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Cambodia

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights*

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. Several treaty bodies made recommendations regarding ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol and the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.²

3. The Committee on Economic, Social and Cultural Rights recommended that Cambodia ratify the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), the Domestic Workers Convention, 2011 (No. 189), the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).³

4. The Committee on the Elimination of Discrimination against Women recommended that Cambodia ratify the ILO Violence and Harassment Convention, 2019 (No. 190) and the Maternity Protection Convention, 2000 (No. 183).⁴

5. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Cambodia accede to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.⁵

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



6. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Cambodia ratify the Convention against Discrimination in Education.⁶

III. National human rights framework

1. Constitutional and legislative framework

7. The Human Rights Committee recommended that Cambodia adopt comprehensive legislation prohibiting discrimination, including multiple, direct and indirect discrimination, in all spheres, in both the public and the private sectors, on all the grounds prohibited under the International Covenant on Civil and Political Rights, including race, colour, sex, political or other opinion, national or social origin, sexual orientation and gender identity, disability, or any other status, and ensure access to effective and appropriate remedies for victims of discrimination.⁷

8. The same Committee recommended that Cambodia revise its legislation with a view to ensuring that it contained a definition of torture that was fully compliant with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and article 7 of the International Covenant on Civil and Political Rights.⁸

9. The Committee on the Rights of the Child recommended that Cambodia expedite the adoption of a comprehensive child protection law that covered all principles and provisions of the Convention on the Rights of the Child.⁹

2. Institutional infrastructure and policy measures

10. The United Nations country team stated that Cambodia continued efforts to establish a national human rights institution through finalization of the draft law on organization and functioning of the national human rights commission.¹⁰

11. The Committee on the Elimination of Racial Discrimination recommended that Cambodia accelerate the establishment of an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), in full consultation with civil society organizations and relevant stakeholders.¹¹

12. The Human Rights Committee recommended that Cambodia enable the National Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to carry out its functions independently and effectively, including to conduct regular and unannounced visits to all places of detention.¹²

13. The same Committee was concerned about the lack of procedural safeguards in the Anti-Corruption Law, as well as the lack of its effective enforcement. It was also concerned about the lack of independent and effective investigations carried out by the Anti-Corruption Unit.¹³

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

14. The same Committee remained concerned about the discrimination and systemic exclusion faced by ethnic minorities, in particular Khmer Krom and Cambodians of Vietnamese origin, including the denial of identity documents, which limited their access to other rights.¹⁴

15. The same Committee was concerned about the discrimination, segregation and stigma faced by persons with disabilities, as well as by lesbian, gay, bisexual and transgender persons, which often entailed violence.¹⁵

2. Right to life, liberty and security of person, and freedom from torture

16. The same Committee was deeply concerned about the numerous and serious allegations regarding extrajudicial killings of opposition leaders, human rights defenders, journalists and land rights activists in the country, including the killing of the opposition member Sin Khon, in November 2021. It was also concerned about the lack of effective and impartial investigations into those killings, which remained unaddressed.¹⁶

17. The same Committee was deeply concerned about serious allegations of torture and ill-treatment occurring in police custody and in other places of detention, which in some cases had resulted in death.¹⁷

18. The Committee on the Rights of the Child remained deeply concerned about reports of abuse and ill-treatment, including “shackling”, of children with disabilities and children in detention, including in drug rehabilitation and youth centres.¹⁸

19. The United Nations country team recommended that Cambodia immediately investigate all allegations of torture, ill-treatment and deaths in custody, and provide access to remedy and reparations for survivors of torture and ill-treatment or the families of those who had died in custody.¹⁹

20. The Committee on the Rights of the Child remained deeply concerned that corporal punishment was legally and socially acceptable and widespread in the country. It recommended that Cambodia explicitly prohibit in law, as a matter of priority, corporal punishment in all settings, including in the home and childcare institutions.²⁰

21. The ILO Committee of Experts on the Application of Conventions and Recommendations urged Cambodia to take immediate and effective measures to ensure that persons who expressed political views or views opposed to the established system, including those of opposition members, human rights defenders and journalists, were not punished with penal sanctions involving compulsory labour, including compulsory prison labour.²¹

22. The Human Rights Committee recommended that Cambodia put an end to the involuntary detention of persons experiencing homelessness, beggars and persons with psychosocial disabilities, who were often held in transit or rehabilitation centres, and take the measures necessary to provide alternatives to the institutionalization of children in street situations, including their placement in family-based settings.²²

23. The United Nations country team stated that the number of children in detention, including pretrial detention, remained high, despite non-custodial measures in the Criminal Procedure Code and Law on Juvenile Justice.²³

24. The Human Rights Committee recommended that Cambodia take effective legal and other measures to ensure that pretrial detention was only used as an exceptional measure and for a limited period of time, particularly in relation to mothers with young children, and increase the use of alternative measures to pretrial detention.²⁴

