



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Thirty-fourth session**

Summary record of the 706th meeting

Held at Headquarters, New York, on Thursday, 19 January 2006, at 3 p.m.

Chairperson: Ms. Manalo
Ms. Schöpp-Schilling (Vice-Chairperson)

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In the absence of Ms. Manalo, Ms. Schöpp-Schilling, Vice-Chairperson, took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined initial, second and third periodic report of the Kingdom of Cambodia (continued) (CEDAW/C/KHM/1-3, CEDAW/KHM/Q/1-3 and CEDAW/KHM/Q/1-3/Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of the Kingdom of Cambodia took places at the Committee table.*

Articles 7 and 8

2. **Ms. Zou** sought clarification on one figure in the delegation's statement, namely that in 2003, 18 per cent of senators in Cambodia had been women. According to other sources, notably the Inter-Parliamentary Union, that percentage was 9.8. She wondered whether there was any requirement as to the gender of the participants in the gender training offered to government departments. In many countries, including China, the tendency would be to send primarily women participants to gender training. What would be the attitude of male decision makers towards such training and what measures had been taken in that regard?

3. The percentage of women at the decision-making level was still rather low, and she wished to know whether the Government envisaged any temporary special measures, such as quotas, to increase women's participation in decision-making. She understood that in 2007 there would be elections for the Commune Councils, and asked whether the Ministry of Women's Affairs had any plans to encourage more women to participate in the work of the Councils, noting that their female membership currently stood at 8.6 per cent.

4. **Ms. Belmihoub-Zerdani** said that the Government's solid majority in the National Assembly offered an ideal opportunity to introduce a law on quotas for women. As Cambodia had ratified the Convention without reservations, it would be a simple matter for the country to harmonize its domestic legislation with the Convention, particularly as

international treaties took precedence over domestic law.

5. **Ms. Gaspard**, recalling Ms. Ing's remark that one of the difficulties she encountered in advancing women's affairs was the fact that 90 per cent of decision makers were men, wondered why so few women were elected at the local level and women rarely occupied appointed positions, such as governors. She asked whether any measures could be taken to make progress in those areas. Additionally, she sought clarification on whether the committees at communal level were elected or appointed.

6. **Ms. Ing** (Cambodia), responding to Ms. Zou's question on male attitudes, said that, unfortunately, male partners in government had tended not to have a real understanding of the gender concept. They generally thought that gender issues involved only women's issues, and consequently would send their female assistants to any gender-related events. However, following the awareness campaign launched in 2003, there was now a better understanding that gender issues related to the role and contribution of both men and women in promoting gender equality in society. Consequently, it was now increasingly common for male partners to attend. While there was a commitment to gender equality at the policy level, there did not yet seem to be a real commitment with regard to action or financing. Thus there was still a need for strong advocacy to persuade male partners to join the effort to move the cause forward.

7. With assistance from NGOs, the Ministry had organized training in leadership, negotiating and lobbying for women embarking on a political or public career. However, women voters tended not to vote for women candidates, owing to a lack of confidence or perhaps because they did not see women candidates as models. There was thus a need for a strong awareness-raising campaign among women voters.

8. With regard to the issue of a law on quotas, she explained that a proposal to reserve 30 per cent of candidacies for all political parties, and 30 per cent of posts in public administration, for women, had been declared unconstitutional by the Constitutional Council. The Council had advised the Ministry of Women's Affairs to lobby the main political parties in order to ensure that 30 per cent of their candidates were women, but since Cambodia had a proportional electoral system, women candidates had been placed at

the lowest ranking. Based on that lesson learned, the revised goal was that women should account for 30 per cent of all elected candidates, not 30 per cent of all candidates. That was still under discussion with the political parties. At the present time, Cambodian society did not support a formal quota system, which meant that there was an ongoing need to advocate for it. On the other hand, the Ministry had been successful in incorporating into the Government's Governance Action Plan the proviso that 30 per cent of new recruits to the public administration should be women.

