



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Fifty-sixth session**

30 September-18 October 2013

Item 4 of the provisional agenda\*

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**List of issues in relation to the combined fourth and fifth  
periodic reports of Cambodia**

**Addendum**

**Replies of Cambodia to the list of issues\*\***

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\* CEDAW/C/56/1.

\*\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document has not been formally edited.



### **Response to question 1**

The combined fourth and fifth National Report on CEDAW implementation has been developed as follows:

- The Cambodian National Council for Women is mandated to lead the preparation of this report by forming an inter-ministerial working group of experts selected among the gender mainstreaming action group of each ministry.
- The working group held initial meetings to go through the 42-point comments and studied experiences in writing the report.
- The working group received training on methodology for writing CEDAW report.
- The working group was divided into 4 (four) teams to collect information and data from relevant government's ministries, institutions and organizations.
- Each team used the collected data to write the report in response to the 42-point comments with assistance from those who are experienced in formulating this report.
- The draft report was brought up for discussion in three workshops in which civil society and non-governmental organizations active in women's issues participated to review and provide inputs.
- The draft report was also brought up for discussion in ordinary meetings of the Cambodian National Council for Women.
- Finally, the draft report was submitted to and approved by the Royal Government of Cambodia in the plenary session of the Council of Ministers on 7 April 2010.
- The report has not yet been submitted to the National Assembly for adoption.

### **Response to question 2**

Ministry of Justice has formulated provisions of domestic laws by integrating the content of CEDAW in the domestic laws to be consistent and properly implemented according to CEDAW.

A. Ministry of Justice has received funding from the Royal Government of Cambodia to provide training courses on CEDAW and relevant domestic laws for judges, prosecutors and court clerks from the courts of first instances across the country, staff of Provincial Department of Women's Affairs and law enforcement officers from the Capital and provinces. This includes:

- 600 officers, of whom 172 were females in 2010
- 600 officers, of whom 166 were females in 2011
- 600 officers, of whom 188 were females in 2012
- 800 officers, of whom 231 were female in 2013

– In addition to this, the Ministry of Women's Affairs and the Cambodian National Council for Women have cooperated with the National Training Institutes such as the Royal School of Administration and the Academy of

Cambodian Police School in incorporating the content of CEDAW in their curricula.

- Cambodian Human Rights Committee has conducted a training of trainers for dissemination and human rights training, including CEDAW, for 12 people at national level and 160 people at Capital/provincial level. At the same time, the Cambodian Human Rights Committee conducted CEDAW awareness sessions for 800 human rights focal points and 3,000 students.

B. Actions to ensure that women know clearly about their rights enshrined in CEDAW are taken by raising awareness and training on gender.

Cambodian law provides for equal rights between men and women.

1. The Civil Code stipulates that:

Article 6: “Every natural person shall be eligible to become a holder of rights and obligations.”

Article 11: “If there is a concern that personal rights are illegally violated or if there is a concern that the abuse of personal rights that has already happened may be perpetuated or may happen again illegally those who have personal rights can demand for an end to such abuse.”

2. The Criminal Procedure Code states:

Article 3: Criminal actions apply to all natural persons or legal entities regardless of race, nationality, colour, sex, language, creed, religion, political tendency, national origin, social status, resources or other status.

Article 6: Any person who claims to be a victim of an offence can file a complaint.

C. To date, no complaint has been filed for discrimination against women in courts.

### **Response to question 3**

The new laws enacted since 2010 include:

- Civil Code (effective in 2011)
- Law on Implementation of the Civil Code (2011)
- Law on Complaint Procedures related personal status (2010)
- Law on Procedures for Civil Cases that are not lawsuits (2010)
- Law on Financial Regime and Management of Subnational administrative property (2011)
- Law on Prison (2011)
- Law on Drug Control (2012)
- Law on Public Procurement (2012)
- Inter-Ministerial Prakas on Registration of Immovable Property related to Civil Procedure Code (2011)

- Inter-Ministerial Prakas on Procedures for Registration pursuant to evident rights related to Civil Code (2013), etc.

The Cambodian National Council for Women (CNCW) has published CEDAW texts and relevant documents to make a wide dissemination throughout the country.

CNCW and all line ministries/institutions have jointly disseminated CEDAW by:

- Organizing workshops, seminars, training
- Radios, televisions spots
- Publication of newsletters and yearly diaries

#### **Response to question 4**

Progress of the established national human rights institutions:

- The Cambodian Human Rights Committee, in cooperation with Civil Society Working Group, already finalized the draft law on creation of this body. Currently, civil society groups are disseminating this law to the general public and non-governmental organizations for further feedback.

Chapter 3 of this draft law defines the roles, duties and authority of this institution to handle complaints about human rights violation, including discrimination against women.

#### **Response to question 5**

The definition of discrimination of the Kingdom of Cambodia is in accordance with article 1 of the Convention in the State Party's domestic legislation.

Each discriminatory act is determined as criminal offence in the Cambodian Penal Code.

1. Refusal to supply services or goods to another person based on the grounds of gender (male or female) is a discrimination that shall be punished as a crime.
2. Refusal to hire or subjecting offers of employment to condition of gender (male or female) is a discrimination that shall be punished as a crime.
3. Denial of any person to access any particular right on the ground of sex is a discriminatory act that shall be punished as a crime.

