



## White Paper

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# Enhancing Access to Market, Developing Quality Products and Services for Young Women Entrepreneurs in Cambodia

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**Cambodia Women Entrepreneurs Association**

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## Message from the President

The Cambodia Women Entrepreneurs Association (CWEA) is an association of women in business, governed by volunteered “women business leaders” who advocate for the empowerment of Young Women Entrepreneurs (YWE) through policy inclusion. With this White Paper Vol. 2 entitled “***Enhancing Access to Market, Developing Quality Products & Services for Young Women Entrepreneurs in Cambodia***”, CWEA aims to serve as an effective bridge to connect women entrepreneurs with policymakers and development partners to design more effective and practical policies and programs needed to support small businesses and start-ups.

The goal of CWEA is to empower YWEs to engage in national economic development through capacity building and strong advocacy to boost YWEs’ confidence to capture more business opportunities within an enabling business environment.

CWEA will continue to support the implementation of capacity development and knowledge building of its members so that they can gradually contribute to the country’s economic recovery. CWEA will enhance its fundraising activities, including socio-economic grants, to ensure the sustainability of the association while focusing on results-based management.

On behalf of CWEA, I would like to express my deepest appreciation to our partners for their trust and confidence with us, to our members for their support in building a dynamic CWEA capable of advocating the role of young women entrepreneurs in their quests for policy inclusion, to our staff for their commitment to our programs, and to our CWEA board of directors for their dedication in improving the welfare of women entrepreneurs in Cambodia.

Sincerely,

Oknha Keo Mom  
CWEA President

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## Executive Summary

Cambodia has seen remarkable economic growth and an impressive reduction in poverty in the last two decades with the economy growing sustainably at a rate of 7.7% between 1998 and 2019. With such growth the country was able to reach its lower-middle-income status in 2015 and is set to attain upper-middle-income status by 2030. The Royal Government of Cambodia (RGC) recognises that creating an enabling environment for private sector development is a precondition for promoting economic growth, creating employment, reducing poverty, and sustaining economic development. Moreover, it has made great efforts to create an environment conducive for nurturing small-and-medium-sized enterprises (SMEs).

Cambodian SMEs significantly contribute to the country's economy, accounting for 70% of employment, 99.8% of companies, and 58% of GDP. As far as women-owned enterprises they account for 61% of all businesses – micro, SMEs and large, a percentage significantly higher than in many countries in Southeast Asia. Mindful of the critical role of women-own SMEs in economic development, the RGC, in its Rectangular Strategy-Phase IV and its National Strategic Development Plan 2019-2023, focused on strengthening gender equality in every sector and at all levels, as well as promoting women's advancement and empowerment.

For young women entrepreneurs (YWEs), they have faced many challenges in running their businesses with the lack of working capital being one of their biggest challenges, particularly for those who have just started their business, which are mostly micro-businesses. YWEs have also reported a lack of digital skills in doing online business during the COVID-19 pandemic. The other challenges are their limited access to markets and inadequate support for the promotion for local products.

Policy recommendations in this white paper will help address YWE's challenges and improve the business environment of Cambodian women entrepreneurs as a whole.

### **Policy Recommendations:**

1. Establish an institutional MSME Service Centre that will build the capacity of young women entrepreneurs to develop products that can meet international quality standards.
2. Develop a promotional campaign to promote local products.
3. Develop a Franchise Law to open up business opportunities for YWEs.

## Acronyms

CNSW	Cambodia National Single Window
CWEA	Cambodia Women Entrepreneurs Association
FGD	Focus Group Discussion
FTA	Free Trade Agreement
GDP	Gross Domestic Products
G-PSF	Government-Private Sector Forum
IFC	International Finance Corporation
MISTI	Ministry of Industry, Science, Technology and Innovation
MoC	Ministry of Commerce
MoWA	Ministry of Women's Affairs
RGC	Royal Government of Cambodia
SMEs	Small and Medium Enterprises
MSME	Micro, Small, and Medium Enterprises
WEDC	Women Entrepreneurs Development Centre
YWEs	Young Women Entrepreneurs

## I. Background

The Kingdom of Cambodia has witnessed extraordinary economic growth and a dramatic reduction in poverty in the last two decades. With an average economic growth rate of 7.7% between 1998 and 2019, the country has experienced a rapid change by reaching lower-middle-income status in 2015 and is thriving to attain upper-middle-income status by 2030 (World Bank 2021). To continue sustaining its economic growth, the RGC recognises that creating an enabling environment for private sector development is a precondition for promoting economic growth, creating employment, reducing poverty, and sustaining economic development (IFC 2010). In this regard, the RGC has made great efforts to create a conducive environment for developing SMEs (IFC 2019).

