



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



Ministry of Labor and
Vocational Training



Ministry of Social Affairs
Veterans and Youth Rehabilitation



Ministry of Tourism



Ministry of Women Affairs



Commissariat General
of National Police



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PART 1: STRATEGIC PLAN

FOREWORD

Cambodia's tourism industry contributes greatly to the national revenue and creates employment opportunities for local businesses and populace. Arising from increased numbers of international and national tourists especially the last two years at average 25% per year, the dynamism of this sector has spurred the Royal Government of Cambodia to consider the industry into its 6 top priorities for social and economic development. The strengthening and promotion of the tourism sector is one of the government's key strategies towards the realization of the principles and goals of its National Poverty Reduction Strategy (NPRS), the Cambodian Millennium Development Goals (CMDG), and the more recent National Strategic Development Plan (NSDP).

The growth of the tourism industry, however, has also brought slight negative impact in our society. Frequent reasons for trafficking and child labour revolve around poverty in the rural areas and urbanisation in the town centres and cities of the country and those in neighbouring countries. In response to the problem, the government – through the Ministry of Tourism – has taken on an important initiative called the Child Safe Tourism (CST) Programme. In place since 2001, this programme addresses the negative effects of tourism growth and development by focusing on prevention and protection measures in tourism areas/ communities. Central to the implementation of this programme is its efforts to build upon two national plans – the National Plan of Action on Trafficking In Persons and Sexual Exploitation (NPA-TIPSE) and the National Plan of Action on the Elimination of the Worst Forms of Child Labour (NPA-WFCL). Also a cornerstone to its realization is the collaboration with government ministries such as the Ministry of Interior (MoI), Ministry of Labour and Vocational Training (MoLVT), Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY) and Ministry of Women's Affairs (MoWA) and international and local NGOs, including World Vision-Cambodia, End Child Prostitution, Pornography and Trafficking of Children for Sexual Purposes (ECPAT), and Mith Samlanh, Friends International, Child Wise Australia, Aidétous.....

The CST programme has made inroads in addressing trafficking in the tourism sector. These notwithstanding, the Ministry of Tourism – with the support of the International Labour Organisation-International Programme on the Elimination of Child Labour (ILO-IPEC) – has developed and started to implement a 3-year (2007-2009) Strategic Plan on the Promotion of Child Safe Tourism to Prevent Trafficking in Women and Children for Labour and Sexual Exploitation in the Tourism Industry to further streamline its initiatives and 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. Guiding these interventions are the Strategic Plan's accompanying Operational Guidelines and Training Manual.

The Ministry of Tourism has gained many lessons and continues to learn to be effective since its work on the CST programme. Through its 2007-2009 Strategic Plan, the MoT commits itself to help in reducing and possibly eliminating the problem of trafficking in women and children for sexual and labour exploitation. We encourage key players to remain equally committed to this initiative and to work with us in a concerted manner in responding to this social issue of trafficking and in the process, advancing the best interests of the country's vulnerable people.

H.E. Dr. Thong Khon
Minister, Ministry of Tourism

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LIST OF ABBREVIATIONS AND ACRONYMS

ADB	Asian Development Bank
APSO	Action Programme Summary Outline
AR	Awareness raising
ARCPPT	Asia Regional Cooperation to Prevent People Trafficking
ASEAN	Association of South East Asian Nations
ASEANTA	ASEAN Travel Agency Association
AFESIP	Agri Pour les Femmes En Situation Precaire
CAMFEBA	Cambodian Federation of Employers and Business Association
CATA	Cambodian Association of Travel Agents
CB	Capacity Building
CC	Children's Committee
CDW	Child Domestic Workers
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CHA	Cambodian Hotel Association
CL	Child labour
CMDG	Cambodia Millennium Development Goals
CNCC	Cambodian National Council for Children
COMMIT	Coordinated Mekong Ministerial Initiative Against Trafficking
COSECAM	NGO Coalition to Address Sexual Exploitation of Children in Cambodia
CPET	Child Peer Education Team
CPN	Child Protection Network
CRC	Convention on the Rights of the Child
CST	Child Safe Tourism
CSTC	Child Safe Tourism Commission
CTSWF	Cambodian Tourism and Service Workers Federation
CWDA	Cambodia Women's Development Association
CWT	Child Wise Training
DAHTJP	Department of Anti-Human Trafficking and Juvenile Protection
DCL	Department of Child Labour
DLI	Department of Labour Inspection
DoLVT	Department of Labour and Vocational Training
DoSVY	Department of Social Affairs, Veterans and Youth Rehabilitation
DoWA	Department of Women's Affairs
ECPAT	End Child Prostitution, Pornography and Trafficking of Children for Sexual Purposes
FI	Friends International

GDP	Gross Domestic Product
HCT	Hotel, Catering and Tourism sector
HIV/AIDS	Human Immuno-deficiency Virus/ Acquired Immune Deficiency Syndrome
IEC	Information Education Campaign
ILO	International Labour Organisation
IO	International Organisations
IOM	International Organisation of Migration
IPEC	International Programme on the Elimination of Child labour
LEASEC	Law Enforcement Against Sexual Exploitation and Trafficking of Children
LICADHO	Ligue Cambodgienne de Defense des Droits de l'Homme/ Cambodian League for the Promotion and Defense of Human Rights
MDoSVY	Municipal Directorate of Social Affairs, Veterans and Youth Rehabilitation
MoC	Ministry of Commerce
MoEYS	Ministry of Education, Youth and Sport
MIME	Ministry of Industry, Mines and Energy
Mol	Ministry of Interior
MoJ	Ministry of Justice
MoLVT	Ministry of Labour and Vocational Training
MoSVY	Ministry of Social Affairs, Veterans and Youth Rehabilitation (formerly Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation or MoSALVY)
MoT	Ministry of Tourism
MOU	Memorandum of Understanding
MoWA	Ministry of Women's Affairs (formerly Ministry of Women's and Veteran Affairs or MoWVA)
NCSTC	National Child Safe Tourism Commission
NGOs	Non-Government Organisations
NPA-TSEC	National Plan of Action Against Trafficking and Sexual Exploitation of Children
NPA-TIPSE	National Plan of Action on Trafficking In Person and Sexual Exploitation
NPA-WFCL	National Plan of Action on the Elimination of the Worst Forms of Child Labour
NPRS	National Poverty Reduction Strategy
NSDP	National Strategic Development Plan
NSOE	National Stakeholder Ownership Exercise
OHCHR	Office of the High Commissioner on Human Rights
OHS	Occupational Health & Safety
PCSTC	Provincial Child Safe Tourism Commission
PPC	Project Proposal Concepts
RGC	Royal Government of Cambodia
SARS	Severe Acute Respiratory Syndrome
SCA	Save the Children – Australia
SPA	Sub-regional Plan of Action
TBP	Time-Bound Programme
TCRAM	Technical Cooperation Resource Allocation Mechanism
TICW	Trafficking in Children and Women Project

TOT	Training of Trainers
TSEC	Trafficking and Sexual Exploitation of Children
TU	Trade Union
UCW	Understanding Children's Work
UNCOHCHR	United Nations Cambodia Office of the High Commissioner for Human Rights
UNESCO	United Nation Educational, Scientific and Cultural Organisation
UNIAP	United Nations Inter-Agency Project
UNICEF	United Nations Children's Fund
UNTAC	United Nations Transitional Administration in Cambodia
USAID	United States Assistance for International Development
US PRM	United States Bureau of Population, Refugees and Migration
VDC	Village Development Committee
VCAO	Vulnerable Children Assistance Organisation
VSA	Victim support agency
WTTC	World Travel and Tourism Council
WTO	World Tourism Organisation
WDA	Women in Development Association
WV-C	World Vision-Cambodia

KHMER TERMS/ PHRASES

<i>Moto/ motodup</i>	Motorcycle taxis
<i>Prakas</i>	National directives/ ministerial orders/ regulations

EXECUTIVE SUMMARY

Cambodia is a country rich in cultural, historical and natural legacies becoming one of foremost tourism destinations in Asia. Since 1998 to 2002, the number of international visitors to Cambodia had increased by 25–30% every year. In the year 2006, there were 1,700,041 international visitors, which is 19.59% increase compared to the same period in 2005. Likewise, local tourism has been burgeoning, in 2005; there were 7,760,508 national tourists who visited different tourism areas, which was about 4 times bigger than the number of international visitors.

The tourism industry in Cambodia contributes greatly to the national revenue and creates employment opportunities for local businesses and populace. Spending of international and local tourists has a considerable share in the national Gross Domestic Product (GDP) and creates jobs and livelihood opportunities in tourism areas and has spurred the increase in number of tourism establishments and services.

Because of this impact on the local and national economy, the government has included the tourism sector into its 6 top priorities for social and economical development. The further development and promotion of tourism sector is considered as one of the Royal Government of Cambodia's (RGC) strategy to increase local job opportunities which will contribute to the implementation of the National Poverty Reduction Strategy (NPRS), the Cambodian Millennium Development Goals (CMDG), and the more recent National Strategic Development Plan (NSDP).

Notwithstanding its contribution to the national economy and the creation of local jobs and increase income from supplemental tourism related services, the growth of the tourism industry has also brought and in some instances exacerbated social ills and problems in Cambodian society. Foremost of these social problems is the issue of trafficking in women and children for sexual and labour exploitation.

The issue of trafficking for labour and sexual exploitation has been a long-standing problem in the country. Prostitution is reported to have been existent in Cambodian society since before 1970. But during the opening up of the country in the 1990s and the subsequent economic liberalisation, prostitution steadily grew in the capital and in the nearby urbanised areas. In 1996-97, the Human Rights Commission of the National Assembly conducted an extensive nation-wide research work on sexual exploitation and trafficking. Results indicated that there were 14,725 sex workers in brothels across 22 provinces of whom 2,219 were children under 18 and 1,212 were between 9 to 15 years old.¹ These figures were accepted as underestimated due to the difficulty in obtaining actual data. However, it was also acknowledged that sexual exploitation and trafficking was increasing especially among children.

Internally, Cambodian women and children are trafficked from rural areas to urban centres, mainly for sexual exploitation. Many trafficked persons believe that they are being brought to urban centres for legal work, such as domestic helpers. Unfortunately, the victims are deceived and in lesser numbers, kidnapped and forced into virtual sex slavery, living under the strict control of brothel-owners. It is reported that Vietnamese women, girls and boys are also trafficked into the country for sexual exploitation.

Cross-border trafficking out of the country is also grave. Cambodians are trafficked into Thailand and to more distant places such as Malaysia, Macao, and Taiwan. Women and girls are commonly trafficked for sexual exploitation or domestic work, children for begging and/ or street selling, and men for fisheries and construction work

¹ Cited in the National Five Year Plan Against Trafficking and Sexual Exploitation of Children 2000-2004, p.4

Over-all, it is accepted that the reasons for trafficking and child labour revolve around poverty in the rural areas and urbanisation in the town centres and cities of the country and those in neighbouring countries. These 2 main factors along with others cause the movement (whether of their own volition and/or through the promises of better opportunities/ work from recruiters and traffickers) of people from the rural areas (although those in urban areas also move to developing/ bigger cities generally in the neighbouring countries).

While many of the factors causing trafficking have been addressed by programmes in Cambodia and in the neighbouring countries (awareness raising and capacity building in rural communities, increased/ improved law enforcement and prosecution, improved access to information and education, and general peace and order in the nation) key factors remain dominant especially pervasive poverty and lack of opportunities to improve family or individual incomes.

The RGC is deeply committed to fighting trafficking for sexual and labour exploitation. This commitment is demonstrated through its ratification of several key ILO Conventions, participation in the Mekong Sub-regional Project to Combat Trafficking in Children and Women Phase 2 (ILO-IPEC TICW Project), assessment, review and refocusing of CNCC's NPA-TSEC, and in actively participating in the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) initiative. The Government has also reviewed the 1996 Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Being and has drafted the law on the Commercial Sexual Exploitation of Children which was last amended in October 2004. Through its Ministry of Tourism, regulations and guidelines in the tourism sector have been enacted with general provisions adhering to the Cambodian Labour Law and outlawing any practice of sexual exploitation of women and children. Finally, it has also formulated the Draft Plan on the Elimination of the Worst Forms of Child Labour through the MoSALVY.

This commitment of the RGC which has resulted in national policies and mechanism to fight trafficking and labour exploitation has flowed down to its key ministries evidenced by individual and partnership (with other ministries, IOs, and NGOs) programmes combating trafficking as governed by the ministry's mandate. Likewise, IOs and NGOs have undertaken similar programmes on their own and/or in partnership or support of government ministry programmes. Most of these programmes emanate from the NPA-TSEC and thus have largely focused on trafficking of women and children for sexual exploitation where the issue of exploitative labour has not yet been fully integrated to programme interventions.

One of the main programmes of government in combating trafficking for sexual exploitation is the Child Safe Tourism (CST) of the MoT. This is the programme in the tourism sector intended to address the negative effects of tourism growth and development in the country focusing on prevention and protection measures in tourism areas/ communities. Other government ministries such as the MoI, the MoLVT, the MoSVY and the MoWA and some NGOs (WVC, ECPAT, and Mith Samlanh) are active partners of the MoT in this project. At its present form, the CST focuses on eliminating sex tourism especially child sex tourism in the country by increasing awareness and capability among key stakeholders in the tourism industry.

While the CST has achieved some measure of success in addressing trafficking in the tourism sector, the Ministry of Tourism is proposing to develop and implement a 3-year (2007 – 2009) Strategic Plan on the Promotion of Child Safe Tourism to Prevent Trafficking in Women and Children for Labour and Sexual Exploitation in the Tourism Industry to further improve on what has been achieved. The proposed plan is intended to contribute to the implementation of the National Poverty Reduction Strategy (NPRS), the 5 year NPA-TSEC, and the COMMIT MOU. It further seeks to further strengthen the present schemes of the Ministry of Tourism through the following initiatives:

- Promoting “child safe tourism” in efforts to prevent trafficking in children and women, and at the same time,
- Ensuring integrated involvement of the tourism sector (government, private businesses, work force, communities) in national efforts to prevent and combat trafficking in persons, especially children and young women.

The interventions foreseen to implement these initiatives contain

- strengthening child safe tourism programmes, with special attention to labour-related and anti-trafficking concerns;
- capacity building;
- awareness raising (e.g. public campaign through TV programmes); and
- social services for victims and those at risk for human trafficking for labour and sexual exploitation in the tourism sector.

These interventions will be implemented and coordinated at the national level and at the three selected pilot areas of Siem Reap, Sihanoukville and Phnom Penh. It will also call for the greater involvement of employers’ associations, trade unions, business sector and the affected provinces and communities. In order to ensure the integrated and comprehensive approach and programmes on promotion of child safe tourism to prevent trafficking in children and young women for labour and sexual exploitation, the MoT, MoLVT, MoSVY and MoWA have requested ILO’s technical assistance in designing 1) a strategic plan, 2) an operational guideline including checklists and 3) training manual to be used in the 3 piloting areas.

The objectives of this proposed strategic plan are

1. To promote child safe tourism to prevent human trafficking, especially children (below 18 years) and young women (18-24 years), for labour and sexual exploitation in tourism sector; and
2. To contribute to the implementation of the COMMIT process and the National Plan against trafficking and the National Plan of Action on the Elimination of Child Labour.

