United Nations CAT/C/KHM/Q/3

Distr.: General 16 January 2013

Original: English

# **Committee against Torture**

List of issues prior to the submission of the third periodic report of Cambodia,\* adopted by the Committee at its forty-ninth session (29 October–23 November 2012)

Specific information on the implementation of articles 1 to 16 of the Convention, including with regard to the Committee's previous recommendations

## Articles 1 and 4

- 1. In the light of the Committee's previous recommendations (paras. 11 and 15),<sup>1</sup> please indicate if the specific crime of torture has been incorporated into penal law and if it reflects the definition of torture in article 1 of the Convention. Please provide the full text of any criminal provisions concerning offences such as attempted torture and instigating or consenting to torture or ordering torture by a person in authority, specifying the penalties for each offence, and indicate if the State party has enacted a sentencing scheme governing torture and ill-treatment by officials to ensure those convicted are sentenced appropriately.<sup>2</sup>
- 2. As requested by the Committee in its previous recommendations (para. 10), please provide information on the measures taken to ensure the full applicability of the provisions of the Convention in its domestic legal order, in particular on cases of direct application of the Convention by domestic courts, if any.
- 3. In the light of the Committee's previously expressed concern about an apparent climate of impunity in the State party (para. 15), please provide information on the measures taken by the State party to ensure there is no impunity for torture and other cruel, inhuman or degrading treatment or punishment. Please also provide statistical information on any prosecutions of officials for torture, ill-treatment and related offences since the previous review, specifying the title and rank of each defendant, the article(s) under which the defendant was charged, whether the defendant was convicted and the sentence awarded.

Please recycle

<sup>\*</sup> The present list of issues was adopted according to the new optional procedure established by the Committee at its thirty-eighth session, which consists in the preparation and adoption of lists of issues to be transmitted to States parties prior to the submission of their respective periodic report. The replies of the State party to this list of issues will constitute its report under article 19 of the Convention.

Unless otherwise indicated, paragraph numbers in brackets refer to the previous recommendations adopted by the Committee, published under symbol CAT/C/KHM/CO/2.

<sup>&</sup>lt;sup>2</sup> See CAT/C/SR.968, paras. 6, 43 and 66.

## Article 2<sup>3</sup>

- 4. In the light of the Committee's previous recommendations (para. 15), noting numerous, ongoing consistent allegations of torture and ill-treatment of detainees in the State party, in particular in police stations, please describe measures taken by the State party to prevent torture and ill-treatment in detention. Please specifically indicate if the State party has announced a policy to eradicate torture and describe measures taken by the State party to monitor, for example by video or audio recording, all police interrogation sessions.
- 5. In the light of the Committee's previous expression of concern regarding widespread and systemic corruption affecting judges, courts, police and other law enforcement bodies (para. 12), please provide information on actions to eradicate such corruption, in particular:
- (a) If the Anti-Corruption Unit has been fully operationalized and, if so, provide information about the staffing of the Unit and measures to ensure its independence from the institutions it is charged with monitoring, and provide data on the number of complaints received, investigations undertaken and convictions obtained by it;
- (b) On the number of officials convicted of corruption-related offences since the last review, indicating rank and sentence received;<sup>4</sup>
- (c) On measures to eliminate the practice of police benefiting financially from extrajudicial settlement of disputes.
- 6. Please indicate if the State party has adopted legislation since the previous review that expressly prohibits invoking exceptional circumstances as a justification of torture, as recommended by the Committee (para. 15) and in accordance with article 2, paragraph 2, of the Convention. If it has, please provide the text of any such legislation. If it has not, please indicate if it intends to do so.
- 7. In the light of the Committee's previous recommendations (para. 13), please provide information on the measures taken to guarantee the independence of the judiciary in conformity with international standards. Please elaborate on measures taken to:
- (a) Enact laws intended to reform the judiciary,<sup>5</sup> including any consultations undertaken with civil society and the United Nations on the draft laws;
- (b) Implement the recommendations made by the Special Rapporteur on the situation of human rights in Cambodia (A/HRC/15/46, paras. 66–71; see also paras. 19–29).
- 8. Please describe efforts taken to (a) provide all necessary cooperation and assistance to the Extraordinary Chambers in the Courts of Cambodia (ECCC) and ensure that all coinvestigating judges and national and international staff of the ECCC are able to work free from political interference; and (b) ensure impartial and effective investigations into

2

The issues raised under article 2 could also involve other articles of the Convention, including but not limited to article 16. As stated in paragraph 3 of general comment No. 2 (2007) on the implementation of article 2 by States parties: "The obligation to prevent torture in article 2 is wideranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment (hereinafter "ill-treatment") under article 16, paragraph 1, are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture ... In practice, the definitional threshold between ill-treatment and torture is often not clear." See further chapter V of the same general comment.

