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

Pre-session working group

Thirty-fourth session

16 January – 3 February 2006

**Responses to the list of issues and questions for
consideration of the combined fourth and fifth
periodic report**

Cambodia



**ROYAL GOVERNMENT
OF CAMBODIA**

**ANSWERS TO THE QUESTIONS
BY UNITED NATIONS
ON THE NATIONAL REPORT
OF
THE IMPLEMENTATION OF THE
INTERNATIONAL CONVENTION
ON ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST WOMEN
IN CAMBODIA**

**APPROVED BY THE ROYAL GOVERNMENT OF CAMBODIA
ON 23 DECEMBER 2005**

**ORGANISED BY
CAMBODIAN NATIONAL COUNCIL FOR WOMEN**

General

Q.1 Please describe the process of preparing the combined initial, second and third periodic report, and indicate in particular the role of the Cambodia Human Rights Committee (CHRC), whether consultations were held with civil society, non-governmental organizations, and whether the report was approved by the Cabinet and presented to the National Assembly.

Ans.1 The Cambodian National Council for Women was established in 2001 by Royal Decree NS/RKT/0201 dated 14 February 2001 with:

- The Queen as the Honorary President
- Samdech Prime Minister as the Honorary Vice-President
- Minister of Women's Affairs as the President

The Cambodian National Council for Women is responsible for the preparation of the reports on the implementation of CEDAW to be submitted to the United Nations.

In order to prepare the reports, the National Council has formed a working group comprised of the line ministries: the representative from the Ministry of Justice, the Ministry of Education, Youth and Sports, the Ministry of Interior, the Ministry of Health, the Ministry of Social Affairs, Veterans and Youth Habilitation, the Ministry of Foreign Affairs and International Cooperation, the Ministry of Rural Development and the Ministry of Women's Affairs.

The process of the reporting preparation was technically supported by the United Nations High Commissioner for Human Rights in Cambodia through providing a consultant to directly guide and lead the working group. The draft report was finished in 2003.

The draft report was consulted with the civil society, the national and international NGOs who are working in areas related to women, for their comments.

After that, the draft report was submitted to the Council of Ministers for consideration and approval on October 03, 2003.

Following the approval by the Council of Ministers, the report was translated into English and posted to the United Nations. The report was not submitted to the National Assembly because this is not required by the Constitution of Cambodia.

Committee for Human Rights in Cambodia (CHRC) is the government's human rights body whose role and responsibility as follows:

- Protecting and promoting the exercise of human rights, democracy in Cambodia, and monitoring the violation of human rights and complaints.
- Educating and disseminating to the public and targeted groups on human rights.

- Providing comments and recommendations to the Royal Government on the situation of human rights towards the improvement in the light with the Constitution, domestic laws and international conventions.
- Work in cooperation with the Cambodian National Council for Children and the Ministry of Women's Affairs which are bodies responsible for child and women's rights.

This committee is not responsible for the reporting preparation on the implementation of CEDAW but the Committee took part in monitoring the draft report and gave ideas to the government for consideration.

Articles 1 and 2

Q.2 The report states that ‘all rights as stated in the international human rights covenants are protected by the Constitution of the Kingdom of Cambodia and all principles of the international covenants and conventions take precedence over domestic law’ (p.14). According to page 61 of the report, any laws which are not in harmony with the Convention cannot be implemented. Please clarify the precise status of the Convention in the domestic legal system and specify if the Convention has been used in court cases and whether standards under the Convention have prevailed over domestic laws.

Ans.2 Constitution of the Kingdom of Cambodia is the basic and enlightening law. All national laws are required to be consistent to and respect the principles of the Constitution.

Article 31, paragraph 1 of the Constitution of the Kingdom of Cambodia states that “The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, the covenants and conventions related to human rights, women’s and children’s rights.’ According to the above shows that human rights stated in Article 31 paragraph 1 are accepted and guaranteed by the Constitution of the Kingdom of Cambodia. Therefore, all provisions accepted and guaranteed by the Constitution shall be respected and adopted as the principles for the implementation in the Royal Government of Cambodia.

In practice, national laws do not clear state what principles should be based while dealing with some cases in the court. However, the principles are stated in the convention in stead. In this case, the court uses the principles in the convention as a base.

In general, the standard of the Convention is widely applied in the Royal Government of Cambodia and relevant conventions recognized by the Constitution are used as a base in the drafting of laws. This is to ensure the consistency between national laws and the conventions.

Q.3 The report notes that while the term “discrimination against women” ‘is recognized and used in laws and legal documents (...) in practical action there are some loopholes dependent on the fields’ (p.16). Please indicate the efforts underway to close the loopholes referred to in the report. In particular, please

specify if there are complaints mechanisms, remedies and sanctions to prevent discrimination against women and how the application of laws prohibiting discrimination is monitored.

Ans.3 While the definition of the term “discrimination against women” is recognized and used in laws and legal documents, in practical action there are some loopholes on all fields. In particular, on the construction fields female workers doing men’s work always receive lower wage than male workers.

Such case is not a general one. It happens only on the site with irregular work and daily payment. If this case is deeply examined, such doing is not on the discrimination basis but on the yield of women’s work that has weak labor and low work yield, therefore getting low payment. Such case is also applied to those male workers who have weak labor.

If in large enterprises with regular work, there is no different payment between men and women for doing the same work. The Royal Government of Cambodia has been taking efforts to eliminate gaps which might occur in such cases of similar work but different payment through educating women to be aware of values of their work which should be equal paid with men's, employers to be aware of the equal rights between men and women in all fields.

In the Kingdom of Cambodia, besides the court there is no any other complaint, remedy and sanction mechanism to prevent discrimination against women.

Q.4 The report refers to several draft, or planned laws. In this regard, please provide an update on the status of the Draft Criminal Code, Code of Criminal Procedure, the Law on Suppression of Kidnapping, Trafficking/Sale and Exploitation of Human Persons, the Draft Law on the Prevention of Domestic Violence and the Protection of the Victims, and the Law on Foreign Adoptions. If these laws have not been adopted please indicate a time frame for their adoption.

Ans.4 The status of some draft laws as follows:

- The Draft Criminal Code has already been submitted to the Council of Ministers. At present, it is being prepared for the inter-ministerial meeting.
- The Draft Criminal Procedures have already been submitted to the Council of Ministers, which is being discussed in the inter-ministerial meeting.
- The Draft Law on Suppression of Kidnapping, Trafficking/Sale and Exploitation of Human Persons has been submitted to the Council of Ministers and passed the inter-ministerial meeting, but the Ministry of Women's Affairs requested to add one point. Then once it is agreed, it will be submitted to the Council of Ministers for approval.
- The Draft Law on Foreign Adoptions was submitted to the Council of Ministers.

The specific time frame for adopting the above draft laws cannot be identified because it depends on the time frame of the National Assembly.

- The Draft Law on the Prevention of Domestic Violence and Protection of the Victims was adopted by the National Assembly on 16 September, 2005 and adopted by the Senate on 29 September 2005 and signed by the king on 24 October 2005.

Q.5 Please clarify the functions and the level of human and financial resources allocated to the Ministry of Women and Veteran's Affairs (MOWVA). In particular, clarify its relation to, and level of interaction with the Cambodia National Council for Women (CNCW), which is the top national mechanism to monitor and follow up on the implementation of CEDAW (p.20) and the CHRC, which is the body responsible for drawing up the draft reports on human rights to be submitted to the United Nations (p.12). Please specify the powers and the responsibilities of these three bodies, how their functions are coordinated and how they are supported by structures at the local level.

Ans.5 1. Ministry of Women's Affairs has 184 staff (138 women and 46 men) at the national level and 695 staff (636 women and 59 men) at provincial/municipal level in the country's 24 provinces/municipalities. In 2005, the Ministry received national budget amounting to 7.020 million riels for staff salary at the national level, running costs and office equipment/supplies. Some budget and equipment was allocated and provided to the Women in Development Centers at provincial/municipal level to provide training for poor women and girls in poverty and hardships.

The Ministry of Women's and Veterans' Affairs (MoWVA) is the National Institution established in 1993 with the role and responsibilities to lead and manage all women's affairs in the Royal Government of Cambodia and serves as the headquarter to assist the Royal Government of Cambodia in implementing national policies to ensure that women enjoy the same benefits as men and to promote the status of women and protect the interests and rights of women in the Kingdom of Cambodia. The Ministry of Women's Affairs acts as a catalyst and coordinator with the various Government institutions, civil society organizations and donor community for Women's Development by mainstreaming gender into the policies and programs of those institutions.

2. CNCW is the inter-ministerial mechanism created to facilitate and give recommendations to the Royal Government of Cambodia on issues relating to the promotion of the status, roles and social well-beings of women in Cambodia, seeking to reduce toward the eliminate all forms of discrimination and violence against women. Its responsibilities are as follows:

- Assist the Royal Government of Cambodia in facilitating, monitoring and evaluation and making recommendations to support and encourage the implementation of national policies, laws, regulations and measures related to the promotion of the status and well-beings of women in Cambodia.
- Assist the Royal Government of Cambodia in monitoring the implementation of international treaties, which are related to women's rights, and the implementation of national laws on the fight against human trafficking and sexual exploitation, prevention of domestic violence and

the protection of the victims and other regulations related to women in order to make recommendations or advocate for amendments to the laws based on practical circumstances in order to improve the situation of women.

- Coordinate the writing of the Government's report on the implementation of CEDAW in Cambodia, review, comment and submit the report to the government for consideration and approval before sending it to the United Nations.
- Monitor and promote gender mainstreaming into national policies and development programs of the Royal Government of Cambodia.

