



KINGDOM OF CAMBODIA
Nation Religion King



**Permanent Mission of the Kingdom of Cambodia
to the United Nations Office and other
International Organizations at Geneva**

No: 2021/07/446

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, with reference to the communication dated 02 June 2021 from Ms. Irene Khan, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, has the honour to transmit to the latter herewith a reply from the Ministry of Information of the Kingdom of Cambodia as to the questionnaire on Gender Justice and Freedom of Opinion and Expression.

The Permanent Mission of the Kingdom of Cambodia would be greatly appreciated if the said details could be conveyed to its high destination.

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 07 July 2021



Office of the High Commissioner
for Human Rights
Geneva



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Phnom Penh, 28th June 2021

**Responses on key Questions of the Special Rapporteur on the promotion of
freedom of opinion and expression**

1. a) What barriers, challenges and threats do women in the public sphere face in exercising their freedom of opinion and expression online and offline? b) What are the distinct challenges faced by those who experience multiple and intersecting forms of discrimination? c) How have the pandemic, economic crises and recent political unrests affected women's ability to communicate, protest and access information online and offline?

Answer:

The constitution of Cambodia, article 31 stated that “the Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, the covenants and conventions related to human rights, women’s and children’s rights. Every Khmer citizen shall be equal before the law, enjoying the same rights, freedom and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status. The exercise of personal rights and freedom by any individual shall not adversely affect the rights and freedom of others. The exercise of such rights and freedom shall be in accordance with the law. However, there are some barriers, challenges and threats to women in the public sphere face in exercising their freedom of opinion and expression online and offline such as:

- Lack of understanding of in exercising their freedom of opinion and expression accordance with the laws (limitation of understandings).
- Lack of the support or encouragement from families, communities.
- Limitation of abilities

5. a).What legislative, administrative, policy, regulatory or other measures exist in your State to promote and protect women's freedom of opinion and expression online and offline? To what extent do these measures take into account intersectionality? b). In your view how effective are they in supporting women's empowerment and public participation? Please provide statistical data and judicial decisions, where available.

Answer:

Cambodia consists of legislative, administrative, policy, regulatory or other measures to promote and protect women's freedom of opinion and expression online and offline including Constitution, Law on Prevention of Domestic Violence and Protection of Victims, Law on suppression of human trafficking



mentioned above, it is noticed that a numbers of women are increasing for day-to-day all sectors (both public and private sectors). Example there are almost 38% of female staff working in the Ministry of Information right now. Among of them, there are 34% are holding the decision- making positions.

6. What legal administrative, policy or other measures exist in your State to protect women from sexual and gender based violence and harassment online? How effective are they? What impact have they had on women's empowerment and public participation, including freedom of expression?

Answer:

The protection of women from sexual and gender based violence and harassment online based on the Press Law (article 14 and article15). Article 14 stated that “the press shall not publish anything that affects the good custom of society, primarily: Cure words, such as “you” (in a contemptible context) or “you” (in a belittling sense).; Words directly describe explicit sexual acts.; Drawing or photographs depicting human genitalia, or naked pictures, unless published in educational purposes.; Degrading pictures that compare particular human beings to animals.; and Article 15 stated that “ Unless there is permission from the court, the press may not publish information, photographs or drawings which may take it possible for readers to identify or know the name of: Party in any civil suit involving paternity, marriage, divorce, or child custody.; A youth under the age of 18 in any civil or criminal suit.; or A woman who is a victim of molestation or rape. Except in cases in which the publication may affect the investigation of the court, the press may publish the above information if the concern person or custodian agrees in writing. Any individual whose rights under this article are violated by the press are entitled to file a civil action in the court for compensation. Moreover, in 2017, Ministry of Information and Ministry of Women Affairs has jointly issued Prakas on Media Code of Conduct on Reporting Violence against Women. The purpose of the Prakas are (1) to curb the use violence against women news as a mean to publish for entertainment or fun and (2) to transform social behavior in violence against women.

7. What do you believe States should do to a) uphold women's human right to freedom of opinion and expression b) protect women from violence, harassment and intimidation online and offline and c) promote women's public participation?

Answer:

- a). For uphold women's human right to freedom of opinion and expression, the state should:
- Improve the rule of law for freedom of opinions and expressions
 - Encourage the relevant stakeholders such as government’s institutions, development partners, NGOs, families, communities and private sectors to support women in participating in all sectors.
 - Give opportunities to women participate in decision-making and implementing their work freely without fear.
 - Improve the understanding of the public about the necessary of women’s contributions in society development.
- b). For protections women from violence, harassment and intimidation online and offline, the state should:
- Restrict the rule of law
 - Encourage women to be brave in make a complaint to the authorities when they are the victims of violence, harassment and intimidation and protect them from any pressures or threats.
- c). For promote women's public participation, the state should:
- Give the women opportunities in holding decision-makings or contributing in developing families, communities and society.
 - Encourage women to share their successful experiences of lesson learns to the public.
 - Acknowledge the women’s roles and responsibilities of contributing in developing families, communities and society.



10. What role has legacy media played in aggravating or addressing the challenges women face in exercising their freedom of expression? What do you think the legacy media can do to empower women and make the public space safe for them, especially for women journalists?

Answer.

The Royal Government of Cambodia (RGC) firmly commits to promote citizens' political freedom, the freedoms of expression, press and publication, etc., as guaranteed in the constitution of the Kingdom of Cambodia. The RGC also pays close attention to the maintaining and building good environment for media and broadcasting sector in Cambodia through the assurance of the respect of press freedom, freedom of publication, and equality without discrimination, intimidation and political tendency. In addition, the RGC has always considered journalists as an indispensable partner whose responsibility is to reflect all aspects of social realities by conveying the true information from the government to people, and people to the government in return. This must be done based on the spirit of "respecting the right of others and not distorting the truth" in order to work with the government to fight against corruption and to take part in the signification reform of RGC such as legal and judicial reform, public administration reform to strengthen good governance, promote democracy, the rule of law, peace and sustainable social development. Based on what mentioned above, the media outlets, including legacy media, are the important actor to be a bridge for conveying the true information to the public, therefore the legacy media should expand its programs related to women in order to give opportunities for them to raise their voices in public through producing features, interviews or panelist discussions on what women need, what their challenges are, what their successes in the work or life are ect..

Undeniably, media in Cambodia really play the crucial role to empower women. Both state-run and private media as well as media run by NGOs in the country address women' issues in all fields. At the same time, Social Media, especially Facebook, are also the key tool to generate women to speak out what they meet and need. The Ministry of Women's Affairs and many other national and international NGOs working in women's issues in the Kingdom also the spark to promote women's rights in society. They cooperate with the media to outreach news and information to the public aiming to awareness of women's rights and promote their freedom of speech in family, community, and society. In addition, the number of young female journalists in the country has also notably increased and they have done lots of stories related to women's issues aiming to promote their roles and rights in society.