#### **Response to question 6**

The Committee recommended in its previous concluding observations to the State to evaluate the effectiveness of national machineries of the advancement of women and related institutions.

Two evaluations were conducted:

- In 2010, the Ministry of Women's Affairs cooperated with the United Nations Development Programme (UNDP) to evaluate its institutional staff's capacity.

Main results of this evaluation are:

1. The Ministry of Women's Affairs (MoWA) has a significant role in coordinating with different stakeholders in gender mainstreaming. The capacity to do this job has to be increased.
  2. The capacity of MoWA, CNCW and other relevant mechanisms has been strengthened through training. The training method has to be adapted to the training needs.
  3. The flow of information sharing and communication between internal and external stakeholders has to be increased.
- In 2011, the Ministry of Women's Affairs conducted a midterm review of its five-year strategic plan (Neary Ratanak III), revisiting the roles and effectiveness of all relevant mechanisms, including the Ministry of Women's Affairs (MoWA), Cambodian National Council for Women (CNCW), Technical Working Group on Gender (TWG-G) and all sectoral Gender Mainstreaming Action Groups (GMAG) of all line ministries.

The results of the evaluation are:

1. The Technical Working Group on Gender has a very important role for information sharing.
2. The effectiveness of harmonizing activities with limited support for result-based management of accountability has to be increased.
3. More opportunities for discussions than the discussions in the TWG-G meetings have to be created.

To summarize:

The two evaluations pointed out the needs for improving participation and effectiveness of performance of each mechanism and gave recommendations for capacity strengthening and capacity strategy.

MoWA has included this in the draft five year strategic plan (Neary Ratanak IV).

In addition, the Royal Government of Cambodia has created such mechanisms as Consultative Committee for Women and Children at provincial, district and commune levels in order to give more effective responses to women's issues, especially rural women.

### **Response to question 7**

The Ministry of Women's Affairs has a Legal Protection Department for women. The Royal Government of Cambodia gives legal support services for women by funding 200,000,000 riels (two hundred millions riels) a year for the Cambodian National Council for Women to provide legal services for female victims and the charged women. In addition to the state-funded legal assistance, there are also a number of non-governmental organizations (NGOs) that provide legal assistance for women and Legal Support for Children and Women (LSCW).

As measures, the Royal Government of Cambodia has encouraged the Bar Association of the Kingdom of Cambodia (BAKC) to involve more women in examinations for legal professions to make legal aid system more extensive and effective.

In some courts of first instances, like Phnom Penh Court of First Instance, there are offices of lawyers and NGOs active in women's issues to provide legal services for women in different cases.

### **Response to question 8**

The Royal Government of Cambodia has made vigorous efforts in changing behaviours and attitudes towards women by laying out measures in all sectors to change traditional, cultural and customary practices, stereotypes and social norms that discriminated against women in the past.

The measures that are laid out include:

- Legal measures: all laws that have been promulgated guarantee equality between men and women, for example the Law on Marriage and Family, the Law on Prevention of Domestic Violence and Protection of Victims, the Penal Code, the Civil Code, Criminal Procedure Code, Civil Procedure Code.
- Educational measures: Ministry of Education, Youth and Sport has provided Gender Training by mainstreaming the substance of the Convention on the Elimination of All Forms of Discrimination against Women in its curriculum. Meanwhile, education is promoted through the media, for example, educational spots are aired on radios and televisions.
- All government's ministries and institutions have Gender Mainstreaming Action Groups (GMAG) and these groups always disseminate CEDAW to their staff respectively.

### **Response to question 9**

- The National Action Plan to Prevent Violence against Women 2009-2012 was reviewed in 2012.
- Currently, the second National Action Plan is being drafted with participation from relevant national and international development partners. The second national action plan has five main strategic areas:
  - Strategy 1: Primary prevention (awareness-raising)
  - Strategy 2: Provision of services
  - Strategy 3: Policy and legislation
  - Strategy 4: Capacity-building
  - Strategy 5: Monitoring and evaluation
- Measures to implement the Law on Prevention of Domestic Violence and Protection of Victims:

In order to implement this law effectively, the Ministry of Women's Affairs has cooperated with the Ministry of Justice (MoJ) to provide training on Law on Prevention of Domestic Violence and Protection of Victims for law enforcement officers, and in 2012, the Ministry of Women's Affairs took a leading role in forming a subgroup on response to gender-based violence under the Technical Working Group on Gender to seek supports and coordinate gender mainstreaming activities with a view to reduce violence against women. This subgroup is composed

of representatives from line ministries and relevant local NGOs and international organizations, and has developed its annual action plan and specific indicators for monitoring.

At the same time, the Royal Government of Cambodia has set up a system to collect data of domestic violence.

Meanwhile, an inter-ministerial working group of MoWA and MoJ is in the process of developing a gender responsive training manual for legal and judicial professionals related to investigation and trial of cases involved with violence against children and women.

MoJ has set up a Model Court Working Group, paying attention to registering all types of case files in municipal/provincial courts of first instance across the country to make it easy for case file management and monitoring law enforcement.

