



**Kingdom of Cambodia**  
**Nation Religion King**  
**Royal Government of Cambodia**



**PLATFORM FOR ACTION**  
**Beijing Plus 5**



**MINISTRY OF WOMEN'S AND VETERANS' AFFAIRS**  
**MAY, 2000**

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ANNEX I: REFERENCES

## I. Introduction

1. The history of the last two decades has changed the structure of the country dramatically. The chronic state of war took a heavy toll and led to untold suffering, in particular during the totalitarian regime of the Democratic Kampuchea (1975-79). The regime caused the deaths of the Cambodian people and others lived through a reign of terror during which their human rights were totally stripped.
2. The signing of the Paris Peace Accords on 23 October 1991 between the parties to the conflict resulted in the formation of a coalition government that adopted the principles of democracy and a multi-party state. Based on the Paris Peace Accords of 23 October 1991, the State National Council (SNC) became a signatory to the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* on 22 September 1992 and ratified it on 15 October 1992, in the spirit of returning to Cambodian women what they had lost and providing guarantees for the protection of their rights as stipulated in the *Universal Declaration of Human Rights* as well as in CEDAW.
3. Following general elections on 23-28 May, 1993 under the sponsorship and monitoring of the United Nations Transitional Authority in Cambodia (UNTAC), the National Assembly was formed with 120 members from four winning parties. The Constitutional Assembly adopted the Constitution, the supreme law of the Kingdom of Cambodia. The Constitution was promulgated on 21 September 1993.
4. The 1993 Constitution of the Kingdom of Cambodia stipulated the protection of women's rights in accordance with CEDAW and in accordance with other conventions adopted by SNC and the legally recognized coalition government. The 1993 Constitution reflects the commitments of His Majesty King Preah Bat Sandech Preah Norodom Sihanouk, in protecting gender equality, as had been enshrined in the first Constitution following the independence of the country. The Kingdom of Cambodia recognizes CEDAW and has used this convention as a tool in the drafting of legislation and the development of legal procedures to promote and protect the rights of women.
5. The protection and promotion of women's rights are of utmost importance to the Royal Government and also receive priority attention from international organizations, non-governmental organizations, and the Office of the High Commissioner on Human Rights in Cambodia, which strongly supports and closely monitors the situation of women in Cambodia. All of them have participated actively to demonstrate their sincere commitment to the elimination of all forms of discrimination and the promotion of the status of women.
6. In order to mainstream gender and promote the rights of women, the Royal Government created a specific national mechanism, the Secretariat of State for Women's Affairs. In 1996, in view of the importance of its functions related to the development of women and gender equality, the Secretariat was upgraded to the Ministry of Women's Affairs. As a result of the 1998 elections, the Ministry's mandate was redefined and expanded, and the Ministry of Women's and Veterans' Affairs (MoWVA) was created. MoWVA plays a very important role in the development of women to attain true equality with men, and in promoting the national policy on women with the following aims:
  - promote the social recognition of the needs of women
  - develop the capacities of women in all fields including politics, economy, society and culture
  - enable women to participate in all spheres of the society
  - promote the advancement of women in rural areas as well as in urban areas.

7. In addition to the National Assembly Commission on Human Rights and to Receive Complaints, the Cambodian Human Rights Committee also contributes actively to monitoring the equality of women before the law and violations of women's human rights.
8. In Cambodia women represent the majority of the labor force (55.7%) in the society and are clearly important for the economic and social development of the nation now and in the future.
9. To promote the rights and status of women in accordance to international standards, the Royal Government has taken measures including the following:
  - designated the MoWVA as responsible for facilitating the advancement and participation of women in all sectors;
  - closely collaborated with UNICEF to develop a national plan for women and children 1996-2000 based on international conventions and the Constitution of the Kingdom;
  - organized a regional conference on domestic violence from 15-17 December 1995 by UNICEF with the participation of more than 200 women from the region;
  - convened a national conference on National Policies for Women on 26 May 1995 in which the Prime Minister participated;
  - proclaimed March 8 International Women's Day as a national holiday. The day is commemorated annually throughout the country with active participation and support from the public and the international community;
  - sent more than 200 Cambodian women as representatives on the national delegation to the Fourth World Conference on Women in Beijing in September 1995.
10. In Beijing, it was agreed that women worldwide face substantial barriers to full equality and advancement and that "women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the advancement of equality, development and peace." In order to achieve these goals, the Platform for Action (PFA) established a set of actions that could lead to fundamental positive changes in the status of women. The PFA focused on areas of critical concern for women such as the burden of poverty, unequal access and inadequate health care, unequal access and inadequate education, inequality in economic structures, violence against women, effects of armed and other conflicts, inequality in decision-making, inadequate protection of human rights, stereotyping in the media, discrimination against girls, and gender inequality in the management of resources. The PFA noted that success in improving the status of women in these sectors requires a strong commitment on the part of Governments, international organizations and institutions at all levels. The year 2000 was set as the time for global review of the progress made in implementing the agreed actions.
11. Following the Fourth World Conference on Women in Beijing, the Royal Government and the international and human rights organizations widely disseminated information about the PFA, through television, radio, and print media, magazines. The Royal Government delegated this role to MoWVA to cooperate with other concerned institutions to implement the PFA. Through various statements the Royal Government has widely declared its support for the promotion of women in all sectors. As well, it has sponsored and organized numerous seminars to highlight and promote women's roles in decision-making and their participation in all fields such as politics, social, economic, cultural and development. Examples of these seminars and conferences follow.
  - National Conference on Gender and Development;
  - Women in Decision-making; and
  - Women in Leadership and Good Governance.

These activities were aimed at providing women at all levels with broad knowledge on their rights and freedoms as well as ensuring the implementation of the rights of women. Although the Royal Government and human rights organizations have addressed discrimination against women and established mechanisms to promote and protect the rights of women, success is still limited.

12. With financial support from the United Nations Development Fund for Women (UNIFEM) and technical support from the inter-ministerial committee of the Council of Ministers and the Cambodian Human Rights Committee, MoWVA prepared this report for the United Nations 23rd General Session in New York in June 2000. Five years after the Beijing Conference, this national report describes the priorities identified, the progress made and the challenges faced by the Royal Government in promoting and protecting women's human rights. The report also outlines the steps that the Royal Government has taken to improve the status of women under a National Five-Year Strategic Plan, *Neary Rattanak: Women Are Precious Gems*, as a mechanism for implementation and monitoring.

## II. The Current Situation of Women in Cambodia

13. The legacy of war in the past three decades has left tremendous burdens on the people of Cambodia. Women and children have been the most visibly affected. Rehabilitating the infrastructure will draw heavily on national resources, with a long list of priorities to be addressed. Especially in rural areas, the communication and transport system, power facilities, sanitation and access to drinking water, food security and adequate nutrition are scarcely available. This, linked to the poor status of social services and their meager accessibility in rural areas, contribute to worsening women's health, access to education, work conditions and status.
14. There is an imbalance in the sex ratio, except in the youngest age groups. 25.7% of the households are headed by females, most of them widows, divorced or separated, with a high number of dependent relatives, which increases the risk of falling into poverty.
15. The majority of Cambodians, or 85% of the population, live and work in rural areas. Within this group, women constitute the majority of labour force. 83.1% of women who live in rural areas work in agriculture. This compares with 71.7% of rural men who work in agriculture. Little increase in agricultural production has been achieved (3.2 million tons of rice in 1968 vs. 3.4 million tons in 1998) which is a cause of the impoverishment of the population and particularly Cambodian women.
16. With a very limited social safety network, women, who constitute the only caregivers in the family, face an overwhelming task. Within families, social trauma acts as a multiplier of distress, and some female partners become easy victims of abuse and violence.
17. For a society having suffered such tremendous loss of human resources, preserving the cultural heritage becomes an imperative and tremendous efforts have been made to do that in recent years. However, most of the old cultural traditional beliefs regarding gender relationships tend to restrain women's behavior. Tradition plays a significant role in perpetuating gender disparity. Old traditions, customs and life styles have long set a pattern of discriminatory attitudes against women. These traditions and old beliefs remain until this day have yet to be improved. Traditions and beliefs have created gender disparities in the following areas:

- There is some discrimination against daughters such as the neglect of girls' education. Many Cambodian families believe that promoting girls' education would not be of benefit to the family since daughters would carry out housework even if they have achieved high education. Moreover, many Cambodian families consider daughters as essential in performing work at home and work outside such as involvement in politics, social actions and culture are highly discouraged.
  - Due to their limited education, Cambodian girls enter the work force at a younger age than boys do. This has an impact on their future and their role within the society as a whole.
  - Forced marriages are still practiced in Cambodia, despite the prohibition in the *Law on Marriage and Family*. Within marriage, compliance to parent's wishes is traditionally replaced by acquiescence toward the husband. Polygamy is prohibited according to the family law, but men with many wives are common.
18. Divorce is legal, but is still a troublesome and difficult experience for women, while husbands can obtain separation simply by abandoning their wife and children without having to bear any responsibilities. Child alimony is not included in the existing law. The scarce value given by traditional views to single women, women who are marginalized by their families, orphan girls, disabled women or women sold in prostitution mean that they can easily lose their self-esteem. Traditions have taught women to obey their husbands even if women are the main breadwinners in the family.
19. Even though women are still underrepresented at all levels of the decision making structure, in implementing the PFA, the Royal Government and political parties have made various efforts to include women in the last five years. In fact, the increase of the representation of women in the legislative branch, the executive branch and the courts is as follows.
- *The Legislative Branch*
    - At the National Assembly, out of 122 representatives in the National Assembly, 12 are women in the second legislature, compared to 5 women among 120 members in the first legislature.
    - At the Senate, a legislative body created during this second legislature, 8 women are represented among 62 members.
  - *The Executive Branch*
    - Out 22 ministries, female ministers head two ministries compared to none in the first mandate.
    - Out of 50 Secretaries of State, four are women compared to none in the first mandate.
    - Out of 127 Under-secretaries of State, 7 are women and 4 are appointed within the Ministry of Women's and Veterans' Affairs compared to 5 in the first mandate, 2 of whom were at the Ministry of Women's Affairs.
    - Within the Cabinet of His Majesty the King, two women are represented, one as an Advisor to His Majesty and the other as the Chief of Protocol. Both hold the rank of minister.
    - 14 women also serve as advisors to the Prime Minister, the Deputy Prime Minister, and the Presidents of the National Assembly and the Senate. They have the ranks of Ministers, Secretaries of State and Under Secretaries of State, Deputy Director-General and Director Generals of various departments, compared to 6 in the first mandate.
    - Now, for the first time in the history of Cambodia, a woman holds the position of Chief of the Court of Appeal.

- Out of the 24 provinces and municipalities in the country, there are no female governors, one woman is deputy governor out of 71. At the district and commune levels, female representatives are now less than 2%.
- *Police and Military Services*
  - A small number of women serve in the police force. In 1985, 244 women served in Phnom Penh, the capital city. By the end of 1990, this number increased to 471 and there was a further increase to 685 in 1994 or an increase of 5%. These policewomen serve as medical staff, immigration officers, information officers or in the logistics department or in communications. Only a few policewomen serve as investigators. At this present time, 721 women work at the Ministry of Interior. Among them 51 hold the rank of directors general, or deputy directors general, 2 as chiefs or deputy chiefs of departments and 15 as office managers or deputy office managers. The women civil servants at the Ministry of Interior have formed their own association to represent their interests.
  - The Ministry of Defense employs 710 women among whom 5 are office managers and deputy office managers.
- *The Civil Service*
  - 8,208 women are represented at the central level among 31,130 civil servants with the following gender breakdown by ministries:
  - 1,865 are employed at the Ministry of Health among 3,773 civil servants at the ministry;
  - 972 women are employed at the Ministry of Education, Youth and Sport among 3,101 civil servants;
  - 382 at the Ministry of Information among 1,269 civil servants;
  - 575 women are employed at the Ministry of Culture and Fine Arts among 1, 625 civil servants;
  - 152 women are employed at the Ministry of Tourism among 491 civil servants, 1 as chief of department and 1 as deputy chief of department, 8 as office managers and deputy office managers;
  - 494 women are employed at the Ministry of Post and Telecommunications among 1,360 civil servants. 20 women are chief and deputy chiefs of departments and 25 as deputy office managers;
  - 149 women are employed at the MoWVA among 216 civil servants.
  - 5 women who hold doctoral degrees are employed at the Ministry of Education, Youth and Sport, 2 at the Ministry of Commerce and 1 at the Ministry of Economy and Finance.
- *The Courts*
  - Now, for the first time in the history of Cambodia, a woman holds the position of Chief of the Court of Appeal.
  - Cambodia has 13 female judges among 103 judges;
  - 0 female prosecutors among 55; and
  - 107 female court clerks among 401.

In the cultural sector, women have contributed greatly in traditional and classical music and dance. Serious support from the Royal Government in this sector is needed. Women are actively involved in modern music and arts and are gaining names as singers and movie actors. Women have also actively been engaged in sports and have competed the country abroad.

20. Gender imbalance within the executive and legislature also affect the situation in other sectors. Female teachers number fewer than 30% and the percentage decreases dramatically at the upper education level. Among other professions – medicine, agronomy, science, architecture and engineering, journalism and media – percentages are even lower. The judicial system, crucial to enforce women rights and provide legal protection, is even less gender-balanced. Despite the fact that women represent the majority of the labour force, few women hold decision-making positions in the economic and private sectors. Women intellectuals are still very few.

The increase of women that have occurred in the above positions reflects the commitment of the Royal Government in the implementation of the PFA. Although there is an increase of women as leaders compared to the previous regime, this number does not adequately respond to the PFA. At the present time, there is a great effort to narrow the gender gap in the new decentralized structure by including women representatives in the commune and district development councils.

21. In the 1980s women were involved, and trained, in a wide range of tasks, including many non-traditional occupations such as drivers, machine repairing, technicians, and extension workers. Since 1995, there has been a trend toward a lower qualification in the work that women do and the gender division of work is more accentuated. Recent years have seen the re-emergence of more traditional jobs, such as sewing, handicraft, or other form of activities, which have little impact on women's status, decision-making and leadership. Women are employed in heavy, time consuming and lower paid work. The majority of qualified female civil servants (women constitute 20% of the public administration) are under-employed in administrative tasks. Women are the majority of the lower-paid service workers. The gender division of work is reflected in access to technologies. When new technology is introduced, in rural and urban domains, it becomes a male instrument. Modern tools are usually a male domain. Instead of reducing women's workload, they often render women more dependent.

### III. The National Plan of Action

22. The Royal Government, represented by MoWVA and other sectors involved in gender equality, and supported by non-governmental organizations (NGOs), international organizations and donor agencies, has begun to tackle the issues identified in Beijing as well as other problems and barriers faced by women as the result of the war.

23. The establishment of a Ministry for Women's Affairs in 1996 was an important achievement in the implementation of the Beijing PFA. The second Cambodian post-war legislature in 1998 redefined the mandate of the Ministry, which now also includes veterans' affairs, and appointed a female minister as its head.

24. MoWVA, which constitutes the national machinery for the advancement of women, is the product of different experiences and historical phases. Most of the actual human resources, and the degree of integration of women's affairs officers into the institutional life of the country, comes from the former mass organizations in charge of women's issues during the '80's. Particularly the Cambodian Women's Association, a nationwide network of women volunteers which have been deeply rooted in the social tissue, with the impulse and advocacy effort coming from the newly established development associations or NGOs.



25. Three months after its new mandate was defined, MoWVA developed the National Five-Year Strategic Plan (1999-2003), *Neary Rattanak – Women are Precious Gems*. The Five-Year Strategic Plan was endorsed by the Royal Government in 1999 and officially presented to the Donor Consultative Group meeting in February 1999. *Neary Rattanak* elaborates a nation-wide effort to examine the status and rights of women and the means by which to bring women into the decision-making process at all levels. It identifies the issues which need to be addressed both in terms of capacity building within the Ministry itself and the policies and developmental approaches required to meet the commitments made at the Beijing Conference, targeting some priority areas: Strategic Management, Policy and Planning, Reproductive and Sexual Health, Information and Communication, Family and Economic Empowerment, Human Resource Development, Administration and Finance and Reintegration of Veterans. The primary objective of *Neary Rattanak* is to equip the MoWVA with the skills necessary to incorporate gender concerns and principles into policy formulation and development processes with due regard for equity and justice and improvement of the quality of life for all citizens of Cambodia. The initial phase of implementation of *Neary Rattanak* was evaluated in term of outputs and gender-responsiveness at a Ministry Workshop on Reflecting Together and Advancing the Agenda of MoWVA in May 2000.
26. After *Neary Rattanak* was adopted, the MoWVA developed a four-year framework programme to implement the mandate of the Ministry and the Five-Year Strategic Plan. The programme, developed in cooperation with the United Nations Development Programme, *Partnership in Building Together – Toward Achieving Gender Equity and Social Development*, has four main projects with the following goals:
- enhance the capacity of the Ministry for policy formulation, coordination, and monitoring and evaluation, through staff development at the central level and provincial departments, as well as training of designated staff in line ministries.
  - promote the rights of women and the provision of affordable legal assistance where necessary to uphold these rights. This component includes assisting the establishment of legal advice and counseling services, training on the rights of women, awareness-raising on the rights of women, and capacity building for legal institutions (judiciary, police).
  - develop a system of information dissemination and awareness building, with the creation of a resource center, to address not only the legal rights of women but also to encourage their economic development and increase their participation in the decision-making process. This component includes establishing information systems and a public information strategy.
  - finally, develop a programme for community services, including agriculture and support for small and medium-size enterprises, women's voluntary networks, and shelters and services provided to women and children at risk.
27. Regarding the first project above (institutional strengthening), MoWVA began operating with a modified organizational structure aimed at increasing effectiveness and optimizing utilization of resources in September 1999. The new structure (a staff of 1200 officers, covering the whole country) was approved by the Council of Ministers and subsequently went into operation. In May 2000, a comprehensive program to further strengthen and rationalize the operations of MoWVA was launched with international donor support. The third project (information) above began in 1999, and the second (legal protection) and fourth (community services) are expected to begin in late 2000. Strategically planning a structure to address the formidable challenges now facing Cambodian women, with a rationale strategy, inter-ministerial coordination, and long-term perspectives, has resulted in interest by international donors. It is hoped that this support will continue for the time required to produce a visible impact on women's lives in the areas of critical concern set out in the PFA.

