

are other problems that continue to affect the establishment of the rule of law.

The report further notes that torture and other forms of physical ill-treatment of persons held in police, military or gendarmerie custody continued to be a serious problem, citing cases related to, for example: 30 instances of torture in Battambang's main district-level police station; death in custody; beatings and coercive methods to elicit a confession; denial of access to family or legal counsel; and whipping with electrical cable on several parts of the body. Conditions in prison are described as including: insufficient food rations, potentially leading to an outbreak of beriberi; the decayed state of the buildings; the absence of adequate security measures, overcrowding, insufficient numbers of police guards and their low salaries which make them vulnerable to corruption.

Referring to workers' rights, the report states that the Labour Code of 1997 continued to be ignored and violated by the management of different factories in 1998. Illegal practices and violations included: forcing workers to work overtime and irregularly compensating them for such work; risk of dismissal if overtime is refused; failure to provide paid vacations and basic medical care; failure to respect the rules of minimum wage in a number of garment factories, as well as failure to respect collective bargaining agreements; physical and verbal abuse by management and threats by factory security personnel and management; and efforts by management to control or influence the organizing of unions.

Concerning women's rights, the report notes that, despite constitutional and other guarantees, the situation of women — in particular in relation to their education, health, participation in political life, conditions of work and violence against them — continues to be of deep concern and needs to be addressed as a matter of high priority. The report states that one issue which ought to be a top priority for the new government is education for women and, further, notes: the health of Cambodian women is still very poor with malnutrition, lack of hygiene, frequent pregnancies and lack of access to health services, in particular in the rural areas; women have little knowledge about birth-spacing methods and practices; the difficult access to health services and the cost of services and drugs make women rely more on drug vendors and traditional healers than on private practitioners and health centres, increasing risks of health problems and mortality, especially during birth or when abortions are performed; Cambodia has the second highest rate (after Thailand) of pregnant women affected by HIV/AIDS; that women continue to be the target of violence and discrimination and violence in the home remains of particular concern; few, if any, arrests have been made or penalties given to a husband who abuses his wife; and an increasing number of cases of rape has been recorded, including the rape of children which has sometimes resulted in death.

Other concerns related to children include: child labour, with thousands of children working as prostitutes,

porters and workers in quarries, slaughterhouses, construction and brick factories or working in rubbish-dump areas or for their families; trafficking of children and women for the purpose of prostitution and an underground prostitution industry in the guise of cafés, massage parlours or karaoke bars, noting information indicating that in brothels in Phnom Penh the majority of child prostitutes were of Khmer origin; the problem of police and military protection of brothel owners; poverty and violence in the home, often forcing children onto the streets; police brutality against street children; the sexual abuse and exploitation of street children; and the need to develop non-custodial alternatives and rehabilitation programmes with regard to juvenile offenders.

Commentary on ethnic minorities outlines concerns related to the treatment and status of ethnic Vietnamese, including racist speech against them, discriminatory provisions in the Constitution and the Law on Nationality, massacres of ethnic Vietnamese, most of them attributed to the Khmer Rouge, and failure of the authorities to investigate them properly. The report also refers to concerns expressed by the Committee on the Elimination of Racial Discrimination with regard to the Hill Tribes and notes that the traditional lifestyles and livelihoods of Hill Tribes in the north-eastern provinces have been disrupted by the unabated illegal logging that is taking place, as well as the very large logging concessions the government has granted to timber companies.

An assessment of the implementation of new and previously formulated recommendations is provided at the end of the report as is a description of the activities of the Cambodia Office of the High Commissioner (COHCHR) for Human Rights. The cooperation agreement between the COHCHR and the government was extended to the year 2000.

Resolution of the General Assembly

The 1998 session of the General Assembly adopted a resolution by consensus on the situation of human rights in Cambodia (A/C.3/53/L.39). The GA, *inter alia*: welcomed the agreement by the government to extend the mandate of the OHCHR office in Phnom Penh until March 2000; welcomed the holding of national elections on 26 July 1998; stressed the need for the constructive engagement of all parties in order to fulfil the objective of the elections; welcomed the agreement reached between political parties to convene the national assembly and to establish a coalition government; welcomed the role of national NGOs in educating voters and providing observers at polling stations; encouraged the government to continue to work with NGOs in efforts to strengthen and uphold human rights; noted the formation of a provisional Cambodian human rights committee; encouraged the government, in establishing a new human rights commission, to take into account international standards, notably those on independence; expressed grave concern about numerous instances of violations of human rights, including extrajudicial executions, torture, illegal arrests and detention, and violence in relation to political activities; called upon the government to inves-