

# A Briefing on the Situation of Women in Cambodia May 2005



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**LICADHO**

CAMBODIAN LEAGUE FOR THE PROMOTION  
AND DEFENSE OF HUMAN RIGHTS

# Current Issues facing Cambodian Women



- Lack of implementation of CEDAW treaty
- No enforcement of existing laws
- Violence against women —  
Domestic violence, rape, acid attacks.
- Trafficking for the purpose of sexual and non-sexual exploitation
- Vulnerability in contractual affairs and title ownership
- Poor conditions in prisons for women
- Cultural norms that make women subservient to men

# Legal Hurdles and Issues



CEDAW (Convention on the Elimination of All Forms of Discrimination against Women)

Article 15 states:

- Women are equal with men before the law
- Women have a legal capacity identical to men in civil matters
- Women have free movement and choice of domicile
- Any law that restricts the legal capacity of women is null and void

These statements have not been enforced.

# Recommendations to increase Women's Equality before the Law

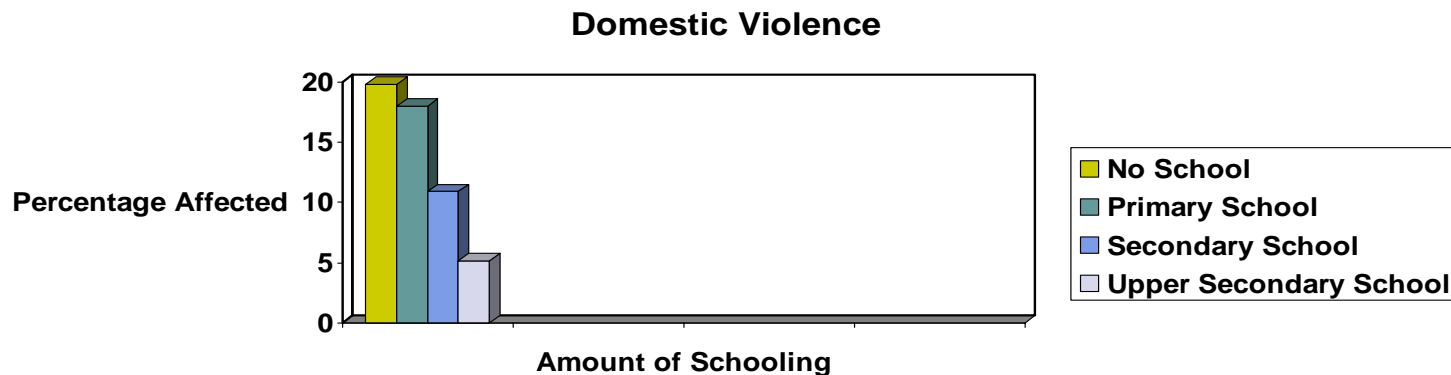


- Coalitions (such as CAMBOW) and grassroots NGOs must continue to encourage a stronger commitment to women's rights. Goals include:
- Reforming current legislation on domestic violence and trafficking
- Encouraging greater access to and use of courts

# Marriage and Family: Domestic Violence



There is a relationship between increased domestic violence and a lack of education\*



- 65.7%\* of women cite alcohol as a factor in their abuse
- Women living further from their families are at a higher risk of abuse\*
- Women who came of age during the Khmer Rouge regime report significantly higher rates of domestic abuse\*

# Recommendations



- Increased Public Education Campaigns:
  - Promote laws regarding women's rights in marriage and divorce
  - Risks and prevention of HIV / AIDS transmission
- Rehabilitation clinics for abusers
- NA must be lobbied to pass the draft law on domestic violence advocated by the CAMBOW coalition and other NGOs.
- Law enforcement officials must implement existing laws.

# Violence against Women: Challenges in Curbing Rape



- Overemphasis on value of physical evidence in court cases
  - Doctor's certificate essential; yet many do not understand how to examine rape victims and the cost of such certificates often prevents women from obtaining them.
- Unlawful Settlements:
  - Most rapes are settled by monetary compensation
  - Belief that victims can be “bought off”
- Lack of centres for victims and rehabilitation of offenders
- Reported rapes by three or more perpetrators are increasing

## Investigated Gang Rapes by LICADHO\*

Year	Cases	Legal Convictions
2002	8	2
2003	11	1 (1 pending)

