Cambodian Center for Human Rights

Politics in the Kingdom:
Increasing Female Representation

Cambodian Center for Human Rights

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Queries and Feedback

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Definitions and Acronyms

AHRD	ASEAN Human Rights Declaration
ALECC	Amended Law on Elections of Commune Council
APP	Khmer Anti-Poverty Party
ASEAN	Association of Southeast Asian Nations
ACWC	Commission on the Promotion and Protection of the Rights of Women and Children
BPFA	Beijing Declaration and Platform for Action
Cambodia	The Kingdom of Cambodia
CAR	Council for Administrative Reform
CCHR	Cambodian Center for Human Rights
CEC	Commune Election Committees
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CEDAW Committee	The Committee on the Elimination of all Forms of Discrimination against Women
CEDAW Optional Protocol	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
CMDGs	Cambodian Millennium Development Goals
CMDG3	Cambodian Millennium Development Goal 3
CNCW	Cambodian National Council for Women
CNCW Plan	Cambodian National Council for Women Five-Year Strategic Plan
CNRP	Cambodian National Rescue Party
COMFREL	Committee for Free and Fair Elections in Cambodia
Constitution	Constitution of the Kingdom of Cambodia, 1993 (as amended)
C/PEC	Capital/Provincial Election Committees
CPP	Cambodian People's Party
CSO	Civil Society Organization
DMP	Democratic Movement Party
D&D	Decentralization and Deconcentration
FUNCINPEC	National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia
GDP	Gross Domestic Product
GGG Report	Global Gender Gap Report
GMAGs	Gender Mainstreaming Action Groups
GMAPs	Gender Mainstreaming Action Plans
GSB	Gender Sensitive Budgeting
HDMP	Hang Dara Democratic Movement Party
HRP	Human Rights Party
ICCPR	International Covenant on Civil and Political Rights
JICA	Japan International Cooperation Agency
KNP	Khmer National Party
LAMCC	Law on Administrative Management of Commune/Sangkat Councils
LDP	League for Democracy Party
LECPMDK	Law on Elections of Capital Council, Provincial Council, Municipal Council, District Council, and Khan Council
LEMNA	Law on the Election of the Members of the National Assembly

LSE	Law on Senate Election
LPP	Law on Political Parties
MDG	Millennium Development Goals
MoWA	Ministry of Women's Affairs
MP	Member of Parliament
NA	National Assembly
NDI	National Democratic Institute
NEC	National Election Committee
NGO	Non-Governmental Organization
NP-SNDD	National Program for Sub-National Democratic Development
NRP	Norodom Ranariddh Party
NSPD I	National Strategic Development Plan (2006)
NSPD II	National Strategic Development Plan (2010)
OEC	Office Election Committee
Organic Law	The Law on Administrative Management of the Capital, Provinces, Municipalities, Districts and Khans
Project	CCHR's Project to Promote Women's Political Representation in Cambodia
RDP	Republic Democratic Party
Rectangular Strategy I	Rectangular Strategy for Growth, Employment, Equity, and Efficiency (2003)
Rectangular Strategy II	Rectangular Strategy for Growth, Employment, Equity, and Efficiency (2008)
Report	This Report entitled "Politics in the Kingdom: Increasing Female Representation"
RGC	Royal Government of Cambodia
SCM	Supreme Council of the Magistracy
SRP	Sam Rainsy Party
Sub-Decree	Sub-Decree on Decentralization of Powers, Roles, and Duties to Commune/Sangkat Councils
TWGG	Technical Working Group on Gender
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Program
UNGA	United Nations General Assembly
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
USAID	United States Agency for International Development
USAID Gender Assessment	2010 USAID Cambodian Gender Assessment

Glossary

Chbab Pros	*Chbab* means law/code; *pros* means men/male; the *Chbab Pros* is the traditional code of conduct for men in Cambodian society.
Chbab Srey	*Chbab* means law/code; *srey* means women/female; the *Chbab Srey* is the traditional code of conduct for women in Cambodian society.
Diet	The bicameral parliament in Japan, consisting of a House of Representatives with 480 seats and a House of Councillors with 242 seats.
Khan	Administrative sub-division of the capital of Cambodia, Phnom Penh
Neary Rattanak	Literally meaning "women are precious gems"; a five-year strategic plan (2009-2013) for Gender Equality and the Empowerment of Women in Cambodia.
Sangkat	The lowest administrative sub-division of Cambodia; the capital Phnom Penh and the 24 provinces are further subdivided into districts and municipalities. Districts are divided into communes (*khum*) or quarters (*sangkat*).

Executive Summary

While measurable progress with regards to women's rights has been achieved in the Cambodia recent history, women are still discriminated against and underrepresented in a number of areas, including education, the formal business sector, and politics. This Report focuses exclusively on the problem of gender inequality in political decision-making, which remains a problem throughout the world, and presents an overview of the situation of female political representation in Cambodia and to present solutions.

Both international law, including important covenants and conventions that have been ratified by Cambodia, and Cambodian domestic law, provide Cambodian women with the same political rights as men. In addition, the Royal Government of Cambodia (the "RGC") has enacted a number of important policies which are aimed at increasing the opportunities for women, not only in the political realm but in all sectors of society, and committed itself to increasing female political representation through various channels. However, due to a mixture of cultural, socio-economic and institutional reasons, the proportion of women in political positions, especially in high-level positions, is still very low at all levels of government.

Both the Cambodian Millennium Development Goals (the "CMDGs") and national policy documents identify specific targets to be achieved by 2015 with regards to female political representation. However, current statistics indicate that most of these targets will be missed, some of them by a wide margin. For all types of political positions – those that are directly elected, indirectly elected or appointed – there is an observable gap between rhetoric and practice. For instance, in direct elections, most political parties tend to place female candidates towards the bottom of candidate lists, thereby ensuring that very few, if any, will be elected to high-ranking positions. Moreover, women tend to be relegated to the sectors related to childhood, women and social policies – a trend which is not only discriminatory in and of itself, but further impedes the ability of women to progress and gain positions of increasing responsibility, as decision-making power in those sectors tends to be limited, especially as regards budgetary responsibility.

This underrepresentation in politics is due to many factors. Entrenched cultural norms assign certain statuses and behavioral expectations to both genders, with women being expected to remain subservient to men and to undertake mostly domestic tasks. These traditions and norms have had significant consequences on the socio-economic status of women: parents continue to favor providing education to boys over girls and women thus tend to have lower levels of education than men do. Both low education and a lack of financial independence hinder women's ability to enter politics. Moreover, institutional discrimination – enabled by a lack of comprehensive legislation addressing gender-based discrimination – serves to keep women in positions of limited responsibility and decision-making authority. Finally, the political culture in Cambodia, which places an emphasis on personalities and fosters animosity between parties, further deters women from running successfully for office by hindering network-building between women.

With only two years left to achieve the CMDGs, there is very little time left for the RGC to begin to concretely implement many of its commitments. However, the upcoming national elections scheduled for July 2013 provide a crucial opportunity for both the RGC and political parties to take concrete action towards increasing women's political representation in Cambodia. Initiatives should include specific measures such as an electoral gender quota system and other legislative measures to minimize institutional discrimination, capacity-building programs to help women gain the necessary skills, educational programs to reduce cultural stereotypes of women and increase voter confidence in women, and the implementation

of gender-sensitive initiatives and benefits to counter-balance the socio-economic factors that impede women from entering politics.

Chapter 1 (Introduction) serves as an introduction to the subject of women's political representation, providing an overview of the theoretical and practical importance of women's political empowerment and an overview of global, regional and national trends.

Chapter 2 (Purpose, Scope and Methodology) offers an overview of the methodology that was used to research and draft this Report.

Chapter 3 (Legislative Framework) gives an overview on the laws and regulations that impact on women's political participation that are currently in place in Cambodia. It looks into the international and regional commitments as well as into relevant domestic legislation.

In **Chapter 4 (Policy Framework)**, the policy and institutional framework for gender mainstreaming and gender equity established by the RGC is outlined, as well as relevant international and regional policies.

In order to evaluate the impact of the legislative and policy frameworks presented in the previous two Chapters, **Chapter 5 (Women in Political Positions)** presents and analyzes data on female candidates and politicians at both the national and sub-national levels of Cambodian politics, in light of the commitments and targets established by the RGC.

Chapter 6 (Barriers to Women's Political Representation) examines the cultural, socio-economic, institutional and political barriers to women's representation in politics in Cambodia and analyzes why despite the relatively strong legislative and policy framework – outlined in Chapters Two and Three – women remain underrepresented at all levels of politics.

Finally, **Chapter 7 (Conclusion & Recommendations)**, summarizes the main issues and recommendations, and concludes that in order to significantly increase women's political representation in Cambodia, action must be taken – especially ahead of the national elections scheduled for July 2013 – by all stakeholders. Key initiatives – legislative and non-legislative – undertaken to increase representation of women in politics and to address the barriers to women's political representation are reviewed, and recommendations aimed at the RGC, at Cambodian political parties and at civil society are offered.

1 Introduction

Far from being a problem specific to Cambodia, gender inequity in politics is a global problem found in countries in all regions of the world and of all levels of socio-economic status. However, increasing women's representation in politics is important for a myriad of reasons. As the Committee on the Elimination of Discrimination against Women ("CEDAW Committee") states in its general recommendations, a "critical mass" of 30 to 35% of women's representation is necessary to have an influence on the style and content of political deliberation and public decision-making.[1] Without that critical mass, women are unable to shape policy and legislative decisions that affect all citizens, including women. This is turn leads to decisions being taken which often do not reflect the needs of women, and, at the very worst, can have drastic consequences on women's daily lives.

With women playing a central role in child-rearing and education, having important stakes in healthcare policies and constituting an increasing part of the workforce, it is of primary importance for women to have influence and input into policy and legislative decisions that affect all sectors of society. As the United Nations ("UN") Entity for Gender Equality and the Empowerment of Women ("UN Women") explains,

> *"Studies show higher numbers of women in parliament generally contribute to stronger attention to women's issues. Women's political participation is a fundamental prerequisite for gender equality and genuine democracy. It facilitates women's direct engagement in public decision-making and is a means of ensuring better accountability to women."*[2]

Although having had the most women as heads of state,[3] the Asia-Pacific region boasts the second lowest level of female political representation in the world, with women in the region only constituting 18.3% of national parliaments.[4] Furthermore, underrepresentation seems to not be related to socio-economic achievements. Countries such as Japan and South Korea, who both boast high gross domestic product ("GDP") and education rates, still struggle with achieving gender equality in politics: women represent 11.3% of the National Diet – Japan's bicameral parliament – and 8% of representatives in local and regional bodies in Japan, while women in Korea constitute only 14% of the parliament.[5]

This continued underrepresentation of women in politics is due to several factors, many of which are intrinsically linked to cultural and historical factors. A 2010 United Nations Development Program ("UNDP") report attributes the "persistent gender gap" to traditional gender norms entrenched in notions of female second-class status.[6] Furthermore, as a 2012 report by the Asia Society on women's leadership in Asia argues:

> *"Often, in public discourses, mass media, religious practices, and traditional policies, women in Asia are portrayed less as visible and effective agents of change and progress, but as subjects of sexual*

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[1] Committee on the Elimination of Discrimination against Women, 'General Recommendation No. 23: women in political and public life' (16th session, 1997) <www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom23>.
[2] UN Women <http://www.unifem.org/gender_issues/democratic_governance/>.
[3] Astrid S. Tuminez, 'Rising to the top? A Report on Women's Leadership in Asia' (2012) 43 <http://sites.asiasociety.org/womenleaders/wp-content/uploads/2012/04/Rising-to-the-Top.pdf>.
[4] UNDP, 'Gender Equality in Elected Office in Asia Pacific: Six Actions to Expand Women's Empowerment' (September 2012) 5 <www.snap-undp.org/elibrary/Publications/DG-2012-GenderEquality.pdf>.
[5] Ibid 6.
[6] Astrid S. Tuminez, 'Rising to the top? A Report on Women's Leadership in Asia' (2012) 11-12.

predation, victims of conflict and war, or recipients of microfinance and other assistance. Leadership in Asia, as elsewhere, tends to be associated with men."[7]

Each year, the World Economic Forum issues its Global Gender Gap Report ("GGG Report"), which ranks 135 countries worldwide on gender equality, both overall and in four specific areas: health, education, economic opportunity and political empowerment. The 2012 GGG Report ranks Cambodia at 103rd overall, at 91st for political empowerment, and at 120th for the sub-indicator of "women in ministerial positions."[8] Cambodia ranks even worse on the overall education indicator, at 116th.[9] Looking at the Asia-Pacific region, Cambodia's rankings place it at 17th of 23 countries, well below some of its neighbors.[10]

Commitments to increasing female political representation in Cambodia have come from the highest level of the RGC. In a speech to over 600 female government officials in 2010, Cambodian Prime Minister Hun Sen urged officials to increase the proportion of women in government, expressing his hope that the government would eventually be composed of 50% women at all levels, and emphasizing that women should be appointed to positions of responsibility.[11] In addition, several policies have been introduced to address rampant gender inequality in all sectors of society, including by increasing women's political representation.

Nevertheless, there remains much progress to be done to ensure that the gender gap in Cambodia is narrowed and that women and girls have access to the same opportunities as men and boys do. Cultural attitudes towards the advancement of women must be addressed, in order to ensure that discrimination does not begin in the home. Legislation and policies must be concretely implemented, in order to fulfill commitments made to support and encourage the empowerment of women. Narrowing the gender gap – both generally speaking and specifically with regards to political representation – is crucial to the equitable development of Cambodia.

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[7] Astrid S. Tuminez, 'Rising to the top? A report on women's leadership in Asia' (April 2012) 11.
[8] World Economic Forum, 'Global Gender Gap Report' (2012) 134
<http://www3.weforum.org/docs/WEF_GenderGap_Report_2012.pdf>
[9] Ibid, 134.
[10] Ibid, 18.
[11] Van Roeun and Lucy Jordan, 'Hun Sen Seeks More Women in Government' (*Cambodia Daily*, 4 November 2010)

2 Purpose, Scope and Methodology

The purpose of this Report is to collate the data collected from CCHR's research of the current situation of women's political representation in Cambodia. In light of the upcoming national elections, the Report is intended to contribute to an improved, holistic understanding of the situation of women in the Cambodian political arena, providing a source of information to all stakeholders, including the RGC, political parties, civil society, voters and the international community.

The review of the legislative and policy frameworks was undertaken by reviewing key international, regional and domestic laws that are relevant to the political empowerment of women, as well as policy documents and strategies outlined by the RGC. The analysis of the current situation of women in politics stems from a comprehensive review of the data available with regards to women in political situations. This data, which is sometimes inconsistent between different data sets, is available through ministry websites, policy documents, reports to the UN and reports and surveys undertaken by NGOs.

As regards to the analysis of the barriers to women's political representation, CCHR reviewed findings from its human rights advocacy work, engaged in consultations with domestic, regional and international partners, and conducted further in-house research based on reports issued by local and international partners. The research was generated through CCHR workshops[12] and focus group discussions[13], field research and interviews[14] in rural and urban areas, and roundtable discussions[15] held in Phnom Penh. Data was collected and analyzed, identifying a number of factors that challenge women's increased participation in politics, including the impact of culture, traditions and societal stereotypes, and the lack of access to education and support.

The Report also highlights a number of recommendations – directed at the RGC, political parties and civil society – suggesting various strategies and mechanisms for increasing female representation in Cambodian politics. As regards the legislative recommendations – addressed primarily to the RGC and political parties – CCHR has analyzed the legislative landscape in Cambodia as it applied to women in politics and identified areas in which improvements can be made. As part of this process, research has been conducted into female political representation in other jurisdictions so as to ascertain whether such policy and legislation might have a similar positive effect on Cambodia's political landscape.

Non-legislative recommendations were also issued from the research conducted by CCHR, such as the focus group discussions, roundtable discussions and workshops, during which partners voiced their concerns and highlighted the areas where they would like to see change, as well as from a review of initiatives undertaken throughout the world. The purpose of these non-legislative recommendations is to strengthen and develop the movement for equality for women in politics by way of practical initiatives in which multiple stakeholders can partake.

