

In 2014, Cambodia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Vocational Training (MOLVT) created 24 interdepartmental inspection teams, which include a child labor inspector, and significantly increased the number of inspections and the number of inspectors trained to conduct child labor investigations. Additionally, the Government made several efforts to combat trafficking in persons (TIP), including drafting guidelines for the identification and referral of victims of TIP and sexual exploitation, and implementing them in six target areas. However, children in Cambodia continue to engage in child labor in agriculture and in the worst forms of child labor as victims of human trafficking. The legal framework leaves children vulnerable to the worst forms of child labor as there is no compulsory education requirement, and the law allows children as young as age 12 to engage in domestic work. Labor inspectors lack sufficient resources to adequately monitor child labor.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cambodia are engaged in child labor, including in agriculture.(1-8) Children are also engaged in the worst forms of child labor, including as victims of human trafficking.(5, 9-12) Table 1 provides key indicators on children’s work and education in Cambodia.

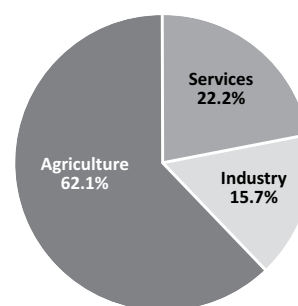
Table 1. Statistics on Children’s Work and Education

| Children | Age | Percent |
|-------------------------------|-----------|---------------|
| Working (% and population) | 5-14 yrs. | 9.4 (276,583) |
| Attending School (%) | 5-14 yrs. | 85.4 |
| Combining Work and School (%) | 7-14 yrs. | 9.1 |
| Primary Completion Rate (%) | | 98.1 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(13)

Source for all other data: Understanding Children’s Work Project’s analysis of statistics from Labour Force and Child Labour Survey, 2012.(14)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

| Sector/Industry | Activity |
|-----------------|--|
| Agriculture | Fishing, including deep-sea† and night fishing† (1-4) |
| | Peeling shrimp and shucking crabs* (1, 4) |
| | Production of tobacco, cassava, rubber, rice,* and sugarcane* (4-8) |
| | Logging for the production of timber† (2) |
| Industry | Making bricks† (2, 4, 5, 9) |
| | Production of salt (5, 9, 15) |
| | Construction,† including operating transportation equipment (2, 9) |
| | Production of textiles, including bleaching, dyeing and finishing with chemicals;† and garments* (2, 16) |

Cambodia

MODERATE ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (cont)

| Sector/Industry | Activity |
|---|--|
| Industry | Production of alcoholic beverages† (2) |
| | Work in slaughterhouses for the production of meat† (2) |
| | Manufacturing of wood*† and metal*† products (2, 5) |
| Services | Domestic service (17-20) |
| | Work as security guard† and in entertainment,† including as bartenders, masseurs, dancers, and waiters (2, 12) |
| | Work on the streets, including begging, vending, shoe polishing, scavenging, and portering (5, 9, 16, 20) |
| | Work as garbage pickers (21) |
| Categorical Worst Forms of Child Labor‡ | Commercial sexual exploitation sometimes as a result of human trafficking (5, 9, 11, 12, 22, 23) |
| | Domestic service, begging, street vending, and factory work each as a result of human trafficking (5, 9-12) |

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.







Children are trafficked to, from, and within Cambodia for commercial sexual exploitation and labor exploitation.(12) Trafficking for commercial sexual exploitation occurs primarily from Cambodia to Thailand, from Vietnam to Cambodia, and within Cambodia.(9, 11, 12, 22) Children are trafficked from smaller villages to larger cities and primarily to Malaysia, Thailand, and Vietnam to work as domestic servants.(10-12, 17) Children are trafficked primarily to Thailand to work as street vendors, sell candy or flowers, or work in factories.(11) Children are also trafficked to Thailand and Vietnam, where they are forced to beg and work as street vendors.(9, 12)