Female victims of domestic violence always receive support services such as:

- MoWA officials qualified as judicial police agents have provided legal services such as filing complaints with the courts, giving interventions in domestic violence cases, reporting and monitoring cases in all stages of the court proceedings and requesting for protection orders if needs arise.
- Carry forward with implementing a safe village-commune policy with nine elements. Element number 3 mentions “No vice, no trafficking in women and children and no domestic violence”.
- At the same time, the Ministry of Women’s Affairs, with funding support from the Royal Government of Cambodia, also has some money to provide legal support for women experiencing violence to access legal defence.
- The Ministry of Justice has issued an instruction to introduce the protection order format based on the law that has facilitated courts in issuing the protection order when requested according to the procedures in force.

### **Response to question 10**

The Royal Government of Cambodia has paid attention to strengthen the handling of cases to find justice for citizens.

In 2012, 191 cases of rape and sexual assault were punished and a number of case files have been handled in 2013.

The Royal Government of Cambodia has cooperated with development partners and civil society to conduct a research on violence against young people, and the prevalence of rape was included in this survey as well.

The head of the Cambodian government recommended in 2006, outlining the exemption of charges for all forensic examination of rape victims with a view to provide access to justice for victims.

CNCW has produced a spot on services for victims of rape and disseminated it widely nationwide on television, workshops, training courses in order to increase knowledge about the exemption of charges for all forensic examination of rape victims.

Measures that RGC has laid out for solving the problems of rape include:

- Increase dissemination of law related rape cases by all means.
- Strengthen strict law enforcement and implementation of Safe Village-Commune Policy.
- National Police Headquarters issued orders not to allow facilitation/mediation to end the case at local level.
- Educate citizens, especially women, about measures to protect themselves against abuses and how men should behave (Good Man Campaign).

#### **Response to question 11**

- The Extraordinary Chambers in the Courts of Cambodia has been operated in accordance with legal procedures focusing mainly on three types of major crimes, namely, crime against humanity, war crime and genocidal crime, including the gender-based violence during the DK (Democratic Kampuchea) period.
- In the redress process of ECCC to punish criminals and find justice for victims, including reparation for KR (Khmer Rouge) regime's victims.

#### **Response to question 12**

- Evaluation of the anti-human trafficking measures, especially the Law on Suppression of Human Trafficking and Sexual Exploitation and National Action Plan to Combat Human Trafficking and Sexual Exploitation (2011-2013).
- The Secretariat of the National Committee to Suppress Human Trafficking, Smuggling, Labour and Sexual Exploitation established a special Task Force to monitor and evaluate the law enforcement and implementation of the national action plan to combat human trafficking and sexual exploitation in 24 capital/provinces in late 2012 and prepared a follow-up programme for further monitoring and evaluation in late 2013 in order to strengthen law enforcement and serve as foundation for formulating the five-year strategic plan 2014-2018 as follows:
- The Law on Suppression of Human Trafficking and Sexual Exploitation was disseminated to relevant officials in 17 provinces with over 935 participants.

Training was provided for over 250 law enforcement officials, including judges, prosecutors and anti-human trafficking police and military police officers. This result has not yet met the needs for law enforcement. With unequal level of knowledge, dissemination and further training, especially on technical skills to ensure the effectiveness of law implementation.

This national action plans lay out four key strategies in accordance with the implementation strategies for the Mekong region. However, the implementation is not yet consistent and consequently, the activities are not responsive to anti-human trafficking and sexual exploitation. In this sense, a comprehensive strategy covering both materialistic and technical resources needs to be formulated to ensure implementation of activities.



The impacts of efforts to reduce human trafficking and exploitation over the prostitution of women and children and challenges experienced while implementing the two measures above are:

- After the Law on Suppression of Human Trafficking and Sexual Exploitation was officially promulgated, the competent authority kicked off an active campaign of law enforcement, especially operation to suppress places where thefts, snatching and exploitation of prostitution take place, affecting some women and children engaged in prostitution as a business. This has left those women and child sex workers without particular locations for businesses and affected their livelihoods. As a result, sex workers have moved to work in different establishments such as massage parlours, karaoke lounges and other entertainment clubs.
- Challenges to implementing the abovementioned measures are to address the issues for women and children victims by providing them with such things as shelter, alternative livelihoods and vocational trainings; so that they are able to make other livelihoods than sex work that always suffers from abuses and exploitation.
- The Royal Government of Cambodia has paid attention to implementing laws by handling 250 cases of human trafficking and sexual exploitation in 2012.
- In 2012, Ministry of Social Affairs, Veterans and Youth Rehabilitation has reintegrated victims in their families in Phnom Penh and seven other provinces, namely, Kampong Thom, Siem Reap, Kampong Speu, Svay Rieng, Prey Veng, Battambang and Banteay Meanchey in which 458 victims have been followed up and over 285 cases were closed. These victims have received various services, such as education, credit, health care, counselling, legal assistance, home visits and vocational training.

Apart from this, the Drop-In Centre in Poi Pet received 205 trafficked children, who were sent back from Thailand, of whom 28 were referred to NGO partners and 123 were reintegrated into their families and communities.

