

Cambodia Under CEDAW Review:



Women's Rights in Cambodia



From 21 October 2019 until 8 November 2019, Cambodia was reviewed by the CEDAW Committee in its 74th session on its implementation of women's rights as set out in the Convention on the Elimination of All Forms of Discrimination against Women ("CEDAW"). Take a look at an overview of the women's rights situation in Cambodia and our recommendations for the Royal Government of Cambodia ("RGC") to rectify women's rights violations.

The Law

In theory, Cambodian women are equal to men under the law. However, in practice they are denied access to such equality.

The Cambodian Constitution provides that:

- All Khmer citizens are equal before the law, regardless of sex (Art. 31)
- All forms of discrimination against women and the exploitation of women's labor shall be abolished (Art. 45)
- Women possess equal rights in all areas, including marriage (Art. 45)

The International Covenant on Civil and Political Rights stipulates that:

- The State Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant (Art. 3)

CEDAW makes it clear that:

- States Parties should condemn discrimination against women in all its forms, and agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women (Art. 2)



Labor

A high percentage of Cambodian women work in the garment sector and the construction sector. Most of these workers are internal migrants and are especially vulnerable to mistreatment.

- Women are not represented in union leadership which can result in a wage gap and poor safety and health conditions for workers.
- Use of short-term contracts for a period longer than two years is a direct violation of the Cambodian Labour Law, however this is still done in practice. These contracts disproportionately affect women due to the risk that they are not renewed in the event that a worker becomes pregnant or is active in unions.

Recommendation: Amend Chapter 16 of the Labor Law to impose penalties on employers who illegally employ workers on short term contracts after the maximum two-year duration.

Political Representation

Although the RGC continues taking on voluntary goals to increase the number of women in civil service and political office, women are still not adequately represented at the decision-making level, particularly in politics and government.

- There is no legal mandate or budgetary support for women's representation in political governance at the local or national level and therefore these voluntary goals are often unmet.
- Regardless of the intention to not deliberately discriminate against women, most women are in practice excluded from political processes due to the criteria that are used by government officials and political parties to appoint people.

Recommendations: Adopt effective legal and practical measures to guarantee that 35% of government decision-making positions will be filled by women by 2023 at the national and subnational levels. All necessary steps need to be made in order to ensure that women leaders are truly independent and can act on their own authority.

Education

Cambodia has made noticeable process toward addressing the gap between boys' and girls' education. However, school attendance is still not mandatory for children in Cambodia and therefore there is no incentive to prevent parents from keeping their daughters from going to school.

- Women who leave school early are more likely to work in lower paid positions.
- Girls with disabilities are often kept at home. The lack of education and contact with other people makes women with disabilities economically vulnerable.

Recommendation: Make education mandatory for all children. This includes ensuring that all girls with disabilities are enrolled in schools and that mobility-impaired students have access to mainstream schools.

Gender based violence

The RGC is to be commended for its efforts on raising awareness about the fact that domestic violence is wrong, however, all forms of gender-based violence remain common.

- The laws related to gender-based violence are weak and are a barrier to ending violence against women.
- There is a lack of services for survivors of gender-based violence. For example, the national hotline for gender-based violence issues does not operate and there are no government-run safe shelters in the country.

Recommendation: Ensure the realization of one-stop service centers to provide support services free of charge to gender-based violence victims.

For more information, please see the civil society shadow report to the RGC's CEDAW report: <http://bit.ly/2D6SNYM>

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June 2020