



FACTSHEET – UPR 2018 – Cambodia

3rd CYCLE UNIVERSAL PERIODIC REVIEW

SOGIESC-SRHR

Social discrimination against LGBTIQ people

Joint-submission by the Cambodian Center for Human Rights (“CCHR”), Rainbow Community Kampuchea (“RoCK”), Destination Justice (“DJ”), Micro Rainbow International (“MRI”), the Reproductive Health Association of Cambodia (“RHAC”), the International Lesbian, Gay, Bisexual, Trans and Intersex Association (“ILGA”), ILGA Asia, ASEAN Sexual Orientation and Gender Identity/Expression Caucus (“ASC”), the Swedish Association for Sexuality Education (“RFSU”), ActionAid Cambodia, DanChurchAid Cambodia (“DCA”), and CamASEAN

SUMMARY OF KEY ISSUES FROM PREVIOUS UPR CYCLES

During Cambodia’s Second UPR cycle in 2014, no recommendations were made to the Royal Government of Cambodia (“RGC”) specifically regarding the social discrimination faced by Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (“LGBTIQ”) people in Cambodia.

NATIONAL FRAMEWORK

Despite the fact that the LGBTIQ community in Cambodia is becoming more visible, in part due to a growing LGBTIQ rights movement and a context lacking strong religious or institutional opposition, Cambodian **LGBTIQ people continue to be discriminated against and excluded in several areas of social life**. LGBTIQ people face specific forms of social discrimination and exclusion within the **family sphere and in schools**, as well as **gender-based violence (“GBV”)**. Moreover, LGBTIQ people in Cambodia face **discrimination in accessing and keeping employment**, as well as discrimination and exclusion in the workplace. There is currently **no policy issued by the RGC** to ensure the social protection and inclusion of LGBTIQ people in Cambodia.

CHALLENGES

IMPACT

Discrimination from family members

77% of LGBTIQ people said they limit their coming out to close friends and **54%** to immediate family members for fear of being discriminated, judged, bullied, and harassed in their daily lives. In a 2016 survey of trans women in urban centers, **53.49%** of the respondents said a family member had tried to force them to get married in the past, and **48.85%** have felt they needed to **leave home because of their SOGIESC**. In a 2015 survey, **17% of heterosexual parents** interviewed said they would **force their children** to date the opposite sex and ultimately may force them into a marriage, ignoring the fact that forced marriage is in breach of the Cambodian Constitution

General public perceptions of LGBTIQ people

A 2015 statement by the Ministry of Information **called all media to stop mocking the LGBT** community. It was followed in 2017 by the creation of a **committee to observe and receive complaints** from auditors witnessing discriminatory content in the media. **Pride celebrations have been organized in Cambodia since 2009**, with increasing visibility and participation. CCHR’s 2017 survey encouragingly highlights that rainbow families report high levels of acceptance from their communities. Despite this, persistent discrimination and exclusion continue to hamper the realization of the rights of LGBTIQ people.

Bullying and exclusion in schools

A 2015 survey revealed that **62.71% of respondents experienced bullying** at any point during their time in **school**, and 93.59% of them felt the bullying was either partly or entirely because of their SOGIESC. In addition to other forms of bullying, widespread gendered uniform policies make LGBTIQ children feel particularly uncomfortable. In 2015, the Cambodian Ministry of Education, Youth and Sports (“MOEYS”) partnered with NGOs to **conduct sensitivity training for teachers** in order to combat bullying of LGBTIQ youth. In 2017, the MOEYS, in partnership with NGOs, developed a proposed **new “Life Skills” curriculum** that offers inclusive instruction on LGBTIQ issues, sexual education and GBV. It is meant to become part of the mandatory curriculum in public schools **and is scheduled to be available nationwide by 2023**.



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Sexual Orientation, Gender Identity and Expression and Sex Characteristics Rights & Sexual Reproductive Health and Rights in Cambodia.

CHALLENGES	IMPACT
Gender-based violence	In 2014, The Ministry of Women’s Affairs’ five-year strategic plan noted that bisexual women and trans persons are among the most vulnerable groups in society, facing a higher risk of discrimination, stigma and GBV. In a 2016 survey, 92% of trans women surveyed experienced verbal abuse , 43% physical violence , 31% sexual assault , and 25% rape . In addition 38.7% of transgender women surveyed by CCHR had been arrested by the police at least once, of which 91.67% believed the police arrested them because of their gender identities , and 33.58% reported having been wrongly accused of a crime.
Discrimination in accessing employment	LGBTIQ people in Cambodia face discrimination in accessing and keeping employment , as well as discrimination and exclusion in the workplace . 34.35% of all transgender women surveyed by CCHR in 2016 reported having been refused a job because they are transgender and 26.72% reported having been previously harassed or bullied by a boss or colleagues on the basis of their SOGIE.
Economic situation of LGBTIQ people	LGBTIQ people in Cambodia work principally in certain marginalized sectors , which prevents them from escaping the cycle of poverty. This is exacerbated by widespread family rejection and exclusion in schools and the wider community. CCHR’s study and other research also indicated these narrow career sector choices might also partially result from internalized self-limitation developed by transgender women within the wider context of social discrimination.
Discrimination against LGBTIQ sex workers	Of those who reported engaging in sex work at some point in the past, 95.74% have been verbally harassed, 91.3% physically assaulted and 85.11% sexually assaulted while engaging in sex work.

RECOMMENDATIONS

1. Adopt specific policies of non-discrimination on the basis of SOGIESC across all Cambodian public services, in priority in the education system (in line with SDG 4), health sector (in line with SDG 3), in the media, and in the police departments at the local and national level (in line with SDG 16), by 2020. [Rec vii.]
2. Establish child protection mechanisms in schools to ensure that they are capable to monitor and respond to SOGIESC-based discrimination and violence, before 2020. [Rec viii.]
3. Ensure that all students are permitted to choose to wear school uniforms which conform to their self-defined gender identity, in public and private education systems, by 2020. [Rec ix.]
4. Amend Article 12 of the 1997 Labor Law to include a provision prohibiting discrimination in employment on the basis of SOGIESC, in public and private employment, including in relation to vocational training, recruitment, promotion, dismissal, conditions of employment and remuneration, by the end of 2021, in line with SDG 8.5. [Rec x.]
3. Implement initiatives aimed at ensuring LGBTIQ people’s right to work, including vocational training programmes. [Rec ix.]
6. Ensure the effective protection of LGBTIQ people who engage in sex work, in line with SDG 8. [Rec xii.]

- *Please refer to the full joint-submission on SOGIESC rights and SRHR for comprehensive recommendations. -



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