

# Kingdom of Cambodia

Nation Religion King

“*នាព្រហ្ម ព្រះមហាក្សត្រ*”

# Constitution

Adopted on December 31, 2013 by the General Assembly



The Cambodian NGO Committee on CEDAW  
(NGO-CEDAW)

## **Preface**

The Cambodian Constitution stipulates that “Khmer citizens shall have the right to create associations and political parties”. This article allows every Khmer citizen to create organizations and associations in order to take part in the restoration of the nation in all fields, to achieve development based on democratic principles, with the purpose of encouraging an active participation in the development of civil, political, economic, social and cultural rights, throughout Cambodia. No development can be achieved without the participation of women; therefore, the elimination of discrimination against women is essential and has to get full attention so that women can participate in the development of the country, equally with men. For these reasons, NGO-CEDAW was formed by 9 nongovernmental organizations in 1995; the number of members of NGO-CEDAW has continuously increased since then.

## **Chapter 1 Organization**

### *Article 1: Name of organization*

All member organizations and associations name this coalition as “The Cambodian NGO Committee on CEDAW” abbreviated as “NGO-CEDAW”.

### *Article 2: Office*

The Cambodian NGO Committee on CEDAW is located in Phnom Penh, the capital of the kingdom of Cambodia and has the address: House no. 16, Street 99, Sangkat Boueng Trabek, Khan Chamkamorn.

*Article 3: Symbol and Stamp*



The symbol of NGO-CEDAW has a round shape with two letterings: Lettering 1 has two lines and lettering 2 has one line. In the circle around the logo, the lettering says “The Cambodian NGO Committee on CEDAW” and its Khmer abbreviation “គ.អ.ប.ក.ស” which means “NGO-CEDAW”, escorted by two light blue Dork Chan Flowers. They represent “The symbol with perpetuity”. The inside of the logo contains a picture of the Cambodian map colored in light blue symbolizing the spirit meaning “Cambodia is a country with respect of rights and freedom and nondiscrimination against women”. In the center of the map is a white book which represents the International Convention on CEDAW. In the middle of the book is the picture of a dark purple dove and the symbol of women in the middle of the dove representing the promotion of rights and equality of women and men in Cambodia. Under the book the English letters say “The Cambodian NGO Committee on CEDAW” followed by the abbreviation “NGO-CEDAW”.

**Chapter 2**

**Vision, Mission and Activities**

*Article 4: Vision*

A Cambodian society in which women are not discriminated against and substantive equality with men and women in all fields.

*Article 5: Mission*

Advocating the elimination of all forms of discrimination against women and monitoring the implementation of the Convention on Elimination of All Forms of Discrimination Against Women in Cambodia.

*Article 6: Activities*

To successfully achieve its mission, the Cambodian NGO Committee on CEDAW carries out the following activities:

1. Dissemination of CEDAW;
2. Monitoring the implementation of laws related to discrimination against women;
3. Advocating for the modification of laws and policies that discriminate women;
4. Lobbying and supporting of relevant institutions in the drafting of new laws by ensuring the inclusion of the spirit of CEDAW ;
5. Advocating the establishment of a juvenile and family court and monitoring the functioning of this court;
6. Giving recommendations to the government to ratify legal instruments related to CEDAW and women's rights;
7. Producing reports monitoring the implementation of CEDAW for the Cambodian government, National Assembly, Senate, the UN Committee on CEDAW and other concerned institutions;
8. Strengthening the capacity of NGO-CEDAW members;
9. Conducting other activities to eliminate all forms of discrimination against women.

## Chapter 3 Structure, Roles and Duties

### *Article 7: Structure*

The structure of the Cambodian NGO Committee on CEDAW is as follows:

1. General Assembly
2. Steering Committee (President, Vice President and Steering Committee Members)
3. General Secretary/Coordinator
4. Specialized Sub-Committee
5. Members of the Committee.

### *Article 8: Committee*

1. The Cambodian NGO Committee on CEDAW is a coalition of nongovernmental organizations and associations working for the advancement of women's rights and does not serve the interests of any political party.
2. The committee consists of two types of members: members of NGO-CEDAW and Observer Members. The decision to accept new members of NGO-CEDAW and Observer Members shall be made in a meeting of the Steering Committee or of members of NGO-CEDAW, with 50% + 1 of the members present or their delegates with a legal authorization letter. The conditions of acceptance of new members shall be based on the independence of a potential member, whose work doesn't serve any political party, whose organization or association's status is legal and whose activities are for the advancement of women and who doesn't engage in discriminatory activities against women. Members of NGO-CEDAW shall attend meetings at least 6 times a year.

3. Members of NGO-CEDAW members have the right to participate in the decision-making, the adoption of the 5-year strategic plan of NGO-CEDAW, the amendment of the Committee's constitution, and the election or selection of the President, Vice President and Members of the Steering Committee.
4. Observer members may be national or international organizations who wish to cooperate with NGO-CEDAW. Observer members are entitled to attend and express their opinion in meetings but have no right to vote.

