



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fourth to sixth periodic reports of Cambodia*

I. Introduction

1. The Committee considered the combined fourth to sixth periodic reports of Cambodia¹ at its 2588th and 2589th meetings,² held on 5 and 6 May 2022, and adopted the present concluding observations at its 2630th meeting, held on 3 June 2022.

2. The Committee welcomes the submission of the combined fourth to sixth periodic reports of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the multisectoral, high-level delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the various legislative, institutional and policy measures to implement the Convention, including the adoption of the Law on juvenile justice, the action plan to prevent and respond to violence against children, the action plan for improving childcare, and the policies on child protection in schools and on inclusive education. It notes with appreciation the ratification of the Convention on the Rights of Persons with Disabilities, in 2012, and accession to the International Convention for the Protection of All Persons from Enforced Disappearance, in 2013.

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: corporal punishment (para. 26), sexual exploitation and abuse (para. 28), children deprived of a family environment (para. 32), education, including vocational training and guidance (para. 42), economic exploitation, including child labour (para. 46), and administration of child justice (para. 50).

* Adopted by the Committee at its ninetieth session (3 May–3 June 2022).

¹ CRC/C/KHM/4-6.

² See CRC/C/SR.2588 and CRC/C/SR.2589.

³ CRC/C/KHM/Q/4-6/Add.1.



5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to integrate all targets of the Sustainable Development Goals in its national framework, and to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

6. Recalling its previous recommendations,⁴ the Committee recommends that the State party:

(a) Expedite the adoption of a comprehensive child protection law that covers all principles and provisions of the Convention; establish a comprehensive legal framework for the referral and delivery of child protection services, the roles and responsibilities of each government entity, and the role of social workers; and allocate appropriate human, technical and financial resources for its implementation;

(b) Ensure the effective implementation of existing legislation in compliance with the Convention;

(c) Strengthen the knowledge of the judiciary, prosecutors and lawyers on the domestic legal status and the applicability of the Convention in court proceedings.

Comprehensive policy and strategy

7. The Committee recommends that the State party develop and adopt, with the full participation of children and civil society, a comprehensive policy on children that succeeds the national action plan on child development for 2016–2018, with a comprehensive implementation strategy, a mechanism for monitoring and evaluation, and sufficient human, technical and financial resources.

Coordination

8. The Committee recommends that the State party:

(a) Strengthen the authority of the Cambodia National Council for Children and ensure it has adequate human, technical and financial resources for the effective monitoring and coordination of all activities related to the implementation of the Convention across all sectors, at the national, district and local levels, including the implementation of the various action plans on children's rights;

(b) Strengthen the capacity of women and children consultative committees and the commune committees for women and children, including through the allocation of sufficient financial resources, to integrate children's rights into subnational development plans.

Allocation of resources

9. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee reiterates its previous recommendations⁵ and urges the State party to:

(a) Increase allocations of financial, human and technical resources for the implementation of all legislative measures, policies, plans and programmes for children,

⁴ CRC/C/KHM/CO/2-3, para. 9.

⁵ Ibid., para. 17.

including the national strategic development plan for 2019–2023, and for qualified social workers and other child protection professionals;

(b) Utilize the ongoing reform of public finance management to introduce a system for tracking and ensuring the efficient use of budgetary allocations for the realization of children’s rights;

(c) Conduct regular assessments of the distributional impact of government investments in sectors supporting the realization of children’s rights and identifying measures to address any disparities between girls and boys, with particular attention to children with disabilities, children belonging to minority groups and children living in poverty;

(d) Strengthen mechanisms for ensuring transparent and inclusive budgeting allowing children, civil society and the public to participate in all stages of the budgetary process, including formulation, implementation, monitoring and evaluation, and roll out children’s consultations on planning and budgeting to all districts;

(e) Combat corruption and strengthen institutional capacities to effectively detect and investigate cases involving corruption and prosecute those responsible.

