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Ahead of Pride 2017, CSOs, communities and businesses stand in solidarity with Cambodia’s LGBTIQ community and call for legislation to advance LGBTIQ rights

On the occasion of Cambodian Pride 2017, we, the undersigned civil society organizations (“CSOs”), communities and businesses, express our enthusiastic support for Cambodia’s lesbian, gay, bisexual, transgender, intersex and queer (“LGBTIQ”) community, and call upon the Royal Government of Cambodia (the “RGC”) to take concrete action to promote and protect the human rights of LGBTIQ Cambodians.

Pride 2017 will run from 12 to 22 May, coinciding with the International Day Against Homophobia, Transphobia and Biphobia (“IDAHOT”) on 17 May. The celebrations will bring together initiatives from civil society and the private sector, ranging from advocacy initiatives to parties, performances, exhibitions, film festivals and workshops. The highlights include the ‘Amazingly Fabulous Tuk-Tuk Race’ and the ‘Pride Advocacy Dialogue’ in which the LGBTIQ community will be joined by RGC officials and CSO members to discuss overcoming the legal and social barriers to full LGBTIQ equality. The events all provide a safe space for the LGBTIQ community to embrace their identities and raise awareness of important LGBTIQ rights issues. The full schedule and details for each event can be found on the official Facebook page for ‘I Am What I Am’.

‘Rainbow Families’ is the international theme of IDAHOT 2017, presenting a vision of happy and healthy LGBTIQ households across the world and in Cambodia. This theme comprises two major issues: first, acceptance of LGBTIQ children by their parents; and second, marriage and adoption rights for same-sex and gender-diverse couples.

LGBTIQ youth face high levels of rejection from family members in Cambodia, demonstrating the importance of the theme of ‘Rainbow Families’. A 2015 report by Rainbow Community Kampuchea (“RoCK”) revealed that 64% of LGBTIQ Cambodians felt that exclusion from their families on the basis of their sexual orientation or gender identity (“SOGI”) was a problem in their lives. It further revealed that over 50% of self-defined LGBTIQ ‘supporters’ would feel ashamed, angry or sorry if their child was not straight. The Cambodian Center for Human Rights (“CCHR”) published an equally alarming report in 2016 drawing much-needed attention to the specific challenges faced by transgender women. It uncovered that 69% of transgender women were not accepted by family members when they revealed their gender identity, while 15% had been kicked out of their family home, and 49% felt that they needed to leave the family home on the basis of their sexual orientation and gender identity. This family rejection, alongside wider societal discrimination, leaves young LGBTIQ people feeling hopeless and excluded. CCHR research has found that LGBTIQ youth are highly vulnerable to mental health issues, with 80% reporting experiencing depression in the past. Similarly, a harrowing 41% of transgender women reported to CCHR that they had experienced suicidal thoughts as a result of the

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3 CCHR, ‘LGBT Bullying in Cambodia’s Schools’ (December 2015) http://bit.ly/1p71s4t
discrimination they had faced. The rejection can moreover lead to homelessness, lower educational opportunities, poverty, gender-based violence, harassment and arrest, exposure to HIV and alcohol and drug abuse.

The LGBTIQ community lacks legal protection in Cambodia. Principle 2 of the ‘Yogyakarta Principles’, nonbinding yet authoritative guidelines on LGBTIQ human rights, calls on states to outlaw discrimination on the basis of sexual orientation and gender identity in their legal systems. There are currently no explicit anti-discrimination or anti-hate crime laws for the LGBTIQ community in Cambodia. This leaves LGBTIQ Cambodians susceptible to discrimination in employment, education, and other areas of life. Principle 24 of the Yogyakarta Principles states that everyone is entitled to found a family, regardless of their sexual orientation and gender identity. This includes the rights to marriage and adoption. However, Article 45 of the Constitution of the Kingdom of Cambodia defines marriage as a union between ‘one husband and one wife’. This provision stands out in an otherwise ambiguous legal situation, preventing the full recognition of same-sex and gender-diverse marriage. The existing laws also provide inadequate adoption rights for same-sex and gender-diverse couples, due to their inability to marry under the law. These inadequate protections exclude LGBTIQ from forming families and leave many couples vulnerable to financial and property insecurity as well as the threat of forced heterosexual marriage by their parents. Of equal concern, transgender Cambodians continue to be denied the right to have their self-defined gender recognized on official documents, a situation which fails to respect Principle 3 of the Yogyakarta Principles, amounting to a violation of the right to self-determination.

