

OPEN LETTER TO
Samdech Krala Hom Sar Kheng, Deputy Prime Minister, Minister of Interior
Her Excellency Dr. Ing Kantha Phavi, Minister of Women's Affairs
His Excellency Keut Rith, Minister of Justice

Subject: Request for legal action against **Oknha Heng Sear, former Oknha Duong Chhay and Mr. Ouk Kosal**, former Provincial Police Commissioner of Kampong Thom Province on cases of domestic violence, sexual harassment and sexual violence against women.

As stated above, we, the undersigned people and civil society organizations working to promote women's human rights and gender equality in the Kingdom of Cambodia are dismayed that relevant authorities failed to take proper and effective measures in accordance with legal principles in cases of sexual gender-based violence and sexual harassment. As a result, justice has not yet been delivered to the victims and survivors. This has seriously impacted the effectiveness of law enforcement in the Kingdom of Cambodia, and serves as a breeding ground for increased violence and sexual harassment against women and girls. The measures taken so far to dismiss and demote powerful officials from their positions do not provide justice for women survivors, and only reinforce the culture of impunity. Perpetrators of domestic violence, sexual harassment and attempted rape must be punished according to the law. It is already distressing that a woman has to live with the harm caused by gender-based violence. When she comes forward and speaks out about those experiences, with the only purpose being to seek justice for herself and other women and girls, she must be supported.

Society is now expressing that it will not tolerate violence against women and are watchful to the actions to be taken by the Royal Government, especially in the cases of Oknha Heng Sear, Mr. Duong Chhay and Mr. Ouk Kosal. Even with this renewed interest, other cases may go unnoticed or unheard of because survivors have not been able to reveal those accounts due to various social, cultural and other factors. It is crucial that the relevant ministries now take just and rightful actions, not only to send an encouraging message to other women survivors to have confidence and trust in Cambodia's justice system, but to demonstrate to society as a whole that Cambodia does not tolerate violence against women and will hold the perpetrators accountable before the law, as the government has made commitments in the form of recognition and ratification of national and international instruments and tools to eliminate all forms of violence against women.

Paragraphs 11(e) and 37(d) of the Concluding Observations of the UN CEDAW Committee for its review of Cambodia issued on 12 November 2019 require that the state *"take concrete measures to strengthen the independence and impartiality of the judiciary system and to ensure that cases of gender-based discrimination and violence against women are fully investigated and that perpetrators are prosecuted and punished while victims shall be adequately redressed;"* and *"adopt and implement comprehensive legal regulations to prevent and respond to violence and harassment in the workplace, including sexual harassment, and to establish an independent grievance mechanism to ensure that victims receive an effective solution and to ensure that perpetrators are punished for their actions."*

While justice for survivors is crucial, it is also necessary that relevant authorities ensure physical and psychological safety and well-being for survivors and their families. Inclusive engagement from all relevant stakeholders and from the public is essential in eradicating victim-blaming culture, which has hindered efforts to deliver justice and has even re-victimized survivors. It is time to eradicate the culture of impunity and victim-blaming, while at the same time, increase support and protection to women and girls, so that justice is delivered to them and society as a whole.

We strongly hope that Samdech Krala Hom, Her Excellency Minister and His Excellency Minister will provide effective interventions in the three cases mentioned above in accordance with legal procedures to improve the situation of Cambodian women's human rights and to eventually eliminate all forms of discrimination and violence against women.

