



Prospects and challenges for women's access to justice

Revisiting Local Dispute
Resolution Practice in relation
to Intimate Partner Disputes

2025

Prospects and challenges for women's access to justice

Revisiting Local Dispute Resolution Practice in
relation to Intimate Partner Disputes

Dr Kate Seewald | Suyheang Kry | Rachana Kao



© 2025 Women Peace Makers
Phnom Penh

The views expressed in this report do not necessarily reflect the position of Women Peace Makers (WPM) or any organisation or partner involved in the implementation or publication of this work.

All respondents provided informed consent for their participation, they were fully aware of the project's scope and the plans for publication of the information they shared. Some names and identifying details have been changed to protect the privacy of certain individuals.

We would like to express our sincere thanks to the female respondents from each community for their participation in this study. We are also grateful to the local service providers and key informants, including local authority members, representatives from relevant government departments and ministries, lawyers/legal practitioners, as well as members of key Cambodian women's rights organisations, who generously gave their time to participate in this study. We are particularly indebted to the rest of the research team members, namely, Saoly Ngel, Ester Pisey James, and all the supporters of this initiative for their contributions to ensuring this study went smoothly. Special thanks go to all of the research volunteers for their contribution to the translation and transcription of the data.

**“Prospects and challenges for women’s access to justice:
Revisiting Local Dispute Resolution Practice in relation to Intimate Partner Disputes”**
Dr Kate Seewald, Suyheang Kry, and Rachana Kao

Cover and layout design
Phasiree Thanasin

This edition first published in Cambodia 2025



Women Peace Makers

#43E, Street 456
Sangkat Tuol Tumpong II, Khan Chamkarmon
Phnom Penh, Cambodia
www.wpmcambodia.org
ISBN: 9-789924-625094

This work and publication were carried out and made possible through the generous support of



JOHANNITER

Table of Contents

List of Acronyms and Abbreviations	2
Executive Summary	3
Research Purpose.....	3
Key Findings from the Service Provider Data	4
Key Findings from the Service User data	6
Recommendations.....	8
I. Introduction	11
1.1 Legal and Policy Context	12
1.1.1 <i>Preserving Harmony: WPM’s Prior Research & Recommendations</i>	13
1.1.2 Recent Policy and Intervention Developments.....	15
1.2 Rationale.....	17
1.3 Research Objectives	17
II. Methodology	18
III. Discussion and Findings	21
3.1 Local LDR Practice: Experiences at the Service Provider Level	21
3.1.1. Service Provider Reflections on LDR Permissibility & Appropriateness	21
3.1.2 Local LDR Request and Screening Processes.....	27
3.1.3 Local LDR Referral Processes	31
3.1.4 SP Knowledge Terminology & Guidelines	37
3.1.5. SP Recommendations	39
3.2. Local LDR Practice: Experiences at the Service User level.....	42
3.2.1 Why LDR? Motivations for utilising local services	42
3.2.2 Perceived Quality of LDR	47
3.2.3 Reported Outcomes of LDR.....	50
IV. Conclusion.....	53



List of Acronyms and Abbreviations

ACCESS	Australia–Cambodia Cooperation for Equitable Sustainable Services	Limited Guidelines	Draft Guidelines on the Limited Use of Mediation as a Response to Violence Against Women
ADR	Alternative Dispute Resolution		
BMZ	Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (Federal Ministry for Economic Cooperation and Development, Germany)	MOJ	Ministry of Justice
		MOI	Ministry of Interior
		MoWA	Ministry of Women’s Affairs
CDRC	Commune Dispute Resolution Committee	NADR	National Authority for Alternative Dispute Resolution
CCWC	Commune Committee on Women and Children	NAPVAW	National Action Plan to Prevent Violence Against Women
DMLJ	Department of Mediation and Local Justice	OLLM	Office of Legislation and Local Mediation
DV	Domestic Violence	SPs	Service Providers
LDR	Local Dispute Resolution	SUs	Service Users
GRM	Gender-Responsive Mediation	TWGG–GBV	Technical Working Group on Gender: Gender-Based Violence
IPV	Intimate Partner Violence		
JPO/JPA	Judicial Police Officers/Judicial Police Agents	WCCC	Women’s and Children’s Consultative Committee
JSC	Justice Service Centre		



Executive Summary

Research Purpose

Under Cambodia's current legal system, intimate partner disputes can be resolved through mediation even in cases where minor forms of domestic violence (DV) are suspected or alleged.¹ However, local forms of mediation – which in practice often more closely resemble reconciliation/conciliation or arbitration processes and do not conform with modern mediation principles – often fail to serve women's best interests and/or protect their safety and security.

Continuing from the foundation laid out in WPM's 2020 research², this report revisits the practice of mediation in Cambodia, (here termed local dispute resolution (LDR) to reflect the fact that 'mediation' is often not what is being conducted in practice), with a focus on intimate partner disputes. It examines the evolution of LDR practices, their implementation, and the resultant impacts on women's rights and well-being. It also seeks to identify both advancements and persisting challenges in the capacity of LDR practice to serve as a primary prevention measure, and to promote equitable access to justice for women amidst the dual backdrop of high rates of domestic violence (DV), and systemic barriers within the formal legal system, in particular the Law on the Prevention of Domestic Violence and the Protection of Victim (DV law).

There are increasing debates about the appropriateness and permissibility of performing LDR in 'minor' cases of physical violence, or in cases of emotional,

psychological or economic abuse³. The report, therefore, critically evaluates the extent to which guidance materials and programmatic interventions such as gender-responsive mediation (GRM) training have the potential to professionalise, standardise, and appropriately limit the use of LDR in IPV/DV cases. In doing so, it raises important questions about whether such practices can and therefore should be reformed to better serve women's interests – namely, by screening for and intervening in DV cases filed with LDR providers – or if such practices inherently sustain gender inequalities.

By interrogating the local operational dynamics of LDR as reported by both service providers (SPs) and service users (SUs), the report probes how these practices align with or diverge from the principles of gender responsiveness and survivor-centeredness. It also recognises the complex interplay between traditional dispute resolution mechanisms and the formal legal system, examining the potential of LDR to either complement or undermine legal reforms aimed at protecting women from violence. This exploration is particularly relevant given the recent establishment of new national-level ADR mechanisms, authorities and guidelines, and the long-anticipated amendments to the DV law. The study is grounded in an understanding that while local dispute resolution offers a culturally resonant and accessible form of dispute resolution, it also exists within broader patriarchal structures and a

¹ The legal basis for this is set out within the Law on the Prevention of Domestic Violence and the Protection of Victims (DV Law, 2005), Law on the Administrative Management of the Capital, Provinces, Municipalities, Districts and Khans (Article 94, 2008), and relevant policy frameworks, including the second and third National Action Plans to Prevent Violence Against Women 2014-2018 and 2019-2023 (NAPVAW II and III).

² Kry, S., Seewald, K., Sok, L., Meas, S., & Oy, M. (November 2020). Preserving harmony, or preventing justice? A study of local dispute resolution practices in cases of intimate partner violence in Cambodia. Phnom Penh: Women Peace Makers.

³ Article 17 and 26 of the Law on the Prevention of Domestic Violence and the Protection of Victims allows the authorities or other third parties to mediate with the consent of both parties only in the case of "mental/psychological or economic affected violence, or minor misdemeanours or pretty offences"



culture of impunity that can influence outcomes in ways that may not align fully with the principles of gender equality and equitable access to justice.

To get a sense of whether there are any early indications that efforts to standardise and limit LDR practice in line with gender-responsive mediation (GRM) principles show promise, the study examines the practices and perspectives of service providers (SPs) engaged in LDR processes, with a specific focus on their handling of cases involving DV. Participants in the study included SPs from both an intervention group—comprising those who had completed gender-responsive mediation (GRM) training delivered by WPM—and a comparison group, made up of SPs who had not received this or any other GRM training. While this research is not intended to form an evaluation of the GRM project, it provides qualitative insights into the potential influence of such training on SP practices, particularly in relation to DV cases.

The qualitative nature of the study allowed for an in-depth exploration of SPs' understanding of IPV dynamics, mediation principles, and the critical need for gender-responsive approaches. This approach revealed nuanced variations between the trained and untrained groups, offering valuable indications of how GRM training may impact decision-making, sensitivity to power imbalances, and the prioritisation of survivor safety in LDR practices. However, the findings also underscore persistent gaps in knowledge, capacity, survivor-centered infrastructure, and consistency across all participants, regardless of training status.

Key Findings from the Service Provider Data

Perceptions of LDR Permissibility & Appropriateness

Service providers (SPs) demonstrated varied interpretations of when and how LDR should be used, especially concerning DV cases. While a majority of the interviewed SPs were adept at recognising situations where LDR is inappropriate (e.g., physical violence), others, particularly

those from the comparison groups, lacked clarity on the boundaries, attempting LDR in cases where legal action should have been undertaken. This variation among the intervention and comparison groups underscores the need for a nationwide implementation of clear and practical guidelines defining the role and limitations of LDR in addressing DV. It also reflects broader systemic challenges, including inconsistent application of existing guidelines and protocols, insufficient physical infrastructure to support a gender-responsive and survivor-centred approach, limited locally-available GBV response services for referrals, and survivors' deep mistrust of the formal legal system.

On one end of the spectrum, some SPs, primarily from the intervention group, demonstrated a high level of competency in assessing the appropriateness of LDR for specific cases. These individual providers could accurately identify scenarios where mediation could cause more harm than good—such as cases involving physical violence, significant power imbalances, or serious risks to the woman's safety. These SPs reported conducting careful assessments of each situation, prioritising the woman's well-being and minimising harm over proceeding with the mediation process.

Conversely, a notable portion of SPs, primarily those without training in gender-responsive mediation, demonstrated less clarity in their decision-making, directing cases towards LDR even when it should have been considered unlawful or inappropriate to do so. These cases included instances of ongoing physical abuse, threats to life or safety, and other severe forms of DV where the use of LDR risked legitimising the abuser's actions or further endangering the survivor.

The above diversity is not merely reflective of differing individual capacities but highlights broader issues of inconsistent (or entirely absent) training, and a fragmented framework for guiding LDR practice. For instance, a key challenge lies in the current legal permissibility of mediating 'petty offences,' which includes the crime of 'less severe violence,' as defined under Article 228 of the Criminal Code as violence "against another person and which does not result in any injury." This vague definition can possibly open the door to misinterpretation by local authorities, most



of whom do not have a legal background. It can potentially result in acts such as strangulation, suffocation, or limb twisting to be addressed via LDR, despite the fact that in a formal court these would likely be classed as misdemeanour- or felony-level offenses.⁴

Knowledge of Terminology and Guidelines

There remains a significant gap in most SPs' understanding of key terms related to LDR and IPV, as well as a lack of familiarity with existing guidelines for LDR practice, including the *Guidelines on the Limited Use of Mediation as a Response to Violence Against Women* (commonly referred to as the Limited Guidelines). This may affect SPs' ability to practice LDR appropriately and safely in IPV cases, and indicates an urgent need for enhanced training and resources to improve their knowledge and application of relevant guidelines. This knowledge gap may be at least partially explained by the fact that the Limited Guidelines have not yet been not officially adopted and disseminated nationwide at the time of writing.

Referral Processes

A critical issue highlighted in the study is the complexity, ineffectiveness, and inefficiency of referral processes within the current LDR framework. SPs interviewed consistently reported that processes for referrals to other services—such as legal aid, medical care, counselling, or shelters—remain unclear, inaccessible, and poorly formulated. Numerous SPs expressed confusion about when and how to escalate cases unsuitable for mediation to law enforcement or judicial actors (namely the nearest judicial police officer/agent or prosecutor).⁵ This confusion, combined with a lack of locally available GBV support services or shelter accommodation options, hampers the

effectiveness of LDR in providing comprehensive support to DV survivors. There is also an urgent need to also ensure that where cases are referred to law enforcement, they are investigated in accordance with the Criminal Procedure Code,⁶ and police officers themselves are not performing any form of LDR in response to DV allegations.

Furthermore, the research highlights a pressing issue regarding the integration of administrative decisions (a form of local-level protection order) within LDR practices. Administrative decisions are crucial mechanisms for ensuring the safety of survivors; however, their application and enforcement within the context of LDR remain widely inconsistent and often ineffective. This inconsistency is largely attributed to a lack of awareness and understanding among SPs about relevant legal provisions, official administrative forms, and their jurisdictional authority to issue and enforce such administrative decisions. The findings reveal critical gaps in training, resources, and clear guidance from higher levels, undermining the potential of administrative decisions to serve as effective tools for safeguarding survivors. These gaps are compounded by broader systematic challenges that hinder the implementation of survivor-centred protections.

Impact of Gender-Responsive Mediation (GRM) Training on SP Practices

While this study was not intended to form an evaluation of the GRM project, the data does provide some early indications that participation in GRM training can have a positive impact on LDR practitioners, particularly in terms of their understanding of and sensitivity towards DV issues and their intersection with mediation principles and practice. This is not to say that all, or even any, of the intervention group SPs who had undertaken GRM training could be said to be offering fully professional, standardised and survivor-centred services. Nor can it

⁴ LICADHO, "Why Haven't the Authorities Protected Me? "Alternative Dispute Resolution is Undermining Justice and Safety for Women Facing Domestic Violence, November 2023, online: <<https://www.licadho-cambodia.org/articles/20231130/193/index.html>>.

⁵ This requirement is set out in Article 42 of the Criminal Procedure Code: "Mandatory Report of Felony or Misdemeanor: During the performance of their duties, all public authorities and officers who learn about a felony or misdemeanor shall immediately report this incident to the judicial police officers or to the Prosecutors and submit to the Prosecutors all information, records, letters and objects relating to that offense."

⁶ All police personnel should understand and perform their duty to make a formal record of all criminal complaints, and the process of referral to the Royal Prosecutor as per the Criminal Procedure Code.



be said on the basis of the data that participant SPs now fully understand and are utilising uniform screening and referral processes. Across both intervention and comparison groups, service providers themselves universally expressed a need for additional training.

However, SPs who participated in GRM training appeared to demonstrate a more nuanced understanding of IPV dynamics, including the recognition of power imbalances and the importance of prioritising survivor safety in mediation processes.

The data also suggests that GRM training can equip SPs with the necessary knowledge to assess the suitability of LDR in DV cases more effectively. These findings underscore the potential for specialised GRM training programs to improve customary LDR services provided to disputing couples, and to limit their use in IPV cases while actively referring survivors to alternative support pathways.

Key findings from the Service User data

Women service users' (SU) experiences with LDR were varied. While most respondents expressed a preference for local resolution mechanisms over the court system, accounts of unaddressed violence and inadequate LDR among SUs, particularly from the comparison groups, continue to underscore the need for more robust protections within LDR processes. Notably, a considerable number of SUs reported positive changes in their relationships post-LDR, such as reduced conflict and improved family dynamics, though concerns about safety and justice remain prevalent in some cases.

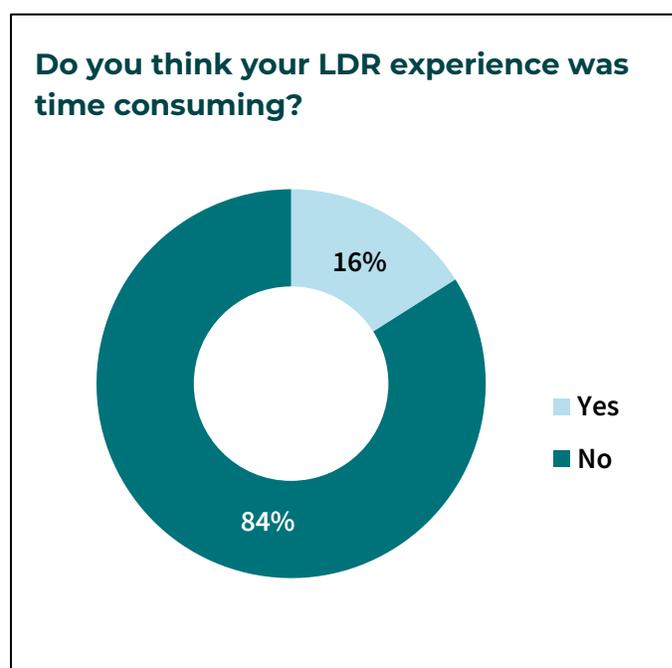
Why LDR? Motivations for Utilising Local Services

Women service users (SUs) were drawn to LDR primarily due to its accessibility and the cultural appropriateness of resolving disputes within their community context. The preference for LDR over formal legal processes is also influenced by the

perceived immediacy, more affordable, and less intimidating nature of LDR. The convenience of LDR is particularly important for women SUs with childcare responsibilities. LDR is seen as offering a more familiar and geographically accessible avenue for dispute resolution, while avoiding the stigma, financial costs and complexity often associated with the formal judicial system.

Common issues that drove SUs to access LDR in non-violent family dispute cases included arguments, jealousy, infidelity, divorce, unfair divisions of childcare and household chores, employment issues (husbands not wishing for their wife to work outside the home), alcohol and drug abuse, and the spending of money for basic essentials on gambling or karaoke. Violent cases included those involving one or more instances of physical abuse, usually in combination with emotional, psychological and economic abuse. Some of these cases were resolved at the village and/or commune level, while others were referred on to the district level and/or to police. Not all women sought to improve their husbands' behaviour through LDR: numerous LDR cases, both non-violent and violent, were pursued in order to dissolve a customary or formal marriage.

