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14 August 2003

KHM41863.FE

Cambodia: Treatment of homosexuals in Cambodia; legislation regarding homosexuality; existence of gay rights organizations

Research Directorate, Immigration and Refugee Board, Ottawa

There are no laws in Cambodia that prohibit homosexual relations (ForPLU.com n.d.; Sodomy Laws n.d.; Fridae n.d.). Discrimination based on sexual orientation is not prohibited by law (*.ibid*).

The following information on the attitude of the public and of the government regarding homosexuality in Cambodia was taken from an article published in the 11-24 October 2002 issue of the Cambodian *Phnom Penh Post* newspaper. The article indicated that, according to Dr. Song Ngak at Family Health International (FHI), Cambodian society does not accept homosexuality. Furthermore, this source cited an unreleased FHI report on male homosexuality in Cambodia, which stated that "reports on the subject indicate that many Cambodians think the country simply does not have any homosexual men or women at all." According to the *Phnom Penh Post*, the FHI report also pointed out the absence of a gay culture in Cambodia.

Both the people and the non-governmental organizations that were interviewed by the newspaper for the above-mentioned article noted that discrimination against homosexuals is common in the workplace, family and community. The Cambodian government and society do not respect homosexuals. Furthermore, the article stated that "[t]here is enormous pressure from family and society to marry, which adds to the difficulties gay men face in trying to hide their sexuality."

The Reformatory Association for Gays, Lesbians and their Friends (Association réformatrice des homosexuel(le)s et de leurs amis), a Belgian gay rights association, indicated that [translation] "the gay and lesbian community [in Cambodia] is often subject to police pressure and repression" (n.d.). According to Ing Soeurn, President of the Khmer Development of Freedom Organization, gay men are victims of discrimination and "police persecution" of homosexual men is common (*Phnom Penh Post* 11-24 Oct. 2002). Ing Soeurn also stated in this article that discrimination against homosexual men is increasing (*.ibid*). According to Soeurn, this phenomenon "is within the political regime [because] authorities put [homosexuals] outside society" (*ibid*). The article adds that it is difficult for gay men to find jobs and that they are poor (*ibid*).

According to another source, however, the Cambodian authorities officially approved a marriage between two women in 1995 in the village of Kro Bao Ach Kok, in the province of Kandal (Wockner News 6 Apr. 1995; ILGA 1996). This is reportedly the only same-sex marriage on public record (*ibid*). The first Cambodian gay bar opened in 1999 (Wockner News 10 May 1999). In July 2003, Mu Sochua, a FUNCINPEC party candidate and Minister of Women's Affairs in Cambodia, said that she was willing to support the transvestite community in Cambodia, despite the great deal of criticism she had received (Agence France Presse 20 July 2003).

The International Lesbian and Gay Association (ILGA) reported that there were no organizations, publications or services for homosexuals in 1996 (ILGA 1996). In October 2002, Men's Health Cambodia (MHC) was the only centre supplying gays with information on HIV/AIDS and sexually transmitted diseases (*Phnom Penh Post* 11-24 Oct. 2002). MHC opened its doors in June 2002 (*.ibid*). No additional information on gay rights organizations in Cambodia could be found among the sources consulted by the Research Directorate within the time constraints.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

References

Agence France Presse (AFP). 20 July 2003. "Cambodian Royalists Welcome Transvestites Ahead of Polls." (Dialog)

Association réformatrice des homosexuel(le)s et de leurs amis. n.d. "Droits et homosexualité dans le monde." <<http://users.chello.be/cr29243/hrl/hrlasileb.htm>> [Accessed 8 Aug. 2003]

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Fridae. n.d. "General Law - Cambodia." < <http://www.fridae.com/resources/camb-generallaw.php>> [Accessed 8 Aug. 2003]

International Lesbian and Gay Association (ILGA). 1996. "World Legal Survey: Cambodia." < http://www.ilga.org/Information/legal_survey/asia_pacific/Cambodia.htm> [Accessed 8 Aug. 2003]

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Sodomy Laws. n.d. "World Laws." < <http://www.sodomylaws.org/world/world.htm>> [Accessed 8 Aug. 2003]

Wockner News. 10 May 1999. "Gay Bar Opens in Cambodia." < <http://www.wockner-news.com/result.asp?key=4710&language=English&type=International+News&string=Cambodia&page=1>> [Accessed 8 Aug. 2003]

_____. 6 April 1995. "Two Women Marry in Cambodia." < <http://www.wockner-news.com/result.asp?key=2781&language=Any+Language&type=International+News&string=cambodia&page=1>> [Accessed 8 Aug. 2003]

Additional Sources Consulted

IRB Databases

WNC

Internet sites, including:

Amnesty International

Asia's Gay and Lesbian Network

Cambodia Post

Country Reports on Human Rights Practices for 2002

Ecoi.net

Freedom House

Gay Law Net

Gayrice.com

Gayscape.com

Global Gayz

Human Rights Campaign

Human Rights Watch

International Gay and Lesbian Human Rights Commission (IGLHRC)

Manila Times

Oneworld.net

Queer Legal Resources

Queer Theory

Thai Gays

U.S. Committee for Refugees

Utopia-Asia

World Law II

Worldwide Queer Info

Search engine:

Google