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[12] CCHR conducted a workshop on 30-31 July 2012 with women commune councilors to enhance the capacity of women elected during the 2012 commune/sangkat elections to respond to the problems of individual constituents and to provide women from different political parties the opportunity to learn from each other and to begin building networks across party lines.

[13] CCHR conducted five focus group discussions, including 52 people total, in September and October 2012: two in Phnom Penh, one with nine women who are active leaders of civil society working on women's rights, and one with the Youth Peace Working Group; and the remaining three in Kratie, Kampot and Kampong Cham provinces with members of the community, commune councilors and village leaders.

[14] CCHR conducted eight interviews in September and October in Phnom Penh, Kampong Cham, and Siem Reap. Interviewees included two members of commune councils in Kampong Cham, a Commune Chief in Siem Reap, an Undersecretary of State at the Ministry of Women's Affairs, a Deputy Governor in Siem Reap Province, a Senator from the Cambodian People's Party, a Member of Parliament from the Sam Rainsy Party, and the Secretariat General of the Cambodian National Council for Women.

[15] CCHR has thus far conducted four roundtable discussions: on 30 April and 11 July 2012; and on 7 February and 21 February 2013.

3 Legislative Framework

Women are not legally discriminated against in Cambodia with regards to their politics rights. By implementing national and sub-national laws and ratifying important international treaties, the RGC has committed itself to the protection and promotion of human rights and women's rights, including the right to political participation and representation. However, although some legal documents contain specific provisions requiring that certain decision-making and administrative positions are occupied by women, there is no legal mechanism that ensures equal representation of both genders in politics.

This Chapter provides background information on the current legislative framework in Cambodia concerning women in politics. The first part of this Chapter examines domestic laws and regulations, including the Constitution of the Kingdom of Cambodia (the **"Constitution"**) and electoral laws. The second part of the Chapter reviews relevant international treaties and conventions that have been ratified by Cambodia.

3.1 Domestic law

3.1.1 The Constitution

The Constitution is Cambodia's supreme law. The following articles of the Constitution form the fundamental framework of citizens' – and especially women's rights – to participate in the political and public life of their country.

Article 34 (new) guarantees Cambodian citizens their civil and political rights to vote and to run for elections, specifically referring to both women and men. Moreover, Article 35 of the Constitution expresses the basic right to political participation for all Khmer citizens regardless of their gender. The Constitution prohibits any form of discrimination against women, as stated in Article 45.

The right of both men and women to stand as candidates for elections is reiterated in the respective chapters of the Constitution on the National Assembly (the "NA") and the

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Constitution of the Kingdom of Cambodia

Article 34 (new)

"Khmer citizens of either sex shall enjoy the rights to vote and to stand as candidates for an election.

Khmer citizens of either sex who are at least eighteen years old shall have the rights to vote.

Khmer citizens of either sex who are at least twenty-five years old shall have the rights to stand as candidates for the National Assembly elections.

Khmer citizens of either sex who are at least forty years old shall have the rights to stand as candidates for the Senate elections.

Restrictions on the rights to vote and the rights to stand as candidates in elections shall be determined by an electoral law."

Article 35:

*"Khmer citizens of **either sex** shall have the rights to participate actively in the political, economic, social and cultural life of the nation (...)"*

Article 45:

"All forms of discrimination against women shall be abolished. The exploitation of women in employment is prohibited. Men and women are equal in all fields especially with respect to marriage and family matters. Marriage shall be conducted according to law, based on the principle of mutual consent between one husband and one wife."

Senate.[16] These electoral rights are elaborated on in the particular national electoral laws (see Section 3.1.2 below).

3.1.2 National electoral laws

Endowed with legislative power, [17] the NA is the lower house of the Parliament of Cambodia and comprises 123 members, with the 24 Cambodian provinces as constituencies. Of these 24 electoral constituencies, 15 are multi-seat constituencies and nine are single seat.[18]

Members of the NA are directly elected in a system of proportional representation for a five year mandate with the possibility of re-election,[19] in accordance with the Law on the Election of the Members of the National Assembly (**"LEMNA"**), which was first promulgated in 1997 and amended most recently in 2008. Electors vote only for a political party, rather than for an individual. The content and order of candidates on the list are controlled by party leadership and it is not possible for voters to choose the order of candidates, in what is known as a "closed list" system. Furthermore, independent candidates are not able to run for election. Thus, while electors decide the size of the parties, it is the parties themselves which decide which candidates actually get elected. The number of seats in each constituency varies between one and 18. Accordingly, in smaller constituencies, or for smaller parties, only the top candidate has a realistic chance of election.[20]

Articles 33 and 34 of the LEMNA define the criteria for electoral candidates. While there are certain restrictions as to who may stand for election (including citizenship, age and professional criteria), representatives of both genders are equally permitted to register as candidates for political parties. The same is true for active suffrage, which is specified in Article 50 and applies to all Khmer citizens of both sexes above the age of 18 who have been registered on the voter list.

Created in 1999, the Senate[21] is the upper chamber of the Cambodian parliament. The Senate comprises not more than half the number of representatives in the NA,[22] and Senate elections are held every six years. As stipulated in the Law on Senate Election 2005 (**"LSE"**), of the current 61 Senators, two are appointed by the King and two are chosen by the NA, while the rest are elected indirectly by eight regional electoral colleges, which are comprised of the members of all commune/sangkat councils and the members of the NA for that region.[23] Candidates for election to the Senate must meet the same criteria as specified in the LEMNA, except that aspirants for the Senate must be 40-years-old or older.[24]

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[16] Constitution, Articles 76 and 99 (new). There are concerns regarding the effectiveness of the NA, in particular due to recent changes to the Internal Rules of Procedure of the NA, which have reduced the ability of members of minority parties to participate in meaningful debate. See more: CCHR, 'Institutions Series: The National Assembly' (Factsheet) (October 2011) <www.sithi.org/temp.php?url=media_view2.php&mid=4960>.

[17] Constitution, Article 90 (new).

[18] CCHR, 'Strengthening Electoral Processes and Democratic Practices in Cambodia: Report on Forums on Election and Democratic Space' (July 2011), 41 <www.sithi.org/admin/upload/media/[2011-09-15]Report%20on%20Forum%20on%20Elections%20and%20Democratic%20Space/15-09-2011_CCHR_FOREDS%20REPORT_JULY%202011_ENG.pdf>.

[19] LEMNA, Articles 3 and 5.

[20] Drude Dahlerup, 'Report on How to Achieve the Cambodian Millennium Development Goal 3 on Eliminating Gender Disparity in Public Institutions by 2015', (November 2010) 15-17 <www.statsvet.su.se/homepages/archive/drude_dahlerup/Cambodia_report_Dahlerup%20%20Dec%202.pdf>.

[21] Read more: CCHR, 'Institutions Series: The Senate' (Factsheet) (January 2012) <www.sithi.org/temp.php?url=media_view2.php&mid=5188>.

[22] Constitution, Article 99 (new).

[23] LSE, Articles 3-6, 11.

[24] LSE, Article 17.

3.1.3 Sub-national electoral laws

Cambodia has three sub-national administrative tiers, the highest being the 24 provinces, including the capital Phnom Penh. At the second highest tier, provinces are subdivided into municipalities and districts, whereas the capital is divided into "*khans*". Municipalities, districts and khans are all then divided into communes and "*sangkats*".[25]

For the first and second sub-national level, the Law on Administrative Management of the Capital, Provinces, Municipalities, Districts and Khans 2008 (the **"Organic Law"**) establishes councils with legislative and executive authority to promote democratic development and decentralization.[26] The number of councilors depends on the type of council as well as demographic and geographic factors and ranges from seven to 21 members.[27] The Law on Elections of Capital Council, Provincial Council, Municipal Council, District Council and Khan Council 2008 (**"LECPMDK"**) sets out the procedure for the election of members of the respective councils. Members are elected for a five-year term by representatives of the commune councils.[28] Article 15 of the LECPMDK states that all "Khmer citizens of both sexes" are eligible to compete as candidates for a seat in one of the councils, provided that they fulfill the requirements set out in Article 21 of the Organic Law. Again, these conditions refer to the candidate's citizenship, age and qualifications, but do not consider their gender.

The Organic Law provides for the establishment of at least three committees – a Technical Facilitation Committee, a Women's and Children's Affairs Committee, and a Procurement Committee – to assist the councils with their work.[29] The Organic Law makes prescriptions with regard to the gender composition of these committees and with regard to the councils' regular personnel in Articles 118, 127 and 176, requiring appropriate representation of women in appointed leadership and decision-making positions. Furthermore, the Organic Law establishes a board of governors for the capital and each of the provinces, municipalities, districts and khans. The board of governors represents the RGC and its ministries at a local level and is responsible for giving advice to the council. Each board comprises between three and seven members who are appointed for a four-year mandate. Boards are chaired by a governor who is assisted by a certain number of deputies. Only senior civil servants of the Ministry of Interior with certain qualifications can be selected for these positions. Yet, the Organic Law explicitly mentions that both men and women shall be considered for appointment.[30]

In order to strengthen local decentralized governance, commune/sangkat councils were established as governing bodies at the lowest level of administration by the Law on Administrative Management of Commune/Sangkat Councils 2001 (**"LAMCC"**). The commune councils fulfill both representative and administrative roles: they are responsible for developing policies and programs on behalf of the local people, as well as implementing policies and programs assigned by government ministries and institutions. As the analysis above indicates, commune councils play a key role in the political system of Cambodia because they elect the councils at the provincial and district levels and, along with the NA, form the electorate of the Senate. Furthermore, they are in charge of selecting the village chiefs.[31] A

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[25] Articles 4-5, Organic Law, see also Statoids, 'Provinces of Cambodia', (2011) <http://www.statoids.com/ukh.html>.
[26] Organic Law, Article. 2, 10, 29-30.
[27] Organic Law, Article 18.
[28] LECPMDK, Articles 2-4, 27.
[29] Organic Law, Article 115.
[30] Organic Law, Articles 138-147.
[31] LAMCC, Articles 30 and 42.

commune council has between five and eleven seats, depending on the commune's population and geographical size.[32]

The Amended Law on Elections of Commune Councils 2006 (**"ALECC"**) provides that members of commune/sangkat councils are elected in a universal and direct election for a five-year mandate. Like elections at the national level, electors vote for parties rather than individuals, and proportional representation is used to determine the number of councilors that each party has in a commune.[33] In Article 19 (new), the ALECC highlights that Khmer citizens of either sex have the same rights to register on the voting list and to vote in elections. The requirements for running as a candidate are specified in Article 45 (new), granting the right to stand for office to both men and women equally.

For the purpose of this Report, the Sub-Decree on Decentralization of Powers, Roles and Duties to Commune/Sangkat Councils 2002 (the **"Sub-Decree"**) is important as it contains two prescriptions requiring that certain decision-making positions at the local level are occupied by women. Article 19 of the Sub-Decree states that the council's committee on Women's and Children Affairs should be headed by a female commune councilor, while Article 22 stipulates that at least one of the posts of the village chief, the deputy village chief or the village assistant must be held by a woman.

3.1.4   Additional provisions in domestic law

The Law on Political Parties 1997 (**"LPP"**) states that every Khmer citizen of at least 18 years, without any gender restriction, is eligible to join a political party.[34] Furthermore, in Article 147 (new) of the Constitution the right of "Khmer citizens of either sex" to participate in the National Congress is enshrined as another form of political involvement. The National Congress was established as an attempt to strengthen direct democracy by giving people the right to "be directly informed on various matters of national interest and to raise issues and requests for the authorities of the State to solve."[35] However, the National Congress has never been held, because the RGC has thus far failed to convene it.[36]

3.2 International law

Article 31 of the Constitution states that "*[T]he Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights and the covenants and conventions related to human rights, women's rights and children's rights.*" These covenants and conventions have been directly incorporated into Cambodian domestic law by virtue of being ratified by Cambodian in 1992, with such incorporation confirmed by a decision of the Constitutional Council dated 10 July 2007, which stated that "*international conventions that Cambodia has recognized*" form part of Cambodian law.[37]

3.2.1   Universal Declaration of Human Rights

The Universal Declaration of Human Rights (the **"UDHR"**) was adopted by the UN General Assembly (the "UNGA") on 10 December 1948 and is the cornerstone of the current international human rights regime. Although not legally binding, the UDHR morally commits member States of the UN to fully respect and guarantee the rights and freedoms of their citizens which are enshrined in the 30 articles of the UDHR. The

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[32] LAMCC, Article 12.

[33] ALECC, Articles 2-3 and 5.

[34] LPP, Article 12.

[35] Constitution, Article 147.

[36] Asian Human Rights Commission, 'CAMBODIA: National Congress where the ruled and rulers meet must not be a still-born constitutional institution' (March 2009) <www.humanrights.asia/news/ahrc-news/AHRC-STM-057-2009>

[37] Constitution Council of the Kingdom of Cambodia, Decision No. 092/003/2007 (10 July 2007).

UDHR is persuasive and reflects many fundamental principles of customary international law. For the purposes of this Report the two most significant provisions are Articles 2 and 21.

Article 2 affirms the equal rights of *all* people, regardless of their gender:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty."

Article 21 outlines the basic political rights of every citizen to participate in the public decision-making process and elections of his or her country:

"(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

3.2.2   International Covenant on Civil and Political Rights

The International Covenant on Civil and Political Rights (the **"ICCPR"**) was adopted by the UNGA in 1966 and entered into force in 1976. The party States of the ICCPR are obliged to respect and protect the civil liberties and political entitlements of their citizens by refraining from human rights abuses themselves and preventing third parties from trespassing against human rights law. Cambodia ratified the ICCPR on 26 May 1992.

Article 2 of the ICCPR affirms that the rights contained in the ICCPR are the entitlement of every individual:

"1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Particularly important for this Report is Article 3, which emphasizes equal civil and political rights for both genders:

"The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant."

Article 25 of the ICCPR sets out the fundamental right to political participation, including the right to vote and the right to run for elections:

"Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country."

3.2.3 Convention on the Elimination of all Forms of Discrimination against Women

The most significant international agreement on the rights of women is the Convention on the Elimination of all Forms of Discrimination against Women (**"**CEDAW"), also called the "international bill of rights for women." It was adopted by the UNGA in 1979 and entered into force two years later in 1981. CEDAW was ratified by Cambodia on 15 October 1992. CEDAW defines gender discrimination and establishes an agenda for member States to take actions that guarantee equal rights and freedoms of men and women, including legislative and temporary special measures. Articles 2, 3 and 4 specify these treaty commitments in detail:

"States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women (…)"[38]

"States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men"[39]

"Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved."[40]

With regard to political participation and representation of women, Articles 7 and 8 of CEDAW are of utmost importance.

Article 7: *"States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:*
> *(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;*
> *(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*
> *(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country."*

Article 8: *"States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations."*

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[38] CEDAW, Article 2.
[39] CEDAW, Article 3.
[40] CEDAW, Article 4 (1).

Article 7 requires member states to take active steps to ensure that women are permitted to enjoy their active and passive voting rights, equal participation in public decision-making (as well as the right to hold public office and to perform public functions), and the right to be actively engaged in civil society organizations. Article 8 seeks to attain the same opportunities for women and men in the representation of their country at the international level.

Additional information and guidance on the proper interpretation and implementation of Articles 7 and 8 of CEDAW is provided in the General Recommendation No. 23 adopted by the CEDAW Committee in 1997.[41] General Recommendation No. 25 on temporary special measures clarifies what "measures" can include:

> *"The term "measures" encompasses a wide variety of legislative, executive, administrative and other regulatory instruments, policies and practices, such as outreach or support programmes; allocation and/or reallocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical goals connected with time frames; and quota systems."[42]*

The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (the "CEDAW Optional Protocol"), which was adopted by the UNGA in 1999 and came into force in 2000, provides the CEDAW Committee with the authority to consider complaints by individuals or groups of individuals who claim that their rights under CEDAW have been violated. By means of two different proceedings, the communication procedure and the inquiry procedure, the CEDAW Optional Protocol provides a tool for victims of rights abuses to seek remedies and hold governments accountable to commitments made in the CEDAW. Cambodia signed the CEDAW Optional Protocol on 11 November 2001 and ratified it on 13 October 2010 with effect from 12 January 2011.

