



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Combined eighteenth to twentieth periodic reports
submitted by Cambodia under article 9 of the
Convention, due in 2022***

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* The present document is being issued without formal editing.



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A. Introduction

1. The Kingdom of Cambodia has been obliged to provide reports on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination (CERD) three times: the combined second to seventh reports, the combined eighth to thirteenth reports, and the combined fourteenth to seventeenth reports were submitted to the Committee on the Elimination of Racial Discrimination on 4 February 1997, 19 February 2009, and 26 November 2018 respectively. A delegation was also sent to attend its 100th session on 28-29 November 2019 in Geneva, Switzerland.
2. At its 100th session, Cambodia received 46 concluding observations from the United Nations Committee on the Elimination of All Forms of Racial Discrimination, which was adopted by the Committee on 30 January 2020.
3. The Cambodian Human Rights Committee (CHRC) of the Royal Government of Cambodia distributed these concluding observations to the relevant institutions for action on 26 June 2020. Cambodia has to submit its report in response to recommendation by 28 December 2022.
4. This is a report, in response to the recommendations, highlighting the achievements made from 2020 to 2022 in the implementation of the human rights recommendations of the Cambodia's report on the elimination of all forms of racial discrimination and goals of the implementation of the human rights recommendations which have not yet been fully achieved. Despite the difficult situation of the global spread of COVID-19 for the past two years, ministries, institutions and various units have paid attention to implementing the human rights recommendations, aiming at promoting and protecting human rights in Cambodia. The following results have been obtained:

B. Responses to the recommendations of the Committee

Statistical data

Recommendation No. 6

5. In 2020, population statistics of the Kingdom of Cambodia are as follows: a total of 3,698,617 families, a total population of 15,860,351 (7,740,509 males, 11,025,106 people aged over 18, 5,366,295 males), and the following ethnic groups were disaggregated:

Table of disaggregated [data on] ethnic groups (2020)

<i>Ethnic groups</i>	<i>Number of families</i>	<i>Number of population</i>		<i>Population aged over 18</i>	
		<i>Total</i>	<i>Males</i>	<i>Total</i>	<i>Males</i>
Khmer	3 532 797	15 155 696	7 387 890	10 567 827	5 138 033
Khmer Islam	86 840	369 430	182 867	248 822	124 108
Khmer Kampuchea Krom	202	1 013	559	779	424
Vietnamese	21 829	90 858	47 435	65 608	33 152
Laotians	5 444	22 438	11 328	14 175	7 163
Thais	123	470	329	465	326
Indigenous peoples	51 382	220 446	110 101	127 430	63 089
Total	3 698 617	15 860 351	7 740 509	11 025 106	5 366 295

National Human Rights Institution

Recommendation No. 8

6. In collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Cambodia and the Asia-Pacific Forum of National Human Rights Institutions (APF) based in Australia, under the auspices of the Australian Embassy to Cambodia, the CHRC has finalised the Draft Law on the Organisation and Functioning of the National Human Rights Institution in accordance with the Paris Principles, which consists of nine chapters and 32 articles.

7. This Draft Law has been prepared and consulted 32 times (20 internal consultation meetings between the CHRC, OHCHR and APF and made available for public consultation, with the participation of OHCHR representatives in Cambodia, including:

- On 28 October 2021, regional workshop on the establishment of a national human rights institution in accordance with the Paris Principles;
- On 26 November 2021, consultation with civil society at the Royal University of Phnom Penh;
- On 24 January 2022, consultation with unions at the Royal University of Phnom Penh;
- On 17 February 2022, consultation with Higher Education Institutions and the Bar Association of the Kingdom of Cambodia at the Royal University of Phnom Penh;
- 7 March 2022, consultation with the press units at CHRC;
- 21 March 2022, consultation with the Association of People with Disability at CHRC;
- 28 March 2022, consultation with the Organisation for Women and Children at CHRC;
- On 4 April 2022, consultation with departments and units at the sub-national level at the National University of Battambang.
- On 21 April 2022, consultation with departments and units at the sub-national level, and indigenous communities at Monduliri Provincial Hall;
- On 11 October 2022, regional consultation with the participation of representatives of the National Human Rights Institutions of Indonesia, Malaysia, the Philippines and representatives of the Asia-Pacific Forum of the National Human Rights Institutions;
- On 16 December 2022, consultation with National Assembly representatives; and
- On 20 December 2022, consultation with Senate representatives.

8. Meanwhile, the CHRC is also open to public comments via its Facebook page and Telegram channel.

The way forward

9. Gather opinions and recommendations received from consultations from all walks of life in order to weigh the implementable potential and incorporate them into the Draft Law on the Organisation and Functioning of the National Human Rights Institution before its submission to the Royal Government for further procedure–National Assembly adoption.

Definition of racial discrimination

Recommendation No. 10

10. The Constitution of the Kingdom of Cambodia, the supreme law, sets out the fundamental principles. Article 31 of the Constitution provides citizens with the same rights and liberties, without any discrimination, which is a prohibition against all grounds for racial discrimination, in accordance with the principles set out in Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination. On the basis of this

Constitution, there is no legitimate reason, for the Kingdom of Cambodia, to amend various articles of the Constitution with regard to racial discrimination yet.

11. Articles 265 to 270 of the Criminal Code of the Kingdom of Cambodia explicitly prohibit all grounds for racial discrimination, regardless of a given ethnic group, nationality (national origin), race (colour), all of which are in line with the definition in Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination. In addition, the Criminal Code of the Kingdom of Cambodia defines discrimination against a number of grounds, including religion, political affiliation, union activities, family situation, gender, state of health, and disability, all of which are broader than the Convention. Therefore, it is not necessary for all articles of the Criminal Code of the Kingdom of Cambodia to be revised yet.

Anti-racial discrimination legislation

Recommendation No. 12

12. The Royal Government of Cambodia has been considering the possibility of developing a comprehensive legal framework that will define and prohibit direct and indirect racial discrimination on all prohibited grounds, in line with Article 1 of the Convention on the Elimination of All Forms of Racial Discrimination. Relevant institutions are considering and studying existing legal frameworks that are being smoothly implemented such as the Criminal Code, the Civil Code, Sector Specific Laws on Land, Education, Health, as well as indigenous policies for the protection against racial discrimination. Therefore, the Kingdom of Cambodia needs an appropriate time to prepare this draft law in due course.

Hate speech and hate crimes

Recommendation No. 14

13. In the Kingdom of Cambodia, hate speech is prohibited as defined in the Criminal Code of the Kingdom of Cambodia, for example:

Article 494: The incitement is punishable when it is committed:

- (1) By speech of any kind, made in a public place or meeting;
- (2) By writing or picture of any kind, either displayed or distributed to the public;
- (3) By any audio-visual communication to the public.

Article 496 of the Criminal Code of the Kingdom of Cambodia defines:

14. The direct incitement, by one of the means defined in Article 494 (Existence of incitement) of this Code, to discriminate, to be malicious or violent against a person or a group of persons because of their membership or non-membership of a particular ethnicity, nationality, race or religion, shall be punishable by imprisonment from one to three years and a fine from two million to six million Riels, where the incitement was ineffective.