Perceived Quality of LDR

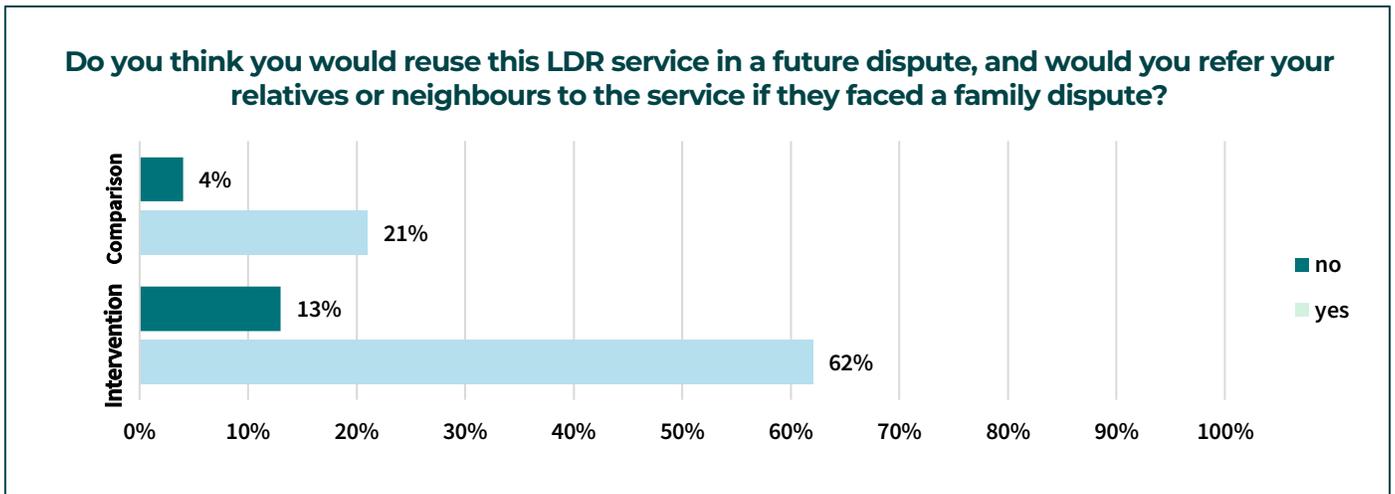
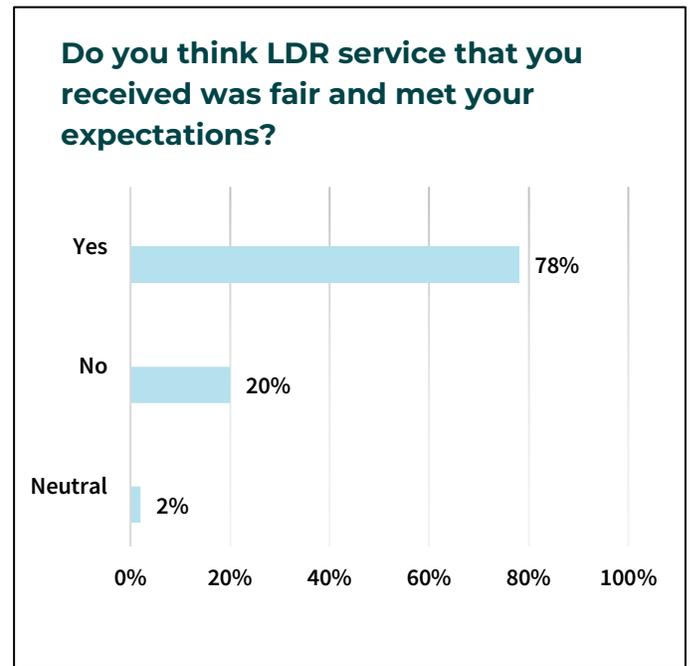


The perceived quality of LDR varied significantly among women service users, reflecting a spectrum of experiences. While some described a high level of satisfaction with the mediation process, noting for instance its convenience and neutrality, others expressed concerns about the lack of professionalism and survivor-centeredness they experienced. Some articulated a desire for LDR processes to be more attuned to the needs of IPV survivors, and for survivors to be taken seriously and treated with sensitivity when making a request for resolving dispute and during LDR sessions.

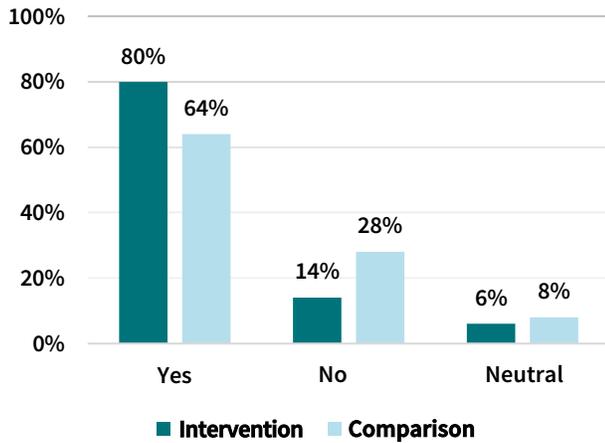
Among the 49 total women SUs interviewed, only 16% found it to be overly time-consuming, whereas 84% did not share this view. Interestingly, a significant majority of 83% indicated they would consider using LDR again for future disputes, or would recommend the service to friends or family.

The analysis revealed notable differences in satisfaction rates between SUs who received LDR at intervention versus comparison locations, suggesting a potential positive impact of GRM training on service provider practices. 80% of respondents from the intervention groups reported satisfaction with ADR services, compared to only 64% in comparison locations. Dissatisfaction was also significantly lower in intervention locations (14%) compared to 28% in

comparison locations. This disparity may reflect one or both of the following: that trained service providers are more effective at delivering positive user experiences, and/or that they are better equipped to decline cases where LDR would be unlawful or inappropriate due to suspected or alleged DV. These findings underscore the value of GRM training in enhancing the quality, consistency, and appropriate application of LDR services, while also highlighting the need for further capacity building and support, especially in comparison locations.



Are you satisfied with the LDR services that you received?



Reported Outcomes of LDR

Many women SUs described positive changes following LDR, including reduced conflict and improvements in family dynamics. These findings suggest that, in certain contexts, LDR has the potential to serve effectively as a form of marital counselling by facilitating constructive dialogue. Examples of non-violent scenarios where this might be considered lawful and appropriate include addressing issues such as infidelity or promoting more equitable divisions of childcare and household responsibilities.

However, alongside these positive narratives, there were some persistent concerns regarding safety, justice, and the adequacy of the resolutions achieved through LDR. Some women service users, primarily those from the untrained comparison group areas, felt that the mediation process failed to protect them from further violence or to hold the perpetrator accountable, underscoring the need for LDR practices to incorporate more robust protections for IPV survivors.

Recommendations

Recommendations by Service Providers

1. Specialised training: Service providers, particularly those from comparison locations who had not participated in GRM training, identified a significant gap in their capacity to effectively handle DV cases. In particular, they highlighted the need for targeted training in areas such as case screening, survivor protection, legal knowledge, and referrals for DV and other forms of VAW. They called for comprehensive training programs that include understanding the nuances of IPV/GBV, incorporating trauma-informed and gender-responsive approaches to LDR, and referring cases to the correct services/authorities. Additionally, providers stressed the importance of equipping police with training on survivor-centred practice and IPV dynamics in order to better enforce the law and protect the rights of survivors.

2. Enhancing awareness and use of administrative decisions: There is a critical need to improve SPs' awareness and understanding of locally-issued administrative decisions and court-issued protection orders, including their purpose, the authorities empowered to issue them, and the process involved. SPs expressed concerns about their limited knowledge in issuing and enforcing these decisions, which are crucial for safeguarding survivors from further harm. They recommend the government provide clear, detailed instructions alongside regular workshops and accessible, easy-to-understand guides to ensure these tools are effectively utilised in practice.

3. Establishing clear, accessible, effective and efficient referral pathways: Service providers highlighted significant confusion and inconsistencies in referral processes, particularly for cases involving physical violence. They emphasised the need for developing clear, standardised referral pathways that specify when, how and to whom to escalate cases to appropriate higher authorities, such as the police, the royal prosecutor, or judicial police officers, as well as to psychosocial support and medical services. As one provider explained,

“As for the process of referring them to other services, we’re not sure about it. I want to get more training” (CDRC 2 T).

4. Provision of safe shelter accommodation and other GBV services at the local level: The lack of safe shelters for survivors remains a significant challenge reportedly encountered regularly by service providers. They recommend establishing accessible, secure accommodation for survivors, alongside other GBV services such as legal counselling and mental health support. Service providers stressed the importance of situating these facilities in close proximity to police stations to ensure the safety and security of survivors.

5. Accessibility of guidelines and resources: Despite the development of the *Limited Guidelines*, many service providers reported a lack of accessible resources to support their LDR work, especially in languages and formats suited to individuals with varying levels of education. Providers emphasised the need for easy-to-understand, accessible guidelines covering all aspects of LDR, with clear instructions on the types of cases that can be lawfully and appropriately mediated. A specific focus on IPV and GBV is essential to ensure that mediators can refer to these guidelines, templates, and other resources as needed. Notably, knowledge gaps regarding the *Limited Guidelines* and their practical application as well as other relevant legal knowledge, were evident even among some intervention group respondents who had undergone GRM training. This illustrates a need to improve and expand LDR-related training initiatives going forward, to ensure that future cohorts are fully aware of and actively using the *Guidelines* and its tools. Additionally, there is a critical need for greater investment to improve LDR service infrastructure, such as private rooms, case records, a designated mediation table and filing cabinets, in order to realise a professional and gender-responsive standard of service.

6. Empowering survivors beyond immediate safety: In addition to addressing immediate safety concerns, service providers emphasised the importance of supporting survivors in rebuilding their lives economically and socially. They suggested enhancing service providers’ capacity to empower survivors through initiatives such as providing immediate financial assistance, or information on job

opportunities and skill development programs. Providers explained that these measures can help survivors achieve long-term economic independence, particularly from violent spouses, and facilitate their recovery and reintegration post-crisis.

Recommendations by Women Service Users

1. Safe spaces: Women service users highlighted the importance of privacy during dispute resolution processes. One respondent stated,

“The commune should value, prioritise, understand, and take care of women. There should be a private room provided to solve problems, because when I was out in the open, I felt embarrassed and lacked the confidence to speak out” (SU 3).

This underscores the need for safe, private spaces where individuals can openly discuss their issues without fear of embarrassment or judgement.

2. Professionalism: Women service users emphasised the importance of fair treatment and a commitment to justice, especially for women survivors of violence. One respondent stated,

“I’d suggest they focus on finding justice for victims, especially women, and shouldn’t spend time making jokes” (SU 5).

The seriousness with which LDR practitioners approach cases significantly impacted the perceived fairness of the LDR process. To address this, a clear code of conduct for LDR professionals should be developed and strictly enforced, prioritising duty of care and ensuring respectful and focused engagement with all parties.

3. Technical improvements: Women service user respondents highlighted the need for technical improvements to enhance the effectiveness of LDR processes. One respondent suggested,



"the process of LDR [needs] to be strengthened in terms of verbal facilitation and issuing [parties] with information about laws" (SU 9),

emphasising the importance of providing clearer explanations and legal documentation to support the LDR process. Several women respondents also raised the importance of unbiased law enforcement and ending impunity, with one stating,

"I want the local authority to enforce the law and punish the perpetrators fairly, without bias" (SU 16)

as crucial for maintaining trust in LDR.

While some service users, such as SU 18, expressed satisfaction with the current system, stating

"there's no need to improve the service because my husband has changed his attitude since then,"

others call for clearer processes to address challenges such as non-compliance. For example, one respondent shared,

"I want there to be strict procedures for those who don't [take LDR seriously], like my husband who just didn't show up" (SU 4).

These insights point to the need for enhanced facilitation, transparent legal procedures, and mechanisms to ensure accountability in the LDR process.

"I want the local authority to enforce the law and punish the perpetrators fairly, without bias"

I. Introduction

In recent years, the Royal Government of Cambodia's (RGC) discourse around justice reform has increasingly hailed the importance of localised, culturally sensitive approaches to dispute resolution. The principles underpinning alternative dispute resolution (ADR) practices have been lauded by senior ministerial officials for their potential to offer more accessible, less adversarial pathways to resolving disputes.⁷

However, at the same time, many women's rights advocates have been calling into question the problematic and widespread performance of Local Dispute Resolution (LDR) in cases involving violence against women (VAW). CSOs including Women Peace Makers have long raised concerns about the efficacy of these approaches in addressing the unique dynamics of intimate partner violence (IPV) and the potential for such mechanisms to inadvertently perpetuate inequalities or obscure the gravity of abuse.⁸ This research is therefore set against a backdrop of evolving legal frameworks and guidelines, societal norms, and policy debates aimed at bolstering women's access to justice and safeguarding their rights.

Research Purpose

At a pivotal moment in the alternative/customary dispute resolution landscape in Cambodia, this report seeks to provide a renewed examination of how these practices play out at the local level. In doing so, it critically examines opportunities and challenges for the survivor-centred reform of (LDR) practices, exploring whether programmatic and policy interventions have the potential

to professionalise, standardise, and appropriately limit the use of LDR as a response to VAW.

Continuing from the foundation laid out in WPM's previous research entitled *Preserving Harmony or Preventing Justice*,⁹ this report revisits the practice of mediation or *somroh somruol*, (here termed local dispute resolution (LDR) to reflect the fact that 'mediation' is often not what is being conducted in practice), with a focus on intimate partner disputes. It examines the evolution of LDR practices, their implementation, and the resultant impacts on women's rights and well-being. It also seeks to identify both advancements and persisting challenges in the capacity of LDR practice to realise equitable access to justice for women, amidst the dual backdrop of high rates of intimate partner violence (IPV) and systemic barriers within the formal legal system.

Given recent debates around the appropriateness and permissibility of performing LDR in 'minor' cases of physical violence, or in cases of emotional, psychological or economic abuse, the report critically evaluates the extent to which guidance materials and programmatic interventions such as gender-responsive mediation (GRM) training (a training package developed by WPM to accompany the *Limited Guidelines*), have the potential to professionalise, standardise, and appropriately limit the use of LDR. In doing so, it raises important questions about whether such practices can and therefore should be reformed to better serve women's interests, or if they inherently sustain gender inequalities.

⁷ Orm, B. Out-of-court resolution of disputes BAKC focus", 17 October 2023, *The Phnom Penh Post*, online: <<https://www.phnompenhpost.com/national/out-court-resolution-disputes-bakc-focus>>.

⁸ See: Women Peace Makers (2020) "Preserving harmony or preventing justice? A study of local dispute resolution practices in cases of domestic and intimate partner violence in Cambodia," online: <https://wpmcambodia.org/wp-content/uploads/2020/12/Preserving-Harmony-or-Preventing-Justice_EN_2020.pdf>.

⁹ Ibid.



By dissecting the local operational dynamics of LDR as reported by both service providers (SPs) and service users (SUs), the report probes how these practices align with or diverge from the principles of gender responsiveness and survivor-centeredness. It also recognises the complex interplay between traditional dispute resolution mechanisms and the formal legal system, examining the potential of LDR to either complement or undermine legal reforms aimed at protecting women from violence.

This exploration is particularly relevant given the recent establishment of new national-level ADR mechanisms, authorities and guidelines, and is grounded in an understanding that while LDR offers a culturally resonant and accessible form of dispute resolution, it also exists within a broader patriarchal structure that can influence outcomes in ways that often fail to align with principles of gender equality and access to justice.

1.1 Legal and Policy Context

In Cambodia, around one fifth of women who face violence at the hands of their partners seek help from their local authorities, who then usually provide customary forms of LDR. These LDR mechanisms, which often resemble reconciliation or conciliation in practice, are often preferred to formal justice system resolutions which are seen among other things as expensive, time consuming, and geographically distant.¹⁰

‘Mediation’ is permitted under certain circumstances by the legal system in Cambodia, primarily through the 2005 *Law on the Prevention of Domestic Violence and Protection of Victims* (DV Law). However, longstanding concerns by women’s rights advocates in relation to ADR provision in cases of violence have grown louder in recent years. These concerns largely centre around the fact that ‘local mediation’ as it is often called, does not in fact comprise standardised ‘mediation’ at all, and very often fails to

protect women and their interests, or uphold their rights. Also of increasing concern are the following issues:

- There remains ongoing confusion and uncertainty about the **permissibility** of LDR practice/s to ‘resolve’ cases of GBV, especially DV. This is exacerbated by ambiguously worded articles within laws, and conflicts on key points of law between different legal sources.
- There is ongoing confusion, uncertainty and conflation between ADR-related **terminology** and what specific terms mean in practice (both in English and Khmer). These terms include, for instance, mediation, conciliation, arbitration, and counselling.
- There is ongoing debate about the **ethics** of addressing DV through LDR in the Cambodian context, particularly from feminist and rights-based perspectives. This debate centres on whether LDR can adequately address cases of non-physical abuse, or ‘less severe’ forms of physical violence; based on Cambodian law, **petty offenses** in the context of VAW that are lawfully subject to mediation can include minor, non-injurious acts such as “less severe acts of violence” that do not result in any injury (as per Article 228 of the Criminal Code). In practical terms, this could take the form of a minor physical altercation like an isolated push or shove, which does not escalate to injurious physical harm.

