

# 'Bringing the Rights of Voiceless Women into the Political Agenda'

## Proposal for the GIZ Global Gender Competition from the Access to Justice for Women in Cambodia Program



### Introduction

According to a recent study commissioned by the UN in Cambodia, 32 percent of ever-partnered Cambodian women aged 15-64 experience emotional abuse by an intimate partner in their lifetime; while 21 percent face physical and/or sexual violence, and 8 percent experienced physical and/or sexual violence in the past 12 months.<sup>1</sup>

Another survey undertaken by the UN found that as many as 1 in 5 Cambodian men reported to have attempted or committed violence against women, including rape.<sup>2</sup> Almost half of perpetrators surveyed stated that they never faced legal consequences.

In response to the pandemic of violence against women in Cambodia, the Access to Justice for Women program -implemented by GIZ and the Ministry of Women's Affairs of Cambodia since 2010- has been working on the issue taking a multi-pronged approach: 1) increasing accessibility and quality of services to women victims of gender-based violence and their children; 2) improving judicial response through deployment and training of Judicial Police Agents;

3) engaging the youth to prevent violence before it happens; 4) formulating and enacting policies to promote gender equality and address violence against women; and 5) supporting the organizational development of the Ministry of Women's Affairs for effective advocacy and communications.

### Improving service response to victims in two target provinces

The Access to Justice for Women (ATJW) program established a Fund for female victims of gender-based violence (intimate partner violence and/or sexual violence) which is chaired by the Ministry of Women's Affairs (MoWA) and implemented by 4 NGOs in Siem Reap and Kampong Thom provinces. From January 2012 to June 2015, 6,080 women and girls survivors of gender-based violence and their children received services by the Fund, which comprised legal advice and representation, shelter, individual and group psychological counseling, medical care, and vocational training for reintegration.

In addition, the ATJW program supported the establishment and functioning of coordination mechanisms at provincial and district levels to enhance case management and referrals of victims. Both state and non-state actors are members of these mechanisms and discuss on blockages and cases where further attention is required.

Positively, after one year of intensive coaching and technical support from the ATJW program to the meetings of the so called 'services providers' network' in Siem Reap province, the provincial

<sup>1</sup> *National Survey on Women's Health and Life Experiences in Cambodia* (2015). Phnom Penh: WHO, UN Women and the Royal Government of Cambodia.

<sup>2</sup> Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. (2013). *Why Do Some Men Use Violence Against Women and How Can We Prevent It? Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific*. Bangkok: UNDP, UNFPA, UN Women and UNV.

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department of women’s affairs (PDoWA) has taken full ownership and organizes the meetings without further assistance from the ATJW program.

## **Ensuring gender-responsiveness and quality of services to victims**

The ATJW program has paid special attention to improving quality of services to female victims of gender-based violence in four key areas of intervention, mainly through development, pilot and implementation of several minimum standards: 1) *Guidelines for Legal Protection of Women’s and Children’s Rights in Cambodia*; 2) *Minimum Standards for Basic Counselling to Women Survivors of Gender-Based Violence*; 3) *Guidelines for Referrals of Women Survivors of Gender-Based Violence*; and 4) pilot in Kampong Thom province of the *Clinical Handbook for Management of Violence Against Women in Health Sector*, developed by the Ministry of Health, WHO and UNFPA.

The processes to develop these standards have brought together line ministries, NGOs and international experts, and consequently contributed to enhance inter-ministerial and multi-stakeholders dialogue and cooperation to fight violence against women in Cambodia.

## **Strengthening Judicial Police Agents to improve access of women to Justice**

The ATJW program has also worked with national and local institutions, such as the Ministry of Justice, the provincial departments of women’s affairs (PDoWA) and provincial court systems, to deploy 129 Judicial Police Agents across Cambodia, better known as JPAs. These officials have been especially trained by the ATJW program to act as representatives of women victims of intimate partner violence and their children, providing appropriate legal support and referral services directly to them.

“The JPAs have four roles,” explains Kang Sithavy, a JPA in Siem Reap province. “First, we represent

the victim by acting as an accuser against their attacker. Second, we report and log the incidents and all subsequent case activities. Third, we investigate the crimes along with the police. And lastly, we also investigate the procedures of the courts, to make sure that the domestic violence cases are being handled appropriately.”



***Judicial Police Agents leading a discussion with local authorities in September 2015 in Siem Reap province with the goal of reviewing the methodology for alternative dispute resolution used in cases of intimate partner violence. The ATJW program aims to improve the mediation practiced by local leaders in these cases because it is often re-victimizing women and undermining their dignity and human rights.***

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“Before I was a JPA, I felt very bad for the victims, because I couldn’t do anything to help them,” laments Mrs. Ngen Sarin, another JPA in Siem Reap. “Now, we have the procedures to follow when we meet a victim. First, if violence occurred we help the victims to get medical treatment and safe shelter for a period of time. Then, if they want to file a complaint we help them to access legal services.”

