



ស្ត្រីនិងច្បាប់
WOMEN IN LAW

Compendium Report

Women in the Law: Enhancing Leadership, Opportunities,
and Knowledge

July 2019 - March 2020

Organized by:



CSHL
Center for the Study
of Humanitarian Law

Stanford | Center for Human Rights
and International Justice

Supported by:



British Embassy
Phnom Penh



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womeninlaw-kh.org

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Overview of Women in Law Program and the Compendium Report

The Center for the Study of Humanitarian Law (CSHL) at the Royal University of Law and Economics (RULE), in collaboration with the Center for Human Rights and International Justice at Stanford University (Stanford Center), and with the generous support of the British Embassy in Cambodia, is pleased to invite you to enjoy and utilize this Research Compendium on Women in the Law in Cambodia.

Although the rule of law is fundamental to Cambodia's development in the long term, gender equity is sorely missing from its structural features. As with many areas of public life in Cambodia, one key challenge in the legal sector is the marginalization of women. In our prior work in legal education, one of our biggest challenges has been encouraging women to actively participate, from the classroom to the courtroom or law firm. We are determined to change that, and so we organized the Women in Law program. The project thus builds on our previous educational work, but expands it through a stronger gender focus and particular attention to professional development, mentoring, leadership, and networking which will establish the place of women in the legal sector for years to come.

The Women in Law program brought together hundreds of women in three different large-scale public events and four smaller, intensive research workshops held in Phnom Penh since August 2019. The program concludes with a final event on 3 March 2020, in the days before International Women's Day 2020, celebrating the outputs of the full program with the publication of this research compendium.

The compendium includes a policy report based on data and interviews gathered by the program partners at CSHL and the Stanford Center; four policy briefs written by research seminar participants; summaries of an informational booklet and video created by the seminar participants; and six reflection essays from interns who worked at Phnom Penh law firms through a placement program organized by the Women in Law project.

All of the materials included in this research compendium, as well as the booklet and videos presented at the concluding event, will be shared and distributed online via the Women in the Law Digital Forum. This online tool is intended to carry forward the resources gathered over the last nine months of the the Women in the Law initiative to make sure they are available for any future use by students, researchers, lawyers, and stakeholders.

Website : womeninlaw-kh.org

About the Project Partners and Donor

This project was funded entirely with the generous support of the British Embassy in Phnom Penh. Thank you to H.E. Ambassador Tina Redshaw and her team.

The Center for the Study of Humanitarian Law (CSHL) was established in August 2014. CSHL is an independent and non-monitoring university-based research center attached to the English Language Based Bachelor of Law program (ELBBL) at the Royal University of Law and Economics (RULE). CSHL is committed to advance knowledge and understanding of human rights and international humanitarian law through rigorous research, high quality education and academic collaboration. CSHL's mission is not possible without the generous support from the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI), RULE, and our partners.

Stanford University's Center for Human Rights and International Justice equips a new generation of leaders with the knowledge and skills necessary to protect and promote human rights and dignity for all. Reflecting a deep commitment to international justice and the rule of law, the Center collaborates with partners across Stanford university and beyond on innovative programs that foster critical inquiry in the classroom and in the world. Since its founding nearly two decades ago, the Center has engaged with international and national war crimes and human rights tribunals, truth commissions, memorial sites/archives, and victim communities. The Center pursues its mission through a range of international programs including justice sector capacity-building initiatives, civil society outreach efforts, trial monitoring, expert consultancies, and archival resource development, with a focus on transitional justice initiatives and new technologies.

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Women in the Law: Policy-oriented data collection and recommendations to establish female leaders in the Cambodian legal sector

Daniel Mattes, Muy Seo Ngouv, and Somaly Kum

Overview

Through a joint partnership supported by the British Embassy in Phnom Penh, the Center for the Study of Humanitarian Law (CSHL) at the Royal University of Law and Economics (RULE) and the Center for Human Rights and International Justice at Stanford University (Stanford Center) have implemented a nine-month program called “**Women in the Law: Enhancing Leadership, Opportunities, and Knowledge**”. Over the course of several public events, a series of focused workshops, student internships, and research trainings, the program has sought to develop the skills of female legal professionals and law students, and establish women as leaders, researchers, and educators in the Cambodian legal sector. This culminates with the publication of this report within a compendium volume that also includes the research briefs and projects of a group of twenty dedicated young researchers and students known as “**Community of Practice**” participants.

Strengthening the position of women within legal professions requires a comprehensive examination of the current situation. This brief report collects and organizes available data concerning the proportion of women in positions across several sectors relevant to the law in Cambodia, including judges, prosecutors, lawyers, the civil service, and educational institutions. This report also incorporates discussion of the national policies and statements of the Royal Government of Cambodia (RGC) regarding female empowerment in the legal and political spheres, notably its Neary Rattanak IV strategy from 2014 to 2018, and the ongoing development of that strategy’s fifth installment for 2019 to 2023, as well as the RGC’s sixth periodic report to the United Nations Committee on Elimination of Discrimination Against Women (CEDAW Committee), issued in 2018.

The report then presents some comments from men and women working within the legal sector and civil society concerning their views on the current situation of women’s position in the legal profession and its impact on access to justice. These comments were collected through nine individual interviews, primarily conducted via telephone or email and occasionally in person. The respondents included two male judges, one male deputy prosecutor, two female lawyers, one male civil society advocate, and three female civil society advocates.

The respondents were each presented with a summary of the data included in this report and asked the same four questions concerning their views on the current situation facing women, as well as their observations about the way women are treated in the legal sector, whether as professional colleagues in the courtroom or as victims or defendants who are parties to legal proceedings.

Finally, this report provides a set of specific recommendations. These recommendations were first collected at the Women in Law Forum, an event held in August 2019 with more than 80 participants at Himawari Hotel in Phnom Penh, and they have been developed through the course of subsequent workshops and events of the Women in Law program. These recommendations were further supplemented by the nine interviews conducted for this report.

Through this report's thorough examination of the current situation in terms of data, public policy and stakeholders' perspectives, the CSHL and the Stanford Center are now better equipped to define the situation and challenges facing women's further involvement in legal professions and positions of leadership. This publication is shared in hard copy and online in the week leading up to International Women's Day 2020, to highlight the need for growth in female legal practitioners, not only in number but also in rank and responsibility. The strong networks highlighted through the Women in Law program suggest that there will indeed be continued attention to the active and genuine promotion of women in the legal sector, but this report and its recommendations further describe the actual situation and provide some concrete steps in resolving the inherent inequity of the status quo.

Data on Women's Positions in Government, the Legal Sector, and Legal Education

While there has been some progress in promoting the role of women in society and within various professions, the percentage of women participating at all levels of the public sector remains low. In particular, female representation in the National Assembly, Senate, and on commune councils remains significantly low, with women comprising only 20% of the National Assembly, 15% of the Senate and 18% of the commune councils (Croissant 2016, 26-27). This deficiency could lead to a lack of participation by women within policy processes and thus a lack of gender-sensitive development policies.

According to the Ministry of Women's Affairs Neary Rattanak Newsletter for March 2018, the statistics of female civil servants working in ministries and public institutions show that women are under-represented at national and subnational levels in almost every government ministry. For example, women hold 24% of positions at the Council of Ministers, 24% in the Ministry of Rural Development, 28% in the Ministry of Economy and Finance, 17% in the Ministry of Land Management, Urbanization, and Construction, and 23% in the Ministry of Agriculture, Forestry, and Fisheries (Neary Rattanak Newsletter, 42-43). The Minister of Women's Affairs, H.E. Dr. Ing Kantha Pavi, has explained that, compared to 2016, there was a 1% increase in the number of women working as civil servants in 2017. Specifically, out of 214,010 civil servants across the government, 41% of them were women. Within that percentage, 31% of them were female civil servants working at the national level while 43% of them work at a sub-national level (Cambodian National Council for Women 2018, as cited by Fresh News 2018).

With regards to the number of women in Cambodia's justice sector, statistics show that, as of 2018, there were only 37 female judges, 23 female prosecutors, 165 female clerks, two female bailiffs, and 286 female lawyers, which proportionally were all below 25% of the total numbers within each sector (Neary Rattanak Newsletter, 44). Data for these positions is included from 2013 to 2018 and organized in the table below. Notably, as of February 2018, there were only three female judges on the Supreme Court and two on the Appeal Court (Cambodian National Council for Women 2018, as cited in Kijewski and Yon 2018). From those statistics, we can see that there is an urgent need in promoting the role of women across all sectors, especially in the legal sectors since women have special needs when they come into contact with the law, whether as victims, defendants, or witnesses. These matters could be addressed in a more effective way with greater numbers of women working in the various professions of the law. In addition, even if the absolute numbers or proportions of women may eventually increase across the legal professions, it is also necessary to further examine their ranks. Increasing the number of female lawyers or prosecutors is vital, but if they all remain low-level or stuck at the 'assistant' or 'deputy' level, then a secondary challenge of power imbalances remains. This issue was raised by multiple interviewees, as will be discussed below.

Number of Women in legal Professions

	2013	%	2014	%	2015	%	2016	%	2017	%	2018	%
Judge	37 / 265	14%	33 / 252	13%	40 / 278	14%	40 / 278	14%	38 / 265	14%	37 / 261	14%
Prosecutor	15 / 147	10%	16 / 140	11%	23 / 184	13%	23 / 184	13%	23 / 180	13%	23 / 177	13%
Clerk	139 / 630	22%	159 / 687	23%	153 / 630	24%	159 / 686	23%	165 / 766	22%	165 / 752	22%
Bailiff	-	-	-	-	-	-	2 / 27	7.4%	2 / 27	7.4%	2 / 27	7.4%
Lawyer	158 / 866	18%	-	-	-	-	-	-	206 / 1019	20%	286 / 1366	21%
Notary	5 / 15	33%	-	-	-	-	-	-	9 / 20	45%	-	-

Even at an earlier stage than professional work, in legal education, it is clear that there is a challenge in bringing women into the legal profession. According to available data provided by the Vice Dean of the Royal University of Law and Economics (RULE), female students constituted only 37.1% of the undergraduate student body in the 2018-19 academic year. This percentage increased by 3.4% from two years before in 2016-17. Meanwhile, 27.8% of graduate students in 2018-19 were female. This is organized in the table below.

Number and Proportion of Female Students in Law Programs at the Royal University of Law and Economics (RULE) from 2016 to 2019

	2016-17			2018-19		
	Total Law Students	Female Students	%	Total Law Students	Female Students	%
Undergraduate	4284	1445	33.7%	5460	2025	37.1%
Graduate	N/A		-	546	152	27.8%

The data for the 2018-19 academic year can be broken down further, to understand if there is any notable difference between the courses of study and across the four years of the undergraduate Bachelor of Law degree. At RULE, there are LLB programs taught in Khmer, English (known as ELBBL), and French. These programs begin in Year 2 of the LLB, and students must pass special examinations in order to enter the programs. There is also a Japanese-language program, but that program has not been included in this data set, and it is smaller in student numbers than either the ELBBL or the French program. The breakdown of female students across the three LLB programs can be found in the table below.

Female Students by Course in LLB Programs at RULE in 2018-2019

	Total Students	Female Students	%
Total	5460	2025	37.1%
Khmer	5112	1830	35.8%
English	246	141	57.3%
French	102	54	52.9%

Notably, the smaller programs in English and French-language exceed parity in terms of female student enrollment, while the largest, main Khmer-language course is below the average of 37.1% female enrollment across the law faculty. If the foreign-language LLB programs are able to attract female students in such numbers, what can be done then to improve the situation of parity across the full law school?

Furthermore, another key question remains, relating to female law students' continued enrollment through the four years of the undergraduate degree. Participants at Women in Law program events regularly raised anecdotal evidence of female law students dropping out of their study before graduation due to family or personal pressures. Specific data on the official graduation rate in the law faculty at RULE would ensure greater understanding of the situation facing the women who study law, which would in turn inform any discussion of women entering the legal profession after graduation. However, RULE has supplied data on the number of law students in each of the four years of undergraduate study in the academic year 2018-19. This data, broken down by language course as well, is below.

Female Students by Year and Course in LLB Programs at RULE in 2018-2019

	Y1			Y2			Y3			Y4		
	Total	Female	%	Total	Female	%	Total	Female	%	Total	Female	%
Total	1887	694	36.8%	1584	606	38.3%	1111	408	36.7%	878	317	36.1%
KH.	1887	694	36.8%	1459	533	36.5%	998	345	34.6%	768	258	33.6%
EN.	0	0		82	53	64.6%	85	48	56.5%	79	40	50.6%
FR.	0	0		43	20	46.5%	28	15	53.6%	31	19	61.3%

While it would be more useful to be able to track the data of matriculation within a single class of students, to examine how they progress through the four years of their LLB degree programs, a number of observations can be inferred from the data table above. Firstly, it is notable that the total number of students drops significantly through each year of study, from 1887 in Year 1 to 878 students in Year 4. That is a large drop, of 46.5%, of the students in each class, across the three LLB programs. The drop-out rate of female law students across the same years is actually slightly under this amount, with 694 female law students in Year 1 dropping to 317 female law students in Year 4, for a total drop of 45.7% of the female law students. It is also notable that the English and French language courses retain their students, including their female students, more successfully, with similar numbers of students remaining across each of the three years of those programs. The above data is not clear when it comes to determining the overall female graduation rates. This would be vital to any assessment of retention of female students within higher education. Nonetheless, any data concerning student numbers and rates would not be able to explain the different reasons why female students choose to drop out of their studies in the law, as opposed to male students. Participants in the Women in Law program and interviewees for this report suggested that female law students bear far more pressure from their families and from cultural norms to find a better career path or get married and build a family of their own. Further qualitative assessment is required to resolve this question of cultural and familial burden.

