



# Global Monitoring

status of action against commercial sexual exploitation of children

## CAMBODIA



2<sup>nd</sup> EDITION

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# GLOSSARY OF TERMS AND ACRONYMS

- **ASEAN:** The Association of Southeast Asian Nations
- **CCWC:** Commune Council for Women and Children
- **CEOP:** The UK's Child Exploitation and Online Protection (CEOP) Center
- **CNCC:** Cambodia National Council for Children
- **COMMIT:** Coordinated Mekong Ministerial Initiative against Trafficking
- **CRC:** Convention on the Rights of Child
- **CSEC:** Commercial Sexual Exploitation of Children
- **CTIP:** The Countering Trafficking in Persons Programme
- **CST:** Child sex tourism
- **EAP:** East Asia and the Pacific
- **ECPAT:** End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes
- **GNI:** Gross National Income
- **HLWG:** High Level Working Group
- **ICE:** US Immigration and Customs Enforcement (ICE)
- **ILO:** International Labour Organization
- **ILO-TICW:** ILO Project to Combat Trafficking in Children and Women
- **IOM:** International Organization of Migration
- **LEASECTC:** Law Enforcement against Sexual Exploitation and Trafficking in Children
- **MAWG:** Management and Analysis Working Group
- **Moj:** Ministry of Justice
- **MoU:** Memorandum of Understanding
- **MoEYS:** Ministry of Education, Youth and Sport
- **MoSVY:** Ministry of Social Affairs, Veteran's Affairs and Youth Rehabilitation
- **MPCFI:** Municipal/Provincial Court of First Instances
- **NPA:** National Plan of Action
- **NC/S.T.S.L.S.:** National Committee to lead the Suppression of Human Trafficking, Smuggling, Labour Exploitation of Women and Children
- **NGO:** Non-governmental Organization
- **OPSC:** Optional Protocol on Sale of Children, Child Prostitution and Child Pornography
- **SOMTC:** ASEAN Senior Officials Meeting on Transnational Crime
- **TSECIInfo:** Trafficking and Sexual Exploitation database
- **TIP Task Force:** National Task Force against Trafficking in Persons
- **UNIAP:** United Nations Inter-Agency Project on Human Trafficking
- **UNICEF:** United Nations Children's Fund
- **UNOHCHR:** United Nations Office of the High Commissioner for Human Rights
- **UNHCR:** United Nations High Commissioner for Refugees
- **UPR:** Universal Periodic Review
- **USAID:** United States Agency for International Development
- **YPP:** Youth Participation Project

# FOREWORD

The 2008 Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (CSEC) represents a broad societal alliance that builds on more than twenty years of global action. The First World Congress against Commercial Sexual Exploitation of Children was held in 1996 in Stockholm, Sweden. It marked the first public recognition by governments of the existence of CSEC and resulted in a commitment to an Agenda for Action adopted by 122 governments.

Since 1996, many actors around the world have focused their efforts around this common agenda, and more government and non-government entities have joined in to advance positive change for children and to protect their right to live free from sexual exploitation.

However, the increasing sophistication of resources available to those who seek to exploit children has grown in equal measure. Responding to these challenges, and particularly to new CSEC manifestations such as exploitation using the Internet and mobile technologies, requires new partnerships, and more coordinated and targeted efforts to address a borderless crime.

Experience demonstrates that the level of responsibility and role that a government takes to set and uphold standards of protection determines the nature, quantity and quality of what the country achieves overall for its children. Unfortunately, country actions have not been uniform, and far more urgent work must be done. In particular, the Rio Declaration highlights the increased vulnerability of children in a less stable world.

This is why I welcome the publication of second editions of ECPAT International's Agenda for Action (A4A) Country Reports Monitoring the Status of Action against the Commercial Sexual Exploitation of Children.

We are confident these unique publications will support governments to take prescribed actions to protect children from such heinous violations, which are still perpetrated with impunity in many countries. They also have the potential to stimulate the exchange of experience and knowledge among different actors to create a dialogue that can enhance our collective efforts against CSEC.

Over the years, ECPAT's A4A reports have become a baseline of information on actions taken and a roadmap for addressing gaps in each country based on the framework of the Stockholm Agenda. The reports succeeded in their goal of providing a basis for more systematic assessment of progress on implementation of country commitments. Moreover, we know they provide an important support to the implementation of other international mechanisms that exist to protect children's rights, such as the *Convention on the Rights of the Child (CRC)* and the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography*. Today, 193 countries have ratified the CRC, and 143 the OPSC.

Production of such comprehensive publications requires global collaboration. ECPAT International would like to thank all those who participated in the work and contributed their inputs. This includes ECPAT member groups, local experts and organisations, as well as the dedicated staff and interns in the Secretariat of ECPAT International. We acknowledge the generous support of donors who back these efforts. The A4A reports would not have been realised without their support and solidarity.



Kathleen Speake  
Executive Director, ECPAT International

# METHODOLOGY

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organizations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress II of 2001, the Mid-Term Review meetings held between 2004 and 2005 and the World Congress III in 2008. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this 2<sup>nd</sup> Edition report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers

in their work and to ensure consistency in the gathering, interpreting and analysing of information from different sources and parts of the world.

Desktop research has shown a continuing lack of information in the areas of Recovery, Rehabilitation and Reintegration. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports thus focus only on those areas of the Agenda for Action where verifiable information can be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; Protection and Child and Youth Participation, and where information on recovery, rehabilitation and reintegration, was available, it has been included under the country overview. These 2<sup>nd</sup> Edition Reports also reflect a greater focus on integrated and inter-sector collaboration for the realisation of the right of the child to protection from sexual exploitation, including the need nationally for comprehensive child protection systems.

Research of secondary sources, including CRC country and alternative reports, OPSC country and alternative reports, the reports of the Special Rapporteurs, as well as research and field studies of ECPAT, governmental and non-governmental organizations, regional bodies and UN agencies, provided the initial information for each report. This

information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on specialised areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for

analysis of the country situation. They also served as a measure for triangulating and validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all the 2<sup>nd</sup> Edition reports feature updated information in relation to: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see [www.ecpat.net](http://www.ecpat.net) for further details); (vi) overview and analysis of country's efforts incorporate participation of children in youth in the development and implementation of efforts to combat CSEC and (vii) priority actions required.



# CAMBODIA

## INTRODUCTION

In 2006, the Cambodian government and the United Nations formally established the Extraordinary Chambers in the Courts of Cambodia to try former Khmer Rouge leaders, who installed between April 1975 and January 1979 an authoritarian regime which committed gross human rights violations, such as genocide and crimes against humanity, and caused the death of up to 3 million people<sup>1</sup>. This was a major step taken by the Cambodian authorities to ensure that crimes committed by senior Khmer Rouge leaders do not remain unpunished.

After decades of political instability and violence, which mainly occurred during the Khmer Rouge regime and the civil war that started right after the Khmer Rouge Regime, Cambodia became in 1993 a constitutional monarchy. The government was established on the basis of elections that were internationally recognised as free and fair. Although the post-1993 period was more stable, political violence remained a problem in the 1990s<sup>2</sup> and until 2003 when national elections were held. However, political violence appears to have decreased as there was little pre-election violence before the 2007 commune elections and before the 2008 National Assembly elections.<sup>3</sup>

Cambodia has achieved, during the last fifteen years, high rates of economic growth (concentrated on the garment, tourism, and construction industries)<sup>4</sup> and significant poverty reduction.<sup>5</sup> However, the growth

was urban-focused and did not include the rural areas, where 91% of the poor live. This situation has led to an increase in inequality.<sup>6</sup> According to the World Bank, Cambodia's economy is still a "low-income economy" which means that the 2008 GNI per capita is \$975 or less<sup>7</sup>. In terms of Human Development, Cambodia ranks 126th out of 169 countries, which places Cambodia in the lower quartile of countries considered to have "Medium Human Development".<sup>8</sup>

Cambodia has the highest infant and under-five mortality rates in South-East Asia (97 and 141 per 1,000 live births, respectively)<sup>9</sup> and still 44% of children living in rural areas do not have birth certificates<sup>10</sup>. The failure to register all births often results in discrimination, including the denial of access to public services such as education and health care. A study commissioned by the UNHCR on statelessness in the country stated that the birth registration process often excludes children of ethnic minorities and stateless persons.<sup>11</sup>

Cambodian children continue to be affected adversely by an inadequate educational system. According to UNICEF, although the primary school enrolment rates are high, many children repeat grades so that it takes on average more than 10 years to complete primary school. Less than half of all students make it that far<sup>12</sup>. Many children leave school to help their families in subsistence agriculture or combine school with other activities to contribute to the family income.



School dropout particularly affects girls after primary school, due to safety concerns in travelling between their homes and schools located in remote areas.<sup>13</sup>

In Cambodia an estimated 24,000 children live and/or work on the streets and are therefore vulnerable to various violations, including sexual exploitation.<sup>14</sup> According to a report in 2006 by Phnom Penh Department of Social Affairs, Veterans and Youth Rehabilitation, there were more than 4,000 street children in the capital alone.<sup>15</sup>

Although a joint ILO, UNICEF, World Bank, Inter Agency Report on Child Labour in 2006 indicates that there has been a decline in child labour in Cambodia over the period 2001-2005, the situation in the country continues to be of serious concern, with the highest child economic activity rate in all of East and South-East Asia.<sup>16</sup> ILO reports that over 313,000 children are trapped in the worst forms of exploitation such as drug trafficking and prostitution.

Others spend hours in salt fields, work in factories or load carts with bricks to meet the demands of the booming construction industry. An ILO supported survey in 2003 found that one in every ten children in the capital above the age of seven was engaged in child domestic labour – working in the homes of others.<sup>17</sup>

Child sexual exploitation in Cambodia is fostered by a number of underlying causes. Apart from fragile government institutions, widespread corruption, inadequate child protection mechanisms, and massive tourism development, cultural and sociological factors also play a role in contributing towards child abuse. It has been observed that Cambodian children are indeed expected to abide by rules set forth by adults, and saying “no” to an adult is not easily tolerated. Combined with a historical legacy of foreign imperialism and the societal hierarchy such a system had facilitated, this makes children particularly vulnerable to adult predators, especially those who are foreign.<sup>18</sup>

## Child prostitution

There are no reliable and updated estimates of the number of children exploited through prostitution in Cambodia. Figures elaborated in the last decade vary and are mostly proposed without an explanation as to how or where they were obtained.<sup>19</sup> Despite this lack of data, evidence suggests that this form of child sexual exploitation is widespread in Cambodia and is often connected to human trafficking and child sex tourism.

Research in 2007 on sexual exploitation of children in tourism found that the number of individuals in prostitution in Cambodia ranges from 40,000 to 100,000 (30-35 percent of which UNICEF estimates are children).<sup>20</sup>

Media reports indicate changes in the commercial sex sector. The multiple police crackdown operations carried out especially in Svay Pak (Phnom Penh) forced pimps to

operate their activities underground in other areas/cities of the country. Youngsters have been moved to other parts of Phnom Penh or ended up in Siem Reap (home of the Angkor temples), where tourism has exploded, or at the seaside city of Sihanoukville. A field study carried out in Siem Reap in 2009 by International Justice Mission showed that 60 out of 80 brothels inspected by the team offered prostituted children.<sup>21</sup>

To a certain extent, child prostitution has become less visible than in the past, with children being confined into houses and delivered directly to the exploiter's hotel upon request. A diversification of locations where prostitution is practiced has also been

noted. Although the street remains in many cases a location for recruiting and exploiting children, sex services are now provided in karaoke-bars, massage parlours, nightclubs, and beer gardens.<sup>22</sup>

### Children in brothels living in slavery-like conditions

A 2010, New York Times article exposed how a 13 year old girl, who hadn't even reached puberty, was kidnapped and sold to a brothel in Phnom Penh. The brothel owner, a woman as is typical, beat and tortured her with electric current until finally the girl acquiesced. She was kept locked deep inside the brothel, her hands tied behind her back at all times except when with customers.