Cambodia’s socio-legal context is characterised by high rates of IPV, but also by limited access to justice through the formal court system, which remains costly, restrictive and itself in urgent need of reform. Prosecutorial discretion prioritises serious cases, and severe case backlogs further limit access for survivors of less-serious violent crimes such as slapping or shoving. For women experiencing these forms of violence at home, a full prohibition on LDR could ultimately leave them without any viable avenues for resolution, forcing them to navigate these issues alone.

On the other hand, some local and international

¹⁰ Ramage, I., Pictet, G., Chhy, S., & Jorde, A. (2008). *Somroh Somruel and Violence Against Women*. (2008). P. 50.

advocates argue that the use of LDR in *any* cases involving any form of violence undermines survivor safety, autonomy, and the accountability of perpetrators. Critics argue that mediation of petty offences inherently risks minimising violence, pressuring survivors into unsafe agreements, and reinforcing systemic barriers to justice.

This complex ethical dilemma, which might be simplistically summarised as a question of the *prohibition versus reform* of LDR, continues to confront local civil society actors, researchers, policy makers and international donors. One recent commentator described this as a “moral quandary,” where the most effective, rights-based and survivor-centred path to realising harm reduction on a large-scale basis is not readily apparent.¹¹ The UN CEDAW Committee has also wrestled with this issue, responding to the difficulties of using ADR mechanisms to deal with GBV in both its 2013 and 2019 concluding observations to Cambodia, as well as in several general recommendations.¹²

At the time of writing, the *Limited Guidelines* in their current form continue to permit LDR in family dispute cases involving petty offense-level crimes, provided no party has sustained any physical injury. The Guidelines expressly prohibit LDR in cases where misdemeanour- or felony-level violence is suspected or alleged, and the pilot GRM training accompanying the Guidelines and referenced throughout this report, was designed to align with these legal parameters. However, it is important to note that these parameters do remain contested, with many stakeholders continuing to push for a zero-tolerance approach that would prohibit LDR in all cases of violence, including those classified as petty offense-level crimes. These efforts also extend to calls for reform of the 2005 DV Law to reflect this stricter stance.

1.1.1 Preserving Harmony: WPM’s Prior Research & Recommendations

In 2019, recognising the need to investigate and properly set out the differences between different types of LDR as well as their respective permissibility under Cambodia’s current legislative framework, WPM developed a detailed study exploring these issues. Entitled *‘Preserving harmony, or preventing justice? A study of local dispute resolution practices in cases of domestic and intimate partner violence in Cambodia,’* the report examined real-world LDR practice as performed in response to cases of DV in four provinces across Cambodia.

As well as confirming the general lack of clarity around the permissibility of LDR as a response to DV at virtually all levels of government, the study also documented the practical impact of the status quo (unregulated, unmonitored, unstandardised LDR practice) on women victims/survivors of GBV. It found widespread violations of women’s rights to be occurring through the provision of LDR in cases involving crimes as serious as broken limbs, strangulation, and spousal rape.

Therefore, the report made the following (among other) recommendations:

- A. Comprehensive guidance and ongoing practical training on gender-responsive mediation in cases of DV/IPV should be provided to service providers to ensure that, in practice, *mediation*¹³ is what is actually being provided. To this end, such guidelines should be developed urgently and with extensive and meaningful discussion and involvement from all key stakeholders, especially the Ministry of Justice (MoJ), Ministry of Women’s Affairs (MoWA) and Ministry of Interior (MoI), as well as legal and mediation practitioners, and relevant CSOs.

¹¹ Australia–Cambodia Cooperation for Equitable Sustainable Services (ACCESS) End of program evaluation, online: <<https://tinyurl.com/y46s4mxs>>.

¹² UN CEDAW Committee, CEDAW/C/KHM/CO/4-5; CEDAW/C/KHM/CO/6; CEDAW/C/GC/33; CEDAW/C/GC/35.

¹³ Mediation defined here as a dispute resolution process involving a third party who encourages parties to identify options toward a resolution, but does not make recommendations or rulings in favour of one party or outcome)



- B. Guidelines should be accompanied by training materials and a rigorous, nationwide training program to ensure that all authorities tasked with performing mediation are only doing so where appropriate and permitted by law, and are consistently applying a gender-responsive, survivor-centred, and rights-based approach. Such training should include gender-responsive content relating to DV/IPV, including comprehensive safety and referral guides, how to manage and reduce risks of survivor revictimisation, and how to screen for DV/IPV throughout mediation provision that may not be initially reported.
- C. Mediation or any form of LDR should not be provided in any cases of DV/IPV which would constitute any misdemeanour-level offence under Cambodian law (see Section 3.2(C) for detail). Clarity should be provided urgently as to which offences can and cannot be mediated under the law. References to ‘severe misdemeanours’ and ‘minor misdemeanours’ have no legal basis under current Cambodian criminal law and should therefore be removed from the DV Law. Further, whether violence is serious enough to constitute a misdemeanour or not, steps should be taken to ensure the safety and security of women survivors as a top priority and that mediation is only entered into voluntarily by all parties and should not be viewed as an alternative to the processing of criminal complaints.
- D. A joint directive order from MoI and MoJ which details specific procedures for court-issued protection orders and the commune hall-issued administrative decisions should be developed and issued with urgency (based on existing provisions in the DV Law and Organic Law governing communes/sangkats).
- E. Safe shelters and other victim support services, including but not limited to a national GBV hotline and access to financial support and legal aid, should urgently be made available nationwide and free of charge.
- F. Local authorities should understand and perform their legal duty (set out in Art. 42 of the CPC) to refer all reports of felony- or misdemeanour-level offences that they become aware of in the line of conducting their duties, to the nearest JPO or directly to the Royal Prosecutor.
- G. Community education initiatives related to mediation, divorce, and domestic violence protection related legal knowledge should be undertaken with urgency. Such initiatives should ensure that women at risk know about protection orders and administrative decision procedures, and how to access them.
- H. Women survivors should not be charged fees, formal or otherwise, for receiving ADR services, or for keeping their husbands in jail or for their release from custody following DV/IPV. Such fees clearly disincentivise the reporting of violence and may prevent women from seeking help from authorities.
- I. Given that physical settings in many ADR proceedings present clear challenges in upholding survivor-centred principles of confidentiality and privacy, ADR providers at all levels should urgently be given access to more appropriate settings for conducting mediation, where parties can be separated in private spaces in which they may speak freely and safely without fear of being overheard or interrupted.
- J. CDRCs, JSCs and other ADR relevant local mechanisms dealing with DV/IPV cases should increase efforts to ensure women comprise 50 percent of committee membership. Targeted policies and programs should also ensure that both men and women conducting ADR are effectively equipped with knowledge and skills, and that women are meaningfully engaged in conducting mediation, and are not relegated to supporting or accompanying roles.



- K. It is not advisable for police (whether JPOs or otherwise), to conduct any form of ADR. However, if police personnel are to conduct mediation, then the scope of this mandate should be clearly set out and regulated under secondary legislation, such as a sub-decree or other policy, as soon as possible. Such policies should stipulate clearly that conducting ADR is not an alternative to recording and processing complaints from DV/IPV survivors. Police, like all ADR providers, should provide detailed legal advice to survivors informing them of their right to decline participation in ADR, and that doing so does not forfeit their rights to also pursue criminal charges or to separate and/or divorce their partner should they wish to.
- L. All police personnel should understand and perform their duty to make a formal record of all criminal complaints, and the process of referral to the Royal Prosecutor as per the Criminal Procedure Code. Authorities should enforce the provisions in Art. 75 of the Criminal Procedure Code against police officers who fail to proceed with a criminal case after withdrawal of the complaint by the victim or settlement between the victim and the suspect.

1.1.2 Recent Policy and Intervention Developments

Since the *Preserving Harmony* report, there have been substantially increased efforts by relevant government ministries towards the regularisation and, to some extent, limitation of LDR practice in VAW cases. Civil society initiatives have also been launched to the same end. For instance:

1. *Guidelines on the Limited Use of Mediation as a Response to Violence Against Women* (‘the Limited Guidelines’) were developed and adopted by MoWA’s Technical Working Group on Gender: Gender-Based Violence (TWGG-GBV) in July 2021.¹⁴ The Guidelines advise against the performance of conciliation, reconciliation or

arbitration by the local authorities as a response to any forms of VAW. While LDR in the form of mediation is allowed under the Guidelines, this is limited to isolated cases of petty crimes and civil cases and must still adhere to human rights standards and procedures.

2. A draft Joint Ministerial *Prakas* is being developed by MoI, MoJ and MoWA on the implementation of the Limited Guidelines and the cooperation between the three Ministries to disseminate and monitor their implementation. The *Prakas* will set out the responsibilities of each line ministry in relation to the operationalisation of the Limited Guidelines.
3. MoWA, in collaboration with UN Women and WPM, developed (in alignment with the Limited Guidelines) a *Training Manual on Guidelines on the Limited Use of Mediation as a Response to Violence Against Women*. This Training Manual was piloted in a number of intervention areas – for instance through the activities described in point 4, 5 and 6 below.
4. An MoU between the Department of Mediation and Local Justice (DMLJ) of the Ministry of Justice and WPM was signed in March 2022, forming a “Strategic Partnership to Strengthen Mediation Mechanism and Practices in the National and Sub-national Levels.” Since the signing, WPM staff have provided three capacity building trainings to eight officials in the DMLJ, focused on mediation fundamentals (practice and process). The MoU has also set in motion the joint development of a provision on accreditation for mediators, and the drafting of a mediation code of ethics/conduct.
5. A multi-year pilot project funded by BMZ through Johanniter International and implemented by WPM was launched in 2020 and is set to conclude in December 2024. The project, entitled ‘*Creating a protective community for women, girls, men and boys through preventing*

¹⁴ <https://www.mowa.gov.kh/detail/8297>. At the time of writing, the Limited Guidelines have not yet been disseminated or implemented nationwide, in part due to ongoing revisions, as well as efforts by the relevant ministries to adopt it and issue joint interministerial *Prakas*.



and responding to gender-based violence in a pragmatic and gender sensitive manner,’ aims to enhance existing local mediation services provided by local authorities, ensuring they are more gender-responsive. The project is taking place in 35 communes within 8 districts of 3 provinces in Cambodia. To date, multiple series of a Gender Responsive Mediation (GRM) Training have been carried out, focusing on understanding gender, GBV, discrimination, power, and a survivor-centred approach, as well as when and how mediation can be legally and appropriately conducted in a gender responsive and rights-based manner. These training series – including training of trainers (ToT) and refresher trainings – have targeted staff of the Office of Legal and Local Dispute Mediation (JSC/OLLM), WCCC members, CDRCs and CCWC service providers across the 8 districts.

6. In November 2023, a National Authority for Alternative Dispute Resolution (NADR) was established to resolve out-of-court disputes with a focus on “civil disputes, trade dispute, and other disputes as set forth by laws”.¹⁵ This mechanism was established to “serve as a complementary mechanism [but] not a replacement” for existing ADR mechanisms. Dispute resolution by the NADR will reportedly involve a settlement officer directly aiding local residents. These officers will undergo “thorough training in legal and dispute resolution skills before handling cases.”

“Mediation should be considered for domestic violence situations, ... [But] a downside is that when we can’t solve domestic violence effectively, the couple will go back to using violence again afterwards” (OLLM 8 T).

¹⁵ Orm, B. “All eyes on alternative dispute mechanism”, *The Phnom Penh Post*, 29 January 2024, online: <<https://www.phnompenhpost.com/national/all-eyes-on-alternative-dispute-mechanism>>. See also, Royal Decree on Establishment, Organization and Process of the National Authority for Alternative Dispute Resolution, dated November 2, 2023.



1.2 Rationale

Despite the increase in policy development and the inception of new programmes aiming to overhaul mediation practice in Cambodia, there have also been continuing accounts by women in the past several years of serious violent crimes being perpetrated against them and then responded to with LDR.¹⁶ For instance, findings from WPM's 2024 study on the rights of Minority women (undertaken in geographic areas not involved in the GRM training pilot programme) showed that LDR is still being performed at the local level in cases of serious physical violence and spousal rape.¹⁷

It has now been over four years since the field data collection for the *Preserving Harmony* study in 2019, and two years since both the adoption of the *Limited Guidelines* by the TWG-GBV in 2021, and the commencement of GRM training (in 2021 at the district level and mid-2022 at the communal level) aiming to reform/limit LDR practice through the piloting of the *Limited Guidelines* and the accompanying Training Manual. This research study was carried out in quarter 3 of 2023, interviewing service users and service providers about their experiences from 2022 onwards. Further, while there are some signs that meaningful reform to the legal framework could be on the horizon in the amendment of the DV law, an actual redrafting of the legislation could yet be years away, while women are still being offered or pushed into LDR practices that do not uphold their rights or respond to their needs.

Therefore, WPM sees the present moment as an opportunity to revisit the issue of LDR, gathering data and insights into how – if at all – progress has been made to reform and limit LDR practice since the previous study. It seeks to further unpack the complexities of LDR practices and their implications for women experiencing intimate partner disputes.

1.3 Research Objectives

WPM's Gender-Responsive Mediation (GRM) program aims to make local LDR practice provided by Cambodian local and district authorities more attuned to the rights and needs of women service users. This study will in part reflect on the quality of LDR practice, including the diversion of cases unsuitable for mediation, in areas where the program has been implemented. It explores the outcomes, learnings, progress, and persisting challenges post-intervention.

It seeks to document existing or emerging gaps, issues, and good practices arising as a result of the implementation of the project, making recommendations for improvements and/or in relation to the scalability of this and other future initiatives targeting LDR-reform. The research asks whether there are initial indications as to whether (or not) the operationalisation of the *Limited Guidelines* *actually* holds the potential to transform and to limit ADR practice at the local level, to the extent that it serves women and their needs.

It is important to note that this is not an evaluation study of any particular project per se, including WPM's ongoing GRM work. It is a research study that seeks to holistically revisit and re-explore the practice of LDR in Cambodia, and in doing so will examine whether initial attempts by stakeholders to reform and limit how LDR is practised in cases of DV/IPV show early signs of promise, and what further challenges have arisen.

¹⁶ See: LICADHO (2023) "Why Haven't the Authorities Protected Me?" online: <<https://www.licadho-cambodia.org/articles/20231130/193/index.html>>.

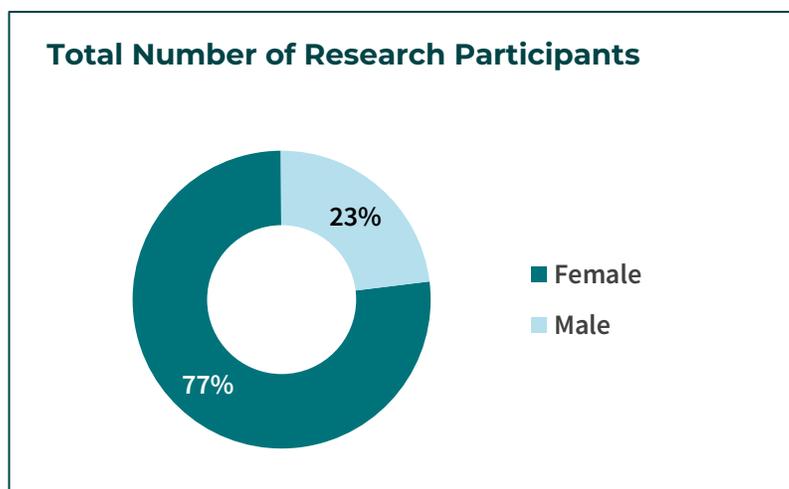
¹⁷ WPM (2024) "*Voice and Visibility: A Participatory Exploration of Minority Women's Human Rights in Cambodia*," online: <<https://wpmcambodia.org/project/voice-and-visibility-a-participatory-exploration-of-minority-womens-human-rights-in-cambodia/>>.



II. Methodology

By examining the experiences of both service providers (SPs) and service users (SUs), the study aims to provide a comprehensive understanding of the efficacy, limitations, and potential pathways for improving local LDR practice at multiple levels. The insights provided in this report are based on empirical research conducted via in-depth semi-structured surveys, key informant interviews (KIIs), and focus group discussions (FGDs) with a range of 107 stakeholders in total. Each of these stakeholder participants have lived experience of using, performing, overseeing or otherwise interacting with ADR practice at the local level in IPV cases.

Semi-structured surveys were conducted with a purposive sample of SUs who had experienced intimate partner disputes and sought resolution through local LDR services. These interviews aimed to capture personal narratives and the subjective experiences of accessing LDR. Interviews in the form of FGDs or KIIs were held with SPs, including Commune Dispute Resolution Committee (CDRC) members, and representatives from district-level Women’s and Children’s Consultative Committees (WCCC) and Offices of Legislation and Local Mediation (OLLM), to understand the operational challenges and perceptions of LDR practices from a service delivery standpoint. Key stakeholders including lawyers, ministry officials and civil society experts were also interviewed to provide additional insights and to contextualise the empirical data. Finally, the study also reviewed existing literature, policy documents, and program reports to situate the findings within the broader legal and social framework governing LDR in Cambodia.



