



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

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

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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 and questions in relation to the sixth periodic report of Cambodia**

### **Addendum**

## **Replies of Cambodia to the list of issues and questions\***

[Date received: 8 October 2019]

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\* The present document is being issued without formal editing.



## **Legislative and policy framework**

### **Reply to paragraph 1 of the list of issues [CEDAW/C/KHM/Q/6](#)**

1. The Constitution of Cambodia is the supreme law that sets fundamental principles, including the respect for human rights, establishment of legislation, organisation of state institutions and division of state power. The Royal Government of Cambodia (RGC) has ratified eight of nine international human rights treaties, especially all conventions related to human rights, women's rights and children's rights, including ICERD, ICESCR, ICCPR, CEDAW, CAT, CRC, CRPD, CED, and this is enshrined in Article 31 of the Constitution. With this commitment, the RGC has issued various measures by setting up some basic principles stipulated in the Rectangular Strategy Phase IV.

2. Through the Memorandum of Understanding (MoU) with UN OHCHR in Cambodia for 2019–2020, the RGC will further strengthen its capacity to protect and promote human rights by 1) reform of legal and justice systems by designing legal framework with sustainability to strengthen human rights as well as developing new laws, 2) strengthen the implementation of existing laws to be more effective by increasing dissemination and training programs to law enforcement officials and disseminating and developing capacity on international human rights laws, 3) cooperate with UN OHCHR in Cambodia and civil society organisations (CSOs) to finalise the draft Law on the Establishment of the National Human Rights Institution based on Paris Principles, 4) take action on anti-corruption by educating, preventing, strengthening accountability and strengthening institutional capacity building, and 5) continue to provide support and mobilize funds for the Extraordinary Chamber of the Courts of Cambodia (ECCC) to find justice for Cambodians.

3. In Cambodia, freedom of expression is protected and promoted by laws. Article 31 of the Constitution states “Citizens are equal before the law” and Article 41 guarantees “Citizens have freedom of expression, press, publication and assembly, but that “no-one shall exercise the right to infringe on the rights of others, effect the good customs of society, violate public law and order and national security”. Article 305 of the Criminal Code states that any allegation or slanderous charge made in bad faith that undermines the honour or reputation of a person or an institution constitutes defamation and is punishable by law. This is consistent with paragraph 3, Article 19 of the ICCPR. In Cambodia, journalists, human rights defenders, civil society actors and other individuals are equal before the law, protected by the law and responsible before the law. The 2015 Law on Associations and NGOs guarantees individuals the right to freedom of expression and to participate in politics, however acting on behalf of or in the name of the NGO or association to slander, support or go against any political party is prohibited by law.

### **Reply to paragraph 2 of the list of issues**

4. The 2007 Civil Code and 2006 Civil Procedure Code reflect the principles of the Convention, examples include equal age in marriage without discrimination (Article 948), women's right to use their surname or their husband's surname (Article 965), and that husband and wife have the rights to use and enjoy joint property (Article 974). Equality in marriage and family benefits are detailed in Articles 975–976. (Please refer to [CEDAW/C/KHM/4-5](#), paragraphs 179–184) Under the 2009 Criminal Code and 2007 Criminal Procedure Code, Section 2, Chapter 5, Articles 265 to 273 prohibits discrimination against women and stipulates punishments against people who commit acts of discrimination, regardless of whether they act directly or indirectly. (Please refer to [CEDAW/C/KHM/4-5](#), paragraph 28) The 1997 Labour Law Section 1 Chapter 2: “Non-discrimination” prohibits discrimination by employers on

basis of race, colour, sex, creed, religion, political opinion, birth, social origin or union membership or activities in hiring, defining and assigning work, vocational training, advancement, promotion, remuneration, granting of social benefits, discipline or termination of employment contract (Articles 12 and 13).

5. In Cambodia, there are several regulations that are consistent with local courts. The decision of the Constitutional Council of 19 July 2007 reaffirms, in accordance with the Constitution, that the courts in Cambodia must take into account Cambodia's commitments under international human rights treaties, especially CEDAW, when interpreting the law and deciding cases.

6. There is no information of any new cases of discrimination against women before the courts. However, through the MoU between the Cambodian National Council for Women (CNCW) and the Bar Association of the Kingdom of Cambodia (BAKC), legal aid service was established to provide more opportunities and legal support for victims of violence against women. In addition, a voluntary group of attorneys was formed by the Prime Minister to supplement existing legal services, with the provision of free of charge lawyers for poor victims, including women and girls, across the country.

#### **Reply to paragraph 3 of the list of issues**

7. The focus of the *Amended Law on Elections of Members of the National Assembly* was on the reform of the electoral registration system by using the computer system, the establishment of a coordinating committee to facilitate training programmes to voters and dissemination of policies of the registered political parties through equitable programmes of state media to ensure citizens' equal rights to participate in elections.

8. The 2011 Law on Regulating Concentrate Acid and its related 2013 Sub-Decree, which allows for increased sentences for offenders and includes provisions designed to limit the sale and distribution of dangerous acids, has been instrumental in preventing and punishing acid violence. Since its implementation, the number of (reported) acid attacks dropped from 36 survivors in 2010 to 4 in 2014, 3 in 2015 and 3 in 2016 and 2017.

9. With regards to the 2016 Law on Juvenile Justice, the Juvenile Justice Law Strategic and Operational Plan 2018–2020 aims to help develop a modern juvenile justice system that focuses on diversion measures of minors from court procedures based on rehabilitation foundation by establishing rehabilitation centres to separate minors from adults. Key articles and actions to address discrimination and violations against girls include: Article 16: A search by a police officer must be of the same sex as the suspect person; Article 23: An apprehended minor must be separated from adults and separated from minors of the opposite sex; Article 82: The placement of a detained minor in a youth rehabilitation centre must a) be kept separate from adults; b) separate building based on sex, age, character, mental and physical health, and nature and circumstance of health and c) female minors only under care of female staff.

10. The draft Law on Surrogacy was discussed among relevant line ministries in May 2018 and it was identified that further consultations with stakeholders, including with civil society, are still needed to ensure the law is more comprehensive and responds to the Cambodian context.

#### **Reply to paragraph 4 of the list of issues**

11. Through implementing Neary Rattanak IV, a) the RGC has promoted gender equality and the empowerment of women at all levels, especially through the

*Rectangular Strategy Phase III 2014–2018* and *National Strategic Development Plan (NSDP) 2014–2018*, by incorporating specific indicators for monitoring performance. Collaboration with ministries and institutions have contributed to promoting gender equality in key policies and program reform, strategic plans, and gender mainstreaming plans in ministries and institutions. All ministries have received national budget to implement sectoral gender mainstreaming action plans (GMAPs). b) The challenges encountered include: (1) strategies to mainstream gender and behaviour change on gender equality requires more time and strengthening of monitoring, (2) the majority of women are working in the informal economy and low wage industries, (3) targets for promoting women in leadership and public decision-making have not been met, (4) women and girls' health issues still need to be addressed, especially in remote areas, (5) education on sexual and reproductive health, hygiene, food security and nutrition for women (and children) needs expanding, (6) parents and caregivers' understanding of the importance of girls' education is still limited, especially in remote areas, and (7) girls and women's participation in education, such as science, technology, engineering and math is still limited. c) The RGC will strengthen implementation of *Neary Rattanak V 2019–2023*, including plans to introduce the National Policy on Gender Equality and a monitoring and evaluation (M&E) framework, including allocating national budget for gender equality.

