

# A Guide to OP-CEDAW for Cambodians

## Submitting individual communications under the OPTIONAL PROTOCOL TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN



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*The Royal Government of Cambodia became a State Party to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (OP-CEDAW) when it ratified the Optional Protocol.*

*This leaflet presents a step-by-step guide for groups or individuals submitting communications to the Committee on the Elimination of Discrimination Against Women.*

### STEP ONE: ARE YOU ELIGIBLE TO SUBMIT A COMMUNICATION TO THE COMMITTEE?

Check that:

- ✓ You are NAMED in the submission (i.e. you are not anonymous)
- ✓ If you are REPRESENTING others, you have their written CONSENT to represent them, or you have GOOD REASONS to make the claim on their behalf
- ✓ You are making a submission IN WRITING
- ✓ You or those you represent suffered a VIOLATION under the Convention
- ✓ The alleged violation occurred after the Optional Protocol came into force in CAMBODIA on 12 January 2011.

### STEP TWO: IS YOUR COMMUNICATION ADMISSIBLE?

Check that:

- ✓ You have EXHAUSTED all remedies available to you in Cambodia for the alleged violations
- ✓ You have waited a REASONABLE length of time for your case to be considered in the domestic system and to obtain EFFECTIVE RELIEF
- ✓ Your claim falls within the scope of CEDAW and you have GOOD GROUNDS to make your claim
- ✓ Your CLAIM has not been PREVIOUSLY REJECTED by the Committee
- ✓ Your claim is not currently being EXAMINED by a DIFFERENT INTERNATIONAL COMMITTEE

### STEP THREE: WHAT SHOULD YOUR COMMUNICATION INCLUDE?

Check that your communication:

- ✓ Is made in one of the official United Nations languages (Arabic, Chinese, English, French,

- Russian or Spanish)
- ✓ Includes information about YOU
- ✓ Includes information about anyone who you are submitting a claim on behalf of and their written consent
- ✓ Includes facts about the complaint and the nature of the alleged violation (including a description of the alleged violation(s) and the perpetrators, dates, places and times where the violations occurred, and provisions of the Convention that have been violated)
- ✓ Includes the steps you have taken to exhaust domestic remedies
- ✓ Includes any other international remedies that have been sought
- ✓ A model communication form is available at [www2.ohchr.org/english/law/cedaw-one.htm](http://www2.ohchr.org/english/law/cedaw-one.htm)

### STEP FOUR: WHERE DO YOU SEND YOUR COMMUNICATION?

Send your communication to:

The Committee on the Elimination of Discrimination Against Women Petitions Team  
Office of the High Commissioner for Human Rights  
United Nations Office at Geneva  
1211 Geneva 10, Switzerland  
E-Mail : [tb-petitions@ohchr.org](mailto:tb-petitions@ohchr.org)  
*Communications can be sent by email.*

**You can also contact OHCHR Cambodia for further assistance.**

### STEP FIVE: WHAT WILL THE COMMITTEE DO?

**First, the COMMITTEE will contact the GOVERNMENT.** Provided you have satisfied steps one and two, the Committee:

- WILL CONFIDENTIALLY bring YOUR COMMUNICATION to the attention of the CAMBODIAN GOVERNMENT, only NAMING YOU if you consent to be named
- May ask the Cambodian Government to take some immediate measures to avoid any further damage to you while the Committee considers the merits of your communication.
- WILL REQUEST a written response from the CAMBODIAN GOVERNMENT within SIX MONTHS of the time in which THE COMMITTEE'S REQUEST is sent

**Next, the COMMITTEE will consider the INFORMATION received.** The Committee will consider, in CLOSED MEETINGS: The documents it has received from YOU and the CAMBODIAN GOVERNMENT including:

- NGO reports
- United Nations reports
- Analysis of national or international law
- Additional documentary evidence, including testimonies, videos, photography
- Any other reliable information submitted to it

You should submit as much evidence in support of your claim as possible!

**Finally, the COMMITTEE will send its VIEWS and RECOMMENDATIONS to both you and the Cambodian Government.** The Committee will conclude whether or not a violation of the Convention has occurred and, if so, propose recommendations. The recommendations may include:

- Specific remedies for the violation in question;
- Steps required to end the violation against you;
- A review or change of laws to prevent future violations

### STEP SIX: WHAT ARE THE GOVERNMENT'S OBLIGATIONS IN RELATION TO THE COMMITTEE'S RECOMMENDATIONS?

The Cambodian Government is obliged to give due consideration to the Committee's recommendations. If the Committee thinks it appropriate, the Committee will invite the Cambodian Government to submit further information about the violation and any steps taken by the Government to remedy it. The Government is not legally bound by the Committee's recommendations but it should comply with them.

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