See CAT/C/SR.968, paras. 8, 12, 45 and 72; A/HRC/18/47, para. 43; A/HRC/13/4, paras. 18 and paras. 82.35 and 82.36.

<sup>&</sup>lt;sup>5</sup> See CAT/C/SR.968, paras. 11 and 67.

allegations of crimes against humanity committed during the Khmer Rouge period in Cases 003 and 004.

- 9. In the light of the Committee's previous recommendations (para. 14), please provide information on measures taken to ensure that (a) all detainees are afforded, in law and in practice, all fundamental legal safeguards from the very outset of their detention; (b) all persons deprived of their liberty have:
- (i) The right to prompt access to a lawyer from the outset of deprivation of liberty and throughout the investigation, trial, and appeals process. Please provide data on the number of lawyers admitted to the Bar Association, practising lawyers, legal aid lawyers and legal aid cases, all disaggregated by province. Please also indicate measures taken by the State party to increase the provision of legal aid services, including by increasing the number of legal aid lawyers, and indicate more generally plans to establish a comprehensive legal aid system in the country;
- (ii) The right to an independent medical examination, by a medical doctor of their choice, from the outset of effective deprivation of liberty;
  - (iii) The right to inform a relative of their detention;
- (iv) The right to be informed of their rights and the charges against them and to be promptly presented to a judge.
- 10. Please indicate (a) measures in place to ensure that the detention of all persons is registered from the outset of their deprivation of liberty; (b) the procedures in place to inspect custody records periodically at detention facilities; and (c) how family members and lawyers are able to access custody records.
- 11. In the light of the Committee's previous recommendations (para. 21), please provide information on:
- (a) Measures taken to prevent and combat gender violence and abuse against women and children, including rape;
- (b) Statistics on the number of complaints of sexual violence, including rape, received during the reporting period, disaggregated by entity receiving the complaint, as well as statistics on the number of investigations into such cases carried out, the number that resulted in prosecutions, the number that resulted in convictions, the charges and sentence in each case in which a person was found guilty and the number of court decisions which were enforced after the verdict;<sup>6</sup>
- (c) Mechanisms created to facilitate the provision of psychosocial and medical care, and redress actually provided to victims during the reporting period;
- (d) Measures taken to ensure that women exposed to violence have improved access to justice and address the practice of out-of-court settlements in relation to rape.
- 12. In the light of the Committee's previous recommendations (para. 22), please provide information on actions taken to prevent and combat trafficking in human beings, especially women and children, including measures taken to:
- (a) Create conditions in which victims of trafficking can exercise their right to make complaints. Please indicate the number of complaints received relating to trafficking during the reporting period, all investigations undertaken into allegations of trafficking and

 $<sup>^6</sup>$  See CRC/C/KHM/CO/2-3, paras. 71 and 72; CAT/C/SR.968, paras. 52 and 60; A/HRC/16/44/Add.3, para. 62.

any resulting prosecutions and whether these resulted in convictions and, if so, the punishment handed down in each case;

- (b) Provide protection for victims of trafficking and ensure their access to medical, social, rehabilitative and legal services, including counselling as appropriate. Please indicate the number of victims that have accessed such services and provide data on any redress awarded to victims of trafficking by courts.<sup>7</sup>
- 13. In the light of the Committee's previous recommendations (para. 29) and the State party's acceptance of the recommendations made in the course of the universal periodic review (A/HRC/13/4, para. 82.7), please describe measures to establish an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).<sup>8</sup>
- 14. Please provide information on the actions taken to establish an independent national preventive mechanism with the necessary mandate and resources to fulfil the State party's obligations under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, noting the Committee's previously expressed concern (para. 30)<sup>9</sup> that the inter-governmental committee created by the State party in August 2009 was not in compliance with Optional Protocol's requirements. Please describe any progress in adopting legislation on the establishment of an independent mechanism. Please also indicate if the State party is considering making public the report of the Subcommittee on Prevention of Torture following its visit in December 2009.
- 15. In the light of the Committee's previous recommendations (para. 31), please provide information on:
- (a) The measures taken to ensure that civil society organizations, including non-governmental organizations (NGOs), are not restricted with respect to their establishment, independence, or operations and are protected from any intimidation or violence as a result of their activities;
- (b) Reports that certain provisions contained in the draft law regulating NGOs may hamper and restrict the legitimate work of NGOs in the promotion of human rights, as referred to by the three Special Rapporteurs in a joint allegation letter dated 13 May 2011 (A/HRC/20/27/Add.3, para. 55).<sup>10</sup>
- 16. Please indicate whether, as previously recommended by the Committee (paras. 12 and 16), the State party has established a witness and whistle-blower protection programme capable of protecting the confidentiality of persons alleging offences including corruption, torture, and ill-treatment and that is sufficiently funded to enable its effective functioning.