3. The Committee for Human Rights in Cambodia (CHRC) helps the Royal Government to promote, protect, develop and advance human rights in Cambodia, and prepared human rights reports for the Royal Government submitted to the United Nations as follows :

- Report on the implementation of the Covenant on Civil and Political Rights
- Reports on the implementation of the Convention on the Elimination of Racial Discrimination
- Reports on the implementation of the Covenant on anti-torture
- Reports on the implementation of the Covenant on Economic, Social and Cultural Rights

As for the three reports above, the RGC was already submitted each of their first report to the United Nation for consideration.

Currently the committee for Human Rights in Cambodia is making the first draft report on the implementation of the covenant on Economic, Social and Cultural Rights.

The Committee for Human Rights in Cambodia assist the Royal Government of Cambodia in improving the exercise of human rights, to communicate and collaborate with CNCC, MoWA and CNCW to strengthen and promote child's and women's rights.

Q.6 Please indicate whether an evaluation of the 5 year Plan 'Neary Ratanak' that focuses on building women's capacity through education, health, legal protection and economic development (p.23) has been undertaken, especially with a view to assessing the impact of gender mainstreaming in all sectors, and if so, kindly provide information on the results.

Ans.6 The Ministry of Women's and Veteran's Affairs (MOWVA and now MoWA) developed its first 5-year Strategic Plan "Neary Rattanak". This plan focuses on capacity-building for women through education, health sectors, legal protection and economic development.

At the Ministry's Congress held in April 2003, in which representatives from national and provincial/municipal levels gathered to wrap up and evaluate the implementation of the 5-year plan "**Neary Rettanak**", the congress identified strengths, weaknesses and constraints and set targets for the future. As a result, with regard to health sector, the Ministry implemented reproductive health program by selecting 8 provinces and 70 districts involving 800 volunteers. In this program, women were provided with training to keep them informed of counseling service and support materials for women at reproductive age (15-49 years old). Based on positive results, women and girls were aware and exercised their rights related to access to healthcare service and fundamental knowledge of basic health, particularly

reproductive health and the prevention of HIV. Furthermore, women gained knowledge of maternal and child's care to cut down the maternal and child's mortality rate and of emergency obstetric care, especially in rural area. In education sector, women and girls enjoyed full access to education of all level and skills to become an active human resource in the society. Remarkably, data on gender and education of women and girls in both formal and non-formal sector have been developed and used. At the community level, the knowledge of the importance of girls and early childhood care and education has also significantly increased. The number of female students, who enrolled at primary education through higher education, and the retention in class have progressively risen. Literacy and non-formal education program for women and girls has been boosted and highly focused. Regarding the area of legal protection, it is ensured that women and girls have access to legal protection with equality and equity and that women's rights is accounted for in law making, law implementation, law training and education. Achievements made so far include the training for the staff of MoWA and women from relevant ministries regarding the laws on the suppression of trafficking in women and children, violence against women and children and the further improvement of their knowledge and understanding over legal matters. Moreover, thanks to good cooperation between the Ministry of Women's Affairs, Civil Society Organizations and NGOs, the data related with the violence and discrimination against women and children have been developed. In the economic field, women enjoy equal access to economic resource and equal rights to participate in the economic development to alleviate poverty. This produces significant results in that women learn to take responsibility and courageously make decision to choose their own businesses. Women are aware of credit capacity, market business enterprises, agriculture, fishery, etc., which enable them to organize businesswomen groups and businesswomen association.

With regard to capacity-building, the Ministry chose the capacity-building in leadership, self-confidence and legal knowledge. Meanwhile, there were also advocacy campaigns to lobby the senior leaders of top-level institutions and decision-makers at all levels to support the implementation of the various policies and programs to promote women's status, position and roles towards equality and equity in the Cambodian society.

Based on the abovementioned outcomes, gender mainstreaming and gender knowledge into and of the priority areas described above have increased among the national and local levels. However, although gender mainstreaming is the policy of the Royal Government of Cambodia, understanding and support of gender mainstreaming into its policies and programs is limited among some line ministries.

Article 3

Q.7 The report mentions that MOWVA was actively involved in the development of the National Poverty Reduction Strategy 2003-2005, and that it sought to have gender mainstreamed in Cambodia's National and Sectoral Policies of the Socio-Economic Development Plan II 2001-2005 (p.39). Please indicate to what extent the Convention was taken into account in this Strategy,

and describe how implementation of the Strategy and impact on gender equality is monitored. Also indicate whether civil society and in particular, women's groups, including women from ethnic minorities and from indigenous populations, were consulted during the drafting and monitoring of this strategy.

Ans.7 Of course, the Ministry of Women's and Veteran's Affairs (currently referred to as Ministry of Women's Affairs) was actively engaged in the process of formulating the 2003-2005 poverty reduction strategy and made special efforts in incorporating gender into the national sectoral policy such as the Socio-economic Development Plan II 2001-2005 because closing gender gaps is a key factor contributing to poverty reduction.

- In this process, the Ministry used CEDAW provisions regarding education, health and economy, social development, land and legal protection and employment to integrate into those documents.
- With this effort, the World Bank commended that the National Poverty Reduction Strategy of Cambodia is the most gender responsive paper.
- The Royal Government of Cambodia has created the Council for Social Development (CSD) to monitor the implementation of the Cambodian Millennium Development Goals.
- In order to measure and evaluate the implementation of National Poverty Reduction Strategy (NPRS) and Cambodian Millennium Development Goals, The Ministry of Women's Affairs, in collaboration with all line ministries and with supports from UNIFEM, WB, ADB, and DFID/UK, developed and produced "A Fair Share for Women/Cambodia Gender Assessment".
- In late 2004, in order to facilitate for the monitoring and evaluation, the Royal Government of Cambodia combined the Socio-Economic Development Plan (SEDP) with the National Poverty Reduction Strategy (NPRS) to harmonize with CMDGs. The Ministry of Women's Affairs has already mainstreamed gender issues into this important document.

Civil Society Organizations and Women's Groups participated in the formulation of the 2003-2005 poverty reduction strategy and the 2001-2005 Socio-Economic Development Plan.

This process included consultative meeting organized by the Ministry of Women's Affairs and NGOs in four provinces and in the national consultative forums and workshops. In which women's groups also participated regarding the consultative meeting focusing specifically on minority groups, we have had no ability and means to start yet.

Article 4

Q.8 Under article 4, the report includes information about the various legal measures (i.e. special provisions of the Constitution included in article 73, and 46.3; education and employment special policies, law on pension regime) which are not temporary special measures in line with article 4, paragraph 1 of the Convention. Please provide information on the efforts to implement temporary special measures to accelerate *de facto* equality between women and men, in accordance with the Committee's general recommendation 25.

Ans.8 The Royal Government of Cambodia pays lots of attentions on the protection of women human rights to ensure for equal rights between men and women in all sectors.

In order to achieve this target, the Royal Government of Cambodia has also made special efforts to enhance women for the equal rights. Therefore, the Royal Government of Cambodia would like to indicate the implementation of some measures in education sector in order for Cambodian women to have access to the education as follows:

- Scholarship for female poor students from rural areas, remote areas and the areas meeting difficulties, and ethnic minorities (total female students are 60,374 equivalents to 26.24%). This has been undertaken in 215 lower secondary schools in 17 provinces-cities from 2003-2004.
- The elimination of informal expense of students' parents or guardians at the basic education through budget increasing for school process by the Royal Government.
- Priority for female newly-graduated teachers to choose the working posts; therefore avoiding working in the difficult or remote posts that might affect their own security.
- Opportunity provision for female handicapped students to learn in the Handicap Children Center, offering scholarship and considerations on life, food and clothes.
- The establishment of dormitories at the remote areas, rural areas and the areas meeting difficulties (there are three dormitories in Monduliri province). There are nine dormitories in Higher Educational Establishments and one in Kompong Chher Teal High School (In Kampong Thom province) to give opportunity for female poor students to obtain education at General Knowledge Schools (1,083 students equivalent to 30.04%) and at Higher Education (282 students equivalent to 40.63).
- In all Teacher Training Schools in the 18 provinces-cities, the 6 Regional Teacher Training Centers and the Central Kindergarten Pedagogy High School, there are dormitories for female pedagogy students (1,091 students equivalent to 42.66%) from poor families from the remote areas, rural areas and ethnic areas.
- The Government has implemented the supportive principles, in particular for the mother with triplet.

Article 5

Q.9 Throughout the report, reference is made to deep-rooted cultural and social patterns, norms, attitudes and stereotyped roles that limit women's access to education, cause high school drop-out rates among girls obstruct women's participation in political and public life, constrain their use of health services, and encourage discriminatory practices such as early and arranged marriage (pgs. 28, 40, 41, 53, 67). In addition, it is mentioned that 'dissemination and education on change of unacceptable and uncivilized old customs to civilized customs has not been made widely' (p.28). Please indicate whether the Government has put in place, or plans to adopt, a comprehensive strategy - which also targets indigenous women, women from rural areas and ethnic minority groups - to eliminate stereotypes that discriminate against women, and any progress achieved in its implementation.

