



**JOINT STATEMENT
23 July 2020**

**CAMBODIAN AUTHORITIES MUST FOLLOW THROUGH WITH
RELEASE OF PRISONERS AMID COVID-19**¹

Amnesty International and the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) call on the Royal Government of Cambodia to follow through with its commitment to address prison overcrowding, by releasing prisoners accused of non-violent crimes, including those at heightened risk of COVID-19 and people held for minor offenses, as well as women incarcerated with their children and detainees who are under 18.

In May, Cambodia's new Minister of Justice Koeut Rith announced a range of reforms to Cambodia's justice system. These promised reforms were intended to address the severe backlog of pending cases in Cambodia's courts and the extreme overcrowding in its prisons through the expansion of alternatives to incarceration, including bail and suspended sentences, in addition to early and conditional release for current prisoners.¹

In a separate announcement in May, Interior Minister Sar Kheng stated that prisoners may be released due to overcrowding and human rights concerns in Cambodia's prisons. The Interior Minister gave an example that up to 10,000 prisoners could be released across the country.

But despite announcing in July that more than 3,500 cases had already been cleared – less than 10% of the pending cases authorities say they are targeting in their six-month campaign – the Cambodian government has been silent on whether any significant number of people have been released from the nation's overcrowded prisons.

Amnesty International and LICADHO urge the Cambodian authorities to publicly disclose the number of prisoners who have been released as part of this campaign, and the legal mechanisms by which they have been released. We also call on the authorities to take immediate action to implement wider reforms to improve the dire human rights situation in its justice system and prisons as promised.

¹ <https://www.voacambodia.com/a/justice-ministry-reforms-will-hasten-court-procedures-to-reduce-prison-overcrowding-/5425872.html>

“The inhumane conditions which prisoners are forced to endure in Cambodia are utterly indefensible. The authorities must follow through on their commitments to address this crisis without delay,” said Ming Yu Hah, Amnesty International’s Deputy Regional Director for the Asia-Pacific.

In June, Amnesty International and LICADHO made a [joint submission](#) to the UN Working Group on Arbitrary Detention highlighting the widespread arbitrary detention of people in Cambodia’s prisons and drug detention centres, in addition to evidence of torture and other ill-treatment, as well as violations of the right to a fair trial of persons deprived of their liberty in the context of the country’s failed anti-drug campaign.

The anti-drug campaign, announced in January 2017, has put unprecedented stress on Cambodia’s prison system as over 55,770 people accused of drug-related offenses have been crammed into already overcrowded and squalid prisons and drug detention centres. A recent investigative [report](#) by Amnesty International revealed systematic human rights violations that are embedded in Cambodia’s anti-drug campaign, including violations of the right to health and the right to be free from torture and other ill-treatment.²

Since the beginning of the anti-drug campaign, the nationwide prison population has skyrocketed by 78% between January 2017 and March 2020. This dramatic increase in incarceration has resulted in acute overcrowding, exacerbating already appalling prison conditions for tens of thousands of prisoners, including women detained with their children, pregnant women and child prisoners.

“Many countries across the world have responded to the COVID-19 pandemic by releasing large numbers of individuals from prison, particularly those accused of non-violent offences or those with underlying medical conditions” said LICADHO Director Naly Pilorge. “If the Cambodian government is committed to tackling the crisis of overcrowding and reducing the risk of widespread transmissions through bail and other measures, now is the time to act.”

Every single prison monitored by LICADHO faces significant overcrowding. Cambodia’s prison population has risen from 21,900 at the end of 2016 to over 38,990 in March 2020, despite the fact that Cambodia’s prisons have an estimated capacity of just 26,593. Rampant overuse of pre-trial detention, which under international human rights law should only be imposed as an exceptional measure of last resort, has created a system of mass incarceration where almost 75% of those in detention have yet to stand trial.

Children and pregnant women face particular risks and challenges under Cambodia’s carceral regime. The number of children behind bars with their mothers has increased dramatically since the government began its anti-drug campaign, from 30 at the end of 2015 to 101 children as of June 2020 in prisons monitored by LICADHO. Many other

²<https://www.amnesty.org/download/Documents/ASA2322202020ENGLISH.PDF>

children in conflict with the law are incarcerated alongside adults in violation of Cambodia's human rights obligations.

The transmission of COVID-19 in Cambodia's poorly-equipped and overcrowded prison system could be devastating. Where as many as 530 prisoners are crammed into a single cell and where access to clean water is severely limited, COVID-19 safety measures such as physical distancing and frequent hand washing are impossible.

Amnesty International and LICADHO condemn the Cambodian authorities' ongoing failure to decisively address the human rights crisis plaguing the country's prisons. We call for immediate action from the Cambodian government, in particular to:

- Implement the promised judicial reforms without delay;
- Release a significant number of prisoners accused of misdemeanours or non-violent offenses;
- Transparently report on progress in respect of all promised reforms;
- Prioritise the release of at-risk groups, including older prisoners, prisoners with underlying medical conditions, pregnant women, women incarcerated with their children, and child prisoners;
- Immediately release all persons held without a sufficient legal basis, including all those arbitrarily detained in drug detention centres;
- Release immediately and unconditionally all prisoners held on politically motivated grounds;
- Review and amend the Law on Drug Control in order to bring it into line with international human rights law.

Note: This statement was updated on 24 July 2020 to more accurately reflect the comments made by Interior Minister Sar Kheng.