Although the above data is not comprehensive enough, it does signal that the challenge of female representation within the legal profession starts earlier. Female leadership in faculty and administration at institutions of higher learning is also relevant. At the August 2019 Forum on Women in the Law, Professor Buoy Thida, Vice Dean of RULE, spoke on a panel and noted that of the nine people in the university's higher administration, she is the only woman. It should also be noted that the paper from Teng Seavlang, Ratt Lean and Seu Chakriya on female representation in the management of higher education in Phnom Penh, included alongside this one within this published compendium, deals specifically with the question of whether limited female representation at the management level in higher education in Cambodia impacts the opportunity for women to study in higher education, although their attention is across all faculties, not only law schools.

The data regarding the gender breakdown of the RULE student body is neither readily available nor easily accessible, as the RULE administration does not publish the data regularly and it must thus be requested through internal channels. It would be beneficial to publish this information regularly through public platforms in order to strengthen conversations about women's presence in the university's classrooms. Nonetheless, this report offers a unique chance to share this data in a publication, and the authors are grateful to RULE's administration for its willingness to share this information for further public discussion. Although RULE is the largest law faculty in Cambodia, there are dozens of other law faculties which should be studied as well, in both public and private universities. Further research should turn to those institutions — National University of Management, Panassastra University of Cambodia, University of Cambodia, Build Bright University, Norton University, and more — in order to aggregate a wider set of data and even more accurately address the question of gender parity in the country's law schools.

The data listed thus far emanates directly from RGC sources, the Bar Association of the Kingdom of Cambodia (BAKC), or the administration of RULE. However, international metrics also measure gender disparities in the country, both generally and specifically within the political and legal sectors. In the 2020 Global Gender Gap Index (GGG) of the World Economic Forum (WEF), Cambodia has increased its score since 2006, marking a general move towards greater parity between genders. The 2020 and 2006 GGG indexes have each ranked Cambodia as 89th in the world although the total number of countries included has increased. Generally, this trend is a positive one (WEF 2019). However, Cambodia falls behind when compared to its region: it remains ranked 7th out of the 10 countries within the Association of Southeast Asian Nations (ASEAN). Even more disappointingly, within the GGG's political empowerment sub-index in the same period since 2006, Cambodia has actually fallen in rank from 94th to 119th in the world since 2006. This sub-index measures the ratio of women to men in parliament, in ministerial positions, and as a head of state. Other data collected in the main GGG index relates to the labor market, finance, civil and political freedom, families, health, and education. Notably, the GGG draws upon the 2017 Gender Institutions and Development Database (GID-DB) of the Organization for Economic and Cooperation and Development (OECD) to measure the "right to equal justice" by examining whether women and men have the same rights "to provide testimony in court, hold public or political office in the judiciary and sue." The GID-DB measures Cambodian women's "right to equal justice" at 0.75 on its scale of 0 to 1, with 1 being the worst. According to the GGG, a score of more than 0.5 means "women do not have the same right as men to hold public or political office in the judiciary," and the score of 0.75 signifies, "Women and men have the same rights to sue. However, a woman's testimony does not hold the same evidentiary weight as a man's in all types of court cases" (WEF 2019, 52-53). Not only does this kind of data demonstrate the gender gap in terms of proportional parity, but it also suggests that the inequity in terms of numbers of female legal professionals and leaders is connected to greater inequity in terms of women's access to justice.

Statements and Policies of the RGC and Responses from Civil Society

Article 45 of the Constitution of the Kingdom of Cambodia guarantees gender equality and prohibits all forms of discrimination against women, and Article 31 specifically references a respect for the United Nations convention on women, or the Convention on the Elimination of Discrimination Against Women (CEDAW), of which Cambodia is a signatory state.

Furthermore, Cambodia has made commitments and issued targets to meet the United Nations Sustainable Development Goals (SDG) by 2030, including SDG 5 which aims to “achieve gender equality and empower all women and girls.” Relevant to this report, the RGC has committed to targets 5.5, to ensure full participation in leadership and decision-making, and 5.C, to adopt and strengthen policies and enforceable legislation for gender equality. The RGC has also committed to SDG target 16.7, to ensure responsive, inclusive and representative decision-making. In its targets for SDGs 5.5, 5.C, and 16.7, the RGC has committed to achieving, by 2030: a proportion of seats held by women in legislative institutions of 35%, a proportion of female Secretaries and Under-Secretaries of State of 31%, a proportion of women in commune councils of 30%, a proportion of female government officials in ministries and agencies at parity of 50%, and having all agencies and ministries implementing a Gender Mainstreaming Strategic Plan (Royal Government of Cambodia 2018).

The Cambodian Ministry of Women’s Affairs (MOWA) has recently initiated its fifth installment of Neary Rattanak, its five-year strategic plan on gender equality for 2019-2023. As of February 2020, this strategy was still being drafted and has not yet been published. However, the MOWA often points to Neary Rattanak IV (2014-2018) as evidence of its efforts thus far to empower women in Cambodia. Included among many details on women’s economic empowerment, greater access to education for women and girls, access to healthcare, and efforts to prevent violence against women, Neary Rattanak IV includes a focus on gender mainstreaming and increasing women in decision-making and policy. The goal of the strategy is to cover multiple issues and raise gender as a cross-cutting element which impacts matters of the economy, the legal sector, public safety, and more. This platform of the RGC’s efforts on gender issues was further presented by H.E. Dr. Ing Kantha Phavi, Minister of Women’s Affairs, in her attendance as opening speaker at this program’s Women in the Law Forum in August 2019.

In “Leaders: Women in Public Decision-Making and Politics”, one of the MOWA Cambodia Gender Assessment’s policy briefs published as a companion to the publication of the Neary Rattanak IV strategy in 2014, the MOWA working group notes, “Progress has been made in the past five years [since 2008], however men continue to hold the vast majority of positions in the Judiciary” (Cambodia Gender Assessment 2014, 4). The policy brief highlights the various causes of the lack of female empowerment across political and judicial spheres: deeply entrenched traditional gender roles, negative stereotyping, discrimination in hiring and promotions, and absence of temporary measures such as quotas to catalyze greater participation (Cambodia Gender Assessment 2014, 11-13). The recent European Development Cooperation Strategy for Cambodia 2014-2019 notes, “the Prime Minister emphasised increasing the ratio of female civil servants in decision-making positions at the national and the sub-national level, through affirmative action in recruitment and promotion procedures...[and] a Strategy to Promote Women in SNA Management Positions was signed and put in place in April 2017” (European Development Cooperation 2019, 12). However, no such effort at affirmative action or any “special measure” has been promulgated within the legal sectors, especially within the Royal Academy of Judicial Professionals (RAJP).

The Cambodian NGO Committee on CEDAW (NGO-CEDAW), made up of more than 30 non-governmental organizations, aims to “monitor and promote the implementation of CEDAW in Cambodia and to engage in advocacy.” NGO-CEDAW issues shadow reports in response to the RGC’s periodic reports on the CEDAW. In NGO-CEDAW’s submission to the Pre-sessional Working Group for the March 2019 session of the RGC’s CEDAW Committee, the civil society group calls for more “temporary special measures” to “counter implicit bias” in political parties and in professional settings. As NGO-CEDAW submitted, “The sooner women are placed into positions of power, the sooner their presence will be able to change gender norms and encourage new generations of women leaders. NGO-CEDAW suggests that the RGC adopt effective legal and practical measures to guarantee that 35 percent of government decision-making positions will be filled by women by 2023.”

This argument concerning the need for “temporary special measures” was raised and discussed at the August 2019 Women in Law Forum, and it came up again in multiple interviews held for the purpose of assessing the data in this report.

Qualitative Interviews and Analysis

Following the collection of data concerning the numbers and proportions of women in various political and judicial offices, as well as in legal education, the authors of this report turned to legal practitioners to engage their perspectives on the matter. The authors reached nine individuals for interviews conducted via telephone, email, or in person. The interviewees, who will remain anonymous for the purpose of this report, included the following nine individuals:

No.	Gender	Position	Location
1	Male	Judge	Siem Reap Court
1	Male	Judge	Kampong Chhnang Court
1	Male	Deputy Prosecutor	Tbong Khmum Court
1	Male	Staff, international NGO	Phnom Penh

2	Female	Lawyer	Phnom Penh
2	Female	Director, local NGO	Phnom Penh
1	Female	Staff, local NGO	Phnom Penh

The interviewees were each presented with a summary of the data included in this report and asked the same four questions concerning their views on the current situation facing women, as well as their observations or any experiences of women’s treatment within a professional legal setting. Finally, they were asked for their recommendations. The questions asked to them are listed in the table below.

No.	Questions
1	What are your views on the data collected regarding the numbers and proportions of women working in various legal sectors (lawyers, judges/prosecutors, etc)?
2	Can you please share one or two professional experiences and challenges you have faced personally as a woman, or which you have seen women face?
3	In general, how do women interact with the law and legal system in Cambodia? Have you had any representative experiences of this yourself in the court room, e.g. experiences with female clients, lawyers, prosecutors, witnesses, judges, parties, etc.?
4	Do you have any recommendations for changing the role or perception of women in the legal sector in Cambodia today?

All nine respondents recognized that the number of women in legal professions is lower and disproportionate. The male judge in Siem Reap provided specific details of the gender breakdown in the court there: of 14 judges, only one is female (7%); of eight prosecutors, there is only one female deputy prosecutor (12.5%); of 48 clerks, only 12 are female (25%); and, he estimated only about 10-20% of lawyers practicing across all types of cases in Siem Reap are female. These numbers are, of course, even farther behind the national statistics described above.

Interestingly, the two male judges and the male prosecutor all stated that there is no unequal treatment by other legal practitioners towards female legal professionals. They believed that there are other causes for the challenges of working as a woman in the legal sector: the limited knowledge of female defendants and parties; the difficulty for a female practitioner to confront a male party directly; the challenge for female prosecutors or lawyers to travel for field investigations due to safety issues or family responsibilities. The deputy prosecutor in Tbong Khmum also noted that social assumptions remain that a woman seeking higher legal office will likely stay single instead of getting married and forming her own family.

Meanwhile, the female respondents all gave concrete examples of discrimination or a difference in the way female professionals, defendants, victims, or witnesses are treated. One female NGO director described her experience as a witness in a politicized case where the courtroom was entirely made up of men who were intimidating as they questioned her. A female lawyer raised the same issue, and she also discussed the way that she was dismissed as “too feminist” for expressing her view that women should not always be asked to do the same specific tasks which men never do. She suggested involving more men in the process of promoting gender equality to understand gender sensitivity as well as their own roles in changing the status quo. The second female lawyer explained how men’s easy access to better networks and ability to meet late at night or in certain male-dominated social settings means they can often win over a client more easily. She also described the directness of male judges’ questions and pre-judgment toward female clients, stating, for example, “You must have done what your husband said you did. That’s why he hit you.” On a positive note, however, she noted that young male judges tend to be more gender-sensitive than senior judges. The female NGO director explained how some victims of gender-based-violence have reported being ridiculed and re-traumatized by insensitive courts.

Almost every respondent emphasized that female practitioners “are most likely to have an impact on legal issues affecting women’s interests,” as one local NGO director put it (citing Gorman 2008). This respondent explained that “the lack of female representation can be construed as a barrier to access to justice for women.” It was interesting that, while the female respondents generally raised this point as evidence of the need for women to be involved generally and at all levels of the legal system, the male respondents who discussed it saw women as necessary to deal with women’s issues which their male counterparts could not address well. The men also did not signal any need or willingness for husbands to relieve the domestic pressures on working women when it comes to raising a family or taking care of the household. While all respondents agreed women should be brought into the legal profession, the male respondents implied that women could somehow focus better on women’s issues and women clients. The male judge in Kampong Chhnang suggested creating a specialized court for female defendants with a special system to resolve problems for them.

When those male respondents present suggestions of creating special measures to make it easier for a female professional to work near her family, to limit women's need for field work, or to hire women to work with women defendants, they signal their lack of awareness of the inherently unequal social and cultural norms at play. Tellingly, when the male respondent from the international NGO was asked about examples of discrimination in practice, in the way women interact with the law, he declined to answer, stating it was not his area of knowledge and thereby implicitly showcasing a privileged lack of awareness of discrimination in the system around him.

When asked for recommendations, the male respondents focused on straightforward measures to ease the work-life balance for professional women who have responsibilities at home. One male judge pushed for special housing to be provided to female judges and prosecutors who must change their assigned locations regularly. The other male judge called for a target of 40% women across legal professions, but he argued against setting a quota for women. The female respondents all called for a more aggressive target of an even 50-50 split, and they raised the various cultural and social challenges which must be addressed in order for women to enter the workforce as legal professionals. They also called for trainings about gender sensitivity, gender based violence and sexual harassment and gender discrimination. Finally, the female local NGO director recommended temporary measures of affirmative action, and she called for Cambodia to enact an anti-discrimination law which explicitly prohibits all discrimination on the basis of sex, gender, sexual orientation, or gender identity. She noted her commendation that the RGC has already accepted this recommendation to pass such a law at the recent Universal Periodic Review before the UN Human Rights Committee.