Domestic implementation of the Convention

Recommendation No. 16

15. According to reports from all domestic courts with regard to crimes in 2020, there weren't any cases of racial discrimination as defined in this Convention. Therefore, the Kingdom of Cambodia has not yet been able to provide an example of a court decision based on the rights in this Convention. In particular, in principle, Cambodian national law provides victims of crime with the full right to sue for compensation such as moral reparation, damages, and medical expenses.

16. Article 39 of the Constitution of the Kingdom of Cambodia states, "Khmer citizens have the right to denounce, make complaints, or file claims for reparations of damages caused

by any breach of law by state and social organisations or by staff of those organisations. The settlement of complaints and the reparations of damages are of the competence of the courts.”

17. Article 2 of the Criminal Procedure Code states criminal and civil actions are two separate kinds of legal actions.

- The purpose of a criminal action is to examine the existence of an offence, to prove the guilt of an offender, and to punish the person according to the law.
- The purpose of a civil action is to provide compensation to victims of an offence and to allow victims to receive sufficient damages corresponding to the injuries they suffered.

Complaints of racial discrimination

Recommendation No. 18

18. As aforementioned in paragraph 14, it can be confirmed that there aren’t any complaints of racial discrimination before the domestic courts yet. However, citizens have the right to file both judicial and non-judicial complaints adjacent to their communities, which is guaranteed by Article 39 of the Constitution of the Kingdom of Cambodia, as stated above.

19. The Ministry of Justice, in collaboration with non-governmental organisations (NGOs) and development partners, has raised awareness of and provided training in the prevention of racial discrimination in the administration and functioning of the criminal justice system to many law enforcement officials, especially citizens. Meanwhile, the CHRC has also reached out to raise awareness of complaints procedure to citizens, students in all municipality and provinces, as well as offices of complaints related to human rights violations.

Independence of the judiciary

Recommendation No. 20

20. In the Kingdom of Cambodia, the fight against corruption is a priority in the Royal Government’s policies of good governance. The Royal Government has enacted laws and set up separate units for anti-corruption work, both in the public and private sectors.

21. To enforce the law, the Anti-Corruption Unit has adopted a three-pronged strategy, including:

- The first-pronged strategy is to educate students and raise their awareness of the law in educational institutions and to train teachers to teach anti-corruption subjects.
- The second-pronged strategy is to prevent [corruption] through the implementation of the every-two-year declaration of assets and liabilities and to transparently inspect the provision of public services.
- The third-pronged strategy is to conduct prevention campaigns during the recruitment exams in various professions and to bid for various investments.

22. Each year, the Anti-Corruption Unit receives and investigates approximately 500 to 600 complaints.

23. In the Kingdom of Cambodia, the independence and impartiality of the judiciary are guaranteed in line with measures within the legal framework, for example:

Article 118 [128] *new* (former Article 109)

The judiciary power is an independent power.

The judicial power is the guarantor of impartiality and the protector of the citizens’ rights and liberties.

Article 129 new (former Article 110)

Justice is rendered in the name of Khmer people in accordance with the legal procedures and the laws in force.

Only the judges are vested with the judicial function. The judges shall fulfill their duties in strict respect of the law, in all honesty and conscientiousness.

Article 130 new (former Article 111)

No organ of the legislative power or of the executive power can exercise any judicial power.

Article 132 new (former Article 113)

The King is the Guarantor of the independence of the judiciary. The Supreme Council of the Magistracy assists the King in this task.

Article 133 new (former Article 114)

The Magistrates are irremovable. However, the Supreme Council of the Magistracy shall pronounce disciplinary sanctions against the Magistrates committing misdeeds.

Law on the Statute of Judges and Prosecutors

24. **Article 8:** All judges shall make decisions impartially, based upon legal principles, without pressure, threat or intimidation or orders, whether direct or indirect, from any party to the case or any other person.

25. **Article 9:** Judges shall be appointed to perform their duties at any particular court for a term of four years. No judge on duty as specified in paragraph 1 of this Article may be transferred to any other place without their prior consent, even though that place offers a higher position than the one currently held. However, the Supreme Council of the Magistracy may transfer a judge to any other places to perform his/her duties when he or she is subjected to a 2nd degree disciplinary sanction as stated in Article 55 of this Law or as needed for justice benefit.

26. In practice, the Ministry of Justice has urged the policy of judicial reform, setting out a number of programmes to be implemented in the judiciary. Within a one-year-and-one-month campaign to resolve the backlog of cases, municipal and provincial courts of first instance have cleared almost all of the pending cases impartially, in line with a fair and swift principle.

27. Within this one-year-and-one-month period, a total of 227 judges of the municipal and provincial courts of first instance settled 37,900 cases. On average, a judge managed to handle 14 cases a month.

28. The Supreme Council of the Magistracy pays attention to enforcing the discipline of judges in order to strengthen their independence. In 2021 and the first half of 2022, the Disciplinary Council of the Supreme Council of the Magistracy received 30,000 complaints with regard to their performances and professional code of ethics. Of those complaints, the Disciplinary Council managed to examine 20 cases and disciplined four judges and two prosecutors who had performed their duties improperly and violated professional code of ethics.

29. [As regards] the contribution to the protection and promotion of the independence of judges, the Supreme Council of the Magistracy transfers judges from one court to another once every four years, according to their generations, to ensure that they avoid being under pressure.

30. In the Kingdom of Cambodia, human rights, including the rights of indigenous peoples, are protected by law as enshrined in the Constitution of the Kingdom of Cambodia. In particular, the Royal Government has set out Policy on the Development of Indigenous Peoples so as to promote their right to life. Therefore, there is no reason to misuse to suppress human rights defenders, including defenders of rights of indigenous peoples.

31. What happened in the past is not the suppression of human rights defenders or defenders of rights of indigenous peoples, but rather the suppression of individuals who wore the badges of human rights defenders or defenders of rights of minorities who violated state law under the pretext of protecting human rights or the rights of indigenous peoples for the purpose of shielding [themselves].

32. In the Kingdom of Cambodia, citizens are equal before the law, enjoying the same rights, liberties and duties. The exercise of such rights and liberties shall be in accordance with the law. Human rights defenders, including defenders of rights of indigenous peoples, have no special privileges and are treated just like any other citizen if they violate the law.

Access to justice

Recommendation No. 22

33. To ensure the provision of legal aid, the Ministry of Justice has been drafting a policy on legal aid, setting out a number of rules in line with United Nations Principles and Guidelines on Access to Legal Aid for the general public, especially minorities, women, children, disabled and vulnerable groups. The main principle of this policy is No One Left Behind. Although these principles have not been officially adopted yet, they are now being gradually implemented by the Bar Association of the Kingdom of Cambodia, which encourages all lawyers to provide legal assistance to the poor, the vulnerable, indigenous peoples, persons with disabilities, women and children free of charge.

