



INTERNATIONAL DAY IN SUPPORT OF VICTIMS OF TORTURE:

Human Rights Groups call on the Cambodian Government to Comply with the UN Torture Convention

[25 June 2010, Phnom Penh], 26 June 2010 marks 23 years since the United Nations' Convention against Torture came into force. 146 States have joined up to this landmark Convention, undertaking to prevent, prosecute and provide reparations for torture and end impunity for one of the worst crimes known to mankind.

Today, we express our grave concern about the prevalence of torture and other prohibited ill-treatment, the lack of investigation, prosecution and punishment of such crimes. Today we show our solidarity with victims of torture here in Cambodia and around the world.

Cambodia acceded to the Convention in 1992. In 2007, it ratified the Optional Protocol to the Convention, a positive step through which it took on the added obligation to set up an independent national preventive mechanism to monitor detention centres to help prevent torture in Cambodia.

26 June is also exactly one month before the Extraordinary Chambers of the Courts of Cambodia (ECCC) is due to deliver its first judgment in Case 001, a case which concerns the notorious and wide scale use of torture at Tuol Sleng, the S-21 security prison used during the time of the Khmer Rouge regime.

By agreeing to be bound by the Torture Convention, the Cambodian Government has taken an important step to end torture. In the spirit of this commitment, we now call on the Government:

- To cooperate fully with the United Nations Committee Against Torture, which will consider in November 2010 Cambodia's second periodic report on the measures it has taken to give effect to its obligations under the Convention and to comply fully with the Committee's concluding observations;
- To declare in accordance with Article 22 of the Convention that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation of the provisions of the Convention;
- To ensure that the national preventative mechanism established in accordance with the Optional Protocol to the Convention against Torture is independent and impartial and also capable of receiving individual complaints about torture and other prohibited ill-treatment which it can then convey to the competent authorities for follow-up action;
- To ensure that torture is recognized as a crime in Cambodia in accordance with the definition set out in Article 1 of the UN Convention against Torture. The Cambodian Government should make an official declaration that the definition of torture set out in Article 1 of the Convention, as well as all other provisions of the Convention, are directly applicable in Cambodia, in accordance with the

laws of Cambodia. In addition, to provide the utmost clarity for all Cambodian authorities, the Cambodian Government and the National Assembly should take the necessary steps to ensure that the definition of torture in the Penal Code is made to conform with the definition in Article 1 of the Convention against Torture. Legislation to criminalize torture should be swiftly put in force;

- To establish an accessible and effective means for victims to register complaints of torture and other prohibited ill-treatment with the competent authorities and to ensure that such authorities promptly investigate such complaints in accordance with the Convention, and where sufficient evidence exists, to ensure that those accused of torture are prosecuted;
- To make certain that adequate physical and psychological services are in place for victims of torture, as well as adequate and effective measures of reparation.

Further information, please contact:

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