3.2.4 ASEAN Human Rights Declaration

The Association of South East Asian Nations ("ASEAN") Human Rights Declaration (the "AHRD")[43] was adopted by ASEAN member states at the ASEAN Summit in Phnom Penh, Cambodia, on 18 November 2012. The Preamble of the AHRD affirms the importance of the Declaration of the Advancement of Women in the ASEAN Region,[44] which asserts in Article 1 that ASEAN member countries shall endeavor "*to promote and implement the equitable and effective participation of women whenever possible in the all fields and at various levels of the political, economic, social and cultural life of society at the national, regional and international levels."*

Furthermore, for the purposes of this Report, Articles 2, 4 and 25(1) of the AHRD are significant. Article 2 of the AHRD affirms the equal rights of all persons without distinction of gender:

> *"Every person is entitled to the rights and freedoms set forth herein, without distinction of any kind, such as race, gender, age, language, religion, political or other opinion, national or social origin, economic status, birth, disability or other status."*

Article 4 of the AHRD affirms the rights of women:

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[41] CEDAW Committee, General Recommendation No. 23 (16th session, 1997).
[42] CEDAW Committee, 'General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures' <http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20(English).pdf>
[43] Available at www.asean.org/news/asean-statement-communiques/item/asean-human-rights-declaration.
[44] Adopted 5 July 1988 by the governments of Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand. Available at www.asean.org/communities/asean-socio-cultural-community/item/declaration-of-the-advancement-of-women-in-the-asean-region-bangkok-thailand-5-july-1988.

> *"The rights of women, children, the elderly, persons with disabilities, migrant workers, and vulnerable and marginalised groups are an inalienable, integral and indivisible part of human rights and fundamental freedoms."*

Article 25 (1) affirms the right of every person to participate in government, either directly or indirectly:

> *"Every person who is a citizen of his or her country has the right to participate in the government of his or her country, either directly or indirectly through democratically elected representatives, in accordance with national law."*

National, regional, and international rights groups have cautioned the adoption of the AHRD. A main area of concern is that the AHRD will weaken the international legal obligations of member states. While regional human rights standards are intended to build on international standards and address concerns or points of interest specific to the region, the AHRD holds the potential to undervalue international standards in Southeast Asia. This concern stems primarily from the vague wording of the AHRD that permits states to introduce limitations on human rights for a number of reasons.[45] Nevertheless, the specific references to the rights of women reinforce other instruments and laws.

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[45] CCHR, 'CCHR Highlights the Danger of Adopting a Flawed ASEAN Human Rights Declaration' (Press Release) (19 November 2012) <www.cchrcambodia.org/media/files/press_release/315_211chroaabpahde_en.pdf>; Sam Campbell, 'Asean Declaration Allows Cambodia to Flout Human Rights, Warn Campaigners' (*The Guardian*, 23 November 2012) <www.guardian.co.uk/global-development/2012/nov/23/asean-declaration-cambodia-flout-human-rights>.

4 Policy Framework

The following chapter gives an overview of the current policy regime regarding women's political participation and representation in Cambodia. Although the legal framework equips women with the same civil and political rights as men, gender discrimination continues to present a serious problem in Cambodia. To combat the many impediments to the equal political participation and representation of women, the RGC has committed itself to a range of international and national policies. As these policies are, in general, part of a larger plan for national development, this Report focuses on those specific strategies that are more directly relevant to women's political representation. The first part of the Chapter reviews international policy documents that Cambodia has adopted, while the second part analyzes national policy strategies promulgated by the RGC that aim at strengthening the role of women in the political sphere.

4.1 Global and regional policy framework

4.1.1 *Beijing Declaration and Platform for Action*

The Beijing Declaration and Platform for Action (the **"**BPFA**"**) was adopted by 189 countries, including Cambodia, at the Fourth World Conference on Women which took place in Beijing, China from 4 to 15 September 1995. Building upon previous international policy commitments in the 1981 CEDAW and the 1985 Nairobi Forward-looking Strategies for the Advancement of Women,[46] the BPFA is an agenda for women's empowerment and gender equality. It identifies twelve "critical areas of concern" and proposes strategic objectives along with concrete actions to remove existent obstacles that hinder equality, development and peace.[47] The BPFA highlights the crucial role of women in politics as their voices are essential to promote just and democratic governance and criticizes the ongoing underrepresentation of women at all levels of government, especially in high rank executive positions. Two strategic objectives are set up in the area of women's political participation: first, to "take measures to ensure women's equal access to and full participation in power structures and decision-making", and second, to "increase women's capacity to participate in decision-making and leadership". The BPFA issues a range of tangible recommendations to multiple stakeholders, including governments, political parties, civil society organizations and private actors, prompting them to take positive action to boost the participation and representation of women in the political sphere.[48] The BPFA also underlines the importance of establishing and strengthening effective institutional machineries for the advancement of women at the national and international level, which is relevant for the second part of this chapter that focuses on the national policies and institutions adopted by the RGC to promote women's issues.[49]

4.1.2 *Millennium Development Goals*

The Millennium Development Goals (**"**MDGs**"**) are a series of eight specific international development objectives agreed-upon by all member states of the UN in the 2000 "Millennium Declaration."[50] The MDGs, which are divided and particularized into several indicators respectively, are intended to be achieved by 2015. The MDGs comprise a broad variety of targets but for the purpose of this Report, Goal 3, "promoting gender equality and empowering women", is of particular interest. One of the three indicators that

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[46] 1985 Nairobi Forward-looking Strategies for the Advancement of Women <www.un-documents.net/nflsaw.htm>.
[47] UN Women, 'The United Nations Fourth World Conference on Women. Platform for Action' (1995) <www.un.org/womenwatch/daw/beijing/platform/plat1.htm#concern>
[48] UN Women, 'The United Nations Fourth World Conference on Women. Platform for Action. G. Women in Power and Decision-making' (1995) <www.un.org/womenwatch/daw/beijing/platform/decision.htm>
[49] UN Women, 'The United Nations Fourth World Conference on Women. Platform for Action. H. Institutional Mechanisms for the Advancement of Women' (1995) <www.un.org/womenwatch/daw/beijing/platform/institu.htm>
[50] Available at www.un.org/millennium/declaration/ares552e.htm.

measure progress with regard to Goal 3 is the "proportion of seats held by women in national parliament."[51] All signatory states of the Millennium Declaration committed to regularly submit reports monitoring and evaluating the current stage of development as well as reviewing their strategies and needs with respect to the 2015 deadline.

4.1.3   ASEAN Commission for the Promotion and Protection of the Rights of Women and Children

In 2010, ASEAN established a Commission on the Promotion and Protection of the Rights of Women and Children (the **"**ACWC**"**) that pursues the goal of promoting and protecting the rights, well-being and participation of women and children. The ACWC is endowed with consultative authority and may among other things develop policy strategies, raise awareness and advocate for the promotion of women's and children's rights in the ASEAN community. The ACWC is composed of two representatives from each member state, one responsible for women's rights and the second for children's rights. The first meeting took place from 16 to 18 February 2011 at the ASEAN Secretariat in Jakarta, Indonesia, and the ACWC is supposed to meet for regular sessions two times a year. It is yet to be seen to what extent the ACWC will prove to be an effective tool to support women's representation in politics in the Southeast Asian region.[52]

4.2 National policy framework

4.2.1   Cambodian Millennium Development Goals

Cambodia adapted the global MDGs to better reflect the country's unique background and local challenges by setting up the CMDGs in the 2003 MDG Progress Report. The CMDGs comprise nine objectives, with the third CMDG ("CMDG3") concerning gender equality and women's empowerment, which is then broken down into four overall targets quantified based on several indicators. [53] Overall target number 7 under CMDG3 is of significance to this study as it seeks to "eliminate gender disparities in public institutions" by increasing the proportion of seats held by women in various governmental and administrative bodies. Table 1 provides an overview of the eight tangible indicators:

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[51] United Nations, 'Official list of MDG indicators' (2008)
<http://mdgs.un.org/unsd/mdg/Host.aspx?Content=indicators/officiallist.htm>
[52] ACWC, 'Terms of Reference. ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)' (2010) and 'Protection of the Rights of Women and Children (ACWC)' (2011) <www.aseansec.org/25910.htm>
[53] United Nations Development Program Cambodia, 'What is the difference between the Millennium Development Goals and the Cambodia Millennium Development Goals?' (2012) <www.un.org.kh/undp/mdgs/cambodian-mdgs/what-are-the-cambodia-millennium-development-goals>

Table 1: CMDG3, Target 7 (Eliminate gender disparities in public institutions)[54]	
Target 3.8	Increasing the proportion of seats held by women in the National Assembly from 12% in 2003 to 30% by 2015
Target 3.9	Increasing the proportion of seats held by women in the Senate from 13% in 2003 to 30% by 2015
Target 3.10	Increasing the proportion of female ministers from 8% in 2003 to 15% by 2015
Target 3.11	Increasing the proportion of female secretaries of state from 6% in 2003 to 18% by 2015
Target 3.12	Increasing the proportion of female under secretaries of state from 5% in 2003 to 20% by 2015
Target 3.13	Increasing the proportion of female provincial governors from 0% in 2003 to 10% by 2015
Target 3.14	Increasing the proportion of female deputy provincial governors from 1% in 2003 to 15% by 2015
Target 3.15	Increasing the proportion of seats held by women in commune councils from 8% in 2003 to 25% by 2015

4.2.2 Rectangular Strategy for Growth, Employment, Equity and Efficiency

The Rectangular Strategy for Growth, Employment, Equity and Efficiency (the **"**Rectangular Strategy I**"**) was promulgated in 2003 as the five-year policy agenda for socio-economic development in the government's third mandate. In 2008, the RGC announced that it would continue with the implementation of the Rectangular Strategy (the **"**Rectangular Strategy II**"**) in its fourth legislature to sustain economic growth, alleviate poverty, and improve the quality of public services. Rectangular Strategies I and II identify four strategic "growth rectangles," each of which is subdivided into four "sides": (1) Enhancement of the Agricultural Sector; (2) Further Rehabilitation and Construction of the Physical Infrastructure; (3) Private Sector Development and Employment; and (4) Capacity Building and Human Resource Development.[55]

Rectangle 4, which includes the "Implementation of gender policy" as a sub-target of "Capacity Building and Human Resource Development" is particularly important. In Articles 102 and 103 of the Rectangular Strategy II, there is explicit reference to the issue of unequal representation of women in decision-making positions and strategies to increase the role of women at all levels of government:

"102. The Royal Government considers women as the backbone of the society and the economy. (…) Moreover, women are being equipped with skills and they have the capacity to participate in decision-making at all levels of governance. In general, the proportion of women elected as members of parliament increased to 19% in 2003 and, in 2007, 15% of elected members of commune council are women and currently 30% of village chiefs are women.

103. (…) The Royal Government continues to increase women's role and capacity in decision-making at all levels of governance and pays attention to skills training for women at all levels. The Royal Government will strive to increase the ratio of women at all government levels, by providing employment opportunities for women, using advocacy at the village and commune levels throughout the country, and by protecting working rights of women."[56]

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[54] Ministry of Planning Cambodia, 'The Cambodian Millennium Development Goals (CMDGs)' (2006) <www.mop.gov.kh/Default.aspx?tabid=156>; Ministry of Planning Cambodia, 'Achieving Cambodia's Millennium Development Goals' (2010) 49 <www.un.org.kh/undp/media/files/CMDG%20Report%202010.pdf>.
[55] RGC, 'Rectangular Strategy II' <www.cnv.org.kh/2008_releases/26oct08_rectangular_strategy_phase_ii_with_diagram.htm>.
[56] Ibid.

Rectangular Strategy II is rather vague in its language and does not set specific measurable targets as far as women's political participation is concerned. The policy document refers rather broadly to capacity building and skills training as remedies for women's underrepresentation in politics, but concrete actions are not suggested. It also remains unclear which government institutions are in charge of implementing the proposed strategies and how the policy programs are funded.

4.2.3 National Strategic Development Plan

In an effort to combine and harmonize various policy documents that aim at poverty reduction and economic growth, including the CMDGs and the Rectangular Strategy, the RGC adopted a five-year National Strategic Development Plan (the **"NSDP I"**) in 2006 and updated it in 2010 (the **"NSDP II"**). NSDP II is the "roadmap for the implementation of the Rectangular Strategy II" and operationalizes the latter's rather broad ideas by giving details of who is responsible for conducting *which* specific policy activities, how they are funded and how to measure successful implementation.[57]

NSDP II follows the same structure as the Rectangular Strategy II with its four rectangles that are particularized into four sub-components respectively. Again, this Report focuses only on Rectangle 4 with the sub-goal of "Implementation of Gender Policy". In order to solve the remaining problems in this strategic area and to achieve the prioritized goal of more women's representation and participation in politics, the RGC's key policies and action plans for its fourth legislative term are outlined in Article 548 of NSDP II.

> *"(…) The Royal Government continues to increase women's role and capacity in decision-making at all levels of governance and pays attention to skills training for women at all levels. The Royal Government will strive to increase the ratio of women at all government levels, by providing employment opportunities for women, using advocacy at the village and commune levels throughout the country, and by protecting the rights of working women."[58]*

Furthermore, NSDP II provides comprehensive information on which ministries or agencies will carry out which programs to realize the stated policy objectives. The Ministry of Women's Affairs (the "MoWA") and the Cambodian National Council for Women (the **"CNCW"**) are the responsible government institutions to implement the key policies in the field of gender policy. The following paragraph outlines the concrete policy actions that the MoWA should undertake, including the introduction of affirmative measures like gender quotas:

> *"In the strategic area **Promotion of women's participation in decision making in the public and political sector**, the MOWA in cooperation with relevant stakeholders will take the following actions:*
>
> *• Increase the number of active women representatives in decision making in government institutions and at all sub national levels through lobbying of political parties and relevant institutions to increase the proportion of women standing for elections and putting their candidacy higher up in the list for senate, parliamentary and sub national councils; encourage political dialogue and develop strategies and advocacy for affirmative action and set quotas for women at all levels; raising public awareness of the importance of women's participation at the senior level as lower house representative, provincial, municipal, district and Khan board of governors and commune councilor; and capacity development for elected and appointed women by the public at*

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[57] RGC, 'NSDP I' (2006) 5; 'NSDP II' (2010) ii-iv.
[58] RGC, 'NSDP II' (2010) 178.

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national and sub national levels including female candidates standing for commune council elections 2012 and the next national elections.

• The promotion of women's participation in decision making in the public sector at all levels by pushing for the implementation of policies and procedures for promotion and recruitment of government officials in response to gender equality; cooperating with the Royal School of Administration in setting up gender responsive curriculum and increasing the number of female students – Cooperating with the women civil servant association and relevant players in improving the effectiveness of performance and rights protection, and the well-being of women civil servants; capacity building and skills at Leadership and Management as well as other related skills for women leaders."[59]

NSDP II also includes information on the costs and the resources of the individual policy projects. In addition, specific indicators are developed to monitor and evaluate progress in each strategic area. Periodic assessments of these indicators help to identify and tackle problems in the implementation process and to adjust and improve respective policy programs.

4.2.4   Neary Rattanak

The MoWA as established in 1996 and forms the core of the national machinery for the promotion of gender equality and women's empowerment together with the inter-ministerial CNCW. The MoWA is responsible for developing and implementing gender-mainstreaming programs in all government institutions and ministries. It further fulfills facilitating and coordinating functions concerning partnerships with other stakeholders and is in charge of implementing, monitoring and evaluating policy programs related to gender issues.