28. In keeping with its responsibility to mainstream gender throughout the government and other institutions, MoWVA's programs are integrated with national policies, and are conducted in cooperation with the other institutions. The main collaboration has been with the Ministry for Education, Youth and Sport, in order to implement non-formal adult education, girls' access to and retention in the education system, and childcare programmes. Cooperation is also close with the Ministry of Health and the National AIDS Authority, in order to implement programs and interventions that take account of gender. In addition, the MoWVA participates in defining policies regarding women's issues with the Ministries of Justice, Interior, Information, Tourism, Planning, Rural Development, and Agriculture. For example, MoWVA advocates for the investigation and prosecution of cases of violence against women by the Ministries of Interior and Justice.

29. MoWVA chairs the National Committee against Illegal Trafficking of Women, which include other concerned Ministries and is integrated in a regional structure aimed to monitor and counteract trafficking in women and children. The MoWVA also chairs the sessions of the Inter-Ministerial Committee for the preparation of United Nations Human Rights Reports which are devoted to the preparation of reports on the *Convention to Eliminate All Forms of Discrimination Against Women*. In close cooperation with NGOs, MoWVA is conducting a national information campaign against domestic violence at the village and commune levels.

#### IV. Budget Allocated

30. Budget allocations for ministries mainly serve to cover the wages of civil servants rather than to fund the implementation of activities. Therefore while the whole of MoWVA, as a relatively small ministry, receives 4.4% of the national budget, only 0.76% of the national public expenditure is directed towards MoWVA's mandate concerning the advancement of women during the financial year 1999. Since the new mandate now includes veterans' affairs, most of MoWVA's funds and resources provide for veteran's pensions.

31. Data regarding the public budget allocation needs to be analyzed from a historical perspective. After few years of economic successes, in 1994-96, when economic growth reached 7.6%, inflation and the budget deficit were under control and the currency was stable, domestic problems in 1997 and the regional economic crisis served to undermine this positive trend. Inflation grew to 12% in 1998. The currency lost 9% of its value. The budget deficit reappeared and economic growth went down to 0. 1999 was a year of recovery. Political stability catalyzed investments and economic growth resumed in all sectors. New taxation increased domestic revenues, and the crackdown on illegal logging provided new financial inputs. The economic trend is paralleled by the political trend. After years of insecurity, peace finally prevails. In the future, this might represent an incentive to reduce public expenditures for the security and defense sector. In fact, from a 1995 defense and security allocation of 54% of the national budget, the 1999 allocation fell by over 10% to 41% of the total budget.

32. As a result, public expenditure (which represented in Cambodia 9.4% of the GDP in 1997) grew in the crucial sectors of education, health, rural development and social affairs. In 1999, allocation for the social sector (which includes Health, Education, Culture, Environment, Social Affairs, Labour, Religion and Women's and Veterans' Affairs) amounts to 27%. The national budget allocation to Women Affairs has grown from 0.17% in 1996, to 0.7% in 1999. Despite this increase, the Royal Government appreciates that the steps taken to provide Cambodia with an efficient system of social services do not yet respond to the actual needs. The Royal Government is making all efforts to combine these increases with national savings and mobilize outside assistance to add to these public investments.

## V. National Priorities and Programmes in Areas of Critical Concern

33. As mentioned above, in terms of national policies, *Neary Rattanak* gives priority to four main areas: 1.) Women's Health 2.) Education 3.) Economic Empowerment, and 4.) Legal Protection. These choices are based on the potential impact that strategies addressing these fundamental needs may produce on the lives of women and girls.

### *Women's Health*

34. The national plan for women's health is focused on reproductive health and HIV prevention. It aims to develop sustainable reproductive and birth spacing counseling services, able to reach women in their communities and villages. A network of 800 volunteers, having undergone specific training, is active among villages and communities to provide information, counseling and support material. The project is integrated with the health system and has now been expanded to include male counseling in HIV prevention. The program has reached more than 300,000 individuals so far. Birth spacing has increased since 1995 as a result of this and other projects and campaigns. Access to contraceptives has increased from 7% in 1996 to 16% in 1998. The reproductive rate has decreased from 5.2% in 1998 to 4.1% in 1999. As HIV/Aids represents a rapidly growing threat for women and children, the MoWVA has recently developed a national policy that addresses awareness and prevention, care and available medical services, as well as human rights and health rights through a gender perspective. MoWVA promotes a multi-sectoral approach to the HIV epidemic in order to strengthen appropriate services, human resources, women's empowerment, legislation and education. In 1999 knowledge about HIV/AIDS increased over 90% among the urban population and 60% in the rural areas.

### *Education*

35. Education for women is the object of several projects and programs. The main goals are reducing women's illiteracy, by providing non-formal or adult education at the grass-roots level, establishing childcare services and supporting girls' access to education. All these projects are carried out in strict cooperation with other ministries, NGOs and international agencies. Adult literacy initiatives have been ongoing for a number of years. Classes and teaching programmes as well as training of teachers are still actively offered. From 1995-96 adult literacy students in the non-formal sector represented 27,007 people (age 15-45) among them were 191,331 attending 543 literacy classes. Among the 1,589 teachers, female teachers represented 236 with 1,567 students with 9,369 female students. Among 6,621 graduates, 5,139 were women.

### *Economic empowerment*

36. Women represent 55% of national labor force therefore women have become an important social labor force for the economy of the nation. This demonstrates the ability of women to participate in the public sphere, specifically in the economy, now and in the future. In agriculture, the foundation of national economy, where 70% are female labourers. Women participate actively in small size handicrafts such cotton and silk weaving, mat weaving, pottery, and tailoring. Garment factories have developed at a fast rate and are absorbing a great number of the female labour force. Part of the female force is in the service sector in jobs such as selling drinks and cigarettes in restaurants and other entertainment places. The construction sector is also employing the female labor force. The majority of female construction workers are from remote parts of the country.

### *Women's legal protection*

37. Women are currently easy targets of trafficking and the current situation necessitates immediate actions. A major project to prevent the trafficking of women and children was launched in March 2000. It will focus on legal literacy, policy and advocacy, and the dissemination of information, and will be implemented in close cooperation with concerned ministries, international organizations and national NGOs. The Royal Government is paying close attention to the implementation of the 1996 *Law on the Suppression of Kidnapping and Trafficking of Human Beings and Exploitation of Human Beings* that is aimed at protecting women from becoming victims of trafficking. The MoWVA and a number of women's NGOs are assisting women victims of trafficking and sexual exploitation by filing complaints with the courts and providing victims with legal representation to assist them in legal proceedings. MoWVA plays an increasingly important role in advocating for investigation and prosecution of cases involving violence against women.

## VI. Advancements in Legislation

38. The Constitution of the Kingdom of Cambodia guarantees equal rights for both men and women before the law. Cambodia's inclusion of gender equality in the legislation gives responsible authorities the ability to prevent all forms of discrimination against women. Legislation now being drafted such as criminal law, the law on civil administration, and the law on marriage and the family are free from gender discrimination.