Concluding Remarks

The nine-month Women in the Law project has provided an opportunity to probe these issues in greater depth, and they of course have provided more questions than answers. This brief report similarly suggests multiple areas for further research, wider data collection, and critical analysis. The overriding evidence — demonstrated repeatedly in public events, data and interview analysis, and government policy research — suggests a clear nexus between social norms of discrimination and family expectation and the lack of female participation or leadership in the political and legal spheres. As happens often when it comes to the Law in Cambodia, what looks great on paper — for example, the Constitution, the criminal code's legal protections and stated equality under the law, and the government's Neary Rattanak strategies — is not always actualized and put into practice. This explains the calls for more proactive and aggressive strategies from the women who have joined the Women in the Law program, as well as from those interviewed and surveyed in this brief report. A call for parity in the legal sector should be considered righteous, not radical. The government's stated plan to codify a clear anti-discrimination law should be followed up.

More networking events, research opportunities, and programs for professional and personal development should be organized. While such programs should be led by women, they must include men in the discussions and recommendations. The findings across the Women in Law program again and again indicate the need for men to get involved. Women cannot shoulder the burden of ending discrimination alone. Men play an important role — in the home, in the workplace, in government and in daily life — in fighting discrimination against women. Gender equality is and must be a joint effort of men and women together. This is an issue for all of society.

Recommendations

As stated earlier, these recommendations are constituted from participants' suggestions first presented at the Women in Law Forum in August 2019, then reiterated and further developed through the Community of Practice program's discussions, the December 2019 event, and recommendations presented in the interviews conducted for this paper.

1. **Promotion of women in higher education**
 - a. Build dormitories for women to stay if they come to Phnom Penh for work or study
 - b. Increase scholarships from government and NGOs
 - c. Institutions of higher education should keep track of the number of female students in their courses and departments, and should utilize public platforms and social media to transparently share this information with the public.
2. **Promotion of women in legal institutions**
 - a. Create a “special temporary measure” of quotas to use affirmative action to speed up the hiring and training of women as judges, prosecutors, clerks, bailiffs, police, and lawyers
 - b. Develop a merit-based professional track system which objectively ensures women are promoted and reach senior positions rather than remaining stuck as assistants or deputies
 - c. Involve men in every element of a gender-sensitive system to avoid self-segregating; ensure men receive gender sensitivity trainings and take on work related to female clients as well
3. **Promotion of women across workplaces**
 - a. Provide on-site nurseries or childcare
 - b. Should provide equal amounts of paternity leave and maternity leave
 - c. Provide workshops to support staff's work and capacity-building
4. **Promotion of mechanisms to eliminate discrimination and violations**
 - a. Codify an anti-discrimination statute
 - b. Promote and publish the rights and laws related to women and minorities
 - c. Increase national budget to promote gender mainstreaming
 - d. Change behavior at an institutional or company level
 - e. Strengthen teamwork through education and training.
 - f. Promote positive parenting and gender sensitivity at home
 - g. Incorporate gender studies and women's experiences into education, from primary school through university

- 5. Promotion of professional networking opportunities**
 - a. Create opportunities for female professionals to meet**
 - b. Strengthen opportunities for young women (law students, recent graduates or young professionals) to engage with and learn from older, senior female mentors**
 - c. Build internship programs into all women-led law firms**

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Community of Practice projects

Brief 1: Female Representation in the Management of Higher Education in Phnom Penh

By Teng Seavlang, Ratt Lean and Seu Chakriya

Introduction

In the last century, gender inequality has been an important issue to address in the contemporary world. Measures are taken by different countries and in different forms in order to ensure an equal representation of males and females. The concept of gender inequality is broad and spans across many sectors which often embed a gender-biased culture. Particularly in the field of management of various sectors like in education or private companies, the gender imbalance is apparent, and for male-dominated sectors like higher education, female leaders are comparably low. In developed countries like in Europe, the numbers of females in management of higher education show a steady increase in the last decade, however, according to the European University Association, in 2019, 14% of rectors in 46 countries with EUA members are female, compared to 86% being male and a 36% increase in females applying to be rectors between 2014 and 2019 (EUA, 2019). Despite the increase, there is still a gender imbalance in the management of higher education. In the United Kingdom and Australia, for instance, this issue has been prevailing. In the UK, a number of factors contribute to the lack of representation in their universities including barriers in the recruitment process, a lack of external career capital, and conservatism (Shepherd, 2017). A study on the same issue in Australia also found similar structural factors in addition to the perception in leadership and management and cultural barriers causing females to be underrepresented in higher education (Pyke, 2013).

The abovementioned countries are mostly developed countries in which a general awareness of gender equality has already been promoted, but there are commonalities where developed and developing countries may overlap, particularly on the cultural and structural causes of the lack of female representation. For developing countries, though, this issue might not even be brought to light, let alone finding measures to promote female representation in the management level of the university. Gender inequality itself is a difficult issue to address for a developing and culturally-bound country like Cambodia. Even access to education has been a challenge for Cambodian females. Several measures have already been taken to give females the chance to acquire education at all levels. People acquiring higher education are still at low levels, and there are not enough resources and facilities to provide undergraduate study and above. In Phnom Penh, there are only 39 universities providing higher education (MOEYS, 2019).

Not to mention, females in the management of universities, like Australia and various other countries, are still under-represented and lower in numbers compared to their counterparts. This research brief will attempt to raise awareness on this issue by providing empirical evidence, finding the gap between national and university policies and suggesting possible measures to tackle this issue.

Methodology

In order to find the answers, this research follows a qualitative approach and uses both primary and secondary data. Our primary data was collected through desk research which is gathered from the websites of each university and governmental portal for official data while our secondary sources will be from journal articles, news and non-governmental organization (NGOs) data.

Our methodology is divided into two main methods; one is accessing universities and two is connecting the national agenda with the university's. The first main method is the selection of universities to screen on their management board which will be done by going through those universities' websites and information available from the websites. Due to limited resource, we will only look at universities located in Phnom Penh which provide higher education degrees including bachelor's degree and/or master or doctoral programs, and the gathering of data will be mainly conducted through desk research. We will be going through 39 universities' websites in Phnom Penh with the goal of: (1) finding the management board of each university and (2) understanding the internal policy of each university. In addition, we will identify the trend of female representation in the university's management from the data that we have gathered.

Secondly, we will analyse the national gender policy for employment in the education sector and the internal policy of the each university in order to find correlation, if any, between the two and to explore whether there is a gap between national policy and university policy in promoting gender balance in the management level, and this gap may contribute to reasons why there is a lack of female representation in the university's management. National policies taken into consideration will be from the Ministry of Women's Affairs, Ministry of Education, Youths and Sports and Ministry of Labour and Vocational Training. For university's internal policy, their vision and mission will be taken into account as they reflect the university's core value and action plan, and if available online, their strategic plan for education will also be analysed.

Limitation of the Research

Due to limited time and resource, this research brief's scope is limited to Phnom Penh's universities and available data online. It also does not cover the reasons why there are few females in the management structure of universities. The research only presents empirical data signifying that the numbers of females are indeed low and that this is an underlying gender issue which needs to be addressed. The research also explores the gap between national and university policy, raises awareness on this gap and suggests that this gap is one of the many causes of this issue. The suggested steps of action stated below for universities is only based on the authors' views after researching and understanding the trend in addition to informal consultation with mentors during Community of Practice training. This research brief opens the floor to various aspects regarding the issue which could be a subject for future research or analysis such as the impacts of lower female representation in the management structure of universities and policy recommendations on how to address this issue in coordination with the universities. This research brief addresses only one probable cause of the issue which is the gap between national and university policy, thus, further research can also be done more comprehensively to find the causes through in-depth interviews with relevant people or more review of journal articles. The causes of this lack of representation could be traced to many aspects including cultural barriers where women are often discriminated against in leadership positions, traditional masculine perceptions within the organization of the university and structural factors such as the recruitment and promotion process of the employees in the university. Further research can be expanded to figure out and explain these causes and their impacts on females themselves and their progress in their career in the university.

Findings Universities' Management Structures

After going through 39 universities' websites in Phnom Penh, we found that only 18 universities provide information on the management structure and members.

	Name	Website	No of Females/Total of the upper management*	Access Date
1	American University of Phnom Penh (AUPP)	https://www.aupp.edu.kh/board-of-trustees/	3/11	February 2020
2	Asia Euro University	http://aeu.edu.kh/site/page/12	0/7	February 2020
3	Build Bright University (BBU)	https://bbu.edu.kh/site/view_article/60	1/4	February 2020
4	CamEd Business School	https://cam-ed.com/about	1/ N/A*	February 2020
5	Human Resource University	http://www.hru.edu.kh/en/about-hru/governing-structure/	1/11	February 2020
6	Institute of Technology Cambodia (ITC)	http://www.itc.edu.kh/en/index.php/about/direction-boards.html	2/30	February 2020
7	International University	https://www.iu.edu.kh/bac/k/organizational-structure/	2/6	February 2020
8	Khmerak University	http://www.khemarak.edu.kh/?page=detail&menu1=215&menu2=378&ctype=article&id=378&menu1=378&lg=kh	1/ N/A*	February 2020
9	National University of Business (NIB)	http://www.nib.edu.kh/en/organizationchat.php	3 / N/A*	February 2020
10	National University of Management (NUM)	http://num.edu.kh/web/web/num/Pages?id=167	1/4	February 2020
11	Panha Chhet University	http://www.pcu.edu.kh/?q=node/89	1/6	February 2020
12	Pannasastra University of Cambodia (PUC)	http://www.puc.edu.kh/index.php/about-puc/governance-and-leadership	2/13	February 2020

13	Paragon International University	https://www.paragoniu.edu.kh/content/message-chairwoman	1/ N/A*	February 2020
14	Royal University of Agriculture	http://www.rua.edu.kh/index.php/de_aboutua/308587888/about	1/10	February 2020
15	Royal University of Law and Economics (RULE)	http://www.rule.edu.kh/docs/org_photo.html	2/17	February 2020
16	Royal University of Phnom Penh (RUPP)	http://www.rupp.edu.kh/content.php?page=management	1/7	February 2020
17	The University of Cambodia (UC)	https://uc.edu.kh/ucs/Governance%20&%20Leadership/2/4/	1/5	February 2020
18	Western University	http://westernuniversity.edu.kh/about-us/#manager	0/7	February 2020

Table 1: List of University with Management Structure Information on their Websites
**The numbers of females determined in this column, “No of Female over the Total of the Upper Management”, collected from the 18 universities are the amount of females in the upper management level found in the websites of those universities. It is important to note these numbers may not be entirely accurate as they are based on available data in the universities’ websites which may not be updated to the current employment of those universities. Also, some universities may present more data than the other universities, thus, these numbers are not the basis for comparison on whether one university has more female representation over the other. Despite the lack of clarity, these numbers were added with the main aim of depicting a general overview that the lack of female representation is indeed present in the higher education as expressly seen in their presentation to the public.*

**N/A means that the total number of the people in the upper management level cannot be clearly determined because the websites provide insufficient data or there is no data available to review.*

As mentioned, No of Females collected from these 18 universities represents only the number of females in the upper management level. The lower management is not included in the table due to lack of data from some universities' websites. While some universities provide data on the lower management level, we have found that only two universities have a majority of females working in the office; CamEd Business School and the University of Cambodia (UC), with the positions mainly in finance, academic affairs and human resources. Females in the upper management, on the other hand, mainly hold the positions of Vice President of Academic Affairs, Accounting and Finance with very few exceptions that are in a higher position as Vice Dean/Rector, Member of Board and Chairwoman. Notably, two universities, Paragon International University and American University of Phnom Penh, have females as the Chair of the Management Board.

The trend we have found lies in the position females hold in higher education. One is that female employees in higher education level are in gender-biased careers such as accounting and finance. The numbers of females in the upper management level are very few, which can be due to various reasons such as cultural and social aspects and females themselves. Another trend is the difference between national and international university standards of the universities. International standards here refers to universities which provide international standards of education in their educational programs and with cooperation with various international partners. Universities with international standard like Paragon International University, American University of Phnom Penh and CamEd Business School seem to have more female representation in their management structure. It is important to note that other universities also provide international standard programs, but we do not assess female representation for there is a lack of data from the websites and there are few international programs provided by those universities.