Ans.9 The Royal Government has noticed that in the Cambodian society in the earlier century of Preah Neang Soma or Neang Neak era, a state and Norkor Phnom Civilization were established as the First Civilization in the Southeast Asia Land. From that era on, Cambodian society has followed the Matriarchy to enhance women as superior, and this regime has so far influenced the Khmer language, tradition, education and social leaders. For example, the word Country is called Meatophom (Village of Mother) in Khmer language; for Khmer tradition, men have to propose marriage to women; for education, Khmer uses a prefix “Me-” (Mother) such as Merean (Lesson), Mesot (text or lesson to be memorized) and so on; and for social leaders, a prefix “Me-” (Mother) is also used such as Mesrok (District Governor), Mekhom (Communal Leader) or Mephom (Village Leader). The implementation of Matriarchy resulted in social development since the era of Norkor Phnom, Chenla and until the Angkor period. Hence, Khmer tradition does not discriminate against women in the family and society, and there is no any enhancement of men as superior.

The present occurrence of discrimination against women is not resulted from the Khmer past, but can be resulted from the foreign cultures and civilizations. The stigmatization of women means the stigmatization and defacement of Khmer culture. The problem Cambodia suffers charging with discrimination against women is likely due to a lot more instabilities and confusions than stabilities in the country since the collapse of Angkor era until the end of twentieth century, which caused insecurity, violence, fears, poverty, separation and escape resulting in the illiteracy among both sexes, especially most of women.

The policy of the Royal Government, through its ministries, on the discrimination against women is to implement “Peacefully Cultural Society Development” policy to make Khmer new generations understand their real culture and tradition in line with other nations’ cultures so that our country will be in peace forever and enable Khmer women have access to education and right to employment. Khmer culture is a culture to enhance women and a culture of peace. Peace and poverty reduction is the only source of right to education.

Through the implementation of peacefully cultural society development policy, women have increasingly enrolled at the Royal University of Fine Arts. In 2005, there are 211 females (18%) of the 1,186 graduates, i.e. more females than in 2004. The Royal Government has encouraged the private sector to invest in the weaving handicrafts for women in poverty and need. At present, the weaving handicrafts are increased in Siem Reap, Kompong Cham, Prey Veng, Kandal, Takeo, Battambang, etc., which is the source of employment for women, in particular poor women. For ethnic women in Rattanakiri and Mondulakiri, the Departments of Culture and Fine Arts in both provinces have also encouraged for the ethnically traditional weaving handicrafts so as to create jobs for them

In the future, the Royal Government is going to keep implementing the peacefully cultural society development policy aimed at turning the Kingdom of Cambodia into Khmer Culture Dissemination Center in order to give equal education between women and men, jobs for women and for poverty alleviation in Khmer society.

- Under the strategy to extend schools closer to their houses since 2001, there are 6,742 schools in the rural areas and 546 schools in the remote areas (female poor students from the remote areas, the areas meeting difficulties and ethnic minorities). The Ministry of Education, Youth and Sports has set

up a policy “One Commune, One Lower Secondary School”, and each district has at least one Upper Secondary School or has to transform the existing primary school into lower secondary school in order to avoid the drop out of poor students due to being away from schools or insecurity.

- This can help female poor students to delay their arranged marriages and they can move from one study village to another study village.
- Increasing the number of female teachers by recruiting female students from the rural areas, remote areas and ethnic minorities through condition reduction from 12+2 (complete grade 12 add 2-year training) to 9+2 (complete lower secondary school add 2-year training) in order to attract female candidates from those areas to be teachers. Female teachers are 39.54% of all since 1993.
- At schools, female bathroom is separated from male bathroom.
- Female school principals or vice principals and female leadership are increased every year.
- This policy is actively implemented by other ministries.

Q.10 Please provide detailed information about the draft bill on the Prevention of Domestic Violence and the Protection of the Victims, including the time frame for its adoption and its scope, and indicate whether a provision for criminal and civil remedies has been included. Also indicate whether the views of women's organizations and civil society were integrated in the drafting of this bill.

Ans.10 Currently, the draft anti-domestic violence law has become a fully-fledged law.

The draft law on the prevention of domestic violence and protection of the victims was once submitted to the plenary session of the National Assembly for consideration in 2003. But, later on, considering the recommendations by the National Assembly and civil society organizations, this draft law was revised, giving more priority to education other than imposing penalty.

The draft law on the prevention of domestic violence and the protection of victims was passed by the National Assembly and the Senate in September 2005 and came into force October 24, 2005. This law aims specifically to prevent all forms of domestic violence and protect the victims. It covers physical, mental and sexual violence as well as economic violence. Husband, wife and dependant children are protected under this law. Moreover, this law applies to those who live under the same house and are dependant on the same family.

In order to give an effective protection, this law creates new measures such as administrative decision, which can be made by local authority in order to guarantee urgent security for the victim while domestic violence happens or is likely to happen. This law allows the judge to issue the protection order, which in the first step lasts two months, and if there are other requests, lasts six months.

Cambodian Law on Marriage and Family allows the court to issue a warrant called "conjugal bond breakage order". However, this measure can be applied only when the request for divorce is made. The victim of domestic violence, who does not want to file a divorce complaint, will not be able to receive an effective protection under the current legal framework of Cambodia.

This law requires the competent authorities to disseminate all information with respect to the provisions of this law in order to raise public awareness of domestic

violence and all forms of legal protection throughout the country. This law also contains the provisions for the cooperation between the Ministry of Women's Affairs and other institutions and for the training of officials and civil society organization officers working in this area.

This law is not aimed to separate any family. Instead, it will uphold the value of Cambodian families, minimize domestic violence as much as possible and guarantee safety for Cambodian families. However, any domestic violence case found to be a criminal offense will be punished in accordance with the criminal law in force in the Kingdom of Cambodia.

At every stage of writing the draft law since 1996, non-governmental and civil society organizations always participated. Many of their recommendations have been included in this law.

Q.11 Please indicate the strategies which are in place, have been implemented and the progress achieved, to combat all forms of violence against women, including sexual violence, and whether there is a mechanism in place to systematically gather data and information regarding this problem.

Ans.11 The Ministry of Women's Affairs discussed developing the National Strategic Plan by involving line ministries and civil society organizations for the implementation of the law on the prevention of domestic violence and the protection of victims. This strategic plan has three main components: 1) dissemination of the law, 2) providing service for the victims, 3) training for the law enforcement officials. Currently, the law on the prevention of domestic violence and the protection of victims is adopted. So, the strategic plan will be reviewed and need to add one more component regarding the prevention of domestic violence. The Ministry of Women's Affairs is yet to have mechanism for data collection with the implementation of the law on the prevention of domestic violence and the protection of victims, the Ministry of Women's Affairs collects data through the commune councils. In addition, the Ministry will collect data from the Ministry of Justice and the Ministry of Interior in order to develop the national statistics on violence against women as mentioned in CMDG.

Article 6

Q.12 The report indicates that the Ministry of Interior is undertaking a three step strategic programme to combat trafficking focused on raising awareness of the issue and training police, judges and prosecutors (pp. 29-30) and that several measures have been undertaken for the rehabilitation and reintegration of victims of trafficking (p.33). Please provide details of the impact of such measures on combating trafficking of women and girls and in particular on the rehabilitation of victims of trafficking. In addition, please provide details of efforts to collect data on the incidence of trafficking in Cambodia.

Ans.12 I- Impact of the 3-step approach to prevent and suppress trafficking in women and girls:

The Ministry of Interior's measure of the 3-step approach to prevent and suppress sexual trafficking has impacts in the following:

1- Impact of the implementation of operative procedures by police officers to prevent and suppress trafficking in women and girls:

- True identification of the victims and perpetrators of trafficking in women and girls

- Many women and girls have been rescued. The perpetrators together with their organized rings both within and outside the country have been cracked down and their cases have been sent to the court. Meanwhile, some commercial sex parlors have been identified and legal actions have been taken.
- Police's crackdown operations have made those elements that used to traffic women and girls and some commercial sex businesses suspend their activities or change the businesses.
- Because of correct implementation of operative procedures by the police, the court's proceedings for the trial of human trafficking and sexual exploitation cases run more smoothly.
- Gained confidence from the local communities, institutions, civil society organizations and people in the competent authorities and police regarding their involvement in the suppression of human trafficking and sexual exploitation.
 - With the abovementioned actions taken by the police, has reduced or decreased trafficking in women and girls in Cambodian society.

2- Impact of the awareness raising of sexual exploitation in the prevention and suppression of sexual trafficking:

- Out of the three steps, this is considered important with direct impact on the prevention of trafficking in women and girls.
- Actual activities are focused on the dissemination of law, relevant legal provisions and the trafficking situation that has occurred to the local communities, education centers and those who are more vulnerable to trafficking.
- Make people at all level, especially women and girls, who are more vulnerable, aware of the situation, activities, tricks and risks as well as consequences of trafficking and alert and careful to protect themselves against trafficking.
- Make people at all level aware of law and various measures to prevent, suppress and contribute to the implementation of laws to reduce trafficking in person.

3- Impact of the in-depth training on investigation techniques for Phnom Penh Municipal police, prosecutors and judges

The in-depth training on investigation techniques for Phnom Penh Municipal police, prosecutors and judges being a key approach to build up foundations for operations and efficiency in implementing the operative procedures for the prevention and suppression of human trafficking has increased.

- This training has helped our police learn and improve their capacity to take actions based on the procedures.
- This training has made the process of implementing the procedures more consistent between police, prosecutors and judges and they share views and understanding on the collection of information and evidence to charge the perpetrators.
- The in-depth training on investigation techniques for police, prosecutors and judges followed by the implementation of the first step in Phnom Penh Municipality has produced satisfactory result. The lessons learned were further passed on to 11 more provinces/municipalities by organizing two courses with 60 participants in total.
 - While having impact on human trafficking and sexual exploitation the 3-step approach measures described above have made the law

enforcement officials deeply understand the situation of the victims who need rescue and rehabilitation.