Within the framework of the MoWA, the Technical Working Group on Gender ("TWGG") and Gender Mainstreaming Action Groups ("GMAGs") were set up as additional institutional mechanisms to promote gender equity. The TWGG was established in 2005 in a joint effort by MoWA, UNDP, and Japan International Cooperation Agency ("JICA") to coordinate the activities of the national government, international donors and civil society organizations and to increase efficiency of the various projects. Furthermore, the MoWA has set up GMAGs in almost all line ministries in order to implement and monitor RGC's policies in a given policy sector. The respective numbers of ministries that have formulated and implemented their so-called Gender Mainstreaming Action Plans ("GMAPs") are included in the NSDP II as indicators evaluating progress in terms of gender equity.[60]

The MoWA issued its first Five-Year Strategic Plan "Neary Rattanak", which translates into "Women are Precious Gems," in 1999. The most recent update from 2009 "Neary Rattanak III" complements RGC's overall development program set out in Rectangular Strategy II. Neary Rattanak III first reviews the achievements in the implementation of the MoWA's previous Five-Year Strategic Plan "Neary Rattanak II" and then analyzes the current situation by highlighting persistent challenges to gender equity. Quantitative data is used to identify remaining challenges and appropriate approaches to increase the number of women in public decision-making and politics:

"Although there is considerable increase in women's participation in the legislative branch including the Senate, National Assembly, Capital, Provincial, Municipal, District, Khan, Commune/Sangkat Councils and Board of Governors, representation of women in the executive branch of government remains low, particularly in senior decision-making positions at the national

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[59] RGC, 'NSDP II' (2010) 180.
[60] MoWA, 'Neary Rattanak III' (2009) 15-16; RGC, 'NSDP II' (2010) 182.

level and in provincial and district administration. There are also very few women represented in the judicial branch – as judges, prosecutors or lawyers.

Key challenges remain to be addressed in the promotion of women's participation in decision-making; these include traditional beliefs and stereotyping, that women are not well suited for high positions and decision-making. The additional burden women face in their role as care-givers and household work remain considerable barriers for women to participate fully in decision-making. Moreover, many women lack experience in leadership and management in politics and public office. Capacity development specifically targeting women in this field is important."[61]

Neary Rattanak III concentrates on five strategic areas, one of them being "Women in Public Decision-making and Politics." The overall objective in this area is "to develop and implement measures for equal representation of women in politics and public decision-making, and to develop the skills and confidence of women for decision-making at all levels of governance."[62] The MoWA has set up three sub-targets to be achieved in this area: (1) fair representation and active participation of women at the national level; (2) fair representation and active participation of women in elected and appointed office at the sub-national level; and (3) increased participation of women in decision-making in civil service at all levels.

The targets are sub-divided into several indicators to measure progress and adjust policy programs according to their effectiveness. The subsequent table lists the key indicators for women in public decision-making and politics and compares actual and target values:

Table 2: Key indicators and targets for women in public decision-making and politics[63]				
Indicator	**Actual**		**Target**	
	Year	Value	Year	Value
Proportion of seats held by women in National Assembly	2008	22	2013	30
Proportion of seats held by women in Senate	2007	14.8	2015	30
Proportion of female Ministers	2008	7.7	2013	15
Proportion of female Judges	2008	7.7	2013	15
Proportion of civil servants that are women	2008	34	2013	38
Proportion of female Provincial Governors	2008	0	2013	10
Proportion of women members of Board of Provincial Governors	2008	16.8	2013	28
Proportion of women members of Capital, Provincial Council	2009	9.89	2015	TBD
Proportion of women members of Municipal, District, Khan Council	2009	12.65	2015	TBD
Proportion of women members of Commune Council	2007	15	2015	25
Proportion of women Chief of Commune/Sangkat Council	2007	4	2013	10

Neary Rattanak III gives detailed information on the target groups, the responsible departments of MoWA or CNCW and cooperation partners of the multiple activities. Those include:

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[61] MoWA, 'Neary Rattanak III' (2009) 5.
[62] Ibid, 29.
[63] MoWA, 'Neary Rattanak III' (2009) 11.

1. Lobbying political parties and relevant institutions to include female candidates in top positions on party lists for national and subnational elections and in appointments to national and subnational offices (Senate, Board of Governors).
2. Advocating for affirmative action measures and quotas at all levels.
3. Public awareness-raising on the benefits of women's political participation and representation.
4. Developing capacities and promoting skills training for women in elected and appointed offices at the national and subnational level and for female candidates in the commune elections 2012.
5. Developing and supporting gender-responsive policies of recruitment of civil servants.
6. Supporting leadership and management skills for female civil servants.

Furthermore, Neary Rattanak III outlines the timeframe and the source of budget for the individual programs.[64]

4.2.5 Cambodian National Council Five-Year Strategic Plan

The CNCW was established in 2001 to advise and support the RGC on matters related to the promotion and empowerment of women. The council's responsibilities involve coordinating and facilitating as well as monitoring and reporting on the RGC's implementation of national policy commitments and international treaties. The CNCW is an inter-ministerial body composed of Her Majesty the Queen, the Prime Minister and secretaries of state of all line ministries and holds ordinary meetings quarterly. The Permanent General Secretariat is CNCW's operative organization and is located in the cabinet of the MoWA.

In its Five-Year Strategic Plan 2010-2014 (the **"CNCW Plan"**), the CNCW sets out four results-oriented strategic objectives:

"1. To improve the re-enforcement of related national and international laws, regulations and other measures and recommendations of the Royal Government of Cambodia.

2. To increase the dissemination widely of related national, international laws, regulations and other measures and recommendations of the Royal Government of Cambodia.

3. To strengthen relationship between CNCW, development partners and civil society.

4. To build the capacity of human resources."[65]

The CNCW Plan describes the respective activities intended to attain the stated goals. These range from organizing workshops and forums for national and international stakeholders to providing training and technical assistance to institutions on the subnational and national level. Similar to Neary Rattanak III, the CNCW Plan specifies indicators, means, responsible agencies, a timeframe and resources for each of the strategic activities.

4.2.6 National Program for Sub-National Democratic Development

The National Program for Sub-National Democratic Development (**"NP-SNDD"**) 2010-2019 is the RGC's current policy agenda for the country's decentralization and de-concentration ("D&D") with the purpose of promoting local democratic governance, improving public services, increasing socio-economic development and reducing poverty. The NP-SNDD intends to attain these goals through reform programs in the following five areas: 1. Sub-national Institutional Development, 2. The Development of Strong Human Resource Management Systems, 3. The Transfer of Functions and Resources, 4. Sub-National Budget, Financial and

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[64] Ibid, 29-32.
[65] CNCW, 'Cambodian National Council for Women. A Five-Year Strategic Plan 2010-2014' (2010) 17.

Property Systems, and 5. Support Institutions for D&D Reform Process. The NP-SNDD includes gender mainstreaming as one of three cross-cutting programs:

"Gender mainstreaming in NP-SNDD will involve a holistic approach to strengthening SNA [sub-national administrator] institutions and organizations by mainstreaming gender throughout the Program, thus encouraging not only higher participation of women in SNA, but also establishing men and women as equally legitimate political actors. This implies ensuring gender balance of decision-makers in SNAs; having gender-sensitive SNA policies and decisions; and securing equity of their outcome for women, the realization of their rights and the achievement of gender equality." [66]

The NP-SNDD envisages change on three levels: First, on the individual level, women should be empowered to exercise their rights as citizens and engage in sub-national governance; female officials should participate actively in sub-national governance processes; and male officials should be aware of gender equality and act accordingly in their work. Second, on the organizational level, the required capacities for gender mainstreaming in the form of policies, practices and resources have to be strengthened. Third, on the institutional level, traditional social norms that restrict women's political participation must be challenged and women's engagement in sub-national governance must be supported.

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[66] RGC, 'National Program for Sub-National Democratic Development (NP-SNDD) 2010-2019' (2010) 87.

5   Women in Political Positions

Despite a strong legislative framework which provides women with equal opportunities and a policy framework aimed at promoting the role of women in all sectors of Cambodian society, including politics, women remain significantly underrepresented in Cambodian politics at both the national and sub-national level. This underrepresentation exists not just for positions to which people are directly elected but also for those to which they are indirectly elected or appointed.

The following Chapter provides an in-depth analysis of the current level of representation of women in politics and is separated into three sections: directly elected positions; indirectly elected positions; and appointed positions. Each section is further divided into different types of positions.

5.1   Directly elected positions

At present, the electoral system at both the national and local level is one based on proportional representation with "closed lists," meaning that the nomination and ranking of candidates is controlled by the political parties, making the latter effectively function as "gate-keepers" in the election process Potential candidates must register with a party to stand for election and no independent candidates are allowed to compete for seats. The parties control how many women are selected as candidates and where they are placed on the candidate list. These choices largely predetermine the chances any election candidate has of gaining a seat.[67] Furthermore, there lacks a standard system for selecting candidates as each political party follows its own procedure, and subsequently the process remains unpredictable and arbitrary.[68]

5.1.1   National Assembly

In accordance with the Constitution, the NA holds legislative power and is the only body that can make and amend laws. Ensuring that women are adequately represented in the NA is thus of utmost importance, as it is where women politicians can push for the introduction of legislation that can initiative positive change on a wide range of issues of importance to women at the national level. Although the percentage of women in the NA has risen steadily over the years, which is a positive sign, there is still a need to address underrepresentation of women in the NA. Table 3 below provides the percentages of female NA members since 1993:

Table 3: Percentage of female National Assembly members[69]	
1993	6
1998	11.5
2003	19
2008	22

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[67] Drude Dahlerup, 'Electoral Gender Quotas: between Equality of Opportunity and Equality of Result' (2007) 43.2 Representation, 73; Drude Dahlerup, 'Report on How to Achieve the Cambodian Millennium Development Goal 3 on Eliminating Gender Disparity in Public Institutions by 2015' (2010).

[68] USAID, 'Cambodia Gender Assessment' (2010), 15-16 <http://transition.usaid.gov/our_work/cross-cutting_programs/wid/pubs/Cambodia_Gender_Assessment_2010.pdf>.

[69] MoWA, 'A Fair Share for Women Cambodia Gender Assessment 2008' (March 2008) 4. It should be noted the exact figures and percentages differ considerably from source to source. The figures from the government's Fourth and Fifth National Report on compliance with CEDAW of May 2010 placed female representation for 1998 as 12.30%, 2003 as 19.51%, and 2008 as 21.14%: Royal decree, sub-decree of RGC on the 4th mandate; MoWA <http://mwa.gov.kh/en/progress-women-decission-making>.; 2008 statistics taken from the National Election Committee <www.necelect.org.kh/nec_khmer/.>. Members can be appointed to the NA throughout the term; bypassing the electoral system altogether. The relatively frequent occurrence of such replacements during the election term may be one of the sources of confusion over the actual number of women in Parliament.

These figures show an overall increase in female representation in the NA of roughly 13% between 1993 and 2003, with an average increase of 6.84% every 5 years/election term. In this context, the increase in female representation in the 2008 election, which marked a progress of only 3%, perhaps indicates that the levels of representation may have reached a plateau. This is concerning given that the national elections in July 2013 provide one last opportunity for Cambodia to reach CMDG3 Target 3.8, which is to increase female representation in that body to 30% by 2015.

In the 2008 NA elections, 1,162 candidates ran for election to the 123 NA seats. Of these, only 181 were women, amounting to 15.58% of titular candidates.[70] This marks a significant decrease from the 2003 NA elections, where 27% of titular candidates were women.[71] This represents a drop of 12.2% from one election to the next, which is particularly worrisome given that the CMDGs were introduced in 2003.

Looking at the number and percentage of women candidate in the 2008 NA elections for each party is also very instructive and can help identify key areas that should be addressed. As Table 4 below shows, smaller political parties ran the most female titular and alternate candidates, with the ruling Cambodian People's Party ("CPP") coming in fifth and main opposition party the Sam Rainsy Party ("SRP") coming in seventh.

Table 4: Women Candidates in the NA Elections 2008 by Political Party[72]					
Political Party	No. of female titular candidates	% of party list	No. of female alternate candidates	% of party list	No. of constituencies
Society of Justice Party	18	39.13	13	28.26	7
Khmer Democratic Party	37	30.08	16	10.81	24
League for Democracy Party	24	19.51	43	30.49	24
Khmer Anti-Poverty Party	10	16.67	29	48.33	7
Cambodian People's Party	20	16.26	26	18.31	24
Khmer Republican Party	10	13.89	15	20.27	9
Sam Rainsy Party	17	13.82	16	11.35	24
FUNCINPEC	13	10.57	14	9.93	24
Norodom Ranariddh Party	11	8.94	15	10.64	24
Human Rights Party	11	8.94	15	10.64	24
Hang Dara Democratic Movement	10	8.13	17	12.06	24
TOTAL	181	15.58	219	16.64	

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[70] Titular candidates are candidates who are listed on election lists, as opposed to reserve or alternative candidates, the latter whom are not listed on lists but kept in reserve in case a titular candidate drops out. The percentage of alternate candidates that were women (in 2008) was only slightly higher – 16.64% - but still far from the desired gender ratio.
[71] COMFREL, 'Women's Participation in Politics and 2008 National Election Assembly Election' (February 2009) 10 <www.comfrel.org/eng/components/com_mypublications/files/5373491241411872Contents.pdf>.
[72] NEC data <www.necelect.org.kh/nec_khmer/index.php?option=com_content&view=article&id=616%3A2011-12-28-09-13-23&catid=63%3A2011-11-08-02-28-55&Itemid=319>.

The data also shows that seven of the 11 parties that ran candidates in the elections listed higher percentages of women alternate candidates than of titular candidates, suggesting that political parties tend to regard female candidates as a "second choice" to male candidates.

Of the 11 political parties who ran candidates in the 2008 NA elections, only five received sufficient votes to win seats. Because of Cambodia's "highest-average" system of proportional voting, which greatly favors larger parties,[73] the CPP won 90 seats (73%) with 58% of the popular vote.[74] Meanwhile, the SRP won 26 seats; the Human Rights Party ("HRP") 3 seats; and the National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia ("FUNCINPEC") and the Norodom Ranariddh Party ("NRP") two seats each. Of these, women were elected to 21 CPP seats (23.33%) and to 6 SRP seats (23.07%). No women from the HRP, FUNCINPEC and NRP parties were elected.

5.1.2 Commune/Sangkat Councils

While female representation in the NA is undoubtedly significant, the importance of women's political representation at the sub-national level should not be overlooked. Issues dealt by commune/sangkat councils and policies implemented at the local level impact the majority of Cambodians on a day-to-day basis. Furthermore, within the context of the RGC's decentralization policy, the importance of the sub-national level should be emphasized and thus gender equality in those councils should be considered a priority. However, similarly to the level of female representation in the NA, female representation at the commune/sangkat council level remains problematically low.

In the June 2012 commune/sangkat council elections, women were elected to 17.79% of commune/sangkat council positions (or 2,038 seats),[75] an increase from 14.64% in the 2007 elections (1,662 seats) and 8.47% in 2002 (954 seats).[76] Despite this increase however, the current level of female representation at the commune/sangkat council level is a distance away from CMDG3 Target 3.15 and from the Neary Rattanak III target for 2015, which are to increase the proportion of seats at this level to 25% by 2015. Given that commune/sangkat council terms last five years, the next elections will take place in 2017 – two years after the deadline for achieving the CMDGs.