#### Article 3

17. In the light of the Committee's previous recommendations (para. 24), please indicate if (a) the State party has explicitly prohibited the expulsion, refoulement or extradition of a person to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to torture; and (b) the State party has adopted legislation guaranteeing the rights of all refugees and asylum-seeking persons, including

<sup>&</sup>lt;sup>7</sup> See CRC/C/KHM/CO/2-3, paras. 73 and 74; CAT/C/SR.968, paras.25–31.

<sup>8</sup> See A/HRC/18/47, para. 46; CERD/C/KHM/CO/8-13, para. 15.

<sup>&</sup>lt;sup>9</sup> See A/HRC/18/47, paras. 46 and 47; CAT/C/SR.968, paras.21–23.

 $<sup>^{10}</sup>$  See also A/HRC/18/46, paras. 25–31; A/HRC/18/47, paras. 19–29.

<sup>&</sup>lt;sup>11</sup> See A/HRC/WG.6/6/KHM/3, para. 59.

unaccompanied children, and provides, in law and practice, all procedural guarantees to persons facing expulsion, return or extradition.

- 18. Please provide information on (a) the law, policy and practice governing the registration and processing of applications for asylum made from detention, including both immigration and penal facilities; and (b) the average processing time of an asylum application.
- 19. Please provide data on all requests for extradition received by the State party during the reporting period, identifying the State requesting extradition, and indicate which of these were granted, which were rejected and the grounds for rejection. Please provide information on any agreements into which the State party has entered related to the return of asylum seekers and refugees or to diplomatic assurances.
- 20. Please provide data, disaggregated by age, sex and ethnicity, on:
- (a) All extraditions, returns and expulsions carried out by the State party that have taken place since the consideration of the previous periodic report, indicating the State to which persons were returned;
  - (b) All asylum applications registered, disaggregated by country of origin;
  - (c) The number of asylum applicants in detention;
- (d) The number of applicants whose applications for asylum were accepted; disaggregated by country of origin; and
- (e) The number of applicants whose applications for asylum were accepted on the specific grounds that they had been tortured or might be tortured if returned.
- 21. Please provide information about the 674 Montagnard and 20 Uighur asylum seekers returned by the State party to other countries, referred to in the Committee's previous recommendations (para. 24), <sup>12</sup> and indicate measures taken by the State party to follow-up on their status.

#### Article 10

- 22. In the light of the Committee's previous recommendations (para. 25), please provide information on:
- (a) The measures taken to develop and strengthen training and educational programmes, including in cooperation with NGOs, to ensure that all officials involved with detainees, including law enforcement, penitentiary personnel, judges and prosecutors, are fully aware of the provisions of the Convention;<sup>13</sup>
- (b) The human rights instruction and training provided for medical and other health personnel involved with detainees on the guidelines to detect signs of torture and ill-treatment, in accordance with international standards (the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)), and psychosocial professionals engaged in work with victims of torture and witnesses both in regular courts and the Extraordinary Chambers;
- (c) Action taken to assess the effectiveness and impact of such training and educational programmes.

See also A/HRC/13/39/Add.1, para. 19, and Corr.1; CERD/C/KHM/CO/8-13, para. 14; CAT/C/SR.967, para. 22; CAT/C/SR.968, paras. 5 and 38.

<sup>&</sup>lt;sup>13</sup> See A/HRC/13/4, para. 82.15; A/HRC/18/47, para. 26.

## Article 11

23. In the light of the Committee's previous recommendations (para. 15), please provide information on measures taken to review the disciplinary system and practices in the prisons and correctional centres to ensure that punishments of prisoners who have breached the law or prison rules, in particular in the case of escapes or attempted escapes, comply with the strict prohibition of torture and ill-treatment contained in article 25 of the 2011 Law on Prisons.