In 2004 and 2005, 656 girls victimized by sexual trafficking were rescued, 369 women victims of forced labor and 189 vulnerable women were repatriated from Thailand. A total of 1,969 women victims of sexual trafficking and beggars from Vietnam were reintegrated into their communities.

Rehabilitation of the victims of human trafficking includes:

- Education, vocational training for those victims so that they can have clear occupation in the society to ear a living for their daily life such as training in sewing, hair-dressing, cosmetic and cooking skills...etc.,
- Provide them with reproductive health education, HIV/AIDS education and healthcare
- Educate and train them in human rights, particularly women's and child's rights

These activities have been developed in collaboration between the Ministry of Social Affairs, Veterans and Youth Rehabilitation and the various NGOs such as AFESIP, IOM, UNICEF and CWCC (Center for Women in Crisis of Cambodia)...etc.,

II- Activity regarding the collection of information on human trafficking in Cambodia
The Ministry of Interior has made strong efforts by taking subsequent measures to collect information on human trafficking in the following:

- Established the Department of Anti-trafficking and Protection (based on the sub-decree No. 40SD dated May 13, 2002 juvenile) with five specialized bureaus under its control
- Established specialized bureaus for anti-trafficking and juvenile protection under 17 provincial/municipal police commissariats and organized specialized units for anti-trafficking and juvenile protection under 7 provincial/municipal police commissariats
- Set up 2 hot line connections: one is connected to the Department of Anti-trafficking and juvenile protection and the other is connected to Siem Reap Provincial Police Commissariat with 24 hour service to receive urgent information online.
- Organized police officers on duty to receive complaints from the people
- Organized investigation and intelligence officers/agents to collect information
- Within two years (2004-2005), police received complaints both online and by the people up to **812** cases in total, **773** of which were carefully investigated and cracked down. The police rescued **1,381** victims in total (aged 18 and above 890 and under 18 491) and arrested **832** perpetrators in total and sent to the court for punishment according to the laws in force.

Q.13 The Special Rapporteur on violence against women, its caused and consequences, referred to reports that indicate that trafficked women and girls are dealt with as criminals who have violated immigration laws and not as victims whose rights were violated (E/CN/2003/75/Add.1, para 949). Please clarify whether under the Law on Human Trafficking and Sexual Exploitation trafficked women benefit from witness protection measures and whether steps have been taken to ensure that trafficked women are not re-victimized by the criminal justice system.

Ans.13 In Cambodian criminal law system, including the anti-trafficking law, there is no provision allowing for the punishment of victims of human trafficking. Report by the Special Rapporteur on violence against women, who raised this matter, might contain some uncertain perceptions and was likely to refer to the fourteen Vietnamese women, who were rescued by the police and charged with illegal border crossings by the Phnom Penh Municipal Court according to the immigration law. Before to say that those Vietnamese women were the victims of human trafficking or the violators of Cambodian immigration law and if we would like to describe some facts as bases for further consideration.

The police rescued those women from the brothel with the purpose to save them from sexual exploitation when all people of different walk of life and the police themselves considered those women as the victims of sexual exploitation. But, unfortunately, those women confessed in front of the authority and the court that they were not trafficked into Cambodia from Vietnam and that they entered Cambodia with their parents, grandmothers and relatives secretly through a border passage without any official documents. When they arrived in Phnom Penh, they voluntarily went into brothels to serve as commercial sex workers to earn money. With such a case, a question can be asked if those women were the victims of human trafficking. In Cambodia, the law does not punish those who voluntarily go into prostitution. The law just punishes the brothel owner only.

Therefore, those women were not accused of being prostitutes. However, the case that those women could not avoid was secretly crossing Cambodian border without any formal documents, which was against the Cambodian Immigration Law. So, one can ask if those Vietnamese women should face the Immigration Law or not?

In the Cambodia Law on the Suppression of Human Trafficking and Sexual Exploitation, there is no provision for the protective measures of the women victims as witnesses because the protection of witnesses in the criminal case is stipulated in Criminal Procedure and Criminal Law that punish those who harass the witnesses of the court case.

The protection of victims of human trafficking as witnesses was raised as instructions for the relevant competent officials, particularly the police in training courses on trafficking in person.

The measures to ensure that trafficked women are not re-victimized by the criminal justice system are:

- Laws do not treat the victims of human trafficking as criminal offenders. Thus, these persons are not detained.
- Train the relevant officials in criminal justice system such as police officials, prosecutors and judges to understand and precisely distinguish the victims of trafficking in person from illegal immigrants and people smuggling.

Article 7

Q.14 The report refers to a set of actions aimed at increasing the presence of women in public and political affairs at all levels (p. 40). Please indicate progress in their implementation, including the impact of these policies.

Ans.14 Regarding the progress in implementing the activities to date, the Royal Government of Cambodia has been working hard to encourage women to further participate in both political and public life, including:

The implementation of gender mainstreaming policy is in progress in all ministries and those line ministries have also been developing their respective gender mainstreaming policy. Meanwhile, some ministries need technical assistance. These ministries are Ministry of Information, Ministry of Health and Ministry of Agriculture, Forestry and Fisheries. In response to this, the Ministry of Women's Affairs, in cooperation with UNDP, has dispatched Cambodian gender consultants to assist them in formulating their strategies. Development of Gender and Development Training Curriculum. We have developed two kinds of training. They are:

B-1: Training in ministries and institutions: the Ministry of Women's Affairs has advocated and requested that gender focal points be formed in the ministries and institutions where focal points are already available and have up to now been trained in gender and development. In addition, the Ministry of Women's Affairs is working together with those focal points and involving some NGOs in gender dissemination to the ministries-institutions where those focal point work. Each ministry received one or two training courses and each training course lasted 3 to 4 days. Regarding gender dissemination to the members of parliament, the Ministry of Women's Affairs has prepared invitation to those dignitaries for discussion on gender.

B-2: Dissemination of gender, gender and development to local communities and rural area: the Ministry of Women's and Veteran's Affairs in collaboration with Seila program (local development program) conducted outreach visits to disseminate gender and development issue to the Commune Councils in all provinces/municipalities throughout the Kingdom of Cambodia.

The Ministry of Women's Affairs incorporated 30% of female civil servants out of total female civil servants be recruited into the governance of the second term of the Royal Government GAT-II (2004-2005).

Ministry of Women's Affairs has also prepared a program to bargain with political parties in order to urge each political party putting female candidates at the upper line in the party's election list. Through this bargaining and urging we recognize that a number of female candidates elected has been increased as shown in a table of political influence as follow:

Table showing an increase in number of women participating in Political Area and Public Sector.

Composition of Women as	Second Mandate 1998-03		Third Mandate 2003-08		Increased Number
	Total	Number of Women	Total	Number of Women	
Political Framework					
<i>Member of Senate</i>	61 Per.	08 Per.	61 Per.	11 Per.	03 Per.
<i>Member of National Assembly</i>	122 Per.	14 Per.	123 Per.	22 Per.	08 Per.
<i>Member of Government</i>	204 Per.	10 Per.	316 Per.	24 Per.	14 Per.

<i>Under Secretary of State</i>		146 Per.	14 Per.	14 Per.
Public Sector				
Brig. General		03 Per.	03 Per.	03 Per.
Deputy Governor (City, Province)		01 Per.	180 Per.	03 Per.
Director-General		76 Per.	02 Per.	02 Per.
Deputy Director-General		136 Per.	15 Per.	15 Per.
Director		314 Per.	27 Per.	27 Per.
Deputy District Chief		944 Per.	14 Per.	11 Per.
Commune Councilor		11,261 Per.	983 Per.	983 Per.
Clerk of Commune		1,911 Per.	178 Per.	00 Per.

Article 9

Q.15 The report states that 'anybody who was borne in the Kingdom of Cambodia (KOC) will be given Cambodian nationality including: children who have foreign fathers or mothers who were born in or have been legally living in the KOC and children who have been born from unknown fathers or mothers, and were found by someone else in the KOC shall be considered as born in the KOC' (p.43). Please specify whether this provision is actually enforced, and in particular whether women of Vietnamese origin, other ethnic minorities and from indigenous groups are able to establish effectively their citizenship and whether their rights are respected both, *de jure* and *de facto*.

Ans.15 After the law on Nationality was enacted by the National Assembly of the Kingdom of Cambodia and was promulgated on 9th October 1996, the Royal Government of Cambodia has paid attention to persistent carry out and actively strengthen the implementation in order to ensure lawfully providing Nationality to Cambodian citizen.

For poor and minority Women and the Vietnamese, they all will purely have a possibility to obtain Cambodian Nationality if those people have enough qualification and fulfill conditions of the Law of Nationality. At the same time their rights are respected both in the Law and Practice.

Article 10

Q.16 The report mentions that illiteracy which seriously affects women has not yet been covered by the strategy developed by the Ministry of Education, Youth and Sports (MOEYS). Please indicate what steps are being planned or implemented to address the high illiteracy rates amongst women, in particular among indigenous women, women from rural areas, and women from ethnic minorities.

