The Justice Ministry yesterday announced the launch of a six-month campaign to resolve a backlog of nearly 40,000 court cases across the country.

Speaking during a press conference yesterday, Justice Minister Keut Rith said cases have been increasing at the municipal and provincial courts over the past few years.

He said the campaign is necessary to resolve the backlog of cases, speed up the process of finding justice for villagers and reducing overcrowding in prisons.

According to the ministry, there are 39,152 criminal cases, including 6,260 drug cases, still stuck in courts. It said 6,693 were stuck with prosecutors, 20,747 with investigating judges, and 11,712 with trial judges.
Phnom Penh Municipal Court has the most number of court case backlogs. KT/Chor Sokunthea

There are 12,651 inmates, including 6,260 arrested for drug abuse in pre-trial detention, it said, adding: “A campaign will be carried out based on the law, integrity, and accuracy.”

Mr Rith noted that in Phnom Penh Municipal Court there were 12,000 backlog cases, adding that an average of 700 to 900 cases are filed yearly at the court.

“Each judge in Phnom Penh Municipal Court can hear about 130 cases per year and they are trying to work harder to clear backlogs.

However, Chak Sopheap, executive director at Cambodian Centre for Human Rights, said yesterday that the timely processing of cases forms an integral part of fair trial rights as enshrined in international human rights law, including the presumption of innocence and the right to be tried without undue delay.

“This has resulted in severely overcrowded prisons with poor conditions and a heavy backlog of cases,” she said.

“Pre-trial detention should only ever be used as a measure of last resort, and in addition to their present campaign I urge the government to reassess its current use of pre-trial detention,” Ms Sopheap said.

She said, while it is positive that the government is taking action to reduce the backlog of cases awaiting trial, she is concerned that the measures proposed will not prioritise fair trial rights.

“Fair trial rights and due process must not be overlooked in pursuit of speedier trials and shorter case processing times,” Ms Sopheap said.
She added that this includes ensuring the defendant has adequate time and facilities to prepare a defence, the right to legal representation, the right to attend own trials, the right to examine witnesses and to have an interpreter, as well as special measures for juveniles.

“It is crucial that human rights are focal during this campaign and protected in all the measures implemented by the government to improve our court system and reduce court backlog,” she said.

During the press conference, Mr Rith also warned of legal measure against any person who takes the opportunity to commit corruption during the campaign to resolve backlog cases.

He said to ensure the campaign goes on smoothly, the Justice Ministry wants backlogs to be resolved correctly based on legal instruments and relevant stakeholders must adhere to a principle of integrity, honesty, and not be corrupt.

“Ministry has reaffirmed to all leaders of courts that judges and prosecutors who work hard to ensure the campaign is successful will be respected and their achievement will be recorded,” Mr Rith said. “However, if there are judges, prosecutors or clerks who break the law for personnel interest, action will be taken according to the law.”

“The Justice Ministry will take firm legal measures if there are instances of corruption during the campaign,” he added.
Mr Rith called on the public to inform the ministry if they hear of improprieties committed by court officials.

He said he expects the campaign to be successful if judges and prosecutors actively participate in it.

“We will be achieve a good result of between 70 and 80 percent if there judges and prosecutors participate actively,” Mr. Rith said. “A large percentage of people will be released from prison if their cases are resolved as soon as possible and they have completed serving their jail term.”

He added that the campaign will be carried out based on the law and the ministry will not interfere in the independence of the courts or the discretion of judges in making decisions.

Taing Sunlay, director of Phnom Penh Municipal Court, said yesterday he supported the campaign to process backlogs, noting that the court has added four more rooms to speed up hearing cases.

“We have created four more and now have a total of nine courtrooms in a bid to resolve backlogs,” he said.

Details: https://www.khmertimeskh.com/724277/clearing-court-backlogs/