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SOGIESC-SRHR RIGHTS IN CAMBODIA

Sexual Orientation, Gender Identity and Expression and Sex Characteristics Rights & Sexual Reproductive Health and Rights in Cambodia.
Background on SOGIESC-SRHR in Cambodia’s UPR

➢ Cambodia’s Second UPR cycle 2014
➢ No recommendations were made to RGC on the rights of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (“LGBTIQ”) people,
➢ Only 2 recommendations made by Uruguay addressed SRHR which were partially implemented.
➢ 1st time local CSOs working on LGBTIQ rights bring those issues to the UPR
Legal Discrimination against LGBTIQ people in Cambodia

- Enjoy some visibility & inclusion
- Support from some RGC members and institutions
- May 2018, 1st National Dialogue on Public Policies to promote LGBTIQ rights with presence of RGC representatives.

**However:**
- Lack of protection against discrimination
- Absence of legal recognition of self-defined gender identity
- Absence of marriage equality law
- Denial of full adoption rights for rainbow couples
Legal Discrimination against LGBTIQ people in Cambodia

Recommendations

- Amend its current Constitution and legislation to end all legal discrimination based on sexual orientation, gender identity and expression, and sexual characteristics.

In particular:
- Introduce an **Anti-Discrimination Law** by the end of 2023, which guarantees equality and explicitly prohibits discrimination of all kinds, including on the basis of SOGIESC, in line with SDG 5.1.
- Amend Article 45 of the Constitution to **enable legal marriage equality** by the end of 2022.
- Introduce a **Gender Recognition Law** by the end of 2021.
- Amend the relevant provisions of the Civil Code (Articles 1008-1015) governing adoption to guarantee that **full adoption rights are made available to any couple** by the end of 2021.
Social Discrimination against LGBTIQ people in Cambodia

➢ Growing LGBTIQ movement
➢ Regular events + Public Pride events since 2003
➢ MoYEs “life skills” curriculum under development.

**However:**
➢ Limit coming-out to close circle by fear of discrimination
➢ Forced marriage with opposite sex partner imposed by families
➢ 92% of Trans Women experience verbal abuse, 43% physical violence, 31% sexual assault, and 25% rape.
➢ Discrimination in accessing and keeping employment (harassment)
Amend existing legislation and enact anti-discrimination policies to ensure the rights of LGBTIQ individuals are protected in all-sectors.

In particular:

- Adopt specific **policies of non-discrimination on the basis of SOGIESC** across all Cambodian public services, in priority in the education system, health sector, in the media, and in the police departments at the local and national level, by 2020.

- Amend Article 12 of the 1997 Labor Law to include a provision **prohibiting discrimination in employment on the basis of SOGIESC**, by the end of 2021, in line with SDG 8.5.

- Ensure the effective protection of LGBTIQ people who engage in sex work.

- Ensure that all teachers receive comprehensive training on SRHR, including SOGIESC rights, by the end of 2022.
Health rights of LGBTIQ people in Cambodia

➢ Cambodia targets to eliminate HIV by 2025
➢ Abortions are legal

**However:**

➢ Training on SOGIESC of Health professionals limited/non-existent
➢ 22% LGBTIQ report shame in interacting with Healthcare professionals
➢ Gender affirming healthcare services not available ➞ not regulated.
Ensure that all health-care professionals are trained on SOGIESC including through the inclusion of SOGIESC in the medical and nursing school curriculums, by the next UPR cycle, in line with SDG 3.
THANK YOU

From all the members of our coalition:

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