12. (a) The draft National Policy on Gender Equality clarifies the role of ministries and institutions required to achieve the targets set out in SDG 3.7, 5.2 and 5.3, and this is elaborated in the M&E framework, (b) the first draft has undergone several internal consultations, is awaiting the completion of the sectoral Cambodian Gender Assessments (CGA) by September 2019 and will be revised accordingly, (c) the draft National Policy on Gender Equality and the CGA 2019 are inclusive processes, (d) the draft policy will guide all government ministries and institutions with accountability to promote gender equality and empower women, while the *Neary Rattanak Strategic Plan* has specific goals and objectives set within a time frame to follow policy directions, (e) a M&E framework is currently under development, and (f) the plan for budget allocation will support the coordination mechanism at the national level by promoting gender responsive budgeting at ministries and institutions by sector based on information and gender responsive data at the national level.

## **Legal aid and access to justice**

### **Reply to paragraph 5 of the list of issues**

13. The Ministry of Justice and the UN OHCHR in Cambodia, in collaboration with the BAKC and the South East Asia Law Network organised a workshop on regional best practices in development of legal aid policies, and identified fundamental criteria to be included in the legal aid policy for Cambodia. The working group established by the Ministry of Justice in 2017, comprising relevant governmental institutions, lawyers, academia and CSOs, drafted the legal aid policy. The draft policy includes specific provisions on the need to ensure adequate, specialized legal aid for women, and will be adopted by the government in 2019.

14. The three core laws related to the judiciary, including the Law on the Organisation of the Court, Law on the Status of the Judges and Prosecutors and the Law on the Organisation of the Functioning of the Supreme Council of the Magistracy were promulgated on 14 July 2014. These three laws are the foundation for strengthening judicial independence, including through strengthening the discipline, ethics and professionalism of the judges and prosecutors to ensure justice services for the public.

15. To comply with the principles of the Law on the Organisation and Functioning of the Court and Prosecutors to establish regional appeal courts in order to bring the justice services closer to the people, especially the poor, the RGC has recently provided funds to build appeal courts in Thbong Khmom, Sihanoukville, and Battambang provinces.

16. Between 2016–2018, the Ministry of Justice established and strengthened 66 District/Khan/ Municipal Justice Centres aimed at facilitating access to justice services for the poor by addressing minor conflicts (e.g. domestic violence, divorce, defamation, land, property and loan conflicts, etc.) through the Conflict Resolution Mechanism and by providing legal consultative services for free or at reduced cost. In 2017, 1,286 cases (638 women or 49.6 per cent) were addressed; in 2018, 1,655 cases (692 women or 41.8 per cent) were addressed; and in the first quarter of 2019, 1,090 cases (289 women or 26.5 per cent) were addressed. In addition, the Committee for Dispute Resolution at the Commune/Sangkat level addressed 463 cases by women in 2017, 649 cases by women in 2018 and 286 cases by women in the first quarter of 2019. The RGC has strengthened the capacity and professional ethics of law enforcement authorities through the training of judges and prosecutors at the Royal Academy for Judicial Professions and the training of national police, especially judicial police at the National Police Academy.

## Transitional justice

### Reply to paragraph 6 of the list of issues

17. On 16 November 2018, The Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) sentenced former senior Khmer Rouge leaders NUON Chea and KHIEU Samphan in case 002/02 to life imprisonment on genocide, crimes against humanity and grave breaches of the Geneva Conventions of 1949, and acknowledged 13 reparation projects claimed by Civil Parties who have suffered harm as a result of the commission of those crimes. The reparations of the ECCC is ‘collective and moral’ in nature and designed to formally acknowledge victims, establish collective memories, and restore victims’ dignity lost during Khmer Rouge regime. With approximately 5 million USD given by different donors, the 13 projects have been implemented throughout the country, benefiting Civil Parties, including survivors of gender-based violence (GBV).

18. A summary description of the 13 projects is attached in the Annex. Please also refer to [CEDAW/KHM/6](#), paragraph 29.

19. In 2017–2018, the Ministry of Justice held training workshops on gender, CEDAW and national laws and procedures, with 3,950 (1,463 women) judges, prosecutors, court clerks and lawyers. The Ministry of Defence disseminated the Law on the Prevention of Domestic Violence and the Protection of Victims, Prime Minister’s recommendations, CEDAW and its Gender Mainstreaming Action Plan, to 4,772 gendarmerie (1,004 women). Please refer to [CEDAW/ C/KHM/6](#), paragraph 35 for more information.

20. In 2019, in line with CEDAW and UNSCR 1325 principles, the Cambodian National Police (CNP) with support from development partners conducted a Training of Trainers (TOT) workshop “Victim Identification and Interview techniques for Victims of GBV and Trafficking” with 87 police officers (21 women) and gendarmerie (18 women) in 12 provinces. The trained participants will conduct echo trainings with police and gendarmerie in their respective provinces. The CNP will conduct the second TOT workshop with police officers and gendarmerie in the remaining 13 provinces later in 2019.

## **National machinery for the advancement of women**

### **Reply to paragraph 7 of the list of issues**

21. The CNCW is composed as follows: Her Majesty the Queen Mother is Honorary President, the Prime Minister is Honorary Vice President and is directly led by the Minister of Women's Affairs. CNCW is responsible for coordinating monitoring and evaluating progress of the implementation of international conventions, especially CEDAW, recommendations, and legal policies that support gender equality and empowerment of women in all ministries and institutions at both national and sub-national levels. The Ministry of Women's Affairs (MoWA) is responsible for coordination of the implementation of gender equality and women's empowerment through laws, policies and programs. The Technical Working Group on Gender (TWG-G) from all line ministries, established under Article 14.1 of the Sub-Decree for CNCW Secretariat, is responsible for the implementation of policies and laws, and for promoting gender equality in their respective ministries and institutions as well as for reporting on the challenges and progress of promoting gender equality in their sector.

22. The CNCW Strategic Plan and the CEDAW M&E guidelines represent the key framework to monitor the implementation of the Convention, while the CNCW sub-national level monitoring template developed in 2016 to follow up on CEDAW implementation, the Committee's recommendations and the RGC's recommendations at the sub-national level, is regularly used during monitoring visits and involves CNCW members. Article 14.2 of the Sub-Decree for the CNCW Secretariat authorizes CNCW to collaborate directly with local authorities and departments of line ministries at the sub-national level. As a result, CNCW has gathered information directly from different groups of women and on gender related issues from the sub-national level monitoring visits, has prepared reports to CNCW members for review and approval, has compiled reports and recommendations to the Queen Mother and Prime Minister for review and has provided additional recommendations to strengthen gender equality.

