



# KINGDOM OF CAMBODIA



**Speech to the 56<sup>th</sup> Session of the CEDAW**  
**by Her Excellency Dr. Ing Kantha Phavi**  
**Minister of Women's Affairs of Cambodia**  
**and Head of the Royal Government of Cambodia**  
**Delegation**

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Distinguished Members of the CEDAW Committee,

Excellencies, Ladies and Gentlemen,

It is my great pleasure to be here today reporting to all of you in relation to the combined Fourth and Fifth period report on the implementation of the International Convention on the Elimination of All Forms of Discrimination Against Women in Cambodia.

**Background Information:**

The Constitution of Cambodia is the supreme legal framework to guarantee equality between men and women in different spheres of social and private life, including equality before the law, in voting and standing as candidates for elections, in choosing employment, in receiving remuneration, in receiving social insurance, in becoming member of labor unions, in working outside the home, in the right to defense through judicial response, in freedom of religion, in ownership, and in marriage and family matters .

In addition, the principle of equality is ensured within other basic laws such as the Civil Code, the Civil Procedure Code and the Penal Procedure Code. Discrimination of women is determined as a criminal offense according to the Cambodian Penal Code, particularly when it comes to recruitment of employees, access to supply of services or goods, and deny to the exercise of rights.

Since January 2006, when our previous reporting session to the CEDAW Committee was undertaken, important steps took place in Cambodia to create and strengthen a legal, policy and institutional framework which enables the empowerment of women and the end of their discrimination.

**Legal Framework:**

Since 2006, Cambodia has adopted appropriated legal regulations and measures for gender equality and to prevent violence against women, which include:

- Law on Monogamy, 2006
- Penal Procedure Code, 2007
- Civil Code, 2007
- The New Penal Code, 2009



- Explanatory Notes to the Law on Prevention of Domestic Violence and Protection of Victims, 2007
- Law on Suppression of Human Trafficking and Sexual Exploitation, 2008
- Law on Tourism, 2009
- Explanatory Notes to Law on Suppression of Human Trafficking and Sexual Exploitation, 2010

In this context, the Law on Prevention of Domestic Violence and Protection of Victims (passed in 2005) is of main importance: The aim of this law is meant to primarily prevent violence and to protect the victim through protection orders issued by the court or administrative decisions issued by local authorities in order to prohibit and prevent violence against women.

Explanatory Notes to this law have been implemented. Training has been continuously conducted for the Communes, Police and the Military, Judges, Prosecutors and Court Clerks as well as other local authorities across the country. The Domestic Violence Law has been integrated into the curriculum of the Royal Academy of National Police and the Royal Academy of the Judicial Professions of Cambodia.

Information about this law for the general public has been widely disseminated through printed documents, video spots, information campaigns, and public forums at national, provincial and district levels. Training for officials in the capital and in the provinces is ongoing as is provision of services for victims. A new Penal Code has been promulgated which responds comprehensively to crimes of gender-based violence and includes provisions relating to deliberate violence, violence committed by a spouse or concubine, rape or sexual harassment.

The reformed Civil Code allows for compensation of damages consistent with the Law on Domestic Violence and the new Penal Code and establishes the rule that person can get compensation for infringement of personal rights like the right to life, to personal safety, health, freedom etc. The compensation for damages shall cover economic as well as non-economic harm including such aspects as emotional distress.

In addition, the Law on Suppression of Human Trafficking and Sexual Exploitation was passed in 2008 with the objective of eliminating the acts of human trafficking and sexual exploitation in order to protect the rights and dignity of human beings, to improve the health and welfare of citizens, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime, or other international



instruments or agreements with regard to human trafficking. Based on this law, selling, buying or exchanging people are punished with imprisonment from 7 to 15 years, and from 15 to 20 years when victims are minors or when perpetrators are public officials.