Data collection

10. The Committee welcomes the creation of the child protection information management system in 2019 and recommends that the State party:

(a) Develop a long-term strategy for the effective operation of the child protection information management system, including by allocating sufficient resources; establish a framework for regular reporting and monitoring; and integrate child rights indicators into the National Information System managed by the National Institute for Statistics;

(b) Ensure that data collected on children’s rights covers all areas of the Convention and its Optional Protocols, disaggregated by age, sex, disability, nationality, geographic location, ethnic origin and socioeconomic background, in order to facilitate analysis on the situation of all children, especially in the areas of violence, children with disabilities, health, children in street situations, child labour and child justice;

(c) Ensure that data and indicators on children’s rights are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;

(d) Strengthen the capacity of the National Institute of Statistics and relevant professionals to collect data on children’s rights.

Independent monitoring

11. Recalling its previous recommendations,⁶ the Committee recommends that the State party expeditiously establish an independent mechanism for monitoring children’s rights that is in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and is able to receive, investigate and address complaints by children in a child-friendly manner.

Dissemination, awareness-raising and training

12. The Committee welcomes the incorporation of children’s rights in the school curriculum and recommends that the State party:

(a) Strengthen its awareness-raising programmes, in cooperation with civil society organizations and through greater media and social media engagement, to ensure that the Convention is widely known by children, parents and the general public;

⁶ Ibid., para. 15.

(b) Encourage the media to ensure sensitivity to children's rights, and implement all public outreach activities in a child-friendly manner and with the active involvement of children;

(c) Include mandatory modules on the Convention in training programmes for civil servants, law enforcement officials, judges, prosecutors, lawyers, teachers, social workers, health professionals and other professionals working with and for children at national and local levels.

Cooperation with civil society

13. Noting with deep concern the Law on associations and non-governmental organizations, the Committee reminds the State party of the important role of independent civil society organizations and human rights defenders, including child human rights defenders, in promoting the human rights of children, and urges the State party to:

(a) Ensure that civil society organizations and human rights defenders, including child human rights defenders, are able to promote children's rights and exercise their right to freedom of expression and opinion without being subjected to harassment or disproportionate pandemic-related restrictions, including by amending the Law on associations and non-governmental organizations;

(b) Promptly and thoroughly investigate all allegations of intimidation of human rights defenders, including child human rights defenders, and their families, and ensure that they have adequate access to justice and are protected from harassment, intimidation, retaliation and violence.

Children's rights and the business sector

14. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, and its previous recommendations,⁷ the Committee recommends that the State party:

(a) Establish and implement regulations to ensure that the business sector, in particular the manufacturing and tourism industries, complies with international and national human rights, labour, environment and other standards, particularly with regard to children's rights;

(b) Establish a child protection framework for companies operating in the State party, which includes mechanisms for conducting child rights impact assessments and reporting, investigating and addressing children's rights violations.

B. General principles (arts. 2–3, 6 and 12)

Non-discrimination

15. The Committee remains deeply concerned about the persistence of disparities in the enjoyment of rights among children in vulnerable situations and discriminatory gender stereotypes, as reflected in the code of conduct for women (*Chbap Srey*). Taking note of target 10.3 of the Sustainable Development Goals, the Committee reiterates its previous recommendations⁸ and urges the State party to:

(a) Address disparities in access to all public services by girls, children in rural areas, children with disabilities, lesbian, gay, bisexual, transgender and intersex children, children without parents, children living in poverty, children in street situations, children belonging to minority or indigenous groups, children of Vietnamese origin, Khmer Krom children and children with HIV/AIDS, and regularly evaluate the enjoyment by these children of their rights;

⁷ Ibid., para. 27.

⁸ Ibid., para. 29.

- (b) Conduct comprehensive awareness-raising activities aimed at eliminating gender stereotypes and discrimination against girls;
- (c) Monitor strategies and measures to combat discrimination and include an assessment of the results achieved in its next report.

Best interests of the child

16. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

- (a) Develop procedures and criteria to provide guidance to all relevant professionals for assessing and determining the best interests of the child and for giving it due weight as a primary consideration;
- (b) Evaluate, on the basis of the procedures and criteria described above, policies, practices and services concerning children that may not be in the best interests of the child.

Right to life, survival and development

17. In view of the high rate of deaths and injuries among children due to traffic accidents, the Committee recommends that the State party:

- (a) Strengthen measures to prevent traffic accidents;
- (b) Undertake public campaigns to increase traffic awareness among children, parents, teachers and the public in general, and include road safety and accident prevention in all school curricula.