Significant barriers to accessing education still exist. In remote areas, children have to travel long distances to reach school, and transportation is limited.(5, 20) This sometimes deters parents from sending girls to school due to safety concerns.(20) While there is a current moratorium on new economic land concessions, some relocation sites do not meet human rights standards, including access to education services.(24) The Education Law provides for free education in practice; however, teacher salaries are low and instructors often charge extra fees to students for exams, snacks, tutoring, and even class time.(5, 25, 26) The lack of bilingual education can be an obstacle to school access for the children of ethnic minorities and needs to be further expanded.(19)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Cambodia has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

| Convention | Ratification |
|--|--------------|
|  ILO C. 138, Minimum Age | ✓ |
|  ILO C. 182, Worst Forms of Child Labor | ✓ |
|  UN CRC | ✓ |
|  UN CRC Optional Protocol on Armed Conflict | ✓ |
|  UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
|  Palermo Protocol on Trafficking in Persons | ✓ |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|--|
| Minimum Age for Work | Yes | 15 | Article 177 of the Labor Law (27) |
| Minimum Age for Hazardous Work | Yes | 18 | Articles 173 and 177 of the Labor Law; Regulation on the Prohibition of Hazardous Child Labor (27, 28) |
| Prohibition of Hazardous Occupations or Activities for Children | Yes | | Regulation on the Prohibition of Hazardous Child Labor (28) |
| Prohibition of Forced Labor | Yes | | Article 15 of the Labor Law (27) |
| Prohibition of Child Trafficking | Yes | | Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Persons (29) |
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human Persons (29) |
| Prohibition of Using Children in Illicit Activities | Yes | | Articles 343–346 of the Penal Code (30) |
| Minimum Age for Compulsory Military Recruitment | Yes | 18 | The Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (31, 32) |
| Minimum Age for Voluntary Military Service | Yes | 18 | The Law on General Statutes for the Military Personnel of the Royal Cambodian Armed Forces (31, 32) |
| Compulsory Education Age | No | | |
| Free Public Education | Yes | | Article 31 of the Education Law of 2007 (33) |

The Cambodian Labor Law does not apply to domestic or household workers, as provided in Article 1 of the Labor Law.(27)

Education is free, but not compulsory, through grade nine.(33) The lack of compulsory schooling makes children under age 15, the legal age to work, particularly vulnerable to child labor, as they are not required to be in school but are not legally permitted to work either.

In May 2014, the Ministry of Tourism issued the Subdecree on the Management of Tourism Entertainment-Tourism Centers for Adults (METCA) to fight against child sexual exploitation in tourism.(23) The Subdecree requires METCA operators—dancing halls, discotheques, karaoke clubs, and beer gardens—not to engage in human trafficking or sexual exploitation and allows for fines, suspension, or cancellation of a license if violations occur.(34)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|---|--|
| The Department of Child Labor within the Ministry of Labor and Vocational Training (MOLVT) | Enforce child-related provisions of the labor law and manage Cambodia's Child Labor Monitoring System. (16, 35) |
| The Cambodian National Police's Anti-Human Trafficking and Juvenile Protection Department (Anti-Trafficking Police) | Enforce laws against trafficking, child sexual exploitation, and criminal activities, along with municipal and provincial anti-human trafficking and juvenile protection offices.(36) Commanded by the Ministry of the Interior (MOI).(37) Complaints about human trafficking can be filed through the anti-trafficking hotline, 1288.(23) |
| Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) | Accompany the police on investigations, during which child victims may be found, and subsequently refer child victims to NGO services.(4) |

Law enforcement agencies in Cambodia took actions to combat child labor, including its worst forms.

Cambodia

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2014, the Department of Child Labor increased the number of inspectors trained to conduct child labor inspections to 58 from 35 the previous year. The Ministry of Labor and Vocational Training (MOLVT) also created 24 interdepartmental inspection teams, which include a child labor inspector.(38) While the MOLVT has approximately 342 inspectors nationwide, only inspectors trained in child labor inspection look for child labor violations.(39) Inspectors from the Department of Child Labor were trained on relevant laws and inspection techniques to identify child labor; however, the MOLVT lacks standardized guidelines for conducting labor inspections.(38)

The Department of Child Labor reports that, due to budget constraints, it is able to conduct inspections only in and around the capital city of Phnom Penh.(38)