9. While it was true that the figure of 8.6 per cent for women members of the Commune Councils was low, it must be viewed in context: five years earlier, there had been virtually no female Council members. There was now a provision that if no women were elected to a Commune Council, it must appoint a woman as an Assistant in charge of women's and children's affairs. As for the committees at the commune level, some were elected and some were appointed. Development committees had to have a 40 per cent female membership, and planning committees, 50 per cent. Of the three village representatives — Chief, Deputy Chief and Assistant — one had to be a woman.

Article 10

10. **Ms. Popescu** asked about the relationship between the traditional code of conduct (Chbab Srey) and the education process. She had noted the measures taken by the Ministry of Education with a view to mainstreaming gender equality in curricula and in textbooks, but wondered about the efficiency and impact of that process as long as the gender-discriminatory principles of the traditional code of conduct persisted. Girls tended to receive less schooling than boys, as parents traditionally thought that a woman's most important duty was to make her husband happy. She therefore encouraged the Government of Cambodia to undertake a thorough and systematic assessment of the discriminatory dimension of the principles in the code of conduct, and to incorporate the results of such a study in the next report.

11. The Government of Cambodia should undertake a study on the crucial issue of illiteracy, in particular with regard to the situation of women in rural and remote areas. The findings of the study should be incorporated in its next report.

12. Lastly, she wished to enquire about the professional guidance offered to students. The report seemed to indicate a major gap between the more traditional male disciplines, from which women were largely excluded. As the report pointed out, there were very few female experts, particularly in agriculture, law and engineering. She called on the Government to give serious consideration to ensuring gender-balanced vocational guidance for students.

13. **Ms. Šimonović** noted that the report revealed a great gender disparity in education and in school enrolment. Educational opportunities for rural and minority girls were extremely limited. It seemed that Cambodia was still a long way from realizing the provisions of article 10 of the Convention, calling for equal rights with men in the field of education, and its own constitutional guarantee of free primary education for all citizens in public schools. It was very important to make education and closing the gender gap high priorities for the immediate future. She asked whether the Government of Cambodia was combining attainment of the Millennium Development Goals and implementation of the Beijing Declaration and Platform for Action with implementation of article 10 of the Convention. An integrated approach could generate a powerful multiplier effect.

14. **Ms. Ing** (Cambodia), responding to Committee members' questions, said that Cambodia's education policy did take into account the principles of the Convention. Indeed, her country's strategic plan, Neary Rattanak ("Women are precious gems"), was based on the principles of the Beijing Platform for Action and the Convention, which had been integrated into all the Government's sectoral policies. A number of strategies were being developed to address the obstacles presented by the traditional code of conduct (Chbab Srey).

15. Acknowledging the high rate of functional illiteracy among Cambodian women, she said that one of the many strategies used by the Ministry of Education, Youth and Sports and the Ministry of Women's Affairs to help women find employment was to combine literacy programmes with vocational training.

16. With respect to achieving greater balance in the vocational orientation of men and women, she said that women could not be forced to select a particular vocation, nor were they prevented from selecting their

preferred vocation. In order to address the gender segregation in the labour market, the Government's awareness campaign sought to change society's perception that women should work in the home and to encourage women to learn marketable skills. It was a question of changing the attitude of society as a whole, and particularly that of parents.

17. **Ms. Nhim** (Cambodia) said that the steering committee on gender mainstreaming within the Ministry of Education had developed strategies for increasing the number of girl students with a view to achieving 100 per cent enrolment by the period 2010-2015. The strategy included the introduction of scholarships, the construction of dormitory schools for poor girls in rural areas, and the construction of primary schools in every town and lower secondary schools in every district. Measures would also be taken to ensure the safety of girls in remote areas by forming groups of students who would travel together to and from school. Lastly, gender mainstreaming and awareness of human and children's rights would be integrated into school curricula and school textbooks.

Article 11

18. **Ms. Khan** said that she would welcome more information about Cambodia's efforts to integrate the gender perspective into its migration policy and about the data used to develop that policy. She would also be grateful to know the true figure for the number of young women who had migrated to Thailand and become involved in prostitution and human trafficking. The State party had provided a long list of the training programmes introduced by the Ministry of Labour and Vocational Training to educate such women, but she wished to know the impact of those programmes on the migration problem.

