

Report on Cambodia- 5th Round of the Universal Periodic Review – May 2009¹

This report has been prepared by People Health Development Association (PHD, Cambodia) and the Sexual Rights Initiative, and it addresses the Sexual Rights of Young People in Cambodia, focusing on problems like gang rape, the spread of HIV/AIDS and the effects of hardcore pornography.

Introduction

1. Sexual Rights are a fundamental element of human rights, because as sexuality is a basic part of being human, the notion of sexual rights is part of the larger body of human rights. Sexual Rights encompass the right to experience a pleasurable sexuality, which is essential in and of itself, and at the same time, is a fundamental vehicle of communication and love between people. All human beings are sexual and their sexuality has developed incorporating a variety of influences, including social, cultural, biological, economic and educational. Sexuality shapes people's identity and their relationships and it is linked to gender power relations, health, economics, livelihoods and social development.

2. In Cambodia, a high proportion of the population falls within the age group of 15-24 years. These youth face a unique set of concerns in terms of sexual and reproductive health. Sexually transmitted diseases, unwanted pregnancies and HIV/AIDS remain the biggest threats to youth due to lack of information, knowledge, services and education. Sexual and reproductive health remain as sensitive subjects for youth. Misconception about HIV/AIDS transmission and prevention, as well as risky sexual behavior lead to the increased prevalence rate among this population group.

3. Youth vulnerability can never be viewed in isolation from the rest of the society. Divides are deepening between the haves and have-nots throughout Cambodia and this is inevitably affecting access for instance to school, as some are unable to go because they cannot afford the hidden costs. There are also those who take risky routes for fun (sex, drugs and alcohol, known as the *pleut pleun* youth)²: youth in rural and urban areas are having sex (some of it unprotected) and taking drugs. Male bonding activities and expressions of masculinity like drinking, gambling, engaging in transactional sex or rape/rang rape continue to put women at risk. Moreover, some of those behaviors are condoned and accepted as a norm of male identity.

Bauk (gang rape of sex workers) and social norms on gender and sexuality

5. Lack of respect for the sex worker's body underlies the widespread occurrence of gang rape, known as **bauk**, which occurs among young men who see the sex worker as less than human and view gang rape as part of male bonding. From

¹ A coalition including Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India, the Polish Federation for Women and Family Planning, and others

² World Bank report 2007

the perspective of male who commit **bauk**, the women involved are non-persons whose participation is always assumed. Increasingly violent sex is also due to a lack of sex education combined with widespread availability of pornography.

5. Recently, evidence of the **bauk** phenomenon has not been limited to in Phnom Penh, but also has been seem to occur across Cambodia. Generally **bauk** happens to sex workers, but it can also happen to what the men in normal girl as well. There is growing indication that the groups of victims extend now beyond those involved in sex work, and we've got stories of school girls, garment factory workers, middle-class young women being gang raped.

6. Overall, gender and sexuality norms, with psychosocial stress and weak institutions in family, community and societal levels led to a deeply entrenched culture of impunity. In 2002, one youngster remarked, "This is Cambodia, the law is just on the mouth of the people." Such a culture of impunity also leads to a sense of infallibility. **bauk** is viewed by young men as not about women, but about "male friendships and being in power".

7. Knowledge about acceptance of gang rape appears to be widespread. Knowledge of **bauk** among high school and university students was "commonplace" and more widespread among male who had left school and university students, according to a study among young people in Phnom Penh. Many regarded **bauk** as dangerous because of the potential transmission of sexual transmitted diseases. A low proportion of males and females accepted that forceful sexual relations of one sex worker with a numerous men was, in fact, rape or was wrong.

8. Most young men have no understanding of Human Rights, Women's Rights or the concept of consent. The practice of **bauk** seemingly remains common, and while some young men reported that they or their friends no longer participated in **bauk**, the vast majority of cases indicated that this change was the result of having received information on HIV risks, not due to changing attitudes towards the abuse of women.