In Asia, SMEs are the backbone of the economy, making up more than 98% of all Asian businesses (Yoshino, N. & Taghizadeh-Hesary, F. 2016). Likewise, Cambodian SMEs greatly contribute to the country's economy, accounting for 70% of employment, 99.8% of companies, and 58% of GDP (KAS 2020). According to the 2014 National Institute of Statistics, as cited in the IFC report, women own 61% of all businesses – micro, SMEs and large – in Cambodia, significantly higher than in many countries in Southeast Asia. However, the majority of them (62%) own micro-businesses (IFC 2019).

There is growing recognition of the critical role women-owned SMEs play in Cambodian economic development. The RGC, through the Rectangular Strategy-Phase IV and the National Strategic Development Plan (2019-2023), has demonstrated its commitment to strengthen gender equality in every sector and at all levels and to promote the advancement and empowerment of women, who are considered the backbone of the Cambodian economy and society (MoWA 2019).

The CWEA is active in its efforts to provide women's voices in private sector development as well as to improve the entrepreneurship ecosystem for women in Cambodia. Established in 2011 by 14 Cambodian women entrepreneurs, the Ministry of Women Affairs (MoWA) and the World Bank, CWEA has a permanent representation in the national Government-Private Sector Forum (G-PSF), representing the collective voice of women entrepreneurs.

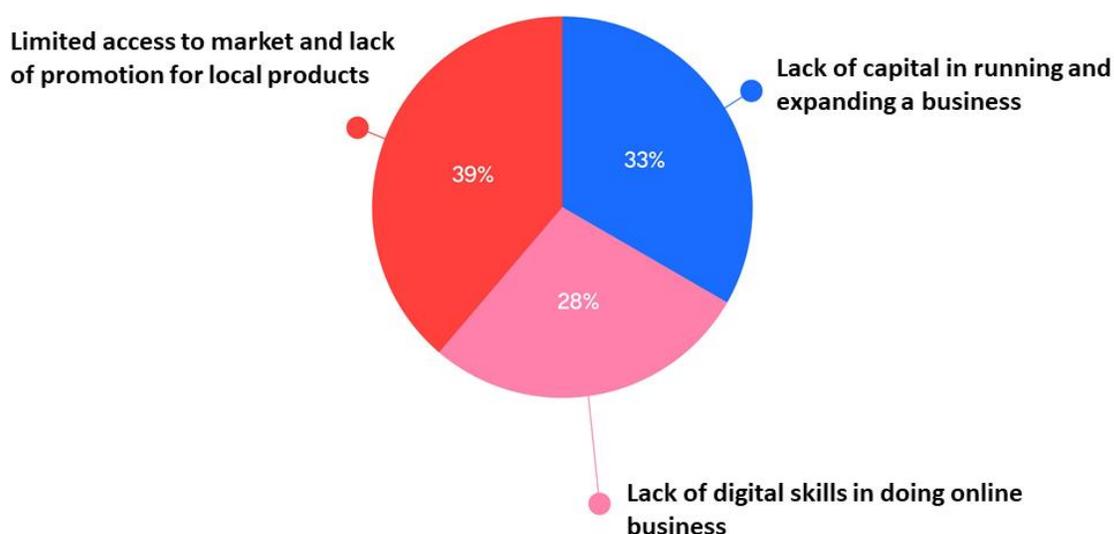
## II. Defining Challenges

Regardless of the large number of women-owned SMEs in Cambodia, many challenges in running a business were reported by women entrepreneurs. As a representative of women entrepreneurs' voices, CWEA conducted a series of road forums in several provinces across the country to identify the challenges of women-owned SMEs. These road forums were conducted in Kandal, Battambang, Siem Reap, Kampong Thom, Banteay Meanchey, Stung Treng, and Monduliri provinces, with the participation of some 20 to 40 women entrepreneurs in each road forum. As a result, many challenges were identified, analysed, and categorised. The CWEA Board of Directors have prioritised three main challenges, namely:

- a) *Limited access to market and lack of promotion for local products;*
- b) *Lack of digital skills in doing online business; and*
- c) *Lack of capital in running and expanding a business.*

After prioritising these challenges, CWEA conducted an online survey with its members to select what it considers as the utmost challenge. As a result, 39% of the total respondents believed that **limited access to market and lack of promotion for local products** is their top challenge, followed by the **lack of capital to run and expand businesses** at 33%, and the **lack of information technology knowledge in doing online businesses** at 28% (see figure 1).

Figure 1: Result of an online survey



Upon completion of the online survey, CWEA conducted five focus group discussions (FGDs) with its members to explore more in-depth the three challenges, in particular the top one. The FGDs were conducted virtually with women entrepreneurs in Phnom Penh, Battambang and Siem Reap. Three to six women entrepreneurs fitting the range of micro to medium businesses participated in each FGD.

### III. Findings of Challenges

#### *a) Lack of Capital in Running and Expanding a Business*

Lack of working capital in running a business has long been one of the biggest challenges for women entrepreneurs, more particularly so for those who have just started their business which happened most of the time to be a micro-business. According to the discussions in road forums and FGDs, most YWEs, especially those who are in provincial areas, started their business with their own savings or with money borrowed from family and friends. In order to expand their business, they have to rely on their personal savings because of the difficulties in getting a loan from banks and micro-finance institutions. Since most of YWEs run micro and informal businesses, getting loans from banks has never been easy for them. The difficulties they face when applying for bank loans include meeting collateral requirements, complex loan procedures, high loan interest rates, and their limited financial literacy.

#### *b) Lack of Digital Skills in Doing Online Business*

During the Covid-19 pandemic, most businesses have adopted digital technologies to access customers through online business. The online business is seen as an effective way to connect the products and services to markets during the pandemic. However, there are some obstacles for many young women entrepreneurs. Limited knowledge of digitalisation and the English language act as a barrier in accessing digital platforms and devices, let alone understanding digital functions. In provinces where road forums were conducted, many YWEs started their business with knowledge learned from parents, friends and other business owners. Most of them run their business in a traditional way and lack the necessary digital skills to run a business online effectively. The only platform they use to sell and promote their products and services online is Facebook. Basically, they can only post pictures of their products on this social media platform to sell to their customers.

#### *c) Limited Access to Market and Lack of Promotion for Local Products*

According to the online survey with CWEA members, this challenge is rated the top challenge for women entrepreneurs in the country. During the discussions in road forums and FGDs, most women entrepreneurs, whose businesses only serve domestic market, indicated that they have difficulties accessing to external markets, i.e. not having enough customers reported as a challenge for women-owned businesses in several provinces. Women entrepreneurs are aware of the need to find new markets and new customers, without which they could not grow their business. Some mentioned that they have limited knowledge of market strategies and didn't

know how to bring their products to markets, while others said that their products could only be sold in big cities such as Phnom Penh, Battambang and Siem Reap.

Other YWEs reported many similar businesses were offering the same products and services that created competitive pressure on them. The challenges are even more significant for women entrepreneurs who produce local products. They described that the high production cost was one of the challenges they were facing since they had to import raw materials, including packaging materials, and the cost of transportation and electricity was also high. Consequently, they had difficulties with their high products price competing with foreign products in domestic markets.

Accessing to international markets is much more challenging for most women-owned businesses. Lack of market information, weak commercial international networks, complicated export process and international standard requirements were described by women entrepreneurs who own medium enterprises during the focus group discussions.

Unfair competition amongst local businesses was also reported. Some women entrepreneurs, whose business was registered, experienced unfair competition when bringing their products to markets. These entrepreneurs described that they need to pay tax and comply with all necessary requirements from the government while other businesses owners import fake products and sell them at a lower price.