SU and SP Respondents

3 Provinces, 9 Districts	SUs: Women	SPs: OLLM reps	SPs: WCCC members	SPs: CDRC members
Kampong Chhnang Province				
Boribo or Rolea P'er District	6	1	1	3
Kampong Tralach District	6	1	1	4
Comparison District: Chol Kiri District	4	1	1	4
Tbong Khmum province				
Dambae District	6	1	1	4
Kroch Chhmar District	6	1	1	4
Comparison District: Tbong Khmum District	4	1	1	4
Kampot Province				
Chumkiri OR Chhouk District	6	1	1	3
Kampong Trach District	5	1	1	4
Comparison District: Dong Tong District	6	1	1	4
TOTAL	49	9	9	34

Other Stakeholder Respondents

Type	Number
Lawyer	2
CSO	4
Ministry of Women's Affairs (MoWA)	1
TOTAL	7



Intervention and Comparison Districts

The fieldwork was conducted across nine districts in three provinces. In each of the three provinces, two districts therein have been involved with the gender-responsive mediation (GRM) programming, and one has not. Including both ‘comparison’ and ‘intervention’ groups in the study allows for some degree of analysis as to how effectively the project has led to improvements and limitations in the provision of LDR in its intervention areas (including both conducting LDR cases professionally and sensitively, and initiating referrals in IPV cases). However, it should be noted that the study remains a qualitative one from a methodological and epistemological standpoint: It did not employ an experimental or randomised design. Rather, the terms ‘comparison’ and ‘intervention’ are used here to describe groups in a comparative analysis.

Data Analysis

Qualitative data from interviews and FGDs was transcribed verbatim and analysed using thematic analysis to identify recurring themes, patterns, and insights related to the research objectives. Quantitative data from surveys was analysed using Excel to discern trends and correlations that could support or contrast the qualitative findings.

Ethical considerations

Ethical issues were identified and mitigated through all stages of the research process. Surveys, FGDs and KIIs were conducted in a safe, private location arranged in collaboration with WCCC, CCWC and OLLM representatives in the research areas. Respondents were issued with Participant Information Statements and Consent Forms detailing the voluntary nature of their involvement in the research and their ability to withdraw from the study at any time without any consequences.

Each member of the research team conducting interviews with survivors of violence first received training on ethical, survivor-centred research principles for application in conducting field research on violence against women. Further, all respondents who participated in the study have been anonymised, in

order to mitigate any possible risks and to maintain their confidentiality. Participant SUs were also given the contact information of support services.

Limitations

The study acknowledges several limitations, including the inherent challenges of accurately representing the complex realities of LDR practices through a finite number of case studies and interviews. Additionally, the scope of the study was limited to specific regions within Cambodia, which may not fully capture the diversity of LDR practices across the country. It is not intended to, and neither is it able, to offer a thorough and detailed account of LDR practice in cases of DV/IPV in all Cambodian contexts.

*“Settling their
issues locally is
crucial for them.
Our primary
aim is to prevent
them from
wasting time and
money on far-off
solutions”*

III. Discussion and Findings

3.1 Local LDR Practice: Experiences at the Service Provider Level

This section marks the beginning of the thematic findings in this report. It examines the accounts of 52 service providers (SPs) engaged in local dispute resolution (LDR) practices between intimate partners. Among these, 9 were affiliated with district-level Offices of Legislation and Local Mediation (OLLM), 9 with district-level Women’s and Children’s Consultative Committees (WCCC), and 34 with Commune Dispute Resolution Committees (CDRC). Each SP participant is labelled with a number and a letter, with ‘T’ indicating they are part of the intervention group and have received gender-responsive (GRM) training, or the letter ‘C’ indicating they are part of the comparison group and have not participated in the GRM training.

The discussion begins with service providers’ perspectives and opinions on the permissibility and appropriateness of performing LDR to manage intimate partner disputes, particularly in cases involving any form of physical violence. It then examines how SPs handle requests for LDR and the process (if any) they use to screen for DV.

Subsequently, the discussion turns to whether, and how, service providers choose to refer cases of violent intimate partner disputes to additional services, as an alternative to or in conjunction with conducting LDR. In the penultimate subsection, local SPs discuss their

familiarity with specific LDR terminology, and describe their awareness of, and compliance with the *Limited Guidelines*. The concluding subsection evaluates recommendations provided by SPs aimed at improving or reforming LDR processes within the context of intimate partner relations.

3.1.1. Service Provider Reflections on LDR Permissibility & Appropriateness

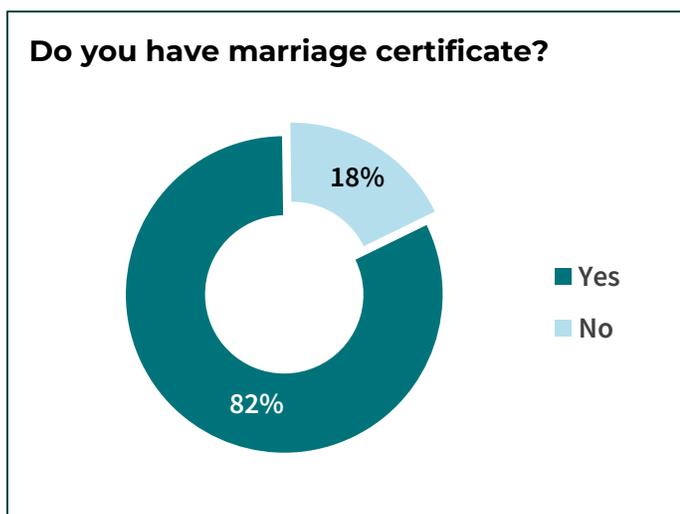
This analysis delves into SPs’ own reflections on local LDR provision, examining how they view thresholds for its permissibility and appropriateness, especially in the nuanced context of IPV. Many – particularly from the comparison group who had not participated in GRM training – reported approaching these questions on a case-by-base basis, based on their own experiences and the expressed wishes of the individual service user approaching them to conduct the service.

A distinction emerged between three key strategies of LDR work at the local level: Firstly, there are the efforts by SPs to encourage or compel responsible behaviour by one or both parties, especially in non-violent disputes. For example, encouraging a husband to take on additional chores inside the home or encouraging a wife to limit the time she spends gambling with friends.



Secondly, SPs reported expending efforts towards discouraging or preventing abusive behaviour, almost exclusively by husbands towards wives, including in cases involving some form of (emotional, psychological, physical or sexual) violence.

Thirdly, SPs reported employing strategies in facilitating the separation of a couple, especially those without formal marriage certificates (in this study, 82% of participants had a customary marriage rather than a legal one).



LDR in non-violent disputes between intimate partners

Importantly, a key finding that emerged from the empirical data is the fact that in **non-violent** disputes between intimate partners, local LDR providers perform a range of deeply important and culturally relevant services to members of their own communities that would otherwise be unavailable and/or inaccessible. While the quality, professionalism, gender-responsiveness and efficacy of these services may vary widely, the fact remains that they are widely seen by SUs and SPs alike as a vital measure of local service provision at the grassroots level (as will be revisited and explored through SU responses later in this study).

The types of local LDR services performed by SPs in non-violent cases in this study include but are not limited to the following:

- Marital counselling, especially concerning jealousy and real or suspected infidelity.
- Counselling for couples affected by alcohol abuse.
- Counselling for couples affected by drug addiction.
- Counselling and financial advice/planning for couples struggling with the impacts of microfinance, sickness or other shocks affecting household incomes.
- Counselling for couples dealing with long-distance relationships due to economic migration.

Research into the efficacy and outcomes of LDR in **non-violent** disputes between couples remains scant. It is important to acknowledge that in efforts to reform LDR practice to prevent its use in IPV cases, the potential benefits and opportunities of LDR in **non-violent** disputes should not be entirely discounted.

Consider the following intimate partner dispute:

“There was a case where the husband told us that he works hard, and so he’d asked his wife for ten thousand riels to buy wine to drink together at home. But when his wife became mad at him for this suggestion, he went to drink outside at a karaoke bar instead, causing further tension in the relationship” (CDRC 5 T).

After careful screening to confirm that no physical abuse was being concealed, it would not be necessary for a local LDR provider to refer this case to the court system or law enforcement. Conversely, gender-responsive mediation in such a case could serve as an **early intervention mechanism**, assisting the couple to address and resolve their disputes in a respectful manner, potentially avoiding future escalations and violence.

The importance of this function of local LDR is amplified by the absence of alternative resources in many communities, including professional couples therapy, or anger management hotlines. Given the notable scarcity of psychosocial and mental health services in Cambodia, particularly in rural areas, LDR may function as a critical, albeit imperfect, alternative to these specialised services that may be more readily

available in other contexts. The consideration of LDR as a viable proxy for such services warrants thoughtful reflection.

Highlighting the potential of LDR (if administered effectively and sensitively) to play a role in the empowerment of women at the grassroots level, a WCCC member described the following case:

“A recent case [that was successfully mediated] involved a family dispute where the husband prevented his wife from working at the factory due to his jealousy” (WCCC 4 T).

This scenario presents a poignant example of how LDR, if enhanced to be consistently gender-responsive, could play a pivotal role in advancing women's rights and well-being. By addressing non-violent disputes

through LDR, there is an opportunity not only to resolve immediate issues but also to challenge and change underlying gender dynamics that limit women's autonomy and access to economic opportunities.

Hence, while recognising the current limitations and imperfections of LDR, its potential to offer an accessible, community-based solution to disputes—especially in settings lacking alternative support services—should be considered. The counselling aspect of LDR is viewed by SPs as critical, as the following account highlights:

“It is important to educate the husband about the seriousness of certain mental health issues for women, as they can be more severe than physical conditions and even life-threatening” (OLLM 6 C).

Clarifying Roles in Cambodia's LDR Ecosystem

As explored in the previous report, *‘Preserving Harmony,’* there are a range of actors performing LDR services in Cambodia, each with different mandates under Cambodian law. Participant SP responses showcased a range of experiences in relation to how often they were personally involved in conducting LDR, and in what capacity. There appears to be some ambiguity surrounding the exact responsibilities and legal mandates of these stakeholders, and the extent to which these may evolve in light of the new national ADR mechanism (NADR).

WCCC members, for example, appeared to have varying levels of involvement in LDR processes. Some members described actively engaging in providing LDR services, while some serve more consultative roles, offering gender-related insights to support other SPs upon request.

One concerning trend, detailed previously in WPM's *Preserving Harmony* report, is the frequency with which police officers are identified by respondents as local LDR providers. This indicates a blurring of lines between law enforcement and dispute resolution services, raising questions about the appropriateness and legitimacy of police involvement in matters traditionally resolved through community mediation.

As Cambodia moves forward with implementing a new national ADR mechanism, it will be crucial to delineate the roles and responsibilities of these various actors (and any new ones) more clearly. Ensuring that each stakeholder understands their position within the broader LDR framework will be key to providing effective, coordinated, and culturally sensitive dispute resolution services. Addressing the current confusion and establishing clear guidelines and training for all parties involved will be essential steps in enhancing the efficacy and accessibility of LDR services across the country.



Cambodia's formal court system: A preferable avenue in reality?

Service providers expressed the belief that determining whether or not to perform LDR for a disputing couple where DV is suspected must be weighed against the pitfalls of the alternative justice pathway for survivors, namely the formal court system. The accounts in this section are not included to suggest that LDR is lawful or appropriate in DV cases, but to provide important insights into the context for SPs in determining their chosen course of action.

Many responses reflected a weighing up between immediate, community-based resolutions and the formal judicial system's longer, more resource-intensive processes. This balance is influenced by logistical considerations, such as time and cost savings, and a general mistrust in the formal court system. Indeed, the data indicates that the formal court system in Cambodia is perceived by community members and SPs alike as distant, costly, and time-consuming, often representing a last resort for many seeking resolutions to family disputes – even involving violent criminal offences or civil matters like formal divorces.

For instance, one OLLM representative highlighted the importance of mediation by emphasising the logistical benefits,

"Settling their issues locally is crucial for them. Our primary aim is to prevent them from wasting time and money on far-off solutions, so mediation by us is beneficial" (OLLM 1 T).

SPs' critiques of the court system as lacking in gender sensitivity included an absence of childcare provisions. This was highlighted by one WCCC member,

"Using LDR for non-physical disputes offers several benefits over going to the court, including saving time and money, having more time to care for children, convenient location, making the process quicker, and availability of relief and follow-up procedures after settlement" (WCCC 9 C).

Childcare presents a critical barrier that significantly impacts women's ability to engage with the formal justice system, particularly for those who would need to attend court hearings at considerable distances from their homes.

Some SPs also perceive LDR as more responsive to the distinct needs and challenges of women complainants, who are often more vulnerable to financial instability and stress:

"I believe [local LDR] is important because some disputes stem from financial difficulties within the family, leading to arguments. When a woman has children and is also dealing with debt, the situation becomes particularly challenging. So... we always ask how we can help them to live without further problems, and try to mediate for them" (OLLM 2 T).

These perspectives underscore a commitment to assisting women in precarious situations who seek help from local authorities. They also suggest a concern that directing them towards the court system could exacerbate their difficulties due to the associated costs and time.

Indeed, economic factors significantly influence the inclination towards LDR in Cambodia. For many, especially in rural or economically disadvantaged areas, the costs associated with legal action—ranging from legal fees to transportation, accommodation and the indirect costs of time away from work—are prohibitively high. This economic reality shapes the landscape of dispute resolution, steering individuals towards local mediation as a viable alternative. One CDRC service provider highlights this point, stating,

"The court system poses a disadvantage to women filing complaints of violence, because they have to spend a lot. And the process consumes so much time" (CDRC 4 T).

In addition to financial barriers, SPs explained that local women often harbour a deep-seated apprehension towards the formal court system. This apprehension, driven by the court's perceived inefficiency and lack of



survivor-centeredness, appears to reinforce the preference for LDR:

“Our people fear the word “court” because they think that it is not very helpful” (OLLM 8 T).

This sentiment highlights a widespread view that formal legal recourse in Cambodia remains inefficient and inaccessible. Such mistrust is not unfounded; it stems from historical and systemic issues within the legal system, including corruption, inefficiency, and a lack of resources dedicated to ensuring justice for survivors of violence.¹⁸

Most importantly, such concerns underscore a significant barrier to accessing justice for survivors of DV, indicating systemic issues within the formal legal framework that need addressing.

“LDR saves time and money. Most people hesitate to go to the court due to the time and expense involved, especially when compared to LDR. Consequently, they are often quite apprehensive” (CDRC 5 T).

“LDR saves time and money. Most people hesitate to go to the court due to the time and expense involved, especially when compared to LDR. Consequently, they are often quite apprehensive”

¹⁸ ICJ (2017) “Achieving Justice for Gross Human Rights Violations in Cambodia - A Baseline Study” <<https://www.icj.org/wp-content/uploads/2017/10/Cambodia-GRA-Baseline-Study-Publications-Reports-Thematic-reports-2017-ENG.pdf>>.



Thresholds for LDR implementation

The above discussion, which explored factors that deter women from accessing the formal court system to seek justice and remedy, directly informs considerations of the circumstances or ‘thresholds’ under which SPs move ahead with providing LDR. The following quote sheds light on this issue while highlighting the urgent need for survivor-centred reforms within Cambodia’s court system:

“We always facilitate them to reconcile with each other, and to go back to living together again. Because we don’t want them to file complaints to the court due to the time and costs involved” (CDRC 7 T).

This quote shows that the tendency of SPs to perform *reconciliation*, while culturally informed, is directly influenced by their desire to shield women from the stress and financial burden of interacting with the court system. It also underscores the perception held by many LDR SPs that their role is to ‘fix’ or to ‘resolve’ couples’ disputes, rather than serving as an independent and impartial mediator that remains uninvested in any particular outcome.

The following excerpt further illustrates how negative experiences with the court system contribute to the troubling practice of undertaking LDR even in cases where physical violence has been reported:

“Mediation’ is very important so that they don’t have to settle at the provincial court – because sometimes disputing parties don’t have enough resources. Even if there is physical abuse, it is still important to undertake ‘mediation’ for these reasons, namely: transportation, time, and money” (OLLM 9 C).

This concerning quote highlights that the inclination towards LDR in DV scenarios is, in part, driven by the absence of a functional, credible, and accessible judicial system. While comprehensive reform of the judicial system is critically needed, such changes are likely to take many years to be fully realised.

In the interim, and as part of broader efforts to improve the legal system, it is essential to both standardise LDR

practices and to prohibit – or at the very least to strictly limit – its application in DV cases. This should include the widespread implementation of a clear referral process enabling DV survivors to access critical services, such as healthcare, psychosocial support, safe shelters, and assistance in navigating the court system – despite its shortcomings – in cases involving criminal conduct.

Initial efforts to reform, standardise and limit LDR practice at the local levels do exhibit some early signs of promise. Many service providers who underwent gender-responsive mediation (GRM) training demonstrated a deeper understanding of the inappropriateness of LDR in violent situations. However, post-training, some intervention group participants continued to express uncertainty about when LDR is lawful and appropriate in resolving disputes between intimate partners. This highlights the need to further enhance training strategies, and to refine and expand the implementation of standardised referral processes. Ensuring these processes are well understood and effectively utilised by grassroots service providers remains a pressing need.