We, the undersigned CSOs, communities and businesses, stand in solidarity with the LGBTIQ community ahead of Pride 2017 and call for the following measures from the RGC:

1. Introduce anti-discrimination and anti-hate crime laws that explicitly protect the LGBTIQ community;
2. Legislate for equal marriage and adoption rights for same-sex and gender-diverse couples;
3. Establish a simple and supportive process for transgender Cambodians to have their self-defined gender recognized on official documents;
4. Design and implement a public education program to improve societal perceptions of the LGBTIQ community.

LGBTIQ activist Srorn Srorn comments:

“Pride allows the LGBTIQ community to express and embrace our diverse identities. It is vital that we use our voices amid these celebrations to change perceptions and raise awareness of the issues that affect our community. The rejection of LGBTIQ children by their parents continues to have enormous

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6 ICJ, ‘Yogyakarta Principles’.
7 ICJ, ‘Yogyakarta Principles’. 
negative impacts on LGBTIQ youth, and this must be addressed as a priority by the Cambodian government and public. Every LGBTIQ person deserves to belong to a safe and supportive family.”

CCHR’s Executive Director Chak Sopheap comments:

“It is imperative that laws are introduced to give legal recognition to the human rights of LGBTIQ Cambodians, including the right of couples to form secure and fulfilling families. While the sporadic supportive statements of certain government actors are welcome, it is beyond time that the Cambodian government took concrete, legislative steps in order to guarantee the equal rights of LGTBIQ Cambodians. It is equally important that the general public opens their hearts and minds to our LGBTIQ brothers and sisters, and supports their calls for equality. It is never, ever too soon for equal rights.”

This joint press release is endorsed by the following CSOs, communities and businesses:

Communities:

1- Boeung Tonle Mrac Community, Preah Vihear Province
2- East Tbeng Village Community, Siem Reap Province
3- Indigenous Youth Community, Brome Commune, Preah Vihear Province
4- Kampong Speu Community Peace School, Kampong Speu Province
5- Koh Srolav Community, Koh Kong Province
6- Lor Peang Community, Kampong Chhnang Province
7- Prek Chik Village Community, Koh Kong Province
8- Railway Station Community, Tuol Sangkae A Community, Phnom Penh
9- Railway Station Community, Tuol Sangkae B Community, Phnom Penh
10- Sangrukhaborn Community, Oddar Meanchey Province
11- Tapen Community, Siem Reap Province
12- Thmar Da Community, Koh Kong Province
13- Trapeang Krasang Community, Siem Reap Province
14- Village I Community, Preah Sihanouk Province
15- Village 23 Community, Phnom Penh

CSOs and Unions:

16- Advocacy and Policy Institute (API)
17- Alliance for Conflict Transformation (ACT)
18- Building Community Voice (BCV)
19- Cambodian Alliance of Trade Unions (CATU)
20- Cambodian Center for Human Rights (CCHR)
21- Cambodian Human Rights and Development Association (ADHOC)
22- Cambodian League for the Promotion & Defense of Human Rights (LICADHO)
23- Cambodian League for the Promotion & Defense of Human Rights Canada (LICADHO Canada)
24- CamASEAN Youth’s Future (CamASEAN)
25- Cambodian Young Women Activist on ASEAN (CYWAA)
26- Cambodian Food And Service Workers Federation (CFSWF)
27- Cambodian Youth Network (CYN)
28- Cambodian Indigenous People Organization (CIPO)
29- Center for Alliance of Labor and Human Rights (CENTRAL)
30- Community Legal Education Center (CLEC)
31- Coalition of Cambodian Farmer Community (CCFC)
32- Destination Justice (DJ)
33- Equitable Cambodia (EC)
34- Gender and Development for Cambodia (GADC)
35- HIV/AIDS Coordinating Committee (HACC)
36- Housing Rights Task Force (HRTF)
37- Indradevi Association (IA)
38- Independent Democratic Association of Informal Economic (IDEA)
39- KHANA
40- Khmer Youth Association (KYA)
41- KHEMARA
42- Khmer Kampuchea Krom for Human Rights and Development Association (KKKHRDA)
43- Legal Aid of Cambodia (LAC)
44- MEDIA One
45- Men’s Health Cambodia (MHC)
46- Men’s Health Social Services (MHSS)
47- Mother Nature (MN)
48- Ponlok Khmer (PKH)
49- Rainbow Community Kampuchea (RoCK)
50- Reproductive Health Association of Cambodia (RHAC)

51- Women Network for Unity (WNU)

**Businesses:**

52- Justice Cafe & Library

53- L Bar

54- META House

55- Rambutan Resort

56- Space Hair Salon and Bar

57- Tini Cafe & Bar