This draft plan has been developed with the following key considerations:

- Existence of 2 existing national mechanisms addressing the over-all concerns and issues in trafficking of women and children for sexual exploitation and labour.
- The national government has become involved in international understandings/ protocols with its neighbouring countries and with international agencies and organisations in dealing with cross-border concerns in trafficking.
- Government ministries and organisations, international organisations and local NGOs have began and/or have been already implementing projects and programmes emanating from the strategies of these national mechanisms and international protocols on trafficking and child labour.
- The Master Plan for the tourism sector for 2006 to 2009.
- The Tourism Law which has been drafted and recently submitted to the National Assembly for finalisation and enactment.
- The MoT with some select NGOs like the World Vision and Mith Samlanh/ Friends, have already started projects addressing specific child safety issues in the tourism sector i.e. in the current CST Programme.
- The plan envisions the integrated involvement of all stakeholders in the tourism sector.

The two main concerns of the Strategic Plan for Child Safe Tourism are the issues of trafficking and sexual exploitation of women and children and that of exploitation through child labour. The priority focus in relation to the two concerns therefore are defined as the worst forms of child labour (WFCL) which excludes child

work within family-enterprises where parental/familial guardianship are assured, where work comprises as informal apprenticeship and future livelihood training and which does not impair formal or vocational education.

The National Poverty Reduction Strategy for the tourism sector emphasises a pro-poor tourism policy which calls for a shift in the direction from objectives concerned with increasing overall tourism numbers and revenues to one that stresses forms of tourism that are of benefit to the poor. Towards this end, the RGC will exert its best efforts to minimising the possible negative impacts of tourism.

In line with the child labour issues in the tourism industry, the NPRS was explicit in the reduction of working children. Across all economic sectors, the goal is placed at reducing the incidence of child labour to 13% in 2005, to 8% by 2015 and elimination of all forms of child labour by 2020. It should be noted, however, that there is no define numbers of working children within the tourism sector as defined by the Child Labour Survey.

The over-all goal therefore of preventing trafficking in the tourism sector and at the same time contributing to the goals of the NPRS, shall have to be obtained by implementing the strategic plan in the sectors in the tourism industry where trafficking and exploitative labour is known and/ or alleged to be existing. In terms of actual numbers, the starting-off point will be the existing registered tourism establishments and services in the 3 tourism poles and the northeast areas of the country and in the communities at and proximate to the tourist sites. The lynch-pin in setting the numerical goals for the plan resides in the first strategy of the plan where accurate information on targets can only be attained by conducting research surveys/ studies in the tourism industry/ sector and communities.

There are five proposed strategies in line with the mandate of the MoT and consistent with the provisions of the NPA-TSEC and the NPA-WFCL. Likewise, principles of the COMMIT have been key considerations. The five strategies are:

1. Research and study on trafficking of women and children for sexual and labour exploitation in the tourism sector
2. Policy and Institutional Development for CST
3. Review and improvement of tourism laws and regulations and appropriate national laws and improved enforcement of such laws and regulations
4. Prevention of trafficking of young women and children from tourism areas/ communities for sexual and labour exploitation
5. 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 key activity/ output for the plan's comprehensive implementation is the creation of an inter-ministry working group arising from an acceptance of a common goal consistent with their mandates of eliminating trafficking for sexual and labour exploitation. With this group in place and the consequent demarcation of roles and responsibilities formalised (i.e. in the MOU to be drawn up among and between the 5 ministries), the plan can then be fully implemented given that enough resources are available among the 5 ministries.

The strategies of the plan are to be implemented after key officers and staffs of the 5 ministries are trained in the use and delivery of the revised Training Manual for CST. The targeting process by location and sector, identification of actual beneficiaries, and procedures of implementing the strategies (and their comprising activities) shall be dictated by the Operational Guidelines of the Strategic Plan. The Guidelines are intended to show the way or process through which the strategies can be appropriately implemented across the 5 ministries as coordinated and backstopped by the Ministry of Tourism and possibly, ILO-IPEC.

1. Overview and Rationale of the Project

1.1 THE TOURISM SECTOR IN CAMBODIA

Cambodia is a country rich in cultural, historical and natural legacies. As a result, the country is ranked as one of the foremost tourism growth destinations in Asia receiving an estimated 1,700,041 international visitors in 2006– a 19.59% increase from the year 2005².

Cambodia's allure as a tourist destination among foreigners has been steadily growing the past few years. There has been a marked increase in foreign tourist arrivals from the 200,000 mark in 1995 to the high 1,700,041 million in 2006 the minimal dip due to the SARS scare reported in 2003. Likewise, domestic tourists are also on the rise. There is a growing interest to reach historical sites, seacoasts and areas of natural beauty in the northeast provinces mainly among the growing professional and urban working sectors. In 2006, for example, local tourists to Siem Reap numbered 782,895 people.

The main tourism sites in Cambodia are the country's capital city, Phnom Penh, the temples and monuments of Angkor Wat in Siem Reap, the white beaches of Sihanoukville, and the rugged but beautiful and cool mountain areas of Ratanakiri and Monduliri. This is not to say that these are the only places that international and local tourists visit. Tourists also find their way to the provinces of Koh Kong, Battambang, Preah Vihear where cultural legacy sites and natural attractions/ places of interest abound. The country has considerable tourism areas aside from the main sites mentioned before.

Since 1998 to 2002, the number of international visitors³ to Cambodia had increased by 25–30% every year. However, in 2003 the number of international tourists decreased by 10.87% compared to 2002 because of the SARS problem in the region. But in 2006 the number went up by 19.59% compared to 2005 (1,421,615 international visitors). About 50.38% international visitors went to Siem Reap province during said year.

International visitors were mainly coming from the following 10 countries ranked as: Korea, Japan, USA, Taiwan, China, Vietnam, Malaysia, Thailand, United Kingdom and France. In the first 3 months of 2007, there were 550,813 international visitors, which is 20.45% increase compared to the same period in 2006. Among them, 399,812 international visitors went to Siem Reap province. The Ministry of Tourism (MOT) estimates that the number of international visitors will increase consecutively in 2006, 2007, 2008, 2009 and 2010 by 1,691,032, 2,029,238, 2,435,086, 2,922,103 and 3,506,524 visitors, respectively⁴.

The government is not only promoting international visitors to Cambodia but also national tourists to visit different tourism areas, especially in the 4 poles of Phnom Penh, Siem Reap, Sihanoukville, the north-eastern regions of Monduliri and Ratanakiri provinces. The government has selected 4 main tourism areas (4 main tourism poles) namely Phnom Penh and its nearby attractions, Siem Reap, coastal areas including Sihanoukville and eco-tourism areas of the northeast as the key areas in tourism development.

As a result of this promotion and good security management, in 2006, there were 7,760,508 national tourists who visited different tourism areas, which was about 5 times bigger than the number of international visitors. Among them were 3,898,100 national tourists to Phnom Penh, 782,895 to Siem Reap and 224,872 to Sihanouk Ville.

² From message of HE Lay Prohas, Minister for the Ministry of Tourism in *Annual Report of Tourism Statistics*.

³ *Annual Report of Tourism Statistics* – statistics of international visitors separated from statistics of national tourists.

⁴ Annual report of tourism statistics, page 8 – visitor arrivals to Cambodia forecasted in 2005-2010.

1.2 IMPACT OF TOURISM GROWTH

The tourism industry in Cambodia contributes greatly to the national revenue and creates employment opportunities for local businesses and populace.

The MoT estimates that one international visitor spends in average US\$500 during his stay, and the total income to Cambodia from international visitors in 2003 was about US\$526 millions (excluding airfare). This amount was about 12% of the Gross Domestic Product (GDP) of the year. There are no official estimates on how much a local tourist spends during travel and/ or activities. However, their impact to local commerce/ income generation would also be considerable.

It was also estimated that there were about 100,000 local jobs created from the tourism sector. In 2006, the total tourism income was estimated as about US\$1,049 million with about 250,000 local job creations. These estimates do not include spending on goods or drink imported from foreign countries to supply the tourism services.

The RGC is also promoting production and use of local products in the tourism sector in order to expand more jobs or generate more income for local people, especially for those poor and vulnerable working in the tourism sector.

With the increasing number of international visitors and national tourists, the number of people working in tourism establishments and services has also increased proportionally. Those working in tourism services are mainly in the following sectors as of 2006:⁵

- Hotels – there are some 351 registered hotels (17,914 rooms) in Cambodia including:
 - 137 (7,068 rooms) in Phnom Penh municipality with 3,516 workers (F: 1,765)
 - 91 (6,638 rooms) in Siem Reap⁶ province with 4,775 workers (F: 1,918), and
 - 39 (1,494 rooms) in Sihanoukville with about 936 workers (F: 415).
- Guesthouses – there are some 742 registered guesthouses (9,186 rooms) in Cambodia including:
 - 197 guesthouses (2,506 rooms) in Phnom Penh municipality with 752 workers (F: 381)
 - 171 guesthouses (2,384 rooms) in Siem Reap province and
 - 100 guesthouses (1,192 rooms) in Sihanoukville.
- Restaurants – 747 registered restaurants in Cambodia, including:
 - 246 restaurants in Phnom Penh municipality with about 4,400 workers (F: 2,565)
 - 72 restaurants in Siem Reap province and
 - 64 restaurants in Sihanoukville.
- Tour Guides – 1,833 persons working as a registered tour guides in Cambodia, among them are:
 - 242 persons in Phnom Penh municipality and
 - 1,591 persons in Siem Reap province.
- Travel agency/company – there are 382 registered travel agencies providing transportation services to the international and national tourists. In order to provide good transportation services to tourists and have good coordination among the agents, a Cambodian Association of Travel Agents (CATA) has

⁵ Ministry of Tourism, Direction General, Tourism Industry & Planning Development Department, Statistics of Hotel, Guest-House, Restaurant, Massage, Travel Agency, Tourist Site and Sporting Club, January 2006

⁶ Currently, the number of hotels in Siem Reap is growing very fast. The MOT estimates that the number of hotels will increase to 97 hotels (8,632 rooms) at the end of 2007.

been set up with total 75 members in early 2004. There are now 136 CATA members. CATA is a member of Travel Agency Association of the ASEAN countries (ASEANTA) and builds good relationship with ASEAN countries on tourism sector as well.

These numbers do not include other establishments and services catering to the tourism industry such as cafes/ bars, and personal care services (e.g. salons and massage parlours). These also exclude those that provide services and goods informally (informal sector).

The dramatic growth of the tourism industry has also spurred the growth of other economic sectors in the country especially in the transportation, crafts, and retail sectors as observed in the 3 main tourism sites on the country.

Because of this impact on the local and national economy, the government has included the tourism sector into its 6 top priorities for social and economical development. The further development and promotion of tourism sector is considered as one of the RGC's strategy to increase local job opportunities which will contribute to the implementation of the National Poverty Reduction Strategy (NPRS). The government has also prepared a National Tourism Development Action Plan of Cambodia 2005-2009 under the technical assistance from the Asian Development Bank (ADB TA No 3454-CAM). The action plan is a guideline principle for the development of tourism in Cambodia for 5 coming years in the aim to reduce the poverty of the people and the sustainable development. This action plan is set up in order to urge the public and private sectors to work toward a common vision for the tourism development in Cambodia.

Notwithstanding its contribution to the national economy and the creation of local jobs and increase income from supplemental tourism related services, the growth of the tourism industry has also brought and in some instances exacerbated economic problems and social ills in Cambodian society.

Some of the negative economic and social impacts of tourism growth are⁷:

- Loss of economic benefits to the tourism locality with leakage of foreign currency as payment for imported goods and services, payment of salaries in foreign currencies, etc.
- Uncontrolled increase in prices of land and goods and services in tourism development areas;
- Employment problems if tourism development attracts workers from other sectors such as agriculture and fisheries;
- Excessive commercialisation of local and traditional cultural patterns and practices such as music, dance, ceremonies and festivals leading to their loss of authenticity and importance to local residents;
- Social problems such as drug abuse, alcoholism, crime and prostitution;

Foremost of the social problems listed above, is the issue of trafficking of women and children for sexual exploitation. With the growth of international tourists, the sex industry has blossomed and demand for young partners is on a continuous rise. Child sex tourism is now also being reported in the main tourism destinations in the country. The growth of the sex industry is not ascribed to the influx of international tourists alone. Local tourists – with increasing spending ability – have also contributed to the growth of the sex industry.

Another social issue that has come to light in the recent years is the trafficking, recruitment, and hiring of children and women for labour not only in the tourism sector but in other sectors as well. With the growing number of tourism establishments and services to cater to the increase of local and international tourists, more and more young people and children are drawn to work in this sector rather than to other economic

⁷ Training Curriculum Manual on Prevention of Children from Sexual Exploitation Linked to Tourism, CST Commission (MoT-WVC-CAMP)

sectors in the country. Aside from formal employment in tourism establishment and services, women and children are found in the informal sector providing goods and services to both local and international tourists.

These two issues – trafficking for sexual and labour exploitation and exploitative labour conditions – are some of the main negative impacts that have surfaced in the tourism industry.

2. Background information on trafficking in children and young women for labour and sexual exploitation in Cambodia, especially in the tourism sector

The background and situation of trafficking for sexual and labour exploitation and of children in Cambodia have been studied and documented by various institutions from both government and non-government organisations. Much of what follows are adopted from researches previously done on trafficking, especially from the contents of the NPA-TSEC.

2.1 TRAFFICKING FOR SEXUAL AND LABOUR EXPLOITATION IN CAMBODIA

The issue of trafficking for labour and sexual exploitation has been a long-standing problem in the country.

Prostitution is reported to have been existent in Cambodian society since before 1970 but at that point it was not yet widespread⁸. But from that time, prostitution became common in the capital city due to the growing lawlessness in the countryside, the resulting flow of refugees to the capital, and the presence of US soldiers seeking “rest and recreation”. This was so since it was during this time which coincided with the latter part of the Vietnam War. During the Khmer Rouge regime and up to the late 1980s, prostitution was strictly controlled. But during the opening up of the country in the 1990s and the subsequent economic liberalisation, prostitution steadily grew in the capital and in the nearby urbanised areas. In 1990, the State of Cambodia statistics show that there were an estimated 1500 sex workers and 224 brothels in Phnom Penh but by 1991, the number of sex workers had grown to 6000.

With the start of the UNTAC period in the end of 1992, the number of sex workers had grown to some 20,000 according to a UNDP survey of the capital Phnom Penh, Sihanoukville, and Kampong Cham. The number of sex workers remained steady through the UNTAC period but it became evident that children were being trafficked to prostitution and that paedophile networks were already operating in the country. In 1993, a study by the Khmer Women in Australia in 9 provinces in the country reported that there were some 25,000 prostitutes where 13,000 were Vietnamese and 800 were children.

In 1995, estimates showed that the number of sex workers had decreased to about 17,000 but there were indications that the proportion of children being trafficked to prostitution was increasing. Results of surveys by Vigilance and the Cambodian Women’s Development Association (CWDA) indicated that about 50-60% of sex workers had been sold to the industry and that increasing numbers (between 25% and 35%) of persons trafficked were under 18.

In 1996-97, the Human Rights Commission of the National Assembly conducted an extensive nation-wide research work on sexual exploitation and trafficking. Results indicated that there were 14,725 sex workers in brothels across 22 provinces of whom 2,219 were children under 18 and 1,212 were between 9 to 15 years

⁸ NPA-TSEC background on trafficking of women and children for sexual exploitation

old⁹. These figures were accepted as underestimated due to the difficulty in obtaining actual data. However, it was also accepted that sexual exploitation and trafficking was increasing especially among children.

World Vision Cambodia in 2001 conducted a study on the problem of child sex tourism in the country¹⁰. The report concludes that with the opening up of the country in 1997-98, the flow of tourists has dramatically increased and with this came the increase in sex tourism and the increase in sexual exploitation of children especially in the 3 main tourism areas of the country.