25. The same Committee recommended that Cambodia significantly reduce overcrowding in prisons, intensify its efforts to improve the conditions of detention and ensure adequate access to food, clean water and health care for prisoners in all places of deprivation of liberty.²⁵

3. Administration of justice, including impunity, and the rule of law

26. The same Committee recommended that Cambodia take all the necessary measures to safeguard, in law and in practice, the full independence, impartiality and safety of judges and prosecutors. It recommended that Cambodia take specific measures to prevent judges from being influenced in their decision-making by any form of political pressure, including by ensuring that procedures for the selection, appointment, suspension, removal and disciplining of judges and prosecutors were in compliance with the International Covenant on Civil and Political Rights and relevant international standards.²⁶

27. The Secretary-General recommended that Cambodia guarantee fair trial rights, in particular the guarantees of presumption of innocence, factual and conclusive evidence and

against undue delays, and the right to legal assistance, adopt a national policy on legal aid and create a centralized legal aid system.²⁷

28. The Human Rights Committee recommended that Cambodia comply with its obligation to investigate past human rights violations that had occurred under the Pol Pot regime, as well as after the signing of the Paris Peace Agreements, prosecute the perpetrators, punish them with penalties commensurate with the gravity of the crimes where appropriate and provide full reparation, including adequate compensation, to the families of the victims.²⁸

29. The same Committee was concerned about reports that fundamental legal safeguards for persons deprived of their liberty were often not respected, including the rights to be informed of the charges against them, to have prompt access to a lawyer and to a doctor of their own choice and to notify a person of their choice of their detention.²⁹

30. The Committee on the Elimination of Racial Discrimination was concerned about barriers in access to justice for minorities owing to remote locality, a limited understanding of laws and judicial processes and a lack of trust in the justice system.³⁰

31. The Committee on Economic, Social and Cultural Rights was concerned about reports that high levels of corruption and impunity persisted in the State, including in the management of land, the concessions for investments and development projects, as well as in the health and education sectors.³¹

32. The Human Rights Committee recommended that Cambodia ensure that all cases of corruption, including those related to land issues, illegal logging and contracts for development projects, were independently and thoroughly investigated, that those responsible were duly tried and adequately punished and that victims received full reparation. It also recommended that Cambodia ensure adequate protection for whistle-blowers, witnesses and victims of corruption.³²

33. The same Committee recommended that Cambodia intensify its efforts to ensure the effective implementation of the Law on Juvenile Justice and that children in conflict with the law were treated in a manner commensurate with their age. It recommended that Cambodia ensure that pretrial detention of minors was strictly used in exceptional cases and only as a last resort.³³

4. Fundamental freedoms and the right to participate in public and political life

34. The same Committee remained deeply concerned about the persistent violation of freedom of expression. It was alarmed by reports of the closure of multiple national and international media outlets; the blockage of websites critical of the Government; the use of criminal and civil legal actions against journalists and human rights defenders; and the widespread harassment and intimidation of online activists, including during the elections in 2018, and for criticizing the State's handling of the coronavirus disease (COVID-19) pandemic.³⁴

35. The same Committee noted with concern that some criminal offences contained in the Criminal Code and the Law on Telecommunications, including defamation, incitement, insult and lèse-majesté, were often used to restrict freedom of expression disproportionately and excessively.³⁵

36. The Special Rapporteur on the situation of human rights in Cambodia stated that he had continually received reports of attacks, coupled with unjustified arrests and prosecutions, on human rights defenders, journalists and media personnel, political dissidents and others seen as being opponents of the authorities.³⁶

37. The United Nations country team stated that, despite the existence of a press law, the overwhelming use of the Criminal Code to regulate the press had led to self-censorship, especially on coverage regarding the environment, land rights and human rights violations.³⁷

38. The Secretary-General stated that, in August 2022, OHCHR had published a report on the state of press freedom in Cambodia that had highlighted the lack of frameworks protecting freedom of the press in compliance with international human rights obligations.³⁸

39. The Secretary-General stated that, on 12 February 2023, the Prime Minister of Cambodia had ordered the closure of the Voice of Democracy media outlet, and that the High Commissioner for Human Rights had expressed concern, stating that the decision had appeared arbitrary as it had not been preceded by a thorough and transparent process, as required by the press law, and had failed to meet the tests of legality, necessity and proportionality required for any permissible restriction on freedom of expression.³⁹

40. The United Nations country team stated that civic space could shrink further if draft laws on cybercrime and cybersecurity and the sub-decree on the national Internet gateway were to be implemented. The sub-decree raised concerns due to broad and ambiguous language and undefined grounds for government action, such as arbitrary mass surveillance of private communications and widespread censorship of online content.⁴⁰

41. The United Nations country team recommended that Cambodia decriminalize defamation and insult and replace them with a civil defamation law system consistent with international standards, repeal the *lèse-majesté* provisions and bring relevant provisions of the Criminal Code into line with the International Covenant on Civil and Political Rights.⁴¹