Brothel owners can charge large sums for sex with a virgin, and many girls, after being raped, are painfully stitched up so that they can be resold as a virgin.<sup>23</sup>

Child prostitution in Cambodia affects both boys and girls. According to a report, 80% of interviewed street children found to be involved in street-based exploitation were male, and many shared common backgrounds and experiences (such as stressors in the

family environment; no education or low-level education among victims and parents; street-working or street-living lifestyle; death of one parent or separation/divorce; and large families with multiple siblings).<sup>24</sup>

### Research on sexual abuse and exploitation of boys

Research published in 2008 by World Vision and Swiss NGO Hagar has for the first time investigated the sexual abuse and exploitation of boys in Cambodia. Based on semi-structured interviews and focus groups carried out in three provinces, Phnom Penh, Sihanoukville and Battambang, the study revealed that significant numbers of boys are sexually exploited by Cambodian and foreign adults in a variety of settings. Boys are also abused by other children, adolescents and in some cases women. The study did not discover organised sexual exploitation similar to that experienced by girls, but that does not mean it does not occur.

More is known about the sexual abuse of boys by foreign men in urban and tourist locales due to current child protection initiatives focusing on such incidents and coverage of court cases involving foreigners by media that rarely feature stories relating to Khmer perpetrators of abuse against boys.

A number of influential beliefs operate to keep the issue concealed or to minimise the seriousness with which it is viewed. Some are related to underlying cultural beliefs, notions of masculine identity and ideas of what constitutes sex and sexual abuse. They include but are not restricted to the views that abuse of boys is against Khmer culture and is therefore an imported problem; that it rarely occurs and is not that serious when it does; or that it is not abuse or harmful if money is exchanged. Boys are not perceived to have virginity and honour to lose, and therefore their experiences are often not considered to be harmful or taken seriously.<sup>25</sup>

While most child sex abusers in Cambodia are local Khmers, a significant population of foreign child sex exploiters are likewise implicated (some estimates suggest that this may be so in one out of every four cases).<sup>26</sup> According to experts, apart from demand for sex services from minors, child prostitution

in Cambodia is fuelled by many interrelated factors, including poverty, the absence of education, the weakness of the judicial and police systems, the occasional lack of international cooperation and the slowness of international procedures.<sup>27</sup>

## Child trafficking

Child sex trafficking is one of the primary manifestations of commercial sexual exploitation of children in Cambodia. Although Government authorities noted that human trafficking in Cambodia has decreased in 2009 thanks to increased law enforcement and successful prosecutions of human-trafficking offenders, no official statistics were provided to support this claim about the trafficking decline.<sup>28</sup>

Cambodia is a source, transit, and destination country for men, women, and children who are subjected to trafficking in persons for forced labor and commercial sexual exploitation. Women and girls are trafficked to Thailand and Malaysia for exploitative labor as domestic workers and forced prostitution.<sup>29</sup> Cambodian children are also trafficked to Thailand and Vietnam to beg, sell candy and flowers, and shine shoes. Within the country, Cambodian and ethnic Vietnamese women and children are trafficked from rural areas to Phnom Penh, Siem Reap, and Sihanoukville for commercial sexual exploitation. Children are also subjected to forced labor, including being forced to beg, scavenge refuse collection, work in quarries, and work in the production and processing of bricks, rubber, salt, and on shrimp farms.<sup>30</sup> Children may also be trafficked to further abroad destinations such as the United States for adoption for instance.<sup>31</sup>

In Cambodia, a significant proportion of female victims of trafficking for prostitution are ethnic Vietnamese, some of whom were born in Vietnam or Vietnamese communities living within Cambodia. NGO and media reports indicated that internal sex trafficking of women and girls from ethnic minority groups and of ethnic Vietnamese is an increasing problem. Reports mention that

Vietnamese and Chinese people are also trafficked through Cambodia to locations further abroad.<sup>32</sup>

As is similar to other countries, Cambodia experiences difficulty in producing reliable figures on child victims of trafficking for sexual exploitation from, through, and within Cambodia due to the patchy and inconsistent information that is available.<sup>33</sup> Nevertheless, a few NGOs have produced information generated from their own database through a joint collaboration in sharing related information on human trafficking among partner NGOs. According to the database maintained by ECPAT Cambodia which focuses exclusively on human trafficking for sexual exploitation, of the suspected trafficking cases examined in 2007-2008 and reported by participating NGOs, 165 cases (92 in 2007 and 73 in 2008) met the adopted definition of the UN Trafficking Protocol. Amongst the 165 cases reported in 2007-2008, 41.2% were under 18, the youngest victim being 8 years old. Data collected clearly indicates that women, especially between 13 and 25 years old are the most often trafficked. Whilst Battambang had the most reported cases of trafficked persons in 2008, the data shows that most of Cambodia is affected by trafficking.<sup>34</sup>

The U.S. Department of State releases annually its *Trafficking in Persons Report* which places countries in different categories (called Tiers) based on the efforts they deployed to combat effectively trafficking in human beings. Countries which have the highest level of compliance with the international anti trafficking standards placed in **Tier 1**, those who have made some efforts but which do not meet the anti trafficking standards are placed in **Tier 2** and countries which are not making efforts to combat trafficking in human beings are placed in **Tier 3**.

Cambodia is placed in **Tier 2** in the U.S. Department of State Trafficking in Persons Report 2011.<sup>35</sup>

## Child pornography/Child abuse images

Child pornography featuring violent abuse is reported to be widely available in Cambodia.<sup>36</sup> Often the materials are produced by sex offenders who film or photograph the children they abuse.<sup>37</sup> Victims also report being encouraged to watch pornographic materials with offenders, which is a well known method used to desensitise children to abuse.

Pornography is a major element of child sexual abuse in Cambodia. One research report indicates that 27% of children interviewed had watched pornographic films with an offender while 50% stated that an offender had made child abuse images (pornographic photos or films) of them. Moreover, it has been suggested that internet websites exist which advertise cheap and easy ways to have sex with children in Cambodia.<sup>38</sup>

As appears from reported cases of arrests, the making of child sexual abuse imagery in Cambodia is usually associated with child sex tourism, especially with instances of repeat child-sex tourism offenders and paedophiles. A combination of production and Internet

distribution of child sexual abuse imagery connected to international trips to Cambodia has also been observed. Child pornography circulation is facilitated by the lack of a system of registration for customers which allows travelling offenders to commit any illegal act on the Internet without been traced.<sup>39</sup>

In 2007, a report revealed the existence of a big market for the distribution of child abuse images in the form of regular media such as video disks in the country. There are open markets where these materials were sold to the public (including foreigners). Child-sex offenders travelling to Cambodia could easily access such materials from stores at a very cheap price.<sup>40</sup>

## Widespread availability of child pornography

In 2007 the case of child pornography being made available publicly through VCDs in the Phnom Penh market places were reported by The Cambodian Daily. According to the investigation carried out by the newspaper over a period of two days, various VCD titles such as : “Luring Underage Child,” “Old Grandfather Forced Underage Child To Have Sex,” and “70-Year-Old Grandfather Rapes 9-Year-Old Girl.” etc which included various scenes of bondage and torture were sold for around 50 US cents . It was also reported that child pornography materials were also available as mobile phone downloads from certain computer stalls opposite a school.<sup>41</sup>

The use of the internet has increased in Cambodia over the last 5 years and this is evident in the increased number of internet cafés, many of which have not installed child-friendly safe-guards.<sup>42</sup> Accordingly, child sex offenders often have unlimited access to the internet in most urban parts of Cambodia which can be employed as a grooming tool to desensitize children to acts of abuse and create a method of communication when the sex offender is abroad. Furthermore, Cambodian children are new to the concept of online child abusive images and the extent of the transmission of these images and thus might not view posing naked when asked to do so,

as an act of child sexual exploitation.<sup>43</sup>

Cambodia had adapted a 3G delivery platform for mobile phones used to access high speed Internet. Although the Prime Minister had proposed a ban of the 3G devices back in 2006 because of its usage for distribution of pornography (later limited to sending video stream only),<sup>44</sup> the existing lack of adequate policy on the part of the ISPs to filter content enables offenders to distribute child abuse imagery easily using fast broadband connections utilising 3G services that are available in the country or other mechanisms such as P2P file sharing.<sup>45</sup>

## Child sex tourism

Although numerous efforts were undertaken by the Cambodian government and NGOs to combat child-sex tourism in Cambodia, it appears that the problem is being pushed into the countryside and continues to exist underground.

Cambodia's popularity as a sex tourism destination may be attributed to several factors including the low cost of travel to and within Cambodia and its perceived reputation as a developing country with weak law enforcement.<sup>46</sup> In addition to that, the 2009 global economic crisis added to the existing elements of poverty locally, with numerous factories, especially within the garment sector, having to lay off their staff. Many families already on the brink of vulnerability may thus have been pushed into outright indigence. Also as a result of this, a strong attraction for child-sex tourists coming to Cambodia appears to be the availability and low cost of children for sex.<sup>47</sup>

There is reportedly often no need to groom children as they are easily available in brothels or on the streets. This state of affairs seems to prevail while prevention and reduction efforts taken in neighbouring Thailand, which had proved somewhat effective and which had driven paedophiles

to Cambodia, appears to be on the wane.<sup>48</sup>

Child sex tourism occurs in various Cambodian cities, such as the capital Phnom Penh, the tourist destinations Siem Reap and Sihanoukville, as well as in the border provinces of Battambang and Banteay Mancheay. According to the Ministry of Tourism, sex tourism also takes place in the eastern part of the country, which attracts eco-tourism.<sup>49</sup>

Child-sex tourists in Cambodia are said to include paedophiles, situational child-sex offenders, long-term residents<sup>50</sup> and virginity seekers.<sup>51</sup> Although Western child sex offenders are the centre of media's attention, it has been noted that there are many more Asians who seek sex from minors, whether they be Cambodians, rich Chinese or South-Korean. Westerners are indeed more easily targeted because they are more visible than local clients, Chinese and Korean. This factor appears to partially contribute to some degree

of social tolerance in Cambodia.<sup>52</sup>

Research published in 2007 confirmed that the recruitment methods used by travelling sex offenders vary according to their nationality. Whereas Chinese offenders often seek out virgins and do not approach children in public, arranging instead for a child to be brought to their hotel or residence by phone, Westerners are more

likely to go out and make direct contact with the children (some applying the 'grooming' technique for instance). Persons involved in street pedophilia are typically Western men who target underage boys, whereas Chinese and Japanese nationals rather tend to go to brothels where young girls are more predominantly found than on the streets.<sup>53</sup>

## How child sex tourists lure Cambodian children into sexual exploitation

In a newspaper article published in Canada in April 2009, part of an e-mail correspondence intercepted by Cambodian Police was highlighted, where two child-sex tourists, whose nationality is not disclosed, exchange advice about how to lure boys to their apartments: "Most of the boys are homeless and range in age from 10 to 14. Some are shoe-shine boys and others beggars. Some sniff glue and others don't. One day I had 7 boys staying with me. I have a very big apartment. There are two mattresses and loads of space for the boys to play."<sup>54</sup>

## Demand for virgins

The perceived desirability of having sex with a virgin is a contributing factor to demand for sexual services from children from both local Cambodian men and child sex offenders from the Asian region

According to a report published by the International Organisation for Migration (IOM) in 2007<sup>55</sup>, more than one-third of the women surveyed entered the sex trade through the sale of their virginity. The average age for selling virginity was found to be between 16-17 years of age. The same report also reveals that nationalities within the region who are known to travel to Cambodia to seek sex with virgins are Chinese, South Koreans and Taiwanese, Thais and Filipinos.

Similar to other South East Asian men, there is a strong cultural desire amongst Cambodian men to have sex with virgins. The 2007 research<sup>56</sup> showed that amongst the women surveyed, Cambodian men accounted for 49% of the demand in the

virginity market. Given that the average price for a virgin was said to be USD 482, it is apparent that such demand must come from Cambodian men who earn well above the average wage. In 2008, a prominent Cambodian politician reported to the government that most of Cambodia's sex industry was supported 'by local customers',<sup>57</sup> including high-ranking officials, the military, the police and civil servants, and rich businessmen, and that the efforts to address prostitution of children should not only focus on foreigners but also locals.<sup>58</sup>

Following the 1996 Stockholm and the 2001 Yokohama global forums on CSEC, Cambodia reaffirmed its commitments at the World Congress III against the Sexual

Exploitation of Children and Adolescents, in November 2008 in Brazil. The World Congress III renewed global commitment and galvanized international resolve to combat sexual exploitation of children and adolescents. In total, more than 3,000

people took part in the three-day gathering, including representatives from government, the private sector and civil society as well as 300 children and adolescents from around the world.