According to MoWA, it is estimated that the numbers of women and children being trafficked into prostitution is on the increase. Surveys show that some 50% to 65% of sex workers have been sold into the industry and that as many as 35% of these workers are under 18 years of age. At present, evidence is showing that children (below 18 years) and young women (18-24 years) are currently trafficked into labour and sexual exploitation in the urban areas of Cambodia. It is even reported that Cambodia has become a destination for child sex tourism and MoWA has noted that Cambodia is advertised on internet sites that describe in detail how paedophiles and other child sex offenders can abuse children with impunity (TSEC Evaluation, Final Draft, 25 February 2005).

Internally, Cambodian women and children are trafficked from rural areas to urban centres, mainly for sexual exploitation. Although there are no clear reports on internal trafficking for exploitative labour, this practice would also be expected given the extent of vulnerability among impoverished families who are looking for any means to earn. Many trafficked persons believe that they are being brought to urban centres for legal work, such as domestic helpers. Unfortunately, the victims are deceived and in lesser numbers, kidnapped and forced into virtual sex slavery, living under the strict control of brothel-owners. It is reported that Vietnamese women, girls and boys are also trafficked into the country for sexual exploitation.

Cross-border trafficking out of the country is also grave. Cambodians are trafficked into Thailand and to more distant places such as Malaysia, Macao, and Taiwan. Women and girls are commonly trafficked for sexual exploitation or domestic work, children for begging and/ or street selling, and men for fisheries and construction work. Women, men, and children are also trafficked for other forms of forced labour including sweatshops and farm work. Common conditions of trafficking into forced labour or exploited labour include situations of little or no pay, debt bondage, false promises about salary and working conditions which are not realised after arrival, physical punishment and torture, extremely long working hours, sexual abuse, due wages withheld for various kinds of reasons, and no control over daily life (such as inability to leave the premises of work). Sometimes, workers are even forced to take drugs to enable them to work long hours to increase production.¹¹

While the numbers of children in sexual exploitation are not well known, following the spirit of ILO Convention No. 182, children in prostitution is one of the worst forms of child labour for which immediate action is required. Children below 18 must be withdrawn from prostitution and further, everybody who is responsible, including customers, parents, employers and the like, should be punished. In undertaking urgent action to eliminate this worst form of child labour, it is essential that children involved in prostitution be considered as victims and not to be prosecuted. For those above 18, the state needs to act against any form of forced labour, irrespective of whether people are forced into a lawful or an unlawful activity.

Over-all, it is accepted that the reasons for trafficking and child labour revolve around poverty in the rural areas and urbanisation in the town centres and cities of the country and those in neighbouring countries. These 2 main factors cause the movement (whether on their own volition and/or through the promises of

⁹ Cited in the National Five Year Plan Against Trafficking and Sexual Exploitation of Children 2000-2004, p.4

¹⁰ *Child Sex Tourism – The Problem in Cambodia*, World Vision Cambodia in cooperation with MoT and the CNCC, 2001.

¹¹ Cambodia Country Paper, Sub-regional Inter-Ministerial Consultation on Human Trafficking, May 2005

better opportunities/ work from recruiters and traffickers) of people from the rural areas (although those in urban areas also move to developing/ more urbanised cities generally in the neighbouring countries). Other key factors have been identified that contribute to this phenomenon.

Factors which fuel the trafficking phenomenon are detailed in the 2003 study of the Asia Regional Cooperation to Prevent People Trafficking (ARCPPT) entitled “Gender, Human Trafficking, and the Criminal Justice System in Cambodia”. The cited factors are grouped into two, the “supply” side and the “demand” aspect of trafficking.

The report puts forward 10 factors that cause people to be trafficked or become susceptible to trafficking. These are:

- *Economic disparity* within and between countries. This provides the incentive for people to migrate in search for better opportunities whether to urban areas within the country and/or to bordering countries where opportunities are perceived to be better than the home country
- *Poverty*. Poverty is a widespread problem in the country, more so in the rural areas. This situation leads to people’s search for better opportunities permanently (migrating to other areas seen as having more opportunities for income/ livelihood) or temporarily (during the dry season when agriculture cannot be depended on for income)
- *Lack of citizenship/ recognition among ethnic minority groups*. These people often do not have legal status and are often subjected to injustice in the form of land-grabbing, encroachment to ancestral land (serving as residential and livelihood sources), discrimination in employment, etc. The result is the frequent movement/ migration to areas within Cambodia and to neighbouring countries.
- *Lack of legitimate and fulfilling employment opportunities*. This condition is common in rural communities resulting in movement to urban areas for better employment opportunities.
- *Lack of economic security* more so among single-income female headed households that can lead to migration and being exposed to the sex trade
- *Individual family* situations including situations of domestic violence and abuse
- *Societal attitudes* including differential attitudes to boys and girls. In some communities the lower status of girls interplays with the opportunity for some young women with limited education to earn comparatively large amounts of money through engagement in the sex trade. There is evidence that this becomes an incentive for other young women where many of them end up in highly exploitative situations.
- *Civil and military conflicts* which push people to flee their homes and communities, often into the hands of traffickers. The breakdown of family and societal structures in such situations exacerbates both individual and community vulnerability to trafficking where women and children are especially at risk
- *Lack of access to education* limits the opportunities of women in particular to increase their earnings in more skilled and better protected occupations
- *Lack of information* resulting in little/ low level of understanding of the risks and realities involved in working in a foreign environment.

At the same time, a number of factors contribute to the creation of “demand” for trafficked persons and the goods and services created through their exploitation. These factors serve as incentive for people to move, often cross-border to neighbouring countries and often illegally, in search of better opportunities.

- *Demand by employers* and enterprises for cheap, exploitative labour. Conservative estimates suggest that Thailand, for example, has at least 1.5 million jobs that will not be taken by Thai nationals, who are increasingly rejecting the “dirty, difficult, and dangerous” occupations. This labour need can easily be sourced from the country’s neighbours where there are few existing mechanisms which provide basic protection to migrant workers. This lack of respect for human rights of migrants increases their

vulnerability and provides ideal conditions for trafficking to flourish. While all migrants are at risk, two sectors dominated by migrant women (domestic labour and the “entertainment” industry) are also low status and relatively invisible, increasing the vulnerability of those working within them.

- *Weak law enforcement mechanisms and measures* to investigate, apprehend, prosecute and penalise offenders. Even where mechanisms are in place, low levels of understanding by officials can lead to treatment of trafficking victims, principally women and girls, as criminals. Victims are often charged with entering the country illegally or with working in prostitution. Further, collusion between traffickers and officials can lead to trafficked victims being deported to the border where they are picked up by the traffickers and trafficked again.
- *Community attitudes* at points of destination for trafficking. Widespread discriminatory attitudes toward migrants and ethnic minorities, coupled with lower status of women and children generally, often provide little or no social sanction for trafficking activities. Trafficking into the sex trade is particularly susceptible to community acceptance of inadequate or inappropriate responses by the criminal justice system.
- *Expanding commercial sex industry* and increased demand for the services of sex workers. While some of the countries tolerate the existence of a flourishing sex trade, those working in the industry are heavily discriminated against and stigmatised. Sex workers in Cambodia, for example, are often arrested by police even though they are not breaking any law. The situation is exacerbated by crack-downs on prostitution in general, rather than on its most exploitative aspects, including child and forced prostitution. Within this already highly exploitative setting, treatment of migrants is even worse. It is migrant women who are most commonly found at the lower end of the trade, often in debt or physical bondage, serving many customers a day, with little room for negotiation on condom use, thus being highly exposed to HIV and other sexually transmitted infections.

Within this expanding industry, supported by growing sex tourism, demand for child sex, both local and international, also appears to be increasing. Both girls and boys are vulnerable in this situation although the issue of commercial sexual exploitation of boys has received relatively less attention. Strengthened law enforcement and programmes to reduce vulnerability of children have had some impact at local level, but overall these interventions appear mainly to be moving the problem around rather than reducing it.

The findings of ILO-IPEC’s study “Moving Forward” prepared in 2004¹² confirm many of the findings of the above-quoted study and have also put forward similar factors on the causes of trafficking in women and children.

While many of these supply and demand factors have been addressed by programmes in Cambodia and in the neighbouring countries (“awareness-raising” and “capacity-building” in rural communities, among key stakeholders in government and the private sector, increased/ improved law enforcement and prosecution, improved access to information and education, and general peace and order in the nation), other key factors remain dominant especially pervasive poverty, lack of opportunities to improve family or individual incomes, and continued and increasing demand for young workers especially in the tourism sector.

2.2 ROYAL GOVERNMENT OF CAMBODIA’S RESPONSE TO THE ISSUE OF HUMAN TRAFFICKING

Cambodia’s response to the problem of trafficking of young women and children and the issue of worst forms of labour are demonstrated through its solid commitments to international conventions and

¹² *Moving Forward: Secondary Data Review of Sending and Receiving Areas and Employment Sectors in Prevention of Trafficking of Children and Women in Cambodia*, ILO-IPEC, February 20, 2004

understandings, development and implementation of national plans and frameworks to counter trafficking and child labour, national legislation and ministry instructions, and individual ministry programmes that address the issues according to their mandates.

At the same time, the Government is very open to the work and assistance of IOs and NGOs who have their own programmes and projects to address trafficking and child labour. These IOs and NGOs are encouraged by the Government to consult and coordinate with its appropriate ministries towards more effective responses to trafficking and child labour.

2.2.1 Commitments to International Conventions on Child Rights and Trafficking in Persons

The RGC's commitment to fighting all worst forms of child labour including trafficking can be seen through the ratification of a series of ILO Conventions, including

- Convention No. 29 on Forced Labour
- Convention No. 87 on Freedom of Association and Protection of the Right to Organise
- Convention No. 98 on Right to Organise and Collective Bargaining
- Convention No. 100 on Equal Remuneration
- Convention No. 111 on Discrimination in Employment and Occupation
- Convention No. 105 on Abolition of Forced Labour
- Convention No. 138 Minimum Age for Admission to Employment
- Convention No. 182 on Worst Forms of Child Labour

Cambodia is a participating country in the ILO-IPEC's Mekong Sub-regional Project to Combat Trafficking in Children and Women Phase 2 (ILO-IPEC TICW Project)¹³. The ILO-IPEC TICW Project aims to contribute to the elimination of trafficking in children and women for labour and sexual exploitation through preventive measures in sending, transit and receiving areas.

In October 2004, the RGC joined the other 5 countries in the Mekong Region in signing a COMMIT (Coordinated Mekong Ministerial Initiative against Trafficking) Memorandum of Understanding (MOU) on cooperation against human trafficking. The MOU is a comprehensive document, covering trafficking of all persons and in all its forms. The MOU recognises the special vulnerability of women and children to trafficking and acknowledges the reality that marginalised populations have special vulnerabilities that need to be addressed.

The RGC committed itself to 18 Activities comprising the Sub-regional Plan of Action (SPA) Framework Document, which is for an initial period of three years (2005 – 2007). The activities have since been further developed into a series of Project Proposal Concepts (PPCs). The process had taken some time, with inputs from the COMMIT taskforces from all six countries, several roundtable discussions held with UN agencies, NGOs, and other interested partners to provide the necessary technical inputs to the SPA framework (COMMIT 2005, *Discussion Paper: Principles and Methods of Working in the COMMIT Process*).

2.2.2 Existing Legislation on Trafficking and Sexual Exploitation of Women and Children

2.2.2.1 National Policies and Laws

¹³ Good practice and lesson learned of project activities in phase 1 and report of NSOE meeting on 4-5 Mar 2004 on identification target provinces and sectors.

The present legal framework governing the trafficking of women and children for labour and sexual exploitation in the country resides in its Constitution where Article 46 specifically bans the “commerce of human beings, their exploitation by prostitution and obscenity which affects the reputation of women”, the 1996 Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings, and the 1992 provisional criminal code which have different regulations for punishing those involved in human trafficking including such offences illegal human detention, causing injuries, manslaughter, and rape¹⁴.

Resulting from the declaration that the NPA-TSEC shall be the government's mechanism in combating trafficking and sexual exploitation of children and from donor conditions of legal reform for continued assistance/ aid, this existing legal framework including other laws which are directly relevant to the trafficking are presently undergoing review by the Ministry of Justice. One key result of this is the draft Law on the Suppression of Trafficking and Sexual Exploitation, which is a revision of the 1996 Law on the Suppression of the Kidnapping, Trafficking, and Exploitation of Human Beings, and which was last amended in October 2004. This law upon its promulgation by the national government shall supersede existing laws on trafficking and commercial exploitation of children.

2.2.2.2 Regulations and Guidelines in the Tourism Sector

As of November of 2000, the following Prakas were in effect in the tourism industry of Cambodia, where each Prakas is supported by a managing/ implementing or “suggested” Ministry Circulars. These regulate the establishment and operations of businesses that cater to international and local tourists in the country.

1. Prakas on the Licensing of Hotels and Guest-houses/ Circular on the Management of Hotels and Guest-houses
2. Prakas on the Licensing of Bars and Discotheques/ Circular on the Management of Night Clubs and Discotheques
3. Prakas on the Licensing of Tourism Sport and Entertainment Clubs/ Circular on the Management of Tourism Sport and Entertainment Clubs
4. Prakas on the Issuance of Tourism License for Waterway Tourism Transports/ Circular on the Management of Waterway Tourists Transports
5. Prakas on the Issuance of License to Tourist Land-transportation/ Circular (Suggestion) on the Management of Tourist Land-Transportation
6. Prakas on Licensing of Massage Parlours/Circular on the Management of Massage Parlours
7. Prakas on the Licensing of Restaurants/ Circular on the Management of Restaurants
8. Prakas on the Licensing of Karaokes/ Circular on the Management of Karaokes
9. Prakas on the Granting of Tourism Licenses to Tourist Guides/ Circular on the Management of Tourist Guide Businesses
10. Prakas on the Licensing of Tourist Agencies/ Circular on the Management of Tourist Agencies
11. Prakas on the Licensing of Resorts/ Circular on the Management of Resorts

A review of these regulations reveals all these circulars contain provisions on outlawing the presence/ evidence of sexual exploitation of women and children in the establishments and that all circulars mention compliance to the Labour Law (but does not indicate which provisions of the Law is the appropriate regulation) in the operation of the establishments the circulars are meant to regulate.

However, with the current review of the Labour Law (which should lead to revisions and updating of specific provisions especially on the WFCL) at the MoLVT (ILO-IPEC supported activity), these Circulars must be

¹⁴ National Report on the Trafficking of Women and Children, 2000 - 2004

revised and also updated where they should refer to specific provisions of the revised Labour Law rather than just to the Labour Law itself. This would allow a better understanding of these tourism Prakas/ Circulars among all concerned especially tourism officials and staff and owners/ operators of tourism establishment and services. This can then lead to a more effective regulation of all tourism related businesses.

2.2.3 National Frameworks combating trafficking of women and children for labour and sexual exploitation¹⁵

The main mechanisms intended to combat trafficking of young women and children for labour and sexual exploitation in the country are the NPA-TSEC and the NPA-WFCL. These 2 mechanisms contain comprehensive strategies and plans to combat TSEC and WFCL through the four main areas of prevention, protection, recovery, rehabilitation and reintegration.

Of the two plans, it is the NPA-TSEC that has received the most support in terms of resources, attention/ focus from civil society, and priority actions from the national government and international and local stakeholders since its adoption in March 2000.

However, recent developments including the inception of ILO-IPEC's Time Bound Programme (TBP) and the completed review of the NPA-TSEC, have thrust child labour concerns into the mainstream and have resulted in the integration of the NPA-WFCL into the NPA-TIPSE.