23. CNCW holds regular and ordinary meetings with CNCW TWG-G members to review progress on CEDAW implementation, address problems and discuss emerging issues related to women. For example, recent measures taken include signing a MoU between CNCW and the BAKC to provide and report on legal aid services for poor women and girls experiencing violence. For enhanced accountability, CNCW holds an Annual Congress presided over by the Prime Minister and involving development partners, government officials, CSOs and the private sector, to review achievements, address challenges and develop recommendations and measures to address outstanding issues. For example, following CNCW monitoring visits of female prisoners in all prisons in 2019, and compiling a report with recommendations, the RGC issued Circular No. 785 in June 2019 to relevant ministries outlining various measures to be implemented to improve conditions for female prisoners.

24. As a result of the increased budget for gender mainstreaming plans in the Ministry of Education, Youth and Sport (MoEYS), the number of female enrolment increased in all education levels and the number of female education officers also increased, especially female teachers. Access to clean water, latrine and hygiene facilities in both primary and lower secondary schools increased noticeably. Nationwide 90.6 per cent of primary schools have latrines, 59.3 per cent have clean drinking water and 56.7 per cent have hand-washing facilities. Latrines are constructed separately for girls and boys, which has contributed to female students attending school regularly. As of 2019, there are 23 dormitories that provide accommodation to 1,480 female students who are poor and from rural areas. In 2018–

2019, 46.5 per cent of scholarship students in associate degree programs are female (total student: 2,885) and 50.6 per cent of scholarship students in undergraduate programs are female (total student: 24,637).

25. Under the Ministry of Health (MoH) gender mainstreaming plans, between 2016–2018, contraceptive methods services have been expanded. Short term contraceptive methods (injection, pill and condom) are available in all health centres, while longer-term methods (IUD and implant) are available in 88 referral hospitals and 1,512 health centres.

26. Between 2016–2018, 73 per cent of women and girls in rural areas have access to clean water and sanitation. Under the Ministry of Rural Development Economic Program, 55.07 per cent of vocational skill training participants were women and 83.2 per cent of all borrowers (total: 5,090 borrowers) in the micro credit scheme are women.

27. Between 2015–2016, 47,394 women farmers (61 per cent of participants) in 9 provinces/municipalities were trained on gender relations and agriculture production. In 2018, the Ministry of Agriculture, Forestry and Fisheries (MAFF) gender mainstreaming plans included providing 411 courses on agricultural extension skills to 25,172 community members (14,516 women or 57.8 per cent), 330 courses on laws and regulations related to the agricultural sector to 16,374 people (9,610 women or 58.7 per cent) and 10 courses on M&E for 4,122 community people (1,792 women or 43 per cent). In 2018, 62 per cent of women farmers (80,439 women) trained reported that they applied agricultural skills learnt to increase productivity and 50 per cent of women farmers trained reported that they have participated in decision making for purchasing productive assets.

28. The RGC launched the Public Financial Reform Program in 2004. From 2015 to 2018, program budgeting has been implemented in all ministries. In 2019, the Ministry of Economy and Finance issued the Budget Strategic Plan 2020–2022, instructing ministries and institutions to develop performance indicators as the basis for measuring, monitoring and evaluating outcomes. Through this circular, all ministries and institutions are advised to consider the implementation of cross-sectoral plans, including gender issues.

## **Discriminatory gender stereotypes**

### **Reply to paragraph 8 of the list of issues**

29. The term “social morality” focuses on three key aspects: Respect, Non-discrimination and Non-violence. This means promoting a society where women, men, boys and girls live with full respect, without discrimination or violence. The term “Khmer family values” focuses on fostering a society that recognizes women’s dignity in their families and the right to receive and manage family income without discrimination. This includes promoting sharing of household chores among family members, to bring wealth, prosperity and happiness to the family as sharing household responsibilities allows more time for income generation activities and contributes to a decrease of domestic violence. Awareness raising on social morality based on Buddhism teachings is included in the annual 16 Day Campaigns to End Violence and anti-trafficking campaigns. The National Committee for Upholding Social Morality and Women’s and Khmer Family Values is now preparing monitoring tools to gather data and information to better measure the results and evaluate the impact of their campaigns and activities.

30. MoWA and the Ministry of Information have signed a MoU on the Media Code of Conduct for Reporting on Violence Against Women through training to media,

journalists and media students in 2018, and this activity will continue in the third NAPVAW 2019–2023. MoWA is preparing a MoU with the Department of Media and Communication of the Royal University of Phnom Penh to disseminate and include the Media Code of Conduct into the curriculum. Media Monitoring will be conducted to ensure violence against women is reported in line with the Media Code of Conduct.

31. MoWA and the Ministry of Information have agreed to revise for a more comprehensive *Media Information and Communication Strategy*, and develop a campaign with common messages for the sub-national and national level to promote positive norms, gender quality and peace.

32. Section 6.2 of The Policy on Information Technology of the Ministry of Post and Telecommunications (MoPTC) is to strengthen security and development of communicative technology industry and information. The MoPTC has provided training and workshops to relevant ministries and institutions on security of using social media and basic use of technology and information to prevent the distribution of pornography in technology. The MoPTC is raising awareness to prevent cybersex extortion through the Internet while coordinating requests from the government to shut down pornography websites and pornography on the Internet.

## **Gender-based violence against women**

### **Reply to paragraph 9 of the list of issues**

33. MoWA, with technical assistance from UN Agencies, will conduct a comprehensive review and assessment of the 2005 *Law on the Prevention of Domestic Violence and the Protection of Victims* (DV Law) starting in 2019. The objective is to conduct a legal evaluation of the implementation of the DV Law using the framework of CEDAW and other international norms and standards, including consultations with civil society, and findings will serve as a basis to improve the law for more effective enforcement.

34. MoWA is reviewing the final draft Preventing Violence Against Women and Girls in Cambodia (VAW Prevention Strategy: A strategy to implement prevention priorities in the National Action Plan to Prevent Violence Against Women in Cambodia) and this will be approved in 2019 along with four other key draft guidelines: 1) The Best Practice for Mediation as a Response to VAW; 2) The Case Management with Survivors of Gender Based Violence: A Guide for Service Providers; 3) VAW Prevention Strategy, Cost of Essential Services for Women Subjected to Intimate Partner and Sexual Violence in Cambodia (VAW Costing study); and 4) The Minimum Standards for Essential Services.

35. The RGC has made significant progress in its efforts to prevent and respond to violence against women. In addition to the guidelines and trainings described above, key successes under NAPVAW 2014–2018 include:

- Secondary analysis of existing data sets was conducted identifying key areas for intervention: Media, Alcohol Abuse, Child Abuse, and Education;
- The Technical Working Group on Gender-Based Violence (TWGG-GBV) re-organized its structure, held regular coordinating meetings and initiated a joint Annual Operational Plan between five key ministries; and Sub-Working Groups on GBV were initiated in eight provinces to improve coordination between key service providers;
- Referral Guidelines for Women and Girl Survivors of Gender Based Violence and Minimum Standards of Basic Counselling for Women and Girl Survivors of



Gender Based Violence were completed; and social norm change has been included on training for minimum service standards for state and non-state service providers;

- National Guidelines for Managing Violence Against Women and Children in the Health System and a Clinical Handbook for Responding to Intimate Partner and Sexual Violence were developed; and by the end of 2018, 101 public health facilities received training on health sector response to violence against women in line with the National Guidelines and providing services to victims of violence;
- The “Positive Parenting” Strategy was developed to target prevention of violence to parents, “The Healthy and Happy Relationships” prevention project targeting young people was piloted and “The Commune Alcohol Notification System” targeting alcohol abuse and violence against women was piloted;
- Judicial police agents were trained in all provinces using the Legal Protection Guidelines and A Data Collection for Services Provided and Referred was piloted.

