

# Pride Guide | Cambodia



**The Australian Volunteers Program strives to provide a safe, supportive and equitable environment for LGBTIQ+ volunteers, approved accompanying dependents, partner organisations and all program staff. The Australian Volunteers Program has supported volunteers with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) in all program countries and has ongoing connections with community organisations in almost every country we work in.**

Diverse SOGIESC program participants must be aware of the country context before undertaking an assignment. This guide is designed to introduce some key issues related to people with diverse SOGIESC and their participation in the program.

## **If you are a volunteer with diverse SOGIESC, you will need to:**

- Do your own research. You will be required to follow the local laws, even if you disagree with them.
- Understand what the local law says you can and can't do when in-country;
- Be aware of what the legal protections are for LGBTIQ+ people in your destinations;
- Consider whether or not you are comfortable living and working in a place where you may be discriminated against and unable to live as openly as you can in some parts of Australia.

## **Language**

Terminology may differ across urban and rural contexts, and across provinces or ethnic and cultural groups. Information sourced online can be outdated or inaccurate. For current and accurate information, please confirm with an appropriate diverse SOGIESC Civil Society Organisation (CSO) or ask your in-country team.

## **Legal and policy context**

Same-sex sexual acts have never been criminalised in Cambodia. However, the national legal framework denies the equal rights and protections of diverse SOGIESC communities. The Cambodian Constitution guarantees equal rights “regardless of race, color, sex [...] or other status”<sup>1</sup>, yet it does not mention equal rights or protections for diverse SOGIESC groups. Similarly, discriminatory behaviour against diverse SOGIESC communities is not prohibited.

Heteronormative values are enshrined in Cambodian law. The Cambodian Constitution does not recognise same sex marriage, determining marriage to be between a husband and wife. There is no legislation that supports or prohibits transgender people's right to be legally recognised in accordance with their gender identity, making the administration of legal gender identities subject to the decision-making of local officials.

## Discrimination

No legal protections exist for people with diverse SOGIESC in Cambodia. This includes a lack of constitutional protection and national laws against SOGIESC discrimination, laws that protect against SOGIESC discrimination in employment, and laws that protect against incitement to hatred, hate crimes or discrimination based on one's SOGIESC. There is no legislation that refers to inheritance, taxation or family rights for people of diverse SOGIESC.

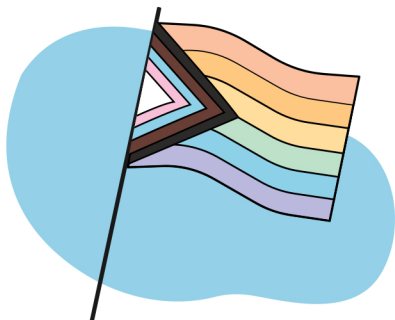
There are laws and policies that disproportionately harm communities with diverse SOGIESC. For example, Non-Government Organisations (NGOs) claim that the Village Commune Safety Policy (VCSP) is disproportionately implemented against people with diverse SOGIESC.

## Cultural and societal attitudes

The dominant religion of Cambodia is Theravada Buddhism, which does not present ideas about gender or sexual orientation. Despite this, the strong patriarchal values that govern Cambodia often translate into discrimination toward people with diverse SOGIESC.

Bisexual women and transgender persons are among the most vulnerable to experiencing discrimination, stigma and gender-based violence (GBV). Intersex communities also face discrimination and rights abuses. Families often play a negative or unsupportive role in the lives of diverse SOGIESC Cambodians.

Many teenagers who engage in sexual activities that diverge from heteronormative behaviours are forced to leave their family homes, which can lead to physical violence. This is particularly the case for transgender youth. Transgender men, bisexual women and lesbians have been known to enter into forced marriages. Despite these challenges, pride celebrations have taken place in Cambodia since 2009, with increasing visibility and participation.



## Health and wellbeing

Cambodia has had one of Asia's most acute HIV epidemics, and the government has committed to ending AIDS by 2025. However, a lack of access to information and resources as well as social stigma mean people with diverse SOGIESC are disproportionately at risk of acquiring HIV, in addition to not receiving adequate care. The most at-risk populations include entertainment workers, the MSM community, transgender women and people who inject drugs. Minors under 18 years old require written informed consent from a legal guardian to access HIV testing, providing additional barriers for diverse SOGIESC youth.

Healthcare practitioner's knowledge about the diverse SOGIESC community remains limited in Cambodia. Gender affirming healthcare is not available, and there are no laws or policies to discern whether such services are legal or illegal. There is little information available on reproductive health and safe and legal abortion-routes for lesbians, bisexual women, intersex persons and transgender men. The school curriculum includes lessons on sexual health, gender, family planning, sexual orientation, non-discrimination of LGBTIQ+ people and self-determination in decisions surrounding romantic partners.

## Media

Cambodia's Khmer national media has portrayed people with diverse SOGIESC negatively, in particular transgender women. Generalisations and biased information about the LGBTIQ+ community appear in local news. There has been action to combat negative stereotyping of diverse SOGIESC Cambodians, notably with Cambodian Prime Minister Hun Sen publicly urging Cambodians to end discrimination against LGBTIQ+ individuals in 2012.

The Cambodian Centre for Human Rights uses electronic media for its diverse SOGIESC advocacy work, hosting an online 'Rainbow Portal' with information and resources on LGBTIQ+ human rights. Diverse SOGIESC youth use social media such as Facebook to find resources and connect to one another.

1 Refworld, "Constitution of the Kingdom of Cambodia," Official Translation, published September 21, 1993, <https://www.refworld.org/docid/3ae6b5428.html>.