42. The Special Rapporteur on Cambodia recommended that Cambodia release detained human rights defenders, political dissidents, journalists, media personnel and other advocates of human rights and democracy, drop court cases against them and refrain from harassing or attacking them.⁴²

43. UNESCO recommended that Cambodia reform media regulatory bodies in order to guarantee their independence, in compliance with international standards on freedom of expression.⁴³

44. The United Nations country team recommended that Cambodia introduce an access to information law consistent with international standards.⁴⁴

45. The Human Rights Committee was gravely concerned about reports of arbitrary denial of permission to hold peaceful assemblies and arrests of organizers based on vague legal provisions contained in the Law on Peaceful Assembly. It was deeply concerned at information received regarding the use of excessive and disproportionate force to disperse peaceful demonstrations, leading to widespread arrests and detention of protesters, including human rights defenders, environmental activists, opposition leaders and trade unionists.⁴⁵

46. The United Nations country team recommended that Cambodia amend the Law on Associations and Non-Governmental Organizations to comply with the International Covenant on Civil and Political Rights, in a transparent consultative process and taking into account the recommendations of civil society.⁴⁶

47. The Committee on the Elimination of Racial Discrimination recommended that Cambodia ensure an open space for the operation of civil society organizations and remove complex registration procedures and limitations on their ability to operate, with a view to facilitating the work of human rights defenders.⁴⁷

48. The Human Rights Committee expressed its serious concern at the unlawful restrictions placed on members of the opposition with regard to their participation in public affairs and elections, through threats, harassment, arbitrary arrests, mass trials, the revocation of passports and acts of violence, such as the killing of the Cambodian National Rescue Party member, Sin Khon, in November 2021.⁴⁸

49. The same Committee was concerned about the dissolution, in November 2017, of the main opposition political party, the Cambodia National Rescue Party, and of three other opposition parties in 2021, and the transfer of all the seats of the Cambodia National Rescue Party in the National Assembly to the ruling Cambodian People's Party.⁴⁹

50. The Special Rapporteur on Cambodia stated that mass trials, particularly of individuals from the main opposition party and those seen to be antithetical to the dominant power base, had caused great concern and had stifled the possibility of political pluralism.⁵⁰

51. Several Special Rapporteurs, in a joint press release, stated that a range of serious human rights violations and severe restrictions on civic and political space had affected the credibility of the country's national elections on 23 July 2023. The shrinking civic and

political space, including a ban on the main opposition party, media restrictions and blockages and the harassment of perceived opponents of the ruling elite had distorted the electoral architecture and process.⁵¹

52. The Secretary-General stated that OHCHR had received reports of intimidation of political opposition members and supporters, including death threats and physical surveillance by unknown persons. Victims had noted that they believed that they had been targeted because of their affiliation with the Candlelight Party.⁵²

53. The Human Rights Committee recommended that Cambodia conduct thorough and independent investigations into all allegations of harassment, intimidation and arbitrary arrest and acts of violence against members and supporters of opposition parties, in particular in the killing of Sin Khon, and bring the perpetrators to justice.⁵³

54. The same Committee recommended that Cambodia ensure the full and meaningful enjoyment of electoral rights by everyone, including opposition political candidates, and that all political parties could conduct an equal, free and transparent electoral campaign.⁵⁴

5. Right to privacy

55. The Committee on the Rights of the Child recommended that Cambodia develop regulations and safeguarding policies to protect the rights, privacy and safety of children in the digital environment.⁵⁵

56. The same Committee recommended that Cambodia ensure that the draft laws on access to information and cybercrime protected children's right to privacy, protected children from harmful content and materials and online risks, and provided for mechanisms to prosecute violations.⁵⁶

6. Right to marriage and family life

57. The Committee on the Elimination of Discrimination against Women reiterated its concern that women were prohibited from remarrying within 120 days of divorce under article 950 of the Civil Code.⁵⁷

7. Prohibition of all forms of slavery, including trafficking in persons

58. The same Committee on the Elimination of Racial Discrimination was deeply concerned that Cambodia remained a source, destination and transit country for trafficking in persons, in particular of women and girls, for purposes of sexual and labour exploitation. It was particularly concerned about trafficking in children.⁵⁸

59. The Secretary General stated that reports of illegal operations of online scam centres had continued to emerge with thousands of persons allegedly trafficked for forced criminality. Reports indicated that some of those online scam centres were based in special economic zones, which had been characterized by opaque regulation and the proliferation of multiple illicit economies, including trafficking in persons and wildlife, as well as drug production and trafficking.⁵⁹

60. The Human Rights Committee remained concerned about reports of a lack of adequate protection for victims of trafficking, in particular of women and children.⁶⁰