34. The CHRC has currently formed a team of 43 legal officers and volunteer lawyers to help protect the rights of victims of human rights abuses. This team of volunteer lawyers is tasked with providing free legal advice and counselling at the trial in the court.

35. Meanwhile, the Ministry of Justice has been developing a policy framework on non-judicial dispute resolution, which aims to provide justice services closer to those in rural communities, especially indigenous peoples, based on the principles of No One Left Behind and of anti-racial discrimination. In the past, the headquarters of non-judicial dispute resolution were located in districts close to citizens who could receive legal advice and counselling free of charge.

Situation of ethnic Vietnamese

Recommendation No. 24

36. In the Kingdom of Cambodia, National Action Plan against Racial Discrimination has not been prepared yet as racial discrimination in Cambodia is not a major issue. In Cambodia, there have been no incidents of racial discrimination found to be impressive yet.

Recommendation No. 24(a)

37. In the Kingdom of Cambodia, violence is a crime punishable under criminal laws. The competent authorities will investigate, prosecute and punish perpetrators and co-perpetrators in accordance with the law in force, not only ethnic Vietnamese but any ethnic group as well, when they are subjected to violence in any form or circumstances.

Recommendation No. 24(b)

38. The Royal Government of Cambodia always pays attention to tolerance education and the elimination of hate speech in order to prevent any statements that incite hatred or violence against any ethnic group, not just ethnic Vietnamese.

Recommendation No. 24(c)

39. The Royal Government of Cambodia relocates people, regardless of any ethnic group, only when absolutely necessary, for development, public interest, preventing and eliminating environmental impacts. As regards measures of relocations, the authorities have complied

with the United Nations Basic Principles and Guidelines, setting up housing infrastructure on new sites and providing them to legally relocated groups.

40. Approximately 1,785 houses of Cambodians and ethnic Vietnamese were relocated from the floating villages on the Tonle Sap Lake in order to stop serious environmental impacts. The competent authorities have found that, on average, roughly 6 tons of solid and liquid waste is drained into the Tonle Sap Lake daily. Therefore, it is absolutely necessary that [such waste] be urgently prevented. At the relocated sites, the Kampong Chhnang Provincial Administrative Authority has prepared the infrastructure such as water, electricity, market, school and health centre based on the basic requirements guaranteed by the Constitution of the Kingdom of Cambodia.

Recommendation No. 24(d)

41. In the Kingdom of Cambodia, all foreign immigrants, not just ethnic Vietnamese, obtain a permanent resident card valid for a two-year period under the Law on Immigration. This permanent resident card is valid for access to education at all levels, employment and self-employment, and other basic services under the laws of the Kingdom of Cambodia, including legal protection in the justice system of the Kingdom of Cambodia as well.

Recommendation No. 24(e)

42. In the Kingdom of Cambodia, not just for ethnic Vietnamese children, the birth registration of children of all ethnic groups born in the territories of the Kingdom of Cambodia is guaranteed by legal documents. For example, Article 17 [27] of the Sub-decree on Civil Registration 2000 states that, “As for a baby of any immigrants and foreigners having lived lawfully in the Kingdom of Cambodia who was born in the Kingdom of Cambodia, the parents may register baby’s birth at the Commune/Sangkat where they are living permanently or at the Embassy or General Consulate or Consulate of their country attached to the Kingdom of Cambodia.” Obviously, from 2002 to the first half of 2022, 179 children born to foreign parents living legally were registered.

Situation of Khmer Krom

Recommendation No. 26

43. The Royal Government of Cambodia has launched the National Strategic Plan on Identification (2017-2026), setting out a vision that, “Everyone is identified.” This vision implies that everyone who lives in the territories of the Kingdom of Cambodia, in accordance with the laws and regulations in force, is entitled to receive identification documents.

44. Through this National Strategic Plan on Identification, the real challenge that ethnic minorities, including Khmer Krom, face in obtaining these identification documents is the legal residency in the territories of the Kingdom of Cambodia, with obtaining a permanent resident card issued by the competent authorities in accordance with the legal documents in force.

45. When Khmer Krom come to live in the Kingdom of Cambodia legally and [in compliance with] legal documents, the competent authorities will provide them with a permanent resident card, which is the basic document for obtaining identification documents in line with legal documents in force. Currently, in the Kingdom of Cambodia, roughly 1,013¹ Khmer Krom people have been living with legal recognition and have formed 15 legally registered Khmer Kampuchea Krom Organisations/Associations.

¹ Report on All Ethnic Groups Registered for Resident Identification Documents in the Kingdom of Cambodia, 2022.

Situation of indigenous peoples

Recommendation No. 27(a)

46. For ease of the development of indigenous peoples in all fields, the Ministry of Rural Development has currently reached out to do research, identify and organise 162 groups into communities:

No.	Province	Jarai	Tampuan	Kreung	Preu	Kavet	Lun	Kachak	Pnong	Mel	Krol	Kuy	Sui	Por	Chomg	Sa' och	Total
1	Ratanakiri	21	13	20	15	2	1	3									75
2	Mondulkiri								28								28
3	Kratie								4	1	4	4					13
4	Stung Treng			1	1	4			1			11					18
5	Kompong Speu												5				5
6	Battambang													1			1
7	Preah Vihear											9					9
8	Kompong Thom											5					5
9	Koh Kong														3		3
10	Pursat													4			5
11	Preah Sihanouk															1	1
Total		21	13	21	16	6	1	3	33	1	4	29	5	5	3	1	162

Recommendation No. 28

47. Indigenous peoples in the Kingdom of Cambodia account for a total of 22 clans: Pnong, Tampuan, Kuy, Jarai, Kreung, Preu, Stieng, Kavet, Krol, Cha Ong, Por, Mel, Lmoon, Suy, Khoanh, Kleung, Sa'och, Kachrok, Lun, Radea and Kachak. These indigenous peoples live scattered in almost all of the following municipality and provinces of the Kingdom of Cambodia:²

No.	Municipality/Province	Name of indigenous clan	Number of clans
1	Stung Treng	Kreung, Lun, Pnong, Preu	4
2	Kompong Cham	Jarai, Kavet, Stieng, Cha Ong	4
3	Kratie	Jarai, Lmoon, Khoanh	3
4	Mondulkiri	Stieng, Krol, Lmoon	3
5	Battambang	Jarai, Stieng, Cha Ong	3
6	Siem Reap	Jarai, Stieng, Cha Ong	3
7	Kompong Speu	Jarai, Suy	2
8	Kompot	Jarai, Cha Ong	2
9	Pursat	Jarai, Por	2
10	Ratanakiri	Pnong	1
11	Preah Vihear	Jarai	1
12	Kompong Thom	Jarai	1
13	Banteay Meanchey	Jarai	1

² Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 10.