36. The third NAPVAW 2019–2023 builds on multi-stakeholder consultations, achievements, lessons learned and recommendations from implementation of NAPVAW 2014–2018. The key priorities under the draft NAPVAW 2019–2023 include four main strategies, Prevention, Legal Protection and Multi-Sectoral Services, Laws and Policies, and Monitoring and Evaluation, with Capacity Building mainstreamed throughout. NAPVAW 2019–2023 will be approved by October 2019.

37. Sexual harassment is prohibited in the Labour Law and the Criminal Code. The Criminal Code Chapter 3 classifies acts of indecent assault, indecent exposure and main categories of sexual assault. Article 172 of the Labour Law prohibits sexual harassment and indecent behaviour in the workplace and all forms of sexual violation (harassment) are prohibited in Article 172 of the Labour Law and the MoLVT Prakas No. 194.

38. The Ministry of Labour and Vocational Training (MoLVT) has implemented master plans and standards on occupational safety and health, is prompting employers and workers’ organizations to undertake activities and programs for occupational hazards for SMEs, rural workplaces and informal economies sector, especially on child labour. The MoLVT has promoted the elimination of violence and harassment in the workplace, which can affect the quality of public and private services, and is a barrier for women. To date, the MoLVT has not received any complaints of sexual harassment.

39. MoWA has collaborated with relevant government institutions to improve knowledge of sexual harassment through educational messages and newsletters, and sexual harassment is included in the trainings on GBV with service providers, including for the judicial police officers, Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY) social workers, police officers, MoH staff, and CSOs. MoEYS has included sexual harassment, GBV, human rights, and gender equality as part of the life skills curriculum taught in Grades 5 and 6, Grades 7 and 8, and Grades 10 and 11.

#### **Reply to paragraph 10 of the list of issues**

40. From 2015–2017, of the 223 cases of female survivors of GBV that were financially supported by CNCW through judicial police officers, 152 cases are being addressed in the court process system, 39 cases have been referred and settled outside the court (mediated), and 30 cases are still being investigated.

41. MoWA and the Judicial Police Officers (JPOs) report that more women survivors of GBV are seeking services and are referred to legal services, and fewer cases are mediated. As a result of training on legal protection and mediation guidelines, JPOs have increased their understanding of the DV Law and interventions, increased collaboration with authorities, victims have increased knowledge of GBV services through dissemination of information, and service providers (JPOs, police, local authorities, government officials) have increased knowledge and skills to respond and refer GBV cases to legal, social and health services.

42. Social behavioural change was incorporated into the training programme on the Minimum Standards for Basic Counselling for Survivors of Gender-Based Violence for state and non-state service providers. Training to service providers, including the Cambodian National Police, the gendarmerie, MoH health personnel, sub-working group on GBV members at the sub-national level, the Coordinated Response Mechanism and local authorities, has included information on consensual sex while the Coordinated Response Mechanism is set to expand to additional districts starting in 2019. Significant awareness raising continues especially around the 16 Day Campaign to End Violence against Women and includes dissemination of the DV Law, criminal acts of violence, referral mechanisms, legal aid services and other social and health support services.

#### **Reply to paragraph 11 of the list of issues**

43. Significant progress has been made to enforce the government directive that forensic examinations of victims of rape are exempt from charges. The MoH issued Circular No. 690 dated 19 April 2018 based on the Prime Minister's recommendations. In 2018, the MoH forensic committee monitoring report showed 182 rape cases received health services in hospitals and 24 cases were treated at health centres (within 72 hours after rape). Of the 182 rape cases, 166 received forensic examinations. In 2019, all of the 41 rape cases received health services using equity funds, and were referred to the court.

44. The Minimum Standards for Residential Care for Victims of Human Trafficking and Labour set out requirements for operation of a residential care facility. In 2017, MoWA conducted a costing exercise to identify costs of a package of essential services for survivors of violence against women in Cambodia. This included an assessment of safe accommodation in each province and a system of short-term accommodation in the community. The total 3-year cost was estimated at USD 13.8 million and USD 1.8 million respectively, exclusive of health, counselling, and legal services. The government issued a recommendation letter No. 335 on 22 March 2018 directing the MoH and MoWA to cooperate with relevant ministries to establish one-stop service centres for women and girl survivors of GBV inclusive of legal, social, health and other services.

### **Trafficking and exploitation of prostitution**

#### **Reply to paragraph 12 of the list of issues**

45. The National Committee on Counter Trafficking in Persons (NCCT) and MoSVY collaborated with ministries, institutions, national and international partners to develop the 2015 *Guidelines on Forms and Procedures for Identification of Victims of Human Trafficking for Appropriate Service Provision* and have trained law enforcement officials, social service providers, social workers, government officials, Cambodian embassy officials in target countries and NGO partners on the implementation of the guidelines. This document is important for the protection and respect of rights, dignity, and timely delivery of services to victims in need. The RGC

and NGOs are collaborating to implement the legal framework for protection of victims of trafficking, including cooperating in the repatriation process, home visits and assessments. MoSVY and MoLVT regularly meet to discuss vocational training for job placement for victims of human trafficking while MoSVY is working with Buddhist monks, laymen, nuns and families to provide support services to victims of human trafficking who are HIV positive.

46. MoSVY is implementing the *Minimum Standards on Residential Care for Victims of Human Trafficking and Sexual Exploitation* and utilising the accompanying monitoring tools to protect the rights of victims of trafficking throughout the country. As a result, 2,900 victims (2,113 female) have been rescued, received counselling, and referred to rehabilitation centres and vocational training. Of those, 743 people have returned to their communities and 131 are receiving follow-up visits. The RGC has built a transit centre in Poi Pet for trafficking victims and migrant workers who have returned from Thailand.

47. From 2015–2018, MoSVY repatriated 37 Vietnamese women who were trafficked. MoSVY received 1,468 victims of trafficking (584 women) from the following countries: 589 from Viet Nam, 214 from Thailand, 208 from Malaysia, 1 from Singapore, 254 from Indonesia, 39 from Somalia, 154 from China, 3 from Saudi Arabia, and 6 from Japan.

48. The RGC is a signatory of the 2015 ASEAN Convention on the Suppression of Human Trafficking. The ASEAN Action Plan has promoted the implementation of this Convention and its plan as well as the 2017 ASEAN Statements on “Protection and Promotion of Migrant Workers Rights”. In cooperation with ASEAN countries in the social security system sector, all documented Cambodian workers will receive legal compensation in case of death and can transfer social insurance cash for work accidents and health insurance to their families. Through the MoUs with Thailand and Vietnam, Cambodia has worked to improve the management, monitoring, prevention, and repatriation of victims of trafficking and sexual exploitation.

