

**The Cambodia Civil Society Declaration on Rights of All Persons with Disabilities
including Women and Children with Disabilities
Led by Mekea Strey Organization
Convened by the Core Working Group on Gender and Disability, Cambodia
in Partnership with the Wellesley Centers for Women at Wellesley College, USA**

Phnom Penh, May 7, 2009

A Civil Society Consultation was brought together in Phnom Penh on May 6th and 7th to make recommendations to the Bill on the Protection and Promotion of the Rights of Persons with Disabilities and the Sub Decrees to be developed under the Bill that is currently before the Cambodian Parliament and to build support for Cambodia's ratification of the Convention on the Rights of Persons with Disabilities (CRPD). Acknowledging the multiple forms of discrimination against women with disabilities and the greater risk of gender- based violence and sexual exploitation that women with disabilities face on an every day basis, this Consultation for the first time brought together disability rights and women's rights groups to forge alliances and build joint action on interconnected and cross cutting issues. The Consultation acknowledged the important work of the Ministry of Social Affairs and Cambodian Disabled People's Organization (CDPO) in drafting a seminal disability law. After listening to testimonies of women and girls with disabilities and their on going battle against economic disempowerment, sexual abuse, violence and discrimination, the Consultation developed a set of recommendations that will guide their elected representatives comments to the Bill that is coming up for hearing next week. The Consultation used the new Convention on the Rights of Persons with Disabilities the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and the Child Rights Convention (CRC) that Cambodia is a party to as powerful lenses and benchmarks to guide their analysis.

The Consultation recommended that the Bill and the Sub Decrees establish respect for the inherent dignity of persons with disabilities; mainstream non- discrimination in to all areas of public and private life including the rights of persons with disabilities to birth registration, family life, inheritance, health care including counseling, political participation, free access to education, training, employment, economic opportunity, housing, land, micro credit with low interest rates and legal services. The Consultation recognized that disability was often a determinant of poverty and that the face of severe poverty in Cambodia was that of a woman with disability. The Consultation unanimously agreed that the draft law incorporate and embody the fundamental values of the CEDAW and the CRC and that equality between men and women with disabilities; their non disabled counterparts; and the best interest of the child concept be critical corner stones of the new disability law.

Full and effective participation of persons with disabilities can only be achieved if the rights of persons with disabilities, including women and girls with disabilities are guaranteed by law. The right to life and security of persons with disabilities can only be

realized in a context of equality and anti-discrimination; where their access to land are not violated through unfair land appropriations, their right to livelihood is guaranteed in a non-exploitative environment and their right to personal security is protected by a legal framework that holds sexual abusers and perpetrators of violence accountable under law and are punished appropriately. Substantive equality as enshrined in the CEDAW affirms not just equality of opportunity but equality of result. An equality of result often demands special measures guaranteed by law including accessibility to public and private institutions and public transportation, quotas, incentives, concessions and subsidies to promote the education and employment of women and girls with disabilities. The State must progressively ensure that every child with disabilities has full access to education and educational institutions and make reservations of seats for persons with disabilities in institutions of higher education and in government employment. The law must also provide preferential allocation of land and housing for persons with disabilities including veterans with disabilities and their families. The Consultation also recommended that the Sub Decree on Council on the Activities and Administration of Persons with Disabilities include a minimum of 30 percent of persons with disabilities with equal gender representation. The role and function of the Ministry of Women's affairs should be integrated into the law in order to ensure its cooperation with the relevant ministries in advancing the rights of women and children with disabilities. Most importantly, the budgetary allocation under the law must reflect the serious needs and rights of persons with disabilities in Cambodia which the United Nations establishes is home to the highest percentage of persons living with disabilities.

Finally, the Consultation urged women with disabilities to attend the parliamentary debates on the Law on Protection and Promotion of Rights of Persons with Disabilities and monitor the passage of the bill and ensure that their parliamentary representatives give voice to their concerns.