19. The State party must end the culture of impunity with regard to traffickers and ensure that the perpetrators were held publicly accountable. She also wished to know the extent of the wage gap between men and women, and wondered whether the State party was following the guidelines of the International Labour Organization (ILO) in its efforts to ensure an equal wage for work of equal conditions.

20. **Ms. Dairiam** said that the memoranda of understanding to be signed between Cambodia and other countries should explicitly state that women victims of trafficking could not be prosecuted. In light

of the State party's written response to the Committee's question on the ending of its multi-fiber agreement, she would urge the State party to formulate a long-term strategy to increase production in the garment industry and enable women workers to enjoy the benefits of global trade. The State party should also clarify its position regarding child labour.

21. **Ms. Patten** said she was pleased to learn that Cambodia's Constitution provided for equal opportunities in the labour market, and welcomed the information provided in its report concerning measures for the protection of pregnant women. However, she wondered whether the Labour Law included provisions for equal opportunities in both the public and private sectors, whether the State party had an equal opportunities commission and whether women were generally aware of their labour rights. She would also be grateful to know how Cambodia ensured the effective protection of women workers, how many cases of discrimination had been brought to the courts, and how many related investigations had been carried out by the authorities. The State party should also inform the Committee of the mechanisms put in place to prohibit wage discrimination based on sex.

22. She would be grateful for more information concerning access to employment and workplace health and safety, as well as information on sexual harassment in the workplace, including details of measures for the protection of women. The State party should also inform the Committee about any measures introduced to eliminate occupational segregation and promote equity in the labour market.

23. **Ms. Schöpp-Schilling**, speaking as a member of the Committee enquired whether the data provided in the periodic report on Cambodia's economically active population took into account women working in the informal sector.

24. **Ms. Ing** (Cambodia) said that Cambodia did not yet have a policy that addressed the issue of migrant labour. However, the Ministry of Women's Affairs was in consultations with other ministries with a view to developing a policy for the protection of workers, focusing in particular on women and the issue of sexual exploitation. The problem of trafficking in women was due in part to Cambodia's high unemployment rate, which had driven women to seek work abroad. The bilateral memoranda of understanding to be signed with countries receiving

women migrants from Cambodia would address ways to protect women workers. In particular, Cambodia would explore ways to control the situation of illegal migrants to Thailand in order to facilitate monitoring of the movement of persons by Cambodian diplomats.

25. The Ministry of Labour and Vocational Training was taking measures to ensure that women received training in capacity-building and language skills before they travelled abroad, although women mostly found employment in domestic work, which did not require significant additional skills. The Ministry of Women's Affairs had also requested the Government to create labour attachés in its foreign embassies with a view to protecting the rights of women migrant workers. Although child labour was illegal under Cambodia's labour laws, it did exist within the family context.

26. Acknowledging the substantial wage gap between Cambodian men and women workers, she said that the Ministry of Labour sent inspectors to companies, especially in the private sector, with a view to ensuring respect for the country's labour laws. However, private sector companies always protested that since women did not have the same skills as men, they should not receive the same pay. Cambodia was working with the Asian Development Bank to find ways to diversify women's skills through training, and the Ministry of Women's Affairs was working with other ministries to develop policies aimed at promoting an entrepreneurial culture among women. Those policies would notably address issues such as women's access to credit, ways to enhance their skills and ways to ensure that women produced goods in response to market demand.

27. **Ms. Chan** (Cambodia) said that the draft Criminal Code included provisions to protect women from sexual harassment. The Constitution provided that a pregnant woman could not lose her job and included provisions for her protection during pregnancy and maternity.

28. **Ms. Ing** (Cambodia) said that child labour was prohibited for children under 12, but that children between 12 and 15 years of age could be hired to perform light work. The statistics provided in the report regarding Cambodia's economically active population took into account only the formal sector, as reliable statistics for the informal sector were not available. However, Cambodia was working with the World Bank to gather such statistics with a view to gauging the impact of the informal sector on the

economy and helping women to move into the formal sector.

