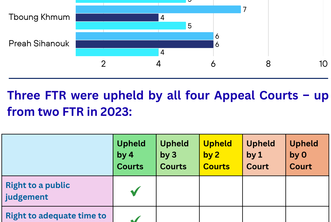
# Fair Trial Rights Report 2024 – Key Findings

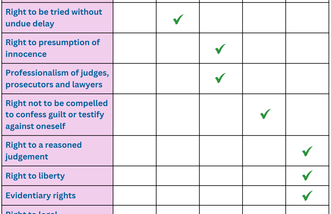
In 2024, CCHR's Fair Trial Rights Monitoring project monitored 582 criminal trials of 822 defendants at the country's four Appeal Courts: Phnom Penh, Battambang, Tboung Khmumand Preah Sihanouk
CCHR assessed to what extent the Appeal Courts adhered to the right to fair trial, a right guaranteed under both Cambodian and international human rights law.
There are 14 components of the right to a fair trial, all of which were assessed during each trial monitored:

- Right to legal representation
- Right to the presumption of innocence
- Right to liberty
- Professionalism of judges, prosecutors and lawyers
- Right to a public hearing
- Right to be tried without undue delay
- Evidentiary rights
- Adequate time & facilities to prepare a defense
- Right to a public judgement
- Rights of children in conflict with the law
- Right to understand the nature and cause of the charge(s)
- Right to be present at trial
- Right to not be compelled to confess guilt or to testify against oneself
- Right to a reasoned judgement

## Overall performance of each of the Appeal Courts:




## Record of each Appeal Court in upholding FTR, 2022 – 2024:




## Three FTR were upheld by all four Appeal Courts – up from two FTR in 2023:

| | Upheld by 4 Courts | Upheld by 3 Courts | Upheld by 2 Courts | Upheld by 1 Court | Upheld by 0 Court |
|---|---|---|---|---|---|
| Right to a public judgement | ✓ | | | | |
| Right to adequate time to prepare a defense | ✓ | | | | |
| Right to understand the nature & cause of the charge | ✓ | | | | |
| Right to a public hearing | | ✓ | | | |
| Right to be present at trial | | ✓ | | | |
| Right to be tried without undue delay | | ✓ | | | |
| Right to presumption of innocence | | | ✓ | | |
| Professionalism of judges, prosecutors and lawyers | | | ✓ | | |
| Right not to be compelled to confess guilt or testify against oneself | | | | ✓ | |
| Right to a reasoned judgement | | | | | ✓ |
| Right to liberty | | | | | ✓ |
| Evidentiary rights | | | | | ✓ |
| Right to legal representation | | | | | ✓ |
| Rights of children in conflict with the law | | | | | ✓ |

## Improvements since previous year:

**2023**
None of the courts upheld the right on professionalism of judges, prosecutors and lawyers

**2024**
Two of the Appeal Courts upheld this right (Phnom Penh, Tboung Khmum)

**2023**
Two FTR upheld by all four Courts

**2024**
Three FTR upheld by all four Courts

**2023**
Six FTR not upheld by any of the Courts

**2024**
Four FTR not upheld by any of the Courts

## Regression since previous year:

In 2024, there was a regression in adherence to the right not to compelled to confess guilt or testify against oneself

- 15 defendants recorded across three Appeal Courts (Phnom Penh, Preah Sihanouk, Battambang)
- However, the right was encouragingly upheld by the Tboung Khmum Court, the first time it has done so since CCHR began monitoring trials there

## On the right to the presumption of innocence:

29% of detained defendants across the four Appeal Courts wore the blue uniform for convicted prisoners

- Improvement since 2023, when 36.5% of detained defendants wore the blue convict uniform
- Phnom Penh had the most notable improvement, with 96% of defendants appearing in the dark orange uniform

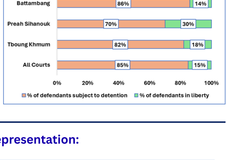



## Rights not upheld by any of the courts:

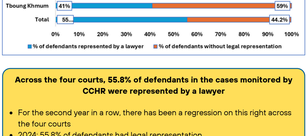
**Right to liberty:**

For the third consecutive year, CCHR recorded an increase in the number of defendants in detention

**85%** of defendants across all four courts were subjected to **detention**




## Right to legal representation:




**Across the four courts, 55.8% of defendants in the cases monitored by CCHR were represented by a lawyer**

- For the second year in a row, there has been a regression on this right across the four courts
- 2024: 55.8% of defendants had legal representation
- 2023: 58.7% of defendants had legal representation
- 2022: 66.7% of defendants had legal representation

This Report and the previous "Fair Trial Rights in Cambodia" reports can be found on CCHR's website www.cchrcambodia.org and Sithi Portal. Should you have any questions or require any further information about this Report, please email CCHR at info@cchrcambodia.org.
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