### **Response to question 13**

Concrete and special measures the Royal Government of Cambodia has taken to enhance the participation of women in public sector include:

- While a woman is appointed to be a deputy governor of each Capital/Provincial Board of Governors the Royal Government of Cambodia decided to appoint a woman as a deputy chief of Capital/Provincial Police Office. At present, there is a female deputy chief in each of the 24 Capital/Provincial Office.
- Annually, the State's Secretariat for Civil Service instructs all the government's ministries and institutions to continue paying attention to increase the number of female civil servants by 20 per cent to 50 per cent when conducting examinations to recruit new full-time staff.
- Developed a Royal Decree on Revision of Retirement Age of Female Civil Servants in Grades B, C and D (Grade B retires at 58, but now is extended to 60), but (Grades C and D that were required to retire at 55 are now extended to 60).

As a result, the number of women in the public service gradually increases as shown below:

**Table showing total number of civil servants in the public service sector**

2009		2010		2011		2012	
Total	Female	Total	Female	Total	Female	Total	Female
182 228	61 298	183 835	62 377	184 055	64 021	187 949	65 410
100%	33.63%	100%	33.93%	100%	34.78%	100%	34.80%

**Table showing statistics of civil servants holding positions from directors general down to chiefs of offices in cities/districts/khans**

2009		2010		2011		2012	
Total	Female	Total	Female	Total	Female	Total	Female
24 172	3 853	24 243	4 428	24 662	4 502	25 346	4 845
100%	15.93%	100%	18.26%	100%	18.25%	100%	19.11%

- Permitted by the Royal Government, the Ministry of National Defence recruited over 100 female staff to work as National Military Police (Royal Gendarmerie Khmer) Officers, of whom 50 are trained and qualified as Judicial Police Officers in Phnom Penh and Provincial Military Police Offices.
- Increasing the number of women in the judiciary is quite challenging because of competitive capacity for legal matters in legal sector. In 2012, the number of women in the judiciary is shown as follows:

Judge		Prosecutor		Court Clerk		Lawyer	
Total	Female	Total	Female	Total	Female	Total	Female
266	37	142	15	621	132	704	133
100%	13.9%	100%	10.5%	100%	21.25%	100%	18.8%

#### Response to question 14

##### 1. Literacy rate update

- In the past five years, the literacy rate among female population of Cambodia aged over 15 has increased by 4.3 per cent on average.

Table 1  
**The rate of literacy of people aged over 15 by geographic area in Cambodia (2008 vs. 2012)**

Area	2008-2009			2011-2012			Ratio		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Phnom Penh	96.9	88.9	92.6	98.5	94.1	96.6	1.9	5.2	4.0
Urban	89.7	77.6	83.2	82.1	94.9	88.1	(-)7.6	17.3	4.9
Rural	82.2	63.2	72.1	85.2	68.0	76.2	3.0	4.8	4.1
Nationwide	84.6	67.7	75.6	87.8	72.6	79.9	3.2	4.9	4.3

Source: NIS 2011.

Table 2  
**The rate of literacy by age group and gender (2008 vs. 2012)**

Age group	2008-2009			2011-2012			Ratio		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
15-24	87.9	89.6	88.8	91.3	91.6	91.5	3.4	2.0	2.7
25-34	71.7	85.3	78.4	79.2	90.2	84.6	7.5	4.9	6.2
35-44	67.0	82.1	73.9	69.3	85.1	76.8	2.3	3.0	2.9
45-54	58.9	81.6	69.0	62.6	83.1	72.0	3.7	1.5	3.0
55-64	47.6	80.5	61.6	54.9	84.7	67.3	7.3	4.2	5.7

Source: NIS 2011.

Meanwhile, in order to promote equitable educational development and enhance enrolment of indigenous children, the Ministry of Education, Youth and Sport has set up a bilingual education programme or Bridging Programme where a total of 1,620 students, of whom 751 were female or 36.59 per cent, attended primary schools in five provinces (Ratanakiri, Kratie, Monulhiri, Stung Treng and Preah Vihear) in academic year 2011-2012.

Children with disability are also provided with full opportunity to access equitable education. In current years (2011-2012), 70,648 children with disability or 41.46 per cent nationwide attended schools.

## 2. Dropout rate

The education outcome shows that the drop-out rate at basic education level has decreased compared with the 2008-2009 academic year, but the Ministry of Education, Youth and Spot has considered this achievement as a challenge, which could become a barrier to gender-equitable development in the country, and a priority in the ministry's strategic plan and annual activities.

### 3. Solution

Measures the Ministry of Education, Youth and Sport has taken to prevent dropout rate of students in the general knowledge education and address gender barrier in education, especially to promote the participation of girls and women in development process in all sectors include:

- Exploring the possibility of reducing incomplete primary schools and providing scholarships for students from poor families, indigenous peoples' children and children with disabilities, especially girls.
- Implementing scholarship programme for secondary school students in 283 more communes. In 2012, this programme covered a total of 809 schools where 52,864 students, of whom 31,615 or 59.8 per cent were female, have received scholarships funded by the government's budget. 1,934 students, including 1,359 female students or 70.26 per cent have been provided with scholarships supported by the Improved Basic Education in Cambodia (IBEC) Project. At the same time, 3,500 students, of whom 2,100 were female or 60 per cent, have been provided with scholarships supported by the Enhancing Education Quality Project (EEQP).
- Providing scholarships in cash and food for the poor, disadvantaged girls in community schools and indigenous children by giving them breakfast in primary schools.
- Improving the quality of scholarships directed particularly at female students in all regions.
- Exploring the possibility of increasing the number of secondary schools, especially following the one commune one secondary school policy. Currently, there are 1,633 communes/sankats in total. But 165 communes/sankats still do not have public secondary educational institution because of geographic, demographic and resource factors.
- Constructing and exploring the possibility of building dormitories for female students with appropriate accommodation and sanitation facilities.
- Ensuring gender equity of school attendance in lower secondary and upper secondary schools in accordance with quality standards, especially increasing the number of students attending high school for general knowledge and technical education.
- Expanding the bilingual class programme or Bridging Programme for the indigenous peoples more effectively.
- Cooperating/collaborating with national and international development partners such as UNICEF, UNFPA, etc, in developing documents and training students in both formal and non-formal education to equip them with knowledge about daily health, sexual health and measures to prevent violence in home and society.
- Strengthening cooperation between the state and private sector, improving performance and quality of education in all geographic circles across the country, including education of indigenous peoples, ethnic minorities living in the country such as Chams, Chinese, Vietnamese, etc.

At the same time, the Ministry of Education, Youth and Sport has cooperated Development Partners to implement the School Drop-out Prevention Pilot (SDPP) in 55 districts in Banteay Meanchey, Battambang, Pursat, Kampong Speu, Prey Veng and Svay Rieng provinces with 322 secondary schools. Among these schools, 107 has implemented Proactive Learning Approach and 108 schools has implemented Proactive Learning Approach and computer classes while 107 are targets schools to compare with the schools that do not get interventions from this programme.

### Response to question 15

Results of implementation of the Gender Mainstreaming Action Plan 2009-2013 in Labour and Vocational Training:

- Integrated the Gender Mainstreaming Action Plan (priority strategic goal 5) into the action plan of the Ministry of Labour and Vocational Training as part of its inputs in the National Strategic Development Plan Update 2009-2013
- Conducted training

Year	Topic	Number of courses	Number of participants	
			Total	Female
2008	Training needs assessments and labour	3	86	24
2009	Gender mainstreaming project and policy development	1	60	40
	Gender auditing	1	38	22
	Results of gender mainstreaming in labour and vocational training sector	1	75	31

In 2010, implemented the Gender Auditing Project at National Technical Training Institute where 30 members participated.

+ Measures that have been taken to increase women's participation into labour markets

Technical and Vocational Education and Training:

	Number of institutes	Number of courses	Number of trainees	
			Total	Female
National Training Fund for poverty reduction	12	40	823	491
Educational institute support budget	31	18	3 673	1 830
Samdech Techo Prime Minister Special Fund	16	167	6 820	3 565
Certificate-based training programme			68 134	42 114

### Technical and Vocational Education and Training

Academic Year	Tertiary course		Advanced Technical course		Long-term course		Short-term course	
	Total	Female	Total	Female	Total	Female	Total	Female
2008-2009	1 330	259	2 959	1 048	1 214	395	117 240	67 394
2009-2010	1 981	458	3 308	842	746	35	66 695	37 646
2010-2011	1 612	281	6 192	1 611	1 034	176	82 251	40 589
2011-2012	14 683	4 604	5 738	1 460	2 774	1 074	105 364	57 961

### Provision of funds for self-employment

Samdech Techo Special Fund Project has provided micro-credits:

Year	Amount	Number of participants		Number of capital/province
		Total	Female	
2009	136 000.000 Riels	143	79	5
2010	472 500.000 Riels	400	194	11
2011	54 500.000 Riels	53	29	3
2012	305 000.000 Riels	231	158	
<b>Total</b>	<b>968 000.000 Riels</b>	<b>827</b>	<b>470</b>	<b>19</b>

#### + Labour Policy

Cambodia has been in the process of conducting the third National Consultation on National Employment and Labour Policy with all relevant government's ministries and institutions, local non-governmental organizations and international organizations.

#### + Measures to address sexual harassment

Ministry of Labour and Vocational Training has included the knowledge of moral education, including sexual harassment and entrepreneurship in curricula of all vocational training institutes.

In Cambodia, sexual harassment is a criminal offence punishable by law, including:

- Rape shall be punishable by imprisonment from 5 to 10 years.
- Sexual harassment shall be punishable by imprisonment from 1 to 3 years and a fine from 2,000,000 (two million) riels to 6,000,000 (six million) riels.
- Sexual assault shall be punishable by imprisonment from 6 days to three months and a fine from 100,000 (one hundred thousand) riels to 500,000 (five hundred thousand) riels.

+ Plan to ratify the International Convention on Protection of the Rights of Migrant Workers and Members of their families

- The Kingdom of Cambodia does not have any plan to ratify International Convention on Protection of the Rights of Migrant Workers and Members of their families.

+ Measures for management of labour migration

- The Royal Government of Cambodia issued Sub-Decree No. 190, dated 17 August 2011 on the Management of the Sending of Cambodian Migrant Workers to work abroad through the Licensed Private Recruitment Agencies.
- The Ministry of Labour and Vocational Training has assigned specialized officials to visit workers in their workplaces.
- In 2012, a total of 20,209 workers (7,814 women) departed to work in foreign countries through 25 legal recruitment agencies.