### **Policy Framework:**

The **Rectangular Strategy for Growth, Employment, Equity and Efficiency Phase II** (2009-2013) is a tool for the Cambodian Government to implement its political platform and meet the MDGs. This Rectangular Strategy recognizes the interconnection between gender equality, women's roles, poverty reduction and socio-economic development of the country. The Rectangular Strategy reiterates that "women are the backbone of the society and the economy". Based on this policy, the Government committed itself to promote women's and girls' education opportunities, and women's economic empowerment.

The **National Strategic Development Plan 2006-2010** and the **National Strategic Development Plan Update 2009-2013** are the two main policies for national development. They also refer to gender equality and emphasize that the implementation of gender policy and gender mainstreaming strategies are necessary.

In addition, the **Neary Rattanak III** is the Five-Year Strategic Plan (2009 – 2013) for Gender Equality and the Empowerment of Women in Cambodia. It focuses on five strategic areas while a mid-term review was conducted in 2011. The Ministry of Women's Affairs is currently developing the **Neary Rattanak IV** in consultation with line ministries and stakeholders.

When it comes to violence against women, the **Second National Action Plan to Prevent Violence on Women 2013-2017** was developed in a process comprised by 10 consultations at sub-national level and a number of consultations at national level. A variety of stakeholders were involved in this process, including women's organizations, CSOs working with disadvantaged groups (women with disabilities, with HIV/AIDs, garment factory workers, elderly women, women from sexual minorities, etc.) and individuals such as women survivors of violence.

The Second NAPVAW builds on the lessons learnt from the First NAPVAW 2009-2012 as well as good practices from other countries' experiences. It includes a Results Based Management framework with 56 outputs, indicators and means of verification, as well as a Monitoring and Evaluation system. It comprises 5 strategies and 16 sub-strategies which are crucial to stop violence against women.



### **Actors and Mechanisms for Gender Equality and Gender Mainstreaming:**

The institutional women's machineries, namely the Ministry of Women's Affairs and the Cambodian National Council for Women, have been leading the efforts to promote gender equality in Cambodia.

In 2010, the Ministry of Women's Affairs was internally evaluated with support of UNDP. As result of this evaluation, capacity development measures for the Ministry's staff were identified in key areas and a corresponding capacity development strategy was designed and started to be implemented in 2013.

At the same time, **Gender Mainstreaming Action Groups** have been formed in the line ministries to develop Gender Mainstreaming Action Plans in order to provide a mechanism for implementing and monitoring gender equality policy commitments and harmonizing the inputs of different donor stakeholders. The development of **Gender Mainstreaming Action Plans** is one of three gender indicators in the National Strategic Development Plan 2006–2010, which stated that all line ministries/institutions should formulate their action plans by 2010. This goal has already been met, and 15 ministries now implement their plans. The Gender Mainstreaming Action Groups are chaired by officials from the decision making level (Secretary of State, Under Secretary of State and General Director Level) and include male and female technical officers from each Department. Gender Focal Points have been designated in provincial line departments.

There is also a system for the empowerment and protection of women on the sub-national level: **Commune Council Women and Children Committees** were established in the country's 1.633 communes and sangkats (urban communes). Consultative Committees on Women and Children were established under the Provincial and District Councils recently created under the Organic Law on Decentralisation and Deconcentration after the elections in 2009. At the same time civil society organizations, including women's organizations, have played a key role to advance women's status in Cambodia.

At national level, as part of the broader aid effectiveness agenda, a **Technical Working Group on Gender** has been set up within the framework of the Cambodia Development Council, the leading forum for dialogue on development between the Government, civil society organizations and development partners. The group brings stakeholders together monitor progresses jointly on an annual basis.

On the other hand, the **Cambodian Gender Assessment 2014** is a core document which is being developed by the Ministry of Women's Affairs in cooperation with stakeholders in order to inform on the status of women as well as current trends of gender relations in Cambodia. It will focus on the update of the information provided in the Cambodian



Gender Assessment 2008 “A Fair Share for Women” and include emerging issues such as gender and climate change and women with disabilities. The Cambodia Gender Assessment is the basis for the design and implementation of interventions for gender equality and the empowerment of women in Cambodia. It provides key and strategic information to be used by policymakers, lawmakers, civil society organizations – including women’s organizations-, universities, researchers, advocates for gender equality and citizens in general.