Respect for the views of the child

18. The Committee recommends that the State party:

- (a) Guarantee the right of children to be heard in any decision affecting them, including in relevant judicial and administrative proceedings;
- (b) Strengthen measures to promote the meaningful and empowered participation of children, in particular children in disadvantaged situations, in the family, community and schools, including by allocating sufficient resources for the implementation of the national guidelines on child participation and developing toolkits for consulting children on national policy issues.

C. Civil rights and freedoms (arts. 7–8 and 13–17)

Birth registration and nationality

19. Taking note of target 16.9 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Strengthen its efforts to achieve universal registration, including through the expansion of electronic registration systems throughout the State party, capacity-building of officials on the use and management of electronic systems, introduction of mobile registration units in rural areas, and public awareness-raising on the importance of birth registrations;
- (b) Prohibit the practice of informal fees for the issuance of birth certificates;
- (c) Ensure that all children, including Khmer Krom, ethnic Vietnamese and migrant children, have access to birth registration and identity documents;
- (d) Develop a procedure to determine statelessness in order to properly identify and protect stateless children;

(e) Consider ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

Right to identity

20. Noting with concern that the criminalization and stigmatization of surrogacy puts children born through surrogacy at risk of discrimination, the Committee recommends that the State party expeditiously adopt the draft law on surrogacy and ensure that it protects the rights of children born through surrogacy, including their protection from discrimination and right to access to information about their origins.

Freedom of expression

21. Deeply concerned that the criminalization of defamation may restrict a child's right to freedom of expression, including on social media, the Committee recommends that the State party guarantee the freedom of expression for all children, as provided under the Constitution and the Convention.

Freedom of association and peaceful assembly

22. Noting with deep concern the restrictions on public gatherings and that legislation does not allow for children to form their own associations, the Committee recommends that the State party:

(a) Amend the Law on associations and non-governmental organizations, and adopt regulations governing the establishment of child-led associations, ensuring that they safeguard the best interests of children;

(b) Ensure that children are supported and encouraged to form their own associations and initiatives and to participate in public gatherings.

Right to privacy and access to appropriate information

23. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:

(a) Develop regulations and safeguarding policies to protect the rights, privacy and safety of children in the digital environment, including in the context of the coronavirus disease (COVID-19) pandemic;

(b) Ensure that the draft laws on access to information and cybercrime protect children's right to privacy, protect children from harmful content and materials and online risks, and provide for mechanisms to prosecute violations;

(c) Enhance the digital literacy and skills of children, parents, teachers and social workers.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Torture and other cruel, inhuman or degrading treatment or punishment

24. The Committee remains deeply concerned about reports of abuse and ill-treatment, including "shackling", of children with disabilities and children in detention, including in drug rehabilitation and youth centres. Drawing attention to target 16.2 of the Sustainable Development Goals, the Committee recalls its previous recommendations⁹ and recommends that the State party:

(a) Ensure that allegations of cruel, inhuman or degrading treatment or punishment of children in detention are duly investigated, perpetrators are punished with penalties commensurate with the gravity of their acts and child victims receive adequate remedies;

⁹ Ibid., para. 39.

(b) **Ensure that children have access to confidential, child-friendly complaints mechanisms for reporting of cases in detention facilities, prisons, drug rehabilitation and youth centres, or police custody.**

Corporal punishment

25. The Committee remains deeply concerned that corporal punishment is legally and socially acceptable and widespread in the State party. While noting the explanation by the State party that article 1045 of the Civil Code cannot be used as justification for abuse or violence in the home, it remains deeply concerned that such legal provisions can be misinterpreted by parents and teachers to justify the use of corporal punishment.