39. Moreover, as a signatory to the *Convention on the Elimination of All Forms of Discrimination against Women*, Cambodia has used this document in the widest sense. The Convention is used to fill gaps in the existing law, where comprehensive laws have not yet been adopted. The Convention is used to protect women in court in cases of rape and discrimination against women.

40. Women have equal access with others in seeking protection for their rights and freedoms in the courts at all levels, the human rights committees of the National Assembly and the Senate, the human rights committee of Cambodia. As well, women's complaints of violations of their rights can be filed through human rights non-governmental organizations.

41. The 1993 Constitution guarantees the protection of rights of women and men by providing women full rights to participate in social life. These rights include:

- right and freedom before the law (article 31)
- right to vote and to stand for elections (article 34)
- right to choose a profession and have equal pay for equal work (article 36)
- rights in marriage and family matters (article 45) and
- right to maternity leave with compensation (article 46).

The Constitution of Cambodia aims to eliminate all forms of discrimination against women by stipulating:

- discrimination and trafficking in women are prohibited (article 45)
- damaging the values of women is prohibited (article 48)
- discontinuing women from work due to pregnancy is prohibited (article 46)
- house work has the same value as outside of the home (article 36)

In addition to the Constitution, Cambodia has other laws that guarantee gender equality that aim to eliminate all forms of discrimination against women.

- The *Labor Law* adopted in 1997 which prohibits gender discrimination (article 12)
  - The *Law on Civil Servants* gives priority to women to apply for employment (article 1)
  - The *Marriage and Family Law* that guarantees equal rights to partners in the marriage and in family life (article 1)
  - The *Criminal Law* prohibits discrimination against women by including rape as a crime (article 33) and personal offense (article 42)
  - The *Law on the Suppression of Kidnapping and Trafficking of Human Beings and Exploitation of Human Beings* adopted on February 2, 1996 prohibits trafficking and exploitation in women and children
  - The Royal Government policy notice on social security for civil servants and retired persons and the disabled civil servants of both sexes, November 1998.
42. At this present time, the Ministry of Justice is in the process of drafting a new *Criminal Code* and *Code of Criminal Procedure* that will stipulate that all forms of violence against women are prohibited. In the development of the new *Criminal Code* provisions improving upon those in the 1996 *Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings* are being considered for inclusion.
43. In 1997, a law made abortion legal in Cambodia, and guaranteed assistance by the public health structures for women wishing to interrupt pregnancy.
44. The general election in 1998 saw women representatives on many party lists. Women were included, according to the electoral law, in the electoral machinery, as every electoral commission and polling station was required to have a woman among the staff members. Cambodia will organize the first commune elections in the year 2001, in order to elect local administrative representatives. The draft law on the commune election does not stipulate a quota system since the Royal Government has a policy to include a greater participation of women to avoid discrimination against women.

## VII. National Mechanism to Follow up the Beijing Platform for Action

45. Among specific institutional arrangement to, among other tasks, monitor implementation of women's achievements in the areas of critical concern of the Beijing PFA is now under consideration in Cambodia. The First National Conference on Gender and Development held in September 1999, presided over by Her Majesty the Queen, represented a major step in the follow up of PFA implementation in Cambodia. Among the recommendations elaborated by the Conference was the creation of a National Council for Women. Recognizing the importance of a national mechanism, and in order to implement this requirement, MoWVA is recommending the establishment of a Cambodian National Council for Women (CNCW) comprised primarily of government ministries but also with NGO representation.

Among its responsibilities, the CNCW would recommend reviews of laws, government policies, programmes and practices to take account of the situation of women and recommend strategies to implement on the *Convention on the Elimination of All Forms of Discrimination against Women* and the *Beijing Platform for Action*; develop a *National Plan of Action for the Advancement of Women*; monitor the impact of advocacy, legislation, policies, programmes, and practices on women, and assist the Royal Government in monitoring the implementation of treaties ratified or acceded to by Cambodia that relate to the human rights of women. The establishment of the CNCW is under consideration by the Royal Government.

## VIII. Linkages with Civil Society

46. The Royal Government collaborates with international and local organizations to increase the standards of living of the people by providing vocational skills training to improve their income. Rural development credit programmes have been implemented by the Association of Cambodian Local Economic Development Agencies (ACLEDA). In addition, the Royal Government is actively seeking partnership with civil society organizations to combat prostitution through studies and research, and developing interventions to assist victims.

As the national machinery, MoWVA cooperates with all sectors that contribute to the advancement of women or are involved in gender equity. NGOs participate in programs and strategies, at the grassroots level as well as centrally. Most of the programmes prompted by the MoWVA involve NGOs directly in planning, implementation, monitoring and evaluation activities. Examples of cooperation are the promotion and preparation of International Women's Day, the launching of specific campaigns such as the one against domestic violence, and the elaboration of comments to improve legislation against trafficking. The Ministry aims to involve NGOs not just as consultative bodies sporadically invited to give opinions and comments, but as full partners in developing strategies. This helps create a general consensus and realistic policies and programmes.

47. One result of the active cooperation between MoWVA and NGOs was the convening of First National Conference on Gender and Development in Phnom Penh, aimed to review the achievements in implementation of the Beijing PFA. Over three days, delegates from NGOs, institutions, and women's groups, representing the entire women's sector in Cambodia, made their contributions, and discussed and elaborated areas of concern to the status of women. The conference papers summarize the status of women in Cambodia at the beginning of the new century, the lessons learned and the commitment for further actions. They represent a choral range of Cambodian women's voices, exhibiting the capacity acquired over the last few years.

## IX. Globalization and the Emerging Challenges for Women in Cambodia

48. The internal stability, the opening up of Cambodian territory after the cessation of war activities, and the recognition of the new country's executive by regional and international organizations, is accelerating the linkage of Cambodia with the rest of the world. These changes, combined with the internal economic development of the last years, give promise for Cambodia's recovery and wellbeing. However, accompanying these positive changes are challenges that come with stability and economic growth, which have a deeply negative impact on women. Examples of this impact are as follows.

### *Poverty*

49. The market economy, introduced very rapidly and abruptly into the country in 1989, has already caused a deep imbalance in the economic status of the population. Some segments have been left behind. Today, an alarming 36% of Cambodians live below the poverty threshold (4,100,000 individuals).

50. The poorest population has increased their per capita consumption expenditure by only 1.7% in the last 5 years. Around 90% of Cambodian poor live in rural areas and depend on agriculture. Income disparity between urban and rural population has grown at the same rate as economic growth. Moreover market competition itself acts as a discriminatory factor for the vulnerable population: disabled, returnees, single women and widows face an increased risk of poverty.

51. Women are already facing the impact of a market economy integrated with the global network. Agricultural products, micro-enterprises, handicrafts, or other goods produced by rural women now suffer direct competition from the newly established firms, national or foreign, whose capital, size, technology and marketing capacity is overwhelming. Micro-credit programmes, which are now widespread, do not seem to represent an alternative or a significant answer to the need of rural poor.

#### *Land*

52. One of the most significant impacts of market economy, which has been emphasized by globalization, is the commodification of land. Loss of land property represents the loss of means of production, and is the first step in a well-known vicious circle that leads to migration, employment in highly exploitative jobs, and further poverty. Cambodia, which has not suffered the pressure of a high population density as did other countries in the region, is now facing land scarcity for the first time in its history.

53. The loss of access to resources is not limited to land, but including forest products, pastures and fishery, pushes farmers to sell their land and find a livelihood elsewhere. In many rural areas in Cambodia, non-timber forest products, collection of fuel wood, and small-scale fisheries are fundamental components of the family income and subsistence activities. Natural resources are the basis for the survival of indigenous people in the highland provinces of northeast Cambodia. Increasing forest degradation and industrial plantations endanger both the environment and the subsistence of these communities. Moreover, the collection of non-timber forest products and water are women's activities, therefore diminished access to land and forest increases women's labour and decreases their production and income.

#### *Migration*

54. The flow of migration, and the increasing number of women migrating, both inside the country and towards neighboring countries, is a clear indication of the ongoing process of feminization of poverty. Women migrate from the rural areas into the town or across the borders, to be employed as workers in garment factories, construction enterprises or even as beggars.

55. Several indicators show that migration occurs and is managed by a network of intermediaries, which is widespread in the country. Lack of information and pressures due to poverty make women vulnerable to promises of well-paid jobs, or opportunities in other countries. Women migrating alone, without the support of their family, are particularly vulnerable to exploitation and abuses. Migration to foreign countries normally results in difficult, dangerous or highly exploitative jobs that are no longer wanted by locals. They face discrimination due to gender, race, and class without a supportive structure to assist them in case of violence or abuses. When illegal migration takes place across the borders (the main country of destination for Cambodians is Thailand, but migration toward Malaysia is increasing) traffickers sell migrants to agents or employers abroad, and migrants face then all the risks of their illegal status: police harassment, prison, near slavery or forced repatriation.