I am now pleased to brief you on the status, progresses and challenges for gender equality and the elimination of discrimination against women in Cambodia since January 2006, when our previous reporting session to the CEDAW Committee took place. I will do so referring to different key strategic areas for women:

### **Women’s Economic Empowerment:**

Women hardly represent one third of the workers in formal sector (27 percent female versus 73 percent men<sup>1</sup>), which is more stable and generates higher income levels. On the other hand, women comprise 82 percent of the informal sector group, which consists of self-employment and unpaid work and is also therefore more vulnerable<sup>2</sup>.

By sectors, women represent 49.2 percent in wage employment in agriculture, 47.6 percent in industry and 32.5 percent in services<sup>3</sup>.

As success example during reporting period, the **Cambodian Women’s Entrepreneurs Association** was created in 2011 under patronage of the Ministry of Women’s Affairs in order to promote information sharing, knowledge exchange, capacity building and networking of women business leaders. To date, more than 150 women business leaders from all over Cambodia have joined this association which has been appointed as the Deputy Co-Chair of the permanent working group "Manufacturing Small and Medium Enterprises” at the Government-Private Sector Forum, which is held bi-annually under the chairmanship of Prime Minister Hun Sen.

### **Challenges in Women’s Economic Empowerment:**

- While gender gaps are improving in agriculture and industry, attention is needed in the service sector where the female share of wage employment remains low.

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<sup>1</sup> Ibid

<sup>2</sup> Ibid

<sup>3</sup> Ibid



- Illiteracy, low levels of education among adult women, gender stereotypes, and limited access to and control over resources curb women's livelihood options and remain serious constraints for women to overcome poverty. Women's low levels of education and high levels of illiteracy also limit their access to vocational training and decent work.
- It is necessary to ensure that women are informed about their rights under the existing labour legislation, and that they are able to access information about new job opportunities.
- The link between job loss for women and their vulnerability to trafficking and other vulnerable employment in the entertainment sector cannot be ignored.

### **Education:**

There is almost gender equity in literacy rates, especially among young Cambodians<sup>4</sup>. 67.85 percent of women over 25 years old are literate, compared to 81.86 percent of men<sup>5</sup>.

The Ministry of Education, Youth and Sports developed a Policy on Education of Children with Disabilities and a child-friendly school policy at basic education level (Grade 1 to grade 9) and improved classroom environment to provide access to education for children with disabilities. For example, this Ministry has provided scholarships for 10,469 students with disabilities, of whom 4,385 were girls with disabilities. The Ministry facilitated for 78,986 students with disabilities and in difficult situation, including 33,120 women across the country to learn through special education techniques.

Important progress has been made in the last decade in improving primary education indicators and in eliminating gender disparities in primary and lower secondary education, where gender parity has been achieved.

### **Challenges in Education:**

- There are still big gender gaps in upper secondary and especially in tertiary education. Ratio of girls to boys in upper secondary education is 72.9 (CMDG target is 100) and ratio of females to males in tertiary education is 57.5 (CMDG target is 85).

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<sup>4</sup> Cambodian Socio Economic Survey 2009

<sup>5</sup> Ibid



## **Sexual and Reproductive Health:**

Since 2006, remarkable achievements have been made:

- Maternal mortality rate **decreased almost 60 percent in only five years**, between 2005 and 2010, from 472 maternal deaths per 100,000 live births in 2005 to 206 in 2010.
- Infant mortality has declined substantially in the past 10 years, from 95 deaths per 1,000 live births in 2000 to 66 in 2005 and 45 in 2010.
- Under-five mortality declined in ten years, from 124 deaths per 1,000 live births in 2000 to 83 in 2005 and 54 in 2010.
- Cambodia has earned a **global reputation for its effective response to HIV and AIDS epidemic**. Cambodia is one of the few countries in the world that is on track to meet Millennium Development Goal number 6, aimed at stop HIV and AIDS (Cambodia's MDG target of 1.8 percent prevalence by 2015 was already achieved).