Ans.16 Although the Ministry of Education, Youth and Sports did not include the strategy on illiteracy in the previous report, the government through only MoEYS has prepared for the following solutions since 2000:

For this high illiteracy rate, the equivalent program has been operated through complementary literacy programs; income generating programs by establishing and processing community study centers, schools or private vocational training classes; life skills improvement programs and family education programs for children development. This is focused on the target group of 1,426 complementary students in all study villages, of whom 371 are female; the target group of 48,695 illiterates aged from 15-45, of whom 32,335 are female; the target group of 4,858 not-going-to-school children, of whom 2,687 are female; and other target groups. As a result, 76,619 people are liberated from illiteracy, of whom 53,085 are female (Figure by MoEYS). MoEYS has implemented the literacy program for both sexes by establishing libraries, reading centers, mobile libraries in some provinces such as Kompong Tom, Siem Reap, Udor Mean Chey, Rattanakiri, Kompong Chhang, Kompong Speu, Takeo, Kandal, Prey Veng, Kratie. Besides the support by the government, this literacy education work is participated by many organizations.

In order to resolve the high illiteracy rate amongst women, especially among indigenous women, women from rural areas, and women from ethnic minorities, MoEYS and Education Secretariat General For All have an action plan for 2006-2010:

- Do research and statistics on female illiterates by areas (urban, rural, remote) throughout the country.
- Establishment of more community study centers, reading centers, libraries and mobile libraries in the areas meeting difficulties and remote areas.
- Monitor and improve school curriculum and literacy textbooks by mainstreaming gender, women's rights, children's rights, elimination of all forms of discrimination against women, domestic violence reduction, drugs elimination, and prevention of trafficking of women and children in accordance with the national culture and tradition and the policies of the government as stated in the above response to question 9.
- Literacy program operation have included with easy vocations and life skills for women and literate students.

Q.17 The report notes that the 'MOEYS has reformed the curriculum at kindergarten and secondary levels in accordance with international standards' (p.50). Please specify whether the reform also resulted in the elimination of stereotyped concepts of the roles of women and men in the textbooks and in the curricula, and whether this reform will also be undertaken for the primary and tertiary levels of education.

Ans.17 For 2004-2005 school year, MOEYS has improved the kindergarten curriculum by including physical, mental and social education and gender mainstreaming to ensure for non-discrimination education.

The primary and secondary curriculums incorporate the domestic work with son's and daughter's roles giving help in the family work such as cooking, taking care of small sisters/brothers, sewing, looking after the house, participation in family planning and life skills education and so on.

Higher educational curriculum includes specialized skills training without any division of vocational skills between men and women. When there is any study club or study tour, students of both sexes are mixed up.

In the curriculum structure, there is mainstreaming and inclusion of human rights, women's rights, health education, prevention of HIV/AIDS, domestic violence, sex trafficking, trafficking of children and women labor, drugs abuse and laws according to the study subjects and sectors. There is gender mainstreaming in each study subject based on the contents learned from NGOs.

Q.18 Please provide information on the education level and access of girls and young women from ethnic minorities, rural areas and indigenous populations, and indicate whether these groups of girls are specifically targeted in the 2002-2006 Strategic Work Plan of the MOEYS.

Ans.18 Girls and young women of ethnic minorities and of poor families have obtained education at all levels. These females are the special target group in the 2002-2006 strategic action plan of the Ministry of Education, Youth and Sports as follows:

- The implementation of the scheduled decentralization.
- Priority for recruitment of the existing female student resource in the ethnic areas, poor areas and rural areas to be teachers so as to ensure for education.
- Turning schools into children schools of love.
- Processing the supplementary classes and snack offering at schools in poor areas.

MoEYS has built new schools and new classrooms in the areas that do not have all-level schools, and also built dormitories for on-duty teachers in the remote areas and the areas meeting difficulties.

Q.19 Please provide information on the strategies planned to tackle the causes for girls dropping out of school. In particular, provide detailed information on the timeline and resources to implement the future strategies to eliminate discrimination against women and girls in education listed on pages 54-56, and specify whether specific programmes are in place for indigenous women, women from rural areas, and women from ethnic minorities.

Ans.19 To solve the problem causing the dropout of girls, MoEYS and the partnership international organizations have offered scholarships and nutrition for poor students, and given teacher's books at all levels for basic education. The commune councils, in particular village chiefs are a very important catalyst to encourage parents to send their children to continue and complete their studies. MoEYS continues eliminating the informal expense of students' parents or guardians through budget increasing for school process. The establishment of village student groups, detection of the perpetrators of sex trafficking, children labor trafficking and sexual rapists are the tasks that have been undertaken by commune councils to ensure the security for female students to go to and come home from schools in the target areas (remote, rural and ethnic areas). Female weak students have been encouraged by offering supplementary classes with flexible study time. MoEYS has built some dormitories in the remote areas for female students in poverty (under the article 4). The commune councils in cooperation with provincial/municipal departments of agriculture and NGOs have planned to conduct the easy vocational skill training courses such as vegetables growing, animals raising and fish rearing in order to generate their income and give small scale credit to their people.

Q.20 Please indicate whether information on family planning and sex education is provided in schools to girls and boys as part of the training courses on health

care (p.53), and if not, please specify how such information is conveyed to young people.

Ans.20 In order to disseminate the family planning to girls and boys in schools, teachers have taught how to make and implement small and easy plans based on the need of resource, specific possibility and through the decision of the family and practitioners. The first step is to ask the students to find out the specific situation, analyze the reasons of each requirement and prioritize them. The second step is to set up a plan identified with clear objectives, work size, actions, date, duration, implementing methods, means, process, responsible persons, monitoring participants, evaluation, compilation of experience materials, report and dissemination. The third step is to implement the established plan. The process of the above work is discussed between school principal, teachers and community; between teachers and students; between students, parents and family members by reporting to teachers and classmates every Thursday.

For sex education, MoEYS has processed it together with the education programs on HIV/AIDS, STIs, sexual health, drugs and life skills through conducting one-day training workshop at provincial level with the target provincial and district governors, all departments in the province, skilled offices and monks. Five-day training workshop for the district focal points, five-grade and six-grade teachers for primary education; and five-day training workshop for nine-grade and twelve-grade teachers for secondary education and not-going-to-school young people (3 days for training and 2 days for dissemination) in order for them to disseminate to others. In the year 2006, MoEYS in cooperation with its partners will monitor and evaluate the results of implementing the above five programs.

Article 11

Q.21 The report recognizes that ‘the enforcement of the Labor Law is still weak and that efforts will be made by the Royal Government to enforce it’ (p.62). Kindly specify the measures that are being planned to ensure enforcement and monitoring of the related laws and in particular of articles 172 of the Labor Law on sexual harassment, as well as article 46.2 of the Constitution on the right to maternity leave.

Ans.21 The enforcement of the Labor Law and Provisions promulgated in 1997 is constantly strengthened to ensure the increased effectiveness of the implementation. To enforce this law, the government has taken a lot of measures to implement it and monitor the labor law implementation, especially under the article 172 and in line with the article 46.2 of the Constitution of the Kingdom of Cambodia.

Article 46.2 of the Constitution stipulates that “A woman shall not lose her job because of pregnancy. Women shall have the right to take maternity leave with full pay and with no loss of seniority or other social benefits.” The same protection is also stipulated in the labor law, in the paragraph 3 of the article 182: “The employer is prohibited from laying off women in labor during their maternity leave or at a date when the end of the notice period would fall during the maternity leave.”

Article 172 of the Labor Law (Section 8 of Chapter 6 on Child labor and Women labor) stipulates that “All employers and managers of establishments in which child laborers or apprentices less than eighteen years of age or women work, must be watched over their good behavior and maintained their decency before the public. All forms of sexual violation (harassment) is strictly forbidden.”

Measures taken to ensure the law enforcement:

Since the previous reports from 2000-2003 and until now, the Ministry of Labor has planned and implemented some necessary measures as follows:

- The proclamation N° 52 SLTY dated February 10, 2000 on separate toilet preparation between women and men by the Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation (MoSALVY).
- MoSALVY’s circular N° 012 SLTY dated June 02, 2000 on practicing hygiene measures and job security in the brick producing establishments, which is the special point (point N° 9) of this circular stating the protective measures in case of using employees aged from 15-18.
- MoSALVY’s proclamation N° 144 SLTY dated June 10, 2002 on provisions for prohibiting the use of children to work at night time.
- MoSALVY’s proclamation N° 145 SLTY dated June 10, 2002 on vocational training for children working under the ground.
- MoSALVY’s announcement N° 11 SLTY dated July 19, 2003 on enabling objectives for monitoring the real age of the applicants.
- Advise the independent establishments to carry out the article from 182 to Point C of article 188 on women labor in Chapter 6 of Labor Law, by requiring each establishment to identify in their internal regulations in accordance with specific jobs in each workplace, and to ensure for not affecting the health, safe and dignity of pre- and post-natal women.

Monitoring the Law Enforcement: To monitor the enforcement of laws and provisions, which are in force, the Ministry of Labor:

- Has constantly sent a labor inspection group to monitor the enforcement of laws and provisions in force in the establishments in order to improve any poor implementations and require for urgent changing of all serious wrongdoings affecting women and children employees.
- When being informed of any wrongdoings or violation of the law articles, the Ministry has sent the skilled officials to monitor and take measures in accordance with the procedures and provisions of the laws and orders.
- The government, Cambodian employer’s association and federal unions in Cambodia in cooperation with the United States of America and ILO have processed three projects, (1) project on working conditions watch in Cambodia, (2) project on labor dispute solution in Cambodia and (3) project on establishment of arbitrators council. Through the implementation of these projects, the ministry sees that the international community recognizes that the working conditions in Cambodia are better without any use of children labor and forced labor in line with national and international standards; therefore, the United States of America has increased the reward quota of products export. The disputes happening every year are decreased in spite of the

increased number of the establishments. The ministry has noticed that the trend of pushing the dispute cases to the arbitrator council and court is reduced, i.e., the rate of solved cases by compromising and conciliating is increased. The ministry still continues implementing this measure and if there are any insufficiencies the ministry will improve accordingly. When the third mandate employment council is officially established, it can help facilitate both employer and employee parties to have better mutual understanding.