2.2.3.1 The Five-Year Plan Against Trafficking and Sexual Exploitation of Children

In 1999, Cambodia developed the first National Plan against Trafficking and Sexual Exploitation of Children (NPA-TSEC), 2000-2004. Since it came into force in 2000, significant international and national events and developments to address the trafficking in persons and commercial sexual exploitation of children have been visible. The initiatives have, in particular, focused attention on the issue of trafficking in persons and surface a pattern that many of the issues, responses, and mechanisms relating to trafficking of children for the purpose of sexual exploitation are inseparable from the issues, responses and mechanisms that relate to the broader problem of human trafficking. The initiatives have included:

- *Second World Congress against Commercial Sexual Exploitation of Children, Yokohama, 2001, and the accompanying Regional Commitment and Action Plan of the East Asia and Pacific Region against Commercial Sexual Exploitation of Children;*
- *A new Anti-trafficking law, which is currently at the Council of Ministers for ratification;*
- *The development and entry into force of the UN Convention on Transnational Organised Crime and its Supplementary Protocol on Trafficking in Persons, Especially Women and Children, which is currently at the National Assembly for ratification, and on which the Ministry of Women's Affairs (MoWA) takes the lead for its advocacy;*
- *The development of the world's first bilateral MOU on trafficking in women and children between Cambodia and Malaysia, the draft of which has been sent to Malaysia for comments;*
- *The signing of the final draft of the world's first bilateral MOU on elimination of trafficking in women and children between Cambodia and Vietnam;*
- *The signing of the world's first bilateral MOU on elimination of trafficking in women and children between Cambodia and Thailand.*
- *The MoSVY in close collaboration with relevant ministries is doing a 3- year action plan;*

¹⁵ A Review of the Policies and Programmes on Child Labour in Cambodia, UCW Project 2005

- *A Round Table Discussion on Anti-Human Trafficking, 11 May 2004*
- *Signing of a sub-regional MOU on Anti-Human Trafficking between the six countries¹⁶ of the Greater Mekong Sub-region and its accompanying Sub-Regional Plan of Action;*
- *Childhood Mental Health and Anti-Human Trafficking Project, 2002-2005*, which is being implemented by the Ministry of Education, Youth and Sport (MoEYS) and the Ministry of Health (MoH);
- *Law Enforcement against Sexual Exploitation of Children Project, 2004-2005*, a project that is being spearheaded by the Ministry of Interior;
- *Assessment of the Five-Year National Plan of Action Against Trafficking and Sexual Exploitation of Children (NPA-TSEC) 2000-2004*, under the auspices of the CNCC;
- *Trafficking in Children and Women project (TICW) 2003-2008*, a support activity of ILO/IPEC and UNICEF to CNCC to strengthen its coordinating and monitoring function;
- *Child Safe Tourism Project, 2004-2007*, which is a project of the Ministry of Tourism;
- *Information Campaign to Combat Trafficking in Women and Children in Cambodia, 2003-2005*, a MoWA-led project;
- *Programme on the Prevention of All Forms of Trafficking in Women and Children in Cambodia (2004-2006)*, which is another contribution of MoWA;
- *Long-Term Recovery Programme, 2002-2005*, a MoSVY-led effort;
- *Poipet Transit Centre, 2004-2005*, also a MoSVY initiative on the issue;
- *The Psychosocial Rehabilitation and Material Support Project, 2003-2005*, also under the auspices of the MoSVY;
- *Return and Reintegration of Trafficked and Other Vulnerable Women and Children among Selected Countries in the Mekong Region, 2004-2006*, also by MoSVY;
- *Promoting Safe Tourism to prevent human trafficking and labour and sexual exploitation of children and women in Phnom Penh Municipality, 2005-2006*, still another initiative of MoSVY;
- *Coordination and Documentation Centre, 2005-2006*, which is an activity of MoSVY;
- *Child Wise Tourism Project, 2005-2006*, a project that will be led by MoT; and,
- *Project on Protecting the Rights of the Child in Tourism*, which will also be spearheaded by MoT.

With support from the ILO-IPEC's TICW project and the UNICEF, the Cambodian National Council for Children (CNCC) has embarked on an assessment and review of the NPA-TSEC. This assessment and review is intended to result in the next 5 year National Plan of Action that gives greater focus and attention to human trafficking and the intensified campaign against commercial sexual exploitation. The next plan is also to reflect the progress achieved by Cambodia and the emerging realities and challenges the country faces as it seeks to eliminate these worst forms of child labour.

The second plan (2006-2010) renamed as the National Plan of Action Against Trafficking in Persons and Sexual Exploitation (NPA-TIPSE), is the RGC's articulation of its intent to combat trafficking and sexual exploitation in children and women and the problem's attendant issues. The plan is in its final draft stage and is being translated in the Khmer language. It is up for review by a Technical Working Group consisting of selected representatives from the government, NGOs and donors. The finalised plan will be presented to the CNCC Sub-Commission on TSEC with the intention of ensuring support for the draft NPA-TIPSE.

A review of the final draft NPA-TIPSE indicates that the Child Safe Tourism Programme of the MoT (in its present form and thrust) has been included as one of the objectives to be reached under the Prevention Programme.

¹⁶ Consisting of Cambodia, PR China, Lao PDR, Myanmar, Thailand, and Vietnam

2.2.3.2 The Draft National Plan on the Elimination of Worst Forms of Labour (NPA-WFCL)

The increasing commitment to eliminate the worst forms of child labour by the Royal Government of Cambodia has been evident in its drafting of a National Plan of Action on the Elimination of the Worst Forms of Child Labour (NPA-WFCL) for 2007-2012. The formulation of the NPA-WFCL was a project that involved a large number of stakeholders, with MoSALVY¹⁷ providing the leadership in its development. The preparation of this NPA was assisted by ILO/IPEC to lend support to the government's ratification and implementation of ILO Convention No. 182. This convention was ratified by Cambodia on 24 November 2005.

The Plan endorses eight (8) interventions – each presented with corresponding objectives, outputs, plan of activities, time frame, responsibility (lead ministry/ organisation), potential partner organisations, and indicators of achievement. It is proposed to be implemented over a 7-year timeframe.

The NPA-WFCL provides all stakeholders a concrete direction and framework to the child labour issue. All existing and formulated action programmes and action plans from the national to the provincial level must be consistent with and emanate from this national plan of action to generate and implement best approaches and maximise limited resources. In effect, the Plan serves as the over-all policy structure upon which all initiatives, programmes/ projects for the elimination of child labour in the country must be anchored.

Even at the draft stage of the NPA-WFCL, several initiatives have been implemented in support of this national programme. These include:

- World's Day against Child Labour, 12 June 2004. and 12 June 2005 , as organised by the Child Labour Department (CLD) of the Ministry of Labour and Vocational Training (MLVT);
- Community-based Child Protection Project of 2003-2005 of Phnom Penh's Municipal Directorate of Social Affairs, Veterans and Youth Rehabilitation (MDoSVY)
- Building Capacity and Strengthening the Phnom Penh network to protect and provide support for child domestic workers project. Implemented also by MDoSVY, Phase 1 of this initiative has been completed, while Phase 2 started in October 2004 and is expected to end in December 2005.
- A National Time-Bound Programme (TBP), 2004-2008, which is to be implemented by line ministries, trade unions and NGOs who are working related to child labour
- A plan to raise awareness on child labour amongst children, parents, and especially Commune Councils under the auspices of the Labour Inspection Department of the MLVT.

Under the Prevention Programme of the NPA-TIPSE, labour protection is also a long-term objective with the effective implementation of the NPA-WFCL as one of the targets/ indicator at the end of the Plan. The NPA-TIPSE proposes the identification of common areas between the NPA-WFCL and NPA-TIPSE resulting to joint action and reduction of overlaps and the incorporation of key indicators for the NPA-WFCL in the revised indicator database of the NPA-TIPSE.

¹⁷ In 2004, the Ministry of Social Affairs, Labour, Vocational and Youth Rehabilitation became the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY). Its labour and vocational components were transferred to the new Ministry of Labour and Vocational Training (MOLVT). The Child Labour Unit at MoSVY currently resides at MOLVT and has since been renamed as the Child Labour Department.

2.2.4 Programmes on NPA-TSEC and NPA-WFCL with links to the Tourism Industry

2.2.4.1 Government Ministries

2.2.4.1.A Ministry of Labour and Vocational Training (MOLVT¹⁸)

The Department of Child Labour serves as a coordinating body on child labour related issues. The main mandate of the department focuses on legal framework. The department has already formulated the National Plan of Action on the Elimination of Child Labour and other relevant PRAKAS on child labour. NPA-WFCL is a consolidated plan amongst relevant stakeholders working on child labour and it will eventually contribute to the achievement of CMDG and NPRS by the government. Trafficking is considered as one of the worst forms of child labour and the Plan contains strategies and measures to combat this grave issue.

Currently, 8 Prakas on child labour have already been drafted (of which one, Prakas #124 on weights of loads hauled by child porters, had been already approved on 15 June 2001 and Prakas # 106 on prohibition of worst form of child labour approved in 2004) and other related circulars and guidelines have already been formulated. The ILO Convention 182 on prohibition and urgent eliminated activities of the worst forms of child labour has been ratified by the National Assembly on 24 October 2005. With this final ratification, the Convention 182 the draft of NPA –WFCL is endorsed as the mechanism of the government to combat WFCL and legitimises its strategies and measures for implementation by the relevant government agencies and partner NGOs.

Key developments within the Department of Child Labour are the following.

- In June 2005, the department had a joint workshop with the NGO Coalition to Address Sexual Exploitation of Children in Cambodia (COSECAM) on child prostitution focusing on long-term responses to the issue.
- The department has set up 3 offices which will centralise all available information and documentation on child labour. This initiative will be similar to the project of Asia Foundation where a website was created and installed in the internet where all documents and research papers on trafficking are posted and can be accessed.
- The on-going review and revision of the Labour Law as technically supported by the ILO-IPEC.
- During its recent meeting in Bangkok, COMMIT which is currently chaired by MoWA, decreed to include the MoLVT as a member starting from its next meeting on 10-12 May 2006.

There are no activities/ projects in the Department addressing child safe tourism at present.

¹⁸ Description of MoLVT's work on CST emanates from the meeting at MoLVT on October 23, 2005. Present were Mr. Veng Heang, Director of Labour Department, Mr. Sin Visuth, Mr. Tong Sopheap, Mr. Ty Cheaviso, and Mr. Khy Sarin, Deputy Directors of the Labour Department.

2.2.4.1.B Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY¹⁹)

MoSVY is mandated by the Royal Government of Cambodia to manage, lead and implement 3 major focus areas: social affairs, veterans, and youth rehabilitation, especially on protection and rehabilitation of victims and vulnerable groups of society including victims of trafficking, particularly children and women, street children, orphaned children, persons with disability, drug using children and adults, those who violate the law, and children and women affected by HIV/AIDS etc.

In order to achieve the strategies on the fight against trafficking, MoSVY performs the following tasks:

- Prepares the draft law on child adoption and submit for approval to Council of Ministers;
- Issues prakas for policies on alternative care for orphan children;
- Prepares the draft sub-decree on policies for victims staying at government centres and sub-decree went into effect on 26 October 2006;
- Leads the CNCC in the preparation of the second 5 year national plan against trafficking 2006-2010 which will be submitted in the near future for approval by the government;
- Develops the 3 year national plan (2005-2007) to implement the MoU between Cambodia and Thailand for a bilateral cooperation on the elimination of trafficking in women and children and to support victims of trafficking in cooperating with involved ministries as team works for MoU implementation between Cambodia and Thailand;
- Issues prakas on the development of working groups at the provincial level to fight against trafficking in children and women. This working group is composed of representatives from relevant institutions such as the provincial government, DoSVY, provincial police commission, DoWVA, DoT, DoEYS, DoInf, DoLVT, DoH, and provincial court;
- Implements the agreement between Cambodia and Vietnam on a bilateral cooperation to eliminate trafficking in women and children and to support victims of trafficking. The ministry is collaborating with other relevant agencies to set up mechanisms and prepare a national plan for the implementation of the agreement;
- Organise the setting up of an anti-human trafficking and integration office under the Department of Social Welfare of Technical Directorate of MoSVY.

In 2005, MoSVY implemented a project on rehabilitation, reintegration, and follow up of 1,858 victims. The activities have included:

- Repatriation and reintegration of Cambodian children and women victims from Thailand to Cambodia. There are 186 children and women (98 are repatriations and 88 are exiles). This project is technically and financially supported by IOM-Cambodia;
- Receiving Cambodian children and women from Thailand to Cambodia, which has been done 3 times; the total number assisted is 116 children and women with support from the government budget;
- Repatriation of 10 Vietnamese victims from Cambodia to Vietnam also under the support of government budget.
- Receiving and reintegration of street children affected by trafficking and begging from Vietnam; total number assisted is 1,216 (856 are children) which received budget from the RGC;
- Cooperating with other NGOs (e.g., AFESIP, CWCC, etc) to provide rehabilitation service to women and children affected by sexual abuse. The NGOs have vocational training centre, health care centre, counselling, employment placement and reintegration into community. The total number assisted to date is 330;

¹⁹ Description of MoSVY's work related to CST comes from an interview with Ms. Nuth Nang, Vice office chief of DoSAVY and Program Officer of CST, 14 October 2005

- With financial and technical support from UNICEF and cooperation with NGOs, MoSVY continues to implement reintegration and follow up on the living condition of its clients at the community for the purpose of making all clients receive support, improvement of living conditions, and awareness raising for their future life through local officers of DoSVY. This project is clearly able to contribute to prevention of vulnerability to victims of trafficking.

Currently, MoSVY has a transit centre in Poipet providing temporary accommodation to children and women victims who are repatriated from Thailand to Cambodia. At this centre, the victims stay for one night so that the staff can interview and refer them to other NGOs working in Banteay Meanchey, Battambang, Siem Reap and Phnom Penh. In the future, MoSVY will have a transit centre for vulnerable people and victims in Banteay Meanchey and Koh Kong province will be a receiving centre for victims and vulnerable persons.

MoSVY had previously implemented two projects related to child labour but these were not directly related to child safe tourism. These projects were the children-at-risk project²⁰ and the child domestic workers (CDW) project which were funded by the UNICEF and the ILO-IPEC, respectively.

The CDW project involves implementation of social services programmes for CDWs towards the withdrawal of children in domestic work and prevention of at-risk children's entry to this type of work. This project was implemented through the MDSAVY of Phnom Penh and non-government organisations such as Vulnerable Children Assistance Organisation (VCAO), the Children's Committee (CC) and the Women in Development Association (WDA) over a 3-year timeframe. Action plans were developed with the implementing partners.

The activities in the project included trainings, star cards²¹, pre-school education, child conference, TV and cinema spots and a Child Watch club. One key output of the CDW project was the creation of support structures which can now be utilised as staging points for anti-trafficking and child labour projects/ activities. These structures include:

- Municipal Task Force (grouping of NGO, police, CNCC, Municipal Dept. & referral services); functional; meets every 2 months and
- Child Protection Network (in selected Districts)
- Community Watch Groups (in selected communes)
- Active Child Teams and Community Watch Clubs among children and youth in schools

MoSVY is already working under the current Child Safe Tourism project of the MoT. Their work began in August 2005 in coordination with the MoT with funding from ILO-IPEC under its TICW Project.

One of the key activities under this project is the gathering of data on tourism business establishments (hotels, guesthouses, restaurants, and other tourism establishments) and their workers in Phnom Penh, Siem Reap and Sihanoukville under separate action plans with the respective Provincial Departments of the Ministry. This started in August 2005 and ended February 2006²² and results were not as yet summarised for review by this document. The survey however was limited to legitimate (registered) establishments and focused on employer-employee relationship characterised by regular wages. There are many establishments and services employing young women that are informal in nature²³ and catering to tourists. These have not been definitively mapped out.

²⁰ Report on this project is with the UNICEF according to MDSAVY and was not available during the preparation of this Plan.