61. The Committee on the Elimination of Discrimination against Women was concerned about the limited progress in addressing the root causes of trafficking within the country, including poverty and lack of economic opportunities, especially in rural and remote areas.⁶¹

62. The Human Rights Committee recommended that Cambodia ensure the effective enforcement of the Law on Suppression of Human Trafficking and Sexual Exploitation. It recommended that Cambodia ensure that cases of trafficking in persons were thoroughly investigated, that those responsible were prosecuted and, if found guilty, were sentenced appropriately, and that victims were provided with full reparation and appropriate protection and assistance.⁶²

63. The Committee on the Rights of the Child recommended that Cambodia take all necessary measures to prevent, prosecute and eliminate the exploitation of children online and in travel and tourism.⁶³

64. The same Committee remained deeply concerned about the large number of children involved in child labour, including in hazardous work, in domestic work under slavery-like conditions and in so-called debt bondage, such as in the construction, brickmaking, agricultural and textile industries. It urged Cambodia to explicitly prohibit the employment of children in harmful or hazardous work and develop a list of hazardous work prohibited for children.⁶⁴

65. The ILO Committee of Experts requested that Cambodia continue its efforts to strengthen the labour inspection services to enable them to effectively monitor and detect cases of child labour, including children working on their own account or in the informal economy.⁶⁵

8. Right to work and to just and favourable conditions of work

66. The Committee on Economic, Social and Cultural Rights was concerned that, despite a number of initiatives adopted by the State to promote access to work, young persons, women, persons with disabilities and persons living in rural areas continued to be especially affected by unemployment and the lack of access to decent work.⁶⁶

67. The same Committee noted with concern that persons working in the textile, garment and footwear sectors were exposed to poor conditions of work, including excessive working hours, low wages and limited employment security, and were at risk of exploitation.⁶⁷

68. The same Committee recommended that Cambodia adopt a comprehensive system of protection from occupational hazards that provided adequate protection to all workers, including those in the informal sector, in the event of workplace accidents and occupational diseases.⁶⁸

69. The United Nations country team recommended that Cambodia establish and enforce occupational safety and health standards and labour inspections for high-risk sectors, including plantations/agriculture, construction, fishing, manufacturing and brick kilns.⁶⁹

70. The Human Rights Committee recommended that Cambodia review the Labour Law of 1997 with a view to ensuring the implementation of the principle of equal pay for work of equal value and guaranteeing the full protection of domestic workers.⁷⁰

71. The Committee on Economic, Social and Cultural Rights urged Cambodia to take all measures necessary to ensure that the trade union rights of workers in the country were fully respected and that trade union members and leaders were able to exercise their activities in a climate free of intimidation, violence, harassment and risk for their personal security or their lives.⁷¹

72. The United Nations country team recommended that Cambodia eliminate hurdles to the formation and functioning of trade unions, including by simplifying registration forms and ensuring clear instructions, regular training and the elimination of all discretionary authority of officials of the Ministry of Labour.⁷²

73. The ILO Committee of Experts requested Cambodia to ensure that all measures were taken to monitor, in consultation with the social partners, that fixed-term contracts were not used for anti-union purposes, including through their non-renewal.⁷³

9. Right to social security

74. The United Nations country team stated that only 40 per cent of the population was covered by some form of social protection.⁷⁴

75. The Committee on Economic, Social and Cultural Rights recommended that Cambodia establish a social protection floor that included basic universal social guarantees and redouble its efforts to develop a social security system that guaranteed universal coverage and provided sufficient benefits for all persons, especially those belonging to the most disadvantaged and marginalized groups, to ensure that they had a decent standard of living.⁷⁵

10. Right to an adequate standard of living

76. The United Nations country team stated that, while Cambodia had witnessed a reduction in its poverty rate, there was a notable rise in income disparity. Poverty rates, adjusted using the updated national poverty line, were at 17.8 per cent, with higher rates (22 per cent) in rural areas.⁷⁶

77. The Committee on Economic, Social and Cultural Rights urged Cambodia to take the legislative and administrative measures necessary to ensure that the minimum wage was applied to all sectors of the labour market and that all workers received a minimum wage that provided them with a decent standard of living for themselves and their families.⁷⁷

78. The same Committee was concerned about the high number of communities that had been forcibly evicted or that were facing the risk of being forcibly evicted, both in rural and urban areas, affecting the livelihood and the right to adequate housing of those concerned.⁷⁸

79. The Special Rapporteur on Cambodia stated that the privatization of State land was a problem, especially when facilitated by those in power in favour of their vested interests in the business sector. It was linked with evictions and the displacement of communities, including low-income settlements and Indigenous groups.⁷⁹

80. The Committee on Economic, Social and Cultural Rights remained extremely concerned about the high level of chronic malnutrition and severe food insecurity in the country.⁸⁰

81. The Committee on the Rights of the Child recommended that Cambodia prioritize access to water, sanitation and hygiene, particularly in rural areas.⁸¹