Ten political parties ran in the 2012 commune/sangkat council elections: the CPP, the SRP, FUNCINPEC, the NRP, the HRP, the League for Democracy Party ("LDP"), the Khmer Anti-Poverty Party ("APP"), the Khmer National Party ("KNP"), the Republic Democratic Party ("RDP") and the Democratic Movement Party ("DMP"). Similarly to the candidate lists for the NA elections, the overall percentage of women on candidate lists for the 2012 commune/sangkat council elections was higher than the overall percentage of women actually elected to council seats: women represented 25.65% of candidate lists, an increase from 21.35% in the 2007 elections. Moreover, the percentage of candidates that were women was also significantly higher for all parties – with the exception of the CPP – than the percentage of seats that were won by women. Of the ten parties, seven allocated over 25% of slots on their candidates lists to women, with ranges from 27.5% (LDP) to 50.6% (KNP). Figure 1 below lists the percentages of candidates on party lists that were women and percentages of party seats that were allocated to women for the top five parties that won seats in the election. The other five parties either won no seats in the elections or had no women elected.
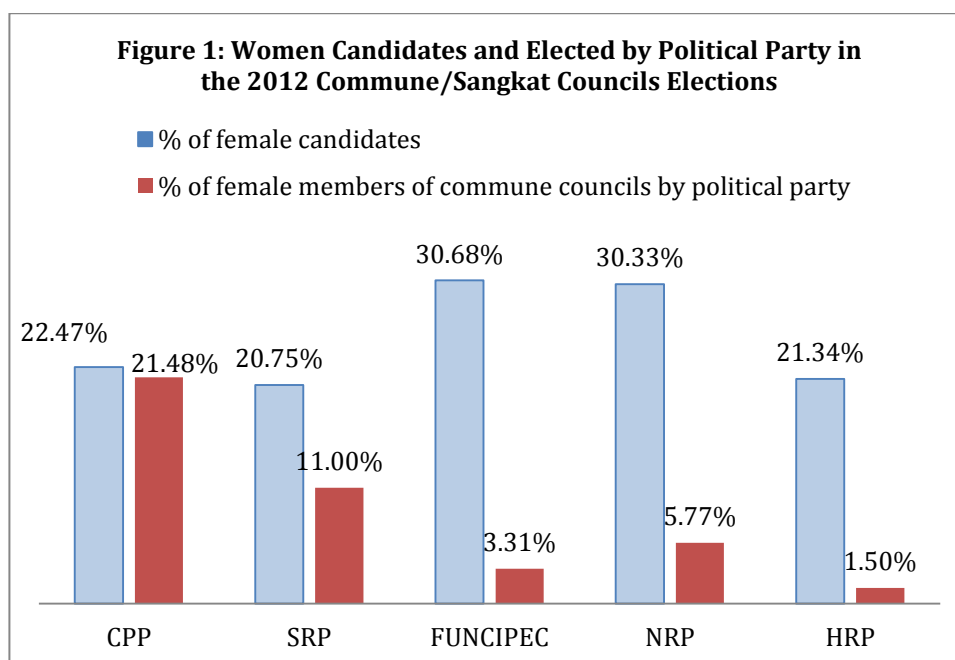
[73] Duncan McCargo, 'Cambodia: Getting Away with Authoritarianism?'(2005) 16.4 Journal of Democracy, 98.
[74] 'Cambodian rulers claim poll win' *BBC News,* 27 July 2008 <http://news.bbc.co.uk/2/hi/asia-pacific/7527325.stm>
[75] Full data available at http://www.sithi.org/temp.php?url=commune_election.php&tab_id=1&.
[76] Silaka <www.silaka.org/resource/CommuneCouncilElectionResults2002_2007.pdf>.

Figure 1: Women Candidates and Elected by Political Party in the 2012 Commune/Sangkat Councils Elections

The CPP is the only political party where women were elected to more than 20% of party seats. Only 11% of SRP commune councilors are women, with FUNCINPEC, the NRP and the HRP all falling under 6%. This also means that the overwhelming majority of women in commune/sangkat councils are from the CPP (1,781 or 87.4%), with only 237 women councilors from the SRP (11.63%), 12 from the HRP (0.6%), 5 from FUNCINPEC and 3 from the NRP. While the CPP is relatively close to achieving the CMDG3 target for commune/sangkat councils, it is opposition parties that are far from achieving the targets.

From a geographical point of view, female representation increased in all 24 of Cambodia's provinces from 2007 to 2012. Phnom Penh and Pailin province remained the two places with the highest representation of women, with 24.57% of councilors in Phnom Penh in 2012 (an increase from approximately 22% in 2007), and 28.58% in Pailin province (up from approximately 21%). The lowest levels of female political representation after the 2012 elections are in Kampong Speu and Takeo provinces (12.97% and 12.50% of commune councilors, respectively).[77]

Most importantly, the discrepancy between the percentages of party lists being allocated to women and the percentages of party seats being occupied by women indicates that women are consistently being placed at the bottom of candidate lists, resulting in significantly lower percentages of women being elected than should be if women candidates were placed throughout candidate lists in an equitable fashion. The placement of women candidates at the bottom of party lists also affects the positions to which women are elected to. As Table 5 below indicates, very few women are elected to the position of commune chief and are overwhelmingly concentrated in the lower positions within the commune/sangkat councils.

Table 5: Women in Commune Councils by Position and Year					
2002[78]		**2007**[79]		**2012**[80]	
	Number of women	%	Number of women	%	Number of women	%

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[77] 2007 data available at http://www.silaka.org/resource/CommuneCouncilElectionResults2002_2007.pdf. 2012 data available at http://www.sithi.org/temp.php?url=commune_election.php&tab_id=1&.

[78] USAID, 'Cambodia Gender Assessment' (2010) 16.

[79] Ibid.

[80] CCHR, 'Results of the Commune/Sangkat Council Elections 2012: further efforts required to achieve quantitative and qualitative female representation in politics in Cambodia' (July 2012) <http://sithi.org/temp.php?url=media_view2.php&mid=5622>

Commune Chief	47	4.93	67	4.03	95	4.66
First Deputy	72	7.55	149	8.96	189	9.27
Second Deputy	86	9.01	120	7.22	164	8.05
Member	749	78.51	1,326	79.78	1,590	78.02
Total	954	100	1,662	100	2,038	100

The data shows no progress since 2002 in increasing the proportion of women that are elected into more senior positions, with the percentage of women in commune/sangkat councils that are commune chief decreasing over a 10 year period. Furthermore, the current percentage of commune chiefs that are women (5.81%) is far from the target established in Neary Rattanak III for 2013 (10%).

5.2 Indirectly elected positions

In contrast with elections for the NA and commune/sangkat councils, elections for the Senate and for provincial and municipal councils are indirect, meaning that both the voters and candidates for these elections are those who are already involved in politics and government.

5.2.1 The Senate

The Senate is the second legislative chamber at the national level and comprises of not more than half the number of representatives in the NA. Of these representatives, two are appointed by the King, two are chosen by the NA, and the rest are elected indirectly by eight regional electoral colleges comprised of members of all commune/sangkat councils and members of the NA for that region. Elections are held every six years.

Female representation within the Senate has remained essentially the same since the creation of the Senate in 1999. During the first mandate (1999-2005), eight of 61 senators were women (13.11%).[81] The percentage increased slightly during the second mandate (2006-2012),[82] with nine of 61 senators being women (14.75%).[83] As Table 6 below shows, the percentage of women in the third mandate, elected in January 2012, has remained the same.

Table 6: Women Elected in the Senate Elections 2012[84]			
	Number of Elected	**No. of Women Elected**	**% of Women Elected**
Elected by the King	2	0	0
Elected by the NA	2	1	50.0
CPP	46	6	13.0
SRP	11	2	18.18
TOTAL	61	9	14.75

With the last Senate elections taking place in 2012 and the next elections scheduled for 2018, CMDG3 Target 3.9 – which is to increase the proportion of seats held by women in the Senate to 30% by 2015 – will

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[81] Inter-Parliamentary Union <http://www.ipu.org/parline-e/reports/2365_A.htm>.

[82] Ministry of Women's Affairs <http://mwa.gov.kh/en/progress-women-decission-making>.

[83] As is explained in the MoWA's 2008 report 'A Fair Share for Women,' "The Senate was first appointed in 1999 and reappointed in 2004 with an increase in the proportion of women appointed to Senate seats from 13 percent to 21 percent. With the shift to indirect election of the Senate by commune councilors in 2006, the proportion of women in the Senate declined to 15 percent."

[84] Senate of the Kingdom of Cambodia, 'Senators of the 3rd Legislature (2012-2018) <http://www.senate.gov.kh/home/index.php?option=com_content&view=article&id=1718&Itemid=12&lang=en>

not be achieved. This is also the case for the target established in Neary Rattanak III, which is the same as CMDG3 Target 3.9.

5.2.2   Provincial and municipal councils

As detailed in Section 3.2.3, the Organic Law provides for provincial and capital councils and for municipal, district and khan councils, which hold both legislative and executive authority to promote democratic development and decentralization. The number of councilors, which depends on the type of council as well as on demographic and geographic factors, ranges from seven to 21 members, who are indirectly elected for a five year term by members of commune/sangkat councils. Because the Organic Law was passed in 2008, the first mandate of these councils began in 2009, with the second mandate elections to happen in 2014. There is therefore statistics on female representation in those councils for only one term, which does not allow for an analysis of trends over time.

Women currently hold 37 of 374 council seats in capital and provincial councils (9.89%) and 363 of 2,861 council seats in municipal, district and khan councils (12.68%), resulting in an overall representation of 12.36%.[85] The CMDGs set no targets for those councils and Neary Rattanak III, although it listed both types of councils in the list of key indicators and targets (see Table 2), did not identify the 2015 targets.

5.3 Appointed positions

While the ratio of women to men in elected positions – whether direct or indirect – indicates important trends with regards to women's representation in politics, it is also important to examine the level of women's representation in appointed positions. In the case of Cambodia, this includes the executive branch, the judiciary and provincial and municipal councils. These positions have significant influence of government policies.

5.3.1   The Executive

The highest-level positions in the executive branch – ministers, secretaries and under secretaries of state – are political appointments selected from the party lists after each election, and together comprise a large part of the executive branch of the RGC. Such appointments are part the discretionary powers of the government's core elite and are a good indicator of this elite's full commitment to equal political representation.

By looking at the separate positions within government (see Table 7 below), it is apparent that the number of women who are appointed to a ministerial position has remained virtually unchanged for a decade (from 7.14% to 7.4%), and the number of female Secretary of States has only increased by a minimal 2.08%. Female representation within the post of Under Secretary of State has seen the greatest rate of progress (13.12%), with a substantial surge in the 2008 election. This observation is important as it highlights that representation within the more senior ranks of government has remained largely unaltered, with improvements only being made lower down the executive ladder.

	Table 7: Women in Senior Positions in the Executive Branch by Year[86]							
	1993		1998		2003		2008	
Position	Number of Women	%	Number of Women	%	Number of Women	%	Number of Women	%
Senior Minister	N/A	N/A	N/A	N/A	1/15	6.66	N/A	N/A

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[85] MoWA <http://mwa.gov.kh/en/progress-women-decission-making>.
[86] Ibid.

Deputy Prime Minister	N/A	N/A	N/A	N/A	N/A	N/A	1/9	11.11
Minister	0/17	0	2/27	7.4	2/28	7.14	2/28	7.14
Secretary of State	0/20	0	3/50	6	9/135	6.66	16/198	8.08
Under-Secretary of State	2 (no data given of total)	N/A	5/127	3.93	11/146	7.53	31/205	15.12
Civil Servants	N/A	N/A	N/A	N/A	N/A	N/A	(no data given)	34

5.3.2   The judiciary

Judges and prosecutors are appointed, promoted, disciplined and dismissed by the Supreme Council of the Magistracy ("SCM"), which is chaired by the King of Cambodia. Other members of the SCM include the Minister of Justice, the Chief of the Supreme Court, the General Prosecutor of the Supreme Court, the Chief of the Appeal Court, the General Prosecutor of the Appeal Court, and three judges.[87]

Table 8: Women in the Judiciary 2006-2009[88]								
	2006		**2007**		**2008**		**2009**	
	Number of Women	**%**	**Number of Women**	**%**	**Number of Women**	**%**	**Number of Women**	**%**
Judges	19/153	12.41	19/152	12.50	21/189	11.11	21/185	11.35
Prosecutors	2/72	2.77	2/74	2.70	2/91	2.19	2/92	2.17

Table 8 above illustrates that women are critically under-represented within the judiciary, particularly as prosecutors. Furthermore, the data shows no progress but rather a slight decline in the proportion of women as prosecutors and judges. Although the CMDGs include no target for women in the judiciary, Neary Rattanak III identifies 15% as the target percentage of judges that are female by 2013, with no targets set for prosecutors.[89] Although the figures presented here are several years old, they largely reflect the current level of female representation in appointed positions in the judiciary. USAID's 2010 Cambodian Gender Assessment ("USAID Gender Assessment") concluded that this is a great barrier to the judiciary functioning well, as female defendants claim they greatly benefit from seeing a female face in court.

5.3.3   Provincial and municipal councils

In addition to councilors who are indirectly elected (see Section 5.2.2), provincial and municipal councils are comprised of a board of governors who represent the RGC and its ministries at the sub-national level and who are responsible for giving advice to the councils. Each board is comprised of three to seven members who are appointed for a four year mandate. Boards are chaired by a governor who is assisted by a certain number of deputies.

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[87] Read more on the functioning of the SCM: CCHR, 'Law Classification Series: Law on the Organization and Functioning of the Supreme Council of Magistracy' (Factsheet) (2012)
<www.cchrcambodia.org/index_old.php?url=media/media.php&p=factsheet_detail.php&fsid=31&id=5>.
[88] RGC, 'Combined fourth and fifth periodic reports of States parties' (2011) UN Doc CEDAW/C/KHM/4-5
<http://cncw.gov.kh/userfiles/FINAL%20FINAL%20edited%20Eng_4th_and_5th_National_report_RGC%20Final%20Edit.pdf>.
[89] Neary Rattanak III lists 7.7% as the percentage of judges that are female for 2008, which contradicts the percentage (11.11%) identified in the RGC's fourth and fifth periodic reports to the CEDAW Committee (note 80).

Table 9: Women Governors & Deputy Governors in Provincial and Municipal Councils[90]		
	Number of Women	%
Governors of Capital & Provinces	0	0
Deputy Governors of Capital & Provinces	24/143	16.78
Governors of Municipalities, Districts & Khans	1/197	0.50
Deputy Governors of Municipalities, Districts & Khans	196/828	23.79

Neither the CMDGs nor Neary Rattanak III establish targets for governors and deputy governors/boards of governors for municipal, district and khan councils. With regards to deputy governors of capital and provincial councils, the current percentage actually exceeds the CMDG3 Target 3.14 (15% by 2015) but is far from the Neary Rattanak target of 28% by 2013. With regards to governors of the capital and provinces, both identify the target at 10%; it is unlikely that this will be achieved by 2013 (the Neary Rattanak III target year).

5.4   Women in election committees and as election observers

Women's involvement in the election committees and their work as observers should be regarded as a legitimate and noteworthy form of political representation. It represents a type of informal representation that is less subjected to party control and bureaucratic encumbrances and for this reason is in fact one of the better ways to gauge levels of female politicization.

The National Election Committee ("NEC") is the main electoral administrator in Cambodia, with jurisdiction to administer elections of NA members and commune/sangkat councils, and indirect elections of Senate members and capital, provincial, municipality, district and khan councils. The NEC is in charge of planning, organizing and administering elections, including announcing election results, producing and disseminating civic education material, monitoring media and registering voters and political parties. To fulfill its mandate, the NEC has electoral bodies throughout the country at all administrative, provincial, municipal and communal levels.[91] Since 2009, there are nine members of the NEC, one of which is a woman.[92] Although there is no recent data available, according to COMFREL's 2008 study, 153 women (17.79%) are employed in the NEC office.[93] A number of bodies exist and operate within the NEC to administer specific elections, including the Capital/Provincial Election Committee ("C/PEC"), the Commune Election Committee ("CEC") and the Office Election Committee ("OEC").[94] The COMFREL study also concluded that 122 women (10%) were employed within the C/PEC, 1,464 women (13.2%) in the CEC and 29,551 (29%) women in the OEC.[95] Such figures reveal a varied picture of female participation, but representation within the NEC and OEC show signs of promise.

Local NGOs, international NGOs, embassies and political parties sent observers and representatives to communes/sangkats and constituencies of the capital city, provinces, and cities to observe the elections in 2008. The average female representation in the group of observers coming from political parties was 17%, which stands in stark contrast to women's representation among the remaining groups of both national and international observers sent by NGOs, embassies and volunteers at 35%. The observers for the 2012

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[90] MoWA <http://mwa.gov.kh/en/progress-women-decission-making>.