In addition to providing assistance to victims, JPAs also participate in community outreach services, such as awareness raising sessions. This included promoting the Ministry of Women’s Affairs “16 Days” campaign to end violence against women, in cooperation with international and other local organizations. They also attend regular meetings with local authorities and police

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to improve their capacity and understanding of violence against women.

## **Accounting unheard women in national policies**

The ATJW program has particularly supported the integration of disadvantaged groups of women and girls into policies and policy formulation processes. Taking advantage of the trust and close cooperation with the counterparts from the Ministry of Women’s Affairs, the ATJW program managed to incorporate -for the first time ever- the protection of the rights of LGBT people and women survivors of gender-based violence during the Khmer Rouge regime into national policies, namely the Fourth National Strategic Plan for Gender Equality and the Empowerment of Women (2014-2018) –known as *Neary Rattanak IV*- and the Cambodia Gender Assessment 2014.

In fact, officials from the Ministry of Women’s Affairs have been advocating for the rights of LGBT people both internationally and in Cambodia in the last 3 years. For example, after advice and close follow-up by the ATJW program for the preparation of the Asia-Pacific regional Beijing +20 review held in Bangkok in November 2014, the Cambodian delegation brought the LGBT rights onto the table and advocated for them.



***H.E. Dr. Khieu Serey Vuthea (on the left), senior official of MoWA, participating in a one-hour radio interview about rights of LGBT people on 16 September 2015 ©MoWA***

The ATJW program also collaborated and built upon the work done by the Civil Peace Service with civil society organizations in order to incorporate the redress to women survivors of gender-based violence during the Khmer Rouge regime into the aforementioned national policies. The first discussions and direct cooperation between government officials and CSOs for both issues (LGBT rights and redress of gender-based violence during the Khmer Rouge regime) were also facilitated by the ATJW program.

In addition, the ATJW program closely supported the Ministry of Women’s Affairs -along with other partners- to develop the Second National Action Plan to Prevent Violence Against Women (2014-2018), which is the key policy in Cambodia to end violence against women and girls. The formulation of the Second NAPVAW was indeed a unique participatory process comprised by 10 consultations at sub-national level and a number of consultations at national level. It engaged a wide variety of state and non-state actors, including women survivors of gender-based violence themselves and civil society organizations working with groups which are especially vulnerable to violence, such as women with disabilities, women engaged in prostitution and LGBT people. The diversity of the groups involved in the consultation is reflected in the Second NAPVAW’s recognition that some groups of women and girls face particular vulnerability to violence and therefore need targeted interventions.

## **Engaging young people for gender equality and catalysing organizational reform of MoWA**

Young people are key constituencies for promoting gender equality and primary prevention (ending violence before it happens). The ATJW program supported the Ministry of Women’s Affairs to cooperate further with the Ministry of Education, Youth and Sports (MoEYS) in order to introduce good practices for gender equality and prevention of gender-based violence into school curricula. After successful integration



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of contents in 127 lower-secondary schools, this program is currently being scaled-up by MoEYS nationwide.

Furthermore, the ATJW program worked with the Ministry of Women’s Affairs for improving its external communications and for the establishment and functioning of a network formed by 79 “MoWA Young Professionals” (57 female and 22 male staff) to strengthen their role as advocates for gender equality. Technical and financial support was provided for implementation of the network’s annual work plans and activities as well as provision of training opportunities and development of guidelines in the field of communications; some of these measures have been undertaken in partnership with *Deutsche Welle Akademie*.

After support provided by the ATJW program, the Facebook page of MoWA was created and updated regularly. As a result, it increased its number of likes from 500 in Dec 2013, to over 21,200 two years later (in Dec 2015).



**Social Media team of MoWA** ©MoWA

The advice and persistence of the ATJW program with its counterparts at MoWA has contributed to a significant improvement of MoWA external communications. Now MoWA’s messaging in public statements and communications campaigns (e.g. the International Women’s Day Campaign held every year around 8 March) are more articulated, progressive and aligned with the women’s human rights framework.

Another remarkable milestone for the organizational development of MoWA was recently achieved with backstop from the ATJW program: the ‘Technical Coordination Desk’, formed by MoWA’s mid-level managers, has been established in order to improve advocacy of MoWA across Government and enhance internal coordination amongst MoWA departments.

## **Co-financed by the Australian DFAT and Spanish AECID and support to other GIZ programs**

The ATJW program is one of the few GIZ programs worldwide with gender marker ‘GG2’ which has been co-financed; and the only ‘GG2’ program of GIZ co-financed by two different agencies (along with BMZ): the ATJW II program co-funded by the Australian DFAT -from 2014 to 2016- and the ATJW I program co-funded by the Spanish AECID -from 2010 to 2013-.

The ATJW program provides advice to other GIZ programs and the GIZ Country Office for gender mainstreaming and implementation of the GIZ Gender Strategy at country level. The program is also in charge of coordinating the GIZ Cambodia’s Gender Network and successfully organized a national gender competition in 2013.

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Proposal written by the ATJW II program. Quotes from selected JPAs taken by Angkor Research and Consulting Ltd. Picture on first page: ©MoWA.

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