The MOLVT conducted 723 inspections; 613 were of garment and textile factories, and 110 were of other enterprises. Of the 723 inspections conducted, 633 were site visits.(38) Inspectors found a total of 46 cases of violations of child labor in garment and textile factories, which primarily comprised underage workers.(38, 39) The 46 cases included 34 cases found by a joint inspection team of the MOLVT inspectors and the Better Factories Cambodia (BFC) program.(38) The 46 children were removed from the factories, were referred to social services, and received vocational training.(38) While the MOLVT has specific regulations regarding acceptable work for children in agriculture, fishing, and tobacco and cassava production, government officials report that they have not yet begun to enforce these regulations.(16) The Government lacks standardized guidelines on how to conduct labor inspections.(40) Additionally, most inspections are complaint driven and do not target or monitor where hazardous child labor is known to occur.(20)

Inspectors issued warnings to 10 garment and textile factories.(38) Although labor inspectors have the authority to order the immediate removal of children from the workplace and to levy fines, procedures for applying such penalties are not administered uniformly.(40)

Criminal Law Enforcement

In 2014, the Anti-Trafficking Police employed 500 police officers, approximately 20 in each province, to enforce laws against the worst forms of child labor.(38) The National Committee on the Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation, in collaboration with NGOs, provided anti-human trafficking training to 2,626 law enforcement officers and government officials in all the provinces in Cambodia. The Ministry of Interior (MOI), however, has not incorporated anti-trafficking training into the curriculum of the Cambodian National Police academies.(41)

The Government reported that police arrested 49 Cambodians and 9 foreigners for offenses related to human trafficking and child prostitution in 2014. Research found that these data are likely underreported, and that the Government needs increased capacity to collect and report reliable and timely data.(41) In 2014, the Anti-Trafficking Police rescued 101 underage victims and referred them to the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY).(38) The MOSAVY also identified and assisted 336 victims, including 218 minors, among persons repatriated from Thailand.(41) The MOSAVY drafted guidelines to identify and refer victims of human trafficking and sexual exploitation. These draft guidelines have been implemented in Phnom Penh and in five additional provinces.(23)

During the reporting period, the Anti-Trafficking Police reported that authorities prosecuted 21 individuals for trafficking in persons offenses. Cambodia courts convicted 29 individuals for 22 sex trafficking convictions and seven labor trafficking convictions.(41) As with investigations, research found that these data are likely underreported, and that the Government needs increased capacity to collect and report on reliable and timely data.(41) Judges can determine whether perpetrators will be imprisoned or fined, as well as the amount of the fine. Further, partly due to the high levels of corruption within the judicial system, the penalties imposed are not uniformly administered and do not adhere to the parameters prescribed by law.(4, 31, 39)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role & Description |
|---|---|
| The National Sub-Committee on Child Labor of the Cambodian National Council for Children (CNCC) | Coordinate child labor issues at the national level. Ensure that projects and programs follow national policy on child labor.(42) It includes all concerned ministries, businesses, trade unions, and NGOs. Provincial committees on the Protection of Child Rights and Provincial Committees on Child labor coordinate efforts to address child labor at the provincial level.(42) |
| The National Committee on Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation of Women and Children (NC/STSLs) | Coordinate policymaking efforts with regards to trafficking. Includes representatives from the Government of Cambodia and civil society.(35, 43) |
| Migration Working Group within NC/STSLs | Coordinate multisectoral participation to address migration issues, gather and monitor data on migration, facilitate information exchange, and provide recommendations on the formulation of agreements with relevant countries. Chaired by the Ministry of Interior and includes representatives from the Government, the UN, and NGOs.(43) |