### *Trafficking of women and children*

56. In many cases the job promised by the intermediaries simply does not exist, and the final destination is the commercial sex sector. An increasing number of women and children are trafficked into prostitution, in Cambodia and abroad, reflecting quite clearly the degree of integration of the Cambodian racket into others in the region. The Commission on Human Rights and Reception of Complaints of the Cambodia National Assembly, which analyzed the problem in 1997, mentioned in the report that Cambodian women work as prostitutes in Thailand, Malaysia, Taiwan and Hong Kong, and all over Cambodia as well. The report states: "it is our reasonable conclusion that the trafficking networks are carefully organized by dealers ... high level traffickers can be men or women, aged around 35-40 years, and are mostly people with power such as the wives of high-ranking army officers. Their role is to provide money to the low-level dealers so that they can seek and deceive girls in the villages and find markets in the towns or provinces for sale and exchange children."
57. Besides the trafficking of women and children for prostitution, there is a spreading trafficking of children and old people, most of them women, cities in neighboring countries, where they are forced to become beggars. Trafficking of women and children is growing at the same speed as other global businesses. The map of trafficking in the Asia Pacific Region is huge, and Cambodia is a receiving country for women sent here from neighboring countries, and a sending country for Cambodian women trafficked abroad.

### *Commercial sex*

58. The Constitution expresses recognition and respect for the value of women. Article 46.1 of the Constitution stipulates "sales of human beings, exploitation for commercial sex and pornography which affect the value of women are prohibited." However, the reality in Cambodia is that exploitation of sex exists and is spreading at an alarming rate. These acts diminish human values and the traditional and cultural values that have long existed.

Prostitution is not a new problem for Cambodia. The problem existed before the war but between 1975-79 it did not occur. In 1979-91 prostitution re-emerged but largely remained hidden and on a very low scale. Between 1991 and the present, the change to market economy opened the door to foreign investors to Cambodia. This development and the presence of UNTAC (United Nations Transitional Authority in Cambodia) from 1991-93, saw businesses boom despite the will of the Royal Government. In a very short period, hotels, restaurants, nightclubs, massage parlors - the majority of which are owned by foreigners - were rapidly built. At the same time, a number of tourists visiting the Angkor temples also seek sexual services in particular from children. Brothels are distributed all over the country, even in small towns and villages. More than 50,000 women are involved in prostitution and a significant percentage of them have been trafficked.

59. Visiting prostitutes has become a generalized form of behavior in Cambodia and sex is offered as a commodity linked to other forms of recreation, such as karaoke, massage, restaurants, bars and dancing halls. The purchase of sexual services is assuming a form of consumerism, and the extremely wide range of prices offered by the sector allows practically every social category of the male population to consume sex services, according to their spending power. Commercial sex purchase includes a component of exhibition of wealth and spending power, and creates a process of emulation, as other kind of consumerism behavior in a market economy.



60. The urban economic growth of recent years has contributed to the expansion of the prostitution sector, which is now a significant source of capital accumulation for the exploiters. Despite the fact that data disaggregated by sex on tourism are not available, several indices suggest that Cambodia is already considered a sex tourism destination. On the Internet several materials already circulate which publicize through "true stories", or "travel experiences", the availability of commercial sex in Cambodia. The Royal Government has taken a strong stand to prohibit sex tourism and to promote cultural tourism instead.
61. Prostitution, as experienced by the sex workers themselves, does not coincide with the view of Cambodian and foreign males as an easy and enjoyable service. Once involved, sex workers experience fear, violence, exploitation and restriction to personal liberty by brothel owners and police, and a general social stigmatization. The spread of the HIV epidemic through the country adds a new risk to this activity, which is amplified by the lack of negotiating power sex workers have in their relationship with clients.

### *Labour*

62. In Cambodia, women represent half of the labour force. The Royal Government is concerned about this fact and has given special attention to motherhood and special care for children as this can have a great impact on the society in the future. The government has paid attention to the health of women, in particular to pregnant women and women in labor, to guarantee the welfare of the mothers and the well being of the infants.
63. Article 1 of the *Labor Law* adopted on January 31, 1997 stipulates that all labor contracts signed between employers and workers are considered valid regardless of the location where the contracts are signed. Furthermore, the law provides protection to women and children, including a right for female workers to maternity leave for up to 90 days. According to the law, after maternity leave, female workers can return to work but should be assigned to light work. Female workers can not be fired because they take maternity leave even with advance notice (article 182). Female workers are entitled to half pay during maternity leave including additional pay that may be provided by the employer (article 183). Female workers who breast-feed their babies are entitled to a one-hour rest period per day for one year after the date of delivery (article 184). Employers who employ more than 100 women must provide childcare as well as a room for women to breast-feed their babies (article 186).
64. Since 1995, when 20 factories were active in the Phnom Penh area, the garment industry has grown at an exponential rate. Currently it is estimated that 90,000 workers are employed by 174 enterprises. The whole sector is growing at a 12% annual rate, and constitutes 96% of national exports. The massive inflow of workers has not led to a corresponding investment in urbanization and upgrading of public services availability in the new industrial areas.
65. The garment industry seems to represent an unavoidable step in the process of economic growth in the era of globalization. Among the industrial sectors, it constitutes a peculiar case, characterized by a high degree of mobility, oriented toward the availability of a cheap unskilled labour force. Raw materials and management are imported, investments in workers training or services are limited. Profit margins are linked to the low cost labour force. As soon as this advantage declines, the operations may be stopped and rebuilt where new opportunities are available. Everywhere in the world garment factories rely on young women's work. Wages for women are traditionally lower, contributing to increased profits, and young women who migrate from rural areas are poorly educated and are not in a position to defend their labour rights. Women workers in this sector are normally dismissed at the first sign of crisis, and during the recent Asian crisis constituted a significant percentage of the unemployed.

66. While income associated with non-agricultural work may enable women to improve their life, insufficient educational opportunities, linked to poor working conditions and the absence of basic services, may prevent women from acquiring economic and social well being, and increase inequalities and marginalisation. Cambodian garment workers, currently, experience most of these disadvantages.

#### *Services privatization*

67. The shift to a market economy, combined with the lack of national resources, has led to a *de facto* privatization of the social structures. The public structure, characterized by unsustainable low salaries, lack of equipment and materials, insufficient funds for recurrent costs and training, tends to apply, in an informal way, the same principles of private business, which results in uncontrolled fees imposed on clients. For this reason the Royal Government has adopted a step by step approach to privatization of the service sector in order to address the lack of public services in the country including the lack of services for women.

#### *Health*

68. In accordance with Article 62 of the Constitution that stipulates "the health of the people is under the charge of the State in securing services for patients" the Royal Government has planned to provide health care services to women, in particular antenatal care and post natal care as women play an important role in providing care to their families.
69. The cost of health services, and the lack of medical facilities in rural areas, makes ante-natal care, assisted delivery, treatment for STDs, birth spacing counseling or other medical services unaffordable for the majority of women. Sales of contraceptives shows clearly this gap, as more than 50% of the sales take place in Phnom Penh, where only 8.7% of the population live. Medical care constitutes the primary reason for the indebtedness of the rural population, and represents generally 30% of family expenditure. Recent social researches point out that illness within a family is one of the main reasons for land sale.
70. Women's health statistics remain very poor. Maternal mortality rate has been estimated at 473 per 100,000, which means that 2000 women die annually while giving birth. Worse, it is estimated that 200,000 women suffer severe consequences of obstetrical complications. Lack of medical care and reproductive health services interacts dramatically with the chronically poor health condition of Cambodian women, and continues to threaten their life. A recent survey conducted by UNICEF and WFP found that among 1200 households in 13 provinces, 74% of the pregnant women were anemic, 43% were classified as underweight, and 24 % of the families went without eating due to lack of food or money, at least some days during the year.
71. According to the above factors and based on the health statistics which indicate that in Cambodia 47% of the total population do not receive health services, the Royal Government has plans to expand and strengthen the health sector to the rural areas and has accommodated privatization of the health sector. The Royal Government has gradually improved the management of public hospitals for privatization. As an example, Calmette hospital, the main hospital in the capital has been managed under the privatization programme. Other hospitals are following the model.