49. Under ASEAN Frameworks, the RGC has collaborated with relevant countries to protect migrant workers’ rights, including monitoring anti-trafficking in persons and exploitation, especially women and children, increasing understanding on procedures to prevent risks of migration, taking action against brokers that recruit migrant workers illegally, strengthening M&E of undocumented migrant workers that cross the border, and conducting awareness raising and information dissemination for migrant workers, including regular home visits. Bilateral and multilateral meetings between countries in the region are held annually to discuss cross-border safe migration. Please refer to [CEDAW/C/KHM/6](#), paragraphs 85–89 for more information on cross-border cooperation.

50. Articles 172 to 187 of the Labour Law guarantees better working conditions, such as health, hygiene and safety, for women and pregnant women, including for children accompanying their mothers. Trafficking of women for labour in country and overseas and the prevention and elimination of the most severe forms of child labour are protected by laws and implemented through labour standards. The RGC prohibits the utilization of individual and microfinance institution (MFI) debts to restrict the freedom of workers and MoLVT takes legal action against businesses that employ minors (children under 15 years). The Campaign to Eliminate Child Labour in Brick Industry is one measure aimed at changing the behaviour of workers, employers and the community to ensure that all children are protected.

51. The NCCT regularly meets with countries that have signed agreements and MoUs to combat trafficking in persons with Cambodia. The meetings are intended to review progress, fill in the gaps, strengthen cooperation and share information in a timely manner to prevent and address trafficking in persons, especially women and

children. Workshops, training courses and meetings are some of the measures to respond to trafficking in persons and to improve the safety of migrant workers in neighbouring countries and countries in the region.

52. MoLVT has determined that private recruitment agencies must equip migrant workers with information and skills prior to their departure, including customs, relevant laws, and proper documentation and provide an orientation on the basic legal requirements and rights of migrant workers before their departure. MoLVT has instructed private recruitment agencies to follow all related laws and legislation prior to migrant workers' departure. The recruitment process and pre-departure orientation of migrant workers must meet minimum standards and the MoLVT conducts inspections regularly to ensure compliance.

53. The Ministry of Foreign Affairs and International Cooperation (MoFAIC) in coordination with Cambodian Embassies and Consular missions overseas has prioritized the protection of women migrants, about 40 per cent of the total number of people overseas, who have been trafficked, abused by their employers or faced other problems, to receive legal services and facilitated their repatriation.

54. The status of women in prostitution continues to be monitored by the National AIDS Authority in cooperation with relevant authorities to protect women from drug abuse and trafficking. The NCCT working group on law enforcement and the police have collaborated with relevant institutions to monitor business establishments that might exploit women in trafficking for sexual services, especially minors and drug-related activities. The working group has updated information, collected statistics on workers, posted educational messages, disseminated the Law on the Suppression of Human Trafficking and Sexual Exploitation and made contracts with business owners and workers in massage and karaoke bars to prohibit exploitation of women and minors.

55. The General Commissariat of National Police has taken measures to prevent trafficking in persons for sexual services, and to monitor suspected sex trafficking activities to prevent exploitation of female victims. In 2018, local police made 346 arrests in 10 provinces. The inter-ministerial Task Force of the NCCT continues to monitor suspected sexual exploitation, provide protection for victims, strengthen the law enforcement to prevent and take action against offenders, and raise awareness among the public on all forms of trafficking, sexual exploitation, exploitation of labour and other criminal offenses, especially among adults and vulnerable groups.

#### **Reply to paragraph 13 of the list of issues**

56. For the past several years, there have been no reports of sexual abuse by law enforcement officers against detained prostitutes. As a safety measure, women, girls, and boys are placed in separate facilities and the officers in charge must be of the same sex as the inmates. Article 39 of the 2011 Prison Law states that females in the detention building facility must have a permanent female prison officer. Male prison officers are not allowed to enter female prison facilities unless accompanied by female prison officials, except in cases of emergency or for security reasons.

### **Participation in political and public life**

#### **Reply to paragraph 14 of the list of issues**

57. In Parliament in 2018, there are currently 20 per cent women in the National Assembly, and 19 per cent women in the Senate, an increase from 15 per cent over the past decade. Within the National Assembly, one woman is the Deputy Chair, two women are Heads of Committees and four women are Deputy Heads of Committees.

58. In the Executive branch in 2018, one Deputy Prime Minister is a woman (10 per cent), three Ministers are women (10.3 per cent), 45 Secretary of States are women (18 per cent) and 69 Under Secretary of States are women (15.3 per cent).

59. In the Judiciary in 2018, women represent 14 per cent of all judges (38 women out of 265), 13 per cent of prosecutors (23 women out of 180), 20 per cent of attorneys (206 women out of 1,109), and 14.8 per cent of the members of the bar council. Female court clerks account for 21.5 per cent (165 women out of 766) of court clerks.

60. In the Foreign Service, the number of women increased to 228 in 2018, a 6 per cent rise from 176 women in 2017. This represents 32 per cent of the total staff of the MoFAIC. One hundred fifty one (151) women serve in decision-making positions ranging from Secretary of State and Under Secretary of State to Deputy Bureau of Chief. Currently, 54 women are serving in various roles in Cambodia's Diplomatic and Consular Services overseas, and four are in Ambassadorial posts.

61. Disaggregated data is not yet available on women from marginalised groups in all government positions. However, there are 2,839 government officials with disabilities (756 female or 26.7 per cent) and 1,478 with severe disabilities, for a total of 4,471 government officials with disabilities (1.9 per cent) in different government sectors.

62. In 2018, women represented 41 per cent of the total number of civil servants (88,580 of 217,171) exceeding the national target of 40 per cent. Though increasing, there are still challenges in promoting women in leadership positions. In 2018, the proportion of women in decision-making positions increased to 24 per cent, up from 22 per cent in 2016, slightly under the national target of 25 per cent.

63. The Ministry of Civil Service implemented the third GMAP 2014–2018, is drafting the fourth GMAP 2019–2023, and is revising the draft Policy and Strategy for the Promotion in Women Leadership in Civil Service 2019–2029. In 2018, women in management positions at the provincial level represented 18 per cent, including one provincial governor and 26 deputy provincial governors, and at the district level women held 20 per cent of decision-making positions, including 6 district governors and 194 deputy district governors.

64. The *Rectangular Strategy Phase III* involved promoting women in the public sector through increasing the number and capacity of women in leadership positions and by strengthening women's ability to pursue leadership both at management and technical levels. The government continues to implement affirmative actions that designate at least one woman in a leadership position at (i) the provincial, capital, municipality, district and khan level, (ii) the commune/sangkat level in the Committee for Women and Children, and (iii) the village level.

## Education

### Reply to paragraph 15 of the list of issues

65. MoEYS has undertaken discussions within the framework of Cambodia 2030: A Strategic Roadmap to Achieve Education 2030 on measures, strategies and timeline to introduce and pursue free and compulsory provision of primary and secondary education in line with the Education 2030: Global Quantitative Targets.

