

# UN expert gives high marks for LGBT rights .



A UN expert calls on Cambodia to legally recognise LGBT families to ensure their social integration and prevent violence and discrimination, although the Kingdom is already widely open to LGBT rights.

Victor Madrigal-Borloz, UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, completed his 10-day visit to Cambodia on January 20, during which he visited Phnom Penh and the provinces of Siem Reap and Battambang.

During his visit, he met with representatives of the government at the national and provincial levels, civil society organisations (CSOs) and over 100 LGBT persons who shared their life experiences with him.

“Without exception, state agents with whom I held conversations acknowledged that diversity in sexual orientation and gender identity was a trait inherent to humankind, and that all Cambodian citizens, including members of the LGBT community, were valued members of society who have the right to live in freedom and equality,” Madrigal-Borloz said in his eight-page conclusion report.

“Before and during my visit, I did not receive any information of massive or systematic physical violence against the people with whom I spoke, or persons known by them. I also note that Cambodia does not have legislation that explicitly criminalises sexual orientation or gender identity. This gave me an encouraging point of departure,” he continued.

Although there has been no violence reported, he concluded that violence and discrimination against LGBT persons could originate in the family sphere or in school, at work and when accessing health services, but it was a great challenge to make an analysis due to the absence of data.

Madrigal-Borloz recommended the adoption of a series of measures, including surveys and data collection. He highlighted that the full participation of the communities concerned and civil society organisations in the design, implementation and evaluation of public policy is an indispensable part of these measures, the report said.

He encouraged the government to swiftly recognise LGBT families through the legal recognition of same-sex marriage and gender identity as well as

adopting comprehensive anti-discrimination legislation. He also urged clear data collection on issues related to LGBT.

“Some of my state interlocutors expressed that discrimination against LGBT persons does not exist. In the absence of official studies or statistical data, information on violence and discrimination based on sexual orientation and gender identity is scattered and incomplete, but I believe that there is enough evidence to strongly suggest that they do face discrimination at home, at school, at work and when accessing healthcare services,” he said.

Lim Borin, a coordinator for the sexual orientation and gender identity project at the Cambodian Centre for Human Rights (CCHR), said Madrigal-Borloz’s visit positively pushes for more efforts from all stakeholders to make LGBT rights fully recognised.

“I hope that the recommendations made by the expert would bring more discussion among stakeholders to improve their rights to another level,” he said.

Borin added that although currently there is some support and recognition of LGBT rights at the public and state level, some issues still occur such as some kinds of discrimination in the family sphere, work and some public spaces.

These issues, he said, could be due to a lack of legal provisions to protect LGBT persons or recognise their marriages, though he noted that Cambodia also does not have any laws against gender tendency or identity.

“We have seen some support for them, but we also still see some problems for the LGBT community, although some kinds of discrimination are not much like before. Also, we don’t have legal forms to facilitate them to ensure their full rights. These are the current challenges for them,” he said.

Katta Orn, spokesman of Cambodian Human Rights Committee (CHRC), said LGBT persons in Cambodia have “full” rights, such as in their style of dress, relationships and joint property purchases, among other things.

“There is no law to prevent them from doing those things, like in some particular countries, which indicates that Cambodia provides wide freedoms for them,” he said.

Also, the government promotes their rights through awareness raising, in addition to the campaign on LGBT rights by CSOs, he said.

“Cambodia is also considering issuance of official marriage certificates for LGBT, but this issue requires us to look at other countries around the world to see which nations have already permitted this legally.

“Cambodia widely recognises and ensures the rights of LGBT for everything, such as style of dress, transgender people, participating in society and living with each other as couples. But for legal context, we still need to study the viewpoint of our population in recognising marriages first,” he said.