

ADVANCE QUESTIONS TO CAMBODIA-ADD 1

CZECH REPUBLIC

- Freedom of expression has deteriorated in Cambodia in spite of recommendations in this regard and their endorsement by the Government of Cambodia at the last UPR cycle in 2009. Has the Government considered adjusting the Penal Code in order to fulfill its constitutional and international obligations? How does Cambodia intend to prevent the judiciary from abusing the legislation to stifle freedom of expression?
- What legislative steps has the Government taken to protect media and journalists from threats, intimidation and harassment?
- The frequency of public demonstrations has increased since the last UPR, many of them resulting in disproportionate use of force by law enforcement officers. How does the Government intend to address this problem?
- What measures are planned to ensure the protection of human rights defenders and the facilitation of their work?

BELGIUM

- Is the Government of Cambodia considering issuing a standing invitation to the special procedures?
- Does the Government of Cambodia intend to respond positively to the Special rapporteurs that have requested to visit the country, like the Special rapporteur on the Sale of Children, the Special rapporteur on Freedom of peaceful assembly and of association and the Special rapporteur on Human rights defenders?
- Is the Government of Cambodia considering ratifying the first and second optional protocols to the ICCPR?
- Is the Government of Cambodia considering fully aligning its national legislation with all obligations under the Rome Statute, in particular by incorporating specific provisions to cooperate promptly and fully with the International Criminal Court?
- Is the Government of Cambodia considering accepting the individual complaints procedure under all the human rights conventions to which it is already a State party?
- When is the Government of Cambodia planning to present its reports to the CERD and CESCR?

- The CRC recommended to provide the Cambodian National Council for Children with more resources and adopt a national plan of action for children and increase the budget allocated to education. Which steps have been taken in this regard?
- The CRC and CAT have expressed deep concern with regard to the level of domestic violence, including sexual violence in Cambodia, urging the Government to set up a mechanism to report child abuse as well as a child protection system. What has been done to address this concern?
- The CRC has expressed concern with regard to discrimination against children belonging to marginalized and disadvantaged groups and children of Vietnamese origin, who are segregated as they are not given citizenship. Which steps have been taken by the Government of Cambodia to address these concerns?
- Could the Government of Cambodia illustrate what is being put in place to ensure the separation of powers, and in particular the independence of the judiciary? What is the status of the adoption of the fundamental laws envisaged in the 1993 constitution, considered imperative to protect the independence of judges and prosecutors?
- Could the Government of Cambodia explain how it ensures the independence of the national Anti-corruption unit (ACU)?
- Which steps have been taken by the Government of Cambodia to guarantee pluralism in the written and audiovisual press? Is it considering liberalizing the system of licences for television stations?
- Which steps have been taken by the Government of Cambodia to prevent acts of torture and ill-treatment?
- Is the Government of Cambodia considering a review of the criminal code of 2010, encompassing amendments that would ensure a better protection of the freedom of expression and the principle of freedom of the press?
- What is the current status of the draft Law on Associations and NGOs, which contains elements of concern with regard to the respect of Human rights?

SLOVENIA

- In the National Report it is stated that the Royal Government of Cambodia will continue to implement education strategic plan by providing equal opportunities to all children and youth in accessing the basic education. We would like to inquire on the measures envisaged for ensuring this?

UNITED STATES OF AMERICA

- **ELECTORAL PROCESS:** We note that the July 2013 National Assembly elections proceeded in an orderly and mostly peaceful manner. However, legitimate questions remain. Will the Royal Government of Cambodia commit to a transparent review of credible allegations of electoral irregularities and to implement necessary reforms to relevant electoral laws, regulations, bodies, and systems - including the National Election Committee and the voter registration system - so that the people of Cambodia are confident the electoral process reflects their will?
- **FREEDOM OF EXPRESSION:** In its national report, Cambodia cites its adherence to respect for freedom of expression as the basic foundation for democracy, multi-party system and pluralism, further noting that this includes the freedom to research and publicize information orally or in written or other forms without setting any limitations. Does the government plan to repeal or amend relevant articles of Cambodia's Penal Code in order to bring Cambodia's domestic legislation in line with its international human rights obligations on freedom of expression? In particular, will the Royal Government amend or repeal articles regarding: defamation (Article 305); undermining of the dignity of holders of public office (Article 502); and the discrediting of judicial decisions (Article 523)?
- **JUSTICE SECTOR REFORMS:** In its national report, the government identifies as a priority the need to strengthen the capacity, as well as the competence, independence, and impartiality of Cambodia's courts system as a key step in strengthening the rule of law. To help achieve this goal, will the Royal Government of Cambodia declare a timeline for submitting the draft Law on the Status of Judges and Prosecutors, the draft Law on the Organization and Functioning of the Courts, and the draft amendment to the Law on the Organization and Functioning of the Supreme Council of the Magistracy?
- **IMPUNITY:** In its national report, the government vowed to combat violations of law and impunity for crimes committed. Will the Royal Government of Cambodia commit to enhancing its efforts to investigate and prosecute, in accordance with due process of law and other obligations under international instruments, all individuals—whether private citizens or government officials—alleged to have perpetrated serious crimes, including human rights violations and abuses? Will the Royal Government ensure to all people charged with a crime the full range of fair trial guarantees, in accordance with its obligations under international human rights treaties?
- **LAND-RELATED CONFLICT:** In its national report, the government notes the high importance it attaches to land reforms to ensure sustainable socio-economic development. Will the government commit to a timeline for implementing in a transparent manner – and with the meaningful participation of civil society – an official land titling program as a means to resolve land-related conflicts?

- **FREEDOM OF ASSOCIATION:** In its national report, the government states that it has never intimidated or discriminated against any trade union activists. Please describe actions the government has taken to ensure that other entities, such as employers, do not use intimidation against trade unionists to interfere with their exercise of the right to freedom of association. For example, what measures has the government taken to investigate and prosecute the murders of trade unionists Chea Vichea, Ros Sovannareth, and Hy Vuthy?
- **CHILD LABOR:** In its national report, the government indicates its plans for the creation of the 2013-2018 Action Plan against the Worst Forms of Child Labor. What plans does the government have for instituting and enforcing a compulsory education age that is, at a minimum, equal to the minimum age for work? Does the Royal Government plan to raise the minimum age for work in domestic service to at least 14, in compliance with the minimum age for work and with international standards? What plans does the government have for strengthening child labor inspections?
- **FREEDOM OF ASSEMBLY:** In its national report, the government states that the Constitution provides for freedom of assembly, among other universal freedoms. On January 4, 2014, the government banned all public assembly in Phnom Penh. Will the Royal Government commit to lifting immediately the ban on assembly in Phnom Penh, and forgo similar measures in future?

GERMANY

- Considering recent violent clashes of peaceful protesters with security forces and the detention of protesters without access to legal counsel, what measures does the government of Cambodia take to ensure that the human right of association and demonstration can effectively be exercised?
- What procedures are in place in Cambodia for the distribution of licenses for the operation of broadcasting stations and access to public broadcasting stations and how does the government of Cambodia ensure that discrimination as to political opinion or affiliation is avoided?