Article 12

29. **Ms. Dairiam** expressed alarm at the high maternal mortality rate of 437 per 100,000 live births, attributable to complications caused by inadequate prenatal and post-natal care, the lack of health facilities and the fact that only 10 per cent of births occurred in a health-care facility. The Millennium Development Goal for maternal mortality for Cambodia was 140 per 100,000 live births. Although some progress had been made towards improving the availability of emergency obstetrical services, the Ministry of Health must identify the problems and seek solutions in order to ensure the adequate provision of prenatal and post-natal care and childbirth assistance throughout the country, including in remote areas. It was also important to develop a proactive referral system so that traditional birth attendants would be made aware of the need to refer pregnant women to health-care facilities whenever necessary.

30. **Ms. Ouk** (Cambodia) said that her Government was also concerned at the high maternal mortality rate and was endeavouring to address that situation and meet the Millennium Development Goal. The high mortality rate was attributable to a lack of adequate obstetrical care, and efforts were being made to improve access to emergency obstetrical care and quality health services throughout the country, including in remote areas. The Government's goal was to have 965 health centres operating and providing minimum care, including obstetrical care. To date only 832 centres were operational but the goal of 965 should be attained within a few years, thanks to the mobilization of national and international resources and the assistance of the Asian Development Bank and the World Bank.

31. The problem was not just one of infrastructure but also of access to trained personnel; traditional birth attendants must also be encouraged to refer problem cases to health centres. In recent years, pay incentives had increased the number of midwives and staff in rural areas. As a result, the number of childbirths in the presence of trained personnel had increased from 28 per cent in 2000 to 58 per cent in 2004; in the same period, the number of childbirths with the assistance of traditional birth attendants had fallen from 70 per cent to 35 per cent. The maternal mortality rate had in fact

dropped from 437 per 100,000 live births in 2000 to 413 per 100,000 live births in 2003.

32. Her Government was also cooperating with non-governmental organizations (NGOs) and the public and private sectors to improve health care. In Cambodia there were private providers, public providers and public/private providers. Efforts were under way to provide training in quality prenatal, post-natal and childbirth care in the private sector, and midwives in the public sector were receiving on-the-job and refresher training.

Article 14

33. **Ms. Zou** requested specific information on programmes aimed at eliminating discrimination against rural women and at making them participants in and contributors to development planning and programme implementation, including measures to facilitate rural women's access to agrocredit and other financial assistance. Women, especially women heads of household, were often the victims of Government expropriation of rural land, depriving them of their livelihood and forcing them to leave their villages. More information should be provided on measures the Government had taken to protect the rights of rural women landowners, and on the implementation of any such measures.

34. **Ms. Tan** requested information on implementation of the National Poverty Reduction Strategy with regard to poor rural women and protection of their land rights. Could the delegation describe any current and future programmes and their time frames, aimed at educating rural women about their rights and social security benefits? She was especially interested in land policy regarding rural women, including the number of women who were losing or acquiring land, whether a woman's right to own land was respected in the face of patriarchal attitudes and Government attempts to promote commercial land use, and measures to improve women's access to land ownership in accordance with article 44 of the Constitution.

35. **Ms. Patten**, noting that 85 per cent of the population lived in rural areas and 36 per cent of the total population, mostly rural women, lived below the poverty line, said the Ministry of Women's Affairs and the Ministry of Rural Development must address the structural causes of poverty, mainstream a gender

perspective in their policies and implement concrete measures to eradicate poverty. The State party should also consider policies to support the 19.6 per cent of households which were headed by women, especially in rural areas, and to ensure they had equal access to social security benefits. Many women worked in the agricultural and garment sectors; more data would be welcome on the number of enterprises owned by women. She also requested more information on any support provided to self-employed women and female small business owners, including data on the number of women who received agricultural credits and other loans.

36. **Ms. Khan** wondered to what extent the gender perspective had been incorporated into efforts to protect the rights of the many women working in the agricultural sector, women heads of household and minority groups such as the Hmong. She also suggested that the land concession policy under the Land Law, which had negative effects on women landowners and their livelihood, should be re-examined from a gender perspective.

