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On International Transgender Day of Visibility, CSOs call for acceptance and inclusion of transgender Cambodians and legislation to recognize gender identity in official documents

Today - 31 March 2017 - marks the eighth annual International Transgender Day of Visibility (“TDOV”). On this day, we, the undersigned civil society organizations (“CSOs”), urge the Royal Government of Cambodia (“RGC”) to take action to protect transgender rights, including the introduction of legislation giving effect to transgender people’s right to be legally recognized according to their self-defined gender. We further call upon the Cambodian public to accept, embrace and celebrate transgender Cambodians as full participants in Cambodian society and development.

TDOV is a day of empowerment and celebration of the transgender community. This year’s theme is transgender resistance ([#TransResistance](#)); it encourages using visibility to counter transphobic sentiment, galvanize transgender people against persecution and promote transgender justice. Today is a day for discussion, education and action surrounding rights and issues of the transgender community.

In September 2016, a report entitled “[Discrimination against Transgender Women in Cambodia’s Urban Centers](#)”, exposed the alarming everyday harassment and discrimination that transgender women experience in Cambodia. It reported that nearly all respondents (92%) said they had experienced verbal harassment, 43% reported physical assault and 31% had been sexually assaulted while walking on the street. The research also found that traditional family values significantly impact the life of transgender people in Cambodia. Families of transgender Cambodians frequently fail to understand and accept them, with 49% reporting they felt they needed to leave home because of their trans identity. Over half of respondents said that a family member had tried to force them into a heterosexual marriage. Nearly six months since the damning report’s publication, little has been done to advance the rights of trans people. At the time of publication, government representatives rejected the report’s recommendation to introduce specific anti-discrimination legislation, claiming the existing legal framework is sufficient to protect transgender Cambodians. This report and government response reveal that there is a significant amount of work to be done to protect and promote the rights of transgender Cambodians.

The introduction of legislation which facilitates the right of recognition of gender identity is imperative in Cambodia. As stated in Principle 3 of the 2006 [Yogyakarta Principles](#) on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity (“Yogyakarta Principles”), “*each person’s self-defined sexual orientation and gender identity is integral to their personality and is one of the most basic aspects of self-determination, dignity and freedom*”. Principle 3 compels states to ensure legislative and administrative measures are in place to enable transgender people’s self-defined gender to be reflected on their official documents, such as birth certificate, passport and driver’s license. Legislation that guarantees the right of trans people to change their gender on official documents would also enable couples, in which one partner identifies as transgender, to legally marry by fulfilling the legislative requirement of “*husband*” and “*wife*”. We recommend that this legislation should create a simple, non-confrontational and

administrative – rather than judicial – procedure for the revision of official documents in line with gender identity.

We further call upon the Cambodian public – and especially the parents of Lesbian, Gay, Bisexual, Transgender and Queer/Questioning (“LGBTQ”) children - to accept and equally value transgender Cambodians, and to embrace a culture of tolerance, inclusion and non-discrimination. LGBTQ rights are human rights, and all individuals must be safeguarded against mistreatment, harassment and discrimination on the basis of their sexual orientation and gender identity “(SOGI”).

LGBTQ rights activist and trans man Noy Sitha comments:

“Legal recognition of self-defined gender is crucial to the dignity and rights of trans people. Every time I see my driving license or ID card, I feel that my own country is rejecting my true identity. Every time, it hurts. Changing these documents to reflect my male gender identity would finally change that. It would even enable me to marry my partner. I call on the Cambodian government to find justice for me and other trans people by making this simple legislative change.”

CCHR’s SOGI Project Coordinator Nuon Sidara comments:

“There is a pressing need for legal gender recognition in Cambodia. The introduction of a law enabling recognition of self-defined gender identity in official documents, in line with international trends, would be a positive step towards the transgender community receiving equal rights. It should be a priority for the RGC to respect each Cambodian’s self-defined gender identity, both legally and socially.”

This joint statement is endorsed by:

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