Promisingly, some service providers oppose the mediation of DV cases, citing not only the unlawfulness but also the ineffectiveness of LDR in curbing violence,

“I don’t agree with calling both parties to mediate at the commune hall in cases of domestic violence. In such situations, the police should take legal action against the perpetrator to ensure that he does not use violence against his wife again” (WCCC 8 T).

This stance shows a clear threshold above which the SP does not view LDR as being appropriate or desirable.

Showing the wide array of perspectives, one OLLM respondent expressed support for performing LDR in DV cases but acknowledged a significant limitation: the strong likelihood that the LDR will fail to achieve lasting solutions.

This perspective underscores the inherent challenge of employing LDR without ensuring a sustainable end to the abuse or referring survivors to services that uphold their rights and ensure their ongoing safety.



Conclusion

The reflections of service providers on the thresholds for LDR's permissibility and appropriateness highlight the complexities of navigating intimate partner disputes within a socio-legal context that heavily favours customary approaches to remedy and justice. Taken together, the perspectives of individual SPs underscore a critical balancing act—between leveraging LDR as a tool for immediate, community-centric solutions, and the ethical and practical challenges this poses, especially in disputes between couples where violence is suspected or alleged. Such challenges include the potential for such processes to undermine survivor safety and perpetuate cycles of violence.

The following sections will explore how service providers navigate LDR processes in practice, whether approached for LDR in relation to non-violent or violent disputes. This discussion aims to unpack some of the operational realities of LDR, examining its efficacy, the ethical considerations at play, and whether initiatives by government and civil society show early signs of promise in reforming and limiting LDR practice to promote a rights-based approach to customary justice practice.

3.1.2 Local LDR Request and Screening Processes

In the GRM trainings, participant SPs taking part were introduced to the *Guidelines on the Limited Use of Mediation as a Response to Violence Against Women*. Commonly referred to as the *Limited Guidelines*, they contain detailed procedural instructions, including methods for screening DV cases, identifying instances where mediation would be unlawful or inappropriate, and referring such cases to relevant services and law enforcement. The training also included education on GBV and gender-responsive mediation principles. SPs also participated in multiple scenario-based group exercises on how and whether they would refer on specific LDR cases. The GRM training manual contains an Initial Screening Form, designed to be used in conjunction with both the *Limited Guidelines* and the *2016 Referral Guidelines for Women and Girl Survivors of Gender-Based Violence* (hereafter the *2016 Referral*

Guidelines). These tools aim to equip SPs with the necessary knowledge and resources to conduct LDR in a manner that prioritises survivor safety and legal compliance.

The *Initial Screening Form* is a preliminary assessment tool designed to determine whether mediation is appropriate for individuals involved in a dispute. Before any questions are asked, the form mandates the creation of a safe and confidential environment for the participant, ensuring there are no conflicts of interest and that the process prioritises the participant's well-being.

The first section gathers basic information and background on the dispute, including its nature of the outcomes sought by the participant. The subsequent section evaluates the safety and agency of the persons involved, inquiring about any history of harm or threats, fears for personal or child safety, and whether their participation in mediation is genuinely voluntary.

The results of this screening guide the next steps: if safety concerns are flagged, additional precautions are to be implemented:

“Instead of sending the party home, an administrative decision must be issued, safety plan should be initiated, and other effective measures can be taken. The interviewer has an obligation to provide information and referral assistance to the party on further proceedings to ensure that the party is safe and supported in accordance with the [2016] Referral Guidelines.”

The *Initial Screening Form* is designed to ensure that mediation is conducted appropriately, lawfully, and with the best interests of the parties involved. It evaluates whether their objectives can be achieved through mediation and confirms that participation is voluntary, equitable, and free from coercion.

While the GRM training familiarised participants with the *Initial Screening Form*, and introduced a range of principles and best practices for conducting gender-responsive mediation effectively, the interview data



responsive mediation effectively, the interview data indicates that some gaps remain in understanding and application.

This sets the stage for subsequent sections, where the SP data exhibits persistent tensions and confusion about the roles, methodologies and limitations of LDR, including in DV scenarios. The inconsistencies in participants' views – sometimes contradictory within the same interview – highlight the complex and often misunderstood landscape of LDR in Cambodia.

A: LDR request and invitation process

Service providers' accounts reveal a general pattern in how cases are initiated, highlighting a progression that often begins at the village or commune level. Village chiefs, frequently regarded as the "second parents" of couples in their communities, typically serve as the first point of contact for disputes. If issues remain unresolved, they are usually escalated to commune- and then to district-level authorities. This tiered approach reflects the communal nature of dispute resolution in Cambodia, where local mediation is prioritised as the initial pathway for addressing conflicts.

The following in-depth accounts from SPs illustrate how requests for LDR services are received in practice, and demonstrate conflicting views about whether violent disputes can be resolved through LDR:

CDRC:

“The way we receive LDR requests in our community is that one party will file a complaint. We then question them and invite them to the commune hall for mediation. When they arrive, we ask them more about the dispute in their family, and explore how they'd like the commune to help them. The process begins by understanding the issues that led to the dispute, so we ask them what factors were involved. It might be triggered by alcohol, drug addiction or jealousy. We also ask if there is debt in the household that might be leading to tensions in the couple.

Sometimes, the village chief has already attempted to resolve the issue with a contract, but if the problem

persists or it is too serious, it is escalated to the commune hall. If a complaint involves domestic violence or a request for divorce, and the village chief's mediation requests are unsuccessful, we then receive the complaint and invite both parties to join [an LDR session]. Parties may also approach us directly for mediation either in person or verbally.

When the parties file a complaint related to domestic violence, we set a time to invite both the commune chief and the village chief, alongside the ADR committee, to resolve the issue at the commune hall. The village chief must be involved because he is like their second parents. Sometimes, when it's the commune chief who receives the complaint and it's an urgent one, he will contact me to come to the commune hall immediately [even on] a weekend” (CDRC 5 T).

OLLM:

“Initially, if a case at the commune level remains unresolved, it's directly forwarded to us at the OLLM. Alternatively, individuals may approach us on their own, having learned from announcements at public meetings that our services are locally available. In my office, we have dedicated staff responsible for processing requests, including contract drafting and signing. We assess each case to decide whether it's within our capacity to resolve or if it should be sent elsewhere. If there is a case that we cannot solve, we recommend they go to another place that can solve it, but we ensure that they don't leave without guidance. Our team works with them so they can understand the process.

For example, there was a recent family dispute case that didn't involve violence per se, but involved threats that made the wife fear returning home. We brought her to the legal office to provide her with support and take her to the police for her safety so that she isn't scared.

We have administrative papers with numbered labels for us to know what happened this month: how many we resolved, and how many we cannot resolve and should refer further. When we receive a family dispute case, we don't delay because these are the cases where we need to apply the most care, given that many of the women involved are not safe. For other cases, it takes



up to a week, but we make invitation requests for family dispute cases in just two to three days. When they arrive, we resolve the case based on the steps that we learnt [through the GRM training]" (OLLM 4 T).

WCCC:

"Before anyone files a complaint, we typically have a discussion because they're aware of my work with women and children. We decide together if pursuing legal action is the right course of action. I inquire about any physical violence involved; if there is, I advise them to report directly to the police rather than file a complaint with me. If the issue involves no violence but the couple isn't living in harmony and there are issues of mental abuse for example related to the husband having a mistress, then they can file a complaint with us" (WCCC 7 T).

B: LDR screening process

Once SPs receive requests for LDR, a critical step involves identifying whether these requests involve DV. This process is pivotal in ensuring the safety of all parties involved and determining the most appropriate pathway forward. However, when questioned, only some of the GRM-trained participants, and none of the comparison group participants described using the Initial Screening Form or any other type of standardised method of screening each case received for violence.

"We always assess the circumstances of each case before we mediate it. If the case turns out to involve violence, we won't mediate it. We question the disputing parties to gather more information and to determine the severity of the situation – some women might try to hide sexual abuse from us, so we need to enquire further" (WCCC 4 T).

Many SPs reported employing various other methods to screen for DV, often relying on direct disclosures, personal observations of bruising or other injuries, and in some cases, secondary reports from community members such as neighbours or family members, or other authorities. As such, the screening process

reportedly often still largely depends on individual circumstances and local practices.

For instance, an OLLM respondent advised,

"If there are visual bruises, then I'll ask to do pre-screening" (OLLM 5 T).

This statement highlights a critical gap even among GRM-trained SPs, in terms of the application of standardised, professional, trauma-informed and gender-responsive screening methods. It emphasises the need for further training to ensure SPs understand that IPV detection should not solely rely on immediate, visible signs like physical injuries.

CDRC members also reported learning about the presence of DV through direct disclosures from women making an initial request for LDR. However, this approach also lacks standardisation and relies heavily on a survivor's willingness to disclose such information. Despite this significant drawback, the data shows that SPs believe the nuances of each individual case demand a tailored response. Consequently, the screening process for DV often remains blurred, ad hoc, and open to inconsistency.

An exception to this ad hoc approach appears to exist among WCCC service providers, who usually described more systematic methods:

"Usually, we learn about any physical violence from questioning them when they come to file a complaint. When we sit down and ask them, they say that they've been abused by their partner" (WCCC 6 C).

C: Addressing non-physical abuse through LDR

"We rarely get complaints of domestic disputes involving physical violence. Most cases are related to filing a complaint because the couple has a verbal conflict with each other" (CDRC 5 T).

Emotional and economic abuses are pervasive issues that frequently form the basis of requests for



mediation. Although less visible than physical violence, these forms of abuse inflict profound harm on survivors, impacting their emotional well-being and financial security. Drawing on the experiences of SPs, this section highlights the perception that addressing such cases within the LDR framework is critical. However, it also emphasises the pressing need for specialised training to ensure that LDR in these cases, while arguably permissible, is conducted in a manner that is both rights-based and gender-responsive.

Emotional/psychological abuse

Service providers frequently receive LDR requests involving cases of emotional or psychological abuse. This type of abuse, which can range from insults to manipulation and control, often leaves survivors with profound psychological harm. However, it is even less likely that survivors can access justice through the formal court system for this type of violence. One SP noted that,

“We receive a lot of complaints related to emotional abuse, such as cases where the husband is drinking too much, not helping to earn money, and being jealous” (CDRC 4 T).

While the types of behaviours mentioned here are problematic, they appear to constitute conduct more readily responded to using community-based, restorative justice methods such as LDR than through law enforcement or the court system.

Another CDRC member highlighted the economic underpinnings of many emotional abuse cases, stating,

“Cases of psychological abuse are becoming more common. When the economy is down, and the husband can’t earn money for the wife [to pay for essentials], or to repay bank loans, disputes will occur” (CDRC 5 T).

The interconnection between economic stress and emotional abuse underscores the necessity of equipping LDR practitioners with training to identify and manage psychological abuse, including addressing its risk factors.

Economic violence

Economic or financial abuse is another common issue driving local LDR requests. As noted above, this abuse often coexists with emotional abuse, further complicating the survivor's situation. A CDRC member elaborated,

“Cases of financial abuse usually also involve psychological abuse against women. For instance, a husband earns money but won’t give it to the wife to support the family, [causing psychological stress]” (CDRC 1 T).

Such cases reveal how power imbalances and gender norms can manifest in economic terms, directly impacting a survivor's autonomy and well-being. Similarly, some SPs highlighted instances where women are actively discouraged or outright barred by their partners from earning an income, marking a clear pattern of financial abuse.

Approach to non-physical abuse cases

Service providers from both the intervention and comparison groups emphasised the importance of mediation in non-physical abuse cases, with a focus on facilitating agreements that respect women's needs and rights. For instance, a GRM-trained CDRC representative described his approach to emotional abuse cases:

“After receiving a complaint, the commune hall invites the couple for mediation and requests the husband to stop insulting and cursing his wife” (CDRC 1 T).

This example illustrates the potential of LDR to address non-physical forms of abuse by fostering communication and seeking commitments to reformed behaviour.

However, the effectiveness of LDR in these contexts hinges upon the service providers' ability to recognise the signs of emotional and economic abuse and their capacity to navigate these sensitive issues. Comprehensive training is essential to deepen their understanding of these forms of violence and their root causes. Such training should include strategies for



effective mediation that avoid re-victimisation or the reinforcement of harmful gender norms, to ensure that the impacts of these types of abuse on women are addressed appropriately and ethically.

3.1.3 Local LDR Referral Processes

“When I receive a case involving severe domestic violence with physical injuries, I advise the woman to find a safe place and go to the hospital to treat her injuries first. Then, I recommend her to someone who can help protect her from further severe domestic issues” (WCCC 8 T).

Referrals: When, and to whom?

Once DV is established or suspected, SPs interviewed described how they then decide whether to proceed with LDR or refer the case to police and/or additional services. This decision often hinges on the presence of physical violence that is either disclosed by the complainant or is evident in the form of visible bruising or cuts:

“If there is physical abuse and injuries, then we refer it to the police” (WCCC 1 T).

This indicates the existence of a threshold beyond which most SPs interviewed in this study – especially those who participated in GRM training – deem mediation to be unviable.

However, there is more complexity and nuance where cases do not immediately present as ‘severe enough’ violence, or where a survivor expressly wishes to undergo local LDR rather than involve other actors.

“The wife comes here to us so that we will educate her husband, not so we’ll report it to the police to arrest him. She’s afraid that the police would hurt her husband” (CDRC 2 T).

This quote reveals the delicate balance that providers feel they must maintain between addressing the violence and respecting a survivor’s wishes, often resulting in attempts to mediate prior to or as well as escalating to law enforcement.

As with the process for screening cases for violence, the interview data reveals that the method of referring LDR cases to further services or law enforcement lacks standardisation. Few participants described using forms such as those included as annexes within the 2016 *Referral Guidelines*. Rather, the decision to proceed with LDR rather than refer a case usually continues to rest with the individual service provider, with the following quote showcasing the reliance on individual judgement over formal guidelines:

“[We] don’t have [guidance about referrals], but we follow our experience in deciding which case we can settle [versus] which cases need to be sent” (CDRC 6 C).

Some quotes about referrals are encouraging, especially among GRM training participants:

“Our [ability to provide LDR] has limitations. My decision as to which cases we can handle and which we need to hand over is based on the specifics of each case. We can manage cases involving verbal conflict, but for domestic violence, we need to hand these over to the police or the courts for further resolution” (WCCC 8 T).

While the failure to consult a standardised referral form indicates a need for further training and highlights areas for improvement, the quote illustrates a discernment among a GRM-trained respondent between cases suitable for mediation and those requiring police intervention.

As discussed in Section 3.1.2, numerous respondents indicated a willingness to mediate cases of emotional, psychological, or economic abuse, while setting boundaries against handling physical violence. Although mediation in these scenarios is technically permitted in most cases, it remains essential to ensure SPs adopt a rights-based approach regardless of the absence of physical abuse:

“We handle normal family issues like emotional or financial abuse. However, cases of domestic violence are referred to the police” (OLLM 8 T).



This comment, which categorises non-physical abuse as 'normal,' highlights a critical need for more comprehensive training even among intervention group respondents.

It is vital that service providers are equipped with gender-responsive and trauma-informed approaches that encompass a broad understanding of the cycle of violence and the various forms of DV. Such training should aim to prevent the normalisation or trivialisation of any form of abuse, ensuring that survivors seeking assistance are not re-victimised by responses that fail to recognise the gravity of their experiences.

Referrals to whom?

As set out in WPM's 2020 *Preserving Harmony* study, local authorities are legally mandated (per Art. 42 of the CPC) to refer all reports of felony or misdemeanour-level offences that they encounter during their duties to the nearest JPO or directly to the Royal Prosecutor. Some SP responses reflect clear attempts to apply a survivor-centred approach, actively seeking to ensure

the safety of the complainant. However, they may also indicate a lack of knowledge about referral practices set out in the CPC and the *Limited Guidelines*:

“If [a case] is linked to physical violence or psychological threats, we find a safe place for her, and we call in the perpetrator to give him advice and to ask why he used violence that caused bruises and bleeding. We [take her] to hospital and advise her to file a complaint to the police to intervene” (OLLM 1 T).

While commendable for its intent to engage the perpetrator and protect the survivor, this approach deviates from formal mediation standards and criminal procedure, given the prevalence of violence and the failure to refer cases directly to judicial actors. This discrepancy shows that despite participation in GRM training, SPs may continue to rely on personal judgement and improvised strategies that attempt to prevent future violence by reasoning with offenders.

LAW & POLICY

As set out in the *Preserving Harmony* report, serious confusion has resulted from the inclusion of the terms 'severe misdemeanour' and 'minor misdemeanour' within Art. 26 and Art. 17 of the DV Law. Under Art. 26 of this law, cases of DV can be dealt with via LDR processes, only as long as they constitute 'petty crimes' or 'minor misdemeanours.' Likewise, LDR provision for 'severe' misdemeanours or felony offences is explicitly prohibited under Art. 17 of the same law. Crucially, however, the Cambodian Criminal law sets out only three categories of offences, as follows: petty crimes, misdemeanours and felonies. Current Cambodian law defines no distinction between 'minor' or 'severe' misdemeanour. The language of Art. 26 and 17 is therefore problematic, in practice leaving LDR open as a viable option in response to all misdemeanour-level offences including a range of offences which should under no circumstances be mediated, such as death threats (CC Art. 233), intentional acts of violence (CC, Arts. 217), and unlawful confinement (CC, Art 253).