Correlation between National Policy and University Policy

In this part, policy on the issue from the following three ministries will be explored; the Ministry of Women's Affairs (MOWA), Ministry of Education, Youths and Sports (MOEYS) and Ministry of Labour and Vocational Trainings (MLVT). MOWA is the leading state institution to address the issue of gender inequality and promote gender mainstreaming into various sectors in cooperation with different ministries. Neary Rattanak and Cambodia Gender Assessment are two of their initiatives which provide an understanding of Cambodia's gender context and recommendations to ensure gender equality. The five-year strategy plan, Neary Ratanak (2014-2018) supports women to participate in all area of education service, from access to education under the 'Education for All' policy to management of the education sector and promoting gender-responsive social attitudes, as well as encouraging women's economic opportunities (MOWA, 2014). Their strategic plan requires coordination with MOEYS and MLVT; with MOEYS facilitating the higher education sector and MLVT encouraging female leadership in employment. MOEYS, in their strategic plan 2019-2023, promotes gender mainstreaming in the education sector by developing and providing higher education access to all and encouraging more female representation in education services (MOEYS, 2019). MLVT also includes gender sensitivity in their strategic plan 2017-2025 by giving opportunities for females to access education and vocational training, develop their capacity in work and specifically under Goal 3.2.1.2, promote gender equality by encouraging females to be professors or in a management team of educational institutions (MLVT, 2017). It is important to note that each ministry's policy does promote gender equality and gender mainstreaming in the education sector, particularly improving female's access to education. For higher education, access is comparably low to other stages of education with only 11.6% of 18-22 years enrolled in undergraduate study, of which 11.3% are female (MOEYS, 2019). Low rates of enrolment in higher education could lead to females getting less chance in obtaining higher positions in their careers or being employed in the management level. Many things could contribute to this, but it is evident that Cambodian females are less represented in higher positions like managers. According to the Cambodian Socio-Economic Survey (2017) by the National Institute of Statistics of the Ministry of Planning (MOP), out of the 10 occupations listed in Table 12 – Employed population aged (15-64 years) by main occupation and geographical domain in 2017, females in management careers only account for 0.4% or 16 thousands females while male managers are at 1.1% or 49 thousands males (NIS, 2018).

Main occupation	Cambodia		Phnom Penh		Other urban		Other rural	
	Women	Men	Women	Men	Women	Men	Women	Men
	Number							
Armed forces occupation	3	75	2	13	-	13	1	48
Manager	16	49	7	22	5	6	5	21
Professional	155	148	52	44	31	28	72	76
Technicians and associate professional	46	81	9	26	11	15	26	41
Clerical support worker	176	248	66	92	38	63	71	93
Service and sales worker	1,008	565	195	123	227	130	586	312
Skilled agricultural, forestry and fishery worker	1,391	1,279	7	6	66	55	1,319	1,218
Craft and related worker	989	1,112	139	109	95	145	755	857
Plant and machine operators and assembler	22	339	2	94	3	43	17	202
Elementary occupation	477	586	26	30	48	59	404	498
Total	4,283	4,483	503	558	523	558	3,257	3,367
	Percent							
Armed forces occupation	0.1	1.7	0.4	2.3	-	2.4	0.0	1.4
Manager	0.4	1.1	1.3	3.9	0.9	1.2	0.1	0.6
Professional	3.6	3.3	10.4	7.8	5.8	5.0	2.2	2.3
Technicians and associate professional	1.1	1.8	1.7	4.6	2.2	2.7	0.8	1.2
Clerical support worker	4.1	5.5	13.1	16.4	7.3	11.3	2.2	2.8
Service and sales worker	23.5	12.6	38.7	22.0	43.4	23.4	18.0	9.3
Skilled agricultural, forestry and fishery worker	32.5	28.5	1.3	1.1	12.5	9.9	40.5	36.2
Craft and related worker	23.1	24.8	27.6	19.6	18.1	26.0	23.2	25.5
Plant and machine operators and assembler	0.5	7.6	0.4	16.9	0.5	7.6	0.5	6.0
Elementary occupation	11.1	13.1	5.1	5.3	9.2	10.5	12.4	14.8
Total	100	100	100	100	100	100	100	100

Table 12. Employed population aged (15-64 years) by main occupation geographical domain and sex, 2017. Number In Thousands and Percent, Cambodia Socio-Economic Survey 2017 (NIS, 2018)

The data from the table of NIS does not specify managers of which sector but lists managers in general, but in higher education management, the number of females is indeed low as referred to in the above table. The policy of each ministry does not specifically address this issue but rather covers in a general sense gender mainstreaming in education and leadership. This generality could be a factor contributing to a low numbers of female representation in the management level as why the universities' own policies do not shed light to this issue and encourage female representation, which is evident in the review of universities' vision, mission and strategic plan. In the review of 18 universities' policy, astonishingly, only three universities encourage and provide opportunities for women in need in their vision and strategic plan, but ironically, there are fewer females in their management than the other universities with no mention of gender-related plan. Nevertheless, it is difficult and insufficient to imply the actual practice of those universities only on the basis of their vision, mission and strategic plan. Indeed, the universities might not expressly promote gender balance on their websites, but in reality encourage females to be in leadership positions and provide more opportunities to females in terms of employment and education. However, undeniably, the gap is there, between the implementation of national policy and university policies. If there is no such gap, female representation at the management level would be much higher and the universities' policies would also, directly or indirectly, reflect that as well.

This gap may be caused by the two sides. On the national side, although gender mainstreaming in laws, policies, plan and programs of different sectors has significantly improved, there are still gaps in implementation (MOWA, 2014) while the higher education sector does not take into account gender balance in their management level causing the already-masculine sector to be even more male-dominated. This issue has not been properly addressed or made public, thus, it is challenging to coordinate between university and ministry policy. Furthermore, it is not the ministry-university policy gap alone, but other factors also contribute to why there is low female representation in management which could range from cultural aspects, the nature of management and higher education, and the structure and employment and women themselves.

Nonetheless, universities can take their own initiatives in encouraging female staff in applying for senior positions and diversifying their work environment to not abide by gender-biased careers where women gather mostly in careers such as finance, human resources or lower management positions. Universities can provide them with the opportunity to explore and the flexibility to adapt to their constraints in working women are often limited by time and family constraints that hinder them from applying further in management. Additionally, universities should openly mention gender mainstreaming in their websites or policy because with this, female students and staff can be encouraged to take action and have more confidence in voicing their opinions (The Guardian, 2016). Practically, this may not work, as seen in the above example where universities, although including gender mainstreaming in their policy, still do not have enough females in a higher management positions.

However, it is still important to have gender mainstreaming to include this issue specifically in universities' policies because a diversified environment can encourage students to do more and also enhance their images and reputation, but the universities themselves should take note of the effectiveness of their own policies and take further action if needed, as well as respond to the national policy in their strategic plans

Conclusion

Female representation in the management level of higher education in Cambodia is an important issue to be aware of and address as it could affect long-term development in Cambodia. This research brief is limited in a number of ways, but it sheds light on this issue for Phnom Penh's universities and provides a basis for further research on various aspects of the issue. The higher education sector has been dominated by males not just in Cambodia, but also in other countries around the world such as Australia, the United Kingdom and other European countries to name a few. Cambodia, as a developing country, needs all the human resources it can have including female leaders, managers and senior position-holders. This issue is going to need a bottom-up solution with consideration of females' constraints, arrangement of university policies and effective implementation of national policy, all of which require coordination to ensure the reality reflects the policy.

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Brief 2: Sexual Violence in Cambodia: A Choice of Accessing Justice

Sophany San, Sy Champa, San Sokla, Tan Sambathmarina, and Phang Srey Neang

Introduction

Women's rights are well recognized in the international human rights framework. The Beijing Declaration and Platform for Action affirmed that equality between women and men is a matter of human rights and a condition for social justice.¹ The Kingdom of Cambodia recognizes and respects human rights as enshrined in the United Nations Charter, the Universal Declaration of Human Rights and all the treaties and conventions related to human rights, women's rights and children's rights (Article 31).² The right to life, personal freedom and security is enshrined in Article 32, and guarantees there shall be no physical abuse of any individual in Article 38 of the constitution.³ Moreover, Cambodia has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) since 1992, and committed itself to undertake all actions to end discrimination against women in all forms and promote gender equality.⁴

However, in reality women and girls remain at risk to domestic violence, marital rape, sexual harassment, indecent assault and rape. Sexual violence and rape are a fundamental violation of the victim's human right to personal security, and remain a significant challenge in Cambodia. Although the country has existing laws and judicial system to protect and assure gender equality, at the local level in particular, women and girls who experience sexual violence and rape are often left to fend for themselves.

Assurance in Article 3 and 7 of the Domestic Violence Law effectively recognizes marital rape by including "sexual aggression" as a form of domestic violence and incorporating "violent sex" as an element of "sexual aggression". Unfortunately, there is no definition of the term "violent sex" contained within the law.⁵ Rape and indecent assault happens both in rural and urban areas, even home also becomes an insecure place for women and girls. The rape of women and girls by male relatives was a result of failing morality in Cambodian society.⁶ Furthermore, it has been observed that the remedy of rape and accessing the justice system of victims from rape and indecent assaults remain undefined measure. Therefore, this paper aims (1) to provide a better understanding of the sexual violence on rape and indecent assault trends in Cambodia, (2) to explore the choice of accessing the justice system for the female victims, and (3) to identify the factors contributing to the choice of victims and their challenges in accessing justice.

The qualitative method was applied in this study by reviewing the existing documents related to the topic issues. Descriptive analyses to describe the trend of sexual violence and identify the factors contributing to shape the choice of victims is mainly focused within the context of Cambodian culture, laws/policies and framework in response to international human rights law and framework. The scope of this study is focusing only on female victims from rape and indecent assault. The limitation is that a number of factors render the gathering of statistics on the case very difficult.

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The Trend of Rape and Indecent Assault in Cambodia

Rape in Cambodia must be viewed within the context of Cambodian cultural and social attitudes towards women and sexuality.⁷ According to director-general of the Social Affairs Ministry's technical department, the number of child sexual abuse cases has declined over the years, but it has become severe.⁸ A LICADHO report in 2017 registered 147 child sexual abuse victims, of whom six were killed. Within 9 months of 2018 from January to September, LICADHO registered 110 cases of child sexual abuse reported by families of victims in Phnom Penh and 14 provinces across the country, and eight children were killed after being raped and others suffered injuries.⁹ Furthermore, in the first five months of 2019 the report from LICADHO shows that the number of rape cases reported across 13 provinces were becoming more and more cruel.¹⁰ Women, street children, stepchildren, adopted children, women and children in prison, physically and mentally disabled people, and domestic workers are at risk of being the victims of rape and murder,¹¹ especially in the rural areas.¹² These are becoming serious concerns, for example cases of the rape and murder in Kampong Chhnang and Preah Sihanouk provinces were very brutal.¹³ Another example is a case in Kampong Chhnang Province of a 14-year-old girl who was raped and she and her younger sister were brutally murdered.¹⁴ The trauma and suffering experienced by rape victims is so extreme, and the gap in social-care services leaves many abuse victims without hope.¹⁵ Rape and indecent assault resulted in deep physical and psychological wounds in a victim both short term and long term, no matter what her age, and the family dignity.¹⁶ Rape is typically an under-reported crime.¹⁷

Gender Inequality and Rape

“Men are gold, women are white cloth” is a common saying in Cambodian society and has been understood and interpreted differently by many. Virginity is very important for women, once a woman loses her virginity, she is like a white cloth that is dirtied and will never be white again;

whereas male sexual activity and promiscuity is widely tolerated throughout society.¹⁸ Gender inequality is rooted in the family context, girls and boys have been trained at a very young age about gender roles, and accepted behavior, and differing societal expectations between them.¹⁹ Women are expected to remain virgins until marriage. If a woman loses her virginity even if she is raped, she is considered spoiled goods.²⁰ She would never be able to get married or have a family. On the other hand, the dishonor associated with rape can be more extreme if virginity is lost, and can affect the family's reputation rather than on the wrongdoing of the offender.²¹

Additionally, victim-blaming culture as one of the contributions to rape and sexual assault, for example women provoke rape by suggestive dress, provocative behavior, being alone at night, etc.²² Gender norms and gender inequality are also one of the causes for female victims to choose to keep silent about the rape, not to report to the court or police and/or just report to their family. This leads to challenges to get accurate statistics of rape and indecent assaults in Cambodia. Even though rape is recognized as an aggressive act, indignity and embarrassment may lead victims and their families to quietly resolve the matter rather than seek a criminal prosecution.²³

Legal Framework for Right to Access to Justice in Practice

Cambodia's Constitution provides the recognition and respect for human rights as enshrined in various international instruments, including the Universal Declaration of Human Rights, and the conventions related to human rights, women's rights and rights to equality before the law.²⁴ Sexual Violence is a violation of women's human rights as articulated in the ICCPR Article 2,²⁵ and ICESCR article 2.²⁶ In article 2 within both of these international human rights law, women's equality and right to freedom from discrimination and "all persons are equal before the law and are entitled without any discrimination to equal protection of the law".²⁷ CEDAW²⁷ is the most important international law in its prohibition of forms of discrimination against women throughout civil, political, social, economic and cultural areas of life. The difficulty is that there are no provisions concerning rehabilitation contained within any rape legislation.

General Recommendation 19 of the CEDAW Committee says that states should implement protective measures, including refuges, counseling, rehabilitation and support services for women who are the victims of violence or who are at risk of violence.²⁸

Nevertheless, under Cambodia's domestic law, rape and indecent assault are illegal. Rape, for instance, is stated in Article 239 (Definition of Rape) of the Cambodia Criminal Code 2009 and shall be punishable by imprisonment from five to ten years. Moreover, it also states about the aggravating circumstance of this crime (Article 240 to Article 244) and the additional penalties (Article 245). Whereas indecent assault is stated in article 246 (Definition of Indecent Assault) of the previous code and shall be punishable by imprisonment from one to three years and a fine from two million to six million Riels. The aggravating circumstances of this crime are stated in Article 247 (Aggravating Circumstance: means used for status of the perpetrator) and Article 248 (Aggravating Circumstance: status of the victims).