26. **Recalling its previous recommendations,¹⁰ the Committee urges the State party to:**

(a) **Repeal or amend all legal provisions, including articles 1045 and 1079 of the Civil Code and article 8 of the Law on the prevention of domestic violence and protection of the victims, which can be interpreted to justify the use of corporal punishment;**

(b) **Explicitly prohibit in law, as a matter of priority, corporal punishment in all settings, including in the home and childcare institutions;**

(c) **Strengthen awareness-raising programmes for parents and professionals working with and for children, including the in-service teacher training package on positive discipline and effective classroom management, to promote attitudinal change, within the family and at the community level, with regard to corporal punishment, and to promote positive, non-violent and participatory forms of child-rearing.**

Sexual exploitation and abuse

27. The Committee welcomes the various measures taken to combat sexual exploitation of children and support victims, but remains deeply concerned about the following:

(a) The high level of sexual exploitation and abuse of children, including through online sexual abuse material and in the context of prostitution and the so-called “sale of virginity”;

(b) The significant underreporting and investigation of such cases, owing to stigma, corruption, limited enforcement of the State party’s legislative framework and other reasons, and impunity for offences;

(c) The absence of a prohibition in legislation of grooming, incest and non-physical sexual abuse;

(d) Inadequate support services for child victims of sexual exploitation and abuse.

28. **Taking note of targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee urges the State party to:**

(a) **Explicitly criminalize grooming, incest and non-physical sexual abuse with clear definitions;**

(b) **Ensure the effective investigation of and intervention in all cases of sexual exploitation and abuse of children in and outside the home, and in the digital environment, including cases involving grooming;**

(c) **Allocate sufficient human, financial and technical resources for the implementation of the action plan to prevent and respond to violence against children, with a view to reducing reliance on donor resources, and operationalize and strengthen the authority of the interministerial steering committee tasked with ensuring its implementation;**

¹⁰ Ibid., para. 41.

(d) Strengthen the capacities of and increase funding for community-based child protection mechanisms and services, including commune councils, to effectively address cases of violence against children;

(e) Ensure that all cases of sexual exploitation and abuse of children are promptly reported and investigated, applying a child-friendly and multisectoral approach to prevent secondary victimization of the child, that comprehensive support and reparations are provided to child victims, and that perpetrators are prosecuted and duly sanctioned;

(f) Train professionals concerned to identify and adequately respond to cases of sexual exploitation and abuse;

(g) Increase awareness of the public on sexual exploitation and abuse and combat the stigmatization of child victims.

Harmful practices

29. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:

(a) Take all measures to eliminate child marriage, including forced marriage, including by ensuring the effective implementation of the action plan to prevent child marriage and teenage pregnancy in Ratanikiri for the period 2017–2021, and adopting similar action plans in other provinces, including Mondulkiri;

(b) Increase public awareness of the harmful effects of child and forced marriage on children, particularly among indigenous, minority and rural communities.

Helplines

30. The Committee recommends that the State party:

(a) Harmonize existing helplines for children into a single, three-digit, toll-free 24-hour helpline available and known to all children to report violence and abuse against them;

(b) Ensure capacity-building of helpline personnel on handling complaints and providing child-friendly assistance.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

Children deprived of a family environment

31. While welcoming the measures taken to replace institutionalization with family-based care and monitor the quality of care in residential settings, the Committee remains deeply concerned about the large number of children living in residential care.

32. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

(a) Phase out institutionalization and support and prioritize family-based care for children wherever possible, including for children with disabilities, and strengthen the foster care system for children who cannot stay with their families;

(b) Guarantee coordinated and quality alternative care by developing an effective case management process for the referral of children deprived of a family environment and ensuring periodic review of children placed in alternative care;

(c) Prevent out-of-home placement of children without parental supervision, particularly children whose parents have migrated, by providing adequate support to

families in vulnerable situations through child-sensitive social protection policies and services;

(d) Ensure the registration and regular monitoring of all alternative care facilities, including group homes, religious buildings in particular pagodas and other community-based care facilities, in accordance with the minimum standards of care; ensure that such facilities are used only on a temporary basis and, when appropriate, are transformed into small-group settings as close as possible to a family situation; provide training for all care staff; and provide accessible channels for reporting and responding to maltreatment of children;

(e) Increase the number of social workers in all provinces of the State party, and provide continuous capacity-building to ensure the appropriate referral of child protection cases;

(f) Allocate sufficient human, technical and financial resources to ensure the sustainability of existing measures aimed at supporting children deprived of a family environment, including for the regular monitoring of alternative care facilities, periodic review of the progress of children in reintegration programmes, maintenance of databases, and implementation of the capacity development plan for family support, foster care and domestic adoption;

(g) Review its policy on alternative care for children and minimum standards on residential care for children to bring them in line with the Guidelines for the Alternative Care of Children.