[91] CCHR, 'The National Election Commission' (Factsheet) (May 2012) <www.sithi.org/temp.php?url=media_view2.php&mid=5526>

[92] NEC, 'Members of the National Election Committee' (2012) <www.necelect.org.kh/nec_english/index.php?option=com_content&view=article&id=79&Itemid=193>

[93] COMFREL, 'Women's Participation in Politics and 2008 National Election Assembly Election' (February 2009).

[94] LEMNA, Article 11.

[95] COMFREL, 'Women's Participation in Politics and 2008 National Election Assembly Election' (February 2009).

commune/sangkat council elections also achieved relatively high levels of female representation with 6,038 out of a total 14,778 observers being women (40.85%).[96]

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[96] National Election Committee <www.necelect.org.kh/nec_khmer/>

6 Barriers to Women's Political Representation

As Chapter 5 illustrates, the legal framework and policy initiatives outlined in Chapters 3 and 4 have done little to substantially amplify the role of women in politics. It is thus necessary to examine the myriad of barriers – cultural, historical, socio-economic, institutional and political – to women's political representation in Cambodia. The MoWA's report 'A Fair Share for Women: Cambodia Gender Assessment 2008' summarizes the problems faced by Cambodian women as such:

> *"Gender attitudes and relations remains a concern in Cambodia. It is reflected in: women and girls attaining much lower levels of education; minimal progress in reducing maternal mortality; women's greater vulnerability to sexually transmitted diseases including HIV; persistently high levels of domestic violence and sexual exploitation; greatly constrained employment opportunities; the under-representation of women in decision-making roles; and inadequate resources to address gender discrimination within institutions."*[97]

Many of the barriers examined in this Chapter do not just impact women's ability to pursue careers in the political sector but rather limit women's ability to pursue a wide range of opportunities, including higher education and positions of leadership, especially in the formal business sector. Overcoming these barriers will thus not only enable women to become increasingly represented in political and governmental institutions, but also to achieve their full potential.

6.1 Cultural Factors

Traditionally, Cambodian behavioral norms were guided by the *chbab*, which are moral codes in verse form originally handed down through the generations orally, later to become enshrined as texts and form part of customary law. Although the *chbab* has never been officially incorporated into official law, the influence of these codes is widespread and until as recently as 2007 was taught in primary schools.[98] The codes attach certain statuses and behavioral expectations to individuals and relationships within society, all of which is reinforced by the language of the *chbab*, which uses different terms of address for individuals of different rank.[99] While there are codes for both women and men, men have always been afforded far more leeway to digress from the tenets of their code, the *Chbab Pros*.[100]

The *Chbab Srey*, the moral code for women, sets out both a woman's obligation to her husband and a daughter's obligation to her father. These teachings also reflect other notions of gender inequality, such as the ancient Khmer proverb that "a man is gold, a woman is a white piece of cloth". In other words, gold can

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[97] MoWA, 'A Fair Share for Women' (2008) 5.

[98] The combined fourth and fifth periodic reports by Cambodia to the CEDAW Committee (2011) states that "The Ministry of Education, Youth and Sports (MoEYS) extracted two passages from the traditional code of conduct for women, the Chbab Srey, and included them in discussion questions with students, using ideas from poetry texts to highlight attitudes to gender issues from the work of Khmer writers in the past. These discussions led MoEYS in 2007 to remove these two passages from Chbab Srey from the educational curriculum and to stop teaching them in class."

[99] 'Challenging tradition in Cambodia' (*CEDAW in Action – Southeast Asia*, date unknown) <http://cedaw-seasia.org/cambodia_stories_challengingTradition.html>; Siobhan Gorman, 'Gender and Development in Cambodia: An Overview' (1999) 11 <www.cdri.org.kh/webdata/download/wp/wp10e.pdf>.

[100] USAID, 'Cambodia Gender Assessment' (2010), 18.

> **Excerpts from the Chbab Srey**
>
> *5. When you go to the human being world, you should remember to serve your husband.*
>
> *13. Good position and happiness come from women.*
>
> *24. You should try to do the work like weaving or knitting.*
>
> *25. Don't delay the work.*
>
> *28. Try to work and protect yourself since you are a virgin.*
>
> *29. Because when you have a husband you are busy with your children who are crying, you have never time to do things.*
>
> *33. Don't keep things complicated otherwise you will lose it.*

be picked up from the mud and be cleaned until it shines; whereas the white cloth will never regain its purity.[101]

However, the ideal Cambodian woman, according to traditional cultural norms, as unassertive, diligent and pure, is just one layer of cultural expectations of women's behavior. While women are expected to accept the authority of their husbands, they are also entrusted with the fate and well-being of the entire family; as the *Chbab Srey* instructs, "good position and happiness come from women."[102]

These stereotypes and cultural expectations remain very influential in modern-day Cambodia. The USAID Gender Assessment notes that, in the four years since the last assessment, "*little has changed in terms of the insidious and pervasive influence of traditional views and standards as they related to the "proper"*

roles of men and women, and how men and women related to each other."[103] Similarly, in its 2006 Concluding Comments, the CEDAW Committee noted its concern about "*strong gender-role stereotyping, in particular that reflected in the traditional code of conduct known as chbab srey, which legitimizes discrimination against women and impedes women's full enjoyment of their human rights and the achievement of equality between men and women in Cambodia society.*"[104]

Concerns about the impact of the *Chbab Srey* on gender relations are mirrored in survey results. The USAID Gender Assessment found that 47% of men and 51% of women believed that women and men have different rights, including as regards business, decision-making, social and sexual freedom, and freedom of movement; and that the majority of women - 51% - still do not participate in choosing their husbands.[105]

The impact of these traditional gender roles has had wide reaching impacts on how women politicians are viewed. In a 2009 study into women's general political participation at the commune level, it was found that 37% of the male respondents' views expressed women's inferiority, and 62% thought women to be soft and weak.[106] During interviews and focus group discussions conducted in 2012 by CCHR, about 50% of informants agreed that women were best suited for housework; and many felt that women were not brave enough to enter politics or had some reason to fear becoming involved in that sector. Informants to a study

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[101] United Nations Population Fund, 'Socio-Cultural Influences on the Reproductive Health of Migrant Women: A Review of Literature in Cambodia, Lao PDR, Thailand and Vietnam' (2011) 19 <http://asiapacific.unfpa.org/webdav/site/asiapacific/shared/Publications/2011/Full%20Report.pdf>

[102] Melanie Walsh, 'Report on the Status of Cambodian Women: Domestic violence, sexual assaults and trafficking for sexual exploitation, (March 2007) <www.ieim.uqam.ca/IMG/pdf/Walsh_Cambodia_women.pdf>.

[103] USAID, 'Cambodia Gender Assessment' (2010) 40.

[104] CEDAW Committee, 'Concluding Comments of the Committee on the Elimination of Discrimination against Women: Cambodia' (34th Session, January-February 2006) UN Doc CEDAW/C/KHM/CO/3.

[105] USAID, 'Cambodia Gender Assessment' (2010) 20.

[106] Sok Sethea, Women's Participation in Politics in Cambodia at the Kampong Cham and Kandal Province (The Royal University of Phnom Penh, 2009); cited in UNDP Cambodia, 'Strengthening Democracy and Electoral Processes in Cambodia' (October 2010) 29.

of female commune councilors, especially men, acknowledged that the women councilors were in fact good at managing local committees. However, the evaluation of their capabilities was couched in gendered rhetoric. They stated that they believed women were good because they were "more patient" and were attached to children's, social and household affairs.[107]

6.2 Socio-Economic Factors

Entrenched cultural expectations and stereotypes have had significant consequences on the socio-economic status of women in Cambodia. These consequences are apparent at all stages of a woman's life, starting at a young age. Despite significant increases in enrollment at all levels of education, there continues to be a gap between girls and boys, primarily because boys "continue to be given priority for education at all income levels."[108] As of 2010, 45% of women agreed with the statement that it was better to educate a son than a daughter.[109]

According to the Ministry of Education, Youth and Sport ("MoEYS"), 47.74% of students enrolled in school in 2011-2012 were girls. However, more detailed statistics expose a negative correlation between the percentage of students enrolled that are girls and the level of education. According to 2011 statistics, the ratio of girls to boys enrolled in primary school was 90 to 100. However, these numbers decreased significantly subsequently, with the ratio in upper secondary school at only 66 girls for 100 boys, and 48 girls for 100 boys at the tertiary/university level.[110]

Low levels of education naturally results in low literacy rates. As reported in the USAID Gender Assessment, the literacy rate for women is just 64%, compared to 85% for men.[111] Moreover, schools are an important contributing factor to children's knowledge and understanding of democracy and the political system. A 2010 survey conducted by UNDP found that 93% of all youth respondents reported that they learnt what they knew about democracy in school.[112] It follows that this would result into lower percentages of women being educated on basic tenets of democracy and politics.

Of 60 people consulted by CCHR during both individual interviews and focus group discussions, 53 identified limited access to education as a major barrier to women entering politics. More specifically, informants said that a lack of education led women to be reluctant to voice their opinions.[113] While low levels of education and even illiteracy do not necessarily bar women from entering politics at the commune level, it does impact their ability to progress from the sub-national to the national level.

In addition to education, careers in politics also tend to require both time and financial resources. At present women are concentrated in occupations which allow them to combine their work and domestic responsibilities, such as market trade or informal sector occupations, or those which are performed on a more short-term basis and can be completed before marriage and children, such as factory work particularly in the garment industry.[114]

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[107] Siobhan Gorman, 'Gender and Development in Cambodia: An Overview' (1999) 133.
[108] MoWA, 'A Fair Share for Women' (2008) 2.
[109] USAID, 'Cambodia Gender Assessment' (2010) 13.
[110] Gender and Development in Cambodia, 'Gender Scoreboard' (December 2011)
<www.gadc.org.kh/resouces/gender_scoreboard_front__english-cs3.pdf>
[111] USAID, 'Cambodia Gender Assessment' (2010) 30.
[112] Survey conducted by Research and Learning Group for UNDP, 'Youth and Civic Participation in Cambodia: Knowledge, Attitudes and Practices'; cited in UNDP, 'Strengthening Democracy' (2010) 29
[113] Findings from CCHR focus group discussions, September-November 2012.
[114] Siobhan Gorman, 'Gender and Development in Cambodia: An Overview' (1999) 21

Moreover, women in Cambodia are responsible for a disproportionate amount in their households, thus depriving them of the time to pursue certain types of careers, such as politics, that work on a full-time and more rigid basis.[115] Furthermore, there are few business development services that

> "It is important to teach children to help out with housework and to manage their time, without which women still struggle."
> *Ms. Ear Chanthol, Commune chief, Kienchrey commune, Kampong Siem district, Kampong Cham province*

support women's enterprises despite women owning nearly 65% of all micro/small/medium enterprises.[116] Statistics also show that despite 54% of women knowing about credit programs, only 15% have actually taken out a loan for business purposes, while 40% were taken out to pay for food or healthcare.[117] Socio-economic conditions therefore greatly restrict women's own self-improvement and empowerment.

Informants to focus group discussions conducted in the fall of 2012 by CCHR identified women's lack of financial independence as a key barrier to political equality, particularly at the commune level where overall salaries are lower and households therefore have even less disposable income. Furthermore, a woman's inability to self-fund her political career gives rise to two problems; first, it allows men to effectively control women's careers, either by refusing to give funding altogether, or by encouraging their wives to remain at home by offering them higher salaries; second, it perpetuates the stereotype of women as subservient and ineffectual – an image which clashes with the image of a political leader.[118]

Finally, it is important to consider the wide-ranging impact of gender-based violence in Cambodia, and in particular domestic violence. High rates of violence against women are not just an indicator of women's social status in a country but also contribute to further lowering that status. As USAID notes, "*it limits women's economic, political and social empowerment*," amongst other impacts.[119] Violence against women continues to be a major problem in Cambodia. While the actual incidence of domestic violence is difficult to quantify, 22% of all women surveyed during the USAID Gender Assessment had reported incidents of violence after the age of 15, with 65% of these cases being committed by their husbands.[120] The Cambodian Human Rights & Development Association recorded approximately 320 cases of rape of 2012, a figure which does not reflect the large number of rapes or attempted rapes that go unreported.[121] Furthermore, data indicates that the problem may be getting worse: a report released in February 2013 by the National Council for Women stated that cases of sex trafficking, rape and attempted rape had increased from 2011 to 2012.[122]

6.3 Institutional Factors

Despite policy initiatives that are dedicated to gender equality and female political representation, the institutional and political framework allows for such a level of discretion on the part of the government

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[115] USAID, 'Cambodia Gender Assessment' (2010) 19.
[116] USAID, 'Cambodia Gender Assessment' (2010); Gender and Development for Cambodia, 'Gender Scoreboard*'* (December 2011) <www.gadc.org.kh/resouces/gender_scoreboard_front__english-cs3.pdf>.
[117] Gender and Development for Cambodia, 'Gender Scoreboard*'* (December 2011).
[118] CCHR, 'Mini Report following the Joint Round Table Discussion on "Successes and Challenges of Women on the Results of Commune/Sangkat Council Election in Cambodia" held in Phnom Penh on 11 July 2012' (August 2012) 4 <www.sithi.org/temp.php?url=media_view2.php&mid=5706>
[119] USAID, 'Cambodia Gender Assessment' (2010) 14.
[120] Ibid 14.
[121] Mech Dara and Denise Hruby 'In Cambodia, a Low Profile for Rape' (*Cambodia Daily,* 3 January 2013) <www.cambodiadaily.com/news/in-cambodia-a-low-profile-for-rape-7178/>.
[122] Vong Sokheng, 'Sex-crimes up in Cambodia, report says' (*Phnom Penh Post,* 20 February 2013) <www.phnompenhpost.com/2013022061476/National/sex-crimes-up-in-cambodia-report-says.html>.

elite that women's political involvement fails to be fully protected from prejudicial stereotypes. This is reflected in a clear mismatch between the policies themselves and their implementation.

While gender-based discrimination is prohibited in Article 45 of the Constitution and the Penal Code 2009 has penalized gender-based discrimination[123] – which has thus addressed some of the concerns raised previously by the CEDAW Committee[124] – there are still gaps in the domestic legal framework that allow for prevalent discrimination against women. Most problematic is the lack of a sufficiently comprehensive definition in Cambodian domestic law as to the nature and the forms of gender-based discrimination - whether direct or indirect.

Case Profile: Mrs. Chea Sipheang, Second Deputy, Korkithom commune, Kiensvay district, Kandal province

Starting her career as a human rights activist in 1998, Mrs. Chea Sipheang became a politician at the commune/sangkat council level when she was elected as the second deputy of Korkithom commune in June 2012.

She faces many challenges being involved in politics, such as struggling financially, which is exacerbated by high transportation costs when she needs to travel to visit villagers in different villages within her commune, having to balance her job and housework, and discrimination from various political parties and commune councilors.

Having attended school until Grade 10, Sipheang has supplemented her education by attending many trainings that have helped her learn how to advocate for and help people who are victims of land evictions and domestic violence. Joining a political party in 2007 enabled her to stand for election in 2012. Her family has always encouraged her to follow her dream and motivated her.