9. Sexual norms in Cambodia are markedly different across gender differences. According to the "Chbap Srey" (Code of Ethics on Women's Role), higher value is placed on the virginity and sexual innocence among women and girls. The loss of a girl's virginity before marriage is viewed as bringing shame to her family's honor and status. There is equal acceptance that men's sexuality is uncontrollable and male sexual pleasure is an inherent right. Men and boys report strong peer pressure to perform sexuality when they go out for leisure activities such as drinking and visiting massage parlors, Karaoke bars, Beer gardens and night clubs. To be masculine a men should have multiple partners and frequent sex. A variety of sexual experiences is seen as essential to maintain a man's physical and mental health. Women share this perspective as cited in a report by CARE in 2001 but the acceptance of male sexuality and rights do not extend to the sex workers who provide men with services. Sex workers are seen as "bad women" who "have no husband" and "have low morals." In addition,

there is a common thinking among men that the cash transaction implies that the sex worker is owned by the client who has a right to demand anything from her, whether extreme or not. The sex worker is seen as less than human, especially in the context of Buddhist religious orthodoxy, which emphasizes that the body is not the individual soul, and thus unimportant.

10. Another trend that is noted is the growing number of girls migrating to Phnom Penh as garment workers, beer girls, karaoke singers, and waitresses. Some of these young women engage in sex work for additional income, and are perceived as available. Those who do not engage in sex work are seen as "modern" or "high living" and also accessible and likely targets of sexual violence. Many of these young women are living alone: coming from the village, forming new relationships, and changing their sexual behavior. They form the bulk of "sweetheart" relationships to which married and unmarried men are increasingly turning to given the high prevalence rate of HIV/AIDS.

11. While *bauk* is an extreme form behavior, the norm of masculinity, especially the demand to demonstrate one's sexual prowess, underlies the spread of high-risk male behavior into the general population. Given the gender construction of Cambodian society, women are unable to effectively resist gender based violence nor the increasing risk of HIV/AIDS.

HIV/AIDS

12. Another implication of the rigid norms of sexuality is the non use of condoms in non-commercial relationships. For men, condom use is an admission of infidelity and for women it signals lack of trust in their partners. Men's multiple sexual interactions outside marriage are accepted by wives but not openly acknowledged. Moreover, most married women cannot ask their husbands to use a condom, because of gender norms and if they did, it could result in violence. The same applies to "sweetheart" relationships, even though they have a greater leeway to negotiate condom use for the prevention of pregnancy, which is not acceptable outside marriage.

13. Research by PSI found that only 46% of sexually active young people use condoms with their sweetheart, and this is because of misunderstandings and misconceptions.

Violent pornography

14. The significant amount of exposure to hard-core pornography is reportedly impacting attitudes and behavior of young people. Although no study have been able to prove a link between pornography and anti-social behavior, the negative effects of pornography have been well documented. There is also an explosion of videos parlors showing violence pornography. The impact of these videos are evident in both the rape of young girls below 10 years old and the rising number of police cases of young children indulging in sexual violence, "repeating what

they saw.” Another factor contributing to the increased rape of young girls is the mistaken belief that sex with virgin girls will cure one of HIV/AIDS.

15. Recommendations

1. It is essential that **bauk** involving rape come to be recognized as criminal by young men, as opposed to a high risk activity for HIV/AIDS transmission. To this end, the State should launch a public awareness campaign on the issue, including specific work done by professionals with young men and also with young women at risk to make them aware of their rights.
2. In addition to the awareness campaign, the State should also take immediate measures to end impunity for the perpetrators of **bauk**, ensuring that they will be properly prosecuted and punished.
3. The State should also launch a public awareness campaign aimed at addressing cultural stereotypes and traditional behaviors that might result in increased vulnerability to HIV/AIDS among men and women. Such a campaign needs to be accompanied by access to voluntary, safe and anonymous testing and treatment and adequate provision of condoms and other protective methods, as well as counseling about their use.
4. The State should outlaw hardcore pornography and also launch an awareness raising program to work with young men who have been exposed to hardcore pornography to mitigate its effects.