International Law Enshrined within Cambodian Law

Cambodia's Constitution provides for the recognition and respect for human rights as enshrined in various international instruments, including the Universal Declaration of Human Rights, and the conventions related to human rights, women's rights and children's rights.²⁹ Everyone has the right to an effective remedy by the national courts for acts violating the fundamental rights granted her or him by the Constitution or by law.³⁰ All Cambodians are equal before the law. This fundamental principle, enshrined in the Constitution and in international law, guarantees all persons the full protection of the law, irrespective of race, sex, language, religious belief, political tendency, birth origin, social status, wealth, or other status.

Women and girls, who are the primary victims of rape and indecent assault, are afforded special protections by the Constitution.³¹ The Convention on the Rights of the Child, ratified by Cambodia in 1992, requires that children be protected from all forms of sexual exploitation and sexual abuse in Article 34.³² This was incorporated into the Constitution of the Kingdom of Cambodia such that Article 48 of the Constitution states:

The State shall protect the rights of the children as stipulated in the Convention on Children, in particular, the right to life, education, protection during wartime, and from economic and sexual exploitation. The State shall protect children from acts that are injurious to their educational opportunities and welfare.

The CEDAW Convention, also ratified by Cambodia in 1992, provides for equality before the law for women and men in Articles 5 & 15.³³ Article 45 of the Constitution provides that "all forms of discrimination against women shall be abolished". There is no formal mention of the CEDAW, as is the case with the constitutionally enshrined protection of children under Article 48.

The Treatment of Rape in Cambodia's Justice System and Laws/Policies

There are various processes for victims of rape and indecent assaults to access justice, according to LICADHO's investigation.

Settlement by Compensation

A victim's family can decide to end the case by accepting compensation. A victim faces many social obstacles in reporting an assault to family members and authorities. A victim's family will often prefer settlement to a public trial, which they feel will bring shame to the family. A victim's poverty, and lack of trust in the legal system for justice, means that compensation seems to be the only form of justice available to the victim and family.

However, the continuation of this illegal practice has troubling consequences. Sexual offenders are not tried under the law and they remain free to re-offend. Sexual offences are not deterred by the State or by society. A most serious consequence of the compensation settlement is that it feeds the culture of impunity that gives rise to it in the first place.³⁴

However, compensation as settlement is a violation of the Law. Article 129 of the Constitution states: “only a judge shall have the right to adjudicate. A judge shall fulfill this duty with strict respect for the law, wholeheartedly and conscientiously”. Article 7 of the Law on Criminal Procedure states that a public action may not be settled by a private arrangement, and that non-compliance is a miscarriage of justice, punishable by a disciplinary measure of imprisonment of one to six months. Article 4 of the same law states that the police and judiciary have no right to close a file on a criminal case they have received; they must forward the case to a prosecutor.³⁵

Settlement by Marriage

There is a culture of genuinely wanting to mediate relations between the accused and the victim. More than half of the cases which ended before trial were settled by the payment of compensation to the victim by the suspect, in return for which the victim dropped the criminal complaint. Others ended with marriage between the victim and the suspect or with the victim simply dropping the complaint because of a variety of factors including poverty and disability.³⁶ This solution is intended to preserve the honor and reputation of the victim (and her family), in reality it further traumatizes the victim and legitimizes the rape of her.³⁷ The cases which closed with a flawed conviction were also varied: many ended with convictions for indecent assault despite an initial charge by the prosecutor of rape; others ended with a conviction for rape but were followed by a sentence that was less than that prescribed by the Criminal Code or by a wholly or partially suspended sentence.³⁸ Marriage to an assailant is further punishment to the victim. The crime remains unrecognized, and the perpetrator unpunished by society or the law.³⁹

Trial and Judicial Attitudes

For those victims who attempt to have a case prosecuted, the actual trial is often very difficult. The complainant can be made to stand beside the person accused of raping her. A complainant may also be made to give a detailed account of the assault in front of the accused, and in the presence of total strangers. Cases where judges have shown sensitivity to the victim by closing the court during questioning have been rare, and seem to follow no set guideline.⁴⁰

In cases where a victim will seek to pursue a criminal action against a perpetrator, female victims will be faced with inequality cloaked in the robes of legal authority. Cambodia’s judiciary is dominated by male judges. A common and problematic aspect of the judicial reasoning in rape cases is the unsophisticated distinction between “serious” and “simple” rapes. Rather than applying existing laws, judges seem to rely heavily on myths about rape, conferring legal authority on these antiquated and false beliefs. Particularly alarming is a line of judicial reasoning that fails to place the responsibility for the assault on the assailant. Rather, the victim is blamed for failing to avoid the potentially dangerous situation.⁴¹

Factors Contributed to Victims' Choice and the Justice System

Various factors may deter victims from reporting a sexual assault and pursuing legal action:

- Distrust of the justice system that a victim's complaint will be properly considered or taken into account. It reflects inequality of power relations between victim, perpetrator, and fair and justice of the court.
- The costs of pursuing a prosecution such as obtaining medical certificates, paying bribes to the police, court clerks, etc. By law, there are no court costs involved in a criminal case, but the reality is different due to corruption at various levels. Victims also usually have to pay for medical certificates.
- Fear of reprisal from the perpetrator. Most rapists threaten their victims not to tell anyone about the crime. Such threats may be particularly effective when the perpetrator is in a position of authority over the victim (family member, police, military, or a powerful or wealthy person).
- Social and cultural myths include the mistaken belief that the victim is somehow at fault for what happened (perhaps by knowing the perpetrator) also can cause shame in the victim or the victim's family and discourage the filing of a complaint.
- The unlawful practice of officials brokering "compensation" settlements between perpetrators and victims. Fueled by corruption and greed of the officials involved, this encourages victims to drop the case or not to file a complaint in the first place.
- When virginity is lost during rape, shame (rather than punishment of the accused) often becomes the focal point for the victim and her family. Monetary compensation may be more important or easier to achieve than court action and imprisonment of the perpetrator.⁴²
- Going through the justice system is a frightening experience for victims, who may be repeatedly questioned in detail about what happened to them by the police, prosecutor, investigating judge and have to testify at trial.
- Moreover, the sight of the perpetrator who abused them is in itself a frightening and traumatic experience for victims, particularly children who may understand nothing about the courts and the investigation and trial process. It is not uncommon, for example, for investigating judges to summons accused perpetrators and their victims to be interviewed at court at the same time on the same day; a victim arriving to be questioned may immediately see the face of the perpetrator who raped them.⁴³

Conclusion and Recommendations

Victims decide to end the case with compensation or remain silence for many reasons. Because of the indignity that is rooted in rape, many women and girls want to ensure that only few people know about their shame. One choice of remedy is to negotiate a settlement quickly by accepting compensation or agreeing to marry with perpetrator, without going to court. Another reason is the costs and practical costs of pursuing a case through the courts.

Most Cambodians are aware that some bribery exists in the criminal court system and that they will not be able to afford the informal payments that they are required to pay throughout the process. Finally, in the event that the perpetrator has an important role and power, the victim may feel that he or she is forced to end the case with external or internal threats that the perpetrator may take retaliation if the victim decides do not end the case. Social status, culture/norm and gender stereotypes still exist within the concept of the Cambodian mindset. Moreover, victim blaming practices are also one of the main factors leading to the choice of accessing justice for victims.

Remedies for sexual violence and access to justice in Cambodia are enshrined in numerous instruments at the international and regional levels, and in national law and policies. However, this study found that sexual violence and rape, and indecent assault in Cambodia are an unfinished agenda.

The study would recommend that the state must be taken to ensure that all victims of rape feel confident to report the offence. This means that cooperation between the governments such as the Ministry of Women's Affairs, the Ministry of the Interior and the Ministry of Justice is necessary to improve reporting of rape and ensure that cases are investigated and perpetrators prosecuted without repercussions for the victim. This also involves informing the public of information on the harm done by rape and the criminal law on sexual offences, using all forms of media and social media, and directly to schoolchildren. Secondly, the government must take steps to ensure that all rape cases are properly investigated. To finalize this point, the government should allocate sufficient resources to police to ensure that all rape cases are investigated fully and in a timely manner, that evidence is properly gathered and all suspects apprehended. This requires implementation of procedures, and training of police, prosecutors, judges and medical staff on how to deal appropriately with victims of sexual abuse of both sexes, and especially child victims, including those with learning difficulties, who are being interviewed or giving evidence in the court or police station. Enforcement of provisions within the Criminal Code and the Code of Criminal Procedure against police officers who fail to proceed with a case or prevent a case from proceeding after a financial settlement has been paid. Finally, we must see the enforcement of provisions within the Criminal Code and Anti-Corruption Law on corruption by public officials against police officers. Thirdly, government must be taken to ensure that where trials take place they are properly conducted and punishment is correctly and consistently applied.

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Brief 3: Cambodian Women Migrant Workers in Construction Work in Thailand: The Discrimination and Inequality at Construction Sites, and Social Protection Accessibility

1. Definition of Migrant Worker

Migration refers to the course of moving, internally or externally, voluntarily or involuntarily, from one place to another for various reasons, encompassing employment.¹ Migrant workers are those seeking employment, or being employed, in a destination or host country, also known as labour migrant workers.² The United Nations defined migrant workers as those engaged in remunerated activity where he or she is not a national.³ Within the meaning of this research brief, the scope of discussion is limited to the Cambodian women migrant workers employed in construction work in Thailand.

2. Overview of the Construction Sector in Thailand

a. Cambodian Migrant Workers

The number of migrant workers in Thailand grew from 3.7 to 4.9 million within 4 years as of 2018. All of which, there are 3.9 million workers from Cambodia, the Lao People's Democratic Republic, Myanmar and Vietnam.⁴ Besides the undocumented workers, there are 3.06 million documented migrant workers in Thailand which include 791,205 Cambodian documented migrant workers through the memorandum of understanding (MOU) system, national verification, seasonal, and registered at one-stop service center.⁵ Over a decade, women migrant workers represent approximately 50 per cent of all migrant workers in Thailand.⁶

b. Construction Sector

The construction sector is considered a main priority within Thai national priority economy. The government plans to invest around 43 billion USD on large-scale construction project in infrastructure and transport corridors by 2022, which is expected to sustain its economic growth. Such a plan is expected to gradually increase the number of migrant workers from sending countries such as Cambodia, Lao PDR and Myanmar in the coming years.⁷

In 2016, there were 557,724 documented construction workers, which almost 40 per cent of which were women.⁸ According to the International Organization for Migration (IOM), in 2019, 23 per cent of all (4.9 million) migrant workers-- equivalent to 1,127,000 workers--in Thailand were employed in construction work. Therefore, there was an increase within three years of more than 50% or 569,276 workers. Among all, 93 per cent sent remittances to their family in their home/original country with their average monthly income of 264 USD; 176 average for women and 186 average for men.⁹

c. Overview of Legal Protection Framework

Migrant workers are governed by a number of laws of the Kingdom of Thailand, including the Immigration Act (1979), Social Security Act (1980), Employment and Job-seeker Protection Act (1985), Labour Protection Act (1998) – and latest amendments entered into force in May 2019,¹⁰ the Prevention and Suppression of Trafficking in Humans Act (2008), Alien Working Act (2008), and Gender Discrimination Act (2015).

In responding to the flow of undocumented migration from irregular channels, and to improve the migration monitoring and management, the Thai government signed the MOU with governments of sending countries, including Kingdom of Cambodia. In 2003, the MOU on cooperation in the employment of workers was signed. In 2015, the Thai and Cambodian governments agreed to revise the MOU in order to include labour issues such as skill development and social protection.¹¹ At the same year in December, a new MOU on labour cooperation and agreement on employment of workers was as well signed.¹²

The laws adopted and MOU signed significantly indicated the efforts of the government to address the flow of migration from neighboring countries. However, the effective result was still far reaching due to the number of illegal migrant worker already living and working in Thailand. The number of migrants going through the MOU process was small because of the expensive, lengthy and complicated process, to mention but a few reasons.¹³ In 2017, the government started a campaign to regularize the process of legalizing undocumented migration workers working in Thailand. As a result, 1,187,803 became documented migrant workers after the campaign finished in 2018.¹⁴ The Thai government also established a one-stop service to help migrant workers get their documents processed; however, the process is opaque to many migrant workers, let alone documentation.¹⁵ Moreover, the nature of legal papers such as work permits or pink cards ties workers to only one workplace, resulting in a barrier to seek employment in others provinces and the need to reapply for documentation.

This case is also common for construction workers who may spend only a week at the construction site and then move to others.¹⁶

Despite the abovementioned legal protection improvement and commitment as indicated in the ASEAN consensus on the protection and promotion of the rights of migrant workers, the Thai government has not yet ratified the core ILO legal instruments and UN conventions related to migration workers, namely International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, ILO migration for employment convention (no. 97) 1949, and the ILO migrant workers convention (no. 143) 1975.