#### 24. Please provide information on:

- (a) Measures taken to establish a national system that effectively and systematically monitors all places of deprivation of liberty, including police stations, prisons, social affairs centres and drug rehabilitation centres, and to ensure appropriate follow-up to the recommendations of any monitors;
- (b) The number of visits to places of detention carried out by relevant national bodies, as well as independent national and international monitors, including NGOs, disaggregated by place of detention and whether the visit was announced in advance or unannounced. Please indicate whether the visits included the conduct of confidential interviews with detainees.

## 25. Please provide data on the number of:

- (a) Individuals in pretrial detention, individuals detained pending appeal and the total prison population disaggregated by gender over the reporting period, as well as statistics reflecting the capacity and number of persons held at each detention facility in the State party;
- (b) Individuals currently held in other places of deprivation of liberty, including police stations, social affairs centres, drug rehabilitation centres and immigration centres, disaggregated by gender and type of facility.
- 26. In the light of the Committee's previous recommendations (para. 19) regarding serious overcrowding in places of detention and reports of unhygienic conditions, inadequate food and health care, please provide information on the measures taken to improve conditions of detention and indicate whether the State party has:
- (a) Enacted legislation permitting non-custodial alternatives to detention, such as supervised release prior to trial (judicial supervision) and community service, and the number of persons who have been subject to non-custodial measures during the reporting period;
- (b) Developed and renovated the infrastructure of places of detention, and adopted relevant standards;
  - (c) Improved prison conditions concerning hygiene and food supply, <sup>14</sup>
- (d) Improved access to health care for prisoners and pregnant and postpartum incarcerated women;
- Taken measures close down the temporary prisons in Pailin and Oddar Meanchey provinces and avoid recourse to similar temporary substandard facilities in the future;

<sup>&</sup>lt;sup>14</sup> See A/HRC/18/47, paras. 8–18.

- (f) Addressed reports on the practice by some police or gendarmerie of temporarily detaining arrested persons in a small cage pending their transfer to a more suitable place of detention.
- 27. In the light of the Committee's previously expressed concern at reports of abuse of prisoners by "prisoner self-management committees" (para. 19), please provide data on cases of alleged prisoner-on-prisoner abuse that have been investigated by authorities during the reporting period, in particular abuse by prisoners given any responsibility by the prison authorities, the number that resulted in criminal or other punishment and the punishment awarded. Please also describe any cases in which officials have been subject to disciplinary or criminal sanctions for tolerating or condoning such abuse.
- 28. In the light of the Committee's previously expressed concerns regarding allegations of sexual violence in detention, please provide:
- (a) Data on incidents of sexual violence in detention documented since the last review, disaggregated by facility, and the status of any investigations into them;
- (b) Measures taken to ensure separation of female and male detainees and that female detainees are guarded by women.
- 29. In the light of the Committee's previous recommendations (para. 19), please provide updated information on the number of deaths in custody, including death of detainees at the hospital, since the last review, disaggregated by cause of death, and indicate if any officials have been investigated, prosecuted and punished in connection with such deaths, in particular relating to the case of Kong La, Heng Touch and Mao Sok.<sup>15</sup>

## Articles 12 and 13

- 30. Noting the concern previously expressed by the Committee (paras. 15 and 16) regarding reports of widespread torture by the law enforcement personnel, including allegations of sexual violence against women in detention and the lack of investigation and conviction of such cases, as well as the absence of an independent civilian oversight body to receive and investigate complaints, please provide:
- (a) Statistical data on all complaints relating to torture and ill-treatment allegedly committed by law enforcement officials received during the reporting period, disaggregated by body receiving the complaint and crime alleged, and information on investigation, prosecution, convictions and penal or disciplinary sanctions applied to the perpetrators;
- (b) Information on the use of article 28 of the 2011 Prisons Law pertaining to prisoners' complaints, including the number and nature of the complaints received, and information on investigation, prosecution, convictions and penal or disciplinary sanctions applied to the perpetrators.
- 31. In the light of the Committee's previous recommendations (para. 16) and the State party's acceptance of the recommendations made in the course of the universal periodic review (A/HRC/13/4, para. 82.27), please provide information on measures taken to ensure prompt, impartial and effective investigations into all allegations of torture and ill-treatment and bring to justice law enforcement and prison officials who carried out, ordered or acquiesced in such practices. Please indicate if all suspects in prima facie cases of torture and ill-treatment are suspended or reassigned during the process of investigation and whether an independent mechanism to receive complaints of torture and ill-treatment by

<sup>&</sup>lt;sup>15</sup> See CAT/C/SR.967, para. 17.

law enforcement officers has been established and, if so, please provide the number of complaints it has received and the actions taken in response to them.