While discrimination often stems from cultural and traditional gender roles, the lack of protection within the law against gender-based discrimination entrenches these stereotypes in political institutions. The USAID Gender Assessment noted that "*newly-elected women commune councilors reported they felt lonely and marginalized; lacked access to training opportunities; and were not respected by their male colleagues. Women felt they had to do more than men to prove their capabilities before they were accepted as competent leaders.*"[125] It also found that female judiciaries, as in other sectors, face challenges in meeting their professional duties, including those cultural assumptions that they are not competent enough for, or not interested in, challenging positions, or simply that the job is not suitable for a woman.[126]

In addition to hindering the entrance of women into politics in the first place, pervasive discrimination also impacts the ability of women that are in politics from being promoted to positions of increasing responsibility and power. As was examined in Chapter 5, throughout the government structure, women are relegated to inferior leadership positions, with critical under-representation in the top echelons of the executive and judicial branches. Moreover, there is a noticeable concentration of women, at all levels of government, in the sectors related to childhood, women and social policies – a trend which is not only discriminatory in and of itself, but further impedes the ability of women to progress and gain positions of

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[123] Penal Code 2009, Articles 265-271.
[124] CEDAW Committee, 'Concluding Comments of the Committee on the Elimination of Discrimination against Women: Cambodia' (34th Session, January-February 2006) UN Doc CEDAW/C/KHM/CO/3.
[125] USAID, 'Cambodia Gender Assessment' (2010) 16.
[126] Ibid 18-9.

increasing responsibility, as decision-making power in those sectors tends to be very limited, especially as regards budgetary responsibility.[127] For instance, 2009 estimations of the RGC's budget allocation for 2010 onwards – based upon previous experiences – predicted that the sector entitled 'Women's Affairs' would receive only 0.66% of the overall government budget; continuing the "exponential decline in share and total funding in this sector."[128]

This trend was exemplified in October 2012, when the village chief of Thmar Kaul village in Choam Chao commune in Phnom Penh, Ms. Surn Savoeun, was removed from her position, supposedly due to her refusal to assist in the eviction of families from their homes in Thmar Kaul village. A few days later, the Choam Chao deputy commune chief, Var Sarang, stated that the commune "*did not remove Ms. Savoeun, we are just letting her take a rest from her job to learn how to do more work because she doesn't understand administrative affairs. We have now prepared a job for her at women's affairs in the village.*"[129] Comments such as these underline the prevalent discrimination against women in politics and the stereotypes that serve to relegate women to specific positions and sectors of politics.

The ability of political parties to discriminate against women candidates is enhanced by the election system. The "closed list" system (explained in Section 5.1), which allows party leadership discretion over both the number and placement of female candidates on candidate lists, is a hindrance to women's political empowerment, not only in Cambodia but in any political system that uses it. As a report by Enjambra Contra la Explotacion Sexual and Paz Y Desarrollo explains, "*Electoral systems with closed lists and majority representation or preferential voting can be damaging for female candidates when there are chauvinistic male prejudices concerning women's participation in politics, because to be able to stand out in the lists they need the support and the influential power of their male candidate colleagues.*"[130] In Cambodia, this is made evident by the relatively high percentage of women on candidate lists in comparison to the percentage of women that are actually elected, which is due to the decision of political parties to concentrate female candidates at the bottom of the lists.

Finally, the institutional framework in Cambodia does not provide adequate benefits and assistance for women. Compounding the socio-economic factors outlined in the previous section, the lack of social assistance available for women further creates obstacles for women seeking to becoming engaged in politics. Most problematic is the lack of adequate and affordable childcare services in Cambodia, in both urban and rural areas, which not only prohibits women from undertaking additional activities outside of their primary income-earning occupations but also creates additional burden on older children, who often forgo higher education to take care of younger children.[131] Women commune councilors interviewed by CCHR noted that the lack of assistance, such as childcare services, presented a challenge to successfully running for election and, once elected, fulfilling one's duties.

There is also a noticeable discrepancy in benefits between men and women. For instance, under the Council for Administrative Reform ("CAR") regulations, male civil servants are entitled to a "dependency allowance" if their wives are at home, whereas women in the civil service are not entitled to such benefits.

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[127] Enjambra Contra la Explotacion Sexual and Paz Y Desarrollo, 'Gender analysis of women's political participation in 7 South-East Asian countries: Bangladesh, Cambodia, the Philippines, Indonesia, Sri Lanka, East Timor and Vietnam' (2008-2009) <www.bantaba.ehu.es/obs/files/view/Gender_analysis_of_women's_political_participation.pdf?revision_id=79226&package_id=79202> 45.

[128] Sherif Rushdy, 'Achieving Cambodia's Millennium Development Goals: Gap Analysis' (2009) 36-38

[129] 'Residents Say Village Chief 'Unfairly Removed'' (*Cambodia Daily*, 1 November 2012); also see CCHR, 'Open Letter Regarding Discriminatory Comments Made in Relation to the Removal of Thmar Kaul Village Chief Surn Savoeun' (7 November 2012) <www.sithi.org/temp.php?url=media_view2.php&mid=6040>.

[130] Enjambra Contra la Explotacion Sexual and Paz Y Desarrollo, 'Gender analysis of women's political participation in 7 South-East Asian countries: Bangladesh, Cambodia, the Philippines, Indonesia, Sri Lanka, East Timor and Vietnam' (2008-2009) 14.

[131] USAID, 'Cambodia Gender Assessment' (2010) 19.

While there are cultural reasons for this discrepancy in benefits, including the assumption that a woman would never have a "higher" profession than her husband,[132] the lack of protection against gender-based discrimination in the legislative framework allows for these discrepancies to exist without ramifications.

6.4 Political Factors

The political culture in Cambodia has a strong impact on women's representation in politics. Although the factors considered here have an impact on all groups seeking to be represented in political bodies and to get a voice in those bodies, this section examines the specific impact that this political culture has had on women, who already suffer from the cultural, socio-economic and institutional factors examined above.

The nature of the political hierarchy in Cambodia requires a candidate to have many internal supports – such as contacts, financial resources and knowledge of the dynamics – in order to be elected, and once in politics, to be promoted.[133] Furthermore, political campaigning in Cambodia often revolves around personalities, with political parties traditionally being little more than projections of party leaders. As a result, during political campaigns, voters are encouraged to vote for individual personalities rather than on substantive policy issues and party platforms. All of these dynamics are detrimental to the promotion of women in politics.

Moreover, the relationships between the ruling CPP and opposition parties – which are extremely confrontational – have made it difficult for women politicians to cross party lines and form support networks of women politicians at all levels of politics, which would help encourage more women to become involved in politics and help address issues of discrimination within government institutions. Simultaneously, many people, especially at the commune level, see politics in Cambodia as a dangerous business – stemming from years of civil war and rampant political violence. As regards women, this is exacerbated by stereotypes of women as not brave enough to overcome these fears.[134] Finally, the ruling CPP is reluctant to engage with civil society – for instance, rarely attending roundtable discussions and other events organized by NGOs in Cambodia – which makes interaction and discussion on these matters difficult at best. This was made evident in September 2012, when after CPP representatives had declined to attend a CCHR-organized roundtable discussion on the subject of land reform in Cambodia,[135] Prime Minister Hun Sen was reported a few days later saying that CPP representatives had "*no time to join NGO workshops because they are too busy on missions to help the Cambodian people.*"[136] Although this particular case could be explained because the subject of land reform is particularly sensitive in Cambodia, representatives from the CPP have similarly declined to participate in any of the IKAT Project's four roundtable discussions held thus far. This lack of engagement by the ruling party with civil society impedes upon efforts to increase the level of participation and representation of women in politics by making it impossible to devise common solutions and strategies.

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[132] MoWA, 'A Fair Share for Women' (2008) 23.

[133] Enjambra Contra la Explotacion Sexual and Paz Y Desarrollo, 'Gender analysis of women's political participation in 7 South-East Asian countries: Bangladesh, Cambodia, the Philippines, Indonesia, Sri Lanka, East Timor and Vietnam' (2008-2009) 42.

[134] CCHR focus group discussions, September-October 2012.

[135] CCHR, 'Mini-Report following the Roundtable Discussion on "Land Reform in Cambodia" With an Emphasis on the Topic of "Land Law 2001" Held on 17 September 2012' (October 2012) <www.sithi.org/temp.php?url=media_view2.php&mid=5958>.

[136] Sun Narin, 'No time for workshops, Prime Minister says' (*Voice of Democracy*, 21 September 2012) <www.vodhotnews.com/en/news/politic/9451-no-time-for-workshops-prime-minister-says>.

7 Conclusion & Recommendations

Despite a legislative landscape favorable to protecting women's rights and a policy framework that commits the RGC to promoting the empowerment of women, cultural, socio-economic, institutional and political barriers continue to impede concrete representation of women in politics. Gender inequality has become institutionalized, and until mechanisms are implemented that combat these norms and challenge these stereotypes, gender initiatives will remain superficial and largely ineffectual.

Several trends are visible based on an analysis of statistics on women's representation in politics in Cambodia. First, there is a clear tendency on the part of political parties to relegate female candidates to the bottom of candidate lists, thereby ensuring that very few women will be elected. Secondly, for all types of political positions – directly and indirectly elected and appointed – women are relegated to positions that carry little budgetary and decision-making power. This is a consequence, for directly elected positions, of the relegation of women to the bottom of candidate lists; of the reluctance of political leaders to elect and appoint women to positions of power; and of the lack of education and capacity-building opportunities accessible to women. Finally, the slow pace of change over the past decade is indicating a lack of political will to implement commitments made internationally and domestically and to initiative concrete change.

What is clearly apparent is that until norms concerning the undertaking of domestic responsibility change, and it becomes socially acceptable for men to share this work, women will continue to face additional constraints, including both training and education inequalities. The key barriers to women's political equality lie in the disproportionate allocation of domestic responsibilities, the disparities in the education system, and the general lack of commitment from the RGC to allocate more funding and resources to this sector. These challenges must be taken into consideration in the design of any gender-aware initiatives otherwise policies in Cambodia will continue to be thwarted by the inherently discriminatory socio-economic framework that currently prevails.

While several of the CMDGs will not be met by 2015, the national elections in 2013 present another opportunity to meet some of the targets, if strategic approaches are reevaluated and effectively applied. Policies such as the provision of childcare, a reduction in late-night meetings and more flexible hours may help create a political arena that is more hospitable to women who continue to face the challenge of juggling both domestic and workplace responsibilities.

Combating gender inequity in politics and achieving projected goals of women's representation in politics is possible, however only with a multi-step process that requires time and the collaborative efforts of the RGC, all political parties, CSOs, and international organizations. Many countries, from a variety of socioeconomic and political backgrounds, have demonstrated that it is possible to achieve these goals; their successes, however, reiterate the necessity of a long-term commitment that seeks to remove barriers – legislative, political or societal – to gender equality in politics.

7.1 Affirmative action mechanisms

Quotas, reserved seats and similar statutory mechanisms of affirmative action[137] are routes to enhancing the representation of women in politics. As of 2010, at least 90 countries worldwide had some type of an

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[137] The CEDAW Committee notes that "*The term "affirmative action" is used in the United States of America and in a number of United Nations documents, whereas the term "positive action" is currently widely used in Europe as well as in many United Nations documents. However, the term "positive action" is used in yet another sense in international human rights law to describe "positive State action" (the obligation of a State to initiate action versus a State's obligation to abstain from action). Hence, the term*

electoral gender quota to address under-representation within the lower or single chamber of their national parliament.[138]

Electoral quota systems remain contentious mechanisms, with strong arguments for and against their use.[139] One of the main arguments against quota systems is that they amount to discrimination against men. However, under Article 4(1) of CEDAW, "temporary special measures" are specifically allowed, and, as explained in Section 3.1.3, the CEDAW Committee has ruled that quotas can be implemented as a temporary special measure.

7.1.1   Voluntary candidate quotas

Voluntary candidate quotas can be adopted by individual political parties, within their internal party regulations, as a form of self-commitment to increasing gender equality in politics. However, since there is no legal requirement for parties to implement their chosen targets, sanctions for non-compliance are uncommon. The gap between voluntary quotas and actual representation in many countries indicates that many parties that have incorporated voluntary gender quotas have regularly failed to implement them, resulting in little, if any, impact on women's political representation.[140] Nevertheless, voluntary candidate quotas can be useful in boosting female representation in politics in situations where changing the electoral laws to legislate gender quotas (see Section 7.1.2 below) is either impossible or a long-term project.

In Norway, where the Socialist Left and the Liberal Party adopted formal quotas for women in 1975, women have constituted more than one-third of parliament for the past six elections and have occupied at least 40% of Cabinet positions over the past twenty years. This policy had a significant indirect effect in that it challenged the Labour Party, Norway's largest party, with respect to the issue of women's representation. In 1983, the Labour Party adopted quotas for women, increasing the rate of female representation significantly. The quota system in Norway was seen as a legitimate way to ensure that women received the representation that they deserve given that women made up one-half of the population and one-half of the voters. Furthermore, by adopting voluntary quotas, these political parties demonstrated their commitment to progressive policies and to the equitable inclusion of women at all levels of government.[141]

Recommendation to Political Parties: Pending the implementation at the national level of an electoral gender quota, adopt a voluntary gender quota of a minimum of 30% of women on candidate lists within party policies.

Recommendation to Civil Society: Develop lobbying and advocacy programs to encourage political parties to strengthen their commitment to female representation, both by registering more titular female candidates and by drastically increasing the percentage of women in the top ranks of candidate lists.

"positive action" is ambiguous inasmuch as its meaning is not confined to temporary special measures as understood in article 4, paragraph 1, of the Convention. The terms "reverse discrimination" or "positive discrimination" are criticized by a number of commentators as inappropriate." (CEDAW Committee, General recommendation No. 25)

[138] Up-to-date global statistics on quota systems are hard to come by, as quota systems – both voluntary and legislated – are often changed, added or withdrawn. These statistics are therefore estimates and may not reflect the current situation exactly. Information on country-specific quota systems can be found at http://www.quotaproject.org/.

[139] For an overview of the arguments in favor and against gender quotas, see CCHR, 'Female Political Representation and Electoral Gender Quota Systems' (Briefing Note) (September 2012) <www.sithi.org/admin/upload/media/[2012-09-20]CCHR/2012_09_20_CCHR_Briefing%20Note%20on%20Gender%20Quotas_ENG.pdf>.

[140] CCHR, 'Female Political Systems and Electoral Gender Quota Systems' (September 2012).

[141] R.E. Matland, 'The Norwegian Experience of Gender Quotas, Institute for Democracy and Electoral Assistance' (October 2004) <www.quotaproject.org/CS/CS_Norway-matland.pdf>.

7.1.2   Legislated candidate quotas

Alternatively, candidate quotas can be included as an obligatory requirement in a country's legislative framework within the constitution or as part of the electoral law.[142] Under these mandatory quota systems, all parties are legally required to register a certain percentage of female candidates on their party list.[143] Quota percentages typically range from 30%, as in Argentina and Brazil, to as much as 50%, as in France.[144] Rwanda serves as a strong example to Cambodia, as it is a post-conflict country that has effectively implemented a constitutional quota reserving 30% of seats in all government bodies for women. In October 2003, women won 48.8% of seats in Rwanda's lower house of Parliament. Having achieved near-parity in the representation of men and women in its legislature, Rwanda now ranks first among all countries of the world in terms of the number of women elected to parliament.[145]

In 2005, Iraq adopted a new constitution which formalized the 25% female representation target that had previously been implemented for elections to the transitional National Assembly. The electoral law states that each party list must be comprised of one-third female candidates with placement mechanisms ensuring their distribution throughout the list.[146] In the January 2005 election women were elected to 87 out of the 275 seats and six women were appointed ministers.[147]

Countries and political parties can implement additional mechanisms, often called 'double quotas' or 'placement mandates,' which regulate the rank order of candidates on candidate lists. Sweden's Social Democrat Party provides a good example of the benefits of coupling a candidate quota (in this case a voluntary 50:50 quota) with a 'zipper system', whereby separate lists of female and male candidates are compiled in equal numbers and the combined list alternating between the two. As a result of the Social Democrat Party adopting such a mechanism on their lists, the Swedish parliament's overall female representation has varied between 47% and 50% in the four general elections since its introduction in 1993.[148] Although the question of whether the top candidate is a man or a woman is still to be decided by the party, zipper systems provide a way to ensure greater representation of women.

Recommendation to RGC/National Assembly: Adopt a mandatory gender quota of a minimum of 30% to the candidate lists, reinforced with an additional mechanism that stipulates a certain rank order similar to the 'zipper system', which requires political parties to alternate the names of male and female candidates on electorate lists.

7.1.3   Reserved seats

A results-based quota reserves a particular percentage of seats in parliamentary bodies or other governmental bodies for women, ensuring that the composition of the relevant body becomes more

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[142] CCHR, 'Female Political Systems and Electoral Gender Quota Systems' (September 2012).