As CAMBOW put it, “To effectively protect victims of domestic violence, the DV Law’s provisions for reconciliation/mediation should be tightly defined, and it should be clear what types of specific acts can and cannot be included in this” [35]. At time of writing, efforts to reform the Domestic Violence Law are ongoing.

The authors of the *Limited Guidelines*, recognising the frustratingly slow pace towards the realisation of the ultimate goal of legislative reform, have sought to provide more immediate clarity by stipulating that only civil cases and criminal petty offences can be mediated. In terms of what this would allow in practice, the following articles of the criminal code are most relevant¹⁹:

Article	Offence	Definition
228	Less severe acts of Violence	An act, if it is committed with less severe violence against another person and which does not result in any injury.
305	Defamation	"Defamation" shall mean any allegation or charge made in bad faith which tends to injure the honor or reputation of a person or an institution.
307	Public insult	"Insult" shall mean outrageous expression, term of contempt or any invective that does not involve any imputation of fact.
418	Minor damage	Intentionally destroying, defacing or damaging property belonging to another person.

Some observers and advocates argue that even the inclusion of petty offenses in the *Limited Guidelines* continues to muddy the waters, and risks undermining the rights of survivors. They argue that a prohibition on LDR where any violence is suspected or alleged must be implemented to ensure a zero-tolerance approach to VAW. At the time of writing, such discussions between policy makers and civil society actors are ongoing and may lead to further reforms on what remains a complex and live issue.

Falling far short:

Unfortunately, some testimonies from participants relating to DV case referrals raise significant concerns and are worth highlighting. For example, one comparison group respondent advised:

“[For] cases of violence resulting in bruises or injuries, we first try our best to reconcile these. But if they still don’t agree, we send the case to the district hall to continue with the next stage of settlement” (WCCC 9 C).

This indicates an attempt to apply LDR in cases involving criminal behaviour. It also illustrates a failure to provide support services to the survivor (especially by way of seeking out an administrative decision) and a failure to perform correct case referral procedures, given that LDR at the district level would also not be permitted in such cases.

A quote from another comparison group respondent also reveals troubling victim-blaming attitudes:

¹⁹ NB: The other petty offences are: Arts. 297 (Intoxication), 298 (Soliciting in public places), 420 (damaging official poster or notice), 502 (Insult of public officials), 516 (Insult of Buddhist monks), 651 (Recirculation of counterfeit currency).

“physical violence mostly occurs because... the husband is drunk and the wife complains too much. [As mediators, we advise them] to think and speak calmly so there are no physical problems” (WCCC 6 C).

Such advice is inappropriate because it unjustly shifts responsibility for the violence onto the victim's behaviour rather than addressing the perpetrator's actions.

Finally, some testimonies from comparison group SPs in relation to spousal rape and sexual violence suggested that these types of violence are alarmingly normalised:

“We refer physical abuse to the police. But we will mediate and educate the parties in cases involving economic, emotional and sexual abuse” (CDRC 3 C).

It is crucial for service providers to recognise that sexual violence between spouses constitutes a criminal and grave matter that cannot be mediated.

Confusion prevails

A significant insight from the interviews is the pervasive confusion among respondents, primarily in the comparison group, regarding how to refer cases for further action in practice. One comparison group participant admitted that

“The process for identifying and referring cases to the next resolution procedure, versus or settling the case ourselves, is still vague to me” (OLLM 9 C).

One intervention group participant also reported confusion, explaining

“My commune is not very clear when it comes to how we should refer cases involving physical violence” (CDRC 5 T).

Thus, while GRM training shows potential in enhancing understanding around the unlawfulness and inappropriateness of mediating violence, there's a critical need for clarity on screening and referral processes. Efforts to ensure understanding of these processes, and to drastically improve local uptake should be accelerated.

Administrative Decisions in GBV/IPV cases

In terms of responses to DV, IPV, and other forms of gender-based violence, locally-issued administrative decisions and court-issued protection orders are crucial tools in safeguarding survivors. However, the findings indicate a notable gap in the understanding, provision, and utilisation of these mechanisms among SPs.

Administrative Decision

- A legal measure that aims at temporary legal protection at the local level;
- Comprises different singular orders, such as prohibiting the perpetrator from entering a house shared with the victim, prohibiting contact with the victim, prohibiting destruction or sale of the property;
- To obtain such a measure, the applicant must provide detailed, plausible and credible information justifying the conclusion that there is a danger of domestic violence;
- For measures of interlocutory legal protection, full proof is not required, but the information must be supported by a preliminary showing (prima facie evidence);
- According to the DV Law Glossary, ‘Details are still to be regulated via a sub-decree.’

While protection orders are issued by the Provincial/Municipal Court of First Instance, as requested by a victim/survivor who alleges DV or someone representing them, administrative decisions are issued at the local level. In short, Art. 14 of the DV Law, citing the law on the Management of Commune Administration, stipulates that the ‘authorities in charge’ can issue an administrative decision and take temporary measures and prohibit the perpetrator from committing DV, destroying property, entering or selling the shared home, or other measures deemed necessary.

However, a significant portion of SPs – whether from the comparison or intervention group – reported that they do not provide information about administrative decisions or protection orders to survivors of GBV/IPV. For instance, one GRM-trained respondent stated,

“We’ve never given any information about administrative decisions and protection orders to women who have experienced GBV...” (CDRC 1 T).

Furthermore, the understanding of what constitutes an administrative decision varies significantly among SPs. Some, including those in commune-level positions, reported having never issued an administrative decision and being unclear about the process:

“We’ve heard of administrative decisions, but have never seen the form. If possible, we’d like training to understand how to issue them. [Currently], we only have our own measures to help protect victims” (CDRC 2 T).

This trend, across both comparison and intervention group respondents, highlights a concerning disparity between the legal framework’s provisions and their practical application on the ground. While administrative decisions were covered during the GRM training, the findings reveal a critical need for more comprehensive training specifically in relation to these processes, to bridge this persistent knowledge gap. Such training should not only cover the legalities of these orders but also focus on the practical aspects of their issuance and enforcement, ensuring SPs are equipped to fully support survivors of GBV/IPV:

“An improvement needed is for community leaders to understand how important it is to issue administrative decisions” (WCCC 2 T)



Guiding Survivors to Shelter Accommodation Options

Service providers often find themselves tasked with offering immediate safety solutions to survivors seeking refuge from abusive situations. In most cases, SPs recommend that survivors stay with family or relatives as the first line of shelter. For instance, one service provider explained:

"When there's a case involving GBV or IPV, we advise the wife to stay at her parents' or relatives' house for her safety" (CDRC 1 T),

highlighting the heavy reliance on personal networks for immediate protection.

However, the lack of formal shelter accommodation across Cambodia poses a significant challenge. One SP noted:

"We don't have safe shelters for women. But if there's violence, we can let the women stay at the village chief's house or inform the commune chief so they can relay information to the police station" (CDRC 5T),

illustrating the makeshift nature of available solutions. This reliance on informal and improvised arrangements highlights the critical need for more structured, formalised shelter systems to provide survivors with secure and reliable support mechanisms.

Despite these challenges, many SPs express a strong desire to establish safer accommodation options for survivors. One SP remarked,

"I want to have a center or shelter for victims to stay to protect their safety" (CDRC 7 T),

reflecting the acknowledged need for secure, dedicated spaces. Yet, the establishment of such shelters is reportedly often hindered by logistical and financial constraints. As one SP explained,

"If we tried to create a safe place for women, it would be very difficult to find the money" (CDRC 8 T).

While the current current lack of formal safe shelter options presents a significant challenge, there are promising examples of SPs striving to support survivors beyond immediate safety measures: Some SPs and local organisations adopt a more holistic approach, assisting women to secure employment and achieve financial independence. For instance, WCCC and partner organisations work together to find housing for survivors and provide financial aid, recognising that safety and security go hand-in-hand with economic empowerment:

"For me, I put myself in their situation. For children and women, we look at their livelihood, and provide aid. Some organisations and the Department of Women's Affairs also assist them to acquire skills for selling goods" (WCCC 7 T).

Police as LDR Practitioners

"In one case... she told the police that she cannot live with her husband any longer, and that... he threatened to burn the house down to kill her and the children. But they told her to keep living together, and to persevere" (OLLM 7 T).

WPM's *Preserving Harmony* research previously highlighted significant concerns with the practice of police conducting LDR, and provided recommendations aimed at delineating the roles of law enforcement and LDR practitioners more clearly. It stressed the importance of police focusing on their primary duty of ensuring public safety and law enforcement, and emphasised that LDR should be handled by appropriate authorities trained in professional mediation and conflict resolution, and only performed in cases where it is both lawful and appropriate:

14. It is not advisable for police (whether JPOs or otherwise) to conduct any form of ADR... However, if police personnel are to conduct mediation, then the scope of this mandate should be clearly set out and regulated under secondary legislation, such as a sub-decree or other policy, as soon as possible. Such policies should stipulate clearly that conducting ADR is not an alternative to recording and processing complaints from



DV/IPV survivors. Police, like all ADR providers, should provide detailed legal advice to survivors informing them of their right to decline participation in ADR, and that doing so does not forfeit their rights to also pursue criminal charges or to separate and/or divorce their partner should they wish to.

15. All police personnel should understand and perform their duty to make a formal record of all criminal complaints, and the process of referral to the Royal Prosecutor as per the Criminal Procedure Code. Authorities should enforce the provisions in Art. 75 of the Criminal Procedure Code against police officers who fail to proceed with a criminal case after withdrawal of the complaint by the victim or settlement between the victim and the suspect.

Unfortunately, more than four years later, numerous respondents in this study also made reference to the widespread practice of police performing LDR:

“There is a case when the husband committed an act of violence, and we attempted to mediate. Subsequently, the police intervened, warning the husband against further violence and facilitating the signing of a new agreement. Additionally, they provided the wife with their contact information, enabling her to reach out to them if her husband persists in using violence in the future” (CDRC 2 T).

The commune's initial decision to mediate in this instance, given the clear presence of violence (and despite the participant having been trained in GRM), is concerning. Further, while the police's gesture of providing their contact number to the survivor indicates an intention to offer support, it demonstrates a significant failure to adhere to established procedures to hold the perpetrator legally accountable and in taking more concrete measures to ensure the survivor's safety.

3.1.4 SP Knowledge Terminology & Guidelines

LDR Terminology

During interviews, SPs exhibited varied levels of clarity regarding the distinctions between mediation, reconciliation, conciliation, and arbitration. A lack of understanding in terminology can significantly impact SPs' approach to providing gender-responsive, professional mediation.

The *Preserving Harmony* report set out the following recommendations in relation to terminology:

*“A survivor-centred approach to ADR... firstly requires that it takes the form of **mediation** rather than reconciliation/conciliation. [R]econciliation/conciliation, which is conducted with the aim of reconciling a couple and ensuring the preservation of the marriage and family unit, carries significant risks. These risks include but are not limited to: Overriding women's decisions, undermining their rights and autonomy, and in many cases placing their lives in danger by effectively sending them back home with a serial perpetrator of violence and abuse. We recommend, therefore, that in no cases should any form of conciliation or reconciliation be conducted as a response to cases involving any form of violence, at any time.*

Similarly, it is important that those conducting mediation should be referred to in law and practice as mediators, and never as arbitrators. As stated earlier, the noun form of ‘arbitrator’ is ‘arbitration,’ which is not a practice permitted in DV cases. The use of the term ‘arbitrator’ in this setting would imply that the person conducting a local ADR process has the power to issue judgements which can be binding on both parties. This would constitute an inappropriate, and indeed dangerous, level of power over the lives of DV survivors to bestow upon local authorities, community members or religious leaders” (p. 10).

The persistent overlap and confusion among these terms are apparent in how SPs describe their processes. For instance, one provider explains,

“Mediation is very similar to the term of conciliation... we try to find ways to talk to them so that they can reconcile and live together in harmony” (CDRC 1 T).



This statement underscores a common misunderstanding: the conflation of mediation and conciliation combined with the goal of reconciliation, even in situations where reconciliation may not be safe or desirable for the victim.

Another SP describes their role as an "arbitrator" but then equates it to facilitating reconciliation, highlighting a fundamental confusion about their neutral stance (CDRC 3 T). Despite these misunderstandings, some SPs exhibit a clear intention to support victims and navigate disputes effectively. For example, a provider shares,

"We cannot force them, we let them decide what they want for themselves" (CDRC 2 T),

indicating an effort to empower parties to reach their own resolutions.

However, the misconceptions about these terms can lead to inappropriate interventions in cases of DV. Reconciling couples without adequately addressing the power imbalances and potential for ongoing violence can place survivors at further risk. The insistence on reconciling or mediating intimate partner disputes, even when a separation would be safer for the woman, reflects a critical gap in understanding the dynamics of DV and the protective measures necessary to support survivors.

The desire to *"mediate and reconcile"* them, even in cases where one party clearly expresses a desire to leave due to fear of violence, exemplifies the danger of prioritising reconciliation over safety (CDRC 1 T). This approach not only risks revictimising survivors but also undermines the very principles of voluntary and informed consent that underpin ethical mediation practices.

Many intervention group SPs noted changes in their use of LDR-related terminology post-GRM training, indicating a positive shift towards more nuanced understandings of their roles. Encouragingly, some responses hinted at a growing awareness of the importance of neutrality and the distinct roles SPs can

play in facilitating discussions without imposing solutions. This evolution suggests that with further education and clarification of these terms, SPs can better perform their roles as mediators. Yet, even among those who have received GRM training, the application of these concepts remains inconsistent, with some continuing to aim for reconciliation in cases where it may not be appropriate. This persistent confusion over key terms like mediation, reconciliation, conciliation, and arbitration highlights the need for ongoing education.

"We cannot force them, we let them decide what they want for themselves"



Awareness and Use of Guidelines in Response to IPV Cases

The implementation and adherence to the *Limited Guidelines* reveal a mixed understanding and engagement among SPs, with gaps in both comprehension and practical application. While many SPs acknowledge the existence of these guidelines, their engagement remains superficial. This is evident in statements such as,

"We had a guideline for solving disputes out of court, but I didn't read the details much. I read it a bit in my spare time" (CDRC 1 T),

and

"We have the Limited Guidelines, but I haven't read them" (CDRC 2 T).

In some cases, SPs reported not having access to the guidelines at all, relying instead on second-hand accounts. For example, one SP stated,

"We don't have the Guidelines, but our teacher used to tell us about them" (CDRC 3 C),

indicating a reliance on informal knowledge-sharing rather than direct engagement with the guidelines themselves. In the absence of proper resources, some providers turn to alternative, albeit less reliable, sources of information. As one SP explained,

"We don't have any guidelines... our committee practices [LDR] based on what we've learned from ADR training and watching YouTube" (CDRC 3 C).

These findings highlight the creative yet potentially problematic methods SPs employ to compensate for gaps in official training and resources, raising concerns about the consistency and reliability of their approaches to IPV cases.

Although some intervention group SPs reported applying the *Limited Guidelines* in resolving family disputes,

"We used some part of the guideline when solving the family dispute" (CDRC 1 T),

their overall usage appears sporadic. This sporadic application suggests a greater reliance on personal experience and training over standardised guidelines:

"Most of us do not use books during mediation. But we use the experience we have from attending the training to solve cases for our people" (CDRC 5 T).

This underscores the prioritisation of practical training over written formal guidelines as the primary source of mediation strategies.

In conclusion, while there is nominal awareness of the *Limited Guidelines*, consistent engagement with and adherence to them remains inconsistent. This highlights a critical need for enhanced training, accessible resources, and a concerted effort to integrate these guidelines into the everyday practices of SPs to ensure a standardised and judiciously limited approach to LDR. Notably, when discussing limitations in their ability to conduct mediation, one commune-level SP disclosed that they and their colleagues had only achieved primary (grade 6) education. This underscores the critical need for guidance materials and training to be provided in simple, accessible language.

3.1.5. SP Recommendations

"Our team is still limited in terms of screening for physical violence. That's why I want to attend more training courses, to become more proficient in these skills" (CDRC 1 T).

SPs across the board recognise the urgent need for enhancements in LDR practices, especially concerning cases of IPV. Drawing from their insights, several key recommendations emerged to improve LDR practice at the local level.

Recommendations by Service Providers

1. Specialised training: Service providers, particularly those from comparison locations who had not participated



in GRM training, identified a significant gap in their capacity to effectively handle DV cases. In particular, they highlighted the need for targeted training in areas such as case screening, survivor protection, legal knowledge, and referrals for DV and other forms of VAW. They called for comprehensive training programs that include understanding the nuances of IPV/GBV, incorporating trauma-informed and gender-responsive approaches to LDR, and referring cases to the correct services/authorities. Additionally, providers stressed the importance of equipping police with training on survivor-centred practice and IPV dynamics in order to better enforce the law and protect the rights of survivors.

2. Enhancing awareness and use of administrative decisions: There is a critical need to improve SPs' awareness and understanding of locally-issued administrative decisions and court-issued protection orders, including their purpose, the authorities empowered to issue them, and the process involved. SPs expressed concerns about their limited knowledge in issuing and enforcing these decisions, which are crucial for safeguarding survivors from further harm. They recommend the government provide clear, detailed instructions alongside regular workshops and accessible, easy-to-understand guidelines to ensure these tools are effectively utilised in practice.