Adoption

33. The Committee is deeply concerned about the lack of measures taken to address the large number of illegal international adoptions that took place since 2000. It urges the State party to:

(a) Investigate and prosecute those involved in illegal adoptions and the sale of children for adoption;

(b) Ensure that all children, including those adopted in the past, receive adequate support to know their origins;

(c) Promote and encourage domestic adoption, including through awareness-raising programmes;

(d) Develop a national database of children eligible for adoption and families declared suitable for adoption, and provide education and support to adoptive parents;

(e) Train professionals involved in adoption procedures to ensure timely decisions and transparency in the assessment and review of all adoption processes, and to also ensure that if intercountry adoptions continue, they are processed in strict compliance with the Law on intercountry adoption and with the principle of the best interests of the child at their core.

Children of incarcerated parents

34. Recalling its previous recommendations,¹¹ the Committee urges the State party to ensure that the living conditions of children in prison with their mothers are sufficiently adequate for their physical, mental, moral and social development, including by guaranteeing their access to education, health-care and early childhood development services, by protecting them from abuse by prison guards and other prisoners and by revising sentencing policy in order to ensure the consideration of the best interests of the child at the time of sentencing.

¹¹ Ibid., paras. 63–64.

G. Children with disabilities (art. 23)

35. Noting with deep concern the discrimination and violence faced by children with disabilities and the potential negative impact of draft legislation on their rights, and with reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recalls its previous recommendations¹² and further urges the State party to:

(a) Ensure that draft legislation affecting children with disabilities, including the draft law on the protection of the rights of persons with disabilities and the draft public order law, are based on the principles of the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and prohibit all forms of discrimination and violence against children with disabilities;

(b) Establish monitoring mechanisms to enforce laws, regulations and policies that protect the rights of children with disabilities, including from discrimination;

(c) Develop an efficient system for early detection, intervention and support for children with disabilities, including those with psychosocial disabilities and migrant children, in all provinces;

(d) Intensify awareness-raising campaigns targeted at government officials, families and the general public in order to combat stigmatization and discrimination against children, including girls, with disabilities, and to promote a positive image of children with disabilities as rights holders;

(e) Expeditiously establish a national database on children with disabilities.

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

36. The Committee welcomes the progress in reducing the under-5 mortality rate, but is concerned about regional disparities in child mortality rates and access to health services. The Committee recommends that the State party:

(a) Prioritize measures to improve access to quality health services, in particular in rural areas and for children with disabilities, children belonging to minority groups and migrant children, and ensure that all health facilities have adequate water, sanitation and hygiene facilities;

(b) Strengthen measures to reduce infant and under-5 mortality rates, in particular in rural areas;

(c) Identify and effectively address the causes and effects of child malnutrition, including underweightness, stunting and anaemia, and raise public awareness of these issues.

Mental health

37. Taking note of target 3.4 of the Sustainable Development Goals, the Committee is concerned about the lack of information on the mental health situation of children and recommends that the State party:

(a) Develop a mental health programme dedicated to children that includes community-based mental health services and counselling and preventive work in schools, homes and alternative care facilities;

(b) Undertake a study on mental health disorders among children, including available facilities, and develop a national strategy to address the issue of suicide, in cooperation with civil society and taking into account the views of children.

¹² Ibid., para. 52.

Adolescent health

38. The Committee is concerned about rising child pregnancy rates, the focus of education on abstinence to prevent child pregnancies and the prevalence of substance abuse among adolescents. Recalling its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, and taking note of targets 3.7 and 5.6 of the Sustainable Development Goals, the Committee reiterates its previous recommendations¹³ and urges the State party to:

(a) Provide comprehensive sexual education in school, free, confidential and child-friendly sexual and reproductive health information and services, aimed at preventing early pregnancy, sexually transmitted infections and HIV/AIDS, and ensure that children in rural areas, migrant children and children belonging to minority groups have access to such services and information;

(b) Ensure girls' access to family planning services, affordable contraceptives and safe abortion and post-abortion care services;

(c) Expediently adopt the draft law on alcohol in order to establish a minimum age for alcohol consumption, and adopt legislative measures to prohibit the sale of tobacco and drugs;

(d) Provide children with accurate and objective information on preventing substance abuse, including of tobacco and alcohol, and develop accessible and child-friendly drug dependence treatment and harm reduction services for adolescents.