## NATIONAL PLAN OF ACTION

Despite Cambodia's efforts to adopt a comprehensive national strategy to counteract trafficking and CSEC since 2000, in 2006 an inter-ministerial committee finalised the Second National Plan of Action against Trafficking in Persons and Sexual Exploitation (2006 – 2010) in line with its commitment under the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) was still not adopted.<sup>59</sup> Instead, Strategies to combat human trafficking based on the final draft of the Second National Plan of Action was adopted and has been implemented since December 2009.<sup>60</sup> This approach may present a challenge in number of areas, such as, not having a clear designation of responsibility among involved ministries, unclear allocation of needed resources and identification of clear objectives within identified time-bound and monitoring the progress, etc. In this regard, it is encouraging that the National Committee to lead the Suppression of Human Trafficking, Smuggling, Labor Exploitation and Sexual Exploitation of Women and Children (NC/S.T.S.L.S) has identified the approval of the NPA on the Suppression of Human Trafficking and Sexual Exploitation (2010 – 2013) as one of its goals to achieve in 2011.<sup>61</sup> The Committee is expected to adopt the NPA in August 2011.<sup>62</sup>

The First adopted National Plan of Action Against Trafficking and Sexual Exploitation of Children (2000-2004) focused on 4 main areas including: prevention, protection, recovery and reintegration. The strengths of the first plan include the creation of a task force on child trafficking and sexual exploitation, the creation of a national 24 hour hotline for reporting trafficking and sexual exploitation cases and increased awareness amongst policy makers and the general public on CSEC issues.<sup>63</sup> The principal weakness of the first plan is said to have been a lack of any mechanism to evaluate progress such as indicators and targets.<sup>64</sup>

The Second National Plan of Action against Trafficking in Persons and Sexual Exploitation (2006-2010) was finalised in 2006 by an inter-ministerial committee focusing on a holistic strategy to combat human trafficking.<sup>65</sup> Although official

approval has still not been obtained, many of the activities addressed in the plan are reportedly being carried out at both the national and community levels<sup>66</sup> as strategies to combat human trafficking recognised by National Committee to lead the Suppression of Human Trafficking, Smuggling, Labor Exploitation and Sexual Exploitation of Women and Children (NC/S.T.S.L.S), chaired by the Deputy Prime Minister, that was established in 2009.<sup>67</sup> The Strategies focus on six key areas: Prevention, Law Enforcement, Protection, Justice, International Cooperation, and Child Affairs.<sup>68</sup>

Apart from developing provincial action plans for 2008-2009 in 3 trafficking hotspot provinces (Koh Kong, Siem Reap and Svay Rieng)<sup>69</sup>, in 2007 the Cambodian government, namely the Ministry of Interior also drafted and implemented the "Campaigning Plan to Combat Human

Trafficking, Smuggling, Exploitation, and Sexual Exploitation of Women and Children”. The plan aimed to implement the 2006 Memorandum of Understanding between the Cambodian government and USAID on undertaking an anti-trafficking program and authorized the suppression of venues for carrying out sex work (as a result of which brothel raids and street sweeps were carried out in late 2007).<sup>70</sup>

In relation to child sex tourism, in 2006, the Ministry of Tourism with technical and financial assistance from the International Labour Organisation (ILO) prepared and published a *Strategic plan (2007–2009) on the promotion of child safe tourism to prevent trafficking in children and women for labour and sexual exploitation in the tourism industry in Cambodia*. The plan identifies five different key strategies to address sex tourism and human trafficking of children and women, namely: a) Research and study on trafficking of women and children for sexual and labour exploitation in the tourism sector; b) Policy and Institutional Development for Child Safe Tourism; c)

Review of appropriate national laws and regulations and improvement of tourism laws/ regulations and enforcement of such laws and regulations; d) Prevention of trafficking of young women and children from tourism areas/ communities for sexual and labour exploitation; e) Protection for young women and children already working in tourism establishments and services and for young women and children at tourism areas/ communities vulnerable to trafficking for sexual and labour exploitation. The plan details the specific activities and expected outputs under each objective and specifies the timeframe, actors responsible and resources needed for implementation, and indicators for measuring achievements. Interventions for the Strategic Plan are coordinated at the national level and in three selected pilot areas of Siem Reap, Sihanoukville and Phnom Penh. Efforts are made for the greater involvement of employers’ associations, trade unions, business sector and the affected provinces and communities (for more details on activities implemented under this plan see section on prevention).<sup>71</sup>

## COORDINATION AND COOPERATION

### Local and national levels

The Cambodia National Council for Children (CNCC) is the main government agency dealing with children’s issues, with the function, amongst others to coordinate activities relating to the protection of children and to the implementation of the Convention on the Rights of the Child (CRC) and the Optional Protocol on sale of children, child prostitution and child pornography (OPSC).<sup>72</sup> In 2010, it is reported that the CNCC is currently making efforts to establish CNCC offices at provincial level, aiming to facilitate implementation of the CRC and its Optional Protocols and collect data relevant to children at the local level.<sup>73</sup> Up to now, 14 offices have been established, including in Kompong Chhnang, Oddar Meanchey, Kampot, Kratie, Preah Vihear, Banteay Meanchey, Svay Rieng, Kep, Takeo, Siem Reap, Preah Sihanouk, Kandal, Pursat and Prey Veng. The Director of the Department of Social Affairs is chairman of the provincial council.

However, the effectiveness of these offices is still uncertain. A National Committee to lead the Suppression of Human Trafficking, Smuggling, Labor Exploitation and Sexual Exploitation of Women and Children (NC/S.T.S.L.S) was established in late 2009, and a number of anti-trafficking coordinating efforts have been promoted at national and sub-national level.<sup>74</sup> The United States



Department of State, however, points out that interagency cooperation and coordination on trafficking cases needs to be enhanced, especially between police and court officials.<sup>75</sup>

The National Task Force against Trafficking in Persons (TIP Task Force) was launched in March 2007 with support from the Countering Trafficking in Persons Programme (CTIP) – a three-year project implemented by the Asia Foundation through support from the U.S. Agency for International Development.<sup>76</sup> The TIP Task Force comprises 11 government ministries, including the ministries of Interior, Justice, Women’s Affairs, Social Affairs, Education, Economy and Finance, Foreign Affairs, Defense, Information, Labor, and Tourism, plus three government agencies.<sup>77</sup> In 2009, the task force was transformed into a National Committee to Lead the Suppression of Human Trafficking, Smuggling, Labor and Sexual Exploitation of women and children (NC/S.T.S.L.S). The committee then formed six technical working groups including prevention, protection and reintegration, law enforcement, justice, international cooperation and child affairs.

To facilitate activities, the TIP Task Force is divided into three main thematic working groups focused on prevention (with ECPAT Cambodia as vice-chair from 2007-2010 and World Vision Cambodia, 2010-present)<sup>78</sup>, protection and prosecution. There are also two working groups targeting implementation of provincial level activities and follow-up action for MOUs and bilateral agreements.<sup>79</sup>

Furthermore, in August 2007 with support from the CTIP programme, the Government of Cambodia also established a High Level Working Group (HLWG) to provide additional political support to the TIP Task Force aiming to speed up prosecution related to human trafficking cases and other forms of exploitation, including trafficking in drugs. The HLWG is headed by the Deputy

Prime Minister/Minister of Interior; the HLWG unites the ministries of Interior, Defense, Justice, and Women’s Affairs.<sup>80</sup> ‘The National Taskforce and High Level Working Group to lead the Suppression of Human Trafficking, Smuggling, Labor Exploitation and Sexual Exploitation of Women and Children were created to implement the Plan of Action on human trafficking in the country.’<sup>81</sup> The two groups were merged in late 2009 to become just one national mechanism – National Committee to lead the Suppression of Human Trafficking, Smuggling, Labor Exploitation and Sexual Exploitation of Women and Children (NC/S.T.S.L.S), chaired by H.E. SAR Kheng, Deputy Prime Minister, Minister for Ministry of Interior.<sup>82</sup>

The Government has additionally established a secretariat to assist the National Committee to combat human trafficking and sexual exploitation of women and children. The duties of the secretariat includes implementation of the Strategies to combat human trafficking that were developed by multi-ministerial working groups<sup>83</sup>, monitoring and executing campaigns, coordinating and cooperating with representatives of national and international NGOs; coordinating with the court establishments; and filing reports every 3 months to the national task force.<sup>84</sup> Committees for the prevention of trafficking in women and children were also set up at district level across the country.<sup>85</sup>

As part of coordinating efforts at the local level, a number of “provincial dialogues” have also been held. These dialogues raise awareness by enabling open discussion on the issue of human trafficking. Participants in the dialogues come from the public, private and NGO sectors, including: high-

level government representatives, NGOs, hotel and karaoke owners, and community members. Their comments and concerns were said to be taken into consideration in developing provincial implementation plans. Campaigns were conducted in 5 provinces in 2008 and it is envisaged that this process will eventually be conducted nationwide.<sup>86</sup>

To strengthen coordination among anti-trafficking agencies in providing assistance to adult and child victims of trafficking and CSEC, in 2007 the Cambodian Government adopted the Agreement on Guidelines for Practices and Cooperation between the Relevant Government Institutions and Victim Support Agencies In Cases of Human Trafficking. The agreement refers to government bodies, civil society/non government agencies and international organisations and details a number of measures which are required to ensure effective care and protection of trafficking survivors from rescue to reintegration.<sup>87</sup>

With assistance from UNICEF (since 2002) the Ministry of Social Affairs, Veteran's Affairs and Youth Rehabilitation (MoSVY) has established provincial and community-based child protection networks across the following 5 areas: Phnom Penh, Prey Veng, Svay Rieng, Battambang, and Banteay Meanchey. The programme aims to develop child protection at a local level, improve protection for children at risk and develop prevention and early intervention strategies for children at risk. According to the last evaluation of the programme, it was suggested that it would be improved by introducing a stronger policy framework, more funding and a more prominent role for the MoSVY.<sup>88</sup> In 2008, the government established the Commune Council for Women and Children (CCWC), whose roles overlapped with those of the community-based child protection networks; thus, the latter programs have now been phased out in favor of the new CCWCs.<sup>89</sup>

The Child Safe Tourism Commission or the “Commission on the Prevention of Trafficking and Sexual Exploitation of Children linked to Tourism” was established in October of 2001 by the Ministry of Tourism in cooperation with the World Vision. The Child Safe Tourism Commission comprises senior officers and officials of the Ministry. In April of 2002, the Ministry of Tourism also requested the formation of Child Safe Tourism Commissions in the 24 provinces and municipalities of the country. These commissions serve as a mechanism to contribute to effective enforcement of laws and national guidelines on the protection of children from trafficking and sexual exploitation in the tourism sector. Methods include awareness raising and capacity building work among officials in the tourism industry, establishments and activities catering to tourists, and among tourism communities on child rights, international conventions relating to children, government policies and mechanism to combat trafficking for labour and sexual exploitation of children, and government commitments to international agreements and protocols.<sup>90</sup> Several educational activities were conducted by the Child Safe Tourism Commission since 2006, including within the framework of the *Strategic plan (2007–2009) on the promotion of child safe tourism to prevent trafficking in children and women for labour and sexual exploitation in the tourism industry in Cambodia*.<sup>91</sup> Apparently, these Commissions are functioning satisfactorily.<sup>92</sup>

It is also reported that in 2010, the Ministry of Tourism in collaboration with World Vision, ECPAT-Cambodia, Mith Samlanh and Child Wise Australia promoted the message “Join us to Protect our children, Welcome Responsible Tourists”, disseminated the tourism law to Municipal/ Provincial Department of Tourism as well as educational posters on 342 tuk-tuks in Phnom Penh and Preah Sihanouk province.<sup>93</sup>

There are many examples of cooperation between the public and NGO sectors. For example, Save the Children, are coordinating with the CNCC, in promoting a national mechanism for the co-ordination of all organisations against child sexual exploitation and trafficking.<sup>94</sup> Furthermore, there was extensive cooperation between the government and NGOs under the child-safe tourism campaign (see prevention section below).