66. The Provincial Department of Women's Affairs in Ratanak Kiri province is implementing the Provincial Action Plan on Preventing Child Marriage and Teenage Pregnancies 2017–2021, which was developed to address child marriage and teenage pregnancy in a province with high rates of both, especially among indigenous communities with distinct traditions. The objective is to reduce adolescent pregnancy

and child marriage in ethnic communities of Ratanak Kiri province through increased prevention and response interventions, multi-sectoral coordination and cooperation, and development of a data collection, monitoring and evaluation system. The action plan aims to target a least 30 per cent of adolescents (aged 10 to 19) and youth aged (aged 15 to 35) with prevention and response interventions.

67. The National Policy on Health Education was adopted in 2019. MoEYS is implementing a life skill curriculum, Comprehensive Sexuality Education (CSE), for primary school (Grades 5–6), lower secondary school (Grades 7–8), upper secondary school (Grades 10–11), and for youth out of school. The curriculums for each level include: basic reproductive, sexual and health education, including HIV/AIDS, hygiene and gender concepts (Grades 5–6); gender roles, sexuality and gender expression (Grades 7–8); human rights, gender equality, gender roles, sexual harassment and gender-based violence (Grades 10–11).

68. The Ministry of Health has prioritized high-risk provinces for teenage pregnancy by integrating Adolescent Reproductive Health Friendly Health Services into health services. In 2018, 23 hospitals and 64 health centres are providing youth friendly services, reaching 42,683 youth clients. The Provincial Departments of Health has partnered with the Provincial Departments of Education, Youth and Sport to provide reproductive health education and rights, including preventing pregnancies and transmitted diseases.

69. The MoEYS Gender Mainstreaming Strategic Plan 2016–2020 is aligned with the Education Sector Plan (ESP) 2014–2018, refers to the SDGs, Rectangular Strategy, the NSDP, the 2013 CEDAW Concluding Observations, and Neary Rattanak IV. Public schools are using a training manual for young people on gender equality and human rights as part of MoWA's advocacy efforts to increase awareness of girls' participation in society.

70. In line with the ESP 2014–2018, MoEYS continues to invest in interventions and measures to promote and encourage female students to study science, technology and mathematics such as orientation programs and career counselling to female students in secondary and higher education. The government has established more computer labs, science labs, libraries and equipped more schools with adequate materials. The ESP 2014–2018 includes a strategy to improve the quality of teaching and learning, especially in science and mathematics, ICT and foreign language, health education, technical education, EVEP and life skills.

71. Efforts are underway by MoEYS to collect and publish data on children with disabilities and children from ethnic minorities. MoEYS created a Special Education Department to strengthen institutional systems to address the needs of vulnerable and out-of-school children, including through improved identification and tracking of students with disabilities. The 2015 Multilingual Education National Action Plan aims to expand multilingual education, with a target to increase the number of multilingual education pre-schools and primary schools by 88 per cent and 100 per cent respectively by 2018. In 2015, multi-lingual education was implemented in 5 provinces at the pre-school level and 4 provinces at the primary school level; 5 ethnic minority languages were used in schools, and about 1,500 children currently attend multi-lingual education pre-schools, over 4,000 children attend multilingual education primary schools, and a few hundred children have transitioned to secondary school and graduated.

## Employment

### Reply to paragraph 16 of the list of issues

72. The National Employment Policy (NEP) 2015–2025 aims to eliminate gender disparities in employment and improve livelihoods and dignity through creating decent work opportunities and increasing work productivity. The following measures are being implemented: 1. Promoting decent employment opportunities: 1.1) Promoting employment in priority sub-sector(s) through enterprise development and support to SMEs in rural and urban areas, and 1.2) Encouraging domestic and foreign direct investment in priority sub-sectors, which have high employment potential, especially for women. 2. Enhancing Skill and Human Resource Development: 2.1) Developed the National TVET Policy 2017–2025, 2.2) Strengthened coherence between education and TVET policies and the CID Policy, 2.3) Increased accessibility of education and TVET schemes for disadvantaged groups, 2.4) Developed mutual recognition of skills programmes within ASEAN, 2.5) Strengthened connections between education and TVET providers with the private sector to reduce skill gaps. 3. Labour Market Governance: 3.1) Strengthening delivery of employment services, 3.2) Facilitating matching of job seekers and employer's needs in the priority sub-sector(s), 3.3) Regularly conducted national and international fora to bring together job seekers and employers, 3.4) Raising awareness among job seekers and employers on the services provided by job centres, 3.5) Allowing private companies to provide domestic recruiting services and 3.6) Building a more robust evidence based wage setting system, including an annual review of minimum wages.

73. The National Employment Agency (NEA) has mobile job exhibitions, holds workshops on career planning, provides career counselling, and conducts workshops at high schools and universities to introduce different careers and professions. From 2014–2018, 15,824 people (8,864 women or 56 per cent) found employment through NEA services. The NEA has 13 mobile job centres throughout the country and actively promotes its services through an “App”, Facebook and its Website.

74. The RGC has implemented reforms for human resource development, gender equality and social protection to improve the skills, knowledge and qualifications of Cambodia's labour force. The RGC has implemented the following: 1) the draft Law on TVET, 2) National TVET Policy 2017–2025, 3) Strategic Plan for TVET sector 2019–2023, 4) TVET Gender Policy and Action Plan 2017–2026, 5) Inter-ministerial TWG on TVET, 6) Guidebook for M&E of TVET, and evaluations of TVET institutions, 7) Improved capacity of TVET trainers through in-country and overseas training, 8) prepared accreditation of TVET institutions, 9) draft policy on skill development funds and 10) developed competency standards and curriculum based on qualifications level 2.3 and 4 in the 4 priority sectors, with 36 professions and 111 qualifications.

75. In the TVET program, women graduates have increased 3 per cent per year and currently women represent 25 per cent of total graduates. Women enrolled in the priority sectors have increased 1–2 per cent per year from the baseline year of 25 per cent. The percentage of women owning businesses in the priority sectors increased 1–2 per cent per year from 43 per cent in 2015. The number of women employed in the TVET sector has increased 1 per cent per year, from 22 per cent in 2016. Women in TVET leadership positions have increased 1 per cent per year from 14 per cent in 2016 and the proportion of women trainers in the TVET sector has increased 1–2 per cent per year.

76. The RGC has clear procedures for recruiting, training, and sending migrant workers overseas. By the end of 2018, labour migration provided employment for

499,070 women or 40 per cent of the total number of migrants (1,235,993 people.) To improve the quality, benefits and rights of migrant workers, the RGC has implemented the following national policy and legal frameworks: 1) NEP 2015–2025, 2) TVET Policy 2017–2025, 3) Labour Migration Policy for Cambodia 2019–2023, 4) Decent Work Programme for Cambodia 2019–2023, 5) Strategic Plan for TVET sector 2019–2023 and 6) Sub-Decree 190 (2011) and its corresponding 8 Prakas on managing labour migration and recruitment agencies.

