

Submission to pre-session working group on CEDAW

Introduction

1. The Cambodian NGO-CEDAW Committee (NGO-CEDAW) consists of 72 local and international NGOs working in a wide range of fields with a commitment to promoting equality between men and women and supporting the elimination of all forms of discrimination against women. At a recent meeting, members highlighted the following concerns for consideration by the CEDAW Committee. These are raised in addition to, and to prioritise, the issues detailed by NGO-CEDAW in the March 2011 'shadow' report.
2. Further information, case studies and more detailed references will be presented in advance of the 56th session of the CEDAW Committee in October 2013.

Articles 1 & 2

3. While welcoming strengthening of the law in several specific areas, it remains a concern (in line with concluding comment para 12) that Cambodia has no definition of discrimination in the law that encompasses both direct and indirect discrimination in line with Article 1 of the Convention.
4. Although there has been improvement in the focus on monitoring specific to women's human rights and indicators have been developed in a number of areas, information and statistics are still unavailable or difficult to access. This includes information on budgeting related to gender mainstreaming or other gender specific areas (reference Concluding comments para 14).

Article 5

5. While the 2005 Law on Domestic violence was a very positive step forward, implementation of this law remains extremely weak. There are significant barriers to women accessing justice successfully. Often there are significant financial costs (both formal and informal) in taking a case forward. Local reconciliation processes often discriminate against women with pressure applied inappropriately to continue living with a violent partner. Although there have been improvements, rates of violence and the acceptability of violence remain extremely high.
6. The implementation of criminal law is also very weak and many perpetrators of gender based violence are allowed to settle their cases with a small payment to the victim or their family; the family of the victim will then withdraw the complaint and in some cases the court will drop the charges (Impunity). Cases of rape appear to be increasing, with a disturbing incidence of rape committed against girls as young as 3 and 4.



Article 6

7. The government has made welcome efforts on reducing trafficking in cooperation with regional partners, with a particular focus on trafficking for sexual exploitation. Despite this, as acknowledged in the government report to CEDAW (para 103) sexual exploitation continues to occur and further strenuous efforts and resources are needed. In addition to this, economic migrants remain extremely vulnerable with companies still poorly regulated and women or girls often recruited from poor rural areas. Monitoring and work on this area, better implementation of legislation locally and nationally, more resources and further regional agreements are essential.

Article 7

8. While the number of women holding public office has increased consistently, recent figures show a slowdown in these increases, while the overall representation of women is still very low. It is suggested that quotas for women holding office at various levels are increased, and there is more positive action to train and encourage women candidates.

9. For significant numbers of women in office, their experience includes discrimination and differing roles and expectations than their male counterparts. Specific efforts to counter this discrimination are needed, including education to men and women and cross-party networks of women at all levels. It is suggested a specific set of guidelines and policies regarding increasing women's participation and leadership is put in place.

Article 10

10. There has been maintenance of gender parity at pre-school and primary level and increases at secondary level. Inequality remains particularly in the higher levels of education and more detailed figures on the ages for which scholarships were awarded would be instructive. It is suggested that scholarships and support (like free boarding schools for girls), throughout the age range and particularly for older girls, is increased.

11. Numbers of schools have increased, although the figure in relation to population level increases and total school capacity increases would be more useful measures. It is a concern that access to education in more remote areas remains difficult and the ability to afford and provide safe transport to school prevents girls attending disproportionately. It is suggested the number and accessibility of school places at all levels from pre-school is increased in remote areas and indicators are developed and monitored to show improvements by district in school accessibility.

12. Low teacher salaries continue to contribute to inconsistent education quality and supplementary charges to students.

Article 11

13. As stated under Article 6, the safety of economic migrants is a concern – particularly the large numbers in Malaysia, and those migrating outside the government's permission and knowledge. Numerous examples of abuse are seen by human rights institutions and the numbers of government



staff assigned to protect the rights of those migrating is considered inadequate. Further MoUs with other countries regionally and engagement with private companies could further ensure women's human rights are protected.

14. While there have been welcome improvements in the law and protection for women, further changes could be made in a number of areas to strengthen and update protection regarding conditions of work. In particular enforcement of health and safety conditions at some factories is very weak, having a disproportionate effect on women due to the large percentage of women workers at these factories.

15. Moving to ratify ILO Conventions 181 (Private Employment Agencies), 183 (Maternity protection) and 189 (Domestic workers) and the international the convention on the protection of migrant workers and their families would significantly strengthen women's human rights. Human rights institutions and unions see cases of rights abuses in these areas regularly (The Cambodian government declared a moratorium on sending domestic workers to Malaysia. This does not address the fact that some domestic workers already in Malaysia are forced to have their contracts extended against their will).

16. Agricultural work is traditionally dominated by men, despite the high levels of women's involvement in agricultural and high numbers of women headed households in rural areas. Specific strategies to strengthen markets, access to markets and technical skills for women in these areas would be welcomed.

Article 12

17. The government report recognises substantial improvements in health care as well as significant challenges. Health care services remain limited, particularly in more remote areas. Access to health care faces a number of barriers. The cost of transport to health centres and formal or informal charges prevents some women receiving health care services. Health equity schemes operate in some areas but usually remain dependant on some NGO input to operate effectively. Provision of free transport and more mobile services is suggested, building on the most successful examples of implementation in some areas. Stronger detailed monitoring of health outcomes would be useful in addition to the regular demographic and health surveys. More detailed and accessible reporting on health equity schemes and outcomes would be both useful and instructive.

18. Policies for the care and support of older women are considered increasingly important with changing demographics and the greater movement of the population, including provision and resources for elderly care services.

19. Delivery of the health service remains challenging with cases reported of those without money being turned away for treatment. In a recent case a women in labour was refused treatment and her baby born by the side of the railway tracks. Greater accountability and monitoring of public services is needed; with stronger disciplinary action for breaches of trust.

20. Communication and cooperation between NGO health programmes and health services remains poor. It is suggested that government and the NGO sector pay stronger attention to this and establish clearer guidelines and policies for cooperation.



Article 14

21. Rural areas, and in particular those areas with large population of ethnic minority groups, continue to face large challenges in relation to economic land concessions (ELCs). By Dec 2012 at least 2,657,470 hectares of land had been granted or reserved to private companies, representing a 16.7 % increase from 2011, despite a moratorium on further concessions declared in May 2012. Although the government has increased its programme of individual land titling substantially, communal land titles continue to be granted extremely slowly and many indigenous communities who have requested them have faced extreme pressure and conflict with local authorities. This has a disproportionate effect on women in a number of ways. Local communities report increased gender based violence against women from private company workers, which restricts women's freedom of movement. In addition, individual land titling increases pressure to move away from traditional sustainable methods of agriculture and will often reduce cooperation and solidarity in indigenous communities as well as increasing inequities.

22. Land disputes increased sharply in 2012, with women often in the forefront of protests and suffering abuse and imprisonment alongside loss of land and livelihoods.

Other issues

23. While some details on the situation of disabled and ethnic minority women are included in the government report, these are absent in a number of areas. It would be helpful to see more information, particularly in relation to education, employment and health care in answer to Concluding comment 36, as well as in regard to gender based violence, political participation and accessibility of public buildings.