Following recommendations of the CRC Committee that Cambodia strengthen its data collection systems,<sup>95</sup> it is reported that the CNCC developed TSECInfo, a database on trafficking and sexual exploitation of children based on a regional database on CSEC (CSECInfo). TSEC Info reportedly contains limited data due to the difficulty of collecting information on the subject matter, and also because there is limited human resource for its development and maintenance within CNCC.<sup>96</sup> As a ministry member of the National Committee S.T.S.L.S, in 2010, the Ministry of Justice (MOJ) ‘instructed the judges and Municipal/

Provincial Court of First Instances (MPCFI) to collect data on sexual abuse and domestic violence to include in the data collection form in relation to human trafficking<sup>97</sup> and send it to the MOJ. In the same year, the MOJ also formed a Management and Analysis Working Group (MAWG) on human trafficking and sexual exploitation.<sup>98</sup> Furthermore, in recent years, civil society groups, including NGOs, international organizations and UN agencies have tried to support initiatives to establish and strengthen trafficking recording systems in Cambodia. These efforts include developing victim case files, mechanisms and databases to record and store data and data collection through periodical surveys. Presently there are at least six databases in Cambodia that include human trafficking activity, including the Law Enforcement Against Sexual Exploitation and Trafficking in Children (LEASECTC) database of the Ministry of Interior which compiles cases held in the Cambodian legal system and the NGO Joint Statistics Database maintained by ECPAT- Cambodia which contains data on cases of trafficking and rape.<sup>99</sup>

## Regional and international level

Cambodia continued to make progress in engaging in sub-regional, regional and international cooperation against human trafficking and CSEC, especially by participating in ASEAN initiatives and in the Coordinated Mekong Ministerial Initiative against Trafficking (“COMMIT”). However, international cooperation to combat child pornography and child sex tourism remains insufficient, despite these two interlinked forms of sexual exploitation are of great concern Cambodia.

Cambodia continues to be one of the key players in the COMMIT, which aims to develop close cooperation among the 6 governments of the Greater Mekong Sub-region (Cambodia, China, Lao PDR, Myanmar, Thailand, and Vietnam) to combat human trafficking in all forms, including child trafficking for sexual purposes. To operationalise this partnership, COMMIT has developed Sub-regional Plan of Action every three years since 2005, which each

signatory country uses as a basis to develop its Country-focused Plan of Action. Annual reports are compiled to monitor the progress made by each of the countries in relation to the COMMIT sub-regional plan of action.<sup>100</sup> Several activities were conducted by Cambodia under the Second COMMIT Sub-regional Plan of Action (2008-2010). For example, in March 2008, Cambodia-Thailand workshops were held on bilateral cooperation against human trafficking

which enabled information sharing among provincial-to-provincial stakeholders concerning their roles and achievements in combating cross-border human trafficking, and assisted in the identification of areas needing greater bilateral cooperation.<sup>101</sup> With support from UNIAP and IOM, Cambodia also worked with the Malaysian Embassy in Cambodia to develop an MOU between Cambodia and Malaysia on human trafficking; however, this MOU has not yet been signed.

While the agreement with Malaysia still needs to be finalised, it must be recalled that Cambodia is still implementing the Memorandum of Understanding (MoU) on *Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking* with Thailand signed in 2003. The MoU provides for cooperation in providing services to trafficking victims, establishing mechanisms to decrease trafficking, prosecution of traffickers, and preventive actions such as the implementation of vocational and educational programmes. The MoU also established a Joint Task Force to ensure safe repatriation of women and children.<sup>102</sup> In 2008, Cambodia also signed an MoU on cooperation with China. The agreement covers human trafficking, drug trafficking, antiterrorism and personnel training.<sup>103</sup>

In 2007, government, NGO and private sector representatives participated in a regional seminar on 'Protection of Children from Trafficking and Sexual Exploitation in Tourism' hosted by the Royal Thai Government Ministries under the COMMIT initiative focusing on engaging the tourism section in addressing human trafficking. A Letter of Intent was adopted by the participants at the end of the seminar to reinforce collaboration among the six countries at regional level by working towards introducing measures including: a regional registry of child sex offenders; creating a regional child-safe campaign

by airlines; and setting a child sensitive hotline.<sup>104</sup>

As a member State of ASEAN, Cambodia is part of the Working Group on Trafficking in Persons established in 2007 as a regional focal network by the ASEAN Senior Officials Meeting on Transnational Crime (SOMTC)<sup>105</sup>. Cambodia also endorsed the ASEAN 2007-2009 Work-plan to Implement the ASEAN Declaration against Trafficking in Persons, particularly Women and Children,<sup>106</sup> as well as the ASEAN Practitioner Guidelines on Trafficking in Persons which provide criminal justice practitioners with detailed recommendations on international legal/judicial cooperation with regard to trafficking in persons cases<sup>107</sup>. Furthermore, Cambodia endorsed the ASEAN specific guidelines for responding to child trafficking victims adopted in 2008<sup>108</sup> and was involved in the Phase II of the ASEAN 'Regional Education Campaign to Combat Child Sex Tourism', implemented since 2006 with full support from the ASEAN Secretariat. In this framework, Cambodia undertook a number of activities, including, among others, production and distribution of several awareness raising materials and a training workshop on "Promoting Child Safe Tourism" for representatives from Ministries, institutions, local authorities, teachers, students, NGOs, employers and employees in the tourism businesses.<sup>109</sup>

Intense collaboration has been gradually established between law-enforcement agencies from Western countries and Cambodia to counteract child sex tourism and child pornography. The support to investigations provided by US Immigration and Customs Enforcement (ICE) is reflected in a number of successful cases which led to the arrest and prosecution of several travelling child sex offenders and child pornography producers. Another example is the Advisory Panel for the exchange of information and expertise which has been

established in 2008 by the UK's Child Exploitation and Online Protection (CEOP) Centre, in order to strengthen cooperation

between Cambodian law enforcement agencies, local children's rights NGOs and the British law enforcers.<sup>110</sup>

## PREVENTION

A number of preventive actions especially against human and child trafficking for sexual exploitation and child sex tourism have been implemented in Cambodia by government agencies, NGOs, international organisations and the private sector. However, there is an urgent need to develop targeted interventions to prevent child pornography as well as sexual exploitation of boys, particularly through education of children and young people. Furthermore, more resources should be allocated to addressing root causes of CSEC and reduce the demand for sex with minors, especially local demand.

As a preventive measure for young people, the Cambodian government has informed students on the human trafficking issue through formal and non-formal education methods.<sup>111</sup> In terms of informal education, the Ministry of Education, Youth and Sport (MoEYS) with assistance from UNIAP has produced 2 manuals for informal training. The manuals cover the CRC and the elimination of trafficking and sexual exploitation.<sup>112</sup> Several NGOs have also worked in schools with the Ministry of Education to include information and hold sessions on child trafficking and sexual exploitation both for students and for teachers. However, these initiatives are usually project-based and are not institutionalized in a state policy provision that would foresee the integration of issues related to trafficking and CSEC into the school curriculum.<sup>113</sup>

The Options programme which was implemented from 2004-2007 aimed to ensure that children (especially girls) at risk of trafficking and exploitation were educated in programmes relevant to their needs. In particular, girls are taught relevant, practical skills including basic and reproductive health, nutrition, hygiene, HIV prevention, as well as reading, writing, critical thinking and problem-solving skills.<sup>114</sup> The programme was implemented by a number of NGOs

including World Education and the Asia Foundation and it was implemented in 3 provinces: Prey Veng, Kompong Cham, Banteay Meanchey, and certain areas of Phnom Penh.<sup>115</sup> This programme entailed the preparation of a commune/sangkat plan to implement and monitor interventions at all levels.<sup>116</sup>

In Cambodia there are reported to be weekly regular radio talk shows conducted on different topics of human trafficking, with expert speakers from the anti-trafficking sector, government, and civil society including former victims of human trafficking.<sup>117</sup> It may also be noted that the Government has issued a notice in December 2007, recognising the 12th of December as anti-human trafficking day.<sup>118</sup>

In 2008, the National Task Force against Trafficking in Persons launched a nationwide anti-trafficking campaign and a national dialogue on trafficking via public forums in five provinces across the country. The forums also served to inform communities of the Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation, forms of trafficking, and trafficking trends.<sup>119</sup> Other trafficking prevention activities are implemented across the country, mainly in source areas including awareness-raising campaigns on human

trafficking and safe migration, education and capacity building, creation of child protection networks, poverty alleviation and disaster response projects through micro-credit schemes. Specific sensitization campaigns have additionally been conducted aimed at reducing the significant demand for child prostitution generated by Cambodians and other Asian and Western travelling offenders. However these awareness-raising campaigns are still not comprehensive and sustained enough to reach out to all vulnerable populations and would still need to be supported and strengthened.<sup>120</sup>

The Cambodian government, in partnership with ILO, is still implementing a “child-safe tourism” campaign drawing on the inputs and experiences that have been put into practice in the country over the last few years to prevent trafficking and exploitation of children through tourism<sup>121</sup>. The Government reported that the *Strategic plan (2007-2009) on the promotion of child safe tourism to prevent trafficking in children and women for labour and sexual exploitation in the tourism industry in Cambodia* developed in this framework as well as the operational guidelines, and a training manual were disseminated to 308 stakeholders, including local officials, school directors and staff of NGOs, hotels, guesthouses and restaurants in Phnom Penh, Siem Reap and Sihanoukville and Banteay Meanchey. Also, training courses for trainers in relation to Child-Safe Tourism have taken place and have had over 100 participants.

In addition a number of workshops on “Promoting Child-Safe Tourism” were held and participants included university students, civil servants and representatives from the travel and entertainment industries.<sup>122</sup>

Another aspect of the Child-Safe scheme is the involvement in Sihanoukville of moto-taxi drivers. The programme trains moto-taxi drivers to recognise dangerous situations and take the appropriate action. Since moto-taxis are the main form of public transport in many of Cambodia’s towns and cities, the organisers hope they will eventually drive away sex tourists.<sup>123</sup>

An increasing number of NGOs in Cambodia are dealing specifically with the matter of child sex tourism. Campaigns have been launched, innovative approaches developed, and previously overlooked groups are now also being targeted and involved in efforts to combat child sex tourism.<sup>124</sup> The NGO Friends International has run a programme called ChildSafe Network that started in 2005 in Cambodia. The focus of the programme is the involvement of tourism-related businesses towards building a protective environment for children, especially street children, who are generally those in the most vulnerable conditions.<sup>125</sup> ECPAT Cambodia launched an awareness-raising campaign through posters displayed on the rear of tuk-tuks in 2006. The initiative is still ongoing.<sup>126</sup>

## Private sector commitment to the fight against CST

A more recent example of an initiative by the ECPAT affiliate group in Cambodia (ECPAT-Cambodia) to prevent child-sex tourism, initiated in cooperation with ECPAT International and ECPAT Netherlands, included capacity-building seminars on the protection of children from sex tourism in order to increase understanding and awareness of the Code of Conduct to Protect children from Sexual Exploitation in Travel and Tourism. By signing the code, organisations commit themselves to providing information to customers about child-sex tourism and training staff to recognise and report suspicious activity. Seminars were held in Phnom Penh in September 2009 and involved participants from the NGO and private sector.<sup>127</sup>

During 2010 and 2011, five additional seminars were conducted with participation of private sector partners, NGOs and government officials.

The Queen Boutique Hotel in Phnom Penh requested ECPAT-Cambodia conduct training for all their staff after attending the code training in May 2010. Twenty-three staff members were subsequently trained on how to protect children from sexual exploitation in travel and tourism. ECPAT-Cambodia will follow up with Operations Manager to seek their interest in becoming a code signatory.

A follow-up meeting was organised with previous participants of the original seminars and it revealed that they maintained knowledge on CST as they were able to answer most of the questions related to the session. Increasing the scope of such trainings is an important tool to expand protection of children from tourists seeking to exploit them.