Impact of climate change on the rights of the child

39. Taking note of targets 3.2 and 3.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure that children's special vulnerabilities and views are taken into account in developing policies and programmes and decision-making concerning climate change and disaster risk management;

(b) Increase children's awareness of climate change and environmental degradation by incorporating environmental education into the school curriculum.

Standard of living

40. Noting with concern reports of land grabbing and forced evictions of children and their families, the Committee takes note of target 1.2 of the Sustainable Development Goals and recommends that the State party:

(a) Prevent evictions and displacement of children, including indigenous children and children living in poverty, and their families; ensure that the policies and practices on development and governance of land are in line with relevant international standards; and provide redress to those families and children evicted from their lands;

(b) Further strengthen its policies to ensure that all children have an adequate standard of living, including by providing social benefits to pregnant women and children under 2 years of age;

(c) Prioritize access to water, sanitation and hygiene, particularly in rural areas, including through increased resources for the national action plan for rural water supply, sanitation and hygiene for 2019–2023;

(d) Strengthen the capacities of professionals in the social assistance sector, including the general secretariat, to effectively implement, monitor and evaluate the national social protection policy framework for 2016–2025.

¹³ Ibid., para. 56.

I. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

41. The Committee is deeply concerned about the following:

- (a) That primary education is not compulsory;
- (b) The poor quality of education and high dropout rates, particularly among girls and children belonging to minority groups;
- (c) That the draft law on the protection of the rights of persons with disabilities proposes segregated classes for some groups of children with disabilities;
- (d) Bullying and barriers, including various forms of financial costs related to school education and activities to accessing education faced by children in vulnerable situations;
- (e) The rapid increase in private schools.

42. **Recalling its previous recommendations,¹⁴ the Committee takes note of targets 4.1 and 4.2 of the Sustainable Development Goals and recommends that the State party:**

- (a) Ensure, as a matter of priority, that primary education is compulsory and that free education is provided for all children for at least nine years;**
- (b) Strengthen measures to guarantee access to inclusive education and increase school enrolment and completion rates for all children, especially at the early childhood and secondary levels, including by expanding its multilingual education and mobile kindergarten programmes, addressing the school dropout rate among girls and children belonging to minority groups, and ensuring that children whose schooling was disrupted by the COVID-19 pandemic can benefit from interventions to address learning losses and complete their schooling;**
- (c) Improve the quality of education at all levels, especially in rural areas, including by reducing the student-teacher ratio, ensuring appropriate levels of training for teachers and equipping schools with adequate educational infrastructure, technology and sanitation;**
- (d) Amend the draft law on the protection of the rights of persons with disabilities, with a view to guaranteeing the right of all children with disabilities to inclusive education, and ensure their access to quality inclusive education in mainstream schools with individual support by specialized staff and reasonable accommodation for their educational needs;**
- (e) Combat bullying, including cyberbullying, in schools, especially of children in disadvantaged socioeconomic situations, children belonging to minority groups, children with disabilities, and lesbian, gay, bisexual, transgender and intersex children, and ensure that such measures encompass prevention, early detection mechanisms, the empowerment of children and intervention protocols;**
- (f) Ensure that financial costs, including voluntary contributions, related to school education and activities are not obstacles for children to access school education;**
- (g) Ensure that education, including vocational training, is accessible to children with disabilities, children in street situations, children belonging to minority groups and early school-leavers;**
- (h) Allocate sufficient financial resources to the implementation of the multilingual national education action plan;**
- (i) Invest in the public education system and regulate private education providers to ensure the rights of children in all educational settings.**

¹⁴ Ibid., para. 66.