### *Education*

72. According to Article 68 of the Constitution, all Cambodian citizens are entitled to receive primary and secondary education in public schools without charge. Despite the efforts of the Royal Government, the education sector is still facing shortage of schools, teachers, salaries, teaching materials and up to date teaching methodologies. This hinders efforts regarding reducing illiteracy, completing primary education, gaining higher education, and forces many children to pay for private tutoring.
73. In accordance with the policy of the government, a process of privatization of education is going on, based on support courses provided by teachers privately in the public structures, fees for examinations, and an increasing number of private education structures all over the country. Education costs for the Cambodian families become unaffordable. Payment of fees tends to replace a true merit score in education, creating the condition for the exclusion of the less wealthy from the educational system.
74. Cambodian girls are deeply affected by the shift from a public, merit oriented school system (albeit very poor) toward a system based on wealth. The data concerning female enrollment in the school system shows little change during the last five years, the drop out rate for girls, even from primary school, is dramatically high and access to upper secondary school has decreased. The number of girls entering the tertiary level of education has dropped, and so has the number of girls having access to university courses abroad. Traditional beliefs giving scarce value to girls' education and economic obstacles work together at creating barriers to girls' enrollment in education. The whole process of building gender equality is jeopardized by the insufficient strategies and means invested in making the national education system affordable for all and guaranteeing equal opportunities to both girls and boys.

### *The HIV epidemic*

75. The case of the HIV epidemic is paradigmatic in understanding Cambodia's fragility and scarce preparedness for global factors. The HIV epidemic has reached an extremely high rate of infection among the population. The number of HIV-positive people is estimated as high as 200,000, while 25,000 AIDS patients will need medical care in the year 2000. The whole national health system, which is undergoing a reform to increase efficacy, is put at risk and challenged by the spread of AIDS. Despite several years of work in AIDS awareness and prevention, infection rates continue to rise. HIV is mainly spread by heterosexual contacts, which are multiplied by the widespread purchase of commercial sex. Cambodian women are deeply affected by the epidemic. Not only 64% of commercial sex workers, according to the recent statistics, are infected, but recent testing indicates that one in 30 pregnant woman is HIV positive. Married women get infected by their legal partners who have extra-marital sex. Women, both married women and sex workers, due to the lack of power in sexual relationships, rely only on men's awareness and sense of responsibility for HIV prevention.
76. Awareness campaigns focused on reduction of the number of sex partners fail to explain that such measures, to be effective, should be implemented from the start of and throughout one's sexual life. Nearly 60% of commercial sex clients still do not use condoms, while condom use in marital sex is considered nonsense and may raise concern about the infidelity of the legal female partner. Campaigns addressing the male population are timid, and tend to consider extramarital sex as an unavoidable prerogative, while strong resistance limits the development of an open discussion on female sexuality and sexual empowerment as a tool to contain the infection. The world struggle against HIV has already demonstrated that rights are a prerequisite for prevention, and stigmatized social groups adopt protection habits according to their social recognition and acceptance. Lack of rights, sexual subordination, poor education, social or cultural blame and stigmatization increase vulnerability to the disease. The status of women in Cambodia explains quite easily their vulnerability to HIV.

*Violence against women*

77. Domestic violence continues to represent a threat for Cambodian women. Research in 1996 showed that violence against women in the family was a serious problem experienced by a significant number of women. While it is difficult to determine the actual incidence of domestic violence, some indicators suggest that the number of cases is increasing. It is now assumed by researchers in social science, that unequal access to wealth and goods, frustration due to economic competition, pressure to earn higher income, and work-induced migration are contributing factors to domestic violence. Rampant poverty, cash economy, limited availability of jobs and rises in the price of basic goods and services, act as additional challenges for the already challenged familial and social structures. The involvement of women as primary earners and their increased participation in the labour force, although not necessarily changing their social status, alters the perception of gender roles and increases frustration in male partners.
78. Women who engage in a divorce procedure, normally due to their husband's violence and abuses, face enormous obstacles, and some customary practices, adopted by court officials, such as reconciliation, put them at serious risk. It is not unusual, in cases of violence and abuse that divorce results in property loss and/or in cash payment to the unpunished abusive and violent husband. Rape is frequently reported by the press and generally involves very young women and even children. Together with other kinds of sexual violence and harassment, it is seldom punished, even when it leads to the killing of the victim and the perpetrator is known.

*Globalization of telecommunications and media*

79. Telecommunication, now penetrating even the most remote areas of the country, has a pervasive power on users, showing for the first time different and new ways of living and thinking. For a country like Cambodia, which suffered many years of isolation from the rest of the world, new images present a new opportunity. Unfortunately, the mass culture now circulating through the media contributes to the spread of an image of the woman as highly commercialized. Rather than creating new and progressive values, it cooperates to enforce traditional views, providing a frame of modernity to the existing gender discriminatory attitudes. This is the case of the recent massive access to pornography in Cambodia, which does not contribute to a process of reflection on sexual behavior and freedom, but enforces the perception of women as commodities for male entertainment.
80. Most of the discussion concerning new cultural inputs is superficial and concentrates on the value of national cultural traditions, and blames the disruptive role of foreign content. Women are particularly constrained by this vision, which does not give them better choices between a traditional unequal gender role, and a modern view, which increases their subordination. Cultural and traditional beliefs need to be elaborated and integrated with the new cultural inputs in a system of values where women can reach a state of equality. Women have an important role to play in defining their cultural identity with progressive changes.

## X. Commitment for Further Action

81. Faced with the challenges described above, the Royal Government, represented by the Ministry of Women's and Veterans' Affairs, has developed strategies to promote good governance and gender equality and equity. The Royal Government is committed to continuing the implementation of measures currently underway and to taking further actions to ensure gender equality and the promotion and protection of women's human rights. Furthermore, the Royal Government reiterates its commitment to further action in the following areas of critical concern.

### *Poverty*

82. "Reduction of poverty is a long-term objective and the most important objective to achieve for the Royal Government". In its Socio-economic Development Plan I and II, rural development and investments in order to increase productivity in the rural sector, the provision of clean water, health and education for the at risk population are of the highest priority. A national conference on Socio-Economic Development Plan II was recently organized by the Ministry of Planning on May 18, 2000 to discuss with all stakeholders poverty reduction. A working group was set up to coordinate work between the Ministry of Economy and Finance, the Ministry of Planning, the International Monetary Fund, the Asian Development Bank and the World Bank. The group will address the following priority issues concerning poverty reduction:

- macro-economic stability in particular and finance;
- strengthening the effectiveness of economic and public financial reforms, in particular promote good governance in the mobilization of state revenue, increase of national budget for the social sector, health and education in the rural areas to increase and use public investments for the needs of the poor;
- efficiency in the implementation of programme of demobilization and public administration reforms;
- promotion of the implementation of the economic infrastructure and agriculture in the rural area in order to improve agricultural productivity and to provide opportunities for the poor to use land, credit and natural resources; and
- linking national production to national markets in particular to international markets to improve the living conditions of producers and farmers.

83. Land conflicts, a new challenge faced by the government at this present time, is an immediate problem to which the Royal Government gives the highest priority for action. A national committee to address land issues has been set up and a dialogue with non-governmental organizations and other international partners on national development has been strengthened for the protection of rights and to find solutions to land titles. The Royal Government has taken measures to protect land titles of the poor who lack farming land. Among these measures is the confiscation of land from rich landowners to return the ownership to the legal owners. The draft submitted to the public for discussion will be submitted to the National Assembly for adoption this year. The draft *Law on Civil Administration* is being reviewed, mechanisms to address land conflicts to operate, investigations continue, and appropriate measures are being taken.

### *Labour*

84. Women represent more than half or 55.7% of the labor force. Therefore MoWVA aims to contribute to transforming women who are the main resource of the nation into a skilled labor force with ways to gain income and with capacity to become a driving force in the national economy and in the development of the nation. MoWVA also strives to improve the status of women, assist them to gain parity with men, and improve the living conditions of their families. In the same spirit, MoWVA will contribute efforts to prepare women to enter the labor force through vocational training, the creation of special skills for women, and promoting the implementation of the *Labor Law* to protect the interests of women. In addition, the Royal Government recognizes the role of trade unions in improving corporate codes of ethics and more generally protecting the rights of workers.

*Public services*

85. Public services upgrading and rehabilitation is the object of several policies and plans. Principally, public expenditure is projected to increase in education, health, judiciary, and rural development. Funding availability should address the problem of scarcity in the whole public sector. The program concerning the demobilization of armed and security forces, as a result of peace and internal stability, should free public revenues for implementing other sector programs. Moreover, a comprehensive programme for administrative reform is well underway, and it will contribute to increasing the effectiveness, impact and responsiveness of the public service.