Numbers of male and female workers in each foreign country:

<i>Countries</i>	<i>Numbers</i>	
	<i>Total</i>	<i>Females</i>
Malaysia	162	63
Thailand	19 997	7 746
Japan	50	5
South Korea	19 292	2 878

- The Royal Government of Cambodia has prepared Identification Certificate for 99,196 male and female workers out of a total of 220,022, who illegally go to work in Thailand.
- The Ministry of Labour and Vocational Training has developed a Labour Migration Policy to address challenges to border crossing movements of migrant workers. The said policy covers the issues of governance of labour migration, protection, empowerment of migrant workers as well as monitoring and using resources [remittances] derived from labour migration for workers' personal and families' development to improve their economic statuses.

#### **Response to question 16**

+ Measures taken by the Royal Cambodia Government to tackle threats are as follows:

1. Unsafe abortion
  - The Law on Abortion was promulgated in 1997
  - In 2002, the Ministry of Health issued a Prakas on guidelines for implementation of the Abortion Law
  - In 2007, the Ministry of Health trained health staff on Methodologies for Safe Abortion

- By 2012, The Royal Government of Cambodia has had 78 Public Hospitals and 275 Health Centres and Marie Stopes International Cambodia has set up 7 clinics where safe abortion services and post-abortion/miscarriage care are being provided.
  - The Ministry of Health has taken actions to increase the utilization rate of modern family planning methods or contraceptive prevalence rate (CPR) to prevent unwanted and undesired pregnancies and reduce the unmet needs of women.
2. Lack of medical equipment for cervical cancer screening
- The Ministry of Health created a programme to combat cancers, including breast cancer, cervical cancer and uterus cancer.
  - The Centre for Cancer Examination and Treatment has been functioned in Phnom Penh.
  - The Ministry of Health has conducted a training of trainers and trained medical professionals from all provincial hospitals and eight health centres on treatment and care of different cancers.
  - In 2012, The Ministry of Health provided 2 breast scanners and 13 cervical cancer scanners to 4 national hospitals and 2 provincial hospitals.
3. Malnutrition:
- The Royal Government of Cambodia has introduced the National Nutrition Programme and the National Policy on Infant and Young Child Feeding.
  - Ministry of Health has provided three interventions to ensure the implementation of the national policy:
    1. Established 16 baby-friendly hospitals
    2. Established 6,482 baby-friendly communities
    3. Implemented Sub-decree No. 133 on Marketing of Products for Infant and Young Child Feeding.
  - Ministry of Health has put in place the Child Nutritional Status Improvement Programme, including:
    - Providing micronutrients to children
    - Providing folic acid tablets for pregnant women, postpartum women and children
    - Trained masters trainers and service providers on care and treatment of severe malnutrition
    - Created supportive environment for nutrition in communities
    - Mobilized people from relevant stakeholders to participate
    - Strengthened law reinforcement
    - Campaigns to promote provision of complementary feedings, “Fortified-Blended Porridge” to children aged 6 to 24 months old.



- Ministry of Health cooperated with the Council for Agriculture and Rural Development (CARD) in organizing a Training Workshop on Food Security and Nutrition for Mothers and Children for competent authority officials from Provincial, District and Commune levels and health officials at all levels to integrate the Nutrition Action Plan into the Commune/Sangkat Investment Plans.
4. Incomplete antenatal care: the solutions include
- Ministry of Health issued guidelines for pregnant women to make at least 4 visits to health facilities for antenatal care during pregnancy.
  - Training service providers on antenatal care for pregnant women, malnutrition and identification of dangerous sign related to pregnancy, blood test for anaemia and viruses, development of foetuses, treatment and timely referral to health facilities where emergency obstetric cares are available.
  - Giving education on feedings, hygiene, birth preparedness, birth delivery at health facilities, postnatal care, caring for infants and young children, family planning, prevention of mother-to-child [HIV/AIDS] transmission (PMTCT).
  - Conducted campaigns to promote antenatal care through radio spots, TV spots and outreach visits to educate women and families.
- + Measures taken to overcome obstacles to women's access to health service, especially poor women and women in remote areas.
- The Royal Government of Cambodia determined that poor women are exempted from paying user fees and are entitled to equity funds supported by national budget.
  - Cooperating with donors community and health development partner organizations, the Royal Government of Cambodia has established health equity fund to help poor women, who are identified, to get health services and the user fees are covered by the equity fund.
  - Established reproductive health voucher project to help poor women to receive reproductive health, maternal and child's health services, including antenatal care, birth delivery at health facilities, postpartum care, family planning and safe abortion.
  - Established waiting houses in remote areas so that women can come to stay and wait for one week before giving births and one week after giving births. At present, there are 29 waiting houses in remote areas.
  - The Royal Government of Cambodia has established and pushed for an increase in the number of Health Centres in villages and communes across the country and made efforts to build roads and bridges in rural area and to connect with neighbouring countries to make it easy for women to access health services.

