

BRIEFING ON CHILD ABUSE/VIOLENCE AND EXPLOITATION IN CAMBODIA

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Introduction

The Children's Department of LICADHO has been advocating and promoting children's rights all over the country since its establishment in 1995. The department and the 14 LICADHO provincial offices are involved in investigation of child cases, monitoring and provision of practical support to child victims of abuse, violence and exploitation. The following briefing presents major problems, confronting children in Cambodia that the Children's Department has been dealing with since its establishment.

Children's Rights in Cambodia

Poverty leads in Cambodia, like in other developing countries, to high infant and child mortality, high illiteracy and low per capita family income. Besides the country is in the process of recovery from at least 30 years of civil war including 4 years of terror with genocidal dimensions. The human cost from these years in terms of mental trauma is not easy to estimate but surely is a factor that also should be considered in the attempts to understand current child rearing practices and the cruelty that children can be exposed to.

The Convention on the Rights of The Child was ratified in 1992 and later incorporated into the Constitution. The article 48 in the Constitution clearly states that "The State shall protect the rights of the children as stipulated in the Convention on the Rights of the Child in particular the right to life, education, protection during wartime or sexual exploitation". Despite this strong emphasis on children's rights in the Constitution, children are still daily victimized by denial of education, high infant and child mortality, rape, hazardous and dangerous labour, prostitution and trafficking.

Impunity and corruption in the legal system are serious constraints for the enforcement of laws to uphold the rights of children.

National knowledge and awareness of child abuse is low due to the lack of reliable data, lack of proper research into the problems that children face while growing up. As a consequence a national coherent strategy to implement fundamental changes for the benefit of children does not exist. The low priority given to children's needs is also reflected in insufficient national budget allocations to sectors of direct relevance for the improvement of children's development and to enforce their rights

Child abuse, violence and exploitation

As children's development needs and right to protection are seriously neglected there is long way to go before policies, strategies and programme activities are based on or adequately reflect the best interest of the child. The Children's Department is confronted on a daily basis to experiences that prove this fact, these are crimes against children such as injuries in labour accidents, human trafficking, rape/indecent assault.

Among these crimes **rape/indecent assault** is the most common. In 1999 the Children's Department was involved with 106 cases of child victims - more that half (68) of these belonged to the category of rape /indecent assault. The victims are with few exceptions girls.

Rape is a crime according to the law but so far only 4 of the rape cases have been brought to trial and 2 perpetrators were sentenced, 24 are pending for trial, 17 have resulted in arrests, 10 cases ended with financial compensation being paid to the parents and in 2 cases the girls were forced to marry the perpetrator.

The sexual abuse of boys is on the other hand increasing due to more foreign visitors to the country. A stronger response in Thailand towards pedophile activity has unfortunately changed the focus of such abuses to Cambodia.

There is a general increase of reported rape cases. Some possible explanations can be that the rapes cases actually happen more frequently or that the society is more reluctant to ignore such a crime. This question still has to be further investigated.

The number of rape cases is possibly much higher than the recent data indicates especially if we include those girls forced into prostitution i.e. by trafficking or girls who are forced into early marriage.

Much data from LICADHO and other major Human Rights organisations indicates that the age of girls being victimized because of rape are becoming younger. The younger age of the victim is believed to reduce the risk for a HIV infection of the perpetrator.

The trade in human beings is the fastest international growing organized crime and the income comparable to the trade in drugs.

Trafficking especially in women and children is increasing in our region as well as within Cambodia. Parents are lured to sell their child or they pay money to the recruiters for their children to get jobs or the child is simply kidnapped.

According to a recent report from Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation the most common form of trafficking in Cambodia occurs within its borders in response to the growing sex industry. It is estimated that 40% - 60 % of the more than 14.000 commercial sex workers enter the profession involuntarily. About 30% are recruited and trafficked from Vietnam. Rapidly increasing HIV/AIDS infections among Cambodians has increased Vietnamese child sex - trafficking to Cambodia.

A significant number of Cambodian children are also trafficked within and across national borders for purpose other than sexual exploitation. They are lured to factory work, fishing industry, seasonal work, begging or domestic work with the promise of high pay, which often turns in reality into slave-like working conditions.

The official number recognizes that at least 500 Cambodian children are living and working on the streets of Bangkok. Every month Thai police deport between 800 - 1000 Cambodians of whom 50% are children.

Child work is a common phenomenon in Cambodia. Children work in paid or unpaid jobs and they are mainly found in the informal sector. The largest number of working children are involved in the agricultural production, still many are found active in the markets, in the streets or in the domestic area. One of the main reasons for the work is support to the family economy .It can also be to support one's own schooling or due to internal migration of children who try to find an economical base by moving from the rural areas to the cities and in many cases becoming street children or ended up in some form of prostitution.

An increasing number of children are found in jobs detrimental to their development such as prostitution, deep sea fishing or slave-like work such as domestic work. Other jobs become hazardous because of long hours and heavy work. Children are becoming ill, receiving injuries, and are deprived of positive future prospects because the lack of schooling. A LICADHO survey showed that among 400 children aged 5 to 17 who worked as garbage dump scavengers only 35 % went to school.

Despite the fact that the Constitution guarantees children the right to be protected against the exploitative, dangerous and harmful work laws are not enforced. LICADHO has, for example

experienced enormous neglect of children's right to protection in the work place. In 1999, 2 cases of child workers were investigated where minor children were seriously disabled by brick machines where they had been placed without instructions and with no regard to their young age. The cases were closed by compensation paid to the child and no other punishment of the employer.

LICADHO's Children's Department will the coming years be involved together with ILO's child programme against child labour (IPEC) in a project with the objectives to create awareness of children's development needs, the hazardous effect on children's development of the worst forms of child labour and to create a system of reporting and monitoring cases of hazardous work and finally to initiate action against such forms of work. The project is an important initiative of the enforcement of the new ILO Convention Against the Worst Forms of Child Labour still to be ratified by Cambodia.