3. The Challenges of Women Migrant Workers in Construction Sector

a. Discrimination and Inequality

In responding to gender discrimination and inequality, the Thai government adopted the Gender Discrimination Act in 2015, which set up the Gender Equality Promotion Committee and Committee on Consideration of Unfair Gender Discrimination to decide—once there is complaint—whether there has been unfair discrimination. Despite the law in place allowing people who face discrimination to approach the committee, it is a far reaching dream to almost all the migrant workers from sending countries such as Cambodia, not to mention the language barrier, knowledge of rights that they are entitled to, and even learning that the Gender Discrimination Act exists. In construction work, generally women are employed as general labourers tasked with low-skilled and lower-wage functions.¹⁷ Resulting from gender-based discrimination and inequality at workplace, the hierarchy of labour makes women migrant workers receive wages lower than men migrant workers, even if they have more experience than men, and different wages between Cambodian and Thai workers.¹⁸

Besides the Gender Discrimination Act, there is also the Labour Protection Act (1998) which prohibits the termination of employment due to pregnancy,¹⁹ and entitles workers to 98 days of maternity leave including leave for prenatal care. At the construction site, however, women workers commonly face discrimination through dismissal from the workplace when they are pregnant. According to UN Women, due to low trust and fear of arrest by authorities because of their migration status, some irregular women migrant workers give birth at the workplace rather than hospital. Women could take leave for giving birth; however, they need to reapply for their job.²⁰

Women migrant workers in the construction sector also face obstacles in the recruitment process, and receiving fair treatment and benefits. Even though section 38 of Labour Protection Act 1998 preventing the subjection of women workers to protectionist measures has been repealed, women are still employed on reasons of marital status, instead of their skill or productivity.²¹ Moreover, they not only face discrimination from the employer but also Thai people, who claim to be the owners of the country. According to an ILO interview with a Cambodian women worker, “[o]nly women Thai workers get 300 baht [...], Khmer don’t. Thais are paid more regular and OT [...] rates. Why do they treat us like this? I am not happy but don’t know what to do”²²

b. Social Protection Accessibility

Social protection schemes play a significant role in improving the life of migrant workers, given that the low wage received and the need in daily life to guarantee basic living standards. However, resulting from their status due to undocumented migration and receiving wages less than men, it limits their opportunity to fully access the social protection provided by the government. There are three (government) social protection schemes in Thailand available for migrant workers. They are the Workmen's Compensation Fund (WCF), the Social Security Scheme (SSS), and the Compulsory Migration Health Insurance (CMHI).²³ These protection schemes have different eligibility and benefits. However, though undocumented migrant workers are left with no rights to choose social security,²⁴ the WCF—governed by the Workmen Compensation Act—makes it compulsory for employers to pay for medical expense on injury or disability resulting from employment, regardless of their legal status.²⁵ Even though the Workmen Compensation Act made it an obligation for employers, workers are required to fulfill certain criteria to receive the benefit. Workers must first possess a work permit, a passport or alien identity document, have an employer that paid contributions to the WCF, and have paid income tax.²⁶ These requirements, however, no doubt transform their legal status into legal migrant workers that will subsequently confer them more benefits.

Notwithstanding their language and understanding, the information on available services is limited and some—SSS and CMHI—cover only the formal sector such as agriculture and domestic work, which exclude others such as construction.²⁷ Even though there are social protection schemes out there available for them, many workers are not aware of the services or options they are eligible or entitled to. After enrollment, some migrant workers also find it hard to utilize the service. Sometimes they tend not to go out because the employer owns their documents and gives them only the copy that police do not accept. The workers and protection scheme assigns only one hospital, which means that workers have to travel to get access to the service.²⁸ In an ILO study, a Cambodian woman noted that she has to pay THB 400, which is more than her daily wage, for transportation one way to go to the hospital; and for a period of six months, it is totally THB 20,000, while the fee for using CMHI at the hospital is only THB 30.²⁹

4. Conclusion and Recommendation

The women migrant workers face inequality and discrimination due to the ineffectiveness of law enforcement and mechanisms to address the issue. This phenomenon exists from the Thai workers' way of thinking and the practices of employers at the construction site toward migrant workers from sending countries such as Cambodia. Workers are placed in the situation where they cannot speak up, if they willing to, because they are afraid that they will lose their job. Women migrant workers not only find it hard to enroll in social protection schemes, but also to use them. Mainly in enrollment, the issue exists because of their status as undocumented migrant workers. Not to mention the assistance from employers, the migrant workers face limitation after enrollment on freedom of movement because of the confiscation of documents by employer.

Furthermore, the social protection ties them to only one hospital, which is not in accordance with their job practice that has to move from one site to another once it is finished. As indicated in the Policy on Labour Migration for Cambodia 2019-2023, being a migrant should not be a necessity, but an option. Migrant workers represent 8.5 % of all the Thai labour force and significantly help the Thai economy grow.³⁰ Migration management requires strong willingness and solidarity between sending and receiving countries which is reflected through the law and MOU adoption and enforcement. Effective and efficient enforcement confers benefits to everyone, namely Thailand, Cambodia, employers and employees. Hence, this research brief adopted some recommendation for relevant actions that could improve the situation of migrant workers, including those attempting to migrate.

Thai Government

- Regardless of the status of workers, ensure they have access (enrolling and accessing) to effective and efficient social protection
- Promote the social protection schemes to workers at the construction site
- Simplify the process of social protection scheme enrollment and make it compulsory for employers to assist the workers to access the social protection scheme
- Enable workers to access social protection schemes at hospitals near their work site or living place
- Enforce the Gender Discrimination Act 2015
- Promote solidarity and understanding among Thai workers toward migrant workers from Sending Countries
- Enforce the law to eliminate the practice of discrimination toward women migrant workers, in terms of recruitment and wages

Cambodian Government

- Make migration through the MOU system faster, cheaper, and less complicated
- Support workers through assistance and facilitation for processing travel documents, especially Passport fee, independently within a short period of time, cheaply and simply
- Establish and/or strengthen the information center for workers to ask for information widely across the Country, especially provinces bordering with Thailand
- Inspect and ensure private companies (recruitment agencies) comply with the law
- Create a complaint mechanism which is accessible and workable for all migrant workers in both home country and destination country
- Increase education about safe migration to people in communities through local authorities and the media (radio, social media, and other means)
- The Labour department of government of Cambodia should provide vocational skills for women in the context of special temporary measure (based on concluding observations of the CEDAW committee)

International and Local NGOs

- Strengthen and continue Prevention, Protection, and Prosecution Programme
- It should be the responsibility of the Ministry of Labour and Vocational Training of the Government of Cambodia to provide vocational training for women in the context of special temporary measure (based on concluding observation of CEDAW committee)
- Continue to raise awareness of safe migration
- Advocate for effective and efficient law enforcement

Media

- Publish more information on safe migration to the public
- Report to the government about migration issues, especially women migrant workers in construction sites in order to enhance their security
- Develop tools/materials for people and migrant workers to access freely and encourage friendly networking among migrant workers in Thailand to make sure they are able to share their concerns and address their problems

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Brief 4: បញ្ហាប្រឈមរបស់ស្ត្រីនៅជនបទ ក្នុងការបន្តការសិក្សាទៅថ្នាក់ខ្ពស់សិក្សា

By Pek Chiva and Phat Vando

ការស្រាវជ្រាវនេះសំដៅដល់គោលបំណងសិក្សាពីស្ត្រីដែលនៅជនបទដែលស្ត្រីបានបញ្ចប់ ថ្នាក់វិទ្យាល័យដោយជោគជ័យ ហើយបានបន្តការសិក្សាទៅថ្នាក់ខ្ពស់សិក្សាតើស្ត្រីបានជួប បញ្ហាអ្វីខ្លះក្នុងអំឡុងពេលដែលសិក្សានៅថ្នាក់ខ្ពស់ និងធ្វើការផ្តោតសំខាន់ទៅលើស្ត្រីដែលមិន បានបន្តការសិក្សាទៅថ្នាក់ខ្ពស់ តើមានមូលហេតុអ្វីខ្លះដែលនាំអោយស្ត្រីមិនអាចបន្តការ សិក្សាបាន? ចំពោះការស្រាវជ្រាវនេះ មិនបានធ្វើការស្រាវជ្រាវទូទាំងប្រទេសទេគឺយើងធ្វើការ ស្រាវជ្រាវនៅក្នុងខេត្តសៀមរាប ប៉ុន្តែយើងបានកំណត់យកតែវិទ្យាល័យ ២៨មករា តែប៉ុណ្ណោះ ដែលស្ថិតនៅ ភូមិជ្រោយនាងងួន ឃុំជ្រោយនាងងួន ស្រុកស្រីស្នំ ។

១. វិធីសាស្ត្រស្រង់ទិន្នន័យស្រាវជ្រាវ

- ✓ ប្រើប្រាស់ទូរស័ព្ទដើម្បី ធ្វើការសម្ភាសន៍
- ✓ ការដកស្រង់ទិន្នន័យក្នុងឆ្នាំ ២០១៨ និង ២០១៩ របស់សាលាវិទ្យាល័យ ២៨ មករា ។

ខាងក្រោមនេះ គឺជាតារាងដែលបង្ហាញពីសិស្សប្រុស និងសិស្សស្រីដែលបានប្រឡងបញ្ចប់ ថ្នាក់ទី ១២ ដោយជោគជ័យ ក្នុងឆ្នាំ ២០១៨ និង ២០១៩ យើងឃើញថាសិស្សស្រីមាន ការកើនឡើងជាងមុនបន្តិចបើប្រៀបធៀបនឹងឆ្នាំ ២០១៨ ។ ចំពោះទិន្នន័យ ដែលបញ្ជាក់ថា មានស្ត្រីប៉ុន្មានអ្នកដែលបានបន្តការសិក្សាទៅថ្នាក់ខ្ពស់ និងប៉ុន្មានអ្នកទៀតដែលមិនបាន បន្តការសិក្សានោះយើងមិនបានដឹងច្បាស់ទេ។

ឆ្នាំសិក្សា	បេក្ខជនដែលបានប្រឡង		បេក្ខជនដែលប្រឡងជាប់		ភាគរយ	
	ប្រុស	ស្រី	ប្រុស	ស្រី	ប្រុស	ស្រី
២០១៨	១២៥	៧៧	១២២	៧៧	៩៧.៦%	១០០%
២០១៩	២០៩	១០២	២០០	៩៩	៩៥.៦៩%	៩៧.០៦%

ទិន្នន័យទាំងអស់នេះបានមកពីការប្រមូលពីការសម្ភាសន៍យ៉ាងលំអិតតាមរយៈទូរស័ព្ទពីស្ត្រីដែលបានបន្តការសិក្សាទៅថ្នាក់ឧត្តមក្នុងឆ្នាំ ២០១៩ និងជាពិសេសចំពោះស្ត្រីដែលពុំបានបន្តការសិក្សាទៅថ្នាក់ឧត្តមក្នុងឆ្នាំ ២០១៨ និងឆ្នាំ ២០១៩។

១.១. ការស្រាវជ្រាវនេះ យើងបានធ្វើកិច្ចសម្ភាសន៍ស្ត្រីចំនួន ២៥ នាក់៖

- ✓ ស្ត្រីដែលបានបន្តការសិក្សាចំនួន ១០ នាក់ និង
- ✓ ស្ត្រីដែលពុំបានបន្តការសិក្សាចំនួន ១៥ នាក់

២. បញ្ហាប្រឈមរបស់ស្ត្រី

យេនឌ័រ គឺជាភាពស្មើគ្នារវាងបុរស និងស្ត្រីក្នុងការទទួលបាននូវសិទ្ធិ និងការអប់រំស្មើគ្នាគ្រប់កំរិតថ្នាក់។ នៅក្នុងកិច្ចសម្ភាសន៍ស្ត្រីដែលបន្តការសិក្សា នៅក្នុងឆ្នាំ ២០១៩ បានបង្ហាញថា “ចំពោះការរើសអើងស្ត្រីក្នុងស្រុកស្រីស្នំ មិនអោយកូនរៀនខ្ពស់ដូចបុរសនោះត្រូវបានលុបបំបាត់ហើយចំពោះពាក្យថា កូនស្រីបង្វិលចង្រ្កានមិនជុំ ដូច្នោះមិនចាំបាច់រៀនខ្ពស់ទេពាក្យនេះលែងមានប្រសិទ្ធិភាពហើយចំពោះគ្រួសារដែលមានកូនជាស្រី” ។

ក្នុងកិច្ចសម្ភាសន៍បានបង្ហាញទៀតថា ស្ត្រីមួយចំនួនដែលបានបន្តការសិក្សាក្នុងឆ្នាំ ២០១៩ នេះមានភាពសប្បាយរីករាយ ដោយសារមូលហេតុ ខ្លួនបានបន្តការសិក្សាទៅថ្នាក់ឧត្តម គឺដោយសារ តែការផ្តល់អាហារូបករណ៍ពីក្រសួង ពីអង្គការក្រៅរដ្ឋាភិបាលមួយចំនួនតូច។ ប្រសិនបើគ្មានអាហារូបករណ៍ ពួកគាត់មិនអាចបន្តការសិក្សាបានទេ និងការបង់ថ្លៃដោយខ្លួនឯងមានចំនួនប្រហែលជាពីរភាគរយតែប៉ុណ្ណោះ។ ចំពោះស្ត្រីដែលមិនបានបន្តការសិក្សា បញ្ជាក់អោយដឹងថា ការមិនបានបន្តការសិក្សាទៅថ្នាក់ឧត្តមមិនមែនមកពីផ្នត់គំនិតរបស់ឪពុកម្តាយ ឬការរើសអើងនោះទេ អ្វីដែលជាបញ្ហាប្រឈមរបស់ស្ត្រី នោះគឺ៖