*Article 9: Steering Committee*

1. The Steering Committee consists of 7 to 9 members. Member of the Steering Committee shall be a President, Vice President and members of NGO-CEDAW. The composition of the Steering Committee shall be a leading president or director of a nongovernmental organization or association, which is a member of NGO-CEDAW, and shall be elected by the General Assembly of NGO-CEDAW for a 5 year term.
2. The President leads NGO-CEDAW and the Steering Committee.
3. The Vice President assists the President and may be an acting President, in case of absence of the president, with a legal authorization letter.
4. The President and the Vice President convene the meetings of the Steering Committee.
5. The election or selection of a new president, vice president and members of the Steering Committee shall be done through the General Assembly, in accordance with the election procedures.
6. Roles and Duties
  - The Steering Committee is responsible for:
    - Achieving goals, strategic plans, activities, and setting up a budgeted plan, fund raising for the whole committee.
    - Monitoring the implementation of CEDAW by the government and other concerned institutions.

- Encouraging the General Secretary and the specialized sub-committees to effectively carry out their duties.
  - Establishing the internal regulations of the General Secretariat and making decisions in recruiting, renewing or terminating the work of the General Secretary or the coordinator of NGO-CEDAW.
  - Making decisions about the issuing of statements and representing the whole Committee on CEDAW. The approval of any statements related to women's and children's issues shall be approved by members of the Committee, with 50% +1.
7. Decision making: The Steering Committee can only make decisions with a majority of 50% +1 of present members in a meeting and the decisions shall be approved by the president. Any possible meeting shall meet a quorum of 50% + 1. In the case of no approval of the President, any decision shall possibly be passed, given that the vote meets 2/3 of the number of members present in the meeting. In the case of equal voting, the President's vote prevails.
8. The quorum of any meeting of the Steering Committee shall meet 50% + 1 and shall take place in the presence of the President or the Acting President.
9. Any member of the Steering Committee that doesn't attend meetings exceeding 50% of the number of meetings a year (Including ordinary, extraordinary, monthly meetings of members of the Committee), the General Secretary or the Coordinator shall inform members of the Committee and convene a meeting to consider the termination of the membership of this member of the Steering Committee, and to select a new member to replace the expelled member of the Steering Committee. This can also be decided in the annual assembly. In this case it is accepted to terminate the membership of the Steering Committee before the end of the 5 year term.

*Article 10: Delegation of Responsibilities*

1. In case the President and the Vice President are absent, a legal authorization letter shall be given to another member of the Steering Committee to take the responsibility.
2. In case of resignation of the President or in case the President can no longer carry out her duties, the vice president shall become the president to fill in the term after the approval by 50 % + 1 of the number of NGO-CEDAW members present in an ordinary meeting.
3. In case the Vice President resigns or becomes the President of the Committee on CEDAW, one of the Steering Committee members, who obtains the highest number of votes, shall automatically become the Vice President.
4. Any possible extraordinary meeting may be permitted, provided that a request of the NGO-CEDAW members was made with a majority of 50 % + 1. A given quorum of 50 % + 1 has the right to terminate the position of the Steering Committee members. The decision can only be made with the approval of 50 % + 1.

*Article 11: Specialized Sub-committees*

In order to successfully carry out its mission, the Steering Committee may establish sub-committees, as necessary. The presidents of the sub-committees shall be selected by members of the sub-committees. The sub-committees shall consist of one Member of the Steering Committee as an advisor.

*Article 12: Loss of Membership*

The membership of NGO-CEDAW may be revoked if a nongovernmental organization or association member is no longer independent or discriminates against women or carries out any activity leading to such discrimination and does not carry out their duties in the role given in the

name of the President, of the Vice President and of members of the Steering Committee or members of the Committee on CEDAW.

The revocation of membership leads to the termination of the position as the President, the Vice President, member of the Steering Committee or member of the Committee on CEDAW. The decision for the revocation of membership shall be done through the evaluation in a meeting of NGO-CEDAW members, with 2/3 of the votes.

*Article 13: Termination of Membership*

The decision concerning membership termination of the Committee on CEDAW shall be made by a meeting of the Committee on CEDAW members, under the procedures for an evaluation with 2/3 of the votes of NGO-CEDAW members.

**Chapter 4**  
**General Secretariat**

*Article 14: General Secretariat*

The Committee shall consist of one General Secretariat to assist the President, the Vice President and the Steering Committee. The General Secretariat shall be led by the General Secretary/Coordinator and other staff, depending on the needs.