²¹ "Star" cards are awareness raising tools of the TCRAM-Child Domestic Workers Project of VCAO and MoSVY, as implemented from 2003 to 2005. Star cards are laminated cards showing a picture of a popular movie or music star on one side, with the reverse containing a series of numbers that the card holders and others can call either to ask for help or to report cases of a child in danger or at risk (Matsuno and Blagbrough, 2005:65).

²² Interview PDSALVY Phnom Penh

²³ A study on Beer Promotion Girls showed, for example, that these women rely on commissions from sales rather than regular

The target of the survey is approximately 480 employers and about 200 workers. The working group who administered the survey included 8 community protection network (CPN) members. The survey identified the target group within the surveyed employers and workers who will be trained on gender, social service, and other trainings on child labour and trafficking.

In Phnom Penh, Sihanouk Ville and Seim Reap, the number of employers and employees who are targeted for training is 2440 people, broken down into 440 employers, and 2000 employees. The 440 employers include 70 from hotels, 170 from guesthouses and 200 from restaurants. The 2000 employees, on the other hand, will comprise of 650 representatives from hotels, 550 from guesthouses, and 800 from restaurants.

Training will be provided first to city officers, then to the task-force, and child protection networks. The city officers comprise of 12 officials (i.e. 2 from MDoT, 2 from MDoWA, 2 from DoCL, and 6 from Phnom Penh's MDoSVY). Thirty people from the municipal task force will then be trained. Two CPNs are targeted for training from the Daun Penh and Ruessey Keo Districts. CPNs are found in each district of the city where each is composed of 1 vice governor, DoWA, commune council, and police.

2.2.4.1.C Ministry of Women's Affairs (MoWA)

The main programme of the MoWA on the trafficking in women and children is contained in its Advocacy Strategy for 2004-2008. It has a sub-program under Legal Protection of Women and Girls that is focused on Anti-Trafficking activities. The main objective of this sub-program is to reduce the incidence the trafficking in human beings, especially women and girls.²⁴ Two focus areas have been identified by the ministry: 1) Anti-Trafficking work, including laws and sub decrees, and 2) MOUs with neighbouring countries.

Anti-Trafficking activities include the following:

- Work with Ministry of Justice to draft anti-Trafficking law and advocated for its approval
- Work with Ministry of Justice to draft sub decree for anti-Trafficking law
- Advocate for sub decree on protection and support for victims of trafficking and providing shelters
- Continue advocacy for ratification on UN Protocol to prevent and punish trafficking especially in women and girls in addition to UN Convention on Transnational Committed Crime.

Thus far, the amendments to the 1996 Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Persons await approval of the Council of Ministers. The old law, which contained ten articles, has now been expanded to fifty-two articles. MoWA has worked closely with other relevant ministries in the development of these amendments. It is hoped that the amended law is put in place by mid-2006.

The ministry's second focus area in this sub-program is around developing and strengthening working relations, including MOUs, with neighbouring countries. Specific activities include the following:

- Participate in development of MOUs with neighbouring countries and the region to combat trafficking,
- Prepare bi-lateral MOUs on Anti Trafficking in women and children with Vietnam and Malaysia,
- Prepare and implement 3-year action plan to implement bilateral MOU with Thailand,
- Implement campaigns against trafficking in women and children (campaign, information, advocacy, community-based activities and village funds),
- Prepare national reports on trafficking in women and children for UN,

wages, therefore the employee-employee relations is quite weak.

²⁴ MoWA, Five Year Strategic Plan 2004-2008

- Establish National Task Force to combat trafficking in women and children to strengthen and expand cooperation with line institutions, international organisations and NGOs,
- Coordinate revision of data system on incidence and priority action,
- IEC campaign against trafficking in women and girls,
- Coordinate in the development and building capacity in information sharing through mailing list,
- Coordinate national initiatives in the region in anti-trafficking (Cambodia, Vietnam, Laos, China, Thailand and Burma),
- Act as secretariat for the implementation of agreed action plan, nationally and internationally
- Coordinate advocacy activities in the region,
- Provide place for documentation of cases of trafficking in region and outside.

On a broader level, MoWA's 5-Year Strategic Plan 2004-2008, Neary Ratanak II, aims to reduce trafficking in human beings, especially in young women, through the following efforts:

- Cooperation with MoJ to formulate the draft law on fighting against human trafficking and seeking for support ideas for approval
- Cooperation with MoJ to draft sub decree on the law against human trafficking;
- Seeking support for drafting the sub decree and prakas on protection and support to victims of trafficking and provision of temporary accommodation to be added to the **law** on anti human trafficking
- Continue to seek support in ratification of UN protocol on protection and punishment on trafficking especially on women and children in addition to UN convention of cross border crime.
- Organise MoU on elimination of trafficking in women and children with neighbour countries and other regions
- Organise MoU on elimination of trafficking in women and children with Malaysia

Key achievements in past years have included the implementation of the "Prevention of all Forms of Trafficking in Women and Children in Cambodia," a 3-year program supported by the IOM and the government of Finland. This program has 3 components – Legal Literacy, Policy and Advocacy, and information and dissemination. It has been implemented in 6 provinces and municipalities ((Banteay Mencheay, Pailin, Koh Kong, Sihanoukville, Svay Rieng and Phnom Penh). The USAID has also funded a Counter Trafficking Information Campaign with awareness-raising, village-based activities, data-basing, and policy and advocacy as its programme components. This project has already been implemented in 18 provinces and in 900 villages where all forms of trafficking activities are reported to be present.

In cooperation with the UNIAP from 2002 to 2004, the MoWA as national focal point, implemented the following:

- Establishment of a knowledge base on human trafficking in the country. The database contains locations and relevant activities of projects addressing human trafficking. The intention is to provide those developing new programmes on trafficking with appropriate information thus avoiding duplication of work, fill in gaps, and facilitate cooperation and collaboration. This will also enable donors to ensure that funding principles are not duplicated.
- Identifying and supporting priority activities concerning trafficking
- Supporting interventions that respond to any gaps
- Coordination to strengthen advocacy between government partners and other organisations and institutions.

In implementing of this strategic plan 2006-2008 MOWA will continuously carry out anti-human trafficking project through strengthening cooperation in region and poverty alleviation (third period 2007-2009) supported by Finland Government through IOM. The project consists of 3 components: First: Strengthening cooperation in region. Second: Management information system for migration

employment and third: foundation level activities and poverty reduction in 5 target provinces such as Prey Veng, Svay Rieng, Koh Kong, Banteay Meanchey and Oddor Meanchey. These components MOWA is focusing on first and third component.

First component: Strengthening cooperation in region purposed:

- Supporting for formulation and operation of national team work that will be as MoU implementation between Cambodia and other countries to eliminate anti-human trafficking and to assist victims of trafficking.
- Advocating the formulation of new anti-human trafficking laws as well as implementation and monitor.
- Enhance awareness of laws on anti-human trafficking and sexual exploitation for local authority and for the public.

Third component: Foundation level activities and poverty alleviation purposed:

- Target community for project implementation.
- Carry out verified foundation level activities and insert in into commune level action plan.
- Test run family supported fund for anti-human trafficking.
- Implement poverty reduction activities included vocational training.
- Improve provincial cooperation and network to prevent trafficking.

2.2.4.1.D Ministry of Interior (Mol)

The Mol is the government agency tasked with the prevention, investigation, and suppression of trafficking cases in conjunction with the Law on Suppression Kidnapping and Human Trafficking as adopted on 02 January 1996, and the 2000-2004 National Plan of Action Against Trafficking and Sexual Exploitation of Children (NPA-TSEC). Its police commission's structure extends to the provincial level and cooperates with local authorities, the military police, the border police, and with the national and international authorities to raise awareness about the laws related to human trafficking and to provide training to specialised police officers.

Based on Report No. 221 RBK dated on 01 July 2005 of the Police Commission, the Mol has issued Action Plan No. 023 PK dated 13 July 2005 to fight against human trafficking, human smuggling, human trade, and commercial and sexual exploitation of women and children. The Mol has committed to undertake the following:

- Improve effectiveness of implementation of policies of RGC on fighting against trafficking, smuggling, commercial sex, and sexual exploitation on women and children
- Protect Cambodian labourers especially women and children from trafficking, smuggling, and labour and sexual exploitation
- Improve participation from community, civil society, and other institutions on the prevention, protection, and suppression methods on trafficking and human trade in all forms
- Actively involve in community activities and international activities in order to address all related issues on trafficking, smuggling and exploitation of women and children.
- Implant ideas of responsibilities on law enforcement, procedure conformity, transparency, and observation on trafficking, smuggling, and commercial sex on human beings, and at the same time, improve case complaints at the court to the maximum, as possible. Try to eliminate passive activities amongst government workers on law enforcement.

The Mol has several Action Plans:

1. Measure on investigation of cases (5 points for implementation)
2. Measure on prevention (8 points for implementation)

3. Measure on suppression (6 points for implementation)
4. National and international cooperation and capacity building (7 points for implementation)

These action plans are aimed at the fight against trafficking in human, kidnapping, human trade, and commercial and sexual exploitation of children and women.

On 13 May 2002, the RGC approved Sub decree No. 40 SD.BK on the establishment of the Department of Anti Human Trafficking and Juvenile Protection (DAHTJP). A year later, the office of anti human trafficking and juvenile protection was set up in 24 provinces with a 24 hotline service. There 7 officers and 17 units. To date, the Mol-Police Commission has 10 more offices of anti-human trafficking and juvenile protection.

The DAHTJP has the duty and responsibility to prevent and enforce measures against sexual exploitation, human trafficking, rape and immoral acts. It is headed by a female police general and has about 160 officers. The structure includes a central level office with 5 operational bureaus (Administrative, Juvenile Protection, Anti-human Exploitation, Information Technology, and Legislative bureau), a 24-hour hotline unit that can respond in the Khmer, English and Vietnamese languages, and 17 provincial anti-human exploitation bureaus and 7 other provincial and municipal offices.

The DAHTJP has an on-going programme where awareness-raising is conducted among schools in Phnom Penh. The programme has currently reached 9 schools where 2 representatives from each class participated in police training. In cooperation with International Justice Mission, the Department has also done AR sessions to some 500 visitors to Svey Pak, a well-known prostitution area in the outskirts of Phnom Penh. In 2004, the Department investigated 106 cases of sexual exploitation, abduction, debauchery and border trafficking. From these cases, 114 traffickers were arrested and sent to court and 366 victims were rescued (the majority of which were children under 18 years of age)²⁵.

In 2003, the Department achieved the following results (including both trafficking and sexual abuse, particularly of children): 257 complaints were filed of which 177 came through the Hotline. Of the total cases filed, 227 cases were followed-up (213 cases by reactive investigation and 14 by proactive investigation). Over-all, 271 suspects were arrested and sent to court, and 427 victims were rescued. However, it is difficult to find information on the number of successful prosecutions and the sentences handed out to convicted traffickers.²⁶

The Mol has also provided training on legal issues and investigation techniques to police and cooperated with the MoEYS to mainstream trafficking issues and child sexual exploitation into non-formal education programmes. It has also disseminated laws and trafficking issues to school children, hotels, guesthouses, karaoke bars, nightclubs, massage parlours, and barbershops all over the country.

The LEASEC Project

The Law Enforcement against Sexual Exploitation of Children (LEASEC²⁷) project was launched in April 2000 to spur more effective implementation of relevant laws. The project is a collaborative venture between the Ministry of Interior and five international agencies: the United Nations Children's Fund (UNICEF), the International Organisation for Migration, World Vision International, Save the Children Norway, and the United Nations Cambodia Office of the High Commissioner for Human Rights (UNCOHCHR). The aim is to

²⁵ Cambodia Country Paper, Sub-regional Inter-Ministerial Consultation on Human Trafficking, May 2005

²⁶ *The Role of Victim Support Agencies in the Criminal Justice Response to Human Trafficking – Lessons from Thailand, Cambodia, Lao PDR, and Myanmar*, ARCPPT, June 2004

²⁷ *Asia-Pacific Answers – Good Practices in Combating Commercial Sexual Exploitation of Children and Youth*, ESCAP, UNIAP, and UNICEF, 2001.

improve procedures for handling cases of sexual exploitation of children, including investigation, the rescue of victims, the use of referral systems, the arrest of offenders and the initiation of court proceedings. The Project targets police officers, investigating judges, and prosecutors for capacity building in law enforcement.

As part of project design, the WV supported a needs assessment study of current law enforcement efforts based on existing data and interviews with respondents from (NGOs), IOs, government ministries, and police commanders and officers at all levels. The key conclusion among respondents to improving law enforcements was the need for trainings for both senior and junior officers.

Project staff developed an operating procedures and practices manual (Investigator's Manual) for the police. The review was necessary since the old manual was based on earlier laws and regulations and did not include key provisions in the 1996 Law on Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings or the 1997 Labour Code.

Seven training modules were prepared based on the Investigators' Manual. The modules included practical exercises and case studies. Staff prepared a series of 12 interactive training spots showing correct and incorrect police behaviour, and errors committed by the police while handling cases of child sexual exploitation. A 50-minute sensitisation video depicting the trafficking and sexual exploitation of a young girl, and the investigation carried out by a police officer was also produced. The video illustrates the tricks of the traffickers, the abuses suffered by victims, and the difficulties faced by investigators.

The following are among the key accomplishments of the Project:

- A two-day National Seminar on Sexual Exploitation of Children attended by 44 provincial and municipal Commissioners and First Deputy Commissioners from all but one of Cambodia's provinces and municipalities.
- A four-day National Seminar attended by 28 provincial and municipal Deputy Commissioners in charge of the Judicial Police.
- Training sessions were held in 13 targeted provinces aimed at middle management personnel, including Second Deputy Commissioners from the Judicial Police, and Chiefs and Deputy Chiefs from the Serious Crimes, Minor Crimes, Scientific, and Technical Units. The Chiefs and Deputy Chiefs of each district's criminal branch also attended.
- In Phnom Penh, four police officers selected to form the Investigation Coordination Team were given special training. The officers received in-depth training on the legal aspects of child sexual exploitation, and on the coordination of investigations.
- A special course was conducted for members of the Phnom Penh Municipality Investigators' Network. This network is composed of 16 judicial police officers, two judges, and four observers from the MoSALVY, the Immigration Police, and Interpol.
- Establishment in October 2000 of a hotline for reporting cases of trafficking or sexual exploitation. The hotline operates 24 hours a day, seven days a week. Cases reported to the hotline are handled by the Investigation Coordination Team or are referred to local police.
- The UNICEF produced seven one-minute advertisements which were shown on Cambodian television. Three of the advertisements were directed at potential victims and their families. One advertisement was directed at traffickers, warning them about penalties. The remaining three were directed at customers, promoting behaviour change and highlighting the penalties which customers can receive.

In addition three project committees have been established to ensure smooth implementation.

- The Project Steering Committee is the overall monitoring body of the project and has representatives from the five international organisations responsible for designing and funding the project. It also reviews materials developed under the project.
- The Project Coordinating Committee is responsible for reviewing project reports, approving major project plans and activities, and discussing issues which may affect implementation of the project.
- The Project Team, collaborated by the Department Director of Anti-human Trafficking and Juvenile Protection, is in charge project management.

2.2.4.1.E Ministry of Tourism (MoT)

The main programme at present in the tourism sector that tackles the issue of TSEC is the Child Safe Tourism Programme of the Ministry of Tourism. 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 MoT in cooperation with the World Vision. Child Safe Tourism Commission was established through a ministerial order (Prakas) comprising of senior officers and officials of the Ministry. In March 2005, Ministry Order 37 reinforced the creation of the CST Commission and the functions and responsibilities of its Secretariat.