Q.22 While women have a very high level of participation in the labor market, the report indicates that the large majority of women are working in the informal sector, in low-paid unskilled positions and that they are vulnerable to many forms of exploitation in the workplace (p.58). Please provide data with regard to the formal sector, on horizontal (i.e. according to sector) and vertical (i.e., according to rank) job segregation and wages disaggregated by sex.

Ans.22 1. Women in labor force:

According to Cambodian Social and Economic Survey 2003-04 (CSES) (12 month data), 5,282,053 Cambodian women are in labor force aged from 10 years old. Of that, 3,702,307 women (70.7 percent) are economically active compared to men (78.9 percent) out of the total of men in labor force. Labor force in rural area is usually higher than that in urban area and Phnom Penh (the city): women's participation is 73 percent and men's is 81.4 percent and the percentage of the employment rate for women is 99.5 percent and that of men is 99.4 percent. The participation rate of women in labor force in Cambodia in the years 2003/2004 is 49.4 percent of the total labor force.

According to Human Development Report in 1998, Cambodian women contributed to 53.0% of the total adult labor force (aged from 15 to above) in Cambodia (according to CSES 1997) which is the higher rate compared to other countries in the South-East Asia such as Vietnam (49%), Indonesia (40%), Malaysia (37%) etc., (Sources: UNDP 1998 and CSES 1997).

2. Occupation division between men and women:

Cambodia is an agricultural country. Although people migrate to the urban area to work in garment factories the sectors of agriculture, forestry and fisheries still absorb majority of labor force including 55.5 percent in agricultural and forestry sector and 4.8 percent in fisheries. There is a decrease of 19.0 percent from 74.6 percent in 1999 to 55.5 percent in 2004. Agriculture, forestry and fisheries which provide 61.7 percent of employment (women 60.3% and men 63.0%) experienced a decline of 12.0 percent between the Cambodia Social Economic Survey in 1997 and 1999. Gross Domestic Product (GDP) in this sector according to a stable price in the national account experienced a decrease of 12.3 percent from 42.8 percent in 1997 to 30.5 percent in 2004.

Whole and detail sales share 13.9 percent of total employment (women 18.8% and men 9.0%). This amount doubled from the previous surveys. In particular, this sector

expanded and increased to 35.7 percent in Phnom Penh (women 48.0% and men 24.4%).

Share of Employment by Age (above 10 years old) and Sex in 1997 in Cambodia				
Main Occupation	1997		2004	
	Women	Men	Women	Men
1. Policy makers, senior officials, managers	0.21	2.90	0.3	1.5
2. Professional occupations	1.23	2.85	1.9	3.8
3. Technical and secondary skilled occupation	1.02	3.74	0.3	0.6
4. Clerks or secretaries	NA	NA	0.2	0.1
5. Shop and market sellers	10.15	4.61	16.7	8.0
6. Farmers and Fishermen	80.34	73.43	60.3	63.0
7. Staff of handicraft and related business	3.20	4.43	6.2	5.0
8. Factory operation/ and mechanical engineering	0.32	2.79	5.5	5.7
9. Primary occupation	3.42	5.08	6.3	9.3
10. Military	NA	NA	0.1	1.3
11. Other occupation (informal)	0.12	0.16	2.2	1.5
Total	100	100	100	100

Sources: Cambodia Social and Economic Survey (CSES) 1997 and 2004

In Cambodia, of the most economically active people, 60.3 percent of women and 63.0 percent of men are the farmer and fishermen (see the above table). Women are more likely in service sector than men as shop owners or vendors (more than 16.7 percent of women are in service staff but only 8 percent of men in this sector).

Data on women's participation in labor force does not show full pictures of women's burden, (similar situation to women in other Asian countries) women in Cambodia who work outside are also responsible for housework and sometimes helped by her daughters, however, this work is not recognized.

2. Wage by sex:

Because CSES in 1997 focused on occupation, monthly wage, education and age of individual workers, wage of men and women in the same work with the same education and age were demonstrated.

This survey indicates that in all the six main occupations where data on wage was available showed that men's wage is considerably higher than that of women. The difference started from 16 percent (staff of handicraft and related business) to 84 percent (Factory operation and mechanical engineering). In average, men likely earned more 50 percent than women did in the same work (Human Development report 1998, Ministry of Planning). Primary data from the Cambodia Social and

Economic Survey 2003/2004 is not yet available; however, trend on bias or gaps on income between men and women will decline.

Q.23 Please identify the efforts that are being undertaken to provide women with access to training, improved working conditions, and social protection.

Ans.23 We would like to report that in general employees in the garment enterprises in Cambodia are women because the women are 90% of all. To ensure that women have access to training the improved working conditions and social protection, MoSALVY have been working with the following efforts:

Making women have access to trainings:

- MoSALVY has issued a proclamation N° 004 SLTY dated January 05, 2000 on short-term apprentices training (two months) before working and the rate limitation for each establishment to receive the apprentices for training (Rate: from 8 to 10% of the employees).

Referring to the Chapter 3 of the Labor Law (Articles 51-64)

- MoSALVY's guideline N° 003 SWTY dated March 03, 2001 on implementation procedures of the proclamation N° 004 SWTY dated January 05, 2000 on apprentices training.
- The Ministry of Labor and Vocational Training, the ministry to take over the labor sector from MoSALVY, has sent the specialized officials to monitor the implementation of this proclamation and has issued the certificates for trainings. For those establishments that do not abide by or delay in implementing it, the ministry strongly obliges for enforcement without any fail.
- The Ministry of Labor and Vocational Training has built vocational training centers both in Phnom Penh and provinces/cities for young people, particularly women and poor people.
- The Ministry of Labor and Vocational Training has tried to establish training centers and issued the above proclamations and announcements, targeting the unskilled young people in particular young women to obtain trainings for jobs so that they will get appropriate employments.

Making women obtain the improved working conditions:

Referring to the response to the above question 21.

Making women access to the social protection:

- The Ministry of Labor and Vocational Training in cooperation with the Ministry of Health and the Ministry of Women's Affairs are responsible for educating the female employees in the garment enterprises to have knowledge about health care, especially HIV/AIDS.
- The Ministry of Labor and Vocational Training has sent health staff to the enterprises to check and force each enterprise to prepare for clean drinking water and bathrooms, in particular educate them on women's diseases.
- The Ministry of Labor and Vocational Training and the Ministry of Health have issued a joint proclamation N° 330 SWTY dated December 06, 2000 on preparation of the enterprise clinics, in which each establishment has to

prepare a permanent small or big clinic or bandaging room or rescuing box according to the number of employees in their establishments.

- The Ministry of Labor and Vocational Training has cooperated with ILO to do research and plan a five-year project (2006-2010) on hygiene and health at the workplace aimed at the prevention and protection and work safety of the employees.
- The Ministry of Labor and Vocational Training has sent the specialized officials to monitor the implementation of the enterprises on the prevention and protection and work safety of the employees. The employees are explained to understand this work. They check the materials and tools used by the employees to ensure the safety and requirement for using the protective materials for the employees.

Q.24 Please provide information on the economic activities of rural women and their income levels in comparison with men.

Ans.24 Because the 1997 Socio-Economic Survey obtained information on occupation, monthly income, education and age of the individual, we can look at men's and women's monthly salary in the same occupation, education and age.

Those data show that in Cambodia, for any business out of 6 businesses of which data on sufficient salary are available, men's income is significantly higher than women's income. Such difference varies from low level of 16 percent for handicraft makers and relevant business to high level of 84 percent for factory workers and engine assemblers. On average, men earn around 50% higher than women in the same business (according to the Ministry of Planning's Human Development Report, 1998). Data of the primary report of the 2003/04 Economic Survey are not yet available for use, but trends of preference or bias between men and women will decline. However, women in civil service and armed forces have the same salary and income as men in the case of equal positions and ranks.

Q.25 Article 106 of the Labor Act of 1997 provides for “equal wage” for “work of equal conditions, professional skill and output”. Please specify how this phrase is interpreted and if it has been used in any way to discriminate against women. Indicate whether discrimination in the provision of benefits is also similarly prohibited under the Labor Act.

Ans.25 For this case, the Ministry of Labor and Vocational Training has paid lots of attentions by taking measures so as for the enforcement, and has constantly monitored the implementation as follows:

- According to the articles 96-101 in Section 5 of Chapter 5 of the Labor Law, employees and employers can agree to make a joint convention that gives more benefits than in this law. In accordance with the provisions of this law, employees and employers in the garment and tourism sectors in Cambodia have so far agreed to make subsequent joint conventions to identify more rights and benefits than in this law for the employees such as minimum wage limitation, service charge division, public holidays and so on.

- MoSALVY has issued two announcements for the employees of the garment enterprises: (1) Announcement N° 06 sky dated March 03, 1997 on minimum wage for the training apprentices. (2) Announcement N° 017 SLTY dated July 18, 2000 on minimum wage for the employees in the period of probation and rightful employees, seniority wage and incentives for regular work.
- For general implementation in all enterprises of the article 12 in Section 2 of Chapter 1 of the Labor Law on non-discrimination, MoSALVY has issued a proclamation N° 004 SLTY dated January 05, 2000 on apprentices training to ensure that both female and male apprentices receive the equal wage during the same training.
- In accordance with the article 104 of the Labor Law, minimum wage guaranteed by all enterprises or establishments that are under the Labor Law of the Kingdom of Cambodia which has been implemented.