*Education and training of women and girls*

86. In order to eliminate the current weaknesses of the education sector, the Royal Government has made the highest commitment in providing knowledge and skills by increasing general culture as well as improving and making vocational skills training in order to strengthen the current sector:

- constructing more schools and providing sufficient school materials by increasing public expenditures in this sector;
- taking measures to combat illiteracy;
- improving programmes and *curricula* to broaden the general knowledge of the students.

87. MoWVA will contribute to the success of the strategies put forward by the Royal Government by collaborating with the Ministry of Education, Youth and Sport to promote the and improve the education of girls through the following activities:

- Enhance enrollment of girls in school. In particular special attention will be given to girls in distant and remote areas
- Construct schools and dormitories for girls in the Eastern provinces
- Improve nutrition for girls at risk, in particular girls and female students in the mountainous areas and distant areas
- Provide access and opportunities for female students to complete secondary education by giving special considerations to keep female students in school by region by building dormitories
- Introduce gender sensitive *curricula* and school books
- Introduce special programmes for female youth in particular their participation in physical education and sports
- Support the campaign against illiteracy, in particular in the rural areas including non-formal education for young girls and women outside of school;
- Support vocational and skills training for women;
- Mobilize financial support for activities and programmes; and
- Transfer amounts from the national budget from the defense to the social sector.

88. In addition, the Royal Government will provide to responsible institutions full technical and material support including training of civil servants to gain sufficient knowledge according to the scope of the tasks to be performed. A number of women have been sent to gain experience in many countries in the world. In return, countries cooperating with Cambodia have sent their experts to Cambodia to collaborate with Cambodian officials to organize seminars and workshops on rural development and on women.

MoWVA will promote and monitor progress in the following areas:

- mainstream gender and include gender roles in the school curriculum and to streamline the issue of domestic violence for awareness raising and to look for solutions;
- improve the quality of information, education and communication on topics related to human rights;
- reduce degradation of women's image;
- improve courses in home economics for all to understand the roles of women at home;
- capacity-building for focal points in different ministries and empowerment of women through leadership training;
- establish emergency shelters for women and children throughout the country;
- strengthen the cooperation between public institutions and NGOs that serve the interests of women; and
- mobilize the participation of women.

#### *Trafficking in women and children*

89. The problem of trafficking of women and children has been acknowledged by the Royal Government as an area of crisis. New directives have been disseminated which aim to stop trafficking and to penalize offenders. The law against trafficking, approved in 1996, is currently under study in order to suggest the changes necessary and integrate this crime into the new *Criminal Code*.

90. MoWVA launched a major program on the *Prevention of All Forms of Trafficking in Women and Children in Cambodia* in March 2000. With a distinct focus on prevention, the program aims to strengthen the human resources and program capacity of the MoWVA by enhancing knowledge of laws and socio-economic issues related to trafficking. Under the program, 2000 authorities from national to village-level administration, across six provinces and municipalities, will be trained on the issues related to trafficking and migration. Further, vulnerable women and children in 900 villages will be exposed to reliable information on orderly migration and the dangers of trafficking as well as first-step means of self-protection. Intensive village-based activities that encourage preventive community action will be piloted in vulnerable villages in each project province and municipality. Nation-wide media campaigns will be aired on TV and radio. In addition, the existing MoWVA Counter-trafficking Office will be equipped to review existing laws and draft new laws to enforce the full protection of women's rights in relation to the problem of trafficking.

91. The Royal Government continues its measures to crackdown on prostitution by closing numerous brothels, a campaign conducted in 1997 in the provinces and the capital city, which was unprecedented. MoWVA and the Ministry of Social Action, Vocational Training, Labor and Youth Rehabilitation will cooperate with NGOs to provide vocational skills training to commercial sex workers who wish to be reintegrated and take up new forms of employment.

MoWVA, with other institutions and NGOs as well as central and local authorities, will continue to analyze the problem of the exploitation of prostitution and suggest measures to prevent the exploitation of women and children. Within the Royal Government, draft policy guidelines against the exploitation of women and children are being discussed. Further, the Ministry of Interior recently started a program on *Law Enforcement Against Sexual Exploitation and Trafficking of Children*, with support from several donors, to improve the capacity of the police, investigating judges and prosecutors to protect child victims of exploitation and trafficking.

92. The Ministry of Interior, in collaboration with other concerned ministries is considering more efficient ways to address trafficking in women and children such as the following activities:
- Establishment of a technical/operational *Bureau for Suppression of Sexual Trafficking and Exploitation of Human Beings* under the Criminal Direction Department;
  - Development of guidelines, measures, and cooperation with national and international authorities and institutions to monitor, prevent, investigate, and suppress trafficking for the purpose of sexual exploitation;
  - Cooperation with border authorities to prevent, control and suppress trafficking for sexual exploitation as well as other purposes;
  - Dissemination of laws and information on trafficking and methods commonly used by traffickers;
  - Monitoring and recording trafficking activities with a view toward prevention;
  - Organization of skills training for national police to enhance their capacity to handle trafficking cases.

In March 2000, a training session for Cambodian immigration police officers on *Prevention of Trafficking and Assisting Women and Children Victims of Trafficking* was held. It was organized to deepen understandings about prostitution, trafficking and illegal migration; improve knowledge of the legal protection framework related to victims of trafficking; assist in adapting law enforcement practices to better meet victims' needs, including gender-sensitive referrals and care of victims; and encourage authorities to take preventative action against trafficking. Further activities of this nature are being planned.

#### *Women's health and HIV/AIDS*

93. The Royal Government attaches great importance to increasing women's access to quality health care and services. In fact, the development of quality basic health services, particularly in rural areas, is considered by the Royal Government to contribute to people's participation in the socio-economic sector and, in turn, to poverty reduction in Cambodia, and has oriented the future direction for health development accordingly. The Ministry of Health (MoH), with support from donors, has developed clear policies to address low quality and limited access to public health services for women.
94. Since 1996, the MoH has undergone organizational and financial reform to strengthen the health system, including the services provided to women and girls. The reform process is based upon the fundamental principles of equity through improved access to health care for women, men and children whether by financing policies or the reallocation and distribution of health resources and infrastructure. The reform requires a redefinition of roles, functions and criteria for location of each level of health system, and a health financing policy to improve access and equity of services for the poor. It also requires the integration of all vertical health programs at district and commune level, and the decentralization of authorities and responsibilities. Health infrastructure has been recently reorganized to a system based on criteria of the population and accessibility of services including to women and girls. The basic unit of health care is now the decentralized Operational District, covering the whole population without gaps or overlaps, and providing comprehensive primary health care. Some of the elements of an effective district are in place. Special women and child health programs are being developed and will be offered at Operational District health centres.



95. Reforms have extended to health financing and budget allocations that are provided to each health facility according to the functions performed and number of people served. Since 1996, the Health Financing Charter approved by the MoH and the Ministry of Economy and Finance has guided the pilot of different models of health financing, particularly a user fee system. The Charter ensures community participation in using and managing services to protect the poor. The Royal Government has shown a willingness to increase the health budget and has recognized the need for further increases. Government recurrent expenditure on health reached almost \$20m in 1999, or \$1.7 per capita, the highest annual expenditure of the 1990's and a sizeable increase from 1998. The MoH and the Ministry of Economy and Finance are working in 2000 to try to achieve a more even spread of expenditure over the year as erratic and late funding undermines planning and the continuity of health service provision.
96. As part of health sector reform, the MoH has set up specific strategies to promote the health of women and children through basic care service delivery for all women. This includes antenatal care, delivery and post-natal services, reproductive health services such as birth spacing, good nutrition, safe delivery and personal and family hygiene practice. Steps are also being taken to reduce incidence of diseases including sexually transmitted diseases, particularly HIV/AIDS. These priorities are stated in the National Health Policy and Strategies (1999-2003) which aims to improve equity and accessibility to basic health services for all including for women and girls.
97. Specific priorities set up by the MoH are the following:
- reduce maternal mortality from 473 to 300 in 2001 and to 200 in 2003,
  - increase prenatal care by providing first consultation from 30 to 40% in 2001 and to 50% in 2003, and
  - increase maternal care from 16% in 2001 to 30% in 2003.
- To reach these objectives the MoH will undertake the following activities:
- increase access for pre-natal care: each pregnant woman must have at least physical check ups, receive vaccinations against tetanus other immunizations at least twice during pregnancy,
  - increase follow up activities for pregnant women and facing complications to refer to hospitals for proper care,
  - ensure that these services are provided by medical personnel or by people who proper medical training,
  - increase access to reproductive health and contraceptives to women,
  - increase testing services in particular for female adolescents,
  - improve nutrition of women and children through the distribution of vitamin A, iron, iodized salt and promote breast feeding, and
  - increase access to health care by providing basic health care for women.
98. HIV/Aids has been recognized by the government as a main threat to the Cambodian population - including women and girls, - and may cause more deaths and human losses than the war and the genocide. A National AIDS Programme was established in Cambodia in 1993. Since then, a National Plan was elaborated in 1993, and a full review of the national AIDS response was completed in 1997.