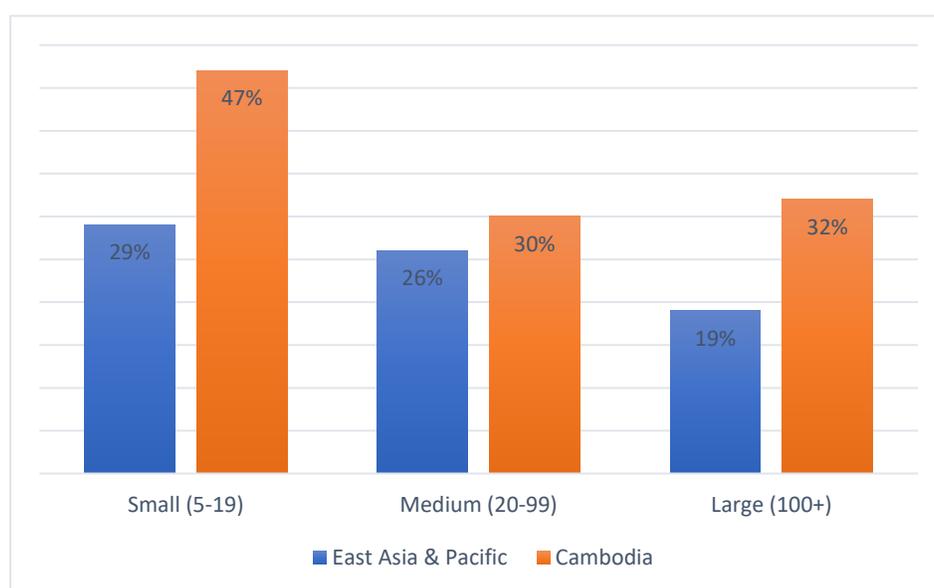
Moreover, the lack of trust in local products from Cambodian consumers even made their access more difficult to domestic markets. For instance, they were asked in the FGDs why it was difficult for local products to access to the markets? The majority of them responded that Cambodian consumers do not value local products, and they prefer foreign products as they assume that the quality of local products is low. Some also mentioned that they have difficulties finding a proper place to display and sell their products since some local stores and supermarkets discriminate against local products. Although their products were accepted by supermarkets, they were usually placed far from customers' sights.

In terms of support for local products, most respondents in the FDG stated that there was little support from the government from producing to promoting products. They emphasised that they tried their best to promote their products and find markets by themselves.

## IV. Identifying Solutions

Women-owned SMEs play an essential role in boosting Cambodia’s economy. The 2015 National Institute of Statistics report shows that women own the majority of all businesses in Cambodia at 61% (NIS 2015), which is significantly higher than in many Southeast Asian countries. Compared to East Asia and Pacific countries, the percentage of women ownership in small, medium and large enterprises in Cambodia is very high (see figure 2), and thus their participation in the country’s economy is essential for boosting Cambodian economic growth. As such policies and actions that help promote and enhance their participation in the economy are necessary before Cambodia can reap greater benefits. These policies and initiatives will also help the Ministry of Women Affairs fulfil one of the objectives in the Five-Year Strategic Plan (Neary Rattanak V, 2019 – 2023) namely the promotion of women’s economic empowerment.

*Figure 2: Percentage of firms with majority of female ownership*



Source: 2016 Cambodia Enterprise Survey (World Bank)

*Recommendation 1: Establish an institutional MSME Service Centre that will build the capacity of young women entrepreneurs to develop products that can meet international quality standards.*

- 1) The Centre should develop a focused capacity building programme for MSME exporters and importers to access to existing markets as well as penetrating new markets either via face-to-face trade mission locally and internationally or via e-commerce;
- 2) The Centre should develop an export-readiness training programme targeting potential women-owned SMEs to provide them with necessary trainings and seminars on the following trade related topics: product development, product design and trends, international standard requirements, legal aspects of doing business and trade, export/import procedural requirements, logistics and transport, Free Trade Agreements, costing and pricing, packaging, product positioning, brand development, etc.;
- 3) The Centre should provide training on sustainable raw materials supplies and support the establishment of a local supply chain to reduce production costs and create more jobs for local people.