The National Committee on Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation of Women and Children (NC/STSLs) finalized the draft of the Second National Plan of Action (NPA II) 2014 – 2018 and was launched on February 10, 2015.(41)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Cambodia has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

| Policy | Description |
|--|--|
| National Plan of Action to Tackle Child Labor in Inland and Coastal Fisheries | Incorporates child labor into the Ministry of Agriculture and Fisheries (MOAF)'s policies and legal frameworks for fisheries and aquaculture. Assesses work hazards for children in fisheries and aquaculture and ensures that children who work in fisheries and their families have access to education and livelihood opportunities.(35) In March 2014, MOAF with technical assistance from the ILO and World Vision, finalized draft guidelines for child workers in the fisheries sector.(44) Guidelines define the kinds of hazardous activities in which children are not permitted to engage and set fines for employers who violate them. Awaiting official approval from MOAF and the MOL.(44) |
| Policy and National Minimum Standards for the Protection of the Rights of Victims of Human Trafficking | Guidelines to improve the treatment of trafficking in persons victims. Mandates MOSAVY to train relevant government officials.(45) Lists children among those identified as victims of trafficking in Cambodia and includes the MOI's Safety Village Commune/Sangkat Policy Guide, which mandates that local governments take action to end the trafficking of women and children to ensure safe communes.(35, 46) |
| The Education Strategic Plan (2014 – 2018)† | Outlines a plan to ensure equitable access for all education services, enhance the quality and relevance of learning, and ensure effective leadership and management of education staff at all levels. Includes programs and activities aimed at improving the response to human trafficking and child labor.(47) New Plan launched in March 2014.(47) |
| The National Youth Policy | Aims to afford meaningful opportunities to young people ages 15 to 30 and provide them with the skills they need to enhance their economic participation.(48) |
| Rectangular Strategy for Growth, Employment, Equity and Efficiency Phase III (2013 – 2017) | Defines Cambodia's socioeconomic policy agenda and outlines a strategy for sustainable development and poverty reduction. Includes social protection programs to ensure poor children have access to education; promotes sustainable development of the health sector, including improved sanitation, health, and nutrition of children; and focuses on strengthening law enforcement to be more effective against human trafficking and sexual exploitation of children.(49) |
| National Social Protection Strategy (2011 – 2015) | Aims to protect the poorest and most disadvantaged populations, mitigate risk by providing coping strategies, and promote poverty reduction by building human capital and expanding opportunities such as access to health, nutrition, and education services, which the strategy states will benefit child laborers and their families.(50) |

† Policy was approved during the reporting period.

Political impasse, including a 10-month boycott of parliament by the opposition, significantly impacted the Government's ability to function and pass several updated policies.(38) The National Plan of Action on the Worst Forms of Child Labor (NPA-WFCL) ended in 2012. The Department of Child Labor, with technical assistance from the ILO, is incorporating information from the 2013 Child Labor Survey into the development of a new plan.(51) The National Plan of Action on the Suppression of Human