77. The RGC has signed MoUs on sending migrants with 9 countries including Thailand, Korea, Japan, Malaysia, Singapore, Hong Kong, Saudi Arabia, Kuwait, and Qatar. MoLVT conducts regular monitoring of private recruitment agencies, and receives and solves complaints related to labour migration issues. MoLVT provides orientation and training to migrant workers before they leave the country. Importantly, MoLVT has labour attachés at Cambodian Embassies in target countries and conducts outreach to migrant workers.

#### **Reply to paragraph 17 of the list of issues**

78. Under the Labour Law, there are two types of employment contracts, Fixed Term Duration and Unspecified Duration. MoLVT requested all industries to use Fixed Term Duration contracts and developed guidelines for factory owners and enterprises, employers, institutions, unions, and employees on the type of the labour contracts as specified in Chapter 4 of the Labour Law. It clearly states that the duration of fixed term contracts is no longer than two years, but can be renewed as long as they are not more than 2 years. If the renewal exceeds two years, the fixed term duration contract will become an unspecified duration contract. MoLVT labour inspectors regularly conduct monitoring at industries and factories, and when there is a complaint, to ensure that employers do not misuse the fixed term duration contract.

79. The government issued a formal administration letter in May 2019 to all presidents of employers' associations, employer federations and owners of factories, enterprises and other institutions to comply with the type of employment contract and duration in accordance with the Labour Law.

80. In 2018, the RGC made significant improvements in women's workers' rights and benefits as follows: 1) Employees who are more than 3 month's pregnant are allowed to leave 15 minutes early from work, 2) Female workers are entitled for free health care during pregnancy and post delivery, 3) Female workers who are pregnant will receive 400,000 Riels for each child at the time of birth, 800,000 Riels for twins, and 1,200,000 Riels for triplets. For triplets, they will also receive 5,000,000 Riels from the Prime Minister, and 4) Female workers will receive 120 per cent of their salary during their 3 month maternity leave, which is equal to USD 218 per month, compared to the monthly minimum wage of USD 182.

81. The RGC has focused on dialogue and cooperation (bilateral, trilateral and multilateral partnerships) through organizing annual consultative workshops to monitor and evaluate labour regulations and policy implementation. MoLVT has organized workshops to discuss drafting the policy on minimum wage and managing the complaint process through the Arbitration Council. Working conditions in the garment industry in Cambodia have improved as a result of the tripartite dialogue mechanism through the exchange of experiences and lesson learned of the Better Factories Cambodia program. MoLVT is currently implementing different policy frameworks to improve the health and safety of female workers in the agriculture and construction sectors.

82. Under the *2016 Law on Trade Unions*, in 2018 MoLVT registered 4,621 trade unions with 13,863 leaders, of which 4,853 or 35 per cent are women.



## Health

### Reply to paragraph 18 of the list of issues

83. The *National Food Security and Nutrition Strategy 2019–2023*, sets out a number of objectives, two of which are highlighted: (1) Strengthening the food environment and consumer behaviour for healthy choices, especially during the first 1000 days of life, and (2) Increasing access to safe drinking water and quality health services, and promoting behaviour change in nutrition to reduce diseases among children, pregnant women, lactating women and adolescents.

84. The RGC has continued to invest in the health sector by strengthening and expanding hospitals and health centres, providing medical equipment and supplies, and increasing the number and capacity of health service providers through training to provide quality health care services. Under the *Social Protection Policy Framework 2017–2025*, the RGC launched a cash support program for pregnant women and children under 2 years from poor families with equity cards or priority cards for 1000 days of care (prenatal and postnatal care and delivery and for children age 0–2 years old for a total of 15 times), equal to 760,000 Riels to improve the health and nutrition of women and children.

85. The *National Strategy for Reproductive and Sexual Health 2017–2020* aims to ensure comprehensive sexual and reproductive health services are available at all service delivery points. All health centres and health posts are now able to provide at least three contraceptive methods, with pills and condoms also provided through community-based distribution in over 50 per cent of the primary health care facilities.

## Rural Women

### Reply to paragraph 19 of the list of issues

86. Between 2013 and 2019, the Ministry of Rural Development (MRD) conducted 1,109 trainings on the roles of Village Development Committees (VDCs) and village development plans in 7,122 villages, involving 10,940 women (29.29 per cent) out of 37,349 villagers. In 2018, female members of VDCs represented 40 per cent of the total members, and 38 per cent of all participants attending the 3 key trainings (VDC development and planning, informal education and food security, vegetable gardening and composting) were women. MRD reports that several women who used to be VDC members have increased their capacity to assume leadership positions as village chiefs, commune chiefs as well as commune, district and provincial councillors.

87. MRD has made important progress in promoting access to improved water supply and sanitation in rural areas in line with NSDP and CMDG targets. The percentage of rural population with access to improved water supply increased from 44.2 per cent in 2013 to 53 per cent in 2015 to 58.3 per cent in 2017. Access to improved sanitation reached 70.9 per cent in 2017, up from 56 per cent in 2015. In 2018, 40 per cent of the Water and Sanitation User Groups members established by MRD are women and women represented 53 per cent (12,595 women) of the 23,843 training participants in the community under Rural Water Supply and Sanitation program 2.

88. MRD provides opportunities for poor rural women to earn income through participating in rural infrastructure development activities, and women represent 30 to 40 per cent of construction workers. Field interviews with rural women revealed that rural road development has made it easier for women to access public services, travel to health centres, send children to school and to transport goods to the market, contributing to social and economic development.

89. Under the Ethnic Minority Development Program, MRD celebrates Indigenous People's Day every year to recognise the rights, culture and value of ethnic minority communities in Cambodia. Annually, about 6,000 indigenous people, over 50 per cent indigenous women, join the celebrations. Importantly, 146 Ethnic Minority Development Committees have been established and 45 per cent of the members are women.

90. MRD completed a review of the GMAP 2012–2016 and the Rolling Plan 2016–2018, and included lessons learned and different measures to address gender equality in the MRD GMAP 2019–2023. The GMAP serves to accelerate gender equality into the rural development sector, and includes the dissemination of CEDAW, strengthening the capacity of gender networks at all levels and providing training to communities to promote gender equality and women's economic empowerment.

91. MRD has expanded the micro-credit scheme with low interest rates for poor farmers, especially women. In the first semester of 2019, the micro-credit scheme provided loans of USD 1.05 million to 54,490 poor and smallholder farmers in 15 provinces, and women accounted for 83.26 per cent of borrowers. The loans have been used for small income generation and expansion of agricultural production. In 2018, 59 per cent of all participants in vocational training courses, such as community savings, small business administration and animal raising techniques, were women.

92. In 2018, 76 MFIs provided loans of USD 5.53 billion to 1,952,956 borrowers, an increase from USD 3.99 billion in 2017, of which more than 70 per cent of loans are provided to women.

## **Climate Change**

### **Reply to paragraph 20 of the list of issues**

93. The Ministry of Environment has integrated gender and climate change into its Action Plans and Strategic Plans as follows: a) Established Gender Technical Working Group and appointed gender focal points at national and provincial levels, b) Budget has been allocated in the Ministry of Environment's Budget Plan No. 5 for Strengthening Good Governance for activities outlined in the Gender Strategic Plan, c) Prepared a gender mainstreaming strategic plan in the environment sector that includes climate change action plans to build capacity and understanding of gender perspectives in the context of climate change.