11. Right to health

82. The same Committee recommended that Cambodia prioritize measures to improve access to quality health services, in particular in rural areas and for children with disabilities, children belonging to minority groups and migrant children, and ensure that all health facilities had adequate water, sanitation and hygiene facilities.⁸²

83. The same Committee recommended that Cambodia strengthen measures to reduce infant and under-5 mortality rates, in particular in rural areas.⁸³

84. The United Nations country team stated that Cambodia had taken actions to extend health-care coverage, but that access to social health protection remained limited for vulnerable populations and informal workers. Only one third of the population had access to subsidized health-care services.⁸⁴

85. The Committee on Economic, Social and Cultural Rights recommended that Cambodia ensure the accessibility and availability of appropriate, good quality sexual and reproductive health services, information and contraception, for all women and adolescent girls in the country, especially in rural or remote areas.⁸⁵

12. Right to education

86. UNESCO recommended that Cambodia ensure that the right to education was legally enshrined for all, not only for Cambodian citizens.⁸⁶

87. UNESCO recommended that Cambodia ensure that primary and secondary education were explicitly compulsory for 9 years and free for 12 years and enshrine in law one year of compulsory and free pre-primary education.⁸⁷

88. The Committee on Economic, Social and Cultural Rights was concerned about the high level of school dropout rates, especially in secondary education and among students belonging to marginalized or disadvantaged groups and Indigenous children.⁸⁸

89. The ILO Committee of Experts strongly encouraged Cambodia to pursue its efforts to improve the functioning of the national education system and increase the enrolment and completion rates and reduce dropout rates at the lower secondary level.⁸⁹

90. The Committee on Economic, Social and Cultural Rights was concerned about the shortcomings in the quality of school infrastructure, including the lack of sanitation facilities affecting, in particular, girls' access to education.⁹⁰

91. The Committee on the Rights of the Child recommended that Cambodia improve the quality of education at all levels, especially in rural areas, including by reducing the student-teacher ratio, ensuring appropriate levels of training for teachers and equipping schools with adequate educational infrastructure, technology and sanitation.⁹¹

92. The Committee on the Elimination of Discrimination against Women recommended that Cambodia eliminate the specific barriers faced by girls to enrolling and remaining in school at the secondary and tertiary levels, including poverty, negative parental attitudes and preference given to the education of boys, disability, child marriage and early pregnancy.⁹²

93. The Committee on the Rights of the Child recommended that Cambodia ensure access of children with disabilities to quality inclusive education in mainstream schools with individual support by specialized staff and reasonable accommodation for their educational needs.⁹³

94. The Committee on Economic, Social and Cultural Rights recommended that Cambodia guarantee that migrant, asylum-seeking and refugee children had effective access to education.⁹⁴

13. Cultural rights

95. The same Committee recommended that Cambodia take the steps necessary to strengthen the protection of cultural rights and respect for cultural diversity. It also recommended that Cambodia promote an enabling environment for Indigenous Peoples to preserve, develop, express and share their identity, history, culture, languages, traditions and customs, as well as to maintain their spiritual relationship with their lands, territories and resources.⁹⁵

14. Business and human rights

96. The same Committee was concerned by reports regarding the negative impacts that business activities and large development projects, including in the Special Economic Zones, had on the enjoyment of economic, social and cultural rights, in particular on access to land, the right to an adequate standard of living, labour rights and the right to health.⁹⁶

97. The Committee on the Rights of the Child recommended that Cambodia establish and implement regulations to ensure that the business sector, in particular the manufacturing and tourism industries, complied with international and national human rights, labour, environment and other standards, particularly with regard to children's rights.⁹⁷

B. Rights of specific persons or groups

1. Women

98. The Committee on Economic, Social and Cultural Rights was concerned about the extent of domestic violence and the lack of progress in the revision and amendment of the law on the prevention of domestic violence, which contained provisions to prevent victims having adequate access to justice.⁹⁸

99. The Committee on the Elimination of Discrimination against Women recommended that Cambodia ensure that cases of gender-based discrimination and violence against women, including domestic violence and rape, were thoroughly investigated, perpetrators were prosecuted and adequately punished, and victims were provided with remedies.⁹⁹

100. The United Nations country team recommended that Cambodia amend the Law on the Prevention of Domestic Violence and the Protection of Victims, by removing the mediation clause, aligning it with the Criminal Code and Civil Code, and ensuring that it defined, prohibited and criminalized all forms of gender-based violence.¹⁰⁰

101. The Committee on the Elimination of Discrimination against Women noted with concern the persistence of discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society.¹⁰¹

2. Children

102. The Committee on the Rights of the Child remained deeply concerned about the high level of sexual exploitation and abuse of children, including through online sexual abuse material and in the context of prostitution and the so-called sale of virginity. It was also deeply concerned about the significant underreporting and investigation of such cases, impunity for offences, and inadequate support services for child victims of sexual exploitation and abuse.¹⁰²