All these advancements on health were made thanks to:

- The investment in health infrastructure: **1,400 centers and 82 hospitals were built by 2011**. Health buildings were renovated and better equipped and a regular supply of drugs and material was rigorously enforced.
- Wherever possible, staff was made available 24 hours 7/7 so that women could access to services at any time.
- The **referral system was improved and maternities and delivery rooms in health stations were equipped** so that women coming from far distances could stay 3 days after delivery.
- The quality of education of human resources has been improved and a considerable number of midwives have been prepared and recruited, including as community based midwives. In 2004 there was one midwife for each 229 health centre, in 2008 one for 79 health centre and **in 2009 no health centre was without midwife!**
- A **policy of retention of medical doctors and birth attendants** was practiced, including financial incentives (15 USD per delivery in a health centre and 10 USD in a hospital).



- The cost problem was controlled and **since 2008 poor women are serviced without paying**. The Royal Government of Cambodia subsidizes the services.
- The **cross institutional involvement** (NGO, parliament, volunteers, ministries such as MoWA, development partners, etc.) was crucial to bring about the decrease in maternal mortality.

#### Challenges in Sexual and Reproductive Health:

- In the issue of HIV, the challenge remains in the **spousal and partner transmission and mother-to-child transmission of HIV** are emerging as the main modes of transmission.
- **72 percent of women** report having **one or more problems** in accessing health care for themselves [DHS 2010].
- The **most frequently cited problem** in accessing health care was **not having money for treatment** (65 percent). One-third of women reported problems in getting permission to go to a health facility (33 percent), and two in five (40 percent) did not want to go to the facility alone. 36 percent of women cited distance to the health facility as a problem. As expected, rural women were more likely than urban women to have problems related to distance to a health facility and getting money for treatment.

#### Women in Politics and Decision Making:

Achievements at Executive Body (new government formed in September 2013):

- There is a woman as Deputy Prime Minister in the current and former Government, something that had never happened before.
- More than 20 percent of Secretaries of State are now women (20.2 percent), compared to 8 percent of them between 2008 and 2013.
- Almost 19 percent of Under-Secretaries of State are women (18.7 percent), compared to 15 percent between 2008 and 2013 (15.1 percent).

Achievements at Commune-Sangkats (latest elections held in June 2012):

- Increase (relative increase) of 15 percent in number of women elected in Commune Councils (reaching 2,038 women at this level).



- Increase (relative increase) of 30 percent in number of women elected as Commune/Sangkat Chiefs (reaching 96 women at this level).
- Increase (relative increase) of 20 percent in number of women elected as First Deputy Chief (reaching 189 women at this level).
- Increase (relative increase) of 13 percent in number of women elected as Second Deputy Chief (reaching 151 women at this level).

#### Achievements in Public Service:

- The proportion of women civil servants increased from 32 to 34 percent only in two years, from 2007 to mid 2009.

#### These achievements in decision making were made thanks to:

1. Policy of the ruling party approved in 2013 to promote women in the executive body which establishes at least one woman secretary of state and under-secretary of state in each ministry.
2. Sub decree no. 22 on Decentralization, which establishes that at least 1 out of 3 commune village leaders have to be women.
3. Special Guidelines from Prime Minister to appoint one woman as Deputy Governor in each province and district.
4. Guidelines for gender equality developed by the Government to promote women as civil servants as well as for postponing retirement of women civil servants until the age of 60 years old on a voluntary basis (and not at the age of 55 or 58 years old, as in the past).

#### Challenges in Women in Politics and Decision Making:

- Perceptions and traditional gender norms need to be changed in order to empower women and facilitate women's participation in politics and decision making. Women still face stigma when participating in political life, especially at sub-national level.
- All political parties need to appoint more women in eligible positions in electorals lists for national and sub-national elections. For example, percentage of women parliamentarians has not increased in 2013 elections and remains around 20 percent (20.32 percent).