#### Article 14

- 32. In the light of the Committee's previous recommendations (para. 26), please provide information on the legal framework concerning redress and compensation measures, and the measures, including the means of rehabilitation, ordered by the courts and actually provided to victims of torture since the examination of the last periodic report. This information should include the number of requests made, the number granted, the amounts of compensation ordered and those actually provided in each case, and examples of decisions by the competent authorities ordering compensation. Please also provide information on the accessibility and availability of rehabilitation programmes for victims of torture, ill-treatment, trafficking and domestic and other sexual violence, including medical and psychological assistance. <sup>16</sup>
- 33. In the light of the Committee's previous recommendations (para. 27), please provide information on provision of redress for victims of torture under the Khmer Rouge Regime provided by the State party. Has the ECCC amended its internal rules to permit reparation, including individual financial compensation, to victims consistent with article 14 of the Convention?<sup>17</sup> If not, what measures will be taken to ensure that the victims of torture, including gender-based torture, during the Khmer Rouge Regime are being redressed in line with the Convention? What has been done to strengthen the support to witnesses and civil parties during the proceedings of the Extraordinary Chambers, in particular the Victims Support Unit and the Witness and Expert Support Unit, both with respect to legal and psychosocial support?

#### Article 15

34. The Committee has previously expressed concern (para. 28) that the use of forced confessions as evidence in court proceedings is widespread. Please provide information on the measures taken to ensure that, in practice, statements made as a result of torture are not used as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made. Please indicate whether (a) any officials have been prosecuted and punished for extracting such confessions and examples of cases in which the defendant complained that his or her confession had been coerced; and (b) the courts have found any cases of wrongful conviction based on evidence obtained through torture and any redress provided to victims.

# Article 16

- 35. In the light of the Committee's previous recommendations (para. 20) expressing concern regarding allegations of arbitrary detention and abuse in social affairs centres, youth rehabilitation centres and drug rehabilitation centres, <sup>18</sup> please provide the following information:
- (a) Data on investigations, prosecutions and convictions of officials, guards and others at such facilities on charges related to arbitrary detention or abuse, indicating the rank and title of the defendant, the charges, and any disciplinary or criminal penalties imposed;

<sup>18</sup> See A/HRC/18/47, para. 48.

<sup>&</sup>lt;sup>16</sup> See CRC/C/KHM/CO/2-3, para. 39; CAT/C/SR.967, para. 55; CAT/C/SR.968, para. 52.

 $<sup>^{17} \ \</sup> See \ A/HRC/15/46, paras. 32 \ and \ 46; CAT/C/SR.967, paras. \ 16, 24 \ and \ 44; A/HRC/13/4, para. \ 82.43.$ 

- (b) Data on any redress, including compensation and rehabilitation, provided to victims of arbitrary detention and abuse in such centres;
- (c) Whether the State party investigated allegations of serious human rights violations, including torture, rape, beatings, and killings of detainees by guards at the Prey Speu facility between 2006 and 2008, and the results thereof;
- (d) Whether the State party has developed sustainable and humane alternatives to such centres for disadvantaged and vulnerable groups;
- (e) The occupancy rate, including the number of minors, women, mentally ill persons, HIV and tuberculosis-affected persons held, of all social affairs, youth rehabilitation, and drug rehabilitation centres in the State party.
- 36. Please provide data on (a) any cases in which law enforcement personnel have been subject to disciplinary or criminal penalties for excessive use of force or ill-treatment of demonstrators; and (b) the status of any investigations and disciplinary or criminal penalties handed down against law enforcement or military personnel in connection with the following allegations:
- (i) The reported beating of Soung Sophorn, a human rights defender, by police officials on two occasions;
- (ii) The reported use of force and live ammunition during the forced eviction of around 300 households from Borei Keila Community in Phnom Penh on 3 January 2012;
- (iii) The use of force and live ammunition by armed private security guards from TTY company who reportedly shot at four protesters on 18 January 2012 in Veal Bei village, Snoul district, Kratie province during a protest by villagers to avoid the destruction of their plantations by the bulldozers of the private company;
- (iv) The reported forcible eviction by armed security personnel of villagers in Kratie province, on 16 May 2012, in which 14-year-old Heng Chantha was killed;
- (v) The reported use of force by officials in response to a peaceful demonstration by garment workers in the town of Bavet in Svay Rieng province on 20 February 2012, including the shooting of three female workers;
- (vi) The reported excessive use of force outside the country's Appeal Court on 27 June 2012 by police against demonstrators, including women and children, from communities of Boeung Kak Lake;
- (vii) The reported beating with sticks by police officials in Phnom Penh on 11 July 2012 of a trade unionist, Rong Panha, while he was participating in a peaceful march with other 20 garment workers from the Cambodian Confederation of Unions. After being beaten and injured by the police force, he was arbitrarily detained for 12 hours in the Phnom Penh municipal police station with no access to medical care.
- 37. In the light of the recommendations by the Committee (para. 23) and the Committee on the Rights of Child (CRC/C/KHM/CO/2-3, para. 77), please provide information on:
- (a) The number of persons under 18 years of age deprived of their liberty in the State party, disaggregated by facility and gender;
- (b) Whether the State party has established a separate juvenile justice system fully in line with international standards or intends to do so, as recommended by the Committee;
- (c) Alternative measures to detention with a view to ensuring that deprivation of liberty of juveniles is used only as a measure of last resort, for the shortest possible time and in appropriate conditions;