103. The Committee on Economic, Social and Cultural Rights recommended that Cambodia ensure that all cases of economic and sexual exploitation of children and any type of abuse or violence directed at them were thoroughly investigated and that those responsible were duly punished.¹⁰³

104. The United Nations country team stated that child marriage remained an issue, despite efforts by the Government to address it, with 17.9 per cent of women aged 20–24 in a union before 18, the highest prevalence being in north-east Cambodia.¹⁰⁴

105. The Committee on the Elimination of Discrimination against Women recommended that Cambodia adopt targeted measures in all communities with high rates of child marriage, including awareness-raising programmes on the harmful effects of such marriage on the health, development and education of girls, as well as the fact that marriage under 18 years of age was prohibited by law.¹⁰⁵

106. The Committee on Economic, Social and Cultural Rights recommended that Cambodia take appropriate and comprehensive measures to address the root causes, and ensure the protection, of children in street situations.¹⁰⁶

107. The Committee on the Rights of the Child recommended that Cambodia ensure that all children, including Khmer Krom, ethnic Vietnamese and migrant children, had access to birth registration and identity documents.¹⁰⁷

108. The same Committee remained deeply concerned about the large number of children living in residential care and recommended that Cambodia phase out institutionalization and support and prioritize family-based care for children wherever possible, including for children with disabilities, and strengthen the foster care system for children who could not stay with their families.¹⁰⁸

109. The same Committee urged Cambodia to investigate and prosecute those involved in illegal adoptions and the sale of children for adoption.¹⁰⁹

3. Persons with disabilities

110. The United Nations country team recommended that Cambodia adopt the law on the protection of the rights of persons with disabilities, in compliance with the Convention on the Rights of Persons with Disabilities.¹¹⁰

111. The Special Rapporteur on Cambodia stated that there was a lack of professional support available, especially for persons with intellectual disabilities and persons with psychosocial disabilities, who remained stigmatized.¹¹¹

112. The Special Rapporteur on Cambodia stated that issues preventing children with disabilities from attending school included social discrimination, lack of transport, lack of assistive devices, physical barriers, teachers' lack of skills in appropriate teaching methodologies and the need for children to help with housework.¹¹²

4. Indigenous Peoples and minorities

113. The Committee on Economic, Social and Cultural Rights was deeply concerned about reports of dispossession, displacement and relocation of Indigenous Peoples from their land and territories, including natural, protected areas that they had traditionally occupied, often

without respecting their right to be consulted with a view to obtaining their free, prior and informed consent.¹¹³

114. The same Committee was concerned about the complex and slow process for the registration and demarcation of Indigenous Peoples' land and the lack of effective mechanisms for protecting their rights related to their lands, territories and resources, particularly when those had not been registered in ongoing land acquisition processes.¹¹⁴

115. The Secretary-General called upon Cambodia to adopt an adequate legal framework that provided effective recognition of and protection for the rights of Indigenous Peoples to possess, use, develop and control their lands, territories and resources, and ensure that Indigenous Peoples were not dispossessed, displaced or relocated from their ancestral land and territories, including their access to natural resources.¹¹⁵

5. Lesbian, gay, bisexual, transgender and intersex persons

116. The Secretary-General stated that, while some progress had been made in addressing discrimination of lesbian, gay, bisexual, transgender and intersex persons, there was still insufficient legal protection from discrimination and violence based on sexual orientation and gender identity and no legal recognition of self-defined gender identity or marriage equality under the law.¹¹⁶

117. The Special Rapporteur on Cambodia stated that lesbian, gay, bisexual, transgender, queer and intersex persons in Cambodia often worked in certain marginalized sectors, which prevented them from escaping the cycle of poverty. That was exacerbated by widespread family rejection and exclusion in schools and the wider community.¹¹⁷

6. Migrants, refugees and asylum-seekers

118. The Committee on the Elimination of Racial Discrimination was deeply concerned at reports that the principle of non-refoulement was not fully respected in law and in practice. It was also concerned at the lack of procedural safeguards for applicants for asylum and refugee status, in particular those whose applications were denied.¹¹⁸

119. UNHCR recommended that Cambodia ensure that detention of asylum-seekers was used only exceptionally as a measure of last resort for the shortest duration possible after consideration of alternative measures in accordance with international standards.¹¹⁹

120. UNHCR recommended that Cambodia issue refugees with Cambodian residence cards, in addition to their refugee cards, and enable their access to basic rights and services in accordance with national and international standards.¹²⁰

121. UNHCR recommended that Cambodia ensure that refugees could effectively access pathways to Cambodian citizenship or to other forms of permanent status within the country to which they were entitled under the law.¹²¹

7. Stateless persons

122. UNHCR recommended that Cambodia enhance its efforts to guarantee the birth registration of all born within Cambodia, including by examining the situation of minorities and hard-to-reach populations with respect to access to birth registration and carrying out outreach registration efforts to ensure that births were registered.¹²²