The objectives of the CST Programme are two-fold: to increase knowledge and understanding of sexual exploitation of children arising from tourism and to improve child sex tourism prevention and protection measures in tourism establishments and services in targeted tourism hubs. Its responsibilities are:

- “Cooperate with the World Vision and other organisations and other relevant groups to implement the principles and government laws in effectively raising child rights awareness;
- Develop a plan and to address the various forms of child sex tourism and trafficking of children for sexual exploitation;
- Make reflection, initiate and keep everyone informed at Ministry levels in order to control/ observe, re-examine and give approval on the prevention policy on the trafficking and sexual exploitation of children; and
- Build the capacity of staff in order to promote an understanding of child rights, prevention and of the trafficking and exploitation of children in tourism to relevant officials, owners of guesthouses, and tourism communities”.

Within the Commission is its Secretariat which is tasked to coordinate and consult with the World Vision Cambodia and other international and national non-government organisations who are also working on child safe tourism. Aside from its administrative functions, the Secretariat also has the following duties.

- Compilation, production, and promotion of the training manual on the prevention of child from exploitation and trafficking linked to tourism;
- Promote the child rights, disadvantages resulting from the exploitation and trafficking of children among other guesthouses, hotels, and other tourism communities;
- Find ways and develop plan of action to reduce sexual exploitation and trafficking of children; and
- Monitor and evaluate the result of the Commissions activities and initiate other proposals.

In April of 2002, the Minister of the MoT requested the formation of Child Safe Tourism Commissions in the 24 provinces and municipalities of the country. These commissions would serve as the mechanism in contributing to the effective enforcement of laws and national guidelines on the protection of children from trafficking and sexual exploitation in the tourism sector. This would be done through awareness raising and capability 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.

In the same year, an action plan was implemented in the municipalities of Phnom Penh, Sihanoukville, and the province of Siem Reap conducting awareness raising and training about the prevention of TSEC in the tourism sector. This action plan serves as the pilot project of the MoT under its Child Safe Tourism Programme.

The key achievements of the Project by the MoT as of 2005 are as follows:

- Provide six TOT training to 360 participants at government levels and among tourism public and private operators
- Provide Training at community level to:
 - 2,492 (1,380F) children and 145 parents
 - 99 Local Authorities and 56 teachers
 - 44 child peer groups
- In cooperation with Child Wise Australia:
 - Conducted TOT and Child Wise Training (CWT) for 70 participants in Banteay Meanchey province;
 - CWT for 60 participants in Kratie province;
 - Installed billboards along the main roads and signboards at tourist sites in provinces; and
 - Produced Stickers, Posters, Booklets, Leaflets, and Video Spots

The Child Safe Tourism Project will continue for another 3 years in partnership with the World Vision Cambodia resulting from the enactment of MoT's Prakas No. 037 of March 7, 2005.

At present, there are concerns being pushed at the MoT to further strengthen and improve current efforts on promoting and attaining child safe tourism. These come from the vision of the current Minister²⁸ and centres on the contents of the draft Tourism Law and possible necessary revisions/ improvements on ministry orders (Prakas) on promoting child safe tourism.

- The main content of the MoT compilation of Prakas deals with requisite licensing procedures for tourism establishments/ businesses. Current licensing procedures undergo an 11-step process which creates "red-tape" or bureaucratic processes that unnecessarily prolong/ extend the licensing exercise. Therefore, measures to simplify the process should be considered. What is being considered are two things i.e. getting business to be legitimate and supportive of anti-child labour and anti-trafficking & sexual exploitation measures and ensuring that child labourers are not encouraged.
- For workers, the concept of having worker's cards is also under consideration. This too would go through a complicated process if the current system of citizenship/family book would be followed, since the CC and local government registration system are still far from completion. Therefore, the MoT can look into having a one-stop registration process for current workers resulting in the work cards. This would require putting in quick-registry hardware (requiring digital camera & scanning). The licensing system can also be facilitated through website licensing and the process would require coordination with local government (pilot areas) including strong police support.
- There is also a need for a stronger inspection system for workers and establishments. This needs Memorandum of Understanding with other ministries

²⁸ Discussion with HE Lay Prohas, Minister of MoT; K.B. Thuraising Ham, MOT Advisor; Sieng Kimhan, Deputy Director; Sao Sarouen, Director for Inspection; and Mr. Oum Khim, Deputy Director for Industry Department, 13 October 2005.

2.2.4.2 Programmes in Non-Government Organisations

2.2.4.2.A WVC Child Safe Tourism Project²⁹

The World Vision Child Safe Tourism Project started in October 2001. There was no strategic plan developed as its platform but started off as a commitment to the CNCC 5-year NPA-TSEC. The activities were related to the prevention and awareness-raising sub-component of the NPA-TSEC.

The outlook was to implement CST from progressing categories i.e. first phase focusing more on prevention programmes, the 2nd phase on education and the 3rd phase to focus on improving administrative measures. Chronologically, the following programmes were implemented:

- Research (with CNCC& MoT) came up with the Children Work, Adult's Play
- Phnom Penh Street Children project- 1992
- Recovery Project -1994
- Child-Labour Project- 1994
- A child at high-risk project was an area development programme implemented in 6 provinces considered as origin and destination for trafficked children and women.

The programmes eventually led to the formation of Child Protection Network (CPN) which was established at the District level and the formation of Task Forces at the provincial/ municipal levels.

The CST Project initiated with MoT in 2001 led to the formation of CST Commission targeting 24 provinces (although only 11 were established). These commissions are headed by the respective Governors and the Deputy post is assumed normally by the Director of MoT in the province/ municipality. Under this initiative with the MoT, the following actions were achieved.

- Establishment of Hotlines (as worked out with the LEASEC project) in 1998 which set up a national hotline and 6 provincial hotlines (Phnom Penh, Banteay Meanchey, Sihanoukville, Siem Reap).
- Formation of the Child Protection unit with Ministry of Interior through its Department against Human Trafficking and Juvenile Protection (DAHTJP) in 6 provinces (currently active in 3-4 provinces). This initiative is inter-agency in nature (lead by the police) with courts, NGO representation. The supporting agencies/ organisations are UNICEF, Red Banner organisation, UNCHR, IOM, and WV.
- Establishment of Child Peer Education Team (CPET) at community level – organised in Siem Reap, Sihanoukville, Banteay Meanchey, Oddar Meanchey, Prey Veng, Koh Kong (established origin and destination areas trafficked children and women).

WVC's action plan for 2005 comprises of 4 main activities continuing from their present project activities. These are:

- MoT staff and private sector trained on SECT and tourism regulations on SECT i.e.
 - Review and extend TOT curriculum for MoT and communities
 - Develop and distribute child safe tourism materials
 - Pre-assessment of TOT needs
 - TOT sessions for peer educators of MoT and private sector
 - Set-up TOT Team at Tourism Department levels
 - Monitoring and follow-up TOT Team and peer educator teams
- Strengthening of CST Commissions
 - Memorandum of understanding

²⁹ 17 October 2005 meeting with Mr. Rithy Niron, World Vision

- Conduct CST Commission policy and strategy workshop
- Develop complaint reporting format
- Institute complaint review
- Provide ongoing technical advice (campaign materials production)
- Capacity and partnerships built with local community networks
 - Select and train peer educators in tourism communities
 - Set-up community networks
 - Support drama team in communities
- Research and advocacy

WVC conducted a pre-assessment of the target groups prior to the implementation of the capacity building component of the CST programme. An Orientation Workshop was also conducted before the training among tourism staff, the police, the military, and immigration officers, MoSVY, MoWA, MoC and MIME and among owners of hotels, guesthouses, and bar/karaoke. The target of capacity building is around 60 participants per 2-day training, where those trained are expected to re-echo their learning to their staff.

With the implementation of the various activities and programmes on CST from 2001 to 2005 activities, insights have been gained that can serve as take-off points for improving the delivery of activities promoting CST. Some of these insights are presented below.

- The coordination process was quite slow and complicated with the Child Safe Tourism Commissions (CSTC). The CSTC has a permanent secretariat of around 6 staff but was only recently organised (in 2005). This late creation of the secretariat may have an effect of the political stand-still from 2004 and the recent re-organisation of ministry staff.
- For the inter-agency commission (provincial/municipal), there are generally no definite plans, since the commission meetings serves more as a forum for various agencies to come together and present various issues encountered/ experienced by their department/ organisations. These meetings are held once a month and generally serves as a kind of "all-leader forum" (Khmer term, which means that it is all up to the leader to resolve matters and where proceedings are not very focused/ inefficient meetings meeting). This situation possibly stems from the lack of planning processes where basically there are no provincial plans just department activities relating to Ministry Plans done at higher level.
- Other insights can be gleaned from an assessment of results/ experiences in CST work conducted internally by World Vision. However, the results are not yet completed although a draft form is available. The assessment dealt with the relevance, management system, effectiveness and coordination concerns of the different activities undertaken in the CST work.

2.2.4.2.B Project Protecting the Rights of the Child in Tourism – Mith Samlanh/ Friends International

On March 4, 2005, the MoT and Mith Samlanh/ Friends signed a memorandum of understanding (MoU) for the implementation of the project "Protecting the Rights of the Child in Tourism". The project which is being implemented in Phnom Penh, Siem Reap and Sihanoukville, will last for 3 years with the general objectives of:

- Protecting the rights of street children; and
- Fighting the factors that facilitate the spread of sexual abuse of children/ spread of paedophilia in the tourism industry of Cambodia.

The major donors to this project are the UNICEF and the British Embassy, combining to a total of US\$38,830 project budget. The project's main activity is to train tourism service groups (i.e., *moto-taxi* drivers, owners/ operators of guest houses, hotels, souvenir stalls, etc) and Phnom Penh's street children on how to observe and protect the rights of children. Graduates of the training will become part of the network of Mith Samlanh/ Friends International and receive uniforms and stickers. Likewise, evaluations are conducted among tourism establishments as to the level of their adherence to child safety standards/ regulations in their operations/ services.

Suitable staff of the MoT are involved in planning and implementation together with Mith Samlanh project staff to ensure skills transfer and therefore strengthen MoT's staff technical expertise and capacity. Regular meetings will be held with the MoT to coordinate on-going project activities, share information, and work together in solving problems encountered in project implementation.

The MoT's key participation in the project is two-fold. Its primary responsibility is to provide administrative and regulatory support to Mith Samlanh project staff and to accredit tourism establishments such as hotels and restaurants which have been positively evaluated by the project.

At the end of the project and if it is agreed that there will be no more extension, Mith Samlanh will turn over the project to the MoT. For this possible event, MoT's constant involvement in project implementation especially in project monitoring is formalised in the MoU.

At present, the Mith Samlanh is conducting awareness raising sessions with motorcycle taxi drivers on child safe tourism in the 3 main tourism hubs with car taxi drivers as the next target group. Currently, some 100 motorcycle taxi drivers have been reached in Phnom Penh.

2.2.4.2.C Asia Regional Cooperation to Prevent People Trafficking (ARCPPT)³⁰

The ARCPPT Project is an Aus-Aid funded 2-year programme which ended in March 2006. This is a training programme for judges, prosecutors and police and is coordinated with the MOJ and the MOI. The focus is more on the technical aspect of investigation and gathering evidence with victims as primary source³¹.

At present, the project has already conducted trainings for some 10 judges and 10 prosecutors and training for police officers was underway. Prior to the trainings, a trainings needs assessment was conducted by the UNICEF enforcement unit. The capacity building thrust was also being coordinated with the Royal School of Judges to integrate investigation techniques with the current curriculum.

Aspects of the training which needs to be improved on are ethics and legal framework (e.g. the Law on Trafficking and the draft law on Standards for Judges and Prosecutors which dwell on the ethical aspects/ social responsibility among judges and prosecutors should integrated into the course).

2.2.4.2.D Cambodia Association of Travel Agency (CATA)³²

The CATA was established in early 2004, with an initial membership of 75. Its members are travel agencies and tour operators. At present, CATA has a total of 136 members, both head and branch offices.

³⁰ From discussions with ARCPPT officers Ms. Janet Ashby, Cambodia Project Manager; Yi Yuth Virak, Deputy Project Manager, 18 October 2005

³¹ Janet Ashby presentation February 2005 WV Workshop

³² October 18, 2005 discussion with Mr. Ho Vandy, Director of CATA

CATA committee members largely participate in workshops and trainings on trafficking and labour issues especially in tourism sector. Learnings and materials obtained (e.g., workshop handouts) from the trainings and workshops are passed on to the other members of the association. CATA does not produce its own materials for building capacity or raising awareness on trafficking and labour issues.

CATA works with MoT and other ministries in coming up with the actual number of tourists in Cambodia. One of its key plans is to establish a tour guide association emanating from small tour guide groups initially formed at key tourism areas in the country.

2.2.4.2.E COSECAM³³

The COSECAM is 23-member coalition of NGOs working on sexual exploitation of children in Cambodia. Its main work is to coordinate the activities/ projects of member NGOs and to provide development support to the staff of member NGOs.

The activities of COSECAM are:

- Capacity building
 - Counselling skill
 - Management skill for programme officer of NGOs management
 - Project implementation
 - Short courses: Conflict resolution, psycho-social counselling (psycho-social counselling had been conducted for one course already and there will be the continuation course in January 2006)
- Advocacy (lobbying to reduce child rape)
- Victims of Trafficking
 - Improve the integration of legal aptitude
 - Provide skill to children
 - Provide training to children relating to sexual abuse and trafficking

The coalition does not provide the actual trainings. Experts on the subjects/ areas for training are invited to conduct capacity building among its members. The key task of COSECAM is to coordinate the training activities e.g. monitor training needs of member organisations, organise/ facilitate responsive training exercises, and monitor over-all capacity development of its members.

Members of COSECAM have projects on children. They collect children and form them as a group, then conduct workshops. The workshops' main objective is to get children aware of the risks they can face. It is similar to the work of the peer education team in that a child who understands can pass his/ her knowledge to other children in his/her community. The workshop is conducted every six months. There have been two workshops, one in Sihanoukville, and the other in Siem Reap.

The coalition was involved in a research work in Sihanoukville on child sex tourism. It has joined workshops organised by ILO-IPEC. At the same time, COSECAM organises workshops and training for its members and encourages different Government Ministries and non-government organisations to join.

2.2.4.2.F The Child-Wise Tourism Project of ECPAT³⁴

³³ October 19, 2005 interview with Mr. Em Poul, IHRD program officer and Ms KAO Sokdeth, Assistant of IHRD

³⁴ October 20, 2005 interview with Mr. Chin Chan Veasna, Coordinator, ECPAT

ECPAT has been working with MoT since 2001 on the Child Wise Programme supported by Child Wise Australia.

The Child Wise project term had a 2-year timeframe providing 5 trainings to different selected areas using a training manual provided by CWA. A TOT had been conducted in Banteay Meanchey in June around 2 or 3 years ago. There were over 10 trainers from ministry and provincial. The training was conducted in English which was translated into Khmer by core trainer within one and half days. Tourism business sector representatives came to attend at the first day of the workshop.

Currently, ECPAT is working with World Vision in its CST project where some 10,000 booklets are being published for dissemination to tourists and tourism establishments.

Another activity is the production of billboard and signboards. Two billboards and 10 signboards are planned to be produced. The two billboards are being requested by ECPAT to be placed in Svay Rieng, and Poipet but the exact location will be determined by the ministry/ department of tourism.

Support to trainings/ workshops are also an activity of ECPAT. In August 2005, there was one training workshop conducted in Kratie for the business sector. The trainers come from the MoT since the training manuals used are from the ministry and can only be used by trainers from ministry. No person from ECPAT is allowed to provide training or use the training manual.

Future actions of ECPAT on child-wise tourism include the following.