### **Response to question 17**

Over the past two decades, the Royal Government of Cambodia has paid attention to combating and preventing the spread of HIV/AIDS, making significant achievements: HIV/AIDS prevalence has decreased from 1.7 per cent in 1998 to

0.7 per cent in 2013. In numeric terms, in 2013, there are 73,433 people living with HIV/AIDS, of whom 39,516 are females (53.81 per cent). This has resulted from the implementation of strategies for mainstreaming and incorporating gender in all systems, mechanisms and services in response to the endemic of HIV/AIDS all over the country. Practically, gender has been constantly mainstreamed in policies, strategic plans and resource mobilization plans and incorporated into guidelines for regular implementation of action plans and monitoring and evaluation plans, promoting gender equality and enabling women and girls to access preventive, care, treatment and support services related to HIV and AIDS such as:

- More than 80 per cent of female entertainment workers have access to preventive services through condoms use, counselling and blood test.
- About 80 per cent of women living with HIV have access to antiretroviral drugs (ARVs).
- Over 70 per cent of women and girls infected or affected by HIV/AIDS have received support kits such as shelter, education, medical care and businesses to generate income, etc.
- About 90 per cent of in-school youth have received knowledge of HIV/AIDS, sexual health and reproductive health.

#### **Response to question 18**

The impacts of the Action Plan to increase the proportion of rural women accessing sanitation from 8.6 per cent in 1996 to 30 per cent in 2015 include:

- Rural women are aware of hygienic practices, but their knowledge about the needs for clean water is limited and they still hold a view of waiting for assistance.
- Lack of sanitation facilities such as open defecation/urination and absence of hygienic practice causes health problems, including infections, diarrhoea and tapeworms resulting in high rates of child's morbidity and mortality.
- Women's contribution of land for construction and repair of roads, wells and ponds and their participation in other local development projects is limited because they have no income and mostly wait for their husbands to make decision.
- Rural women have limited knowledge and livelihoods, making them not fully participate in the village development.
- Rural population, including women still hold views of running self-employed businesses.

To address the challenges above, the Royal Government of Cambodia has taken different measures to reduce poverty of the people, especially addressing their needs and what is required to be in place for rural women to consider, raising social awareness and mainstreaming gender at all stages of implementation of development projects, including reduction and elimination of diseases stemming from lack of sanitary and hygienic practices, drinking unclean water, giving women the knowledge to improve their practice of hygiene and environment, helping women have livelihoods and jobs to generate income to support their families and

making women aware and feel empowered to make decision to participate in social programmes.

According to the results in early 2013, the coverage rate of rural sanitation has reached 29 per cent, namely, about 43 per cent of the population have access to clean water supply. Based on this result, The National Strategy for Rural Water Supply and Sanitation has set the following targets:

- By 2015, 30 per cent of rural population and by 2025, 100 per cent of rural population will have access to clean water supply.
- By 2015, 50 per cent of rural population and by 2025, 100 per cent of rural population will adopt practice of clean hygiene in connection with access to clean water for use.

### **Implementation of the National Strategic Development Plan 2006-2010 and Action Plan for Rural Development**

At present, the Royal Government of Cambodia has developed policies related to land issues and wrote up a “Land Sector White Paper” that links land issues with gender and the Ministry of Land Management, Urban Planning and Construction already conducted, with funding support from CLASP-Canada, a series of consultation about the content of land issues and gender for inclusion in the “Land White Paper”, produced and launched the Gender Strategic Plan in Land Sector for short, medium and long terms, of which most activities are focused in rural area where a large majority of poor households live.

Observations of land titling programme show that participation of men and women in systematic land registration is higher than 97 per cent. Both men and women agreed that there were some confusion about identification of property types, but by and large, the level of understanding of men and women about land registration and adjudication of property type is very high.

The Royal Government of Cambodia issued Order No. 01, dated 7 May 2012 on New Actions on Existing Policy on Land Issue, aiming to address the impacts on land and houses of the people, who had occupied, used and grown fruit trees on them before 7 May 2012 in the three types of state’s land, forest land concession, economic land concession and land under forest cover map of 2012. Consequently, as of 5 April 2013, out of a total of 1.8 million hectares of the state’s land that has been in disputes with around 500,000 (five hundred thousand) households, (1) 570,000 parcels or 900,000 hectares have been measured and provided for people from 350,000 households, (2) over 200,000 titles have been definitely issued for 170,000 households and this process will continue until it is complete. In this regard, most rural women as household heads, wives, mothers and daughters have participated and benefited from this, because the land measurement campaigns have transparent procedures, ensure gender equality and clear participation and the rural development in areas where land has been already registered have a series of development projects such as rural roads, wells or ponds, schools, health posts, etc.

The Royal Government of Cambodia issued the National Policy on Land Management, aiming to ensure the transparent and effective management, protection and use of land and natural resources to sustain the environment and equitable economic and social development in both urban and rural areas. This policy points out clearly that the use, development and management of land according to land

management plan and equitable land policy, gender equality and protection as well as support for livelihoods of communities and vulnerable groups must be ensured.

The Royal Government of Cambodia has pushed for the formulation of a national policy on housing and resettlement for middle-class and poor households as well as protection of women's interests.

Measures taken to protect women's human rights regarding land distribution, particularly in the case of dislocation:

- The Royal Government of Cambodia has policy, sub-decree and directive related to social land concessions that define people's participation, steps in selection and identification of land and selection of target population to receive land. Female household heads, landless women or land lacking women are considered to be priority targets.