123. The Committee on the Rights of the Child recommended that Cambodia develop a procedure to determine statelessness in order to properly identify and protect stateless children.¹²³

124. UNHCR recommended that Cambodia amend its Law on Nationality to ensure that a legal pathway to citizenship was available to stateless persons and that stateless persons born in Cambodia were able to obtain Cambodian nationality.¹²⁴

Notes

- ¹ [A/HRC/41/17](#), [A/HRC/41/17/Add.1](#) and [A/HRC/41/2](#).
- ² [E/C.12/KHM/CO/2](#), paras. 54 and 55; [CCPR/C/KHM/CO/3](#), para. 5; [CERD/C/KHM/CO/14-17](#), para. 41; [CRC/C/KHM/CO/4-6](#), paras. 53 and 54; and [CEDAW/C/KHM/CO/6](#), para. 54.
- ³ [E/C.12/KHM/CO/2](#), paras. 15 (d) and 27 (f). See also [CRC/C/KHM/CO/4-6](#), para. 46 (d); and [CEDAW/C/KHM/CO/6](#), para. 37 (g).
- ⁴ [CEDAW/C/KHM/CO/6](#), para. 37 (g).
- ⁵ UNHCR submission for the universal periodic review of Cambodia, p. 3. See also [CERD/C/KHM/CO/14-17](#), para. 34; [CRC/C/KHM/CO/4-6](#), para. 19 (e); and [CEDAW/C/KHM/CO/6](#), para. 33 (c).
- ⁶ UNESCO submission for the universal periodic review of Cambodia, para. 25 (i).
- ⁷ [CCPR/C/KHM/CO/3](#), para. 15 (a).
- ⁸ *Ibid.*, para. 23 (a).
- ⁹ [CRC/C/KHM/CO/4-6](#), para. 6 (a).
- ¹⁰ United Nations country team submission for the universal periodic review of Cambodia, para. 4.
- ¹¹ [CERD/C/KHM/CO/14-17](#), para. 8. See also [E/C.12/KHM/CO/2](#), para. 7; [CCPR/C/KHM/CO/3](#), para. 7; [CEDAW/C/KHM/CO/6](#), para. 16; and United Nations country team submission, para. 4.
- ¹² [CCPR/C/KHM/CO/3](#), para. 23 (b).
- ¹³ *Ibid.*, para. 8.
- ¹⁴ *Ibid.*, para. 14. See also [CERD/C/KHM/CO/14-17](#), paras. 13, 25 and 26.
- ¹⁵ [CCPR/C/KHM/CO/3](#), para. 14.
- ¹⁶ *Ibid.*, para. 20.
- ¹⁷ *Ibid.*, para. 22.
- ¹⁸ [CRC/C/KHM/CO/4-6](#), para. 24.
- ¹⁹ United Nations country team submission, para. 12. See also [CCPR/C/KHM/CO/3](#), para. 23 (c).
- ²⁰ [CRC/C/KHM/CO/4-6](#), paras. 25 and 26 (b).
- ²¹ See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P13100_COUNTRY_ID:4308508,103055.
- ²² [CCPR/C/KHM/CO/3](#), para. 29 (b).
- ²³ United Nations country team submission, para. 11.
- ²⁴ [CCPR/C/KHM/CO/3](#), para. 27.
- ²⁵ *Ibid.*, para. 25 (a) and (b). See also [CEDAW/C/KHM/CO/6](#), para. 45 (c); and United Nations country team submission, para. 12.
- ²⁶ [CCPR/C/KHM/CO/3](#), para. 33. See also [CERD/C/KHM/CO/14-17](#), para. 20.
- ²⁷ [A/HRC/51/63](#), para. 60 (d) and (e).
- ²⁸ [CCPR/C/KHM/CO/3](#), para. 13.
- ²⁹ *Ibid.*, para. 26.
- ³⁰ [CERD/C/KHM/CO/14-17](#), para. 21.
- ³¹ [E/C.12/KHM/CO/2](#), para. 18.
- ³² [CCPR/C/KHM/CO/3](#), para. 9. See also [E/C.12/KHM/CO/2](#), para. 19.
- ³³ [CCPR/C/KHM/CO/3](#), para. 41. See also [CRC/C/KHM/CO/4-6](#), para. 50.
- ³⁴ [CCPR/C/KHM/CO/3](#), para. 34.
- ³⁵ *Ibid.*
- ³⁶ [A/HRC/54/75](#), para. 30.
- ³⁷ United Nations country team submission, para. 19.
- ³⁸ [A/HRC/54/72](#), para. 34.
- ³⁹ *Ibid.*, para. 36.
- ⁴⁰ United Nations country team submission, para. 14.
- ⁴¹ *Ibid.*, para. 21.
- ⁴² [A/HRC/54/75](#), para. 105 (d).
- ⁴³ UNESCO submission, para. 29.
- ⁴⁴ United Nations country team submission, para. 21.
- ⁴⁵ [CCPR/C/KHM/CO/3](#), para. 36.
- ⁴⁶ United Nations country team submission, para. 21.
- ⁴⁷ [CERD/C/KHM/CO/14-17](#), para. 38.
- ⁴⁸ [CCPR/C/KHM/CO/3](#), para. 38.
- ⁴⁹ *Ibid.*
- ⁵⁰ [A/HRC/51/66](#), para. 35.
- ⁵¹ See www.ohchr.org/en/press-releases/2023/08/cambodias-shrinking-democratic-space-affected-credibility-national-elections.
- ⁵² [A/HRC/54/72](#), para. 33.