Respectfully yours,

Phnom Penh, 12 May 2021

This open letter is endorsed by:

1. The Cambodian NGO Committee on CEDAW (NGO-CEDAW)
2. Cambodian Center for Human Rights (CCHR)
3. Gender and Development for Cambodia (GADC)
4. Gender and Development Network (GADnet)
5. Klahaan Organization (KLAHAAN)
6. ActionAid Cambodia (AAC)
7. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
8. Cambodian Health and Education for Community (CHEC)
9. Independent Democracy of Informal Economy Association (IDEA)
10. Neutral and Impartial Committee for Free and Fair Elections in Cambodia (NICFEC)
11. Cambodian Youth Network (CYN)
12. Women Peace Makers (WPM)
13. Association to Support Vulnerable Women (ASVW)
14. Committee for Free and Fair Elections in Cambodia (COMFREL)
15. Cambodian Alliance Trade Unions (CATU)
16. Cambodia Labor Confederation (CLC)
17. Banteay Srei (BS)
18. Cambodian Food and Service Workers' Federation (CFSWF)
19. Association of Domestic Workers (ADW)
20. Coalition of Cambodia Farmers Community (CCFC)

21. Women for Prosperity (WFP)
22. Harpswell Foundation
23. Women's Resource Center (WRC)
24. Transparency International Cambodia (TIC)
25. LevelsDiversity

The below lists are CSOs, Union, and networks who endorsed after the open letter released:

26. Reproductive Health Association Cambodia (RHAC)
27. Cambodian Center for Independent Media (CCIM)
28. Labor Rights Supported Union of Khmer employees of Nagaworld
29. Silaka Cambodia
30. Young Women Leadership Network (YWLN)
31. Worker's Information Center
32. Women's Network for Unity
33. Messenger Band
34. Social Action for Community and Development
35. Focus on the Global South/Bangkok
36. Lady Saving Group (LSG)
37. Alliance for Conflict Transformation (ACT)

Endorsed by Person:

1. អ្នកស្រី សុភា ម៉ូនីតា
2. អ្នកស្រី ខៀវ លក្សី
3. Ms. Sophea Monita
4. Ms. Bou Chansokha
5. Ms. Chean Kosalvolak
6. Ms. Khim Khunnich
7. Mr. Ros Kuymeng
8. Mr. Dim Daradorn
9. Mr. Thach Ngounheng
10. Mr. Lor Chanveasna
11. Mr. Ven Saroeut
12. លោក ផាន់ ចាន់ហៀន
13. អ្នកស្រី ហាយ នីតា
14. អ្នកស្រី យី សុភ័ណ្ណ
15. Ms. Samnang Chanphavy
16. Ms. Oeun Samphors
17. Mr. Tren Channra
18. Ms. Hun Boramey

19. Ms. Soue Sambath
20. Ms. Soth Socheata
21. Ms. Phay Sary
22. Ms. Hong Nary
23. Ms. Tong SreyNich
24. Ms. Prum Sineath
25. អ្នកស្រី សែម ចិន្តា
26. អ្នកស្រី បី ថានិត
27. អ្នកស្រី ម៉ៅ ចន្ទលក្ខិណា
28. អ្នកស្រី ធុ គីមជា
29. អ្នកស្រី ថៃ ឡឿង
30. អ្នកស្រី គង់ ស្រីភ្នំ
31. អ្នកស្រី សៀង វិចារិកា
32. អ្នកស្រី ប៉ែន ស្រីបុប
33. អ្នកស្រី បៀ សុភា
34. អ្នកស្រី មាស សំណាងវិសុទ្ធនា
35. អ្នកស្រី វ៉ាន ស្រីពេជ្រ
36. អ្នកស្រី ផន សុភីលាន
37. អ្នកស្រី មាស សំណាងកញ្ចនា
38. អ្នកស្រី ណុប តីម
39. អ្នកស្រី សំណាង ចាន់ផារី
40. អ្នកស្រី ពៅស្រីអូន
41. អ្នកស្រី ប្រាក់ ច័ន្ទក័ស្តា
42. អ្នកស្រី ងន់ សៀវមី
43. អ្នកស្រី ឆន វ៉ាដា
44. អ្នកស្រី រឿម ចាន់វ៉ា
45. Ms. Rina Chhun
46. Ms. Sreyden Hor
47. Ms. Em Sam Ath
48. Ms. Vong Chenda
49. អ្នកស្រី ជិន គីមស្រៀង
50. អ្នកស្រី យឹម នីណា