37. **Ms. Simms** asked whether the Ministry of Women's Affairs and the Ministry of Health intended to take action to improve the living conditions of rural women, including access to adequate housing, sanitation and drinking water, given the effect that poor living conditions could have on the health of women and children and on rural women's ability to live with dignity.

38. **Ms. Ing** (Cambodia) said little data was currently available to respond to many of the Committee's questions; she hoped more data could be provided in the next report. With regard to access to microcredit, she said that men and women had equal access and in fact women were often more likely to obtain microcredit assistance because they were more reliable in repaying their loans. As for title to land, she said according to the new Land Law, the husband and wife had joint ownership and had to go to the registry office together and register as joint owners. Her Government was working to increase registration rates but the issue was a sensitive one given the lack of clear land title in rural areas, where there could be more than one claim to land ownership. The Comprehensive Land Policy had identified poor women who were heads of household as a vulnerable group requiring priority attention.

39. In the context of the National Poverty Reduction Strategy, her Government had identified four priorities: agriculture, rural development, health and education. New priority action plans had been defined in the Government budget for each area. Implementation of the Strategy nevertheless continued to be hampered by a lack of financial resources. Her Ministry, in cooperation with the Ministry of Rural Development, was making every effort to implement measures to improve the situation of poor rural women and to ensure that rural development programmes gave priority to gender issues.

40. **Ms. Sok** (Cambodia) provided additional information on Government efforts to alleviate poverty and enhance the status of rural women through the Seila community development programme, which aimed to decentralize public services in order to reach rural people, especially poor families and poor women. An important aspect of that initiative was the involvement of the poor in identifying the issues that needed to be addressed and the services that needed to be provided. As a result of that involvement, women's issues were being more effectively addressed, as government agencies, international organizations and NGOs were now allocating funds in line with needs identified by Cambodian women themselves. Health, agriculture and production support, education and literacy, and vocational skills training were among the priority areas of need that had been raised by the women.

41. **Ms. Ing** (Cambodia), responding to the questions concerning social security coverage for rural women and female heads of household, said that there was no State-funded social security system for such women. Unfortunately, the Government was not in a position at present to provide social security benefits for all farmers. However, a solidarity fund had been established to help cover expenditures for health and other social services. In addition, the Government had collaborated with NGOs to organize self-help groups at the community level.

42. With regard to women-owned small businesses, the Government was promoting entrepreneurship among women through a policy aimed at helping them to start and sustain businesses and facilitate their access to credit and vocational training, especially in the development of management skills. The Government was also supporting women entrepreneurs through the dissemination of information on market

trends so that the women could adapt their businesses to market demand. As those efforts were still in the early stages, no reliable data were available on the numbers of women who had been assisted; the Government would provide that information, together with data on women working in the informal sector, in its next report.

Articles 15 and 16

43. **Ms. Tan**, noting that the delegation had mentioned earlier that the protections provided under the law on domestic violence applied to extended family, asked whether ex-wives of perpetrators of violence were protected. She also sought clarification of a statement in the State party's responses to the issues and questions posed by the Committee (CEDAW/C/KHM/Q/1-3/Add.1) which seemed to indicate that a victim of domestic violence must file a divorce complaint in order to obtain a protection order under the law. If that was indeed the case, the protection mechanism would not seem to be very effective.

44. She enquired about punishment for polygamous marriages or relationships. In addition, she wondered why forced and under-age marriages had not been prosecuted, as the delegation had indicated that the State party was aware of their occurrence. Was the Government committed in real terms to enforcing its prohibition of such marriages?

45. **Ms. Belmihoub-Zerdani** observed that Cambodian law in respect of marriage and family was almost wholly in conformity with article 16 of the Convention; however, the age of marriage was 20 for men and 18 for women. She wondered why the age was different. Would it not be preferable to make it the same in order to conform fully to the Convention's provisions relating to equality of men and women in matters of marriage?