Based on this, the Royal Government of Cambodia issued a sub-decree to re-classify 8 places of land or 4,1687.7 hectares of the state's public land as the state's private land for distribution with a purpose for poverty alleviation.

- As of October 2012, the land distribution included:
  1. Through Land Allocation for Social and Economic Development (LASED) project, there were 2,285 households, of which 836 are headed by women or 36 per cent of the total households that have received land. Of these, 5,243 women have received 4,010 parcels or 5,143 hectares.
  2. Through Land Allocation Programme for the retired and invalid Veterans and the Poor, Landless Households, 3,415 hectares of land were provided for 2,971 households. Women as wives, mothers and daughters were direct beneficiaries of this programme.
  3. Through New Actions on Existing Policy Campaigns, about 1.8 million hectares of land that was cleared, occupied and used by people before 7 May 2012 have been granted for about 500,000 households.
  4. The Royal Government of Cambodia has prepared social land concession programme within the national framework, aiming to prevent the clearance of the state's land, forests land, natural protected area land and environment.

Regarding relocation of people based on law and policy framework aiming at improving welfare and livelihoods of the citizens, the Royal Government of Cambodia has primarily adhered to consent and win-win policy. Every process of finding solutions always involves notification and direct consultation with the communities and stakeholders in a timeframe of at least 2 to 3 years. This approach has been supported and accepted by the people, who have common sense. The solutions include on-the-site development or relocation or resettlement or compensation in cash or in kind and there is a policy in place for those sublet from previous dwellers.

Obviously, out of 503 communities in Phnom Penh, 345 communities have agreed to engage in on-the-site development while 45 others have voluntarily accepted the authority's solution, namely, resettlement.

**Response to question 19**

– Measures to address obstacles facing vulnerable women:

## 1. Access to education:

- The Ministry of Education, Youth and Sport has increased school attendance of the indigenous peoples through different education programmes. This resulted in total 1,620 students, including 751 female students attending schools in 2011 and 2012 and an increase of 438 students or 36.59 per cent. These education programmes have been implemented in the provinces of Rattanakiri, Kratie, Mondalkiri, Stung Treng and PreahVihear. At the same time, 52 per cent of primary school students from indigenous communities in Rattanakiri, Mondalkiri and PreahVihear provinces have been provided with scholarships.
- The Ministry of Education, Youth and Sport has been exploring the feasibility of developing bilingual programme with all components for all indigenous students and transforming community schools into public schools.
- The Royal Government of Cambodia has made efforts in building more schools in villages, communes, roads and bridges to make it easy for women to go to school.

## 2. Health Care:

The Royal Government of Cambodia determined that poor women are exempted from paying user fees and are entitled to equity funds supported by national budget.

Cooperating with donors' community and health development partner organizations, the Royal Government of Cambodia has established health equity fund to help poor women, who are identified, to get health services and the user fees are covered by the equity fund. The equity fund will be expanded all over the country in 2015. In addition, there are reproductive health voucher projects to help poor women to receive reproductive health, maternal and child's health services.

	2008	2009	2010	2011	2012
Health centres with equity fund	44	53	57	63	64
Hospitals with equity funds	101	141	291	302	370
Health centres with reproductive health vouchers	0	0	0	118	118
Hospitals with reproductive health vouchers	0	0	0	5	5

## 3. Women in Drug Rehabilitation Centres in 2012

– Overall statistics

<i>Total number</i>	<i>Female</i>	<i>Reintegrated</i>	<i>Leave on one's own</i>	<i>Remain</i>
2 223	153	1 184	111	928

## – Actual statistics by age

<i>Total number</i>	<i>Female</i>	<i>10-17 years old</i>	<i>18-25 years old</i>	<i>26-35 years old</i>	<i>36-45 years old</i>	<i>Over 45 years old</i>
928	67	98	532	268	24	6

## – Actual statistics by type of drugs

<i>Total number</i>	<i>Female</i>	<i>WY</i>	<i>ICE</i>	<i>Ecstasy</i>	<i>Heroine</i>	<i>Marihuana</i>	<i>Glue</i>	<i>Others</i>
928	67	151	698	10	11	5	49	4

## – Actual statistics by occupation

<i>Total number</i>	<i>Female</i>	<i>Civil servant</i>	<i>Student</i>	<i>Entertainment</i>	<i>Worker</i>	<i>Assistant</i>	<i>Street children</i>	<i>No regular job</i>	<i>Others</i>
928	67	58	232	21	140	52	67	283	75

**Response to question 20**

- Any person who has parental authority as stated in article 948 of the Civil Code refers to the person, who has parental authority of the child.
- Based on the provision of article 78 of the Law on Implementation of Civil Code effective in 2011, article 9 of the Law on Marriage and Family was revoked.
- Article 950 of Civil Code states, “Women may remarry if the 120-day period has not past, starting from the day the previous marriage was dissolved or repelled”. This provision is aimed at women only to avoid competition for the assumed paternity of the child, meaning that when a child is born should he or she be assumed to be child of the former husband or latter husband. This provision does not aim to restrict the marriage right of women and it only seeks to identify paternity.

Article 950 of the Civil Code, para. 2, also states that in case of women were pregnant before the previous marriage was dissolved or repelled and given birth or in case of medical certificate of no pregnancy from a medical doctor, the marriage may take place.