<i>No.</i>	<i>Municipality/Province</i>	<i>Name of indigenous clan</i>	<i>Number of clans</i>
14	Kompong Chhnang	Jarai	1
15	Preah Sihanouk	Jarai	1

Number of indigenous peoples by each clan

<i>Indigenous clan</i>		<i>Population</i>		
		<i>2008</i>	<i>2013</i>	<i>Variation</i>
1	Phong	37 507	47 296	9 789
2	Tampuan	31 013	51 947	20 934
3	Kuy	28 612	13 530	-15 082
4	Jarai	26 335	13 326	-13 009
5	Kreung	19 988	22 385	2 397
6	Preu	9 025	13 902	4 877
7	Stieng	6 541	1 279	-5 262
8	Kavet	6 218	5 618	-600
9	Krol	4 202	7 413	3 211
10	Cha Ong	1 831	266	-1 565
11	Por	1 827	215	-1 612
12	Mel	1 697	1 905	208
13	Lmoon	865	763	-102
14	Sui	857	0	-857
15	Khoanh	743	270	-473
16	Khleung	702	208	-494
17	Sa'och	445	837	392
18	Kachrok	408	731	323
19	Lun	327	436	109
20	Rodea	21	1 003	982
21	Mon	19	174	155
22	Kachak	10	328	318
Total		179 193	183 832	4 639

Indigenous literacy rate in 2013

48. Among indigenous peoples aged 7 and over, 34.3% were able to read and write in Khmer (41.9% males and 27.3% females); and among those aged 15 and over, 33.8% were able to read and write in Khmer (43.8% males and 24.6% females). Thus, only about one-third of indigenous peoples of both sexes can read and write in Khmer, and men generally have a higher literacy rate than women.³

³ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 45.

Percentage of indigenous peoples who did not go to school, went to school, and dropped out of school in 2013⁴

Age	Indigenous peoples		Cambodia in total	
	Aged 6-13	Aged 6-18	Aged 6-13	Aged 6-18
Total	38 573	60 096	2 426 730	3 987 698
Percentage of those who did not go to school at all	49.4	47.9	13.0	10.6
Percentage of those who went to school	49	43.6	85.2	75.3
Percentage of those who dropped out of school	1.6	8.6	1.9	14

Indigenous economically active and inactive population aged 5 and over and aged 15 and over in 2013

	Aged 5 and over		Aged 15 and over	
	Cambodia in total	Indigenous peoples	Cambodia in total	Indigenous peoples
Labour force percentage	62.2	63.2	79.7	87.1
Employment percentage	60.8	62.8	77.8	86.6
Non-labour force percentage	37.8	36.8	20.3	12.9
Total population	13 373 003	162 213	10 355 192	113 333

Population and indigenous clans, and annual growth rates⁵

Year	2008	2013	Growth rate (%)
Total population of Cambodia	13 395 682	14 676 591	1.54
Total indigenous peoples	179 193	183 831	0.51
Percentage of indigenous peoples	1.34	1.25	
Number of indigenous clans	22	22	
Number of indigenous women	50.9%	51.1%	

49. Indigenous crude birth rates were 3.4 per 100 women in 2008 and 3.7 in 2013, indicating a slight increase in birth rates from 2008 to 2013.⁶

50. Indigenous mortality rates were 10.2 in 2008 and 3.3 in 2013.⁷

Infant mortality rates⁸

	2008	2013
Indigenous women giving live births	93 334	93 889
Indigenous babies born alive	156 581	162 526
Indigenous babies who survived	134 819	142 108

⁴ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 47.

⁵ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), pp. 8 and 17.

⁶ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 34.

⁷ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 38.

⁸ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 39.

	2008	2013
Indigenous babies who died	21 762	20 418
Infant mortality rate per 1,000 live births	139.0	125.6

51. **Measures for access to education for indigenous peoples:** In order to ensure the education for indigenous peoples, the Ministry of Education, Youth and Sport has introduced various measures, including Prakas No. 48, dated 10 January 2013, on Identification of Languages for Khmer National Learners Who Are Indigenous Peoples. The Ministry of Education, Youth and Sport has set out the following measures:

- Implement a multilingual education curriculum at the primary level in Ratanakiri, Mondulakiri, Stung Treng and Kratie provinces, including 15 districts, 88 schools, a total of 242 teachers (101 females).⁹
- Develop an alphabet system in six vernacular languages: Tampuan, Kreung, Pnong, Kavet, Preu and Jarai, using Khmer characters as the base.
- Develop curriculum and textbooks for multilingual education classes.
- Implement the multilingual education curriculum from grades 1 to 3, using 80% vernacular language samples and 20% Khmer language in the first grade, 60% vernacular languages and 40% Khmer language in the second grade, and 30% vernacular languages and 70% Khmer language in the third grade, and from the fourth grade upwards, 100% Khmer language curriculum applied.¹⁰
- Have 123 public civil-service-status teachers (53 females) and 119 contract teachers (52 females) who are indigenous peoples deal with multilingual education.¹¹
- The Action Plan on Multilingual Education 2019-2023 was approved and put into practice in 2019.¹²

52. **Implementation of the multilingual education curriculum:** Currently, a total of 4,930 children (2,428 girls) have enrolled in multilingual primary schools. In particular, the multilingual kindergarten curriculum for indigenous children has been implemented by the Ministry of Education, Youth and Sport in 19 districts in five target provinces, including Ratanakiri, Stung Treng, Mondulakiri, Kratie and Preah Vihear. This curriculum was implemented in four public kindergartens, with 122 children (61 girls) and 124 community kindergartens, with 2,092 children (1,147 girls). The languages used include Tampuan, Kreung, Pnong, Kuy, Krol, Kavet, Preu, Jarai, and Kachak.

53. **Access to healthcare for indigenous peoples:** Indigenous peoples live together in small villages in remote areas, which does not meet the standards for setting up health centres in each area. To support the provision of healthcare services to indigenous peoples, the Ministry of Health has established 129 health posts in 155 communities. At the same time, mobile health posts have been set up to facilitate the provision of healthcare services for indigenous peoples living in small groups. In addition, the Ministry of Health has nine national hospitals, 25 municipal/provincial hospitals, 94 municipal/district/khan referral hospitals, and 1,250 health centres for providing healthcare to indigenous peoples when they need it, or they are referred for treatment to the national, municipal, provincial level and health centres.¹³

54. **Access to adequate standard of living for indigenous peoples:** The Royal Government of Cambodia always pays attention to improving the livelihoods of indigenous

⁹ Education Congress: The Education, Youth, and Sport Performance in the Academic Year 2020-2021 and Goals for the Academic Year 2021-2022, pp. 56-57.

¹⁰ Prakas No. 48, dated 10 January 2013, on Identification of Languages for Khmer National Learners Who Are Indigenous Peoples.

¹¹ Statistics of Multilingual Teachers 2021-2022, the Department of Special Education.

¹² Action Plan on Multilingual Education 2019-2023.