- More women are needed as judges and prosecutors. Currently, 4 out of 30 judges and 1 out of 13 prosecutors of the Supreme Court are women, while 30 out of 195 judges and 14 out of 111 prosecutors are women in the Municipal Court.

### **Violence against Women:**

#### **Achievements:**

- Based on the Cambodia Demographic Surveys 2000 and 2005, the percentage of ever-married women who experience physical violence from their husbands or partners relatively decreased 15.8 percent in five years, from 2000 to 2005. A total of 426,598 women (12.8 percent) experienced spousal violence in 2005, which is considered as the current prevalence data on spousal violence in Cambodia. Demographic Health Survey 2010 did not contain a module on domestic violence, so latest data on this regard comes from 2005 survey. However, it is widely believed that prevalence of spousal violence from Demographic Health Surveys is indeed an underestimation of real prevalence due to nature of survey interviews. That is why two national prevalence surveys undertaken by WHO-UN Women and UNICEF are being carried out to present more reliable and accurate prevalence data on intimate partner violence and violence against children, respectively.
- In 2009 a follow-up survey on Violence against Women was conducted by the Ministry of Women's Affairs to assess progress in the eradication of violence. Compared with the data of the 2005 baseline study, it shows that violence has become less acceptable and less accepted than it had been five years ago. The percentage of Cambodian men who consider it justified to throw objects dropped by 30 percent. The number of men who approve of beating and the use of chains dropped by 16 percent. The number of women who approved of these acts decreased by 29 percent respectively. Knives tend to be used less and less as a means for resolving conflicts. Overall, violent behaviour is less and less accepted and less prevalent. This demonstrates a change in values, which – amongst other things – can be attributed to the multi-faceted strategy approach of the Royal Government of Cambodia.



- Number of rape and sexual assault cases going all the way to final verdict has doubled from 2010 to 2011 (from 468 new cases, 59 convictions and 18 acquittals in 2010 to 456 new cases, 130 convictions and 18 acquittals in 2011)<sup>6</sup>.
- More than 120 Judicial Police Officials have been appointed, trained and graduated at the national and sub-national level.

#### Challenges in Violence against Women:

1. To improve services to women survivors as well as legal and police response to all forms of GBV against women and girls, including intimate partner violence, rape and trafficking.
2. To strengthen women's economic empowerment and to stop social stigmatization of women's survivors through communication and behavioural change campaigns.
3. To engage men and young people more effectively for work-family balance and for behavioural change to end GBV.
4. Personnel working in health sector needs to be more gender-responsive in order to detect and support female patients who are suffering from GBV.
5. To support and inform recently unemployed women or those who work in unstable sectors to warn against trafficking and exploitation, and help women learn about other available options.
6. To accomplish further and more accurate research on all forms of GBV as well as to get more reliable data on rape and trafficking.

#### Conclusion:

The Royal Government of Cambodia fully acknowledges the CEDAW, its goals and principles, since its ratification on 15 October 1992.

The Ministry of Women's Affairs of Cambodia and the Cambodian National Council for Women have been intensively advocating for gender equality and women's empowerment at international, national and sub-national levels. We also recognize the role of civil society organizations, especially women's organizations, and the need of

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<sup>6</sup> Data from Ministry of Justice published in *Facing the Facts: How Evidence-Based Programs Improve Gender-Based Violence Prosecutions in Cambodia*, East-West Management Institute, March 2012



avoid social exclusion of women from disadvantaged groups, such as elderly women, girls, women with disabilities, women with HIV/AIDs, indigenous women, lesbian and bisexual women, women living in remote areas, garment factory workers, women working in men's entertainment sector, etc.

We will continue joining efforts with partners and key stakeholders to overcome challenges for gender equality in Cambodia, especially in the most critical areas: access to upper-secondary and tertiary education; representation in politics and decision making, and participation in formal economy.

Thank you very much!