Rest, leisure, recreation, and cultural and artistic activities

43. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party:

- (a) Guarantee the right of children to rest and leisure; to engage in age-appropriate and accessible recreational activities, sports, cultural life and the arts; and to have access to safe and accessible playground spaces;
- (b) Ensure that access to recreational activities is not hindered by household responsibilities.

J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

Children belonging to minority or indigenous groups

44. Noting with deep concern the discrimination faced by children belonging to minority or indigenous groups, which places them in particularly vulnerable situations, the Committee recommends that the State party combat discrimination faced by children belonging to minority or indigenous groups, including children of Vietnamese origin and Khmer Krom children, and ensure their full and equal access to birth registration and identity documents, health care, adequate housing, education and all other services.

Economic exploitation, including child labour

45. The Committee notes with appreciation the action plan on reducing child labour and eliminating the most severe forms of child labour for 2016–2025, but remains deeply concerned about the large number of children involved in child labour, including in hazardous work, in domestic work under slavery-like conditions and in so-called “debt bondage”, such as in the construction, brickmaking, agricultural and textile industries.

46. Taking note of target 8.7 of the Sustainable Development Goals, the Committee reiterates its previous recommendations¹⁵ and urges the State party to:

- (a) Explicitly prohibit the employment of children in harmful or hazardous work and develop a list of hazardous work prohibited for children;
- (b) Significantly increase the human, technical and financial resources allocated to labour inspections in order to effectively implement the laws and policies on child labour, prosecute any perpetrators of violations relating to child labour and increase sanctions;
- (c) Provide continuous capacity-building for law enforcement officials, labour inspectors and other relevant professionals;
- (d) Consider ratifying the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization.

Children in street situations

47. Recalling its general comment No. 21 (2017) on children in street situations, and its previous recommendations,¹⁶ the Committee recommends that the State party:

- (a) Ensure that the rights of children in street situations are fully respected by law enforcement authorities, and that they are not subject to arbitrary detention and ill-treatment;
- (b) Develop programmes that facilitate reunification of children in street situations with their families when possible, taking into account the best interests of the

¹⁵ Ibid., para. 68.

¹⁶ Ibid., para. 70.

child, and support their long-term education and developmental needs, including through the provision of psychological support.

Trafficking

48. **Taking note of target 8.7 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Assess the effectiveness of the two national plans of action on trafficking, both covering the period 2014–2018, and formulate a follow-up strategy that addresses shortcomings of the previous plans;**

(b) **Ensure the identification and referral of child victims of trafficking to appropriate child-friendly services;**

(c) **Investigate all cases of trafficking of children, using intersectoral and child-friendly proceedings, and bring perpetrators to justice;**

(d) **Conduct awareness-raising activities on the dangers of trafficking for parents, the community and children.**

Administration of child justice

49. The Committee is seriously concerned about:

(a) Insufficient implementation of the Law on juvenile justice and the lack of specialized courts or judges and child-friendly court procedures;

(b) The large number of children in pretrial detention beyond the legal time limit, reports of children in detention with adults, and the detention of children, including in drug rehabilitation or youth centres, for minor drug offences;

(c) The limited use of non-judicial measures, including diversion;

(d) The limited access of children in detention to education, psychological and other support services, including for reintegration.

50. **With reference to its general comment No. 24 (2019) on children’s rights in the child justice system and the United Nations Global Study on Children Deprived of Liberty, the Committee reiterates its previous recommendations¹⁷ and urges the State party to bring its child justice system fully into line with the Convention and to:**

(a) **Issue a sub-decree on the implementation of the Law on juvenile justice, adopt a strategic and operational plan to replace the plan that ended in 2020, and allocate sufficient financial, technical and human resources for its implementation;**

(b) **Expedite the establishment of specialized courts; until this is achieved, designate specialized judges and prosecutors for children, providing them with special training in all courts; and develop child-friendly court procedures and facilities;**

(c) **Actively promote non-judicial measures, such as diversion, mediation and counselling, and, wherever possible, the use of non-custodial measures for children, such as probation or community service, including through training for judges, prosecutors, police officers and other professionals on the Law on juvenile justice, children’s rights, the Convention and the Committee’s general comment No. 24 (2019);**

(d) **Avoid the use and limit the duration of pretrial detention by ensuring that children arrested and deprived of their liberty are promptly brought before a competent authority to examine the legality of deprivation of liberty or its continuation, and ensure that pretrial detention is regularly and judicially reviewed;**

(e) **Provide qualified legal aid free of charge to all children accused of having infringed criminal law, including by increasing the availability of lawyers for this purpose;**

¹⁷ Ibid., para. 77.