¹³ 2021 Progress Report and 2022 Goals of the Ministry of Health.

peoples, launching Strategic Plan for the Development of Indigenous Peoples (2020-2024) in all areas, starting from the actual situation of some challenges such as:

Housing¹⁴

	<i>Number of families</i>		<i>Percentage</i>	
	<i>2008</i>	<i>2013</i>	<i>2008</i>	<i>2013</i>
Own house	32 571	35 536	96.3	95.5
Rental house	198	60	0.6	0.2
House offered to stay in	888	1 468	2.6	3.9
Other	101	137	0.3	0.4
Uncertainty	62	0	0.2	0.0
Total	3 382	37 201	100.0	100.0

Indigenous family power sources¹⁵

	<i>Number of families</i>		<i>Percentage</i>	
	<i>2008</i>	<i>2013</i>	<i>2008</i>	<i>2013</i>
State electricity	1 663	427	4.9	11.5
Generator	779	34	2.3	9.1
State electricity and generator	230	156	0.7	0.4
Kerosene lamp	2 237	12 534	66.2	33.7
Candle	519	731	1.5	2.0
Battery	3 914	15 465	11.6	41.6
Other	4 338	645	12.8	1.7
Total	3 382	37 201	100.0	100.0

55. The great majority of indigenous households used firewood for cooking (97% in 2018 and 95% in 2013). Less than 2% used charcoal or kerosene and less than 1% used gas or electricity as a source of cooking energy.

Indigenous family cooking energy sources¹⁶

	<i>Number of families</i>		<i>Percentage</i>	
	<i>2008</i>	<i>2013</i>	<i>2008</i>	<i>2013</i>
Firewood	32 787	35 318	96.9	94.9
Charcoal	344	581	1.0	1.6
Kerosene	122	427	0.4	1.1
Gas	421	611	1.2	1.6
Electricity	25	228	0.1	0.6
None	33	36	0.1	0.1
Other	88	0	0.3	0.0
Total	3 382	37 201	100.0	100.0

¹⁴ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 72.

¹⁵ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 73.

¹⁶ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 73.

56. As regards household items for information and communication, almost one-third of indigenous households have a television set (a total of 30% in 2013, an increase from 19.2% in 2008). Mobile phone use among indigenous households increased significantly from nearly 20% in 2008 to 110% in 2013 (meaning that in 2013, there were more than one mobile phone per household). In 2013, 10% of indigenous households had a landline phone. Internet use was very low among indigenous households (less than 1% in 2008 and 2013).

57. As regards the means of transportation in 2013, 76.1% of indigenous households had motorcycles, 2.2% had cars, 9.1% had engine-driven carts, 7.8% had boats and 37.4% had bicycles.

Indigenous family home appliances¹⁷

	<i>Number of families</i>		<i>Percentage of total households</i>	
	<i>2008</i>	<i>2013</i>	<i>2008</i>	<i>2013</i>
Radio	1 314	8 835	38.9	23.7
Television	6 488	11 144	19.2	30.0
Desk phone	214	3 778	0.6	10.2
Mobile phone	5 371	40 949	15.9	110.9
Computer	440	883	1.3	2.4
Bicycle	1 653	13 912	48.9	37.4
Motorcycle	15 874	28 323	46.9	76.1
Car	653	806	1.9	2.2
Boat	1 296	2 908	3.8	7.8
Tractor	122	30	0.4	0.1
Engine-driven cart	1 369	3 387	4.0	9.1
Indoor internet	110	24	0.3	0.1
Outdoor internet	89	149	0.3	0.4
Indoor and outdoor internet	0	42	0.0	0.1
Total number of households	3 382	37 201	100.0	100.0

Recommendation No. 28(c)

58. The Royal Government of Cambodia always pays attention to the development of indigenous communities, launching the Strategic Plan for the Development of Indigenous Peoples 2021-2024 as a mechanism to help solve all issues affecting their livelihoods in a transparent and accountable manner.

59. For every development in areas where indigenous communities live, the Royal Government always assesses the social and environmental impacts and consults with stakeholders, especially affected indigenous communities, to find appropriate, acceptable solutions and with free consent.

60. The measures introduced by the Royal Government include settlement of payments, resettlement, provision of agricultural land, and establishment of production. Obviously, the Lower Sesan 2 Hydropower Dam Development Project affected 6 villages in 3 communes, with a total population of 860 families/houses, and the Royal Government has:

- Organised new village with adequate public infrastructure;
- Built a house for each family, with an area of 80 square metres, on an area of 20m x 50m;
- Provided each family with 5-hectare-land ownership;

¹⁷ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 76.

- Offered one-year support for building livelihoods, including food, oil for lighting, seeds and other pesticides; and
- Provided [them with] forest land, non-timber forest products, burial ground and places of worship according to the community tradition.

Recommendation No. 28(d)

61. In the Kingdom of Cambodia, citizens are equal before the law. Indigenous peoples, who are the citizens under the jurisdiction of the Kingdom of Cambodia, are protected by law. Article 38 of the Constitution of the Kingdom of Cambodia forbids any physical abuse against any individual. The law protects the life, the honour and the dignity of the citizens. The prosecution, arrest, police custody or detention of any person shall not be done, except in accordance with the law.

62. In case of attacks and intimidation by government agents and private companies, indigenous peoples have the full right to defend themselves in court by filing a complaint to the competent authorities, as Article 39 of the Constitution of the Kingdom of Cambodia states, “Khmer citizens have the right to denounce, make complaints, or file claims for reparations of damages caused by any breach of law by state and social organisations or by staff of those organisations. The settlement of complaints and the reparations of damages are of the competence of the courts.”

Recommendation No. 28(e-f)

63. In order to facilitate the land titling for indigenous peoples, the Royal Government of Cambodia has introduced Policy on Registration and Rights to Use of Land of Indigenous Communities and Sub-decree No. 83, dated 9 June 2009, on Procedures for Registration of Land of Indigenous Communities. Therefore, indigenous peoples who have been organised into communities, having legal recognition and legal entities, may apply for registration of all community plots of land recognised by the administrative authorities.

64. The Ministry of Rural Development and the Ministry of Interior have recognised a total of 155 and 152 indigenous communities respectively as legal entities nationwide as of June 2021. Meanwhile, in order to expedite the registration of public and private land and indigenous community land, the Royal Government of Cambodia decided, on 3 July 2020, to provide the land and the ownership to those who have been occupying and enjoying it for years on the location of protected areas and forest cover.

65. Based on the aforesaid principles, as of December 2022, the Ministry of Land Management, Urban Planning and Construction has registered 38 indigenous communities (or 3,717 families), with 981 cards, with a total land area of 39,342.41 hectares. The competent authorities have been committed to registering ten indigenous communities per year.

Situation of minority women**Recommendation No. 30**

66. The percentage of indigenous women was similar to that of the general Cambodian population and did not change significantly, namely with 50.9% in 2008 and 51.1% in 2013. Indigenous women who were heads of household accounted for 14% in 2008 and 22% in 2013.