[143] UNDP, 'Gender Equality in Elected Office in Asia Pacific: Six Actions to Expand Women's Empowerment' (September 2012) <http://www.snap-undp.org/elibrary/Publications/DG-2012-GenderEquality.pdf>

[144] Drude Dahlerup, 'Electoral Gender Quotas: Between Equality of Opportunity and Equality of Result' (2007) 77-79 <www.statsvet.su.se/forskning/wip/dokument/dahlerup_electoral_gender_quotas.pdf>.

[145] Elizabeth Powley, 'Rwanda: Women Hold up Half the Parliament' (2010) <www.idea.int/publications/wip2/upload/Rwanda.pdf>.

[146] Monda Lena Krook, Diana Z. O'Brian, Krista M. Swip, 'Military Invasion and Women's Political Representation' (2010) International Feminist Journal of Politics, 12 <http://mlkrook.org/pdf/krook_obrien_swip_10.pdf>

[147] Michelle D. Bernard, A. Yasmine Rassam, Lida Sahar Norry, 'Women's Participation in the Democratic Processes in Iraq and Afghanistan: Achievements and Challenges' (2006) <www.academia.edu/1601756/WOMENS_PARTICIPATION_IN_THE_DEMOCRATIC_PROCESSES_IN_IRAQ_AND_AFGHANISTAN_ACHIEVEMENTS_AND_CHALLENGES>

[148] Drude Dahlerup, 'Electoral Gender Quotas: Between Equality of Opportunity and Equality of Result' (2007) 75-78.

gender-balanced. The quotas usually operate with absolute numbers, not percentages. However, when expressed in percentages, existing reserved seat quota systems vary from just 5% in Nepal, to approximately 17% in Pakistan and 18% in Uganda, to as much as 27% and 30% in Afghanistan and Rwanda respectively. No reserved seat system demands 50:50 gender parity anywhere in the world.[149] Reserved seat systems are usually considered to be very effective measures in greatly increasing, or even kick-starting, women's representation in strongly patriarchal countries.[150] Reserved seat systems are also often used for political bodies to which members are indirectly elected or appointed, as opposed to proportionally elected from candidate lists, and thus for which either voluntary or mandatory candidate list quota systems are difficult to apply.

Recommendation to RGC/National Assembly: Adopt a mandatory reservation of at least one third of Senate seats for women, with the councilors voting on two separate lists, one only for men and the other for women candidates.

7.2 Anti-discrimination legislation & initiatives

Prevalent discrimination against women in Cambodia – motivated in large part by stereotypes of women and gender roles dictated by cultural traditions –must be addressed. While anti-discrimination legislation would go a long way towards addressing systemic discrimination against women, there must also be measures to address the root causes of discrimination (see Chapter 6).

7.2.1 Anti-discrimination legislation

Anti-discrimination legislation can cover discrimination based on a number of factors, including sexual orientation, gender identity, ethnic origin and religion, amongst other factors. As it regards women, legislation – whether as a stand-alone law or within existing criminal and civil codes – must incorporate comprehensive definitions of both direct and indirect discrimination, to ensure that all potential forms of discrimination are included. Furthermore, legislation must incorporate sanctions for violating anti-discrimination prohibitions and mechanisms for redress for women who have been subjected to discrimination, in all sectors of society.

In response to the CEDAW Committee's 2006 recommendations that the Philippines ensure that CEDAW was fully incorporated into domestic law and that discrimination be explicitly defined,[151] in 2009 the Philippines passed the Republic Act 9710, otherwise known as the "Magna Carta of Women"[152] – a comprehensive law addressing discrimination and gender equality. The Magna Carta of Women comprehensively defines discrimination against women in Chapter II, Section 4(b), as well as other key related terms, based on CEDAW principles. Section 11, "*Participating and Representation*," commits the government to undertaking temporary special measures – as allowed by CEDAW – to "*accelerate the participation and equitable representation of women in all spheres of society particularly in the decision-making and policy-making processes in government […]".*

Recommendation to RGC/National Assembly: Introduce comprehensive, stand-alone legislation to address gender-based discrimination, which includes definitions of both direct and indirect gender-based

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[149] Ibid, 86.

[150] Ibid.

[151] CEDAW Committee, 'Concluding Comments of the Committee on the Elimination of Discrimination against Women: Philippines' (36th Session, August 2006) UN Doc CEDAW/C/PHI/CO/6.

[152] Republic Act 9710 <http://pcw.gov.ph/law/republic-act-9710>.

discrimination in accordance with Article 1 of CEDAW; sanctions for perpetrators of discrimination; and mechanisms for redress for victims of discrimination.

7.2.2 *Addressing gender stereotypes*

Voters' gender stereotypes, such as the assumed traditional gender roles, have potentially negative implications for female candidates, especially when running for office. In a society with a traditional division of labor, gender stereotypes tend to be strong. However, reforming these stereotypes can increase the number of women participating in politics. Increased space for women to have a voice depends on actions in the political, cultural, social and administrative arenas, all of which offer different leverage points. Involving people at many levels recognizes that the position of women in society needs to be dealt with from the household up to national politics. A mechanism for combating stereotypes is through media campaigns aimed at changing how citizens perceive politics. Several campaigns waged in a variety of countries have focused in particular, on providing a more conducive environment to female candidacies by raising awareness among voters of the gender imbalance in the political sphere.

An example of a successful awareness campaign is the multi-partisan campaign launched by Iceland's parliament in 1997. Members of the parliament worked together to pass a motion instructing the government to form a parliamentary committee responsible for increasing representation of women. The product of the committee was a five-year awareness campaign that included an amusing, attention-getting advertising program, training courses, education, communications networks, public meetings, and mentoring programs. The campaign successfully rallied public support and increased public awareness about the need for a gender-balanced government. Women's political representation increased from 25% to 35% after the campaign had been in operation for one year.[153]

Recommendation to RGC/National Assembly: Encourage change in public attitudes towards women in politics, gender roles and stereotypes. Create a political environment and adopt political behavior that promotes gender balance in government.

Recommendation to Civil Society: Undertake a variety of media campaigns aimed at changing how citizens perceive politics. Provide a more conducive environment to women's candidacies by raising awareness among voters and civic society regarding the current lack of gender balance in the political sphere and the need to elect more women for the sake of democracy.

7.3 Gender-sensitive initiatives

Encouraging gender-sensitive rules and procedures in elected bodies is important. Gender sensitive initiatives carry a variety of benefits for civil and political society. They indicate progress in the government's commitment to gender equality and can be instrumental for improving accountability and achieving effective policy implementation.

7.3.1 *Gender-sensitive budgeting*

Gender-Sensitive Budgeting ("GSB"), also sometimes called Gender-Responsive Budgeting, takes into account the differential direct and indirect effects of government expenditures and revenues on women and men and seeks to mainstream gender in economic policy-making. GSB is a process that recognizes that women and men have different roles, responsibilities and capabilities, resulting in different needs, interests

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[153] UNDP, 'Gender Equality in Elected Office in Asia Pacific' (September 2012).

and priorities that should be equally addressed by government budgets at all levels.[154] GSB is therefore one of the most effective tools to mainstream gender in politics, to redress inequalities and promote women's economic, social and political rights.[155]

Gender budgeting was formally introduced in Nepal in the fiscal year 2007/08. The budget was introduced as a tool for advancing gender equality including ensuring women's participation in economic, social and political processes in the country.[156] Nepal is a good example of a gender sensitive budget initiative that illustrates progress in the government's commitment to gender equality by focusing attention on government outputs and the impact of government expenditure. GSB in Nepal ensures that there is no gap between national policy development on the advancement of women and budget appropriations.

Notably, various challenges exist in implementing gender budgeting and accepting the analysis generated by these processes. Gender budgeting requires political will and leadership, adequate resources and capacity, and a high level of budget 'literacy' amongst civil society partners and within women's policy-making machinery. Furthermore, the effectiveness of budget execution depends on the nature and the quality of the monitoring process.[157]

Recommendation to RGC/National Assembly: Invest in collection and dissemination of gender statistics and indicators and consult with a full range of outside organizations. Develop gender indicators to measure performances and conduct gender impact assessments to conclusively adopt GSB initiatives.

Recommendation to Political Parties and Civil Society: Citizen-state engagement is key to effective gender budgeting. Be informed, participate and influence. Produce qualitative studies that show impact. Advocate for more gender sensitive impact assessment and increase advocacy for GSB.

7.3.2   Gender-sensitive work environments

Another factor that facilitates the recruitment and retention of female politicians is an accommodating, flexible political culture and family friendly working environment. Certain elements of political culture deter women from pursuing a political career, like late work hours and lack of child care facilities. To facilitate women's participation, political bodies, including parliaments, should review internal procedures to ensure gender-sensitive structures and working conditions in elected office. In particular, focus should be placed on integrating gender issues into all parliamentary committees, debates, action plans, commissions, reports, and legislation as well as reviewing standard working conditions and operational cultures to ensure that equal opportunities for female and male members are accessible.

Sweden, for example, adopted an internal process to assess the gender sensitivity of the Swedish Parliament and as a result a gender equity plan was adopted for each parliamentary session. Some of the reforms Sweden has implemented to make parliament more family-friendly include provisions of

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[154] UNIFEM, 'A User's Guide to Measuring Gender-Sensitive Basic Service Delivery' (2009) <http://www.unifem.org/attachments/products/UsersGuide2MeasuringGenderSensitiveBasicDeliveryService_en.pdf>
[155] UNICEF, 'A Study on Gender Responsive Budgeting' (2010) <http://unesdoc.unesco.org/images/0021/002121/212103e.pdf>
[156] UNIFEM, 'Integrating Gender Responsive Budgeting into the Aid Effectiveness Agenda' (2009) <www.gender-budgets.org/index.php?option=com_joomdoc&view=documents&path=resources/by-theme-issue/aid-effectiveness/integrating-gender-responsive-budgeting-into-the-aid-effectiveness-agenda-nepal-report&Itemid=570>
[157] UNIFEM, 'Parliament, the Budget and Gender' (2004) <www.unifem.org/attachments/products/parliament_budget_gender_eng.pdf>

subsidized childcare facilities, possibility to take parental leave without resigning, and standardization of rules regarding working hours and sick leave.[158]

Recommendation to RGC/National Assembly: Review internal procedures to insure inclusion of gender-sensitive policies, such as mainstreaming gender policy issues, the hours of parliamentary sitting, the recruitment of leadership positions within the legislature, and the provisions of child care and maternal facilities.

Recommendation to Political Parties and Civil Society: Actively advocate for rules and internal procedure reform, including the facilities and working conditions of female members.

7.4 Capacity-building and support networks

Additional strategies can be undertaken in order to stimulate women's interest in pursuing elected office and to boost their capacities. These efforts have sought to raise broader awareness of the importance of women in politics. Such initiatives have included candidate training, recruitment and knowledge networks as well as campaigns and civic education. Enabling women's participation requires a multifaceted approach, focused on encouraging women, undermining the stereotypes that maintain patterns of gender inequality and highlighting the party structures that facilitate women's candidacies.

7.4.1   Mentoring and training

Civil society plays a key role in fostering respect for women's rights, gender equality and women's participation in political and public life through enhancing capacity, skills and knowledge in areas of representation, raising awareness and conducting advocacy work. The most direct capacity building development initiative involves training programs for current or future female candidates, run by political parties or bipartisan civil society groups. Education and proper training is necessary to ensure that women are qualified to fill legislative positions. It is important to strengthen the skills and resources of women for elected office, with initiatives by political parties, the media and NGOS, involving knowledge networks, mentoring programs, skills training and funding for female candidates.

A recent example is the capacity development program that was introduced in Papua New Guinea to strengthen the skills and knowledge of female candidates in the June 2012 elections. The Office for the Development of Women launched the program in collaboration with the Papua New Guinea Electoral Commission, registered parties and civil society organizations. The program provided support, advice and training in campaigning, public speaking and media skills to female candidates who wished to become more politically involved.[159]

Multiple actors, including international agencies, women's ministries and women's groups and networks in civil society, have promoted women's political agendas and supported women's campaigns, raising awareness of female candidates and promoting them in politics and public life. A diverse range of initiatives are designed to build the capacity of potential female leaders, strengthening skills, experience and knowledge of women once they are elected to office. In Iraq for example, CSOs promoting women's rights and education have proliferated since 2003. The United States has been active in supporting the creation of women's centers and providing education and training to women leaders in Iraq. It has financed twenty-two women's centers in Iraq that have trained women in entrepreneurship, democracy education, political

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[158] UNDP, 'Gender Equality in Elected Office in Asia Pacific' (September 2012) 56.
[159] Ibid, 48.

organization, constitutional provisions and leadership skills. This development of natural alliances enables the transfer of skills, knowledge and resources between those working to promote female representation in politics.

In Cambodia, a partnership program between the UN Development Fund for Women and the UN Democracy Fund sought to increase the number of women in politics and their abilities to influence policy decisions. Multiple strategies were undertaken to achieve these objectives, including training, advocacy and dialogue, civic education and the development of peer support networks. The project successfully fostered the emergence of strong women's coalitions in Cambodia and equipped women to take on leadership roles. The outreach efforts and increased awareness of voters were also successful components of the project. Evaluation of the project concluded that increasing women's political participation depends on actions in the political, social, cultural and administrative areas and involves a number of people and organizations at different levels. It highlighted the necessity for non-governmental organizations working on female political participation to build broader alliances and links with the government and community organizations, as well as the benefits of leadership training to relationship building and collaboration.[160]

Recommendation to Political Parties: Provide training programs for current and future female candidates providing support, advice, and training in campaigning, public speaking and media skills. Develop mentor programs between women leaders who have successfully entered elected office and others aspiring to these positions.

Recommendation to Political Parties: Foster gender equality policy making through seminars and lectures by gender experts on important topics, and through the creation of strong links with stakeholders in academic and non-governmental organizations.

Recommendation to RGC/National Assembly: Develop and build networks with a broad range of groups – both among constituents and nationwide – including representatives of national women's machineries, NGOs, unions and the media.

Recommendation to Civil Society: Undertake recruitment initiatives to identify and encourage women to run for office. Between organizations, exchange ideas on effective ways for raising public awareness, identifying prospective female candidates and assisting women in running successful campaigns, ultimately increasing participation and effectiveness of women in political life.

7.4.2   International network-building

Transnational advocacy networks are also working together with a common discourse of promoting women's representation in politics. Women's organizations have been able to mobilize and achieve a high degree of cross-national cooperation, promoting gender diverse parliamentary representation. The commitment of international actors and influencers to gender equality and to bridging the gender gap in the formal political arena plays a central role to women's enhanced participation in governance structures in countries like Cambodia. International pressures for democratization and human rights, including equal representation of women in politics present opportunities for governments to develop new political institutions incorporating women in to the public arena. Over the last decade, a variety of international organizations – including the UN, the Socialist International, the Council of Europe, the European Union,

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[160] UNIFEM, UNDEF, 'Democracy, With Women, For Women' (2010)
<http://www.unifem.org/attachments/products/UNDEF_Round_I_Evaluation_web_1.pdf>

the Commonwealth, the African Union, the Southern African Development Community and the Organization of American States – have issued declarations recommending all member-states aim for 3o% women in all political bodies which is in line with the Beijing declaration.[161]

Recommendation to Civil Society: Develop joint strategies with partner organizations in other countries to increase female political representation.

Recommendation to Civil Society: Develop lobbying strategy – in collaboration with regional partners – to get ASEAN to issue a declaration committing the region to increased female political representation.

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[161] UNDP, 'Gender Equality in Elected Office in Asia Pacific' (September 2012).

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Convention on the Elimination of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981)

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Despite a legislative landscape favorable to protecting women's rights and a policy framework that commits the Royal Government of Cambodia to promoting the empowerment of women, cultural, socio-economic, institutional and political barriers continue to impede concrete representation of women in politics. Gender inequality has become institutionalized, and until mechanisms are implemented that combat these norms and challenge these stereotypes, gender initiatives will remain superficial and largely ineffectual.

មជ្ឈមណ្ឌលសិទ្ធិមនុស្សកម្ពុជា
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