Cambodia

MODERATE ADVANCEMENT

Trafficking, Smuggling, Labor, and Sexual Exploitation (NPA-STSLs) and MOSAVY's First Occupational Safety and Health Master Plan ended in 2013. The NC/STSLs announced that the Second NPA-STSLs, covering years 2014 – 2018, has been drafted and was launched in February 2015.(41) The second Occupational Safety and Health Master Plan has been drafted and is expected to be launched in 2015.(39)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Cambodia funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|--|--|
| Commune Committees for Women and Children (CCWC)‡ | MOLVT and provincial government program that establishes and trains these committees at the commune and village levels to raise awareness of child labor regulations, ensuring that children continue to go to school, and reporting employers who use child labor.(16) |
| Street People Committee‡ | Interministerial committee chaired by MOSAVY that provides direct support for street children. Responsible for determining the number of people living and working on the street, including children, and providing for their needs.(37, 52) |
| Bilingual Education Programs*‡ | Ministry of Education, Youth, and Sport's (MOEYS) bilingual education program for ethnic minority children in preschools and primary schools in three provinces. Targets 2,359 students from grades one through three in 27 schools.(52, 53) |
| Cambodians EXCEL: Eliminating Exploitative Child Labor through Education and Livelihoods (2012 – 2016) | \$10 million, USDOL funded, 4-year project to combat child labor in agriculture, fishing, and domestic service. Targets 28,000 child laborers and at-risk children to receive education services, and 14,000 households to receive livelihood services.(54) Addresses a complex set of factors causing child labor, including poverty, limited education access, cultural acceptance of child labor, debt, migration, and lack of regulation in the informal sector.(54) |
| Better Factories Cambodia (BFC) | Monitors garment factories through unannounced visits to check for compliance with national and international labor standards, and works with factories implementing remediation plans. Works with tripartite partners, including the Government of Cambodia, trade unions, and Garment Manufacturers Association in Cambodia (GMAC), and is part of a global partnership between the ILO and the International Finance Corporation (IFC).(55) In December 2014, the GMAC and BFC signed an agreement to remove child labor from the garment sector.(56) |
| Counter Trafficking in Persons II (CTIP II) (2011 – 2015) | \$5.4 million USAID-funded, 4-year program implemented by Winrock International to improve the Government and civil society's coordination and capacity to effectively combat all forms of human trafficking. CTIP II focuses specifically on addressing the needs of victims of forced labor and sexual exploitation.(57) |
| Improved Basic Education in Cambodia Project (2009 – 2014)* | \$10 million USAID-funded, 5-year project supported by the MOEYS to enhance access to education, targeting 202 primary schools and 101 lower secondary schools. Provides improvement grants to schools for scholarships, latrines, and equipment including computer and science labs.(58) |
| UN WFP Country Program (2011 – 2016)* | Australian-funded, 5-year program implemented by the MOEYS to improve food security and nutrition, which includes providing breakfast and take-home rations to vulnerable primary school children, and off-season income-generation activities for the poor.(59) In 2013, WFP introduced a new cash scholarship transfer pilot program through a mobile banking system, in partnership with Angkor Microfinance of Kampuchea. Beneficiaries of the program must attend 80 percent of their classes and receive cash assistance that can be used for food or school supplies.(60) |
| Project Childhood (2010 – 2014) | \$3.7 million Australian-funded, 4-year regional project to combat child sex tourism in Cambodia, Laos, Thailand, and Vietnam.(61, 62) Seeks to ensure that the relevant legislative framework of each participating country meets international standards; that the police, prosecutors, and judges understand the law; and that mechanisms are established to promote cooperation within and across borders.(62) |
| ILO Decent Work Country Program (2011 – 2015), endorsed by the MOSAVY | Highlights child labor issues and outlines a framework for enhancing policies, laws, and enforcement mechanisms to protect children.(26) |

* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Cambodia.

The Government of Cambodia relies heavily on outside funding to combat child labor, including its worst forms.(16)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Cambodia (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

| Area | Suggested Action | Year(s) Suggested |
|---------------------|---|-------------------|
| Legal Framework | Institute and enforce a compulsory education age that is at a minimum equal to the minimum age for work. | 2009 – 2014 |
| | Ensure that the law's minimum age provisions apply to children working as domestic workers. | 2009 – 2014 |
| Enforcement | Ensure regular inspections inspect for child labor violations. | 2014 |
| | Develop and implement standardized guidelines for conducting child labor inspections. | 2011 – 2014 |
| | Provide sufficient resources for the enforcement of child labor laws to ensure inspections are conducted throughout the country. | 2010 – 2014 |
| | Enforce regulations regarding child labor in agriculture, tobacco, cassava, and fishing. | 2012 – 2014 |
| | Conduct targeted inspections of industries in which hazardous child labor is known to occur. | 2009 – 2014 |
| | Increase anti-trafficking training for law enforcement officers including at Cambodian National Police academies. | 2014 |
| | Increase capacity to collect and report on reliable and timely TIP data. | 2014 |
| Government Policies | Uniformly administer penalties for violations of child labor laws in accordance with the parameters prescribed by law. | 2009 – 2014 |
| | Approve a new National Plan of Action on the Worst Forms of Child Labor (NPA-WFCL). | 2013 – 2014 |
| | Approve a new National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (NPA-STSL). | 2014 |
| Social Programs | Approve a new Occupational Safety and Health Master Plan. | 2014 |
| | Ensure all children have access to free quality education, including by ensuring school fees are not charged and addressing distance, transport, and language barriers. | 2013 – 2014 |
| | Assess the impact that existing poverty alleviation, food security, and education programs may have on the worst forms of child labor. | 2010 – 2014 |

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Cambodia

MODERATE ADVANCEMENT

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