67. In the employment sector, the employment rate of indigenous women was maintained at a high and stable rate of 83.9% and the unemployment rate was 1.1%. With an average annual economic growth rate of roughly 7% over the last two decades, new, more productive jobs have gradually been created for indigenous women, in which non-agricultural jobs augmented from 4.2% to 11.3%, while employment in the agricultural sector plummeted

from 95.9% to 88.7% between 2013 and 2020. During the same period, the quality of employment improved, reflected by an increase in the wage rate from 21.6% to 42.7%.¹⁸

68. Indigenous women have the full right to choose a profession that suits their abilities according to the needs of society, without discrimination on any grounds, and are protected by laws such as Articles 31 and 36 of the Constitution, Articles 265 and 269 of the Criminal Code, Article 8 of the Law on Minimum Wage and Articles 12 and 13 of the 1997 Labour Law, all of which prohibit discrimination by employers based on race, colour, creed, sex, religion, political ideology, national origin, origin, society, culture, union membership or status of choosing and defining a job, vocational training, job promotion, salary increase, other benefits, disciplinary action or termination of labour contract. Compliance with the non-discrimination principle, especially against minority women, is fully guaranteed by the competent authorities and labour inspectors, as well as the supervisors of Better Factories Cambodia (ILO-BFC). Thus, those committing offences will be fined and may be imprisoned.

69. The Royal Government of Cambodia has launched the National Employment Policy 2015-2025 with three pillars: (1) to increase decent and productive employment opportunities, (2) to enhance skills and human resource development, and (3) to enhance labour market governance. At the same time, the TVET Development Policy has been implemented to increase access to education and the TVET framework for the citizens of both sexes, vulnerable groups, and to improve the connection between education and TVET providers, with private sector so as to reduce the skills gap. Through these two policies, indigenous women have the same access to employment opportunities and skills training as men.

70. In the field of education, indigenous women have higher literacy rates than men. Among indigenous peoples aged 7 and over, 34.3% (41.9% men and 27.3% women) were able to read and write in Khmer. Among those aged 15 and over, 33.8% (43.8% men and 24.6% women) were able to read and write in Khmer.¹⁹

71. Indigenous dropouts are highest in the 16-18 age group. More than 60% of boys dropped out of school at age 17-18, most girls (65.4%) at age 16, and almost 50% of girls at age 17-18.²⁰

Highest level of education completed by gender in 2013²¹

Highest level of education completed (%)	15 years old and over		15 years old and over	
	Male	Female	Male	Female
Never been to school	56.6	74.2	62.2	83.4
Primary level (grades 1-6)	30.8	18.1	27.1	12.5
Junior high school (grades 7-9)	7.1	5.0	5.5	2.6
Junior high school certificate	0.2	0.0	0.2	0.0
Senior high school level (grades 10-12)	4.4	2.2	4.2	0.7
High school certificate and above	1.0	0.6	0.8	0.8
Total percentage	100.0	100.0	100.0	100.0

72. Measures to eliminate barriers in access to education for indigenous women: In addition to launching national policies, national plans and indigenous development programmes, the Ministry of Education, Youth and Sport has launched scholarships, school

¹⁸ Estimated data from the Cambodia Socio-Economic Survey 2019/2020; Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia, 2021.

¹⁹ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 45.

²⁰ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 47.

²¹ Report on Demographic and Socio-Economic Situation of Indigenous Peoples in Cambodia (printed in 2021), p. 53.

feeding programme. A number of legal documents have been issued to ensure access to inclusive education, including:

- Sub-decree No. 174, dated 5 May 2014, on Scholarships and Living and Accommodation Support for Students at Public Education Institutes;
- Sub-decree No. 34, dated 17 March 2015, on the Provision of Scholarships for Poor Students at Primary and General Secondary Education Levels;
- Inter-Ministerial Prakas No. 090 (bis), dated 23 January 2023, on the Implementation of School Feeding Programme Using Agricultural Products in Communities;
- Prakas No. 2457, dated 11 August 2015, on Criteria and Procedures for Providing Scholarships to Poor Students at Primary and General Secondary Education Levels.

73. Number of indigenous students receiving scholarships for primary and secondary education levels 2022-2023 for some provinces in the northeast:

74. **Primary education level:** 123 (55 female) indigenous students receiving scholarships in Stung Treng; 705 (358 females) out of a total of 5,921 (3,092 female) indigenous students receiving scholarships in Mondulkiri; there were a total of 1,613 (822 female) indigenous students in Ratanakiri; and 543 (271 females) out of a total of 854 (430 female) indigenous students [receiving] scholarships in Kratie.

75. **Secondary education level:** [According to] the statistics, from the academic years 2016-2017 to 2020-2021, there were a total of 3,320 (1,676 female) indigenous students receiving scholarships in Preah Vihear, Kratie, Stung Treng, Ratanakiri and Mondulkiri. 233 (190 female) and 216 (113 female) indigenous students were provided with dormitory accommodation in 2021-2022 in Mondulkiri and Ratanakiri respectively.

76. As a practical measure, the Ministry of Education, Youth and Sport has provided multilingual education services from kindergarten to primary education level (grades 1-3) and increased [the number of] and encouraged indigenous teachers by offering indigenous contract teachers a public civil service status in the Ministry of Education, Youth and Sport. At the same time, the Ministry of Education, Youth and Sport has issued Prakas No. 1117, dated 24 November 2021, on the Management of Multilingual Education Programme and included the Multilingual Teacher Training Programme at the Northeastern Teacher Training Centre in Stung Treng province.

Province	Multilingual education teacher (public civil service status)		Multilingual education teacher (contracted)	
	Total	Female	Total	Female
Ratanakiri	41	16	41	13
Mondulkiri	78	37	1	1
Stung Treng	04	00	26	8
Kratie	00	00	51	30
Total	123	53	119	52

Health services

77. The majority of indigenous women received (38.8%), (20.6%) and (12.9%) maternity care from midwives, traditional midwives and nurses respectively. They gave (53%), (38%) and (6%) birth at home, hospitals and health centres respectively.

78. The fact that the percentage of indigenous women accessing health services in hospitals or health centres was low may be they lived in rural or remote areas, with only health posts available that were not able to provide these full health services.

79. As a measure, the Ministry of Health has reached out to remote localities to provide its services such as health education, antenatal check-ups, vaccinations, malaria and TB treatment by village volunteers. Meanwhile, the Ministry of Health has recruited indigenous peoples who can speak Khmer and trained them as health workers who are to be stationed at

health facilities, in this particular regard, at Stung Treng Regional Health High School. Indigenous youths from Ratanakiri, Preah Vihear, Mondulakiri, and Stung Treng have been trained. Furthermore, rapid HIV testing services have been provided at 1,198 health centres and antiretroviral therapies at 71 locations across the country for providing prevention, care, treatment and support for those living with HIV/AIDS, the general population, including indigenous peoples.

80. One of the main challenges that indigenous women face in accessing justice is equality before the law, before the court, which is a fundamental principle of access to justice. In the past, in remote provinces, it was difficult to find a lawyer to defend or represent before the court. To address this challenge, as a measure, the Ministry of Justice, in collaboration with the Bar Association of the Kingdom of Cambodia, has set up bar offices in all municipal/provincial courts, and there are standing lawyers delegate during all working hours who can help defend the poor and the vulnerable such as indigenous women free of charge.