- ★ កន្លែងស្នាក់នៅ
- ★ សាលាឆ្ងាយ
- ★ បារម្មណ៍ពីសុវត្ថិភាព
- ★ ឪពុកម្តាយមិនទុកចិត្តកូន
- ★ ព័ត៌មានពីអាហារូបករណ៍មិនសូវទទួលបានឬព័ត៌មានពីសាលាដែលត្រូវទៅបន្តការសិក្សាមិនសូវច្បាស់លាស់
- ★ ការបាត់បង់នូវឱកាសនៅពេលដែលខ្លួនទទួលបានអាហារូបករណ៍ ឬការខុបត្តមផ្សេងៗ
- ★ ជីវភាពគ្រួសារមិនអាចផ្គត់ផ្គង់បាន គឺជាបញ្ហាដែលចម្បង។

បញ្ហាប្រឈមទាំងនេះ គឺជាបញ្ហាដ៏ធំសម្រាប់ស្ត្រីដែលនៅជនបទតែទោះបីយ៉ាងណាក៏ដោយ នៅក្នុងកិច្ចសម្ភាសន៍ជាមួយលោកមេឃុំ ស្រុកស្រីស្នំ គាត់មានប្រសាសន៍ថា “ប៉ុន្តែមទៅលើ បញ្ហានេះយើងមិនអាចធានាបានថា ការមិនអោយកូនស្រីរៀនខ្ពស់ នៅតែមិនកើតមាននោះទេ គឺវានូវតែជាបញ្ហាដែរ ប៉ុន្តែវាស្ថិតនៅក្នុងកម្រិតដែលទាបបំផុត ” ។

៣. ទស្សនៈច្បាប់

ច្បាប់ជាតិ និងអន្តរជាតិ បានបញ្ញត្តិពីសិទ្ធិស្មើគ្នារវាង បុរស និងស្ត្រីគឺមានសិទ្ធិស្មើគ្នាគ្រប់វិស័យ ជាពិសេសនៅក្នុងវិស័យអប់រំ។ មាត្រា ៤៥ រដ្ឋធម្មនុញ្ញ នៃព្រះរាជាណាចក្រកម្ពុជាឆ្នាំ១៩៩៣ ដែលជាច្បាប់កំពូលរបស់កម្ពុជាបានបញ្ញត្តិពីការរើសអើងគ្រប់ប្រភេទចំពោះស្ត្រីភេទត្រូវ លុបបំបាត់ចោល កតិកាសញ្ញាអន្តរជាតិ ស្តីពីសិទ្ធិពលរដ្ឋ និងសិទ្ធិនយោបាយនិងជាពិសេស អនុសញ្ញាអន្តរជាតិ ស្តីពីការលុបបំបាត់រាល់ទម្រង់នៃការរើសអើងប្រឆាំងនឹងស្ត្រីភេទបានបញ្ញត្តិ នៅក្នុងមាត្រា ១០ រវាងបុរស និងស្ត្រីមានសិទ្ធិទទួលបានកម្មវិធីសិក្សាអប់រំដូចគ្នាបន្ថែមពីលើ នេះនៅក្នុងផែនការយុទ្ធសាស្ត្រវិស័យអប់រំ ឆ្នាំ ២០១៩ ដល់ ២០២៣ ក៏បានបង្ហាញពីការលើក កម្ពស់ការចូលរៀនទៅថ្នាក់ឧត្តមសិក្សាដែរ ។

៤. ដំណោះស្រាយ និងអនុសាសន៍

នៅក្នុងច្បាប់ជាតិ និងអន្តរជាតិ គឺបានបញ្ញត្តិរួចហើយអំពីស្ត្រី គឺមានសិទ្ធិស្មើគ្នាទាំងពីរភេទ ប៉ុន្តែស្ត្រីមួយចំនួននៅតែមិនបានទទួលនូវសិទ្ធិដែលខ្លួនគួរតែទទួលបាន គឺដោយតែសារ មូលហេតុមួយចំនួន ដែលនាំអោយស្ត្រីមិនអាចបន្តការសិក្សាទៅថ្នាក់ឧត្តមបាន។ នៅក្នុងកិច្ចសម្ភាសន៍ស្ត្រី បានបញ្ជាក់ថាឪពុកម្តាយ បានគោរពទៅតាមគោលការណ៍ច្បាប់ គឺចង់អោយកូនគ្រប់រូប មិនថាកូនប្រុស ឬ ស្រី គឺចង់អោយរៀនដូចគ្នា ប៉ុន្តែការណ៍ដែលកូន ស្រីមិនបានបន្ត គឺដោយសារតែការបារម្មណ៍ពីសុវត្ថិភាព និងកត្តាជីវភាព។

ដូច្នេះជាសំណូមពររបស់ស្ត្រី និងការផ្តល់ជាអនុសាសន៍ដើម្បីអោយស្ត្រីឈប់ទទួលរងនូវ ការបារម្ភ ឬ ភ័យខ្លាចពីឪពុកម្តាយ និងភាពគ្មានលទ្ធភាពសម្រាប់ការចំណាយលើការសិក្សា ក្រសួង ឬ ស្ថាប័នពាក់ព័ន្ធគួរតែយកចិត្តទុកដាក់លើស្ត្រីដែលនៅដាច់ស្រយាល ឬ នៅជនបទ ដូចជាការផ្តល់អាហារូបករណ៍លើស្ត្រីធ្វើការផ្សព្វផ្សាយពីការផ្តល់អាហារូបករណ៍តាមរយៈ ប្រព័ន្ធទូរទស្សន៍ វីឡូ ឬប្រព័ន្ធផ្សព្វផ្សាយសង្គមផ្សេងៗ ឬតាមរយៈមេភូមិ ឃុំ ស្រុក ជាដើម ដើម្បីបញ្ជូននូវព័ត៌មាន និងការបង្កើនការទុកចិត្តពីឪពុកម្តាយ ការផ្តល់កន្លែងស្នាក់នៅដល់ ស្ត្រីដោយមានការធានានូវសុវត្ថិភាព ដូចជាការផ្តល់នូវអន្តេវាសិកដ្ឋាន និងការផ្តល់ការងារ ដល់សិស្សមួយចំនួនដែលគាត់ចង់មានការងារធ្វើនៅក្នុងអំឡុងពេលសិក្សាដើម្បីកាត់បន្ថយការ ចំណាយពីគ្រួសារ។ រដ្ឋាភិបាលគួរតែសហការជាមួយប្រទេសដទៃក្នុងការជួយដល់ស្ត្រី ក្នុងការបន្តការសិក្សាទៅថ្នាក់ខ្ពស់ និងអង្គការក្រៅរដ្ឋាភិបាលសូមជួយលើកកម្ពស់ស្ត្រីដោយ ការផ្តល់នូវការឧបត្ថម្ភការសិក្សា សម្ភារៈផ្សេងៗនិងការចំណាយណាមួយដែលជាក់លាក់ លើស្ត្រី។

Booklet Summary: តើខ្ញុំជាអ្នកណា ?

By Tim Khuochsopheaktra, Chor Sivhor, Muong Sovanponnarith,
and Soy Sreyneth

ការស្វែងយល់ពីខ្លួនឯងថាជាអ្នកណាកំពុងធ្វើអ្វីមានក្តីសុបិន្តជាអីជារឿងសំខាន់ក្នុងជីវិតរបស់មនុស្សម្នាក់ៗដើម្បីឈោងចាប់ភាពជោគជ័យរបស់ខ្លួននាពេលអនាគត។ ក្រៅពីការស្វែងយល់ថាខ្លួនឯងជាអ្នកណា ការយកបុគ្គលណាម្នាក់ជាគម្រូបបុគ្គលដែលខ្លួនគោរព កោតសរសើរ និងចង់យកតម្រាប់តាម ក៏បានដើរតួសំខាន់ក្នុងជីវិតរបស់យុវជន និងក្មេងៗគ្រប់រូបផងដែរ ក្នុងការជះឥទ្ធិពលលើសកម្មភាព និងលើកទឹកចិត្តយើងឱ្យខិតខំស្វែងរកសក្តានុពលពិតរបស់ខ្លួន ។ ជាទូទៅបុគ្គលគំរូទាំងនោះអាចជា ឪពុកម្តាយ លោកគ្រូ អ្នកគ្រូ កីឡាករ សិល្បៈករ និងបុគ្គលដែលមានស្នាដៃនិងទេពកោសល្យគួរឱ្យកោតសរសើរ ដទៃទៀត។ ខិត្តប័ណ្ណនេះមានគោលបំណងសំខាន់មួយគឺវេទិការបង្ហាញសមិទ្ធផលនានារបស់និស្សិតនារីជ័យលាភី និងស្ត្រីគំរូនៅក្នុងមុខជំនាញច្បាប់ តាមរយៈការផ្តល់ជាសារលើកទឹកចិត្ត និងគាំទ្រដល់និស្សិតនារីដែលមានបំណងបន្តថ្នាក់ឧត្តមសិក្សាផ្នែកច្បាប់ និងនិស្សិតជាស្ត្រីដែលកំពុងសិក្សាបរិញ្ញាបត្រផ្នែកនីតិសាស្ត្រឲ្យឈ្ងុយល់អំពីសក្តានុពលពិតរបស់ខ្លួនឯងទាំងក្នុងការសិក្សា និងក្នុងការតម្រង់ទិសចាប់យកវិជ្ជាជីវៈនេះជាពេលអនាគត។

ពិសេសលើសពីនេះទៅទៀតគឺដើម្បីបង្ហាញថាគាត់អាចធ្វើបានសម្រេចជោគជ័យក្នុងការផ្លាស់ប្តូរផ្នត់គំនិតរបស់សង្គមដែលលើកទឹកចិត្តក្មេងប្រុសឲ្យចាប់យកមុខជំនាញនេះជាជាងលើកទឹកចិត្តក្មេងស្រី។ គម្រោងនេះបានប្រើប្រាស់វិធីសាស្ត្រក្នុងការស្រង់ទិន្នន័យតាមរយៈការធ្វើបទសម្ភាសន៍ជាមួយនិងនិស្សិតជាស្ត្រី និងស្ត្រីគំរូចំនួន០៥រូបបង្ហាញអំពីបទពិសោធន៍ និងព័ត៌មានសំខាន់ៗមួយចំនួនសម្រាប់ផ្តល់ជូនសិស្ស និស្សិតដែលមានបំណងនិងកំពុងសិក្សាជំនាញនីតិសាស្ត្រឱ្យស្វែងយល់អំពីចំណង់ចំណូលចិត្តផ្ទាល់ខ្លួន និងវិធីសាស្ត្រណាមួយដែលគិតថាសមស្របនឹងគោលដៅរបស់ពួកគាត់។ ពួកយើងបានចងក្រង និងរចនាទិន្នន័យដែលប្រមូលបានទៅជាសៀវភៅផ្នត់ដែលងាយស្រួលក្នុងការបើកមើល និងមានភាពទាក់ទាញ។

ជាចុងបញ្ចប់នៃគម្រោងពួកយើងសង្ឃឹមថាអ្នកដែលបានអានខិត្តប័ណ្ណនេះផ្លាស់ប្តូរទស្សនៈរបស់ខ្លួនឯងអំពី “មុខជំនាញច្បាប់វិជ្ជាជីវៈច្បាប់គឺសម្រាប់តែបុរស” ទៅជា “មុខជំនាញច្បាប់វិជ្ជាជីវៈច្បាប់គឺ សម្រាប់មនុស្សគ្រប់គ្នាដែលស្រលាញ់វិជ្ជាជីវៈនេះ ដោយមិនគិតពីភេទ”។

ពួកគាត់អាចធ្វើបាន ចុះអ្នកវិញ ?

Video Summary: Violence Against Women: Domestic Violence

By Sovanvotey Hok, Sreykheav An, Sovanpichvicheka Kol

The video introduces the current situation of domestic violence in Cambodia, a wound which seems to never heal in Cambodian society. Gender inequality, specifically in the form of violence against women and girls, hampers human development in most societies.

The video starts with the existing legal terms and is generally made for Cambodian law students. The special highlight of the video is the focus on one real case of domestic violence: the woman shares her story, and then we confront her husband with her experience.

One of the key issues which we see repeatedly is the lack of understanding about domestic violence or its consequences. The abusers go back to their everyday lives no matter how many times it has happened in the past, and it seems like there is no better choice they can make.

As a recent article by Rodrigo Montero, from the United Nations Development Programme's office in Cambodia, explained, a 2013 regional study by four United Nations agencies found that as many as 1 in 5 Cambodian men admitted they have attempted or committed violence against women, including rape. Half of them stated that they never faced legal consequences.

Montero goes on to explain: **“Although the implementation of the Domestic Violence Law² (2004) has not been evaluated, there is a wide consensus among service providers that the law is not making male perpetrators accountable for the violence the[y] commit. The law's language is too ambiguous and does not systematically address intimate partner violence as a crime.”**

The video goes on to interview Ms. MOA Mab, an expert from local organization, LICADHO, who states that there are still concerns in society even though there has been more attention on the issue. In 2019, LICADHO still received 108 cases, and those were all serious cases.

Gender-based violence is still happening every day, not just in rural areas, but also in the urban, poor rented-housing communities of Phnom Penh, according to a recent survey by local women's organizations, Klahan, Urban Poor Women Development, and People in Need.

We finish the video with a key message to law students and youth: even though domestic violence has decreased, it is still a problem we face every day in our society. We mention a few points from the expert on what victims themselves and youths can do when confronted with domestic violence.

About the Team

HOK Sovanvotey, graduate (2016) from the English Language Based Bachelor of Law program (ELBBL) of the Royal University of Law and Economics (RULE); research assistant to Clinton Health Access Initiative (CHAI) on sexual and reproductive health service (SRHR); menstruation class facilitator; and, social entrepreneur.