99. A new Strategic Plan began being implemented in 1998, in the same year the National Center for HIV/AIDS was established at the MoH. In 1999, the National AIDS Authority, a coordinating body of 11 Ministries, was created to define strategies on HIV/AIDS and to make recommendations on matters of national policy related to the epidemic in Cambodia. As part of the National Plan, Provincial Aids Committees have been established, together with Provincial Aids Secretariats and Offices, in order to translate the national policy into provincial responses. A national workshop on Women, the Girl Child and HIV/AIDS led to the formulation of a draft policy for them. The whole response to HIV/AIDS is receiving a high level of support and attention, and is managed in strict collaboration and integration with international agencies and NGOs. After a first exercise in the provincial town of Sihanoukville, a policy for 100% condom use in commercial sex was launched throughout the country.
100. Nevertheless, previous experience shows that the national policies on health and HIV/AIDS aimed to address poverty, services improvement and access, civil society and citizens' rights strengthening, should be analyzed from the outset through a gender perspective in order to respond effectively to the situation of women. Complex mechanisms interact within society which encourage women's exclusion from education, decision making, economic empowerment and full citizenship. Norms, rules and even legislation that inhibit the full development of women and girls must be changed. MoWVA is in the process of identifying these obstacles, and advocating for their removal.
101. *Neary Rattanak*, the National Five Year Strategic Plan, is itself a dynamic document, which has a dual role as catalyst for new programmes and a rationale for present ones. MoWVA is incrementally promoting new policies to construct a comprehensive, coherent and effective framework for the advancement of women. The national plan for education will be supported by a national policy concerning early childhood care, while a new policy for women and the girl child concerning HIV/Aids has been recently elaborated.

#### *Human rights of women*

102. The key issue of the legal protection of women is now being advanced in the context of the setting up of a National Council on Judicial Reform, as one of the councils directing reforms in various domains. The Royal Government is well aware that it will be necessary to integrate gender issues from the earliest stages of development of the comprehensive judicial reform programme in order to establish mechanisms for effective legal protection for women. Donors are interested in supporting forthcoming judicial reform and have already noted the clear need for gender responsive laws and legal institutions. Integrating gender issues throughout legal reforms can build on the experience of ongoing projects focused on domestic violence and the prevention of trafficking of women and children.
103. MoWVA's mandate to improve the status of women includes providing input and advocacy for the legal protection of women's human rights in all sectors. According to this mandate, the Ministry has an important role to play in the forthcoming judicial reform program of the Royal Government. To facilitate the development of a judicial reform programme that responds to the needs of women, MoWVA has developed a policy on women and the law to guide the future development and application of law by legal institutions. This policy rests upon the premise that some of the barriers women face to full participation are, in part, due to laws that do not adequately entrench their rights and the fact that existing laws are not adequately enforced to protect women's rights.

Within MoWVA, several laws that now being drafted were identified as warranting special attention in order to integrate women rights: *Criminal Code, Civil Code, Land Law, Law on Magistrates, Law on Commune Elections, Law on Elections (National Assembly), Senate Election Law, Adoption Law, Police Act, and Regulations on the Administration of Prisons.*

104. According to MoWVA's mandate and approach to legal reform based on its mainstreaming role, the Ministry views the gender dimension as a much broader effort than simply providing input into a few laws. Instead, within the emerging judicial reform agenda of the Royal Government, MoWVA has identified the following four priorities:

- Concerning the legal framework, development of legal policy, laws, regulations, and amendments to laws that respond to the needs of women in Cambodia. This could occur, in part, through consultations with civil society groups, academics and individuals that advocate on behalf of women. Women's active involvement in the law-making process is one way to enhance the adequacy of the laws in addressing the situation of women.
- Effective legal services that are relevant, accessible, and sensitive to the needs of women. Legal guarantees need to be translated into actual results for women. This could occur, in part, through equitable representation of women in the police and prosecution services, the prison staff, the legal profession, the courts and other legal institutions including the Constitutional Council and the Supreme Council of the Magistracy. Such services should explicitly strive to overcome the obstacles women face in taking advantage of their rights and opportunities under the law. Progress toward this goal can be made through capacity building efforts specifically on gender-sensitive implementation of the law and ongoing assessments of respect for women's rights by the authorities.
- Incentives and equal opportunities for women to pursue legal education and participate in legal and related professions as well as to become legislators. Quality facilities and equipment would contribute to a core of well-qualified women legal professionals with a high level of awareness and competence on gender issues.
- Public legal education or legal literacy for all persons on women's legal rights. Gender is not exclusively a women's issue. It is a social issue that calls for public action by women and men.

105. The Royal Government believes that addressing these complementary priorities within a comprehensive judicial reform program can help strengthen the legal protection of rights of women, enhance their quality of life, and increase their ability to contribute to sustainable economic and social development. Gender mainstreaming is the basis for the success of plans in the judicial sector, and the recent increased attention to gender issues by international agencies and donors is expected to facilitate this process. The women's networks already existing in Cambodia will help national efforts to succeed. A coordinated advocacy effort, supported by the NGOs, may strengthen and support national policies and have a crucial role in securing women's human rights. MoWVA's major capacity-building program, *Partnership for Building Together*, has a key component devoted to women's legal protection. This component will permit the Ministry to contribute to the protection of the women's human rights by influencing the development of laws to respond to the situation of women, to contribute to the establishment of relevant and effective legal services for women, and to promote public legal education about women's human rights. Additionally, this program will enable MoWVA to offer quality contributions to the forthcoming judicial reform efforts in Cambodia.

## **XI. Conclusion**

106. The Constitution elaborated in 1993 recognizes women as equal citizens in all domains of civil, economical and political life and prohibits all forms of discrimination against women, prohibits women's exploitation through prostitution, and requires equality in all fields, especially in marriage and family life. Moreover, the Constitution asserts the rights of women to take maternity leave with full pay. The Constitution is also clear regarding women's employment, recognizing that either sex should receive equal pay for equal work, and giving to housework the same value as to work outside the home.
107. Actual opportunities and real choices are now needed if the new century is to see Cambodian women as equal partners in development and decision-making as envisaged by the Constitution. The Royal Government considers its responsibility to improve the status and situation of women and ensure their constitutional rights a serious priority. It strongly supports women's participation in all sectors, at all levels, and recognizes the vital potential of women to contribute at this critical stage of reconstruction and development in Cambodia. The main commitment to the future of women in Cambodia is to fill the gap that still exists between what, in principle, has been obtained, and what is implemented in the every-day reality.
108. Many facilitating factors toward the achievement of women's human rights already exist in Cambodia. There are no major legislative restrictions to women's equality, and there has been a full recognition of women's role and institutional bodies representing women in policy-making and participation to the national development. To date, the achievements made in all sectors are due to the joint commitment and efforts of the Royal Government and NGOs, international organizations and donor agencies, who have actively advocated for and supported these issues, and continue to do so. This report outlines some of the most significant developments with regard to the advancement of women in Cambodia as laid out in the Beijing Platform for Action. However, much remains to be done, a fact acknowledged by the Royal Government and to which it is committed. Although the commitment is in place, Cambodia still requires substantial external financial and technical support for its efforts in the areas of critical concern canvassed in this report.
109. In order to obtain the support it needs, the Royal Government recognizes that it is important not to treat the National Plan of Action for Women as an agenda restricted to "women's issues", separate and apart from pressing political affairs. Instead, the Plan must be used as an integral aspect of the far-reaching reform programme of the Royal Government. Further, the Royal Government is determined to take steps so that women's views increasingly become a normal part of national as well as international discussions and negotiations involving Cambodia. Only through concerted and integrated action will the problems facing women in Cambodia be fully identified and existing constraints be overcome to practically realize women's human rights according to the actions prescribed in the PFA.

## **Annex 1 References**

This research conducted for this report was based on an analysis of the documents, statements, communications, survey and studies produced during recent years in Cambodia concerning not only gender equality and women's condition but also the main areas of concerns or other aspects of relevance for assessing advancements and obstacles. It has been corroborated by input coming from discussions with the whole sector of women's development in the country, including non-governmental organizations. Other sources of information were the national media and newspapers, and official communications of the representatives of the Royal Government in seminars, congresses, or special events.

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