- (d) Whether juveniles are fully segregated from adults in detention;
- (e) The number of children accompanying their detained parent in prison, disaggregated by age and gender.
- 38. Please provide information on the measures, including legislative measures, taken to ensure that all human rights defenders, journalists and trade union members are protected from any intimidation or violence, particularly by law enforcement and security officials, as a result of their activities. In particular, please comment on:
- (a) The fact that Koh Kong provincial court dropped the court case of the extrajudicial killing of environmental activist Chut Wutty on 26 April 2012, thus preventing further examination of witness statements on the identity of the alleged killer;
- (b) The sentencing to 20 years in prison for allegedly unfounded criminal charges for offences including "insurrection" on 12 July 2012 of Mam Sonando, director of Beehive Radio and president of the NGO Democrats Association, following his reporting on land seizures;
  - (c) The filing of criminal charges against union leader Sous Chantha in 2011;
- (d) Reports, including those in an allegation letter by four Special Rapporteurs, dated 26 September 2011 (see A/HRC/20/27/Add.3, para. 56),<sup>19</sup> that the State party temporarily suspended the activities of one NGO and that, on several occasions, security and law enforcement personnel issued warnings to and engaged in acts of intimidation against several other NGOs allegedly as a direct result of their human rights work on issues relating to land and housing rights;
- (e) Concerns expressed by the Special Rapporteur on the situation of human rights in Cambodia regarding reprisals against human rights defenders, land rights activists, and individuals of communities defending their land and housing rights in the context of land disputes (A/HRC/18/46).
- 39. In the light of the recommendations made by the Committee on the Elimination of Racial Discrimination (CERD/C/KHM/CO/8-13, para. 17), please indicate any measures taken to ensure full protection to indigenous peoples against physical attacks and intimidation as they seek to exercise their rights to claim communal land.

# Other issues

40. Please provide updated information on how the State party has ensured that antiterrorism measures comply with all its obligations under the Convention, in accordance with Security Council resolution 1624 (2005). Please describe the number and types of persons convicted under such legislation; the legal safeguards and remedies available to persons subjected to anti-terrorist measures in law and in practice; and measures taken by the State party in response to any complaints of non-observance of international standards.

# General information on the national human rights situation, including new measures and developments relating to the implementation of the Convention

41. Please provide detailed information on the relevant new developments on the legal and institutional framework within which human rights are promoted and protected at the national level that have occurred since the previous periodic report including any relevant jurisprudential decisions.

See also A/HRC/WG.6/6/KHM/3, para. 17; CERD/C/KHM/CO/8-13, para. 17; A/HRC/18/47, para. 25

- 42. Please provide detailed relevant information on the new political, administrative and other measures taken to promote and protect human rights at the national level occurred since the previous periodic report, including on any national human rights plans or programmes, and the resources allocated thereto, their means, objectives and results.
- 43. Please provide any other information on new measures and developments undertaken to implement the Convention and the Committee's recommendations since the consideration of the previous periodic report in 2010, including the necessary statistical data, as well as on any events that have occurred in the State party and are relevant under the Convention.