AN Sreykheav, law student at Royal University of Law and Economics.

KOL Sovanpichvicheka, law student at English Language Based Bachelor of Law program (ELBBL) at Royal University of Law and Economics (RULE).

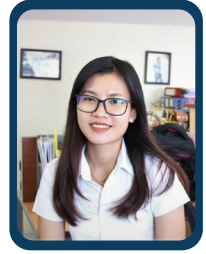
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- 3 *Sheith Khidhir, "'It's your fault!' — Domestic abuse in Cambodia" (9 July 2019), The ASEAN Post, <<https://theaseanpost.com/article/its-your-fault-domestic-abuse-cambodia>>.*

Internship Reflection

Name: Chor Sivhor

Position: Legal Intern at SNB & Associates

Period: 3 months (Part time)



My name is **Chor Sivhor**. I am a student at the Royal University of Law and Economics (RULE). After I participated in the Community of Practice on Women's Experiences in the Law, I heard about the internship placement of Women in the Law. Then I decided to apply for this internship. The reason that I applied for this internship was that it is the rare chance which provides legal interns in a law firm. If I can intern at law firm, I can learn more about legal practice and understand more about the role of a lawyer.

Fortunately, I got the chance to be a part-time legal intern at **SNB & Associates (SNB)** for 3 months. During my internship, I gained a lot of knowledge and experience, such as the role of a lawyer in a court for defense to protect benefits of their client. Furthermore, I also learnt a lot about the proceedings of company registration and the labor law in the Cambodian context. Moreover, I learnt how to communicate with various people in society and from different places.

After I completed the period of three months at the law firm, I am interested in being a lawyer. In particular, I realize that the position of a lawyer is very independent and more free than the other professions in law. When I interned at **SNB**, I started working flexibly and carefully because I realized that, being a lawyer, you need to ensure that you have enough legal skills and defense skills to proceed in front of the court. If you make any mistakes, your client will be injured more than before. Furthermore, I also am a hard-working person and have more commitment, because when I worked at the law firm, my supervisor assigned me many tasks to complete and learn. Sometimes I had to work outside, to visit the court and any institutions.

In conclusion, in the period of internship at **SNB**, I have learnt a lot, especially legal and communication skills. Further, I want to say thank you to the Women in the Law project that provided this internship program for young female students. This program is very helpful for our future. I hope this kind of project will happen every year.

Internship Reflection

Name: Hong Monyneat

Position: Legal Intern at RHTLaw Cambodia

Period: 3 months (Part time)



My name is **Hong Monyneat**, one of the interns in the placement for female students at law firms as a part of the “Women in Law” project. Under this internship, I have been a part-time intern for three months at **RHTLaw Cambodia**. During the internship, I have done several tasks at the law firm, such as drafting contracts, reviewing and translating legal documents, researching and presenting about laws and regulations, and auditing the project budget. All the tasks have helped me to gain many skills and knowledge, such as improving my typing skill. I had drafted contracts directly with clients, therefore, I had to type very fast and correctly. Moreover, doing research helped me to develop legal knowledge much more, especially the newly promulgated laws and regulations. In addition, after research, I needed to prepare for presentations which led me to have more confidence in my speaking skills. As for audit work, there are many advantages that I have learned, for example, to increase my skills in using Excel, improve my accounting, and expand my understanding on monitoring the bank account statements.

In my future plan, I would love to work with **RHTLaw Cambodia** for any work opportunity that the law firm will offer, to increase my experiences in the legal field and in legal professional work. Moreover, this internship placement under the “Women in Law” project has changed my life as a law student in many good ways. For example, as a recently graduate student, the internship is the first step that helps me to develop my working experience and enter into legal professional working environments.

Finally, this internship placement is a very good project that helps students majoring in law, especially female students, have a better chance to experience legal professional work at the law firm, and I hope that the project will still provide more help for female law students in the future, for a higher number of female legal professionals in the legal field, and develop fairness of women’s rights within the legal profession.

Internship Reflection

Name: Lay Channanita

Position: Legal Intern at Heng & Partners Law Group

Period: 3 months (Full time)



I am a former law student, studying in the English-Language-Based Bachelor of Law (ELBBL) program at the Royal University of Law and Economics (RULE) through a scholarship supported by the Raoul Wallenberg Institute. Additionally, I recently graduated with a Bachelor of Education in Teaching English as a Foreign Language from the Institute of Foreign Languages (IFL).

After graduating from both universities, I started to do my internship through the “Graduate Placement” program of the Center for the Study of Humanitarian Law (CSHL). I was a full-time intern at Heng & Partners Law Group, which is located at the 16th floor of Oval Tower. The internship duration was for three months, and I have gained both practical experience and knowledge. I will specifically provide my own observations and experiences I gained during the internship. Finally, I will also conclude with my future plan.

First and foremost, I have learnt a great deal of knowledge in terms of conducting legal research, doing contract agreements, preparing advice to clients and other related assignments. To my surprise, I came to realize that working at a law firm is tough and required prompt action. At the beginning, I had a hard time trying to adapt to the environment and understanding both the structure of the law firm and what my expected roles were. I was totally new to the law firm’s services and products and had a tough time to adapt to the new environment. During the internship, I have discovered my strengths and weaknesses in working at a law firm. Mistakes are inevitable, but I was trying my best to improve daily after feedback from my supervisors. Most of my studies were through “self-learning” and “self-discovery” since all the staff were very busy with their core jobs and duties. Hence, this encouraged me to do a lot of studies on my own, while learning gradually. Thanks to my own learning and hard work, I was delighted when I provided good research and advice to clients. I was so happy when my supervisor gave me a compliment for what I did, and it gave me strength to work harder in the future. During these three months, I thought that I would not be able to deal with challenges that kept coming, yet I did it.

This internship has completely changed me and my perspective toward my future career. As now I am informed of what to expect in a law firm, I can make a better decision and discover my strength to prepare myself if I want to pursue it further. To illustrate, I studied international law and I realized that I preferred to continue exploring the field.

Last but not least, I would recommend the CSHL to conduct an orientation for all interns before their placements. Thus, interns would have extensive ideas of what to expect. Some students are not familiar with law firms, and they might need consultation from CSHL. Regarding the allowance for graduate placement, I would like to suggest CSHL to pay it in cash or via bank account. It is time-consuming to get the cash from the bank.

To conclude, I appreciate every moment of this internship journey. It provided such good memories, knowledge and experience for my future career. To the future female graduate who wants to work in the legal sector, especially in a law firm, you have to be more patient and flexible. As an intern, try not to expect someone to teach and train you all the time because you are supposed to work hard by yourself.

Internship Reflection

Name: Leng Chansopheavy

Position: Legal Intern at Vinaya Law Firm

Period: 3 months (Part time)



The experience I had while working as an intern at **Vinaya Law Firm** was so fascinating. I was able to acquire enough experiences to grow myself while trying to advance in my career. The purpose of writing this paper is to present the events which occurred at **Vinaya Law Firm**. This is thus a reflection which shows my experiences and my improvement in the entire internship period, in particular regarding my future plans after the internship.

In the entire internship period, I have struggled with many things, including how to work in a network system, how to find documents from Ministries' websites, how to make agreements and contracts, how to copy, print and scan documents, how to communicate with people around me, and other things. This was my first time to be involved in work like this. However, I definitely have acquired and learned new skills and experiences during three months of internship. I appreciate this so much.

First and foremost, I have developed my research skills concerning investment matters, civil matters and business matters. I have done legal memorandums, standard operating procedure, checklists, flowcharts, process guidelines, fee proposals, and template forms, all on different topics which include hypothec registration, land title transfer process (both hard and soft title), systematic land registration, big truck and heavy equipment imports, business licenses, initial public offering registration in Cambodia, company stock registration and its updated information, obtaining licenses for sending Cambodian workers to work overseas, issuance of borey construction, and issuance of shopping mall construction.

Secondly, I have improved my Khmer typing skills. Before, I was very bad at typing in Khmer language as I am a student in the English Law Program, so all of my works are produced in English. Yet, since I was an intern in Vinaya Law Firm, I have done many translations concerning court documents and many agreements or contracts, from Khmer to English and English to Khmer language.

Last but not least, I have experienced about how to get involved and communicate with people. Honestly, I am a person who prefers to stay silent than to speak out, so this makes it hard for me to make friends. As the internship ends, I realized that I have changed my attitude to become a **"new Me"** through my communications with my colleagues. It started to be easy to communicate with people around me.

Bearing this in mind, I aim to fill the missing piece in the puzzle of human resources in the Cambodian legal sector. I have faith that my involvement as a legal intern under the placement program of the Women in the Law Project would contribute to the improvement of my future career. Becoming a legal professor and researcher has always been my future goal. Taking note that Cambodia is still in need of human resources, I will use all of my experiences from this internship to guide me to find new work places, to gain new experiences, and collected all these experiences to pursue a master's degree at Lund University, in Sweden.

Last but not least, I would love to thank the “**Women in the Law Project**” funded by the British Embassy in Phnom Penh, CSHL/RULE and Stanford Center to give me a valuable chance.

Internship Reflection

Name: Ratt Lean

Position: Legal Intern at Bar Association of the Kingdom of Cambodia

Period: 3 months (Full time)



During my internship, I have learned from my team about work such as researching legal documents, and posting it to the BAKC website. I check the writing of lawyers' bulletins, I sometimes take the minutes of my supervisors' meetings, and I find legal documents for my supervisor. I call to inform lawyer teams about meetings, act as secretary, write reports, and help gather the legal data. I prepare lists and ask lawyers to register to join the workshops. Moreover, I learn from workshops about the affairs of the trials at the Extraordinary Chambers in the Courts of Cambodia (ECCC), and talk about how to judge at the ECCC. I went to a retreat with all the Bar's leaders and staff at Koh Kong province for three days. I was really happy to visit there, and we rode the boat to Koh Sdach. That retreat included meetings of the staff and had teachers talk about using mediation, and talking about how to become a leader. Regarding my team, they are very kind and help explain me more when I do not understand. I could learn from the retreat, to get to know all the staff of the BAKC, to be friendly and work well with each other.

In my future plan after my internship placement, I will continue to work there and find a part-time job. Many things have changed for me: I gained more experience, I have more confidence than before, and I can work with another person that I did not know before. Before this, I just studied and I did not have experience.

I can work with the law and gain good experience, as I can read and research more about law. It is good for me to find another position in the law, as before, I thought women could not work as a lawyer, but women can do it. I can speak a lot more than before. I can be a secretary, can find more data in my project, and I have time to read books to know a lot about the law.

Internship Reflection

Name: Tan Sambathmarina

Position: Legal Intern at RHTLaw Cambodia

Period: 3 months (Part time)



My name is Tan Sambathmarina, an intern in the Women in the Law (WiL) project. From November 2019 to February 2020, I have interned with RHTLaw Cambodia, a law firm in Cambodia, as a part-time intern for 3 months. It has been an interesting experience.

During this internship, I have developed greater knowledge. Initially, and most importantly, I have learned about the working environment in a law firm, which is new for me. Everyone here works in a fast pace, and the amount of work depends on that, because sometimes the schedule is very tight while sometimes it is not. Moreover, I have learned about some processes and procedures for working in this field. I have also improved my communication skills. As I interned here, I learned that, to be able to succeed in this field, I have to socialize with other people, and as a result, I found myself becoming more sociable and adaptable with different types of people, which in the past I found difficult. Lastly, I have also gained more knowledge on some specific laws which have been used in the firm, such as commercial law, investment law, etc. Furthermore, by helping the lawyers in the firm, I learned how to form and review an agreement for the client and many more things related to the work as a lawyer.

After this internship, I plan to continue working in this law firm to gain more experience and to develop and stabilize my skills in this field until I graduate. This internship has provided me opportunities to realize an important thing, which is the actual work in this legal field and its working environment. With these things that I have learned, I can make a clearer plan and step toward my goals in my future career.

Finally, I am thankful for the WiL project for providing me this placement opportunity that helps me in pursuing my future career in this field. This project is very good, and I hope this project will provide more opportunities to more female students to help them find their weaknesses to improve, and potentially move toward their future careers in this legal field.

Acknowledgements

The British Embassy in Cambodia: H.E. Ms. Tina Redshaw, Mr. Cashel Gleeson, Ms. Pongratana Ly, Ms. Sovannraksmeay Chap

H.E. Dr. ING Kantha Phavi, Minister of Women’s Affairs, Ms. Chinneth Chheng

Prof. Thida Buoy, Ms. Hanna Johnsson, H.E. Mealy Khieu, Ms. Margaret Ryan

Ms. Rachana Bunn, Ms. Sopheap Chak, Ms. Ratha Lim, Ms. Vuthyka Men, Ms. Sochet Heng, Ms. Samnieng Muni Mang, Ms. Saim Meas, Ms. Chan Linda Mith, Ms. Somaly Nguon, Ms. Sophary Noy, Ms. Sophany San, Ms. Sovanna Sek, Ms. Soworn Sin, Mr. Sokseila Bun, Ms. Sorphea Sou, Ms. Nearirath Sreng, Ms. Bophal Tep , Mr. Monysophea Mang

Bar Association of the Kingdom of Cambodia

Heng & Partners Law Group

RHTLaw Cambodia

SNB & Associates

Vinaya Law Firm

Raoul Wallenberg Institute of Human Rights and Humanitarian Law

Australian Volunteers Program

Studio 4 Productions

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