(f) Ensure that deprivation of liberty is used as a measure of last resort only, and for the shortest period of time, and that it is reviewed on a regular basis with a view to its withdrawal;

(g) Ensure that, in cases where detention is unavoidable, children are not detained together with adults and that detention conditions comply with international standards, including with regard to access to food, education, health services and psychological counselling, under a proper monitoring and complaints mechanism;

(h) Provide psychological counselling and social reintegration services for children leaving detention.

K. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention

Optional Protocol on the sale of children, child prostitution and child pornography

51. With reference to its 2019 guidelines regarding the implementation of the Optional Protocol,¹⁸ the Committee recalls its previous recommendations¹⁹ and urges the State party to:

(a) Amend the Law on the suppression of human trafficking and sexual exploitation to explicitly criminalize all forms of the sale of children as defined in article 2, including all the acts listed in article 3 (1) (a) of the Optional Protocol; and repeal, in article 12 of the Law, the requirement of the element of force or other forms of coercion in all forms of sale of children;

(b) Ensure that the definition of child sexual abuse material in the relevant legislation explicitly includes suggestive representations of children that do not depict children engaged in explicit sexual activity, and that possessing or knowingly accessing or viewing such material is also criminalized;

(c) Adopt a national action plan to combat all offences under the Optional Protocol, including the sexual exploitation of children in travel and tourism and children exploited in prostitution;

(d) Take all necessary measures to prevent, prosecute and eliminate the exploitation of children online and in travel and tourism, including by: (i) developing a code of conduct with the tourism industry; (ii) undertaking awareness-raising campaigns for prevention with the tourism industry and the public at large; and (iii) ensuring that Internet service providers control, block and promptly remove online sexual abuse material;

(e) Ensure that remedies are available to child victims of offences under the Optional Protocol.

Optional Protocol on children in armed conflict

52. Recalling its previous recommendations,²⁰ the Committee recommends that the State party:

(a) Explicitly criminalize the recruitment and use in hostilities of children under 18 years of age by the Royal Armed Forces, non-State armed groups and private security services or companies;

(b) Establish a mechanism for the early identification of refugee, asylum-seeking and migrant children who may have been recruited or used in hostilities abroad;

¹⁸ CRC/C/156.

¹⁹ CRC/C/OPSC/KHM/CO/1.

²⁰ CRC/C/OPAC/KHM/CO/1.

(c) Provide child victims of violations of the Optional Protocol and of mines and explosive remnants of war with assistance for their full physical and psychological recovery and social reintegration.

L. Ratification of the Optional Protocol on a communications procedure

53. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, accede to the Optional Protocol to the Convention on a communications procedure.

M. Ratification of international human rights instruments

54. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

N. Cooperation with regional bodies

55. The Committee recommends that the State party cooperate with, among others, the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children.

IV. Implementation and reporting

A. Follow-up and dissemination

56. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including the ones in the most disadvantaged situations. The Committee also recommends that the combined fourth to sixth periodic reports and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

57. The Committee recommends that the State party strengthen the various national mechanisms for reporting and follow-up to treaty obligations, and ensure that they have the mandate and adequate human, technical and financial resources to effectively coordinate and prepare reports to and engage with international and regional human rights mechanisms, and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that these structures should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution, when established, and civil society.

C. Next report

58. The Committee invites the State party to submit its combined seventh and eighth periodic reports by 13 November 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the

Committee's harmonized treaty-specific reporting guidelines²¹ and should not exceed 21,200 words.²² In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

59. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents²³ and paragraph 16 of General Assembly resolution 68/268.

²¹ [CRC/C/58/Rev.3](#).

²² General Assembly resolution 68/268, para. 16.

²³ [HRI/GEN/2/Rev.6](#), chap. I.