Therefore, there is an agreement between employees and employers on the employment contract in written and in verbal without any discrimination. The “equal wage” for “work of equal conditions, professional skill and output is undertaken in line with the national laws and international standards.

Q.26 In light of Cambodia’s recent membership to the World Trade Organization (WTO), and the ending of the multi-fiber agreement, indicate whether an evaluation of the impact on the livelihoods of women has been undertaken in order to readjust macroeconomic policies accordingly.

Ans.26 Before and after Cambodia’s membership to the World Trade Organization (WTO), and the ending of clothes quota since January 01, 2005 according to the multi-fiber and clothes agreement of WTO, the garment sector situation in Cambodia still continues exporting as usual and there is no any impact on the garment industry, particularly the livelihoods of Khmer women. In accordance with the statistics on clothes export to the United States of America in the period of 10 months of the year 2005, the export is 16% increased compared with the same period of the year 2004. Moreover, the number of garment factories increases from 200 to 248 factories in the year 2005.

Hence, after Cambodia’s membership to the World Trade Organization, the export products in particular Cambodian garment product and textile are possible to compete in the existing market. The improved working conditions that make the clients feel reliable on the reputation of Cambodia are the factor making the products be competitive in the market and maintaining an appropriate labor market for this sector. This is very important for the livelihoods of women. That’s why, the Royal Government of Cambodia has had the constant measures as mentioned in the above answer 21 and 25 that contribute to improving the working conditions in the garment and textile sector.

Article 12

Q.27 Page 62-63 list a number of health programmes on reproductive health, nutrition, HIV/AIDS, and mental health for victims of domestic violence. However, the report also recognizes that the general understanding of these and

of other health matters is very limited (p.53, para. 275), health care services are limited for women (p. 67, para 350), only 10 per cent of women deliver in health facilities (p. 64, para 331) and there is a high rate of maternal mortality. Please specify what measures are in place to raise women's awareness of, and improved access to, general health care and obstetrics services.

Ans.27 In order to raise women's awareness and increase access to general health care and obstetric service, the Government has taken a number of measures implemented by the Ministry of Health through public health services, community and media:

a. Measures taken through public health services:

- 1- Provide health education on productive health, nutrition, HIV/AIDS and mental health to all general population through health centers on the basis of every week and according to the health center's plan and time table.
- 2- Provide all key information related to reproductive health, nutrition, HIV/AIDS and mental health to pregnant women and husbands through mother education session when they come for antenatal check up (accompanied by their husband) in the referral hospitals. We also encourage men and husbands to participate in the discussion in mother education sessions and during the provision of other services.
- 3- Counseling (tête-à-tête) to pregnant women during antenatal check up, pre and post-partum period on dangerous signs, breastfeeding, complementary food, nutrition, hygiene, prevention mother to child transmission of infection especially HIV/AIDS, birth control and newborn care.
- 4- Special clinic/session is set up for women with mental disorder and post-partum depressed women.
- 5- Midwives and other health center staff conduct community based activities (including village level) to provide 7 kind vaccination (TB, polio, aspiration, diphtheria, whooping cough tetanus, Hepatitis B) Vitamin A distribution, Iron/folic acid distribution, ante-natal check-up, home delivery, post-natal check-up and health education.
- 6- Health staff conduct training on general health care to the public (women, men, household, village heads, village volunteers, teachers, students, clergies, monks, nuns, commune councilors etc.) on transmitted diseases (such as TB, malaria, high fever, diarrhea, typhoid, hepatitis, STI, HIV/AIDS and so on) and also on sources of transmitted diseases, how they transmit and through which they transmit, signs of danger if infected, sanitation and measures to prevent the transmitting and where to access services for check-up and treatment.

- 7- Provide general education for the general public (women, men, families, village head, village volunteers, clergies, monks, nuns, commune councils) on not transmitted diseases such as cancers, high blood pressure, diabetes, mental health and so on and show where to access health services, health check-up and appropriate treatment. In particular, diagnose service, counseling and treatment for breast and reproductive organ cancers have been gradually considered and expanded.
- 8- Expand health care services in all strategic planned and targeted areas to increase access to health services especially services for women, children and obstetric services.
- 9- Provide exemption fee or Equity fund for health services for poor people.
- 10- Improve and strengthen cooperation with development partners in health sector, non-government organisations in raising awareness on health care as well as providing health care services to the population especially to women, infants and children.
- 11- Improve and strengthen cooperation with development partners in health sector, non-government organizations in raising awareness in particular, that related to natural disasters such as flood, draught, the outburst of diseases including bird flue and SAR and so on. Strengthen measures to prevent the spread of transmitted diseases, strengthen referral systems, emergency system and appropriate systems.

b. Raising awareness of the community on reproductive health and increasing access to health care, obstetric services and referral services.

- 1- Train Traditional midwives on danger signs during pregnancy, giving birth and after the delivery which might happen because of lack of skills, sanitation, unsafety. Encourage midwives to refer pregnant women to have antenatal check at the health centers and delivery in health centers or referral hospitals. And this also aims to encourage the referral of infants, children and vulnerable groups to appropriate health facilities.
- 2- Train village chiefs, village volunteers, village health support groups, health management committee as well as commune council to participate in supporting the pregnant women (in birth preparedness such as available finances, materials, mean of transportation, accompanies and so on) and refer women and patients to health services and treatment on time. Health centers also help with providing health education, necessary information for increasing knowledge of the community.
- 3- Community fund raising to support the referral of women or patients to health centers or referral hospitals.

c. Through media

- 1- Disseminate information and educate the public (women, men, families and community members) to raise their awareness, seek help and access to health

services and on time treatment. This activity focused on transmitted diseases, not transmitted diseases, danger of smoking, fraud drugs and reproductive health including antenatal check, safe motherhood, sanitation, post delivery care, birth control, the prevention of STI etc.,.

- 2- Conduct campaigns to provide health services as well as health education including providing information on existing services in case of emergencies.

Q.28 The report states that 42.5 per cent of sex workers were infected with HIV/AIDS in 1998 (p.66), and that 'men are increasingly bringing HIV infection from sex workers to their own wives (or girlfriends) who then pass the virus to their babies' (p.67). Please indicate whether a specific programme is in place aimed at reducing the prevalence of HIV/AIDS amongst this group of vulnerable women, and if not, whether there are any plans to establish such a programme.

Ans.28 Specific programs and activities were carried out nation-wide in order to fight against HIV/AIDS epidemic.

1-100% condom use strategy has been implementing nation-wide

2-Voluntary Confidential Counseling and Blood Testing Services were offered nation-wide (78 clinics, 15 of them run by NGOs).

3-Prevention Mother-to-Child Transmission services have been gradually expanded. This programme also includes provision of counseling for pregnant women who undertake voluntary and confidential blood testing and provide counseling after testing and receiving the result, as well as providing ARC for HIV and periodical diseases for pregnant women before the delivery, after delivery and up to the child's first birthday. The programme also provide home care, follow up and continuous care for HIV infected persons.

4-ARCs are provided for HIV infected people to prolong their life.

5-Prepare regular campaigns against HIV/AIDS.

Therefore HIV prevalence among adults is decreasing from 3.3% in 1998 to 2.6% in 2000, 2.1% in 2001 and 1.9% in 2003 whereas the prevalence among pregnant women with HIV virus decreased from 2.5% in 1999 to 2.1% in 2003.

Article 13

Q.29 The report indicates that the Government is concerned about the need for a comprehensive programme of land reform and that the Comprehensive Land Policy will create an enabling environment for women who are the head of the families to access land for housing and agriculture (p. 73). Please indicate the status of this policy and describe how it ensures that women, including indigenous women and women from ethnic minorities, have access to land.

Ans.29 Policy for minority women:

For the report that indicates that, the Royal Government will create the Comprehensive Land Policy for the poor people that enables them to obtain land for housing and agriculture, the Royal Government has been considering and already discussed with Inter-national Organizations and International Fund through committee for National Social Welfare Land Concession. Moreover, for poor and ethnic women can also receive the benefit from this policy like those poor people too. Besides, the Ministry of Rural Development is preparing a program for development of Ethnic Minority Groups in accordance with the Constitution of the Kingdom of Cambodia and the government's rectangular strategy aimed at raising standard of living to reduce the poverty of poor women and minority women by persistently implementing policies as follows:

- Ethnic minority can utilize the land according to their tradition that they obviously have such as land for agriculture, land for housing and land for worship "(for praying spiritual thing)".

- Recognize the land as collective ownership as well as land of private ownership too.

- Poor and minority women have the right to live traditionally and can grow or farm on the land taken according to their practice size and tradition.

- Minority group participating in associations will enjoy benefits, and will be respected and protected before the law (Article 23 of Land Law).

Article 14

Q.30 85 per cent of the Cambodian population live in rural areas (page 71). The report mentions that the implementation of the NPRS is still poor for women in rural areas due to the constraints of the national budget (p. 74). Please indicate what efforts have been undertaken to enhance funding of the NPRS and specifically to ensure that rural women benefit from this strategy. Please also indicate how rural women participated in the design of the NPRS and how they are involved in its implementation.

Ans.30 1. The implementation of National Poverty Reduction Strategy:

Over a decade, poor rural population benefit a little from the sustainable economic growth and growth in garment industry, tourism and construction. The benefit from this growth only occurs in the urban area and this cause big gap between the rich and the poor, people in the city and people in the rural areas. Although the growth is in average 6.6% between 1993 and 2003, poverty index is still high and does not change for rural poor people who are under poverty line (1999) - approximately 40 percent. In our report in 2003, we were waiting for the results of CSES 2003-2004 for monitoring the trend of poverty in Cambodia and the impact of the Government's policies on poverty reduction.

