Trial Monitoring Project

Promoting Justice in Cambodia through Fair Trial Rights

Cambodian Center for Human Rights (CCHR)
Non-political, independent, non-governmental organization that works to promote and protect democracy and respect for Human Rights - primarily civil and political rights - throughout Cambodia.
Content

• Background
• Objective
• Activities
• Methodology
• Achievements
• For more information
• International and Cambodian law recognize and respect the right to a fair trial

“Fair Trial Right is defined as the right of every person accused of a crime to receive a fair and public hearing by a competent, independent and impartial tribunal established by law.” ICCPR

• Cambodian courts are seen to be non-independent, incompetent and biased. Under political control.
Objective

The Project aims to assess the applicability of fair trial standards in Cambodian courts, and works to accomplish the full adherence to fair trial rights in criminal trials, and a fully effective judiciary that is fit for purpose.
Activities

The Project is implemented through the following activities:

• **Monitor criminal trials to obtain quantitative and qualitative data by using the checklist** - an instrument to measure adherence to fair trial rights.

• **Produce an annual report** to set out the data collected during the preceding reporting period and practical recommendations for changes to law, policy and practice. CCHR also produces additional outputs such as, briefing notes, press releases, media comments, factsheets, legal analyses, etc.

• **Engage in dialogue** with key judicial and other stakeholders to share ideas and raise awareness about the Project’s findings.

• **Facilitates and organize capacity-building workshops** on fair trial rights and trial monitoring.
Methodology

• **Location:**
  • While monitoring the **Courts of First Instance**: Phnom Penh Court, Kandal Provincial Court, Banteay Meanchey Provincial Court and Ratanakiri Provincial Court.
  • While monitoring the **Court of Appeal**: Phnom Penh Court of Appeal.

• **Focus**: Fair Trial Rights

• **Infrastructure**: Checklist, Guidance, Law Bank, Code of Conduct, and Database

• **Personnel**: Currently, one trial monitor at the Phnom Penh Court of Appeal.

• **Procedure**: Subject of the trial monitored is random. Data is directly recorded on the Checklist.
Achievements

• The project has been monitored to date: 1,722 trials in the Phnom Penh Court of First Instance, 505 trials in the Kandal Provincial Court, 252 trials in the Banteay Meanchey Provincial Court, 65 trials in the Ratanakiri Provincial Court, 204 trials at the Phnom Penh Court of Appeal, and others 14 trials related to human trafficking and high profile cases in different Courts of First Instance throughout Cambodia.

• Reports on findings have been distributed to universities, judicial stakeholders, and international organizations

• Dialogue:
  ✓ Informing the courts about the Project
  ✓ Consultation with the courts prior to release of reports
  ✓ Dialogue on report’s findings
For more information

• Please visit: www.cchrcambodia.org
  www.sithi.org

• Or contact: info@cchrcambodia.org

• Project Coordinator:
  Soun Bunthoeun, Project Coordinator.
  H/P: +855 (0) 12 48 35 46
  Email: bunthoeun@cchrcambodia.org