Telecom Cambodia, a leading Internet provider in Cambodia is being considered for having control of the exchange points for blocking access to web content that are deemed illegal by the government. The thought of blocking web content has met with an outcry from the other telecom providers and has generated some controversy regarding the authority of private sector bodies to filter content.<sup>128</sup>

Under a new centralization plan, all ISPs will be channeled through the exchange that Telecom Cambodia will manage and will be charged for such services. This approach is considered by the government in order

to be able to control the web content for all the ISPs in the country. Currently, web pornographic content and materials which are against the government are being targeted for blocking.<sup>129</sup>

Since 2005, a 24-hour hotline has been available that allows citizens and humanitarian workers to report suspicious cases related to child exploitation. The hotline is supported by World Vision and currently operates in 5 Cambodian provinces and the capital city of Phnom Penh. The hotline is publicised in tourist hotspots through leaflets, posters, and key chains.<sup>130</sup>

## PROTECTION

| International Instruments  |   |
|--|---|
| Human Rights Bodies and Instruments related to Child Rights                          | Comments  |
| Charter-based bodies   |   |
| Working Group on the Universal Periodic Review (UPR)– Human Rights Council           | 30/11/09 – 11/12/09 – review scheduled to take place.<br>16/09/09 – state report submitted. |
| Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography | 2004 - Visit requested  |

| International Instruments   |                                 |                          |                          |
|---|---------------------------------|--------------------------|--------------------------|
| Human Rights Bodies and Instruments related to Child Rights   |                                 | Comments                 |                          |
| Charter-based bodies  |                                 |                          |                          |
| Special Rapporteur on Trafficking in Persons, Especially Women and Children   |                                 | No country visit so far. |                          |
| Treaty-based bodies   |                                 |                          |                          |
| Committee on the Rights of the Child  |                                 |                          |                          |
| CSEC Children's rights instruments  | Date of Ratification/ Accession | Reservations             | Date of submitted Report |
| Convention on the rights of the child (CRC)– 1989   | 1992 (acceptance)               |                          | 2004                     |
| Optional protocol on the sale of children, child prostitution and child pornography (OP-CRC-SC) – 2000  | 2005                            |                          | No report yet            |
| ILO Minimum Age Convention – 1973 (No. 138)   | 27/09/2004 – signature only     |                          |                          |
| ILO Convention on the Worst Forms of Child Labour – 1999 (No. 182)  | 14/03/2006                      |                          |                          |
| UN Convention against Transnational organized crime – 2003  | 12/12/2005                      |                          |                          |
| UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking Protocol) – 2000 (supplementing the UN Convention against transnational organized crime) | 2 July 2007                     |                          |                          |
| Regional Instruments  |                                 |                          |                          |
| ASEAN Declaration against Trafficking in Persons Particularly in Women and Children.  | 12/12/2008                      |                          |                          |

## National legislation

In 2008 Cambodia enacted The Law on Suppression of Human Trafficking and Sexual Exploitation (the “2008 Act”) which replaced previous legislation dealing with the commercial sexual exploitation of children. In comparison to the previous legislation the provisions of the 2008 Act represent a step forward in compliance with international standards. However, there are certain shortcomings, particularly in relation to the definition of child pornography and the absence of measures to protect the victims of CSEC. Furthermore, it remains to be seen whether in practice the law will be fully implemented.



Cambodian law deals comprehensively with child prostitution in accordance with international standards. Penalties are imposed on those who engage in sexual activities with children as well as those who facilitate child prostitution whereas child victims are specifically exempted from punishment.

Article 23 of the 2008 Act defines child prostitution as “*having sexual intercourse or other sexual conduct of all kinds between a minor and another person in exchange for anything of value.*” This definition appears to include any form of sexual conduct with a child involving any form of consideration as required by the OPSC.

Under Article 34 of the 2008 Act, engaging in sexual activities with a victim of child prostitution faces a penalty of 2-5 years in prison if the victim is between 15 and 18 years of age. The penalty is increased to 7-15 years where the victim is under 15 years of age.

According to Article 26, there is a penalty of 2-5 years imprisonment for those who procure child prostitution by means of: (i) drawing a financial profit from the prostitution of others; (ii) assisting or protecting the prostitution of others; (iii) recruiting, inducing or training a person with a view to practice prostitution; (iv) exercising pressure upon a person to become a prostitute; (v) acting as an intermediary between a prostitute and a person who exploits prostitution; and (vi) hindering prevention or assistance of those engaged in prostitution.

Article 27 also contains a definition of aggravated procurement of prostitution which attracts a more severe punishment of 5-10 years imprisonment. Aggravated procurement occurs in various situations including where the offender is a family member of the victim, or uses force, or is part of an organised group.

Any person found guilty of operating or financing an establishment of child prostitution or making available premises knowing that they will be used for child prostitution faces imprisonment for 7-15 years (Article 27). Under Article 35, acting as an intermediary for child prostitution attracts a penalty of 2-5 years in prison and a fine of 4,000,000 – 10,000,000 riels. If this offence is carried on as a business, the penalty increases to 5-10 years in prison.

Additionally, under Article 36, any person who provides a loan (or anything of value) on the condition that a child will be engaged in prostitution or makes a contract for child prostitution will also be punished by 5-10 years imprisonment.

Children are specifically exempted from punishment for the offence of soliciting for which adult prostitutes face imprisonment and a fine (Article 24).

## TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

The 2008 Act has replaced the previous anti-trafficking laws. For the most part, the 2008 Act is in compliance with the Trafficking protocol, with the exception of the recruitment of children for the purpose of exploitation which is not considered to be an offence in Cambodia unless it is done using means of deception, force or coercion. According to the Trafficking Protocol, recruitment of children for exploitation should be an offence regardless of the means used.

Under Article 14 of the 2008 Act, buying, selling and exchanging human beings are punishable by 2-5 years imprisonment. There is also a concept of “unlawful removal” which is where a person is removed from their current place of residence by means of force, threat, deception, abuse of power or enticement (Article 8). Where a minor is unlawfully removed for the purpose of exploitation, it is a punishable offence (imprisonment for 15 to 20 years, under Article 10), regardless of the consent of the minor or the means used. This is in line with the requirements of the Trafficking Protocol.

The definition of the term “exploitation” provided by Article 10, which includes prostitution, pornography, commercial sex acts, forced labor or services, slavery or practices similar to slavery, debt bondage, involuntary servitude, child labour or the removal of organs, is in line with the requirements of Article 3(a) of the Trafficking Protocol.

Article 12 of the 2008 Act punishes “unlawful recruitment” which is where a person is induced, hired or employed to engage in any form of exploitation (including commercial sexual exploitation) with the

use of means that involve deception, an abuse of power, confinement, threats or any other coercion. Those who unlawfully recruit children for the purpose of exploitation are liable to imprisonment for 15 to 20 years imprisonment.

Even unlawful recruitment of children must involve the use of means that are as described above and there is no provision stating that the consent of a child is irrelevant. This is more restrictive than the standard under the Trafficking Protocol (Article 3).

Under article 17 and 19, those who transport, receive, harbour or conceal another person who has been unlawfully removed, recruited, bought, sold or transported for any form of exploitation are punishable by imprisonment for 15-20 years where the victim is a minor.

The 2008 Act has been criticised for failing to establish procedures for protection of victims of trafficking. It is said that the authorities have made little attempts to identify and assist victims of trafficking. Also, widespread corruption among officials contributes to the lack of progress in implementing anti-trafficking measures.<sup>131</sup>

## CHILD PORNOGRAPHY | CHILD ABUSE IMAGES

Until the 2008 Act came into force, Cambodia did not have any legislation to deal with child pornography. However, the provisions of the 2008 Act concerning child pornography require to be brought into line with the standards set out in the OPSC.

Article 40 of the 2008 Act contains the following definition of child pornography *“a visible material such as a photograph or videotape, including a material in electronic form, depicting a minor’s naked figure which excites or stimulates sexual desire.”*

The definition in the OPSC is *“any representation, by whatever means, of a child engaged in real or simulated sexual activities of any representation of the sexual parts of the child*

*for sexual purposes.”* Accordingly, it is clear that the definition under Cambodian law is inadequate. It does not appear to include the situation where there is an image of a child involved in sexual activities while fully or even partially clothed. Also it is unclear whether virtual child pornographic images are covered. In addition, it does not cover child pornography materials fixed in audio support.

Article 41 of the 2008 Act stipulates that any person who distributes, sells, leases, displays, projects or presents child pornography in a public place, shall be punished with imprisonment for 2-5 years and a fine of 4,000,000 – 10,000,000 riel (US\$960 – 2,390). The same punishment will be imposed on a person who possesses, transports, imports or exports child pornography for the purpose of distribution. A person who produces child pornography for distribution is liable to imprisonment for 10-20 years, while production of child pornography without the purpose of distribution is punishable by 5-10 years imprisonment.

It is unclear whether the Cambodian law on child pornography is equipped to deal with methods of distribution involving ICT. For example, there is no evidence as to whether courts will interpret using the internet, or any other form of ICT, for distribution as a “public place”.

Under Cambodian law, mere possession of child pornography without intention to distribute is not considered to be an offence. Even though it is not required under the OPSC, it is recommended that Cambodia follow best practice as stated under the Rio Declaration and Call for Action and criminalise the possession of child

pornography in order that such materials may be seized and taken out of circulation.

Cambodian law does not contain any provisions that provide punishment for those who knowingly access, view or download child pornography online. Although not required under the OPSC, it is recommended that Cambodia follow the Rio Declaration and Call for Action provisions in protecting children from child pornography and take steps to criminalise these offences.

The law does not criminalize online solicitation of children for sexual purposes of those (“grooming”). This issue is closely connected to child pornography as abusers often use child pornographic images to desensitize or blackmail children they are “grooming”. Therefore, the law should be reviewed and modified in light of the relevant provisions of the Rio Declaration and Call for Action.

It has to be highlighted that 2008 Act does not impose any reporting obligations upon individuals who may be exposed to child pornography as the result of their professional responsibilities (e.g. IT technicians). Similarly, no reporting obligations are imposed upon Internet providers and financial companies.

## Extraterritorial legislation with regard to child sex tourism related offences

Although there is no specific legal framework addressing child sex tourism, the 2008 Act provides for extraterritorial application. Under Article 3 of the 2008 Act, Cambodian laws apply to any offences committed outside Cambodia by a Khmer citizen as well as they apply to any offences committed outside Cambodia by a foreigner where the victim is a Khmer citizen at the time of the offence.

It is important to underline that the 2008 Act does not require that the alleged acts are criminalized both in the country where the offense was committed as well as in Cambodia (double criminality principle). This may facilitate the prosecution of child sex offenders.

Extra-territorial legislation is a powerful tool to prosecute and convict child sex offenders from Cambodia who escape prosecution in

the country where they committed alleged crimes. It also constitutes a robust deterrence measure for potential child sex offenders.

However, as Cambodia being mostly a “receiving country” rather than a “sending country” with regard to child sex tourism, it is important that the legal framework contains measures ensuring that foreign child sex abusers can be prosecuted and convicted under Cambodian criminal legislation. This should also include measures to request the surrender of foreign child sex abusers who try to escape prosecution in Cambodia by returning to their home country.

Similarly, it is important that Cambodian legislation contains provisions enabling Cambodian authorities to extradite suspects to their countries of origin or residence to stand trial there for the alleged crimes they committed there.

Article 2 of the 2008 Act applies to any offence in the territory of Cambodia which means that foreigners committing any of the offenses contained in this law can be prosecuted and convicted by Cambodian jurisdictions (extra-territorial legislation).

Under Article 566 of the Criminal Procedure Code, foreign residents who have been prosecuted or convicted (without serving full sentence) in another State can be extradited by Cambodian authorities. However, Article 569 of the Criminal Procedure Code stipulates that such a process is conditioned to the fact that the prosecuted facts constitute an offense under the law of both the requesting state and Cambodia (double criminality principle). In addition, under Article 571 of the Criminal Procedure Code, the offense committed should be punished with imprisonment for at least two years.

These requirements can constitute obstacles for the prosecution of foreign child sex offenders who have escaped prosecution in other States.

According to Article 567 of the Criminal Procedure Code, extradition is usually implemented according to the provisions of international extradition treaties between requesting states and Cambodia. The government of Cambodia has signed extradition bilateral treaties with the Lao PDR, Thailand, China and South Korea.<sup>132</sup> However, if Cambodian authorities receive a request for extradition from another State party to the Optional Protocol on the sale of children, child prostitution and child pornography, with which it has no extradition treaty, Chapter 2 of the Criminal shall apply (Article 567).

According to Article 33 of the Constitution of Cambodia, extradition of Khmer citizens is conditioned to the existence of mutual extradition treaties with requesting countries.

In order to avoid practical obstacles in investigating and prosecuting suspects of CSEC offences (e.g. gathering material evidence and testimonies from the foreign countries where the offenses were committed), the government of Cambodia has signed the *regional Treaty on Mutual Legal Assistance in Criminal Matters* with other members of the ASEAN (Brunei Darussalam, Indonesia, Lao, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam).