- ECPAT plans to negotiate with Vietnam Airlines and Thai Airline's in-bound flights to Cambodia to broadcast a video spot on trafficking elimination in planes with television monitors.
- ECPAT is trying to broadcast the 3-minute spot with the sentence saying "You will get punished and sent to jail up to 10 years if you abuse children."
- ECPAT plans to produce 30,000 more copies of the booklets, and translate its contents to the Korean language

A key target of the project is Korean tourists who at present are the most numerous among all international visitors to Cambodia. There have been reports that Korean nationals are also those involved in most child abuse cases in Cambodia. In response, the Korean government is organising international CST where Cambodia is one member states including Japan, Australia, Taiwan, and Korea. In this international programme, the government of Cambodia is invited to present what has been done and is happening in the country in terms of child-wise tourism

2.2.4.2.G The Cambodian Federation of Employers and Business Association (CAMFEBA)³⁵

The Cambodian Federation of Employers and Business Associations (CAMFEBA) is an autonomous and independent business association recognised by and registered with the Royal Government of Cambodia, with a vision to unify and strengthen the Cambodian Private Sector through effective representation and collaboration with The Royal Government of Cambodia and relevant global bodies. Established in 2000 due to the increasing need for the private sector to stand together with a unified voice, CAMFEBA has become the largest Association in Cambodia representing employers. It is recognised by the International Labour Organisation and other global agencies as the voice of Cambodian employers. Currently CAMFEBA represents over 700 businesses.

³⁵ Extracted from the Web Site of Cambodian Federation of Employers and Business Association

CAMFEBA provides its members with the following essential services for businesses operating in Cambodia:

- **Coordinate the private sector under one unified umbrella**
 - Effectively address challenges affecting the welfare and interests of our members and employers in general
 - Facilitate the effective distribution of updated laws and regulations
 - Provide networking and relationship building opportunities
- **Promote good industrial relations to ensure a harmonious business environment**
 - Promote an ethical business environment amongst employers and employees
 - Promote workplace health and safety
- **Represent our members where it matters most**
 - Seek recognition from and establish effective communication with The Royal Government and relevant Ministries
 - Seek seats on representative national tripartite bodies
 - Effectively co-ordinate with our union counterparts
 - Effectively represent the private sector at a regional and international level
- **Provide Advice, Build Capacity & Disseminate Information**
 - Provide advice, comments and guidelines to government on social and economic policies
 - Provide relevant training to our members
 - Provide up to date information on the business and social environment
 - Provide legal advice and counselling to our members

2.2.4.2.H The Cambodian Hotel Association (CHA)³⁶

The Cambodia Hotel Association (CHA) was formed in June 2005 by the two associations, Phnom Penh Hotels Association (PPHA) and Siem Reap Hotels and Guest House Association (SRAHGA). It is interested in the development of a sustainable hospitality industry and the growth of tourism in Cambodia in general. CHA is a not-for-profit industry association and a legal body serving the common interests of all its members in Cambodia.

Its objectives are the promotion of its members on a national and international level and the protection of their lawful interests. The Association's vision is to become known worldwide for the professional standards and quality of services and facilities of its members. Strong marketing channels like the Internet are being used for the benefit of our partners.

The Cambodia Hotel Association is part of a network which currently links sister associations in the region such as Laos and Vietnam. It is supported and guided in its development by the Mekong Private Sector Development Facility (MPDF), a multi-donor initiative managed by the International Finance Corporation (IFC), the private sector arm of the World Bank.

CHA offers the following services and benefits to its members:

- Own website within the association portal – www.phnompenh-hotels.org and www.angkorhotels.org
- Reservations handled on a one-to-one basis by local back office staff fluent in various languages and experienced in dealing with international and domestic clients

³⁶ Taken from Cambodian Hotel Association's profile

- Domestic and international exposure to potential clients on the internet, in travel guidebooks and through press releases
- Representation at national and international trade exhibitions
- Regular newsletter
- Access to latest industry news and 'members only' information
- Training courses on hotel procedures and operations
- Quality and management training programs
- Seminars and workshops on industry related topics
- Invitation to social and networking events
- Representation to the government of the Kingdom of Cambodia on matters affecting the members
- Participation in all matters concerning the local hospitality industry in a group which has more power than individual enterprises
- Consultancies, translations and other tailor-made services

2.2.4.2.1 The Cambodian Tourism and Service Workers Federation (CTSWF)³⁷

The Cambodian Tourism and Service Workers Federation (CTSWF) was initially founded by 9 trade unions³⁸. The American Centre International for Labour Solidarity (ACILS) facilitated the first orientation training on trade union. Most founders of CTSWF have very large experience in working in service businesses like hotel, restaurant, airport, and resort building.

The purpose of the Federation³⁹ is to:

- Increase bargaining power of member tourism and service unions with employers and policy-makers.
- Organise tourism and service workers who do not have unions.
- Improve the working conditions, salaries, and benefits of workers in the tourism and service sectors all over Cambodia.
- Encourage unions which are dedicated to:
 - organising majority unions
 - collective bargaining
 - real democracy in union structure and decision-making, and
 - transparent financial systems.
- Support member unions and participate with member unions in disputes with employers and industry groups, collective bargaining, and providing services to union members. The Federation participates with member unions at the invitation of member unions.
- Lead education programs, and design and print publications for member unions.
- Advocate good policy for workers and unions in the tourism and service sectors, but no support for political parties.
- Maintain relationships with Khmer and international union organisations.
- Maintain relationships with tourism and service industry groups.
- Support the growth and activism of the Cambodian labour movement.

CTSWF currently has 20 Union members: 12 in Phnom Penh, 7 in Siem Reap and 1 in Poi Pet. CTSWF has 3000 individual members.

³⁷ Interview with Mr. Nou Chandy, Chief Educational Committee CTSWF

³⁸ 1- International Airport Independent Union Workers 2- Cambodiana Employees Union 3- Intercontinental Hotel Employees Union 4- Sun Way Employees Union 5- Raffles Le Royal Hotel Union 6- NAGA casino Employees Union 7- Sofitel Royal Angkor Hotel Employees Union 8- Raffles Grand d' Angkor Employees Union 9- Pensea Angkor Employees Union

³⁹ Cambodian Tourism and Service Workers Federation Constitution, September 2003

CTSWF has training activities for hotel union leaders and enterprise-level union leaders in the principles of union building, as well as the rights, responsibilities, and basic functions of democratic and independent unions. They have Programs to encourage unions to advocate for workers' interests, and to hold the government and employers accountable for the protection of fundamental labour rights of workers in several sectors. These programs will help unions and workers test the legal and administrative systems – labour dispute, collective bargaining, arbitration-created to handle labour disputes. This means developing strong labour law practices with labour law practitioners. There are several programmes that encourage union leaders to build relationships across other sectors of the economy.

2.2.4.3 Summary of present actions/ initiatives from government and non-government organisations

Table 1 below shows the different government agencies and NGOs that are already involved in CST work either in the planning stage and/ or implementation stage. Table 2, on the other hand presents the NGOs that have programmes with prevention and protection as strategies in combating trafficking for sexual and labour exploitation.

The key conclusions that can be reached from this mapping exercise is that many organisations whether in or outside the government, are already involved in child safe tourism programmes (in the context of trafficking and elimination of child labour) especially along the strategies of prevention and protection. This means that much has already been achieved in CST work especially in the aspect of prevention and protection of/ from trafficking. This also means that work is necessary to accurately document the methods, achievements, and learnings of these organisations.

In the preparation of the Strategic Plan for the MoT, this situation presents a solid benchmark from where further CST work (as to be proposed in the Plan) can be measured against. Positive achievements and the manner through which these achievements were reached (if documented and collated properly) would be vital inputs to the over-all CST Strategic Plan as led by the MoT. Participation of these organisations through workshops (assessment and planning sessions) and through provision of project reports and evaluations will then become a must in the preparation of the strategic plan.

Another aspect that comes out with this situation is the need for clear roles and responsibilities among all organisations involved and proactive directives/ signals from the MoT with assistance from the key ministries identified for this plan. With many players and stakeholders, constant and open consultation and coordination becomes the lynch-pin for the successful preparation of the strategic plan and its consequent implementation. With many programmes/ projects/ initiatives already in place, replication and not duplication of effective programmes/ projects/ initiatives become one of the key principles of the proposed strategic plan.

Table 1. Brief summary of CST and CST-related of Government agencies and NGOs

Agency/ Organisation	Current activities related to CST, Prevention, and Protection
MoT	Compilation, production, and promotion of the training manual on CST; Promote child rights, disadvantages resulting from the exploitation and trafficking of children among tourism establishments communities; improve plan of action to reduce sexual exploitation and trafficking of children; and Monitor and evaluate the result of the Commissions activities and initiate other proposals
MoLVT	Elimination of WFCL, improvement of work conditions and environment, monitoring of labour issues, plans to centralise all information and

	documentation on child labour
MoSVY	Victim support and services, operation of support centres, information gathering on tourism establishments leading to training of employers and workers, and training to government task forces and child protection networks (CPNs)
MoWA	Advocacy work, awareness-raising, establishment of database on trafficking programmes/ projects/ activities
MoI	Awareness raising, training on legal issues and investigation techniques- question for victims security, incident area protection, protection of proof and evident and case management procedure submitted to court.
WVC	Capacity building, awareness raising, materials production, set-up of coordinating mechanisms
Mith Samlanh/ Friends	Capacity building among key MoT staff, awareness raising with tourism service groups (taxi and motorcycle drivers, owners/ operators of guest houses, hotels, etc) and street children in Phnom Penh
ARCPPT	Training for judges, prosecutors and police. Integration of investigation techniques with curriculum in the Royal School of Judges
AusAid with Save the Children Australia	preparation of Code of Ethics in the tourism sector
CATA	Attends workshops and trainings on trafficking and labour issues especially in tourism sector. Plans to establish a tour guide association emanating from small tour guide groups initially formed at key tourism areas in the country
COSECAM	Coordinate the activities/ projects of member NGOs and to provide development support to the staff of member NGOs in terms of capacity building, Advocacy, VAT. Several members of COSECAM are already implementing CST/ CST-related programmes
ECPAT	Provides trainings and support to trainings/ workshops, printing of booklets, billboards and signboards production, TV/ radio spots
CAMFEBA	Representing 700 businesses, serves as the voice of Cambodian employers
CHA	Interested in the development of a sustainable hospitality industry and growth of tourism in Cambodia; serves the common interests of all its members in Cambodia; linked to sister associations in Laos and Vietnam
CTSWF	Holds training activities for hotel union leaders and enterprise-level union leaders; advocates for workers' interests and contributes to the enforcement of strong labour law practices.

Table 2. Mapping of CST (Prevention and Protection Strategies) involved NGOs, UNIAP 2005

#	Prevention/ vulnerability reduction	Protection/ Victim Support/ Victim Support/ Rescue/ Repatriation/ Reintegration	Policy/ Advocacy/ Research	Full-name of NGO	Donors/ Funding Source
1		APLE	APLE	Action pour les Enfants	Global Humanitaria (Spain), TAF
2	AFESIP	AFESIP	AFESIP	Agir Pour Les Femmes En Situation Precaire	ANESVAD, AECI, TAF, UNICEF, WFP, Japan Embassy, British Embassy, SKN, AusAid, UNESCO, USAID, GAA, Plan International, ECPAT, UNODC
3	AlDeTous		AlDeTous	Association Internationale pour le Developpement, le Tourisme et la Sante ; International Association for Development, Tourism and Health	No Donor
4	Banteay Srei	Banteay Srei	Banteay Srei	Banteay Srei	GFFW, CAFOD
5	COHCHR	COHCHR	COHCHR	Cambodia Office of the High Commissioner for Human Rights	No Donor
6	CCPCR	CCPCR	CCPCR	Cambodian Centre for the Protection of Children's Rights	UNHCR, British Embassy, Dutch Embassy, Canada Fund, ILO/IPEC, SKN-Netherlands, SCN-Norway
7	CCHDO	CCHDO	CCHDO	Cambodian Children & Handicap Development Organisation	ILO, UNHCR, ILO, Australian Embassy, UNICEF
8	CAMBOW	CAMBOW	CAMBOW	Cambodian Committee of Women	TAF, Oxfam GB and GTZ
9	CDP		CDP	Cambodian Defenders Project	TAF/USAID, DCA
10	ADHOC	ADHOC	ADHOC	Cambodian Human Rights and Development Association	TAF and USAID
11	LICADHO	LICADHO	LICADHO	Cambodian League for the Promotion and Defence of Human Rights	EU, Finnish Government
12	CNCC	No	CNCC	Cambodian National Council for Children	UNICEF
13	CWCC	CWCC	CWCC	Cambodian Women's Crisis Centre	Confidential
14	CWDA	CWDA	CWDA	Cambodian Women's Development Association	IOM, Terre des Hommes-Germany, ICCO-Netherlands
15	Chab Dai Coalition	Chab Dai Coalition	No	Chab Dai Coalition	
16	CRF		CRF	Child Rights Foundation	TAF
17	COC	COC		Children of Cambodia	Finland Government and 40 private sponsors
18	CSF	CSF		Children Support Fund	WVC, Forum Syd, USAID/TAF, CWS, KHANA, UNESCO/UNICEF, UNFPA, Oxfam GB/ NOVIB, Action Aid, GCE
19	CARAM	CARAM	CARAM	Coordination of Action Research on AIDS & Mobility	Vrije University (DGIS)
20	Goutte D'Eau	Goutte D'Eau		Darnok Toek (Goutte D'Eau) Neak Loeung and Poipet	Goutte d'Eau H/Q, Canada Fund, IOM
21	DDD	DDD		Digital Divide Data	UK Embassy, MPDF/IFC, TAF/USAID, The Kearny Alliance, Rotary international, UNDP

22	DCA	DCA	DCA	Dan Church Aid	DANIDA/ Danish Government and EU
23	Hagar	Hagar	No	Hagar Project	Swiss Government and Asia Foundation
24	HCC	HCC	HCC	Health care Centre for Children	TAF/USAID
25	IJM-US	IJM-US	IJM-US	International Justice Mission	USAID
26	IOM	IOM	IOM	International Organisation for Migration-Cambodia	U.S. Department of State Bureau of Population, Refugees, and Migration, USAID, Government of Japan, Government of Finland, US PRM
27		KDFO		Khmer Development of Freedom Organisation	No
28	KMR	KMR	KMR	KOMAR RIKREAY	IOM, SKN, KMR France
29	KT	KT		Krousar Thmey	German Government
30	LAC	LAC	LAC	Legal Aid of Cambodia	Dutch Embassy, NOVIB, OXFAM, GTZ, RED BARNA
31	LEASEC	LEASEC	LEASEC	Legal Enforcement project against Sexual Exploitation on Children	IOM, UNICEF, Royal Government of the Netherlands, WVI
32	LSCW	LSCW	LSCW	Legal Support for Children and Women	TAF, Nederland Embassy, Forum Syd, SKN, East West Management Institute.
33	MPK	MPK	MPK	Meato Phum K' omar (Homeland)	Tere Des Home Germany and TDH New Zealand, Manos UNIDAS-Spain, IOM, FHI, HEIFER
34	No	MoFIC	MoFIC	Ministry of Foreign Affairs and International Cooperation	No
35	MoJ		MoJ	Ministry of Justice	ARCPPT
36			NGO CRC	NGO CRC-Children's House	SCN
37	NYEMO	NYEMO		NYEMO Cambodia	
38	PJJ	PJJ	PJJ	Protection of Juvenile Justice	No
39	PTD	PTD	PTD	Pteah Teuk Dong	ERM, Oxfam GB, CWS, PTD Holland, ICCO, Women World Day of Prayer Germany, PTD Spain, UNICEDF, DAP and PTD income
40	SCN	SCN	SCN	Save The Children Norway	World Bank
41	TAF	TAF	TAF	The Asia Foundation	USAID
42	UNICEF	UNICEF	UNICEF	United Nations Children's Fund	Social Protection plus Legal Protection (2005): US\$ 2.9 million.
43			UNIFEM	United Nations Development Fund for Women/ UNIFEM - Project Officer, Cambodia	No
44	UNIAP-C	UNIAP-C	UNIAP-C	United Nations Inter-Agency Project on Human Trafficking in GMS	No
45	WAC	WAC	WAC	Women's Agenda for Change	No
46	WMC		WMC	Women's Media Centre for Cambodia	No

3. Strategic Interventions and Actions for the Royal Government of Cambodia in the Tourism Sector

3.1 BACKGROUND OF THE PROPOSED STRATEGIC PLAN

At this time, the Ministry of Tourism is proposing to develop and implement a 3-year (2007–2009) Strategic Plan on the Promotion of Child Safe Tourism and to Prevent Trafficking in Women and Children for Labour and Sexual Exploitation in the Tourism Industry. This plan is intended to contribute to the implementation of the National Poverty Reduction Strategy (NPRS), the 5 year NPA-TIPSE, and the COMMIT MOU⁴⁰. Further, the plan seeks to further strengthen the schemes of the Ministry of Tourism through the following initiatives:

- Promoting “child safe tourism” in efforts to prevent trafficking in children and women, and at the same time,
- Ensuring integrated involvement of the tourism sector (government, private businesses, work force, communities) in national efforts to prevent and combat trafficking in persons, especially children and young women.