*Recommendation 2: Develop a promotional campaign to promote local products.*

- 1) Initiate a policy to promote local products at supermarkets and stores – local products must be displayed at front shelves in supermarkets and stores;
- 2) Promote the use of local products – traditional dress for office uniforms, government institutions and schools, where the textiles are locally sourced from Cambodian weavers;
- 3) Develop reference materials to promote local products nationwide using digital platforms through social media such as Facebook, e-news and e-leaflets, etc.;
- 4) Promote the marketing of local products and services through the conduct of marketing events such as trade fairs, in-store displays, showcases, and local trade missions;
- 5) Expand and strengthen linkages among MSME through information exchange and other market matching-related activities, and create awareness of domestic marketing opportunities;
- 6) Develop and maintain domestic market databases such as local raw materials suppliers, local semi-processed products suppliers, local finished products suppliers, and buyers (institutional and big buyers);
- 7) Develop an integrated e-portal that has all MSME related business information (laws and regulations, business publications, statistics and women entrepreneurs successful stories);
- 8) Promote institutions and entrepreneurs already working on e-commerce and encourage the local suppliers to join local platforms and local MSMEs.

*Recommendation 3: Develop a Franchise and e-Franchise law to expedite business and convert the active income to passive income.*

- 1) Develop a franchise law that will provide business opportunities for entrepreneurs.

## Annex 1: Questionnaire for FGDs

### **General information about WEs' business**

1. What is your age?
2. What type of business?
3. Do you produce local products? What are they?
4. How long have you been running your business?
5. What is the size of your business? Micro, small, medium, or large size?
6. What is the number of your staff?
7. What is the annual revenue of your business?
8. Has your business been registered? If yes, which ministry?

### **Challenges of accessing to market and local products promotion**

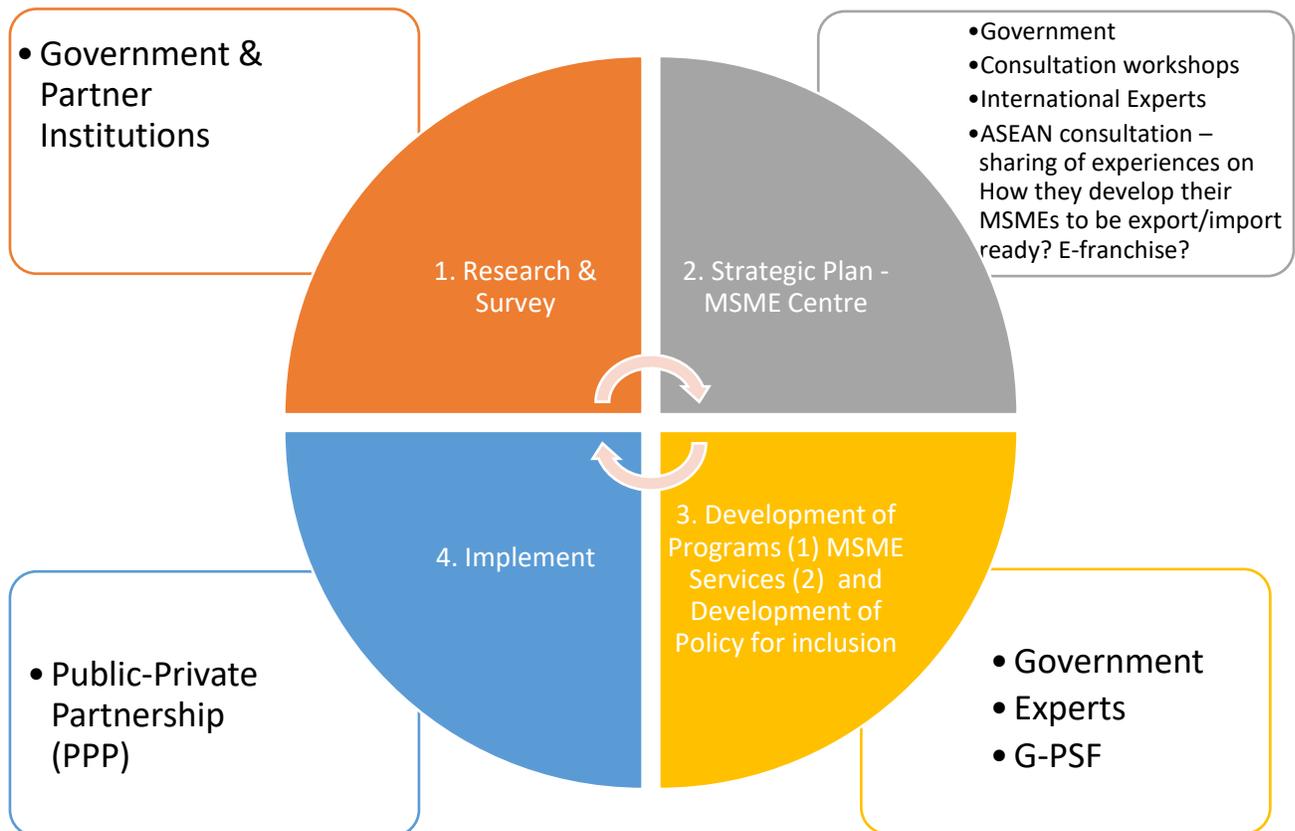
9. Do you have difficulty in getting your products to market? Both locally and internationally.
10. Please describe if you are struggling with accessing the market? Will use follow-up questions to get the participants to elaborate more.
11. If you produce local products, do you find local products are being interested by local or foreign customers? Why or why not? Please describe.
12. Do you think your product can compete with other same products made from another country? Why? Why not? Please describe.
13. Do you think that local products have been widely promoted in Cambodia? If yes, how? If not, why?