# The Victims of Rape



## Rape and Indecent Assault Cases Investigated by LICADHO

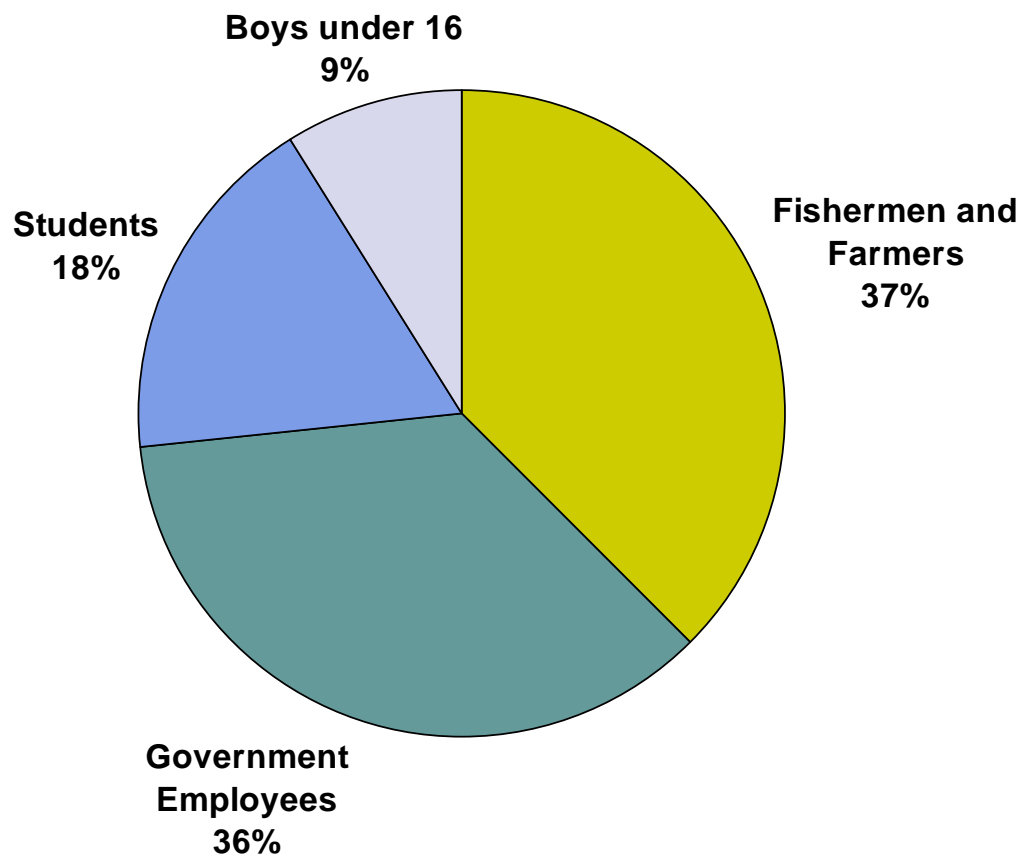
Year	Reported Cases	Went to Trial	Conviction Rate
2002	179	71	63
2003	177	5	4
2004	205	Unknown	Unknown

## Age of the Victims (who are minors)

Year	<18	<12	<5
2002	87.6%	40.6%	6.4%
2003	77.8%	41.1%	8.7%
2004	70%	28%	Unknown



# The Perpetrators of Rape\*



# Recommendations



- Further research into increasing number of reported rapes
- Provide specific counseling and medical services for victims of rape
- Reduce the prevailing culture of impunity by consistent efforts to bring perpetrators to justice
- Increase public awareness of the consequences of rape



# Acid Attacks



From January 2000 to December 2004\*

- 82 attacks
- 128 injuries
- 5 deaths
- 70 male victims
- 63 female victims



# Recommendations



- Limit / control the sales of acid
- Learn and share experiences with countries such as Bangladesh and Pakistan to combat acid attacks
- Provide specialized medical and mental services for victims, including psychological counseling

# Trafficking in Cambodia: Major Issues



- Illegal adoption of babies and children
- Trafficking of women for sexual exploitation
- Trafficking of women for forced labor



# Illegal Adoption



- Cambodia has not signed the Hague Convention on Inter-Country Adoption and has very weak domestic laws
- Vulnerable pregnant women are offered a nominal donation fee and then children are taken
- Corruption and bribery exist widely in adoption circles: facilitators are often powerful and can act with impunity

# Illegal Adoption-continued



- Very difficult to combat because women are unaware of their rights or intimidated
- Children often cannot be traced: of 15 children investigated by LICADHO in 2002:
  - 10 were returned to parents
  - 3 were already adopted by American couples
  - 2 could not be traced

# Recommendations



- RGC must sign the Hague Convention on Inter-Country adoption
- Parents must register and receive official birth certificates for their children.
- Cambodia must cooperate with international agencies and governments to share information on perpetrators.



# Trafficking for Sexual Exploitation



- Major involvement by police, military police, army and other state personnel
- Impunity has become the rule; perpetrators are rarely brought to justice.
- Sex industry is showing increased level of violence against women and children.
- Increased transmission of sexual diseases particularly HIV / AIDS

# Trafficking for Non-Sexual Exploitation Purposes



- Trafficking for domestic servitude
- Trafficking of children to Thailand and Vietnam to work in begging / robbing gangs
- Use of women as mules to traffic drugs across the borders.