- 53 [CCPR/C/KHM/CO/3](#), para. 39 (b).
- 54 *Ibid.*, para. 39 (d). See also United Nations country team submission, para. 25.
- 55 [CRC/C/KHM/CO/4-6](#), para. 23 (a).
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- 57 [CEDAW/C/KHM/CO/6](#), para. 48.
- 58 [CERD/C/KHM/CO/14-17](#), para. 31.
- 59 A/HRC/54/72, para. 50.
- 60 [CCPR/C/KHM/CO/3](#), para. 30. See also [CEDAW/C/KHM/CO/6](#), para. 26 (b).
- 61 [CEDAW/C/KHM/CO/6](#), para. 26 (a).
- 62 [CCPR/C/KHM/CO/3](#), para. 31. See also [CEDAW/C/KHM/CO/6](#), para. 27 (c); [CERD/C/KHM/CO/14-17](#), para. 32 (a) and (b); and [CRC/C/KHM/CO/4-6](#), para. 48.
- 63 [CRC/C/KHM/CO/4-6](#), para. 51 (d).
- 64 *Ibid.*, paras. 45 and 46.
- 65 See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P13100_COUNTRY_ID:4297015,103055. See also [CCPR/C/KHM/CO/3](#), para. 31.
- 66 [E/C.12/KHM/CO/2](#), para. 24.
- 67 *Ibid.*, para. 26.
- 68 *Ibid.*, para. 27 (c).
- 69 United Nations country team submission, para. 93.
- 70 [CCPR/C/KHM/CO/3](#), para. 17 (a).
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- 73 See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P13100_COUNTRY_ID:4023158,103055.
- 74 United Nations country team submission, para. 57.
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- 77 [E/C.12/KHM/CO/2](#), para. 29.
- 78 *Ibid.*, para. 42.
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- 82 *Ibid.*, para. 36 (a).
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- 84 United Nations country team submission, paras. 43 and 44.
- 85 [E/C.12/KHM/CO/2](#), para. 45 (c). See also [CRC/C/KHM/CO/4-6](#), para. 38 (a); [CEDAW/C/KHM/CO/6](#), para. 39 (a); and United Nations country team submission, para. 80.
- 86 UNESCO submission, para. 25 (ii).
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- 88 [E/C.12/KHM/CO/2](#), para. 48 (a).
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- 90 [E/C.12/KHM/CO/2](#), para. 48 (b).
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- 92 [CEDAW/C/KHM/CO/6](#), para. 35 (a).
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- 94 [E/C.12/KHM/CO/2](#), para. 49 (e).
- 95 *Ibid.*, para. 53.
- 96 *Ibid.*, para. 10.
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- 100 United Nations country team submission, para. 32.
- 101 [CEDAW/C/KHM/CO/6](#), para. 22. See also [CCPR/C/KHM/CO/3](#), para. 16.
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- 104 United Nations country team submission, para. 87.
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- 106 [E/C.12/KHM/CO/2](#), para. 37.
- 107 [CRC/C/KHM/CO/4-6](#), para. 19 (c).

- ¹⁰⁸ Ibid., paras. 31 and 32 (a).
¹⁰⁹ Ibid., para. 33 (a).
¹¹⁰ United Nations country team submission, para. 38.
¹¹¹ [A/HRC/42/60/Add.1](#), para. 39.
¹¹² Ibid., para. 38.
¹¹³ [E/C.12/KHM/CO/2](#), para. 14.
¹¹⁴ Ibid.
¹¹⁵ A/HRC/54/72, para. 63 (f).
¹¹⁶ [A/HRC/51/63](#), para. 55.
¹¹⁷ [A/HRC/42/60/Add.1](#), para. 60.
¹¹⁸ [CERD/C/KHM/CO/14-17](#), para. 35.
¹¹⁹ UNHCR submission, p. 4.
¹²⁰ Ibid., p. 5.
¹²¹ Ibid.
¹²² Ibid., p. 3.
¹²³ [CRC/C/KHM/CO/4-6](#), para. 19 (d).
¹²⁴ UNHCR submission, p. 3.
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