### **Recommendations/suggestions from WEs regarding accessing to market and promoting local products**

14. What are your suggestions for promoting local products? What should the government or relevant ministries do to promote local products widely?
15. What are your suggestions on getting access to the market? What should the government or relevant ministries do to help products/services access the market?

## Annex 2: Vision – Establishing an MSME Centre

1. MSME Centre to focus and serve as “One Stop Export-Import Service Centre” that will provide information and Capacity Development for local exports/importers to enable them to increase knowledge in producing global products and ethical business operations, complying with global requirements as to products, legality and standards. This will also increase the portfolio profile of local producers reaching out to Global Visibility and Competence.
2. The Centre is to work, run and supported both by public and private engagements.



## Annex 3: Concept on having a Franchise Law by Dr. Sok Siphana

### **Concept on the need to have a Franchise Law in Cambodia**

Submitted for CWEA to be incorporated in the CWEA Policy White Paper

By Dr. Sok Siphana

#### ***Definition, current legal framework and issues***

##### **What is a franchise?**

A privilege granted or sold, such as to use a name or to sell products or services. In its simplest terms, a franchise is a license from the owner of a trademark or a tradename permitting another to sell a product or service under that name or mark. More broadly stated, a franchise has evolved into an elaborate agreement under which the franchisee undertakes to conduct a business or sell a product or service in accordance with methods and procedures prescribed by the franchisor, and the franchisor undertakes to assist the franchisee through advertising, promotion, and other advisory services.

##### **Franchising in Cambodia**

Cambodia has a rapidly growing economy with a sustained impressive growth rate of 7.7% between 1995 and 2018 (World Bank, Cambodia Overview). During that time, Cambodia has transitioned from being classified by the World Bank as a low-income country to a lower middle-income country. In addition, a sizable middle class had developed, particularly in Phnom Penh. Along with economic growth, an expanding middle class, and a welcoming investment framework, Cambodia has witnessed the entrance of a number of international franchises, including Burger King, Carl's Jr., Circle K, Cold Stone Creamery, Domino's Pizza, Krispy Kreme, L'Occitane, Levi's, Lotteria, and Pandora and more recently seven eleven.