## Prosecution of foreign child sex tourists in Cambodia

In relation to the prosecution of offences committed by foreigners against children on Cambodian territory, it appears that there were 12 arrests of foreign child sex offenders in 2008 and 26 arrests in 2009.<sup>133</sup> It may be noted that there has been criticism of light sentences given to foreigners, particularly in the case of a French national (convicted of purchasing child prostitution from a 16-year-old girl) who received a penalty of only one year in prison.<sup>134</sup> This is the result of the introduction of more detailed legislation that provides a clear distinction between various sexual crimes against children. Whereas in the past, all forms of exploitation were dealt with under a single provision (with admittedly strict penalties) the more articulate law now in force has made it possible for perpetrators to receive lighter sentences, for example in cases where there has been no penetration.<sup>135</sup>

It is relevant to note that the Ministry of Tourism issued 11 circulars during 2006 – 2007 regarding the control of tourist establishments such as hotels, massage services, restaurants, and transport businesses. These circulars prohibit all activities related to the sexual exploitation of children and all types of pornographic acts. The circulars require an immediate report to be made to the competent authorities about abnormal activities or events occurring in the locations

of those businesses.<sup>136</sup>

However, the 2008 Act fails to criminalize persons who promote child sex tours as well as those who make travel arrangements for persons for the purpose of sexually exploiting children in destination countries. This legal framework should therefore be reviewed and amended in light of the relevant provisions of the Rio Declaration and Call for Action.

## Child protection units

The Department of Anti-Human Trafficking and Juvenile Protection under the Ministry of Interior has been active since 2002 to investigate cases of trafficking and sexual exploitation in Cambodia, including of children. The Ministry of Interior also operates specialized anti-trafficking divisions in all provinces and municipalities. While the officers working in these units have received some specialized training on legal and technical issues concerning law enforcement and the sexual exploitation of women and children, ongoing training and additional resources are still necessary to support early identification of child victims of trafficking and adequate protection during investigation and trials.

The UNIAP also reports the establishment of a cadre of specialist judges and prosecutors that have a strong understanding of the issues and sensitivities involved in cases of human trafficking, however the specific rights of the child are not systematically and adequately taken into consideration in the trainings and practices related to child trafficking.<sup>137</sup>

It appears that Cambodia is making progress in efforts to improve law enforcement

through child friendly procedures. It is reported that some courts in Cambodia, particularly in Kandal province, are increasingly using video tapes as evidence for investigating cases involving children, and not requiring child victims to present before the court.<sup>138</sup> Moreover in 2007, the Anti-Human Trafficking and Juvenile Protection Department prepared a child-friendly interview room equipped with video cameras in 10 provincial and municipal

police commissioner offices, in order to make children more comfortable during the interview process.<sup>139</sup>

One of the main law enforcement issues that remains problematic in Cambodia is the intimidation of witnesses to drop charges. It is reported that some victims

were encouraged by NGOs and the Ministry of Interior to file complaints against perpetrators; however, in the general climate of impunity, victim protection was problematic, and some victims were known to be intimidated into abandoning their cases.<sup>140</sup>

## Support services for children

In 2008 it was reported that while the Ministry of Social Affairs, Veterans and Youths (MoSVY) participated in providing assistance to victims of trafficking, its contributions were severely hampered by limited resources.<sup>141</sup> Accordingly, most of the assistance services are provided by NGOs. Other issues that remain problematic in Cambodia are said to be the lack of support services for sexually exploited boys<sup>142</sup> and the social stigma which makes it particularly difficult for females involved in the sex trade to reintegrate into families, communities and society.<sup>143</sup>

Examples of state provided services include temporary shelters for child victims of CSEC and a 24 hour hotline to report cases of trafficking run by the Department of Anti-Human Trafficking and Juvenile Protection where children can receive assistance and be referred to appropriate support services.<sup>144</sup>

Various NGOs offer assistance to children through the provision of safe accommodation and recovery programmes including training, counselling and medical care.<sup>145</sup> According to a report by the International Justice Mission conducted in 2006, aftercare facilities for children in Phnom Penh improved from 2003-2006, however there was found to be inadequate facilities in the provinces, meaning that children requiring assistance had to be transported to Phnom Penh.<sup>146</sup>

Another problem identified in the 2006 report was the lack of standards or policies for aftercare facilities, however it is reported that steps have been taken to address this problem. A national minimum standard of victim assistance was developed after consultation with a wide range of stakeholders, with the aim of enhancing support services for the victims of human trafficking in Cambodia. This standard

includes: principles of care, a victim assistance manual, a facilitator's guide, IEC materials and a literature review.<sup>147</sup> Furthermore, in May 2008, the Ministry of Social Affairs, Veterans and Youths has developed two sets of Minimum Standard on Alternative Care: on residential care, on pagoda-based care, and family based care and on group home care, aiming at protecting the rights and ensuring long term physical, mental, moral development of orphans and other vulnerable children. The Minimum Standards list quality of care standards relating to welfare, development, participation and management of residential care facilities of children.<sup>148</sup> In 2009, the Ministry of Social Affairs, Veterans and Youth Rehabilitation, with technical support from the Asia Foundation, developed and implemented the Policy and Minimum Standards for Protection of the Rights of Victim of Human Trafficking (including child victims of sexual exploitation). Key areas that are included as part of the Policy are: concept, model and principles of protection of the rights of victims of human trafficking, and responsibilities of competent ministries and institutions protection the rights of victims. Key areas indicated in the Minimum Standard include: list of

the rights of victims; standards on case management process; self care for service providers; process of reintegration; roles and tasks of officials/staff responsible for protecting the rights of victims of human trafficking; documentation and media.<sup>149</sup>

The Ministry has also published the Policy and Minimum Standard for the protection of the rights of the victim of human trafficking document and widely disseminated it to relevant agencies and NGOs for the implementation. The MoSVY is responsible for providing training on these standards to relevant government institutions, while The Asia Foundation and World Vision Cambodia were initially responsible for providing training to NGOs. In 2011, The Asia Foundation and World Vision Cambodia sub-granted these training projects to a coalition composed of ECPAT-Cambodia and Chab Dai to train network members. ECPAT Cambodia has so far conducted two such trainings, with total of 45 NGO personnel in Phnom Penh and Battambang.<sup>150</sup>

There is provision for legal service and

representation for victims of trafficking by the Bar Association of Cambodia. Also it is said that the government has provided financial resources to the operation of the Bar to enable free access by the poor to legal protection. Assistance has also been provided by NGOs, such as the Cambodia Defenders Project and Legal Aid of Cambodia.<sup>151</sup>

In terms of repatriation of trafficking victims, it is reported that in 2008, 854 trafficking victims were rescued; 580 were sent back to their families; 89 were sent to NGOs and 185 were sent to the Ministry of Social, Veteran and Youth Affairs for rehabilitation.<sup>152</sup>

It has been indicated that known foreign victims of trafficking found in Cambodia are mainly of Vietnamese origin.<sup>153</sup> It is reported that foreign victims are given temporary residence in NGO shelters where they are provided with medical, psychological and educational services while awaiting repatriation. However, it appears that services for Vietnamese victims are limited due to a lack of language capabilities.<sup>154</sup>

## Training of law enforcement personnel

There have been several initiatives to enhance the capacity of law enforcement officials on issues relating to CSEC. However, more efforts are required to provide law enforcers with knowledge and practical skills to counteract CSEC, especially child pornography.

Since 2006 the International Organisation for Migration with financial support from the Italian government has implemented a legal and policy support programme in 5 target provinces and municipalities to enhance the capacity of the law enforcement agencies and provincial courts in handling cases related to human trafficking.<sup>155</sup>

In the framework of the Second COMMIT Sub-regional Plan, in 2008 three national trainings were conducted by the specialist

training team, which draws trainers from different government ministries and development partners (to note that trainers were trained as a team under the First COMMIT Sub-regional Plan). It is reported that a total of 122 participants received instruction in prevention, protection, prosecution, and policy/legislative areas relevant to human trafficking.<sup>156</sup>

To enhance law enforcement against abuse, sexual exploitation and trafficking of children

the Anti-Human Trafficking and Juvenile Protection Department in cooperation with the coordination commission, UNICEF, World Vision, IOM, Save Children Norway and UNOHCHR has trained focal point police forces. Under the programme, 600 special police sub-commissioners and police officers positioning at the borders of 13 provinces and municipalities and 1,500 judicial police officers and 294 special police officers have also been trained. This training was to improve their investigating skills, search for evidence, rescue skill, interview technique and establishing cases for the court.<sup>157</sup>

The private sector has also been involved in capacity building. In the framework of an initiative funded and implemented by Microsoft, a two-week training program is held between 2006-2007 to arm the police with basic investigative and computer evidence-gathering techniques to identify child pornographers and chatroom pedophiles who prey on Cambodian children. This training was organized in cooperation with the British embassy and Britain's National Criminal Intelligence Service.<sup>158</sup>

## CHILD AND YOUTH PARTICIPATION

In September 2004, more than 50 Cambodian children, ages 10-17 gathered in Phnom Penh to take part in the "Voices of Children National Forum: Promoting Action against Human Trafficking". The forum was organized by the CNCC in cooperation with Child Rights Foundation, Children Committee, and Children in Love Association. The event was technically and financially supported by ILO-TICW, UNICEF, World Education and IOM. The young participants were either victims of trafficking, from vulnerable groups, or child rights advocates. The forum resulted in a Cambodian Children's Agenda for Action which was presented to senior Government representatives. Five of the children were selected by their peers to attend the Mekong Sub-regional Forum in Bangkok in October 2004. Further children's advocacy and participation initiatives were scheduled for 2005 and 2006, both in Cambodia and Sub-regionally.<sup>159</sup>

More recently, children from Cambodia were involved in the Mekong Youth Forum which allows young people from the Mekong sub region (Cambodia, China, Lao PDR,

Thailand and Vietnam) to participate in national and regional consultations to examine the work that is presently being done to prevent human trafficking and make recommendations for improvements in policy. Some of the children involved in the process were survivors of commercial sexual exploitation.<sup>160</sup> There were national forums addressing various issues, including: participation of young people and accountability to young people by policy makers; victim protection; access to quality education and prevention methods at community and family level. These initiatives are supported by governments and civil society but are community-driven.<sup>161</sup> In 2007 the second sub regional meeting was held in Bangkok where youth representatives from around the region produced a set of prioritised recommendations to assist senior decision makers in their policy development.<sup>162</sup>

It is encouraging to note that during the 6th COMMIT ministerial meeting held in November 2008, one of the recommendations included to continuing to listen to children and to consider how to



better involve them in addressing human trafficking (such as through the Mekong Youth Forum)".<sup>163</sup>

Children and young people from Cambodia and other East Asian countries were actively involved in the preparation for the World Congress III. The East Asia and the Pacific (EAP) Children's Forum was held from 14-16 August 2008 in Bangkok, just before the EAP Regional Preparatory Meeting. Attended by 15 children and young people from the EAP region and 11 accompanying adults and translators, the Forum provided an arena for participants to discuss and explore issues of violence against children, identify ways to address CSEC and prepare for their involvement (including through drafting 23 recommendations to government) in the EAP Regional Preparatory Meeting.<sup>164</sup>

The YPP (Youth Partnership Project) was initiated by ECPAT-International and has been implemented by ECPAT-Cambodia since 2009. The program works closely and actively with many survivors of CSEC and high risk children and youth from 12 NGO shelters and 3 public schools in Cambodia.

Following three years of work in the program, 30 survivors of CSEC and vulnerable children and youth (peer supporters) have been empowered and trained with various life skills, including knowledge of CSEC issues and techniques for advocacy, communication, counselling, and negotiation.

The trained peers supporters are now youth leaders coordinating the program and providing support to victims of CSEC and high risk children. Since the beginning of

the program, 410 children and youth have received direct support from these trained peer supporters, and about 10,762 have indirectly benefited from the program. YPP Cambodia youth, led by peer supporters, have implemented some outstanding advocacy micro projects, such as Youth Power in the Fight to Stop Sex Trafficking Campaign, and Awareness Raising Campaign on the Prevention of Trafficking and Child Sex Tourism.

'Youth Power in the Fight to Stop Sex Trafficking' is a global petition campaign which has grown out of ECPAT International and the Body Shop's campaign to Stop Sex Trafficking of Children and Young People. The aim of 'Youth Power in the Fight to Stop Sex Trafficking' is to involve the youth in advocacy, empowering them to effect change in their own communities and countries. The petition campaign in Cambodia was conducted for two months, and YPP youth gathered 19,873 signatures. The campaign relied on a detailed strategy to gain support from various stakeholders, including government officials, NGOs, and the general public. The collected signatures were then forwarded to ECPAT International for submission to the United Nations to be used in advocacy efforts.

Four awareness raising campaigns were conducted by YPP youth to advocate for the government to take further action against child trafficking and CSEC and also to raise awareness among communities, particularly vulnerable children. The campaigns garnered participation from a number of government officials, local authorities, teachers, monks, community members and students, totalling about 1,923 participants.



