid the government’s fierce campaign to combat Covid-19 and to address its socio-economic impacts, Cambodian government has put in place various initiatives to support vulnerable groups and leave no one behind.

From June 2020 to January 2021, the cash hand-out program for poor and vulnerable families, which was carried out in three rounds of interventions, has benefited almost 700,000 households, accounting for nearly 2.8 million individuals, across the nation. They also include people with disability, people living with HIV/AIDS, elderly people, pregnant women and children

For the women-dominant garment factories, the workers whose jobs have been suspended as a result of the Covid-19 outbreak have continued to earn a monthly stipend of USD 70 from both the government and the employers. Besides, tourism-sector employees have received a monthly wage support of 40 USD from the government. In total, 332,464 workers (as of 05 February 2021) were recorded for having enjoyed the allowance.

The government has issued guidelines to all financial institutions as to loan restructuring and appealed them to take soft approaches against debtors encountering difficulties in the repayment amid the Covid-19 pandemic. At least 137,158 debtors affected had requested to either postpone loan repayments or restructure it. Nearly 90% of the proposals have been approved by the microfinance institutions.

3. Rights of the Persons Deprived of Liberty

Protecting the rights of persons deprived of liberty remains the government’s importance. Precautionary measures and various initiatives have been introduced to prevent the spread of the Covid-19 in prisons and to address overcrowded jail condition.

They include the creation of a technical working group that links a quick-response reporting system directly to the Rapid Response Team of the Ministry of Health, distribution of hygiene kits, staff training, and awareness-raising among detainees of personal hygiene and communicable diseases with a focus on Covid-19. Chlorite disinfectant sprays are administered weekly in prison buildings, cells, transporting vehicles, health posts as well as general and administrative areas. All entries including goods and consignments bound for detainees from outside the prisons are disinfected before they are passed to the detainees.

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.

A campaign to clear case backlogs at municipal and provincial Courts of First Instance, which was launched in May 2020, has been fruitful. Despite the challenge of the Covid-19 pandemic, the Ministry of Justice has, within 222 days, cleared a backlog of 89% of nearly 40,000 criminal court cases across the judicial bodies in the country. 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.

Pro-bono legal aid has been increased not only to defend the rights of the accused and pre-trial detainees but also to represent the vulnerable victims, particularly poor women. It is offered by the Bar Association of Cambodia, volunteer lawyers team of the Prime Minister, Cambodia Human Rights Committee, non-governmental organizations, etc. The Ministry of Justice has been developing a national policy on legal aid.