81. At present, in remote provinces such as Ratanakiri, Mondulakiri, Preah Vihear, Kratie, Stung Treng, where ethnic minorities live, there are offices and standing lawyers delegate stationed at those courts. Minority women will have a volunteer lawyer for equality before the law in court.

82. All of the aforesaid goals in relation to the situation of indigenous women have been incorporated, along with [the ones related to] all Cambodian women, into all national policies and strategies of the Royal Government. Meanwhile, [the goals related to] indigenous women who may be considered vulnerable to violence are also among [those related to] Cambodian women that have been included in the National Action Plans to Prevent Violence against Women, which the Royal Government, through the Ministry of Women's Affairs, has been striving to gradually eliminate and end violence against women in the future.

Human trafficking

Recommendation No. 31

83. In 2021, the Anti-Human Trafficking Unit investigated and cracked down on 359 cases of human trafficking and sexual exploitation, arrested 538 suspects and sent them to court, and rescued 1,577 victims, including 211 aged under 15, 148 aged 15 to 18, and 1,218 aged over 18 (32 handed over to the Department of Social Affairs, 1,545 to their families).

84. In 2021, the nationwide courts had a total of 434 cases related to human trafficking and sexual exploitation, with a total of 716 (82 female) defendants. The courts managed to handle 200 cases, 3 cases of transfer of authority, 6 cases with 8 defendants ended in acquittals, 10 cases fined, 170 cases (59 defendants) sentenced in prison, 3 defendants whose sentences were conditionally suspended, and 21 cases with 22 defendants whose sentences were suspended; a total of 203 cases have been dealt with and 231 cases are being handled; 1 case is being appealed, with a total of 420 victims (193 females).

85. Through collaboration between relevant units and partner organisations, legal services were provided to claim compensation. There were four cases receiving \$17,000 compensation through Handshake Alliance and there were three cases, with two boys who were victims of child prostitution and one girl who was a victim of online exploitation receiving a total of \$66,200 in compensation for moral reparation through Action for Children.

86. The Ministry of Social Affairs, Veterans and Youth Rehabilitation, the Victims Protection Working Group and the Municipal-Provincial Departments of Social Affairs, in collaboration with partner organisations, sent a total of 1,808 victims and suspected victims of human trafficking (313 women, 758 boys, 722 girls) to receive services, accommodation and rehabilitation; there were (1,103 suspected victims); 106 and 1,702 [victims and suspected victims were sent] by the Municipal-Provincial Departments of Social Affairs, Veterans and Youth Rehabilitation and partner organisations respectively.

Integration of victims and suspected victims

87. The Ministry of Social Affairs, Veterans and Youth Rehabilitation and the Municipal-Provincial Departments of Social Affairs, in collaboration with local authorities and partner organisations, have integrated 317 (243 women, 49 girls) victims and suspected victims of human trafficking and sexual exploitation back into their communities (43 related to labour trafficking, 270 forced marriage, and 4 sex trafficking).

88. The Working Group of Social Affairs, Veterans and Youth Rehabilitation, in collaboration with relevant officials of relevant institutions, authorities, Hope and Justice, and Agape International Missions (AIM), has integrated and repatriated five Vietnamese women.

89. The case of providing services to 80 (47 women) victims of human trafficking was closed: 2 at the Garden of Hope in Cambodia, 16 at Hope and Justice, 49 at Ratanak International, and 13 at Handshake Alliance. In addition, by the end of 2021, Handshake Alliance closed the case of providing services to 91 victims of human trafficking. Thus, a total of 171 cases were closed.

Cambodia-Thailand Border Liaison Office of Cambodia-Thailand General Border Committee

90. 143 Thais (56 females) and 4 Vietnamese (2 females) were integrated and repatriated.

91. In addition, the Municipal-Provincial Departments of Social Affairs have cooperated with partner organisations to help a total of 371 (76 women, 44 boys and 226 girls) victims of human trafficking by providing them with accommodation and rehabilitation services: 78 at the Municipal-Provincial Departments of Social Affairs and 293 at various partner organisations.

92. In 2021, the National Committee for Counter Trafficking collaborated with ministries, institutions, relevant partner organisations to organise 179 training courses on Guidelines on Forms and Procedures for Identifying Victims of Human Trafficking for the purpose of providing appropriate services and other skills for 6,969 participants (2,212 women) and strengthening the capacity of resource trainers, law enforcement officials and members of the National Committee for Counter Trafficking at the sub-national level, municipal-provincial level.

Recommendation No. 32

93. The working group and law enforcement officials have been actively involved in prevention and have collaborated with UNICEF in the production of messages and other materials for the dissemination and promotion of public awareness so as to prevent human trafficking, especially in women and children.

Statelessness

Recommendation No. 33

94. To ensure that children born in the territories of the Kingdom of Cambodia can acquire nationality and have access to identity documents, the 2018 Law on Nationality defines the following:

Article 9:

[any child born] shall be a Cambodian citizen, no matter where he or she was born:

- Any child born to a father or mother who is Cambodian by birth or
- Any child whose parents refuse to accept when the court issues a judgement that he or she was actually born to a Cambodian father or mother.

[any child born] in the Kingdom of Cambodia shall be a Cambodian citizen:

- Any child born to foreign parents who were born and live legally in the Kingdom of Cambodia;
- Any child born to unknown parents and a newborn child picked in the Kingdom of Cambodia shall also be considered born in the Kingdom of Cambodia.

Article 10:

Any child who is fully adopted by a Cambodian spouse shall obtain Cambodian citizenship when the full adoption is established in accordance with the law in force.

95. When a child was born in Cambodia from foreign parents, but the foreign parents were not born in Cambodia, this child shall not receive Khmer citizenship by birth. However, if this child was born and continues to live legally in Cambodia and then has a child born in Cambodia, his or her second-generation foreigner shall be eligible for Cambodian citizenship by birth.

Refugees and asylum seekers

Recommendation No. 36

96. Vietnamese Montagnards: At the end of 2014 until March 2016, Vietnamese mountain dwellers (the Montagnards) fled from Vietnam, hid themselves along the border of Ratanakiri province, Cambodia, and 279 (73 females) of them arrived in Phnom Penh. A specialised department of the Ministry of Interior has carried out its procedures for the examination, recognition, granting of status or asylum to refugees or foreigners in the Kingdom of Cambodia, with the participation of UNHCR, and the following results have been obtained:

The first procedure followed (13 people, 1 female)

97. 13 people (1 female) were granted the status of refugees and sent to the Philippines by UNHCR on 27 May 2016.

The second procedure followed (266 people, 72 females)

69 people (10 females) left Cambodia before the procedure was implemented; the following 117 people (37 females) were sent back to Vietnam voluntarily, 9 times, under the auspices of UNHCR:

- 2 July 2016, 16 people (3 females)
- 29 December 2016, 13 people (4 females)
- 8 March 2017, 6 people (1 female)
- 24 April 2017, 25 people (6 females)
- 8 June 2017, 16 people (4 females)
- 29 September 2017, 15 people (9 females)
- 22 April 2018, 13 people (4 females)
- 21 June 2019, 1 person (1 female)
- 7 December 2020, 12 people (5 females)

60 people (21 females) escaped from Cambodia. 3 families, 7 people (2 females), were granted the status of refugees and sent to the Philippines, under the auspices of UNHCR, on 29 September 2017. One person passed away; and 8 families, 12 people (2 females), are currently staying [in Cambodia].