94. The Ministry of Environment (MoE) has cooperated with relevant partners, including the Secretariat REDD+ of the United Nations Development Program (UNDP, UN Women) and The Centre for People and Forests (RECOFTC), conducted capacity building needs assessment and developed training plans to build capacity for key persons at national and provincial levels. MoE has sent officials to attend training courses and workshops within the country and overseas, and supported the implementation, as follows: a) Held dissemination workshops on laws, regulations and Gender Mainstreaming and Strategic Plan for Environment Sector 2016–2020, b) Conducted training course on "Gender analysis and development plan to address the vulnerability issues on climate change", c) Sent women officials to national, regional and international meetings on climate change, biodiversity and climate change for decisions related to biodiversity and climate change management, to address women's concerns and needs, and to create the environment to promote greater participation of women, d) The Cambodia Climate Change Alliance Program of the General Secretariat of the National Council for Sustainable Development (NCSD) supported the Cambodia Development Resource Institute to conduct action research on the impacts of climate change program on vulnerability, gender and poverty reduction, e) Mainstreamed climate change at sub-national levels by

integrating climate change focusing on gender issues in the Commune Investment Plans and Commune Development Plans, f) MoE collaborated with MoEYS to develop and launch the textbook on climate change for secondary schools and, g) the General Secretariat of the NCSD prepared and launched the Cambodia Climate Change Strategic Plan 2014–2023 and provided support to 14 line ministries to develop sectoral Climate Change Strategic Plans and Action Plans, and several ministries have incorporated gender into these strategic and action plans.

95. The Master Plan on Gender and Climate Change 2018–2030 was developed by the Gender and Climate Change Committee of MoWA, with a focus to institutionalize gender mainstreaming in the adaptation, disaster risk reduction and mitigation investments in order to contribute to an equitable, climate resilient and sustainable society in Cambodia. MoWA will finalize the master plan by the end of 2019.

## **Access to land ownership and housing**

### **Reply to paragraph 21 of the list of issues**

96. By May 2019, the Ministry of Land Management, Urban Planning and Construction (MLMUPC) had received 10,142 cases of land dispute and had resolved 4,204 cases in which 1,993 women were the disputing party. About one-third or 3,018 cases were found irrelevant or outside of the authority of MLMUPC. A total of 885 complaints were proposed to revoke by relevant parties of the claims and 2,035 cases are in the process of settlement.

97. In 2017, the RGC formulated the regulations for the operation of the 2014 National Housing Policy including contracts and agreements, instituted a program for cost effective housing, published the guide book of home construction techniques to adapt to climate change, produced the guide book on home construction for low and middle income families, and prepared the draft law on housing. By 2019, four real estate investment companies have signed a MoU with MLMUPC to provide low and appropriate cost housing.

98. From 2013 to May 2019, the RGC issued a total of 2,324,289 land title certificates. The RGC has a clear record of the source of properties as follows: married and single women have 416,698 land title certificates equal to 18.25 per cent, widows have 82,955 certificates equal to 3.63 per cent, spousal common properties have 1,372 735 certificates equal to 60.13 per cent, married and single men have 290,020 certificates equal to 12.7 per cent and other properties have 147,215 certificates equal to 6.45 per cent.

99. By May 2019, 2,392 houses were sold to low and middle-income families. Specifically, social land concession offered 140,765.47 hectares of land to 78,545 vulnerable poor families and donated public land of 1,200,000 hectares to 400,000 families, of which 30 per cent are female-headed households.

## **Women in detention**

### **Reply to paragraph 22 of the list of issues**

100. The Ministry of Justice has prepared three circulars on alternatives to detention and the diversion measures provided for in the 2016 Law on Juvenile Justice, to ensure prison overcrowding can be addressed, particularly for women, mothers and female juveniles.

101. The RGC has taken consecutive measures with a focus on pregnant women and women with children in detention. Cambodian law does not include women drug users

as offenders, instead they are protected as victims that need rehabilitation at drug rehabilitation centres, either voluntary or by force, but they remain responsible for any crimes committed. Drug trafficking, distribution and production are subject to criminal penalties.

102. As of March 2019, there were a total of 2,434 prisoners, including 828 prisoners, 883 offenders, 242 defendants and 481 accused defendants, 38 pregnant women, and 112 children accompanying their mothers (46 females).

103. The provision of alternative prison sentences and community correctional education are incorporated into the 2007 Criminal Procedure Code and the 2009 Penal Code. In 2014, the Ministry of Justice issued the circular on alternatives to detention and diversion measures including judicial supervision, suspended sentences with probation and community work.

104. The General Department of Prisons has been studying possibilities to include the Bangkok Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders into the national correctional programme in line with the law on prisons and the policy of the RGC on the protection and promotion of women's and children's rights. The "Model Prison" project will be implemented to pilot the Bangkok Rules, focusing on basic principles to strengthen and improve prison staff knowledge, improve prison infrastructure and improve the quality of correctional services for women in detention.

105. Starting April 2019, CNCW and MoWA visited 28 prisons in 25 provinces, and provided recommendations to the Prime Minister to improve conditions for women prisoners. In June 2019, the government issued Circular No. 785 to three ministries, Ministries of Interior, Justice, and Women's Affairs to: 1) increase vocational training programmes for all prisoners, especially women prisoners, 2) collaborate with private sector (including associations, charities, and employers) to create job opportunities for women prisoners during and after released from prison and 3) improve the living condition, including health, hygiene and sanitation, especially for female prisoners.

106. CNCW and MoWA have observed that access to health care services for women prisoners has improved. For example, pregnant women in detention are ensured confidentiality and privacy when they deliver in public health centres and referral hospitals. Some vocational skill trainings are provided for women prisoners. The Ministry of Interior has collaborated with the NGO Sipar to establish libraries across the country so detainees have access to books and reading materials, especially women. Counselling and meditation sessions are available for prisoners, including women.

## **Marriage and family relations**

### **Reply to paragraph 23 of the list of issues**

107. The Provincial Action Plan to Prevent Child Marriage and Teenage Pregnancy in Rattanak Kiri Province 2017–2021 was developed to address child marriage and teenage pregnancy in a province with high rates of both.

108. The *Law on Marriage and Family Life (1989)* is now comprehensively regulated in the 2007 Civil Code. Men and women have equal rights to marry at the age of 18, and the marriage must be with the consent of men and women without coercion, bullying, persuasion, deception or consolation.

109. Article 950, paragraph 2, of the Civil Code states that "in the case that a women becomes pregnant before the previous marriage was dissolved or annulled and has given birth, or in the case that a woman has a medical certificate from a doctor

declaring that she is not pregnant, the marriage can proceed without the 120-day waiting period”. The principle of this provision is not to restrict the rights of women to marry, but for the sole purpose of determining fatherhood and is intended for all children. In the future, the retention of the 120 days in Article 950 in the Civil Code may be removed if medical services (pregnancy exams) are covered in all remote areas.

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