3. Establishing clear, accessible, effective and efficient referral pathways: Service providers highlighted significant confusion and inconsistencies in referral processes, particularly for cases involving physical violence. They emphasised the need for developing clear, standardised referral pathways that specify when and how to escalate cases to appropriate higher authorities, such as the police, the royal prosecutor, or judicial police officers, as well as to psychosocial support and medical services. As one provider explained,

“As for the process of referring them to other services, we’re not sure about it. I want to get more training” (CDRC 2 T).

4. Provision of safe shelter accommodation and other GBV services at the local level: The lack of safe

shelters for survivors remains a significant challenge reportedly encountered regularly by service providers. They recommend establishing accessible, secure accommodation for survivors, alongside other GBV services such as legal counselling and mental health support. Service providers stressed the importance of situating these facilities in close proximity to police stations to ensure the safety and security of survivors.

5. Accessibility of guidelines and resources: Despite the development of the *Limited Guidelines*, many service providers reported a lack of accessible resources to support their LDR work, especially in languages and formats suited to individuals with varying levels of education. Providers emphasised the need for easy-to-understand, accessible guidelines covering all aspects of LDR, with clear instructions on the types of cases that can be lawfully and appropriately mediated. A specific focus on IPV and GBV is essential to ensure that mediators can refer to these guidelines, templates, and other resources as needed. Notably, knowledge gaps regarding the *Limited Guidelines* and their practical application were evident even among some intervention group respondents who had undergone GRM training. This illustrates a need to improve and expand LDR-related training initiatives going forward, to ensure that future cohorts are fully aware of and actively using the *Guidelines* and its tools. Additionally, there is a critical need for greater investment to improve LDR service infrastructure, such as private rooms, a designated mediation table and filing cabinets, in order to realise a professional and gender-responsive standard of service.

6. Empowering survivors beyond immediate safety: In addition to addressing immediate safety concerns, service providers emphasised the importance of supporting survivors in rebuilding their lives economically and socially. They suggested enhancing service providers' capacity to empower survivors through initiatives such as providing them immediate financial assistance, information on and access to job opportunities and skill development programs. Providers explained that these measures can help survivors achieve long-term economic independence, particularly from violent spouses, and facilitate their recovery and reintegration post-crisis.

Early Promise?

The Perceived Potential of GRM Training

Interviews with SPs who have undergone gender-responsive mediation (GRM) training reveal some shifts in their approach to handling IPV cases. These findings suggest early promise in the ability of GRM training to improve screening processes. However, it is evident that further efforts are needed before GRM-trained SPs can consistently deliver fully professionalised, standardised services that are both survivor-centred and trauma-informed.

Post-GRM training, many SPs expressed an increased ability to detect and monitor instances of physical IPV with greater detail and sensitivity.

"GRM training has helped us to identify and monitor cases of domestic violence affecting women in more detail," (CDRC 1 T).

The training has also influenced some SPs' mediation techniques by promoting a more structured and systematic resolution process. Intervention group SPs also highlighted their efforts to keep mediation sessions private and focused, thereby ensuring a more conducive environment for open discussion.

A notable improvement post-training is the SPs' enhanced ability to distinguish between different types of abuse, enabling them to tailor their intervention strategies more effectively. For instance, differentiating between emotional, physical, and financial abuse allows SPs to better address the unique needs of survivors. This is supported by the adoption of private consultations prior to LDR sessions, creating a safe space to sensitively explore any indications of abuse. Additionally, SPs reported an increased capacity to avoid imposing solutions on couples (CDRC 5 T). This shift from reconciliation to mediation represents a critical step towards ensuring survivor-centred interventions.

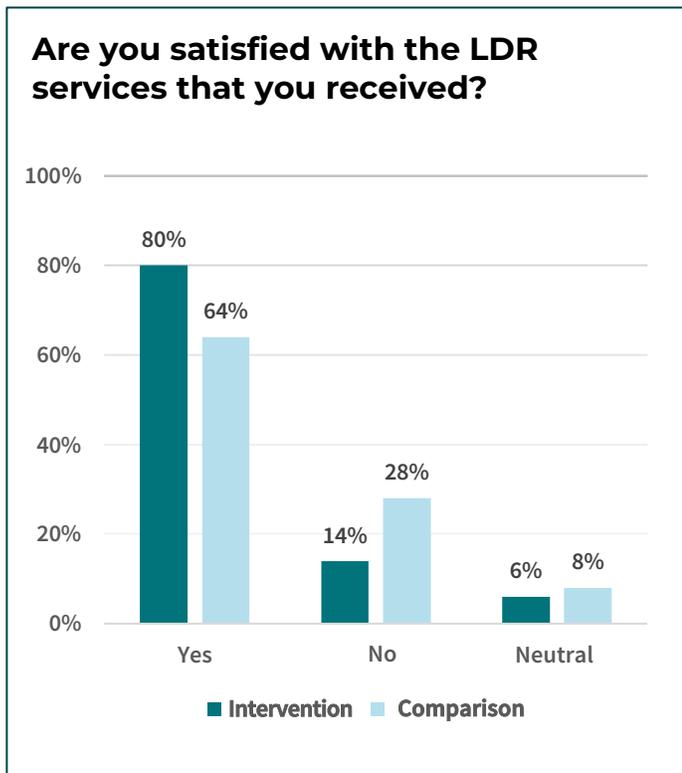
The training has also empowered SPs to broaden their role beyond immediate conflict resolution. By educating communities and advocating for women's rights, SPs reported that increased knowledge of sex and gender roles has equipped them to educate couples during LDR sessions on gender equality within the home (CDRC 7 T). This includes encouraging shared household responsibilities between partners, addressing underlying gender dynamics that may increase the likelihood of DV.

It is important to note that SPs did not uniformly express a high level of knowledge of professional mediation practice. However, the overall trend in improved practice when compared to the comparison group highlights the potential for comprehensive training programs that equip SPs with the skills and knowledge required to support women SUs more effectively.

3.2. Local LDR Practice: Experiences at the Service User level

The firsthand experiences of service users (SUs) with LDR spanned a wide spectrum, ranging from marital discord, such as infidelity or financial disputes, to instances of emotional, economic, and psychological abuse. On the less severe end of the spectrum, issues primarily involved disagreements that could feasibly be resolved through dialogue and negotiation. These cases often centred on breaches of trust, miscommunication, or imbalances in household responsibilities, which LDR sought to address through constructive engagement between partners. While the quality of LDR outcomes varied, the majority of women SUs (80%) expressed satisfaction with the outcome:

“They guided me through the process. Since they educated my husband, he has changed a lot. He also gave money to me and children from his earnings. I’m so happy to see my family live in harmony” (SU 18).



However, the situation was often markedly different for those experiencing forms of abuse that went beyond mere discord. Notably, some SU experiences involved physical violence that transcended the scope of disputes that can or should be resolved through mediation. Given that physical violence signals a breach of safety that requires legal intervention and protective measures beyond the capacity of LDR services, such cases highlight the need for clear guidelines and training for SPs to recognise the limits of LDR and the importance of referring these cases to the appropriate legal and support services.

3.2.1 Why LDR? Motivations for utilising local services

As outlined above, women SUs accessed local LDR for a range of personal and complex reasons, spanning from marital discord to instances of abuse. At one end of the spectrum, women SUs described situations devoid of physical violence but marked by emotional distress, such as infidelity and neglect. One SU recounted,

“My husband never used physical violence on me. However... I was emotionally in pain when he had mistresses while I was pregnant” (SU 46).

Others highlighted financial irresponsibility and substance abuse as pivotal concerns.

“When my husband drank, he would start arguments in the family and loudly curse me... my children and I never slept at home when my husband drank,” (SU 10) shared another respondent.

Such scenarios underscore the broader spectrum of challenges that prompt individuals to consider LDR. These challenges also included divisions of unpaid care work:

“My husband didn’t help with the household chores. He let me do it alone” (SU 38).

The decision to pursue local LDR was influenced by the desire for a swift and less confrontational resolution. One woman SU explained that

“The reason I decided to go to the commune was because I was having a hard time coping with family problems” (SU 21),

reflecting a common sentiment among those seeking support through LDR – the desire for a compassionate approach to their troubles in a familiar, local setting. Another echoed this desire for local service, adding the additional advantage of increased confidentiality:

“The reason I went to receive the service at the commune hall was because I didn’t want to share my family problems with a lot of people. And, by receiving the service at the commune hall, they keep it secret for us” (SU 16).

Another woman SU explained that

“The reason I accessed LDR was because I didn’t want the problems to drag on for a long time, and the LDR service is offered close to my home. I was pregnant too, so I didn’t want to travel or to sit for a long time” (SU 46).

This experience underscores the practical benefits of LDR, including its proximity to participants' homes, and the flexibility it offers to those with personal constraints such as pregnancy, disability, or childcare responsibilities. This account suggests that LDR can be an appealing option in terms of convenience, avoiding the protraction and logistical burdens associated with more formal legal processes.

Finally, one woman SU highlighted the importance of gender-sensitivity and the representation of women in the LDR process:

“For my family conflict, [which] didn’t involve physical violence... I decided to go to the commune focal person because she was also a woman and so I thought she could help to come up with ideas for me” (SU 21).

This indicates a preference for SPs who can empathise with and understand women’s situation on a personal level, reflecting a search not only for legal resolution but also emotional understanding and support.

Despite the absence of physical violence in the above accounts, the emotional and psychological toll of family conflicts on women SUs was evident. Their narratives reflect a critical need for accessible, empathetic and gender-responsive dispute resolution services capable of addressing a wide range of familial issues.

For those women SUs who did report instances of physical violence, these highlight a distressing range of abuse. For instance, one shared,

“I experienced both physical and emotional violence. When he’s angry, he runs away and comes back. It is like a normal thing” (SU 3).

This highlights how violence can become a distressing norm in some relationships, blurring the lines between occasional disputes and systemic abuse. Another account detailed brutal physical attacks:

“He used drugs and bit me until I had scars” (SU 5).

Such descriptions underscore the intensity of violence experienced by some SUs leading them to seek help.

Emotional/Psychological abuse

The experience of emotional and psychological abuse emerges as a pervasive issue among women SUs, encompassing not just overt aggression but also the threat of harm, creating an atmosphere of fear and comparison. For instance,

“I’ve never suffered from physical abuse, but my husband always cursed me and my children when he drank. Sometimes, he kicked us out of the house” (SU 10).

This type of volatile behaviour also often included the destruction of property such as plates or phones. It highlights the critical need for LDR practitioners to be equipped with the understanding and tools to identify and address psychological violence effectively.

The presence of psychological abuse also increases the importance of SPs conducting screening processes



sensitively and thoroughly, as the presence of physical violence is often hidden by survivors of mental abuse:

“I told the commune about my mental problems. But in terms of physical violence where I was injured, I didn’t tell anyone because I love my husband” (SU 16).

Financial abuse

Economic violence is also a significant concern among women SUs. This form of violence, which involves controlling a partner’s access to financial resources, severely limits women’s ability to support themselves and make independent decisions. Economic violence can manifest through withholding money, controlling all household spending, or sabotaging the partner’s efforts to work:

“My husband was so strict about me spending money, even if it was a basic need” (SU 5),

or

“He always checks on how much money I have, and accuses me of spending a lot” (SU 44 T).

For many, economic abuse took the form of withholding or wasting household finances, leaving some women struggling and causing their children to drop out of school.

“When my children were young, I tried to earn money, while my husband stole from me to gamble” (SU 21 T).

This highlights the profound impact of financial control and neglect and underscores the necessity for LDR services to address economic violence as part of a holistic approach to supporting women SUs.

Physical and sexual abuse

The accounts of physical violence experienced by some SUs are both varied and distressing. These range from shoving and slapping, to severe acts of violence that required medical attention. A particularly harrowing account states,

“He used violence against me, causing me to bleed from my head and breaking my hand. He sometimes used wood and steel to beat me” (SU 36).

Another woman SU reported that

“He would hit me and force me to have sexual intercourse with him. I wanted help so I could divorce my husband” (SU 12).

These quotes illustrate the grave reality of physical and sexual abuse, and underscore the necessity for effective and accessible support systems for survivors of such violence. It also highlights the critical role of LDR SPs in identifying abuse, offering immediate safe shelter where possible (see Section 3.1.3) and diverting the case to the relevant authorities and other providers who can offer longer-term safety, psychosocial support, legal support and medical assistance.

*“When my children were young,
I tried to earn money, while my
husband stole from me to gamble”*



The Inherent Uncertainty in ‘Petty’ Cases

Advocating for the reform and limitation of LDR practice in the Cambodian context requires an understanding of the complexity and nuance in intimate partner disputes that involve ‘less severe’ violence. The provision of LDR in cases involving *any* form of violence has rightly been described as ‘morally hazardous.’ Nonetheless, it remains the case that alternative support services such as professional psychological counselling are virtually non-existent at the local level, while courts are geographically distant and in any case such cases are highly unlikely to proceed to criminal prosecution in less-severe cases that do not cause any physical injury. The reality is that many women SUs access LDR following ‘less severe’ violence because they have nowhere else to turn, and they want support from locally-recognised authorities to curb the behaviour before it increases in severity and frequency. This complicates the limitation of service provision by SPs who feel a sense of duty to the women who approach them for help.

Take, for example, the following testimony:

"My husband had an affair with other women, so we tended to argue often. He started to use violence against me, but it wasn't very serious. Sometimes he would slap me, but it never left any bruises" (SU 43).

In instances where violence may be deemed ‘less severe’, and classified as a petty offence due to the absence of physical injuries, service users and service providers alike can find themselves navigating a challenging landscape in terms of ensuring the woman's safety while also securing access to justice. The dilemma arises particularly because the legal system may not offer formal justice for cases perceived as minor, such as slaps, due to prosecutorial discretion favouring more severe cases.

This scenario underscores an ethical conundrum for LDR practitioners. On one hand, there is a clear use of violence, which typically would render LDR inappropriate. On the other hand, if the SU wishes to remain with their partner and pursue LDR, mediation might seem like the least detrimental path forward, especially compared with leaving them to solve it themselves with no outside support. This complex situation reflects broader systemic and cultural challenges.

However, testimonies from women SUs report that ‘lesser’ forms of violence are often minimised or normalised by SPs, making it difficult for them to access services that are truly centred on the survivor's needs and rights, whether through LDR or the court system. There is an urgent need for guidelines and training that navigate these ethical complexities while prioritising the safety and autonomy of survivors. For instance, a blanket rule that ‘petty offences’ can be legally mediated under current laws and guidelines presents a challenge: if petty offences can be mediated, including the crime of ‘less severe violence,’ which refers to that perpetrated “against another person and which does not result in any injury” under Art 228 of the Criminal Code, then strangulation, suffocation, limb twisting, and so on could be lawfully addressed via mediation under most current guidance. Work to untangle these anomalies or contradictions should be central to LDR reform.



Divorce

As well as those SUs accessing LDR in the hope of resolving an immediate conflict, a notable proportion requested assistance with obtaining a divorce. This was often driven by enduring issues within the marriage, such as infidelity, financial irresponsibility, or continuous emotional neglect. For instance, one woman SU shared,

"I need to be responsible for looking after my baby daughter alone. I decided to ask for a divorce because I couldn't stay like that, I couldn't live with that irresponsible person anymore" (SU 2).

In Cambodia's context, the complexity of marital dissolution further complicates LDR processes, particularly given the very high prevalence of informal marriages in some areas (82% of SUs in this study). Despite these marriages having no formal legal basis, in practice they are terminated through the commune hall. This local dissolution is a necessary step for individuals to be regarded as single and thus eligible for remarriage.

For those in formal unions, i.e. with a legal marriage certificate (18% of SUs in this study), the commune hall also often serves as the initial point for divorce proceedings: according to Art. 982 of the Cambodian Civil Code, which applies to formally married couples, suits for divorce shall be filed in court. However, Art. 982(2) also states that:

"(2) Either party to a marriage may file a petition for divorce at the commune or sangkat council for the domicile or location of residence... In such a case the commune or sangkat council may attempt conciliation during the period of 15 days following its receipt of the petition. If the conciliation is unsuccessful, the commune or sangkat council shall forward the complaint to the court immediately as if a suit has been filed."

Thus, the commune has the mandate to engage in attempts at conciliation before escalating the case to the judiciary for court-mediated resolution and eventual divorce (though there are, in theory, exceptions for this in cases of IPV). This dual role of LDR, straddling between the mediation of intimate partner disputes and conciliation in divorce requests, further challenges the clarity, professionalisation, and standardisation of LDR practices. While many seek LDR with the ultimate intention of legally ending their marriage, the process inherently incorporates efforts towards reconciliation, complicating SUs' attempts to navigate these services.

The necessity for standardised referral processes that encompass both IPV and divorce requests is paramount, ensuring survivors can swiftly and securely pursue divorce proceedings without the need to undergo any attempts at conciliation. Such a standardisation would provide a clear, consistent pathway for survivors, ensuring their immediate safety and facilitating access to legal divorce mechanisms without unnecessary delays or exposure to further harm.