98. There is a case of 29 Vietnamese Montagnards whom the government has allowed to resettle in a third country. However, Vietnam has appealed against the decision and lodged a complaint with UNHCR. Therefore, the Royal Government has agreed in principle to allow UNHCR to discuss this issue with Vietnam before taking further action. To date, Cambodia has not received any updates on the outcome of such discussions. While waiting for a specific outcome, Cambodia will further hold the 29 Vietnamese Montagnards.

Civil society organisations

Recommendation No. 38

99. To facilitate the procedures for union registration, the Ministry of Labour and Vocational Training amended Articles 3, 17, 20, 21, 27, 28, 29, 54, 55 and 59 of the Law on Trade Union, which was adopted by the National Assembly and promulgated by Royal Code No. 0120/001, dated 3 January 2020, after the Draft Law on the Amendment of the Law on Trade Union was submitted to six technical meetings, two national tripartite consultation workshops, two leadership level meetings and one inter-ministerial meeting. On the whole, this Law is a synthesis of input provided by stakeholders, including unions, employers and International Labour Organisation. The amendment has made the procedures for union registration simpler and faster. A small minority of the unions' rights and duties in representing their members in resolving collective labour disputes that do not arise from the implementation of the joint convention are also further clarified.

100. As of January 2022, there were 5,773 registered professional organisations, including 5,464 local unions, 257 trade unions, 40 unions of trade unions, and 12 employers' associations. In particular, in 2021, the Ministry of Labour and Vocational Training registered 262 new unions. This is an evidence to prove that the exercise of Freedom of Association under the Law on Trade Union is conducted in a favourable environment and in accordance with ILO conventions.

101. Pursuant to Article 42 of the Constitution, the Kingdom of Cambodia recognises the freedoms of its citizens, which states, "Khmer citizens shall have the right to create associations and political parties. This right shall be determined by law." The provisions of the Law on Associations and NGOs also guarantee the rights and freedoms of citizens to form associations and NGOs and determine the competence of the Ministry of Interior as the institution in charge of a review of documents and registration of local associations or NGOs. The registration procedures are clearly defined in this Law; hence the Ministry of Interior has no reason to cause any difficulty, complexity or restriction on the right to register any association and NGO. In sum, on average, there are roughly 20 local associations and NGOs formed each month, without decreasing. In addition, Article 8 of this Law also gives local associations or NGOs, whose request for registration is denied by the Ministry of Interior, the right to file a complaint with a court.

102. The Ministry of Interior has identified a series of measures to support the implementation of the activities of civil society organisations, issuing Guidelines No. 040, dated 31 October 2018, and Letter No. 2006, dated 27 November 2018, to the Board of Municipal/Provincial Governors in order to ensure that associations, NGOs and local communities have full rights and freedoms to act in the Kingdom of Cambodia in accordance with the laws and regulations in force and their statutes which are kept at the Ministry of Interior, without notifying the local authorities, and also require the Municipal/Provincial Administration to organise consultative forums with social civil organisations who act within their jurisdiction on a regular basis, every semester, or as needed.

Human rights training

Recommendation No. 40

103. The CHRC has been striving to disseminate national and international laws and regulations in relation to human rights to law enforcement officials, local authorities, students, workers, citizens and ethnic groups. To carry out this mission, the CHRC has collaborated

with relevant ministries, departments and local authorities to organise public forums and workshops in the municipality and provinces. For the past three years (2019-2021), the CHRC conducted education outreach, with the following data:

Year	<i>Total</i>			<i>Student</i>			<i>Student teacher</i>			<i>Citizen</i>		
	<i>Number of times</i>			<i>Number of times</i>			<i>Number of times</i>			<i>Number of times</i>		
		<i>Total</i>	<i>Female</i>		<i>Total</i>	<i>Female</i>		<i>Total</i>	<i>Female</i>		<i>Total</i>	<i>Female</i>
2019	39	3 941	2 188	24	2 932	1 636	5	801	501	10	208	51
2020	22	1 333	689	7	857	474				15	476	215
2021	6	1 888	65	1	37	25				5	151	40
Total	67	7 162	2 942	32	3 826	2 135	5	801	501	30	835	306

Ratification of other treaties and amendment to Article 8 of the Convention

Recommendations No. 41 and 42

104. The Royal Government of Cambodia will, in due course, consider the possibility for ratifying the remaining conventions on the amendment to Article 8 of the Convention, as well as the declaration under Article 14 of the Convention.

Dissemination of information

Recommendation No. 47

105. The CHRC has published all national reports on human rights on its Facebook website and Telegram channel for public information. The concluding observations with respect to the reports that Cambodia received were distributed to the competent ministries and institutions for effective action, in line with the provisions of the Constitution, laws, international conventions, covenants and instruments in relation to human rights to which Cambodia is a State party. For example, the concluding observations of the combined 14th to 17th reports of Cambodia received in December 2019 were distributed to ten relevant ministries and institutions on 26 June 2020 for action.

Common core document

Recommendation No. 48

106. The CHRC has now completed the draft of the Common Core Document and is requesting for the Royal Government's approval.

References

- Constitution of the Kingdom of Cambodia (1993)
- Law on Nationality (2018)
- Labour Law (1997) and its amendments
- Law on Trade Union
- Law on Social Security Schemes for Persons Defined by the Provisions of the Labour Law (2002)
- Education Law (2007)
- Law on Suppression of Human Trafficking and Sexual Exploitation (2008)
- Anti-Corruption Law (2010)
- The Code of Civil Procedure (2006)
- Criminal Procedure Code (2007)
- Civil Code (2007)
- Criminal Code (2009)
- Law on the Organisation of the Judiciary, promulgated on 16 July 2014
- Law on the Statute of Judges and Prosecutors, promulgated on 16 July 2014
- Law on the Organisation and Functioning of the Supreme Council of the Magistracy, Promulgated on 16 July 2014
- National Strategic Plan on Identification (2017-2026)
- [National] Action Plan to Combat Human Trafficking (2019-2023)
- International Convention on the Elimination of All Forms of Racial Discrimination (1983)
- Report on All Ethnic Groups Registered for Resident Identification Documents in the Kingdom of Cambodia, 2022
- Education Congress: The Education, Youth and Sport Performance in the Academic Year 2020-2021 and Goals for the Academic Year 2021-2022, pp. 56-57
- Prakas No. 48, dated 10 January 2013, on Identification of Languages for Khmer National Learners Who Are Indigenous Peoples
- Statistics of Multilingual Teachers 2021-2022, the Department of Special Education
- Action Plan on Multilingual Education 2019-2023
- 2021 Progress Report and 2022 Goals of the Ministry of Health
-