2. The Government's effort in accelerating rural poverty reduction

The Royal Government has tried to prepare and enacted a multi-pronged approach to accelerate the development in rural areas and empower to a local community in order to prepare plan and self-management community. Deconcentration and

decentralization focusing on the provision of public services, support for development programs based on participation and small credit programs to families and small enterprise are parts of the Government's efforts.

The adoption of Law on Local Administration in 2001 and the commune elections in February 2002 were key events for Cambodia moving towards new area of democracy at local level at the same time of the establishment of National Commission to support the commune councils. 983 women were elected out of 11,261 commune councillors. Ministry of Women's Affairs in partnership with other NGOs has provided leadership training for women candidates as well as women commune councilors. There is one representative of women and one representative of men from each village to participate in the planning and financial commission in that commune. 40 percent of membership of Village Development Committee are women.

3. Women participation in poverty reduction

Rural women have participated in:

- Commune Council, Commune Development Committee and Village Development Committee (CDC and VCD)
- Preparing development Planning, budget planning in villages and follow-up and communes and follow-up and evaluation of its implementation and general administration.
- Rural credit management
- Family health care
- Educating family and children etc.

(Attached tables of appendix are on the following page)

Share of employment (aged above 10 years old in percentage) by sector: Economic or Industrial Group and Sex and Geographic areas in Cambodia 2003/04

Main Occupation	Cambodia			Phnom Penh			Urban			Rural		
	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women
1. Agriculture, Forestry & Fisheries	55.5	54.3	56.8	2.5	3.0	1.9	34.0	31.8	36.3	63.0	61.9	64.1
2. Fisheries	4.8	7.1	2.4	0.1	0.2	-	6.5	9.0	3.9	5.0	7.6	2.4
3. Mining	0.2	0.2	0.2	-	-	-	-	-	-	0.3	0.3	0.2
4. Factories	9.5	6.7	12.5	15.5	9.7	21.7	6.9	5.1	8.8	9.3	6.6	12.1
5. Electricity, gas and water supply	0.2	0.3	0.1	0.6	1.0	0.2	0.2	0.3	0.1	0.2	0.3	0.1
6. Construction	2.6	4.5	0.6	3.6	6.1	0.8	3.5	5.9	1.0	2.4	4.2	0.5
7. Whole and Detail Sale & mending	13.9	9.0	18.8	35.8	24.4	48.0	24.5	16.2	33.3	10.5	6.6	14.5
8. Hotels and restaurants	0.4	0.4	0.5	2.1	2.0	2.2	1.0	0.8	1.2	0.2	0.2	0.2
9. Transport storage and communication	2.6	4.8	0.4	6.6	12.0	0.7	5.3	9.7	0.5	1.9	3.5	0.3
10. Inter finance	0.2	0.2	0.3	0.6	0.7	0.6	0.6	0.3	1.0	0.1	0.2	0.1
11. Immovable action, rental and business	0.2	0.3	0.1	0.6	0.7	0.5	0.4	0.4	0.3	0.1	0.2	0.0
12. Public administration and social security protection	2.4	4.2	0.6	12.5	20.2	4.3	4.7	7.7	1.6	1.2	2.3	0.2
13. Education	1.4	1.8	1.0	4.1	4.8	3.3	3.2	3.8	2.6	1.0	1.3	0.6
14. Health	0.5	0.6	0.4	1.6	1.8	1.5	0.9	1.1	0.8	0.4	0.4	0.3
15. Community, social and individual services	1.0	1.1	0.9	3.7	3.2	4.1	1.7	1.8	1.5	0.7	0.9	0.6
16. Individual, family and	2.5	2.8	2.2	7.8	8.3	7.3	3.4	3.3	3.5	1.9	2.2	1.6

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employer												
17. External organisation and management body	1.9	1.6	2.2	2.3	1.9	2.8	3.2	2.8	3.6	1.7	1.4	2.0
Total	100	100	100	100	100	100	100	100	100	100	100	100

Sources: Cambodia Social and Economic Survey 2003-04 (NIS, MoP 2005)

Share of Employment in percentage by Occupation, Sex and Region in Cambodia 2003 / 2004

Main Occupation	Cambodia			Phnom Penh			Urban			Rural		
	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women
1. Policy makers, senior officials, managers	0.9	1.5	0.3	4.2	5.6	2.6	1.3	1.9	0.6	0.6	1.1	0.1
2. Professional occupations	2.9	3.8	1.9	12.6	16.2	8.7	6.3	7.6	5.0	1.6	2.2	1.0
3. Technical and secondary skilled occupation	0.4	0.6	0.3	2.4	2.7	2.1	1.1	1.3	0.8	0.2	0.3	0.1
4. Clerks or secretaries	0.2	0.1	0.2	0.7	0.7	0.6	0.4	0.2	0.6	0.1	0.1	0.1
5. Shop and market sellers	12.3	8.0	16.7	33.4	22.5	45.2	21.9	14.8	29.3	9.2	5.8	12.7
6. Agriculture and fisheries	61.6	63.0	60.3	2.5	3.0	1.9	40.9	41.6	40.1	69.6	71.3	67.9
7. Handicraft and relevant business	5.6	5.0	6.2	9.2	9.8	8.4	5.6	6.3	4.8	5.3	4.4	6.2
8. Factory operation/ and mechanical engineering	5.6	5.7	5.5	15.5	16.9	14.0	6.9	9.6	4.1	4.5	4.2	4.9
9. Primary occupation	7.8	9.3	6.3	14.8	15.5	14.0	11.5	11.7	11.2	6.7	8.4	5.0
10. Military	0.7	1.3	0.1	3.3	6.0	0.4	1.8	3.2	0.2	0.3	0.7	0.0
11. Other occupation (informal)	1.8	1.5	2.2	1.5	1.2	1.9	2.5	1.9	3.2	1.8	1.5	2.1
Total	100	100	100	100	100	100	100	100	100	100	100	100

Sources: Cambodia Social and Economic Survey 2003-04 (NIS, MoP 2005)

Articles 15 and 16

Q.31 Please indicate what efforts are underway to disseminate and to ensure the effective enforcement of the Law on Marriage to eliminate the high incidence of forced marriages.

Ans.31 The following efforts made to disseminate information and to ensure the effective enforcement of the Law on Marriage in order to eliminate the high incidence of forced marriages:

1-Law Dissemination:

- The Ministry of Women's Affairs has conducted dissemination courses on the awareness of the Law on Marriage and Family and Legal Protection for the civil servants and people at the municipal/provincial and district levels.
- The Ministry of Justice in cooperation with non-government organizations has conducted training course for its officials at the municipal/provincial levels on Criminal Law, Civil Law including Law on Marriage and Family.
- At the same time, some NGOs who are working on issues related to women have also conducted the similar courses at local areas.
- Beside the above mentioned training/courses, education on law is also included in the gender mainstreaming programmes.

The above measures are aimed to get general people aware of principles and freedom to choose their partner and marriage in order to overcome the old and out of date stereotype.

2-Education:

Besides the law dissemination, some other measures have been taken as well such as special education on the principles of choices and marriages in particular for the registrars. This aims at encouraging them to pay more attentions in assisting people in the prevention of forced marriages because those officials are the ones who issue permits and register marriages.

After the communal elections, the Ministry of Interior has conducted training for commune councils nationwide on how they work, their tasks and responsibilities including their role as registrars.

Through the above measures until present the Cambodian people are better aware of freedom in marriages. In Cambodia, parents have a very vital role in their children's marriages, which was seen by the outsider that marriages are under the absolute decisions of parents. But actually before getting their son or daughter married the parents always ask for their thoughts (both son and daughter), however, in general daughters especially at rural areas always leave decisions to their parents to decide.

Q.32 According to the report of the Special Rapporteur on violence against women, polygamy is common in many parts of Cambodia (para. 951,

E/CN.4/2003/75/ Add.1). Please indicate what measures are in place, or planned, to eliminate the practice of polygamy.

Ans.32 In Cambodia, the Constitution stipulates that ‘Marriage shall be conducted according to conditions determined by law based on the principle of mutual consent between one husband and one wife.’ The Law on Marriage does not allow any person whose previous marriage has not officially been dissolved by a divorce to have a new marriage. Therefore, in Cambodia a man cannot have more than one wife.

According to the report of the special rapporteur on violence against women, polygamy is common in many parts of Cambodia. Such statement is not appropriate. The fact happening in Cambodia is not polygamy, because they do not obtain any legal marriages. Cambodian law prohibits having more than one spouse, but there is no any law to punish those who practice polygamy. Hence, polygamy can take place by counterfeit means.

In order to eliminate the practice of polygamy by counterfeit means, the new Draft Criminal Code punishes those who practice polygamy for double relationship.

Optional Protocol

Q.33 Please indicate whether any measures or actions have been undertaken to ratify the Optional Protocol.

Ans.33 The measure or action undertaken towards ratifying the Optional Protocol came into consideration after having obtained the Optional Protocol from the United Nations, the Royal Government of Cambodia has tasked the relevant authorized institutions to work with the Ministry of Foreign Affairs and International Cooperation to discuss the content of the Optional Protocol, and then make recommendations to the government for decision.

After the approval, the Royal Government will prepare the documents for ratification on the Optional Protocol and submit to the National Assembly and the senate for their approval.