## PRIORITY ACTIONS REQUIRED

### National plans of action

- Cambodia should immediately adopt the *National Plan of Action on the Suppression of Human Trafficking and Sexual Exploitation (2010 – 2013)* which is waiting for approval and ensure that sufficient priority and allocation of resources are given to addressing children's protection.

### Coordination and cooperation

- Interagency cooperation and coordination on trafficking cases and to combat CSEC needs to be enhanced, especially between police and court officials.
- Cambodia ought to finalise arrangements to enter into a Memorandum of Understanding with Malaysia that covers child trafficking for sexual purposes and should also extend bilateral anti-trafficking cooperation with neighbouring countries.
- More police and judicial cooperation is required at regional and international level to investigate and prosecute child pornography and child sex tourism related offences.
- Cambodian authorities should improve its data collecting methods and mechanisms.

### Prevention

- More in-depth research should be conducted on the various forms of CSEC, especially child pornography and sexual exploitation of children in cyberspace.
- Cambodia must design and implement strategies to reduce vulnerability amongst children who are likely to be victims of CSEC.
- Effective educative and awareness-raising campaigns are also urgently needed to curb the demand for sex with children from both locals and foreigners.
- Cambodia must develop targeted interventions to prevent child pornography, particularly through education of children and young people on Internet safety, as well as to address sexual exploitation of boys.
- In line with the Rio Declaration and Call to Action, Cambodia should strengthen deterrence measures by creating and implementing an effective sex offender registration system.

### Protection

- Cambodia must amend the 2008 Law on Suppression of Human Trafficking and Sexual Exploitation to bring it into line with the Trafficking Protocol. In particular, it should be clarified that the "unlawful recruitment" of children for exploitation does not require some form of force or coercion.
- Cambodia must enact legislation to prohibit and punish mere possession of child pornography without intention to distribute as well as to prohibit and punish knowingly accessing, viewing or downloading child pornography and

- ✎ Cambodia must enact legislation to prohibit and punish grooming of children for sexual purposes.
- ✎ Reporting obligations should be imposed to individuals who may be exposed to child pornography as the result of their professional responsibilities (e.g. IT technicians). Similar obligations should be imposed upon Internet providers and financial companies.
- ✎ Cambodian legislation should contain special measures for identifying and protecting children victims of trafficking.
- ✎ The Cambodian legal framework should criminalize persons who promote child sex tours as well as those who make travel arrangements for persons for the purpose of sexually exploiting children in destination countries.
- ✎ With regard to law enforcement, harsher penalties should be pronounced against foreign child sex abusers. Steps must be urgently taken to prevent the intimidation of child victims of CSEC who wish to act as witnesses.
- ✎ It is particularly important to institutionalize child-friendly procedures in the criminal justice process to ensure child victims of trafficking and sexual exploitation are not criminalized, arrested, incarcerated or punished for acts committed as a direct result of being trafficked or sexually exploited but that they are treated as victims and receive all the protection they are entitled to.
- ✎ It is crucial to provide specialized child protection training to law enforcement and other government officials to support the enforcement of the human trafficking provisions through child-sensitive approaches.
- ✎ Capacity building activities for law enforcers should also be developed to counteract child pornography and sexual exploitation of children in cyberspace.

### Recovery and reintegration

- ✎ Specialized capacity building of relevant professionals likely to be in contact and provide care to child victims is urgently needed as a protective measure to ensure appropriate recovery and reintegration.
- ✎ Cambodia ought to take steps to ensure that adequate services are made available to all children victims of CSEC especially in the provinces. Special attention should be paid to Vietnamese child victims of trafficking found in Cambodian territory.
- ✎ New programmes targeting boy victims of sexual abuse and exploitation need to be developed, including: easily accessed drop-in centres and safe places available at all hours; easy access to sensitive and appropriate medical and legal counselling and peer support; provision of a help line and online resources; realistic opportunities for boys to develop viable alternatives to sexual exploitation; and opportunities to participate in a range of activities.

### Child and youth participation

- ✎ The Cambodia government should promote child and youth participation as a key strategy against CSEC and should look at identifying or creating structures for child participation within relevant policies and programmes.
- ✎ Research should be undertaken to assess the level of children's participation in the decision making processes of juvenile justice systems, case shelters, school and health centres, with a view to identify methods to improve their participation.

# ANNEX

## The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents\*

*Note: This is a condensed version. The full Rio Declaration and Call to Action also contains: Preamble; A. Review of progress and outstanding challenges; and B. Declaration.*

### C. Call for Action

We call on all States, with the support of international organizations and civil society, including NGOs, the private sector, adolescents and young people to establish and implement robust frameworks for the protection of children and adolescents from all forms of sexual exploitation, and we call upon them to:

#### I - International and Regional Instruments

- (1) Continue working towards ratification of relevant international instruments, including as appropriate the United Nations Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Convention on the Elimination of All Forms of Discrimination against Women.
- (2) Continue working towards ratification of relevant regional instruments, including as appropriate the African Charter on the Rights and Welfare of the Child, the ASEAN Charter,

the Inter-American Conventions on International Traffic in Minors and on the Prevention, Punishment and Eradication of Violence against Women, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the Council of Europe Conventions on Action against Trafficking in Human Beings, on Cybercrime and on the Protection of Children against Sexual Exploitation and Sexual Abuse, conventions which can be ratified by States that are non-members of the Council of Europe.

- (3) State Parties should take all necessary measures to implement the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, taking into due accounts the conclusions and the recommendations of the Committee on the Rights of the Child in the context of its review of State Parties' reports. All countries are encouraged to use this as an important reference.

#### II – Forms of Sexual Exploitation and its New Scenarios

*Child pornography/child abuse images*

- (4) Criminalize the intentional production, distribution, receipt and possession of child pornography, including virtual

\* The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), full text available at: [http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII\\_Outcome\\_Document\\_Final.pdf](http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf)

- images and the sexually exploitative representation of children, as well as the intentional consumption, access and viewing of such materials where there has been no physical contact with a child; legal liability should be extended to entities such as corporations and companies in case the responsibility for or involvement in the production and/or dissemination of materials.
- (5) Undertake specific and targeted actions to prevent and stop child pornography and the use of the Internet and new technologies for the grooming of children into online and off-line abuse and for the production and dissemination of child pornography and other materials. Victim identification, support and care by specialized staff should be made a high priority.
  - (6) Conduct educational and awareness-raising campaigns focusing on children, parents, teachers, youth organizations and others working with and for children with a view to improve their understanding of the risks of sexually exploitative use of the Internet, mobile telephones and other new technologies, including information for children on how to protect themselves, how to get help and to report incidences of child pornography and online sexual exploitation.
  - (7) Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report and remove child pornography websites and child sexual abuse images, and develop indicators to monitor results and enhance efforts.
  - (8) Call upon Internet service providers, mobile phone companies, Internet cafes and other relevant actors to develop and implement voluntary Codes of Conduct and other corporate social responsibility mechanisms together with the development of legal tools for enabling the adoption of child protection measures in these businesses.
  - (9) Call upon financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services which facilitate access to child pornography.
  - (10) Set up a common list of websites, under the auspices of Interpol, containing sexual abuse images, based on uniform standards, whose access will be blocked; the list has to be continuously updated, exchanged on international level, and be used by the provider to perform the access blocking.
  - (11) Undertake research and development, in the realm of the private sector, of robust technologies to identify images taken with electronic digital devices and trace and retract them to help identify the perpetrators.
  - (12) Promote public/private partnerships to enhance the research and development of robust technologies to investigate and to trace the victims with a view to immediately stop their exploitation and provide them with all the necessary support for full recovery.
  - (13) Make technologies easily available, affordable and usable for parents and other caregivers, including to assist with the use of filters to block inappropriate and harmful images of children.
- Sexual exploitation of children and adolescents in prostitution*
- (14) Address the demand that leads to children being prostituted by making

the purchase of sex or any form of transaction to obtain sexual services from a child a criminal transaction under criminal law, even when the adult is unaware of the child's age.

- (15) Provide specialized and appropriate health care for children who have been exploited in prostitution, and support child centered local models of recovery, social work systems, realistic economic alternatives and cooperation among programmes for holistic response.

*Sexual exploitation of children and adolescents in travel and tourism.*

- (16) Encourage and support the tourism, travel and hotel sectors in adopting professional Codes of Conduct, for example by joining and implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism; encourage the use of businesses that put in place appropriate child protection-focused corporate social responsibility strategies; and/or provide other incentives for those participating.
- (17) Ensure that all stakeholders pay specific attention to unregulated tourism to prevent domestic and international travellers from sexually exploiting children and adolescents.
- (18) Cooperate in the establishment of an international travel notification system, such as the Interpol 'green notice' system, in accordance with applicable law and human rights standards.
- (19) Ensure investigation and, where sufficient evidence exists, that appropriate charges are brought and vigorously pursued against the State's nationals who are reported or alleged to have sexually exploited a child in a foreign country.

- (20) Prohibit the production and dissemination of material advertising the sexual exploitation of children in tourism; and alert travellers to criminal sanctions that will apply in cases of sexual exploitation of children.
- (21) Monitor new and emerging tourist destinations and establish proactive measures to work with private sector partners involved in the development of tourism services on measures to prevent the sexual exploitation of children and adolescents, including the use of socially and environmentally responsible strategies that promote equitable development.

*Trafficking and the sexual exploitation of children and adolescents*

- (22) Mobilize communities, including children and adolescents with a view to engaging them in dialogue on and a critical review of social norms and practices and economic and social conditions that make children vulnerable to trafficking, and establish procedures that involve them in developing strategies and programmes where they participate, where appropriate, in the planning, implementation and monitoring of such programmes.
- (23) Pilot and adapt or replicate successful models of community-based prevention and rehabilitation and reintegration programmes for child victims of trafficking.
- (24) Establish policies and programmes that address not only cross-border but also internal trafficking of children and that include, among other elements, a standard operating procedure for the safe repatriation and return of children based on the child's view and on a careful assessment of the needs and risks to the child of returning to her/his place of origin to ensure that the best interests of the child are taken into account.

- (25) Continue strengthening cross-border and internal cooperation of law enforcement officials, for example by establishing coordinating units with a mandate to issue clear guidelines for child centered investigation of cases of trafficking of children and for treating trafficked children not as criminals but as victims in need of protection.
- (26) Take legislative and other measures to ensure that a guardian is appointed without delay for every unaccompanied trafficked child, that an effective system of registration and documentation of all trafficked children is established, and that every trafficked child is provided with not only short-term protection but also with the necessary economic and psycho-social support for full and long-lasting recovery and social reintegration (in line with the UNICEF

*Guidelines on the Protection of Child Victims of Trafficking and UNHCR Guidelines on Formal Determination of the Best Interests of the Child).*

- (27) Undertake and/or support, with the involvement of civil society and children, the regular evaluation of programmes and policies to prevent and stop the trafficking of children and of legislation that may have a conducive impact on trafficking, for example laws on marriage, free education, adoption and migration, birth registration, accordance of citizenship, refugee or other status.

### **III – Legal Frameworks and Enforcement of the Law**

- (28) Define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents in their jurisdiction, irrespective of any set age of consent or marriage or cultural practice, even when the adult is unaware of the child's age.
- (29) Establish effective extraterritorial jurisdiction, abolishing the requirement of double criminality for offences of sexual exploitation of children and adolescents, and facilitate mutual legal assistance, in order to achieve effective prosecution of perpetrators and appropriate sanctions. Make all acts of sexual exploitation of children and adolescents an extraditable offence in existing or newly established extradition treaties.
- (30) Designate a lead law enforcement agency, where appropriate to national circumstances, to proactively enforce extraterritorial laws related to sexual exploitation of children and adolescents.
- (31) Ensure that child victims of sexual exploitation are not criminalized or punished for their acts directly related to their exploitation, but are given the status of victim in law and are treated accordingly.
- (32) Establish special gender sensitive units/ children's desks within police forces, involving when appropriate other professionals like health care and social workers and teachers, to address sexual crimes against children, and provide specialized training to judicial and law enforcement personnel.
- (33) Address corruption in law enforcement and the judiciary, as well as other authorities with a duty of care to children, recognizing corruption as a major obstacle to effective law enforcement and protection for children.
- (34) Establish and implement international, regional and national legal mechanisms and programmes for addressing sex offender behaviour and preventing recidivism, including through risk assessment and offender management programmes, the provision of voluntary extended and comprehensive rehabilitation services (in addition to but not in lieu of criminal sanctions

as appropriate), safe reintegration of convicted offenders and the collection and sharing of good practices and establish where appropriate sex offenders registers.