# Recommendations



- CAMBOW coalition and other NGOs should lobby the Ministry of Justice for a new anti-trafficking law
- Current laws must be enforced to overcome culture of impunity
- Raise salaries of civil servants to decrease incentives for bribes
- Regular testing and education of diseases
- Increased funding for rehabilitation and resettlement programs
- Teach skills to provide a sustainable livelihood as a option other than the sex industry.



# Women in Prison



- Cramped living conditions: 27 individuals per cell\*
- 25% of women interviewed had no access to reasonable health care\*
- Inadequate provision of food
- Although decreasing, torture of prisoners still exists
- Children born and raised in prisons suffer poor health, insufficient food and have very limited education

# Recommendations



- Educate guards about the rights of prisoners
- Continue careful monitoring of human rights and health in prisons throughout Cambodia
- Increase the number of female guards
- Lobby government for increased funding for provision of food, health care, education
- Further research and protection for children growing up in prison.



# Problems facing Rural Women



- An estimated 50%\* of rural women are illiterate
- Virtually no access to proper health care
- Disabilities caused by land mines mean women are discriminated and stigmatized in their communities
- Rural women, especially widows, have tenuous land rights
- Cambodian widows are offered no state support



# Recommendations



- Further funding to:
  - Increase access to health and education facilities
  - Mine clearance operations
- Micro-credit and agricultural schemes should be targeted at women
- Increased budget allocation at the Ministry of Agriculture to reflect the high percentage of people engaged in agriculture

# Women and Health



- Wide differentiation between health services in urban and rural areas
- Low standard of health care for most Cambodians
- Alarming spread of HIV / AIDS among women in Cambodia
- Pregnant women, especially in rural areas, do not have access to qualified midwives, only traditional birth assistants (TBAs)
- Declining fertility rate of 4 children per women\*
  - Increase use of birth control
  - Abortion is still shrouded in shame and secrecy – most conducted at home without a professional



# Recommendations



- Salaries should be increased to attract highly qualified professionals
- Provide incentives for health workers to work in rural areas to increase access to health care
- Refocus role of TBAs as a link between qualified midwives and pregnant mothers
- Further promotion and dissemination on birth control, particularly in rural areas



# Women in Employment



- Legally, women have equality in employment
- There are no current mechanisms for monitoring or enforcement
- Women aren't aware of their entitlement to employment benefits
- Pregnant women often lose their job due to loopholes in legislation and surplus workers

# Women in Employment: The Textile Industry



- Employs approx. 20% of women aged from 18 to 25\*
- Surplus labor pool means employers regularly flout the legal requirements for standard overtime wages.
- Dangerous working conditions in factories
- Trade unions are discouraged by government
- Effect of WTO on the textile industry: new tariffs and quotas



# Women in Employment: Women in Agriculture



- Women are responsible for 80%\* of food production in rural Cambodia
- Women must be taught improved and sustainable agricultural techniques
- Usually unpaid labor
- Increased use of micro-credit schemes



# Women and Employment: Migrant Workers



- Women are sent to Malaysia or South Korea and other foreign countries
- Contracts are regularly adjusted without reason
- Passports are confiscated upon arrival
- Women are isolated in their employers homes and have no recourse for complaint or protection

# Recommendations



- More funding to ensure monitoring of women's rights in employment
- Greater understanding and attention towards gender mainstreaming
- More vocational courses for women so that they are not limited to providing unskilled labor
- Greater access to micro-credit schemes and agricultural extension domestically
- Create a support network for women working overseas

# Women in Education



- Lack of education for women is a serious problem
- Access is limited due to cultural reasons and corruption
- Traditional stereotyping means many do not consider education important
- Many cannot afford the added costs of informal attendance fees and sundry expenses
- The amount of women at higher education is increasing but is still insufficient (36%)\*

# Recommendations



- Increased funding in the education sector
- Continue and increase the amount of affirmative action schemes
- Provide dormitories for rural women to study at tertiary institutes.
- Enhance vocational courses throughout the country targeted specifically to women.





# Women in Politics, Public Life and International Affairs



- Women are underrepresented in:
  - Government
  - International Affairs
  - Judiciary
- Better representation among NGOs, possible training for future opportunities
- Major problems with freedom of speech, assembly and corporate bargaining (in relation to the textile industry)



# Recommendations



- Quotas or affirmative action programs within political parties
- More support and training to encourage women to stand for public office
- Draft laws must be ratified to protect women
- Women should be encouraged and promoted to diplomatic missions, and participate in international delegations.

# Conclusion



- A lack of culpability, exacerbated by corruption has led to a culture of impunity in Cambodia
- This has made it very difficult to enforce women's rights
- Continued education, increased enforcement of laws and the presence of women in both grassroots and governmental positions are essential to the promotion of women's rights

# The End

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