

Draft Background Paper

I. Rational

The Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) was accepted as a treaty by the United Nations in 1981. **It was ratified by the government of Cambodia in October 1992 and recognized in Article 31.1 of the Constitution.** While the term “discrimination against women” has not been formally defined in the national Constitution, the government purportedly accepts the definition outlined in the CEDAW Convention. Further measures to actively abolish all forms of discrimination against women are clearly stated in Article 45.1 of the Constitution. According to the government’s most recent report on the implementation of CEDAW, “the Kingdom of Cambodia considers the CEDAW convention as a fundamental legal basis for implementation, which takes precedence over laws in Cambodia. CEDAW Committee concluding observations from 2013 recommended that Cambodia consider comprehensive discrimination legislation (as the draft already states, discrimination against women is not currently defined in law)

Since 2001, however, gender equality efforts have been gaining momentum and receiving national endorsement, beginning with efforts to engender the 2003-2005 National Poverty Reduction Strategy (NPRS). The Ministry of Women’s Affairs (MoWA) and the Cambodia National Council for Women (CNCW) make up the national machinery for the promotion of gender equality and the empowerment of women. **The 4th Strategic Plan, Neary Rattanak IV (2014-2018)**, focusing on women economic empowerment, gender equality in education, legal protections, public health issues, including HIV/AIDS prevention and care, women’s political participation, and mainstream issues related to vulnerability and disability.

In July 2017, National Social Protection Policy Frameworkⁱ (NSPPF) 2016-2025 was officially launched. This policy framework will play an important role in increasing access to social protection services for public officials, workers in private sector and people in informal economy. It is a long-term roadmap for reform and development of social protection system in Cambodia through the introduction of strategic plan aiming to ensure income, security, minimize economic and financial vulnerabilities of the people and improve welfare, equity, solidarity, and harmony in the national society.

II. Key Achievements

1. In 2016, there were 48.4 per cent of women in earning activities, increased from 42.9 per cent in 2015 (draft NSDP 2019-2023).
2. Education, gender parity in enrolment has been achieved at primary and secondary levels, and progress has been made in tertiary education where the proportion of female students is steadily increasing, from 33.8 percent in 2008 to 37.6 percent in 2011 (Gender in education and vocational trainingⁱⁱ).
3. Improvements in relation to sexual and reproductive health and rights - significant reductions in maternal mortality and increased access to contraception.
4. There are some measures to increase women in leadership and decision-making roles (targets for civil service for example) however women remain under represented in leadership roles.

5. There is a legal framework and national plan (NAPVAW) reflecting commitment to prevention of Violence against Women, but implementation remains challenging. There is progress in developing standards for coordinated services for survivors of violence but these are not yet fully rolled out.
6. The Royal Government has achieved and implemented various reform programs in relation to social assistance and social security, as stated in the NSPPF 2016-2025:
 - **Social Security** schemes such as National Social Security Fund (NSSF), National Social Security Fund for Civil Servants (NSSFC), National Fund for Veterans(NFV), and the people with Disability Fund (PWDF). These institutions provide protection with regard to income insecurity which might result from illness, employment injury, disability, maternity or old age, for the targeted group of civil servants, veterans, people with disabilities, workers and employees.
 - **Social Assistance** programs such as Health Equity Fund (HEF) to provide fee health care to families holding ID-Poor Cards, the food reserve program of the national committee for disaster and food security programs for the MEF to prevent food insecurity, nutrition programs for pregnant women and children to promote maternal and infant health, scholarship program for primary schools to encourage school attendance, especially for children from poor households, school feeding programs to support students' physical and mental development.
7. In Cambodia, NGO plays important roles in filling the gap of government in **Social Assistance** to respond to the need of the people especially vulnerable groups such as the poor, disability, elderly, children, etc. The Health Equity Fund Community Scheme was operated in 15 provinces across Cambodia to support to the elderly and disability people by local fund raising from pagoda. And donor agencies provided assistance supports by Voucher Scheme to support women's health (pregnancy care, miscarriage, abortion, birth spacing, cancer, child nutrition, etc.), child nutrition and development program...
8. Private sector plays important roles in filling gap in Social Security Scheme through insurance scheme to the people such as health, accident, life, etc.