*Article 15: General Secretary/Coordinator*

The General Secretary/Coordinator shall carry out the work as stipulated in the work contract made with the Steering Committee of NGO-CEDAW. The General Secretary shall have Khmer nationality by birth, suitable qualification, at least a bachelor degree or an equivalent qualification degree, at least 3 year experience with nongovernmental organizations in the field

of management, networking, gender-related works, advocacy and an appropriate level of English. The recruitment of the General Secretary shall be done transparently and in conformity with the procedures of the Steering Committee. The General Secretary/Coordinator may receive disciplinary action or a verbal or written warning from the President of the Committee and may have the contract terminated or renewed by the Steering Committee.

*Article 16: Structure of General Secretariat*

Besides the General Secretary, the General Secretariat may set up other offices, as necessary, with the approval of the Steering Committee. The recruitment of administrative or support staff is the role of the General Secretary/Coordinator with the approval of the President of the Steering Committee. The recruitment of a treasurer shall be the decision of the Steering Committee.

## **Chapter 5**

### **General, Ordinary and Extraordinary Assembly**

**Article 17: General Assembly**

The General Assembly convenes with all members of the Committee every 5 years. The main objectives of this meeting are: to monitor the implementation of the 5 year activities and action plan of the Committee on CEDAW and the observation process of the implementation of CEDAW, to adopt a new strategic plan, to amend the constitution of the Committee, to elect a new President, Vice President, member of the Steering Committee and to permit or revoke membership as members of NGO-CEDAW. The General Secretariat/Coordinator and members of NGO-CEDAW are responsible for the preparation of the meeting. Before the preparation process of the election takes place, an election committee shall be formed, one month in advance, by members of NGO-CEDAW. The proclamation of the dissolution of the Steering

Committee, whose term has ended, shall be made by the election committee prior to the election date.

*Article 18: Ordinary Assembly*

The Ordinary Assembly is an annual meeting with all members to monitor the implementation of the annual work of NGO-CEDAW and the observation process of the implementation of CEDAW. If necessary, in such a meeting, the annual plan, the amendment of the constitution of NGO-CEDAW or the admission of new members or the revoking of the membership of a member of NGO-CEDAW, may be made.

*Article 19: Extraordinary Assembly*

The president of NGO-CEDAW may convene an Extraordinary Assembly with all members to make decisions on: proposed amendments of the NGO-CEDAW Constitution, adoption of additional or new strategic plans or to make any urgent decision which cannot be made by the Steering Committee or where consensus cannot be reached within the Steering Committee.

**Chapter 6**  
**Sources and Use of Budget**

*Article 20: Budget*

The Steering Committee, assisted by the general secretariat, shall seek funding to finance NGO-CEDAW. The funding may be obtained from donor countries, foundations, individuals and other legal sources of funding, which respond to the vision of NGO-CEDAW, except any funding which aims to serve a political party.

*Article 21: Use of Budget*

All expenses and budget allocation shall be in conformity with a clear plan and policy and shall be transparent within an action plan in which the plans of NGO-CEDAW are set forth. Expenses incurred shall be based on the financial policy and shall be transparent.

**Chapter 7**  
**Disciplinary Actions**

*Article 22: Disciplinary Actions*

Officials and staff of the General Secretariat shall accept disciplinary action and the disciplinary action or termination of contracts shall be conducted in compliance with the constitution and the internal regulations of NGO-CEDAW. The form of disciplinary action shall be done as follows: The first disciplinary action will be done verbally, the second will be done in writing and the third will be done with a written letter unconditionally terminating the contract. Disciplinary action of a member of NGO-CEDAW means membership revocation.

**Chapter 8**  
**Final Provisions**

*Article 23: Amendment*

Amendment of the constitution of NGO-CEDAW may be done by the General Assembly by the time the term is due or with a request of NGO-CEDAW members by 1/10.

*Article 24: Dissolution of NGO-CEDAW*

Dissolution of NGO-CEDAW may be done, provided the approval of at least 2/3 of the members in the General Assembly/Extraordinary Assembly. After the dissolution and once all debts are clear, all properties of NGO-CEDAW shall be donated to nongovernmental organizations working for social advancement and those organizations that are not members of NGO-CEDAW. The donations shall be done at the same time with the dissolution of NGO-CEDAW. The General Secretary/Coordinator and representatives of NGO-CEDAW members are responsible for the preparation of the donation.

**Chapter 9**

**Enactment**

*Article 25: Enactment*

The constitution of NGO-CEDAW comes into force upon the signature by the president of the Steering Committee and of NGO-CEDAW.

Sihanouk Ville, 26 December 2013

Chairperson of NGO-CEDAW

Note: This constitution consists of 9 chapters and 25 articles

Shall be copied for:

- The Ministry of Interior
- All organizations and associations member of NGO-CEDAW
- The General Secretariat of NGO-CEDAW
- Filing documents
- Posting on the website of NGO-CEDAW

Dr. Pung Chhiv Kek

**Illustration of the structure of  
the Cambodian NGO Committee on CEDAW (NGO-CEDAW)**

