

CSHL NEWSLETTER

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Prisoners' Rights in Cambodia

Cambodia, in 2020, there are 29 prisons to hold a maximum of 11,000 prisoners. According to the Ministry of Interior, however, there are 39,000 detainees and prisoners in 29 prisons. The service detailed the government's "war on drugs" had exacerbated stuffing as roughly 22,000 of the detainees and prisoners were held for sedate trafficking violations[1], which has violations of human rights of the prisoners.

For an allowances for food and other necessities were inadequate in many cases. Family members often provided these at least in part and sometimes had to pay a bribe to do so. Observers continued to report that authorities misappropriated allowances for prisoners' food, exacerbating malnutrition and disease.[2] Moreover, in correctional center 2 ("CC2") concerning women prisoners, they have shared a cell with 176 women with one bathroom and two toilets and must pay for standard of living including food, clean water, healthcare as well as family visits. [3] Pregnant women are regularly denied extra food portions and vitamins essential to nurturing a healthy pregnancy. In addition, pregnant women are not routinely provided with pre- and post-natal care. In some cases, women are returned to sleep on a cell floor with their newborn the day after giving birth. The government only provided prisons an additional \$0.43 per child per day to the prison's budget. As a result, mothers are not provided with the additional food necessary for breastfeeding or powdered milk and sterile bottles. Once children began eating solid food, they are further essentially starved of vital nutrients.[4] As stated in the Amnesty International report, one woman whose sixteen-year-old younger brother was imprisoned in CC2 detailed the various illegitimate payments that were required in order conduct a visit, highlighting the prohibitive costs of visitation at least \$15 in total just for paying officials when she went to visit her brother, she had to pay money five separate times before she could see her brother.[5] According to the International Covenant on Economics, Social and Cultural Rights, the States Parties to the present Covenant recognizes the right of everyone to an adequate standard of living, including adequate food, clothing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.[6]

In respond to this matter, in May 2020, Cambodia's new Minister of Justice Koeut Rith announced a range of reforms to Cambodia's justice system intended to address the severe backlog of pending cases in Cambodia's courts and the extreme overcrowding in its prisons. These measures included the expansion of alternatives to incarceration, including bail and suspended sentences, as well as early and conditional release for current prisoners.[7] Moreover, the International Committee of Red has pledged to supply help to Cambodia to improve jail works with the Cambodian government, particularly with the Ministry of Interior all endeavors to move forward the jail conditions.[8]

[1] Country Reports on Human Rights Practices for 2020, page 3, available at <https://kh.usembassy.gov/wp-content/uploads/sites/80/CAMBODIA-2020-HUMAN-RIGHTS-REPORT.pdf>

[2] Country Reports on Human Rights Practices for 2020, page 4, available at <https://kh.usembassy.gov/wp-content/uploads/sites/80/CAMBODIA-2020-HUMAN-RIGHTS-REPORT.pdf>

[3] LICADHO, "Voices from Inside: Women and Girls in Cambodia Prisons", 8 March 2021, available at <https://www.licadho-cambodia.org/articles/20210308/170/index.html>

[4] Ibid.

[5] Amnesty International 2020, "Substance abuses: The Human Cost of Cambodia's Anti-Drug Campaign", page 57, available at <https://www.amnesty.org/en/documents/asa23/2220/2020/en/>

[6] International Covenants on Economics, Social and Cultural Rights, Article 11.

[7] VOA Khmer, "Justice Ministry: "Reforms" Will Hasten Court Procedures to Reduce Prison Overcrowding", 19 May 2020, available at <https://www.voacambodia.com/a/justice-ministry-reforms-will-hasten-court-procedures-to-reduce-prison-overcrowding-/5425872.html>

[8] Khmer Times, "ICRC supports Cambodia's prison reform", 12 February 2021, available at <https://www.khmertimeskh.com/50813354/icrc-supports-cambodias-prison-reform/>

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