##### **What is the current framework of franchise in Cambodia?**

Cambodia has not enacted any comprehensive franchise laws. The concept of franchise is therefore apprehended by laws of general application that implicate franchise issues, but that are not specifically designed for it. Franchising is primarily governed by the following laws:

- Civil Code (general rules applying to contracts, misrepresentation, disclosure etc.);
- Law Concerning Marks, Trade Names and Acts of Unfair Competition (Trademark Law) of 2002 and its sub decree;
- Notification on the Recordal of License Contracts and Franchise Contracts, dated March 12, 2015 (Franchise Contract Notification);

- Prakas n° 36 of the MOC dated 13 January 2020 on Recordal of License and Franchise Contract.

License and franchise relations are governed under a specific regulation that was passed on January 13, 2020: Prakas on Recordation of License and Franchise Contracts by the MOC/Department of the Intellectual Property Rights. This declaration was adopted with the purpose of strengthening intellectual property rights protections, technology transfers, investment expertise skills, business operations and fair competition in the Cambodian market. Only by complying with the recordation process of this declaration can a licensee or franchisee be legally granted the rights to act against a third party.

According to the Prakas, the term licensing refers to an agreement whereby the owner of a registered or pending mark in Cambodia leases the licensee(s) to use that mark by consent either for commercial or non-commercial purposes and parties are bound by the terms of that contract. Franchising refers to a type of contract whereby the business owner (franchisor) invents a business model and authorizes another person (franchisee) to use their business model either for commercial or non-commercial purposes.

There are three legally recognized forms of licensing contracts: (1) exclusive licensing, (2) non-exclusive licensing, and (3) sole licensing. Each type of contract represents a different set of rights and relations between licensee/franchisee and licensor/franchisor. They are as follows:

1. **Exclusive licensing:** a type of agreement where the licensor gives the exclusive right to use the mark to only one person or entity known as the licensee. The licensor has no right to use or license the same mark to another person or entity in any situation.
2. **Non-exclusive licensing:** this is the opposite of exclusive licensing. This form of contract allows the licensor to license the right to use the same trademark and/or license to another person or entity.
3. **Sole licensing:** a type of agreement where the licensor gives the exclusion to use the mark to only one licensee; however, the licensor can still obtain the right to use the mark.

License contract transactions in Cambodia are governed by the existing laws, namely the Trademark Law 2002 and its Implementation Sub-Decree 2006. According to the Trademark Law, a license contract is required to be recorded with the register of the MoC, so that it can be used to assert against third party. However, the Trademark Law is silent on the franchise contract. On 12 March 2015, the MoC issued Notification No. 0738 on the Recordal of License Contract and Franchise Contract (the “Notification”) to fill in the gap of the Trademark Law. Based on the Notification, both license agreement and franchise contract shall be registered and recorded with the register of the MoC to gain its protection against third party.

### **Why a dedicated franchise law would be needed in Cambodia?**

The framework of franchising has evolved in Cambodia with, in particular, the obligation to register the franchise agreement mentioned above. However, there is currently no specific law dedicated to franchising and, apart from the simple registration of a franchise agreement, there is no real framework concerning the contractual obligations of the parties (franchisor and franchisee). Indeed, at the present time, if franchise agreements must be registered, their content is not really regulated. In addition, a law providing a precise framework for franchises would make it possible, for example, to ensure greater balance in the contracts entered into by the parties, by clearly defining the respective obligations of each party.

The franchise operation is indeed complex and some elements such as the following shall be clearly defined and organized with a specific law:

- The activity, products and services that will be the object of the relationship between the franchisee and the franchisor;
- The way in which the franchisor will transmit its know-how to the franchisee;
- Information about the franchisor's brand and sign;
- The duration of the contract, generally between 5 and 7 years;
- The obligations of the franchisor and the obligations of the franchisee;
- The financial conditions of the franchise: entry fee, mandatory capital, royalties, etc;
- The exclusivity clauses, especially regarding the catchment area, the supply channels (exclusive supply clause) and sales, the activity;
- Competition (common for foreign companies to insert non-competition provisions in their franchise agreements to restrict franchisees from engaging in any activities that compete with the franchisor)

The existence of such a framework should facilitate and further increase the use of franchising, which is already quite significant in Cambodia despite the non-existence of a law regulating it.

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<https://www.phnompenhpost.com/business/nine-us-franchises-eye-cambodia-debut>

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