"I felt supported by the mediators. They didn't show any bias, or put any pressure on me"

3.2.2 Perceived Quality of LDR

SUs' sentiments towards their experiences with LDR varied significantly, with some reporting that they felt "supported" and "empowered," highlighting the mediators' encouragement as a key factor that contributed to a positive LDR experience. One explained that,

"I felt supported by the mediators. They didn't show any bias, or put any pressure on me" (SU 2),

underscoring the importance of neutrality and respect in LDR processes.

Another SU reported that,

"They were able to easily resolve our problems, [because] they put in a lot of effort" (SU 1).

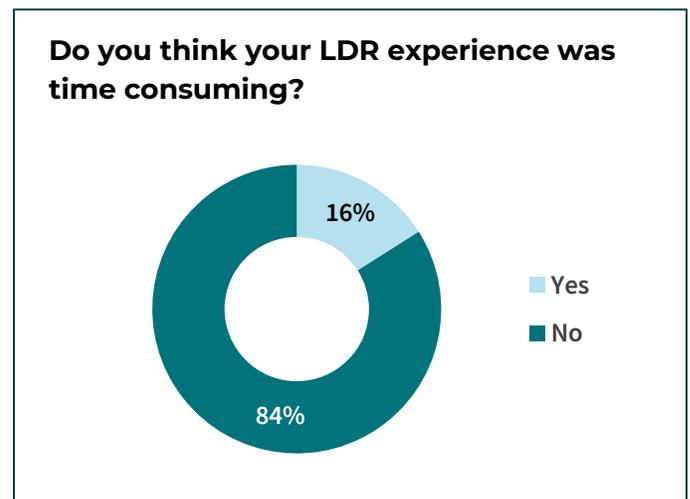
The same respondent reported feeling relieved that her issues were able to be mediated at the local level, saying

"If we didn't find help from the village or commune, then who would help us?"

Another felt *"supported and empowered"*

during LDR at the district hall, further explaining that she was

"so happy because they cared about [and resolved] my family dispute" (SU 18 F).



When asked if they felt that the service they received was fair and met their expectations, 80% of intervention location SUs in this study reported in the affirmative, along with 64% of comparison group SUs. Similarly, when questioned about the duration of the LDR process, only 16% of women SUs found it to be overly time-consuming, whereas 84% did not share this view.

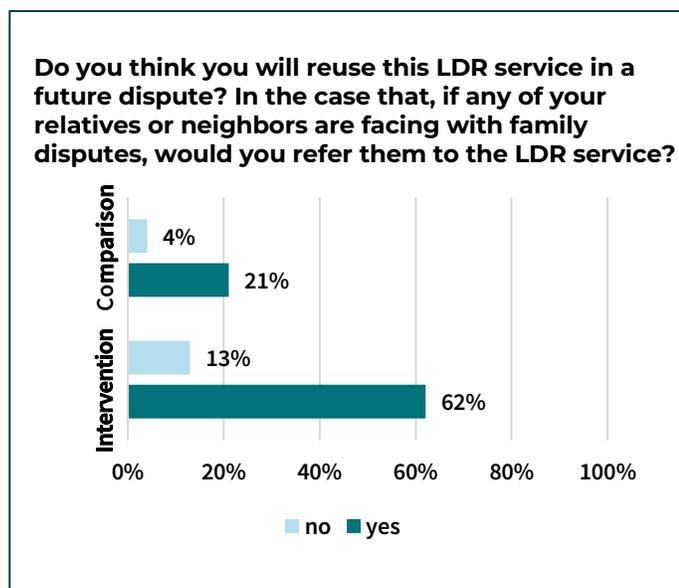


Despite these seemingly positive findings, numerous participants encountered challenges that made them feel uncomfortable, judged, or pressured. Instances where women SUs felt marginalised or not taken seriously by mediators were particularly striking:

"In the commune, I didn't feel supported because they didn't listen to me or understand my feelings. Instead, they were making jokes about me. They talked inappropriately to me, asking why I didn't have enough sex with my husband and give him what he needed" (SU 5).

This troubling account underscores the problematic nature of some LDR experiences, highlighting how inappropriate remarks and a dismissive attitude from mediators can contribute to the retraumatization of women SUs who seek their help, further exacerbating their distress.

In essence, the LDR process appeared to be a double-edged sword for many participants, offering a pathway to resolution and empowerment for some, while exposing others to judgement and pressure, either from mediators or the inherent power dynamics within the mediation setting. These narratives underscore the need for a more sensitive, inclusive, and empowering approach to LDR that acknowledges and addresses the diverse needs and vulnerabilities of all parties involved. Interestingly, a significant majority of 83% indicated they would consider using LDR again for future disputes or would recommend the service to friends or family.



LDR Location

SUs' experiences at LDR venues varied significantly in terms of privacy and comfort. Some found the mediation settings, such as schools or commune offices, to be adequately private and conducive to open discussions, with one describing their experience of the environment as follows:

"When I went in, I noticed the mediation area was quiet. I felt safe when I shared my story with the mediators because there were only three of us in the room" (SU 8).

However, others voiced concerns about the lack of privacy and comfort which made them feel exposed and uneasy. The discomfort was amplified for some by the mediation taking place in public areas, creating a sense of exposure rather than confidentiality. One individual expressed their unease, stating,

"The commune office is a public space. There was busy [foot] traffic, and many others with issues were also there. I felt embarrassed, and lacked the confidence to speak out. It did not feel like a safe place" (SU 3).

One SU also expressed concern over the gender composition of the mediation team, highlighting a significant gap in the representation of women:

"During mediation, there was no woman mediator joining, and many people went in and out. I wanted to share my problems with a woman mediator" (SU 11).

This underscores the need for improved gender representation among LDR practitioners, given that the presence of female mediators can provide a sense of understanding and empathy for women SUs.

“During mediation, there was no woman mediator joining, and many people went in and out. I wanted to share my problems with a woman mediator”

Referrals & Protection

Echoing the findings throughout Section 3.1.3, which illustrated a lack of certainty among SPs regarding the referral process for IPV cases, interviews with SUs also showed that some cases involving misdemeanour- or felony-level violent conduct are not being redirected in line with established procedures.

However, the data also showed a preference among many women SUs for their cases to be resolved locally, despite violence. This adds another layer of complexity to SPs' role in managing IPV cases effectively and in a survivor-centred way:

“The case wasn't referred to court because I wanted it to end at the commune level, without creating other problems. If it dragged on, I wouldn't have money to travel” (SU 12 F).

The desire for immediate and local solutions despite experiencing violence is thus informed in part by financial constraints and practical considerations that prevent survivors from exploring options beyond their community that could potentially offer more comprehensive protection and resolutions.

Some women SUs were referred to other services, for instance to have a sexual health check-up at a RHAC clinic (SU 5), or for consultations with CSOs providing mental health support (SU 13). Others explained how their cases were referred upwards from the village to the commune level, and then on to the district level (SU 16).

The following case illustrates in practice the dangers of prioritising reconciliation over referrals in IPV cases, showing how a failure to refer can further endanger survivors by exposing them to continued harm:

“My husband assaulted me three times, causing a head injury. I filed a complaint... and wanted the commune women's affairs to help me get a divorce quickly... [but] when they called us in for mediation, they just talked with us and calmed us down. So, when I was recently exposed to violence yet again, I was devastated” (SU 18).

Further, while the police are more appropriate actors to address IPV cases, multiple SUs also shed light on the sometimes-problematic interventions by police personnel which fail to align with survivor-centred practices and the stipulations of the Criminal Procedure Code, which mandate the formal recording of



complaints and referral to the Royal Prosecutor to ensure accountability and protection for survivors.

For instance, the following distressing account illustrates the systemic failure across multiple service points, including the police, to provide effective resolutions or referrals following severe violence:

“At first, I sought help from the police. Their response (without even bringing him to the police station) was that I had insulted my husband). I felt ashamed discussing the sexual violence in front of three men. They advised me that if I was being abused, I should stay with relatives. A day later, my husband abused me again because he knew I had filed a complaint. I sought help from the district authorities, but they did not provide a solution. Instead, they directed me to the commune. I was referred to many places, including villages, communes, and districts, without finding any effective solutions at all” (SU 5).

This narrative highlights the urgent need for reform in referral processes and the handling of criminal complaints, ensuring that survivors' cases are handled with the seriousness and urgency they demand.

Administrative Decisions & Protection Orders

One SU who experienced severe IPV and sought help at multiple levels reported that

“No, they didn’t explain these processes [administrative decisions and protection orders] to me at any point – from the village level, up until the district level” (SU 5).

The rare instance of a woman SU successfully obtaining a court-issued protection order sheds light on its limited effectiveness without rigorous enforcement and monitoring. Despite the order, the same SU recounted ongoing harassment:

“We divorced, but he still came and walked around my house... I am afraid he’ll kill me. I still live with fear and no freedom” (SU 40).

This case underscores the urgent need for a more robust legal and administrative framework that bridges the gap between the issuance of these orders and their practical enforcement.

Finally, temporary safe housing was mentioned by some SUs as being offered by individual SPs in their own homes. However, access to longer-term, government- or CSO-operated shelter accommodation was notably absent from the respondents' experiences. The common advice to seek refuge with family members underscores the reliance on makeshift solutions and informal safety nets:

“I went to the commune to file a complaint, [after] my husband abused me badly. They advised me to stay at my relatives' house first, to prevent violence” (SU 13).

This testimony not only highlights an absence of institutional support mechanisms, but also places an undue burden on the survivor and their network to ‘prevent violence.’

Overall, the findings from interviews show that the quality of LDR practice varies significantly. They also underscore a crucial gap in referral and protection mechanisms for IPV survivors. Despite these concerns, a significant majority of 81% of service users indicated they would consider using LDR again for future disputes, or would recommend the service to friends or family. While this finding does not detract from the urgent need for an overhaul in practice for the reasons outlined above, it does suggest a level of trust or perceived effectiveness in LDR services for resolving intimate partner disputes among many women who have accessed the service.

3.2.3 Reported Outcomes of LDR

SU respondents were asked during interviews to reflect on the result of LDR, and whether their lives had changed as a result. The responses to this question showcase a diverse range of outcomes, with many individuals reporting a positive transformation in their lives, and some even noting an increased sense of empowerment, independence, and emotional relief.



For example, one participant who was able to access an informal divorce through local LDR providers explained that,

"My life now is getting better as I no longer have any pressure. I live independently with my parents" (SU 9),

thus indicating a transition to a more peaceful and autonomous life. Some SUs reported staying in their relationship, as their husband's behaviour towards them had improved as a direct result of LDR, reflecting the potential of mediation to enact positive change in behaviour and relationships in non-violent cases:

"I'm really happy with the mediation result because my husband and I understand each other better than before. In the past, we always argued. Even though there was never any violence, it made me sad. But [since LDR], we've been discussing anything that makes us feel uncomfortable. I'm braver than before, because I'd never dared to share my problems with anyone in the past" (SU 20).

Interestingly, some SUs who had experienced physical violence also reported what they saw as a positive outcome following LDR:

"There was an argument in our family, and my husband threw plates. So I sought help from the commune hall because I knew that my husband would listen to them more than me. Since the commune helped resolve it, he's never dared to touch or hit me again" (SU19).

The above quote again highlights the complex and morally hazardous nature of LDR: 'hitting' indicates physical violence that should not have been addressed through local mediation. Yet, had this SU sought help through the formal judicial system, systemic challenges including but not limited to under-resourcing and case backlogs mean it is also highly unlikely that a prosecutor would pursue such a case. This highlights the need for comprehensive reforms in how domestic violence is treated within existing courts.

"There was an argument in our family, and my husband threw plates. So I sought help from the commune hall because I knew that my husband would listen to them more than me. Since the commune helped resolve it, he's never dared to touch or hit me again"



These reforms should include the allocation of more resources to reduce under-resourcing and alleviate case backlogs, ensuring that DV cases are given appropriate attention and urgency. Furthermore, there is a critical need for increased legal aid to support survivors in navigating the legal system.

While the above SUs reported positive outcomes, other respondents highlighted the challenges and adverse changes they faced post-LDR, including financial struggles, ongoing conflict, and emotional distress. For instance, a respondent shared that LDR had been ultimately ineffectual, stating,

"They advocated for my husband to change, to stop doing violence. But he doesn't seem to have changed at all" (SU 3).

Recommendations by Women Service Users

For women SUs, improving local LDR services includes enhancing privacy, understanding, and fairness, particularly towards women.

1. Safe spaces: Women service users highlighted the importance of privacy during dispute resolution processes. One respondent stated,

"The commune should value, prioritise, understand, and take care of women. There should be a private room provided to solve problems, because when I was out in the open, I felt embarrassed and lacked the confidence to speak out" (SU 3).

This underscores the need for safe, private spaces where individuals can openly discuss their issues without fear of embarrassment or judgement.

2. Professionalism: Women service users emphasised the importance of fair treatment and a commitment to justice, especially for women survivors of violence. One respondent stated,

"I'd suggest they focus on finding justice for victims, especially women, and shouldn't spend time making jokes" (SU 5).

The seriousness with which LDR practitioners approach cases significantly impacted the perceived fairness of the LDR process. To address this, a clear code of conduct for LDR professionals should be developed and strictly enforced, prioritising duty of care and ensuring respectful and focused engagement with all parties.

3. Technical improvements: Women service user respondents highlighted the need for technical improvements to enhance the effectiveness of LDR processes. One respondent suggested,

"the process of LDR [needs] to be strengthened in terms of verbal facilitation and issuing [parties] with information about laws" (SU 9),

emphasising the importance of providing clearer explanations and legal documentation to support the LDR process. Several women respondents also raised the importance of unbiased law enforcement, with one stating,

"I want the commune to enforce the law and punish the perpetrators fairly, without bias" (SU 16)

as crucial for maintaining trust in LDR.

While some service users, such as SU 18, expressed satisfaction with the current system, stating

"there's no need to improve the service because my husband has changed his attitude since then,"

others call for clearer processes to address challenges such as non-compliance. For example, one respondent shared,

"I want there to be strict procedures for those who don't [take mediation seriously], like my husband who just didn't show up" (SU 4).

These insights point to the need for enhanced facilitation, transparent legal procedures, and mechanisms to ensure accountability in the LDR process.



IV. Conclusion

Continuing from the foundation laid out in WPM's previous research, this report has revisited the practice of LDR in Cambodia, with a focus on intimate partner disputes. It has examined LDR practices, their implementation, and the resultant impacts on women's rights and well-being. It also identified opportunities and persisting challenges in the capacity of LDR practice towards ensuring equitable access to justice for women amidst the dual backdrop of high rates of IPV and systemic barriers within the formal legal system.

By dissecting the local operational dynamics of LDR as reported by both service providers and service users, the report has probed how these practices can align with or diverge from the principles of gender sensitivity and survivor-centeredness. It also recognised the complex interplay between traditional dispute resolution mechanisms and the formal legal system, highlighting how both systems require urgent reform in order to ensure women survivors of violence are able to access justice. This exploration is particularly relevant given the recent establishment of new national-level ADR mechanisms, authorities and guidelines, and is grounded in an understanding that while community mediation offers a culturally resonant and accessible form of dispute resolution, it also exists within a broader patriarchal structure that can influence outcomes in ways that often fail to align with the principles of gender equality and equitable access to justice.

The participation of SPs in Gender Responsive Mediation training, although promising, has revealed areas for improvement in ensuring they are fully equipped to navigate the complexities of IPV. This signals an opportunity for refining training modules to more effectively translate theoretical knowledge into practical competencies that align with the principles of gender equality and justice. In particular, future

GRM/LDR training cohorts should be able to articulate a high level of understanding of key tools such as screening forms, referral processes, the *Limited Guidelines*, administrative decisions, and protection orders, and should furthermore be able to explain how these are being operationalised in their LDR practice. Such trainings should be tailored accordingly, taking into account the need to ensure that the content is both highly practical and easy to understand.

As Cambodia continues to grapple with the dual challenges of high IPV rates and systemic barriers to justice, the findings of this report serve to inform future policy reform, research, and programmatic interventions. It is hoped that through the lens of these insights, a more equitable and effective LDR landscape that not only respects but actively promotes the rights and safety of women can be envisaged.



Building on WPM’s previous research, this report revisits Local Dispute Resolution (LDR) practices in Cambodia, focusing on intimate partner disputes. It examines the implementation of LDR and its impact on women's rights and well-being, identifying both opportunities and challenges in ensuring equitable access to justice amidst high rates of intimate partner violence (IPV) and systemic barriers within the formal legal system.

By analyzing the experiences of service providers and service users, the report explores how LDR practices align with or diverge from principles of gender sensitivity and survivor-centeredness. It highlights the urgent need for reform in both traditional dispute resolution mechanisms and the formal legal system to ensure women survivors of violence can access justice. The participation of service providers in Gender Responsive Mediation (GRM) training, although promising, has revealed areas for improvement in ensuring they are fully equipped to navigate the complexities of IPV. This signals an opportunity for refining training modules to more effectively translate theoretical knowledge into practical competencies that align with the principles of gender equality and justice.

As Cambodia continues to grapple with the dual challenges of high IPV rates and systemic barriers to justice, the findings of this report serve to inform future policy reform, research, and programmatic interventions. It is hoped that through the lens of these insights, a more equitable and effective LDR landscape that not only respects but actively promotes the rights and safety of women can be envisaged.

ISBN: 9-789924-625094