46. The report indicated that Cambodian women had limited understanding and knowledge of their rights under the marriage and family law and therefore they were not empowered to exercise them. While it was true that the State party's domestic law was in accord with the Convention, if women did not know and were not exercising their rights, then the provisions of the Convention were not really being applied. She would like to know, first, when the Marriage and Family Law had been adopted and, second, whether any nationwide

campaigns had been conducted since its adoption to make women aware of their rights. If not, how did the Government propose to assist women in exercising their rights under the law?

47. **Ms. Coker-Appiah** commended the State party for its comprehensive Marriage and Family Law, which guaranteed equality for women in many aspects of life. However, the report listed a number of obstacles to effective implementation of that Law. Most of them were linked to cultural factors. She would like to know whether the activities being carried out to disseminate information on the Law included efforts aimed at changing cultural attitudes and stereotypes regarding the role of Cambodian women in society. She also enquired about legal aid or other Government schemes to help women assert their rights under the Law. Lastly, she would be grateful if the delegation would explain the requirements for Cambodian women seeking to obtain a divorce under the Law.

48. **Ms. Ing** (Cambodia) said that the Law on the Prevention of Domestic Violence applied only to extended family living under the same roof. Consequently, ex-wives were not covered, unless they continued to live in the same household as the perpetrator. She noted that the Law also protected maids working in the household. Regarding the issuance of protection orders, she explained that, under that Law, the issuance of an administrative decision by a local authority close to the household protected the victim from the perpetrator until a protection order could be issued.

49. **Ms. Chan** (Cambodia), responding to the questions concerning punishment for polygamists, said that the new draft Criminal Code provided that if a man were to remarry before his first marriage had been legally dissolved, he would be committing bigamy and could be fined and imprisoned. However, that provision existed only in the draft Code; there was no punishment for bigamy under the laws currently in force.

50. As for the difference in the age of marriage for men and women, the current Marriage and Family Law had been adopted in 1989 and reflected the situation at the time. That Law predated Cambodia's ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. Under a proposed new law, the age would be the same, 18, for both men and women,

in accordance with the provisions of the Convention. With respect to the rights of divorced women, Cambodian law required that property should be divided equally between the husband and the wife if a marriage was dissolved. Hence, consistent with the Convention, divorced women had the same rights as divorced men. Regarding training and awareness-raising campaigns to inform women of their rights under the Marriage and Family Law, the Government, in cooperation with international NGOs, had indeed conducted such campaigns.

51. **Ms. Ing** (Cambodia) added that the awareness-raising campaigns, which had been launched five years earlier, were intended not just to inform women of their rights but also to educate them on how to assert those rights and, if necessary, to seek help from NGOs and government agencies in exercising them. The Government had also undertaken awareness-raising campaigns aimed at changing ideas and attitudes among both women and men with regard to women's roles in society. It had endeavoured to foster the view that women were a valuable human resource for Cambodia and could make a valuable contribution in sectors outside the domestic sphere. However, as the Committee would appreciate, changing the attitudes and behaviours of a society took time. She hoped that Cambodia would be able to report more positive outputs in that regard in its next report.

52. **The Chairperson** thanked the members of the delegation for the answers and explanations provided in response to the Committee's questions. It was clear that Cambodia had already taken many steps in the right direction with respect to implementation of the Convention, but it also seemed clear that during the next reporting period, the Government would have to broaden its efforts to reach a larger part of the population, especially rural women. She hoped that the constructive dialogue with the Committee would serve as an advocacy instrument that would assist the State party in mobilizing the financial means necessary to do so. The Committee would look forward to receiving Cambodia's next periodic report and to hearing details of concrete results with regard to the various target groups of Government initiatives.

53. **Ms. Ing** (Cambodia) thanked the members of the Committee for a fruitful and constructive discussion, which would indeed be useful as a means of promoting recognition that gender issues were as important as other economic and social issues in achieving

sustainable development in Cambodia. The discussion had pointed out the need to change the old vision of Cambodian society, especially the code of conduct for women. As she had said, that long-standing code of conduct could not be abolished completely, but it could be changed. She hoped that it would be possible to bring about that change in the near future and thus improve the social and economic situation of Cambodian women and create a more equitable society.

The meeting rose at 5.06 p.m.