III. Key Challenges

1. Access to SRHR for vulnerable groups, including young people, remains problematic. Adolescent pregnancy has increased (data from CDHS).
2. There are still few women in leadership roles including elected office, decision making roles in civil service, management roles, trade union leadership (even in mainly female workforce such as garment industry).
3. Violence against women remains a significant issue with 1 in 5 women reporting physical or sexual violence from an intimate partner (CDHS) and as many as 1 in 5 men reporting they have raped a woman.
4. Access to justice for women remains challenging with informal justice, through mediation, the most prevalent response to cases of VAW.
5. Surveys show that sexual harassment is a problem in both private and public spaces. However, awareness is low and the legal definition of sexual harassment is not clear.
6. Gender social norms are a significant barrier to progress, contributing to attitudes that tolerate violence (50% of women believe that some circumstances justify Domestic Violence CDHS) and victim blaming in cases of VAW (in media coverage for example). Such norms also limit perceptions of women's capacity for leadership or other nontraditional roles and place a heavy burden of unpaid care work on women in addition to work outside the home or home-based livelihood activities.

7. LGBTI community faces significant discrimination and a heightened risk of violence. Same sex sexual activity is not illegal but there are also no specific legal protections against discrimination on the basis of sexual orientation and gender identity. Government institutions have been open to engage in dialogue with LGBTI advocates and priority issues raised have included equal rights to marriage and adoption, social discrimination, access to employment and education.
8. Older women whose children migrate for work face significant burden of unpaid care and agricultural work. Their unpaid work enables the economically productive work of the younger generation but remains uncounted.
9. Earning inequalities are still pervasive, men earned 12.5 per cent more than women in 45 countries. And, the women spend roughly three times as many hours in unpaid domestic and care work as men (SDG report 2018ⁱⁱⁱ). Most of women in Cambodia work in informal sector and in the sector of lower wage than men such as garment and shoes factory.
10. Girls do better in net enrolment and surpassed boys in gross enrolment in 2012 at the lower secondary school level, but drop-out rates generally remain higher than boys
11. The coverage of social assistance and social security is limited and cannot reach certain groups of citizens are not protected. The management of the various schemes has not been concentrated/integrated, which leads to a lack of effectiveness and efficiency, high cost and inconsistency of benefits and allowances for various target groups. And, the people have limited understanding of social protection and its benefits as well as their obligations to participate in each scheme or program.
12. The identification and registration of citizens, the identification of poor and vulnerable people and the registration system of operators are not yet linked which might lead to double identification/registration and overlapping provision of benefits.
13. The coordination mechanism at the policy level and the monitoring mechanism to ensure effectiveness, accountability, and transparency of the management and operation of programs/schemes are still limited.
14. The quality of public healthcare service is not good enough yet to meet the demand of the people, however, the poor and vulnerable still complaint about it. So, the improvement the public health care service a big challenge for government and it is a door to open the citizen's perspective on the public health care service.

IV. Key Recommendations

1. Awareness of social protection system to the public is very important to increase the understanding of the public and increase the access or utilization of the public health care service.
2. Quality improvement of the public health care service, the understanding of the public service provider to the people is really important to make the social protection scheme run effectively. Because now, there are only the scheme but less utilization because of the quality of the public service.
3. Elimination of the dual practice at public health care service and private clinic that lead to poor quality of public service (conflict of interest).

4. A gender equitable and socially inclusive workforce reflects community demographics and it will also support us, as a Public Service, to understand and assist the various needs of everyone in our community, leading to improved service delivery. And, it will be a mechanism to improve national social protection policy framework.

V. Annexes

ⁱ National Social Protection Policy Framework (NSPPF) 2016-2025:

<http://inndec.com/library/docs/SPPF%20English%20-%20Final%20Ver.pdf>

ⁱⁱ Gender in education and vocational training:

http://www.kh.undp.org/content/dam/cambodia/docs/DemoGov/NearyRattanak4/Neary%20Rattanak%204%20-%20Gender%20in%20Education%20and%20Vocational%20Training_Eng.pdf

ⁱⁱⁱ The Sustainable Development Goal Report 2018:

<https://unstats.un.org/sdgs/files/report/2018/TheSustainableDevelopmentGoalsReport2018-EN.pdf>