

Factsheet Gender-Based Violence

Summary of previous cycles

Cambodia accepted all seven recommendations [from Australia, Russia, Moldova, Iraq, Togo, Italy] from the last UPR cycle on the topic of gender-based violence (GBV). Some have been implemented or partially implemented by Cambodia through such steps as setting up safe spaces in government hospitals for women to report violence and receive referral services to all available support for survivors and improving essential training packages and guidance materials for authorities and other service providers, including materials on survivor-centered approaches related to on legal protection, basic counseling, referral, limited use of mediation, and health system management of violence against women cases.¹ However, recommendations to reform the law on family violence and reinforce judicial mechanisms to address GBV have not been implemented as no progress has been made to update the law and most GBV cases never go to court.

National Context

Gender-based violence in all of its forms continues to be prevalent in Cambodia. While the 2021-22 Cambodia Demographic and Health Survey (CDHS) suggests that lifetime rates of physical abuse by partners has decreased, overall intimate partner violence rate remains high at **21%** while those not seeking help has increased to **53%**.² Despite government efforts to reduce violence, challenges remain. For example, many women survivors of domestic abuse, especially those from non-targeted areas of the government GBV projects, continue to receive limited practical protection, including psychological, legal, financial, or other support from family, community, and the State. Access to courts and protection orders is limited with just 25 protection orders being issued in 10 provinces from 2019-2022³ and some survivors are encouraged to –or have no other choice but to – remain in households where they and their children are at heightened risk of future violence. Emerging challenges that need to be addressed include increasing online harassment of women, and discrimination and/or violence against marginalized groups, such as ethnic Minorities, Indigenous, persons with disabilities, lesbian, gay, bisexual,

transgender, queer, intersex (LGBTQI+) persons, stateless women, and sex workers.

Challenge 1 – Need to fully revise laws related to gender-based violence and improve protection

Laws intended to protect women are sometimes misused to threaten or punish women who seek help from authorities, such as when sex workers seek help when they become a crime victim. Victim-blaming is pervasive. Gaps in the law lead to some survivors of violence given no support from the community or authorities and being pressured into participating in informal reconciliation with no option for judicial remedies.

Recommendations

> Step-up efforts to take effective measures to ensure protection from discrimination and gender-based violence (including domestic violence) for vulnerable groups (especially women facing intersecting forms of vulnerability including LGBT+ persons, indigenous, ethnic minorities, persons with disabilities, sex workers, and other marginalized groups).

¹ Ministry of Women's Affairs, Final Evaluation Report: National Action Plan to Prevent Violence Against Women 2019-2023 (NAPVAW III) May 2023

² Cambodia Demographic and Health Survey 2021-2022. <https://www.nis.gov.kh/index.php/km/about/organization-chart/17-cdhs/123-cambodia-demographic-and-health-survey-2021-22>

³ Ibid, p.52

> Reform laws and policies, including Domestic Violence Law, as necessary by 2025 to expedite and mandate the issuance of mechanisms, such as protection orders and administrative decisions, to provide immediate protection to survivors by enabling them to safely leave dangerous situations.

> Ensure that protection orders and administrative decisions are effectively enforced and easily obtained in practice by all survivors including ethnic Minorities, Indigenous, LGBTIQ+ individuals, persons with disabilities, sex workers, and other marginalized groups and those at risk of exclusion.

> Reform the Domestic Violence Law by 2025 in line with the CEDAW and CCPR recommendations made since the last UPR cycle.

Challenge 2 – Misuse of alternative dispute resolution (ADR)

The government’s evaluation of the National Action Plan to Prevent Violence against Women (2019-2023) stated that ADR “was often the first response by local authorities in domestic violence cases yet FGDs with women survivors revealed the futility of such methods in stopping violence by husbands or intimate partners.” Some authorities are unaware of other services which might be more effective in stopping violence.

Recommendations

> Issue and ensure effective enforcement of directives, policies, and/or legislation as needed by 2025 to stop the misuse of any forms of alternative dispute resolution (ADR) in any case of domestic violence or in which a party or household member is at risk of abuse.

> Ensure effective capacity enhancement and implementation of survivor-centered, rights-based, and gender-responsive approach among local service providers and include equal representation of female service providers in their GBV service delivery.

Challenge 3 – Shelters and access to GBV support services

There are no government-funded shelters for GBV survivors and very few are run by NGOs. Most survivors, especially Indigenous and Minority women, live in areas that have no shelters. The law permits but does not require police and other local authorities and courts to protect survivors through protection orders, administrative decisions (similar to protection orders, but issued by the commune) or by arresting and charging perpetrators with crimes. Most local authorities do not know about protection orders and choose not to jail and prosecute perpetrators.

Recommendations

> By 2025, the Cambodian government must provide in the national budget long-term funding for safe shelters nation-wide for survivors of gender-based violence, including women from ethnic Minorities, Indigenous, LGBTIQ+ individuals, persons with disabilities, sex workers, and other marginalized groups and those at risk of exclusion.

> By 2025, the Cambodian government should fund a national hotline so that survivors can be referred to all necessary services including legal, psychological, economic, shelter, and other services, building on the success of the one-stop service centers. Fund GBV support services at the local level including legal, psychological, economic, shelter, and other services so that they are accessible and available at the community level even in remote areas to the most marginalized communities.

Challenge 4 – Men engagement

Because deeply entrenched gender stereotypes are a root cause of GBV, it is necessary not only for the government to encourage programs that work on transforming toxic masculinity and changing the mindsets of men about GBV (such as by including CSO work that engages men in the National Action Plan to Prevent Violence Against Women), but to directly fund such programs and directly engage the men working

in the Cambodian government itself with the process.

Recommendations

> The government should include in national strategies a component for male engagement for the prevention and response to GBV and provide sufficient funding from the national budget to implement these strategies.

Challenge 5 – Decriminalization of sex work and protection from violence

Sex workers (usually women including transgender women, gay men and other men who have sex with men (MSM)) are warned, harassed, subjected to violence by some police, arrested, detained and/or charged for violating the criminal and anti-trafficking laws while the mostly male persons who hire them are free from any harassment by authorities. In 79 out of 284 cases from 2020-2023 in which sex workers were arrested, the sex workers also experienced violence. Sex workers also experience an unusually high level of maternal

mortality, in part due to lack of access to safe abortion and other reproductive health services. They also have high rates of depression associated with GBV.

Recommendations

> By 2025, revise the national laws to differentiate between sex work and human trafficking associated activities; and ensure that State actors do not impinge on the rights of people engaged in sex work, in line with the CEDAW Committee’s recommendations and SDG 8.5.

> Conduct nationwide public service announcements (PSAs) on TV, radio, and social media by 2024 aimed at combatting stereotypes, social norms, discrimination, and violence against sex workers, in line with SDG 5.1 & 16.1.

> Enact legislations and/or regulations to ensure access of sex workers to justice and quality health services in line with SDG 16.3 by 2024.

Questions and inquiries may be made to:

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