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HRC section: Agenda Item 10
Speaker: Gary Anandasangaree (intended)

Not Delivered

Oral Statement to the 27th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), a non-governmental organization in Special Consultative Status, and Asian Legal Resource Centre (ALRC), a non-governmental organization in General Consultative Status

Re: Report of the Special Rapporteur on Cambodia

Mr. President:

Lawyers' Rights Watch Canada and the Asian Legal Resource Centre thank the Special Rapporteur for his final report summarizing the accomplishments of his mandate and the critical issues that remain to be addressed.

We welcome news of Cambodia's receptivity to a Paris Principles national human rights institution. Our optimism is guarded given the Government's failure to establish independent institutions or to improve the situation of human rights defenders and land rights activists who continue to be subjected to attacks, judicial intimidation and arbitrary detention.

Lack of judicial and prosecutorial independence continues to undermine fair trial rights. In 2014, the Government passed laws affecting the judiciary with no public or stakeholder consultation and no meaningful parliamentary debate. We highlight the Special Rapporteur's concern that these laws fail to ensure the independence of the judiciary and inappropriately give the Minister of Justice a role in the body that appoints and disciplines judges. These laws should be amended to ensure compliance with Cambodia's Constitution and the ICCPR.

Concerns remain about lack of independence of lawyers, insufficient numbers of lawyers, and lack of legal aid. Reports indicate that, in addition to official fees, some applicants are required to submit large unofficial fees to obtain admission to the bar.¹ All proposals for revision of the Law on the Bar must comply with international human rights standards for integrity and independence of the legal profession and ensure that lawyers uphold and are protected by Cambodia's Constitution and international human rights obligations.

We ask members of Council to urge Cambodia to implement all the recommendations of the Special Rapporteur made during his mandate.

Thank you.

¹ Bridgette Dunlap, *The Rule of Law Without Lawyers: American Legal Reformers and the Cambodian Lawyer Shortage*, available online: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2424255