#### **IV – Integrated Cross-Sectoral Policies and National Plans of Action General**

- (35) Develop and implement comprehensive National Plans of Action on the sexual exploitation of children and adolescents, or include these in existing relevant planning frameworks, such as National Development Plans and ensure that these Plans are based in a cross-sectoral approach which brings all stakeholders together in a coherent and comprehensive framework for action. These Plans should incorporate gender-sensitive strategies, social protection measures and operational plans, with adequate monitoring and evaluation targeted resources and designated responsible actors, including civil society organizations for implementation of initiatives to prevent and stop the sexual exploitation of children and adolescents and provide support for child victims of sexual exploitation.
- (36) Promote and support multi-sectoral policies and programmes, including community-based programmes, within the framework of a comprehensive national child protection system to address phenomena that contribute to the sexual exploitation of children and adolescents including, for example, discrimination (including on the basis of sex), harmful traditional practices, child marriage and social norms that condone sexual exploitation.
- (37) Promote and fund meaningful child and youth participation at all levels in the design, monitoring and evaluation of policies and programmes, in campaigns and through peer-to-peer youth programmes, aimed at raising

awareness and preventing the sexual exploitation and trafficking of children and adolescents.

- (38) Initiate and support the collection and sharing of reliable information and cross-border cooperation, and contribute to databases on victims and perpetrators, to enhance assistance to children and address the demand for sex with children, in accordance with applicable laws.

#### *Prevention*

- (39) Ensure that all children born on their territory are registered immediately and for free after their birth and pay special attention to not yet registered children and children at risk and in marginalized situations.
- (40) Strengthen the role of educational institutions and staff to detect, denounce and help address sexual abuse and exploitation of children in all forms and sources.
- (41) Emphasize prevention of sexual exploitation of children and adolescents, through e.g. awareness raising and educational campaigns, support for parents and eradication of poverty while reinforcing or establishing multi-sectoral referral mechanisms to provide comprehensive support and services to children who have been victimized in sexual exploitation.
- (42) Support children to gain deeper knowledge of their own rights to be free from sexual exploitation, and the options available to help them to address abuse, so that they are empowered, with the partnership of adults, to end sexual exploitation.
- (43) Engage children in meaningful and critical examination of changing contemporary values and norms and their potential to increase vulnerability



to sexual exploitation; and promote education to enhance children's understanding of these issues in relation to sexual exploitation.

- (44) Undertake research on contemporary patterns of socialization of boys and men across different contexts to identify factors that promote and strengthen boys' and men's respect for the rights of girls and women and engage them in action initiatives that inhibit and discourage them from engaging in sexual exploitation of children and adolescents.

#### *Protection of the child*

- (45) Increase efforts to address the sexual exploitation of children and adolescents through the development of comprehensive and integrated national child protection systems, including the necessary budget allocations and based on identifications of settings where children are most at risk that aim to protect children from all forms of violence and abuse.
- (46) Establish by 2013 an effective and accessible system for reporting, follow up and support for child victims of suspected or actual incidents of sexual exploitation, for example by instituting mandatory reporting for people in positions of responsibility for the welfare of children.
- (47) Develop or enhance accessibility of existing telephone or web-based help lines, in particular for children in care and justice institutions, to encourage children and require care givers to confidentially report sexual exploitation and seek referral to appropriate services, and ensure that the operators of such reporting mechanisms are adequately trained and supervised.
- (48) Strengthen existing national child protection services or establish new

ones in order to provide all child victims of sexual exploitation, girls and boys, without discrimination, with the necessary economic and psychosocial support for their full physical and psychological recovery and social reintegration, and when appropriate, family reunification and interventions that support and strengthen families to mitigate the risk of further exploitation; such services to be provided by well trained multi-disciplinary teams of professionals.

- (49) Ensure that these services are accessible, appropriately resourced, comprehensive, child- and gender-sensitive, and reach all children without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex (or orientation), and social origin and including children with disabilities, from ethnic minorities, indigenous or Aboriginal children, refugee or asylum-seeking and children in domestic service or living on the streets and children displaced by conflict or emergency situations.
- (50) Develop programs that provide children of sex workers and children living in brothels with support and protection.
- (51) Promote and defend the privacy of the child victims and child perpetrators of sexual exploitation, taking into account relevant national laws and procedures, to protect their identity in investigatory or court proceedings or from disclosure by the media and ensure that these proceedings are child friendly and allow the child to participate in a meaningful way in the process of bringing the perpetrator to justice.
- (52) Ensure that children and adolescents exhibiting acts of sexual violence harmful to others receive appropriate care and attention as a first option through gender-sensitive and child-focused measures and programmes that balance their best interest with

due regard for the safety of others, and ensure compliance with the principle that depriving children of liberty should be pursued only as a measure of last resort, and ensure that those responsible for the care of such children are equipped with relevant and culturally appropriate training and skills.

## **V – International Cooperation**

- (53) Take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts of sexual exploitation of children and adolescents; and for the assistance of child victims in their physical and psychological recovery, social reintegration and, as appropriate, repatriation.
- (54) Establish and/or improve by 2013 concrete mechanisms and/or processes to facilitate coordination at national, regional and international levels for enhanced cooperation among government ministries, funding bodies, UN agencies, NGOs, the private sector, workers' and employers' organizations, the media, children's organizations and other representatives of civil society with a view to enabling and supporting concrete action to prevent and stop the sexual exploitation of children and adolescents.
- (55) Strengthen and improve the effectiveness of existing regional mechanisms for exchange, coordination and monitoring of progress on child protection including against sexual exploitation in order to review progress and strengthen follow-up on the implementation of the recommendations made.
- (56) Provide, when in a position to do so, financial, technical and other assistance through existing multilateral, regional, bilateral and other programmes for addressing the sexual exploitation of children and adolescents; and explore the potential of a fund for child and youth initiatives in this area.
- (57) Develop, where appropriate with the support of UN agencies, NGOs, civil society organizations and the private sector, workers' and employers' organizations, policies and programmes to promote and support corporate social responsibility of enterprises operating inter alia in tourism, travel, transport and financial services, and of communication, media, Internet services, advertising and entertainment sectors; so that child-rights focused policies, standards and codes of conduct are implemented throughout the supply chain and include an independent monitoring mechanism.
- (58) Support and contribute to the Interpol international child abuse images database and nominate a responsible national focal point person or unit to collect and update promptly national data on sexual exploitation of children and adolescents, and systematically share this information with Interpol in order to support cross-border (international) law enforcement action and strengthen its effectiveness, and adopt multilateral agreements especially for police investigation work.
- (59) Undertake national and international coordinated measures to curb and stop the involvement of organized crime

in commercial sexual exploitation of children and bring persons and/or legal entities responsible for this form of organized crime to justice.

## **VI – Social Responsibility Initiatives**

We encourage the private sector, employers' and workers' organizations, to proactively engage in all efforts to prevent and stop the sexual exploitation of children and adolescents, and to use their knowhow, human and financial resources, networks, structures and leveraging power to:

- (60) Integrate child protection, including the prevention of sexual exploitation of children, into new or existing corporate social responsibility policies of enterprises operating inter alia in tourism, travel, transport, agriculture and financial services, and of communication, media, Internet services, advertising and entertainment sectors, and ensure appropriate implementation of such policies and widespread public awareness.
- (61) Incorporate the prevention and protection of children from sexual exploitation in human resources policies, such as Codes of Conduct and other corporate social responsibility mechanisms throughout the supply chain.
- (62) Join efforts with Governments, UN agencies, national and international NGOs, and other stakeholders to prevent the production and dissemination of child pornography, including virtual images and the sexually exploitative representation of children, and stop the use of the Internet and new technologies for the grooming of

children into online and off-line abuse; undertake actions to trace and stop the flow of financial transactions for sexual exploitation of children through the services of financial institutions; support efforts to address the demand for sexual exploitation of children in prostitution and the strengthening of services for children victims and their families, including the establishment of accessible telephone or web-based help lines; and provide support for educational and awareness-raising campaigns targeting children, parents, teachers, youth organizations and others working with and for children, on the risks of sexual exploitation of children, sexually exploitative use of the Internet, mobile phones and other new technologies as well as on protective measures.

## **VII – Monitoring**

- (63) Establish by 2013 independent children's rights institutions such as children's ombudspersons or equivalents or focal points on children's rights in existing human rights institutions or general ombudsperson offices, highlighting the importance for States Parties to the Convention on the Rights of the Child of General Comment No 2 of the Committee on the Rights of the Child; these bodies should play a key role in the independent monitoring of actions taken for the prevention of sexual exploitation of children and adolescents, protection of children from such exploitation and the restoration of the rights of sexually exploited children, in advocating for effective legal frameworks and enforcement and in ensuring, where necessary, that child victims have effective remedies and

redress, including the possibility of filing complaints before these institutions.

We encourage the Committee on the Rights of the Child to:

- (64) Persevere with reviewing progress of States Parties' fulfilment of their obligations to uphold the right of children to protection from sexual exploitation and pay special attention to the recommendations in the Rio Call for Action in its examination of reports under the Convention on the Rights of the Child and its Optional Protocols.
- (65) Adopt as a matter of priority a General Comment on the right of the child to protection from sexual exploitation, trafficking for sexual purposes, and the abduction and sale of children, including detailed guidance to States on the development, implementation and enforcement of national legislation and policies in this regard.
- (66) Continue to work with the Office of the High Commissioner for Human Rights in protecting child rights, and raising awareness of relevant international and regional human rights mechanisms.

We encourage other United Nations human rights treaty bodies, special procedures of the Human Rights Council and special representatives of the United Nations Secretary-General, as well as regional human rights mechanisms, to:

- (67) Pay particular attention to combating the sexual exploitation of children and adolescents, within their respective mandates and during their examination of State Parties' reports, country visits, in their thematic work and/or other activities.

We urge the Human Rights Council to:

- (68) Ensure that the Universal Periodic Review process includes rigorous examination of States' fulfilment of their obligations to children, including preventing and stopping the sexual exploitation of children and adolescents and to respectfully the rights of child victims of such exploitation.

We urge the yet-to-be-appointed Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Special Rapporteur on Trafficking in Persons, especially in Women and Children, together with other appropriate mandate holders and in collaboration with the Committee on the Rights of the Child, to:

- (69) Work together to avoid duplication and to maximise their impact in preventing and stopping the sexual exploitation of children and adolescents and, through their work, map experiences in the area of prevention and response to sexual exploitation of children and assess their effectiveness.

We encourage UN agencies, NGOs and human rights institutions to:

- (70) Support and provide information on the extent of and responses to sexual exploitation of children and adolescents to these bodies.
- (71) Work with the media to enhance their role in education and empowerment, and in protecting children from sexual exploitation, and to mitigate the harmful potential of the media, including

through the sexualization of children in advertising.

We call on international financial institutions such as the World Bank and the International Monetary Fund to:

- (72) Review their current macro-economic and poverty reduction strategies with a view to counteracting any negative social impact on children and their families, including loan conditionality which essentially limits social services and access to rights and minimizing the risk for children to sexual exploitation.

We call on religious communities to:

- (73) Reject, in the light of their consensus about the inherent dignity of every person, including children, all forms of violence against children including sexual exploitation of children and adolescents and establish, in that regard, multi-religious cooperation and partnership with other key stakeholders such as governments, children's organizations, UN agencies, NGOs, media and the private sector using their moral authority, social influence and leadership to guide communities in ending sexual exploitation of children and adolescents.

## C. Call for Action

(1) We commit ourselves to the most effective follow-up to this Call for Action:

- At the national level, inter alia, by biennial public reporting on the measures taken for the implementation of the Rio Declaration and Call for Action and promoting/initiating discussions on the progress made and the remaining challenges to named responsible mechanisms for monitoring implementation while also integrating such requirements into State reporting to the Committee on the Rights of the Child.
- At the international level, by encouraging and supporting coordinated actions by the relevant human rights treaty bodies, special procedures of the Human Rights Council and Special Representatives of the Secretary-General of the United Nations with a view to maintaining awareness of the Rio Declaration and Call for Action and promoting its implementation.

- (2) Encourage the private sector to join the United Nations Global Compact and communicate their implementation progress with regard to addressing the sexual exploitation of children and adolescents and supporting the realization of this platform for coordinated corporate efforts and sharing of best practices.

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