The above-listed initiatives will be undertaken jointly by the Ministry of Tourism (MoT), the Ministry of Labour Vocational Training (MoLVT), Ministry of Social Affair Veteran and Youth Rehabilitation (MoSVY) and the Ministry of Women Affairs (MoWA). The initiatives include wide ranging interventions, such as:

- strengthening child safe tourism programmes, with special attention to anti-trafficking concerns related to sexual and labour exploitation.
- capacity building;
- awareness raising (e.g. public campaign through TV programmes); and
- social services for victims and those at risk for human trafficking for labour and sexual exploitation in the tourism sector.

These interventions will be implemented and coordinated at the national level and at the three selected pilot areas of Siem Reap, Sihanoukville and Phnom Penh, that were selected through the National Stakeholder Ownership Exercise meeting (NSOE) of the ILO/IPEC TICW Project on 4-5 March 2004. It will also call for the greater involvement of employers' associations, trade unions, business sector and the affected provinces and communities.

In order to ensure the integrated and comprehensive approach and programmes on promotion of child safe tourism to prevent trafficking in children and young women for labour and sexual exploitation, the MoT, MoLVT, MoSVY and MoWA have requested ILO's technical assistance in designing 1) a strategic plan, 2) an operational guideline including checklists and 3) training manual to be used in 3 pilot areas.

The MoT will be organising a series of consultation meetings/ workshops with workers' and employers' organisations and relevant governmental and non-governmental organisations which will serve as platforms for discussion, enabling all concerned to share their views and experiences and thus input to the strategic plan, operational guidelines and the training manual.

Given the much larger size of national tourists compared to international visitors, more emphasis will be put to on national tourists in the proposed plan. Also, considering the fact that there have been several agencies

⁴⁰ Especially the PPC 11 (Project Proposal Concept) Activity 17 on prevention and combating trafficking in persons in children and women

working against the issue of sex tourism, more emphasis will be given to target labour exploitation side of human trafficking in tourism sector (e.g. vulnerable young migrant labours to local employers).

The objectives of this proposed strategic plan are:

1. To promote child safe tourism to prevent human trafficking, especially children (below 18 years) and young women (18-24 years), for labour and sexual exploitation in tourism sector; and
2. To contribute to the implementation of the COMMIT process and the National Plan against trafficking and the National Plan of Action on the elimination of Child Labour.

3.2 CONTEXT AND GUIDING PRINCIPLES OF THE STRATEGIC PLAN

The development and implementation of the MoT's Strategic Plan on CST comes at a time and situation where there are already 2 existing national mechanisms addressing the over-all concerns and issues in trafficking of women and children for sexual exploitation and labour. At the same time, the national government has become involved in international understandings/ protocols with its neighbouring countries and with international agencies and organisations in dealing with cross-border concerns in trafficking. Third, government ministries and organisations, international organisations (IOs) and local NGOs have began and/or have been already implementing projects and programmes emanating from the strategies of these national mechanisms and international protocols on trafficking and child labour. This present situation is briefly described in the preceding sections of this Report.

Fourth, the MoT has also developed its Master Plan for the tourism sector for 2006 to 2009. The master plan was written and developed to spur and sustain developments in the tourism sector (which is the one of largest contributors to the national income) and at the same time further contribute to national economic development. The Master Plan contains concrete objectives and strategies that attempts to fulfil the ministry's mandate from the national government. As such, the master plan becomes the over-all guide of all other plans, programmes, and projects that the ministry and its departments/ offices shall prepare and implement. Likewise, the Tourism Law has been drafted and recently submitted to the National Assembly for finalisation and enactment. The Law

Given these situation, the strategic plan of the MoT on promoting CST and addressing the trafficking issue within the tourism sector should as much as possible also emanate from the national mechanisms and international understandings and at the same time take into careful consideration the actions that have already been taken and are being taken by international and local agencies and NGOs. The strategic plan must also be consistent with the aims and objectives of the tourism Master Plan and the proposed Tourism Law and limit itself according to the mandate of the Tourism Ministry and its proposed Law.

Further, the MoT with some select NGOs like the World Vision and Mith Samlanh/ Friends, have already started projects addressing specific child safety issues in the tourism sector. These previous and on-going initiatives should be one of the key considerations in the development of the strategic plan. However, clear and practical learnings should first be deduced from these initiatives through adequate evaluations of what has been done and achieved as of the present. Other lessons can also be obtained from experiences in similar work in other countries whether in the Mekong sub-region area or elsewhere. These learnings can then be the key starting point of improved programmes on CST and revision in laws and regulations for more effective counter-measures to trafficking, sex tourism, and exploitative labour. This entire process ensures that the proposed strategic plan will have "child safe tourism" practices and guidelines as its framework – guiding all other strategies and activities of the strategic plan.

In the proposed strategic plan, the MoT takes as partners the key ministries of MoWA, MoLVT, and the MoSVY. While the plan is to be focused on the tourism sector, the latter ministries have on-going programmes that cut into the issues to be addressed by the proposed strategic plan. Therefore, it is but logical that the strategic plan builds on what is already in place and planned in these ministries, allocates responsibilities and tasks according to the mandates of each ministry, and draws from the existing and proposed resources within each ministry. This way, the plan can be quickly implemented rather than request and await for assistance from the national government and/ or external funding/ donor organisations.

At the same time, the plan envisions the participative involvement of all stakeholders in the tourism sector in the strategic plan. This means that government, private businesses, work force, communities, and IOs/ NGOs should be involved in plan activities from the onset i.e. planning stages up to implementation phases.

Lastly, the development of the strategic plan and the resulting strategies in preventing trafficking and exploitative labour is grounded on principle of recognising, respecting, and ensuring the protection of the basic and human rights of persons especially those of young women and children.

3.3 DEFINITIONS OF TERMS RELATED TO 'CHILD SAFE TOURISM' AND 'TRAFFICKING'

Several terms will be used commonly within the context of the current and proposed Strategic Plan for Child Safe Tourism and a definition of these terms are required to enable us to clearly define "Child Safe Tourism" and at the same be consistent with international understanding of these terms.

Tourism can be defined as all the facilities, services and activities associated with the travel of international and domestic tourists and visitors. These same facilities and services may also serve other purposes than tourism. In the same vein, tourists are categorised according to international tourists and domestic tourist; the first is defined as a person who travels outside his/her home for more than 24 hours but not more than one year for the reasons of holiday, leisure, health, religion, participation in sports activities, to visit friends and relatives, conduct business and professional activities or to attend meetings, conferences, training and related activities. Domestic tourists, on the other hand, is defined as a person who travels away from home within his/her own country for more than 24 hours for the same reasons listed above and not for the purpose of changing their place of residence⁴¹.

According to the World Travel and Tourism Council (WTTC), the tourism industry is defined by the economic activities (personal, investment, government, business and net exports) associated with travel as measured by the wide variety of current and capital expenditures made by or for the benefit of a traveller before, after and during a trip. Services and activities which cater to tourists define the sectors of the industry. The International Labour Organisation, classify the sector as the hotel, catering and tourism sector (HCT), which is a complex group of economic activities and encompasses other economic sectors. For instance, agricultural, industrial and handicraft products; transport, safety, cultural and health services, activities such as lodging, catering, leisure and business travels, parks, zoos, ecotourism, etc.

The types of tourism are therefore determined by the tourist agenda and the services in the host tourist site that caters to this agenda. Largely, tourist travel to a particular area because of its natural physical assets or to view and interact with notable cultural heritage, these activities are termed natural tourism or eco-tourism and cultural tourism and. Specific tourists travel to areas for reasons of health, religion, holidays, sports, etc., and these are categorised as particular types of tourism.

⁴¹ Child Safe Tourism Commission, *Training Manual on Prevention of Children from Sexual Exploitation Linked to Tourism*).

Since, a basic travel agenda is leisure and entertainment, part of the negative trend in tourism are tourists with interests for engaging sex and the local business services which cater to such need. This is categorised as sex tourism. Paedophiles and sex tourists often find exoticism in sex by engaging the services of young women and children, therefore raising the term for **child sex tourism**, defined as the exploitation of children and their communities by persons who travel from their own country to another, usually less developed, to engage in sexual acts with minors⁴².

In poor developing countries, such as Cambodia, many children and young people are being absorbed into the activities that take place in and around tourism, hotels, catering and entertainment. Their involvement is a reflection of increasing children participation in income earning, especially in semi-organised and informal occupations. The simplest reason for children and women entry into the industry is the opportunity as many of these businesses have demand for unskilled labour, oftentimes with odd hours or casual work and after-regular hours or night work.

Child labour is any work done by a child, below 18 years old, either paid or unpaid, that inimically affects the mental, physical, social or moral progress of the child and prevents his/her education. This is often contrasted from child work or work which helps to educate or train the child for future occupation and is part of the social and family functions (MoLVT, National Plan of Action on the Elimination of the Worst Forms of Child Labour, 2004).

The following categories, as derived from Convention 182, further define child labour.

- There is no minimum age for worst forms of labour that are against fundamental human rights like child slavery or similar to slavery such as the sale and trafficking of children, debt bondage and serfdom, enforced and compulsory labour, and forced or compulsory recruitment of children for armed conflict; the use, procuring or offering of a child for prostitution, use in the production of pornography and pornographic performances; and use of children in illicit / criminal activities. All these activities are illegal under the laws of the RGC.
- For other worst forms with hazardous work or work environment that could harm the health, safety and morals of working children, the applicable age is below 18 years.
- The current Labour Law of the RGC allows for light work for children at aged 12-15 years provided that such work is not hazardous and does not affect their school attendance or their participation in vocational training.

Trafficking is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another persons for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs; b) the consent of a victim of trafficking to the intended exploitation set forth in subparagraph (a) shall be irrelevant where any of the means set forth in subparagraph (a) have been used⁴³.

Forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself/ herself voluntarily⁴⁴.

⁴² *Childwise Tourism*, ECPAT Australia

⁴³ UN Protocol on Trafficking in Persons especially Women and Children, article 3 (a)

⁴⁴ Convention 29, Forced Labour Convention, 1930, article 2

Remuneration includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment. Equal remuneration for men and women workers for work of equal value refers to the rates of remuneration established without discrimination based on sex⁴⁵.

Discrimination includes any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation⁴⁶.

Child labour, a child is any person under age 18 (Article 2); worst forms of child labour comprises of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict (article 3, a); the use, procuring or offering of a child for prostitution, for the production or pornography or for pornographic performance; the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; work which, by its nature or the circumstance in which it is carried out, is likely to harm the health, safety or morals of children⁴⁷.

Child at risk⁴⁸ refers to a child below 18 years of age who is in circumstances that situate him/her at special disadvantage or in danger, but which are not affecting his/her development. A child is considered at risk when s/he is in one or a combination of the following situations: (a) extreme poverty, (b) parents' marriage broke up and family may become single-headed and become extremely poor, or one or both parents may be into a second or third marriage and where the child and stepparent have a dysfunctional relationship, (c) there is alcoholism, gambling in the family, (d) there is domestic violence in the family, (e) is in post-armed conflict areas, (f) belongs to newly-settled families (internally displaced persons, family members of demobilised soldiers, etc.), (g) living with people other than the biological parents, and (h) is chronically absent, a dropout or has never attended school.

Child trafficking⁴⁹ refers to the illicit and/or clandestine movement of children across borders or within borders with the goal of selling them and/or sexually or economically exploiting them for profit. Money or goods change hands and the trafficked child, who is treated as a commodity, has no voice in the decision, or in the terms or type of employment.

Victim of sexual exploitation⁵⁰ refers to a child who is exploited for prostitution, pornography, and obscene publications. Sexual exploitation also includes rape, incest, indecent exposure and sexual relations with an adult.

Child safe tourism is defined as that where every child working and involved in the tourism sector are protected in accordance with relevant international and national legislations and regulations.

⁴⁵ Convention 1000 Equal Remuneration Convention, 1951, article 1

⁴⁶ Convention 111 Discrimination (employment or occupation), 1958

⁴⁷ Convention 182 on Prohibition and Elimination of Worst Forms of Child Labour, 1999 Article 3, a-d

⁴⁸ From IOM (2004), Margallo and Lath Poch (2002), Tearfund (2001), and the definition of vulnerable children by the Women Development Association (WDA) as cited in Arai (2003:4).

⁴⁹ Abstracted from the *Draft Law on Suppression of Human Trafficking and Sexual Exploitation*, the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, and research reports on trafficking in women and children (Derks, 2000; Margallo and Lath, 2002; Farrington, 2002).

⁵⁰ Ibid. Additional materials referred to in generating this definition included reports of Tearfund (2001) and Child Rights Foundation (2001).

3.4 DEFINING THE FOCAL CONCERNS, PRIORITY AREAS AND SECTORS OF THE STRATEGIC PLAN

The two main concerns of the Strategic Plan for Child Safe Tourism are the issues of trafficking and sexual exploitation of women and children and that of exploitation through child labour. The priority focus in relation to the two concerns are defined as the worst forms of child labour (WFCL) and which excludes child work within family-enterprises where parental/familial guardianship are assured, where work comprises as informal apprenticeship and future livelihood training and which does not impair formal or vocational education.

▪ The Worst Forms of Child Labour

As embodied in ILO Convention 182 and the law in the Kingdom of Cambodia, the involvement of young women and children in any tourism-related activity constituting the worst forms of child labour shall be the focus of the Strategic Plan for Child Safe Tourism, such as the following:

- a) Any activity or enterprise within the tourism sector which involves trafficking, to mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of treat, use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a persons having control over another person, for the purpose of exploitation⁵¹ (such as sexual prostitution, forced labour or services, slavery or practices similar to slavery, servitude or removal of organs);
- b) Any activity or enterprise within the tourism sector involved in the use, procurement or offering of a child for prostitution, pornography and pornographic performances;
- c) Any activity or enterprise within the tourism sector which use, procure or offer children for drug production, forced-use, and the trafficking of drugs
- d) Any activity or enterprise within the tourism sector which use children but by the nature of circumstances of work harm the health, safety and morals of children.

▪ Child Labour with Requisite Regulatory Conditions

Consistent with the Labour Law of Cambodia, which sets the minimum age for employment at 15 years old and which provided for light work for children from 12 years to 18 years of age, such work is allowable but with several conditions such that such work conditions guarantee their health, safety, or morality, that they can receive in the area of activity specific and adequate instruction or vocational training and such work would not affect their regular school attendance or participation in guidance programmes or vocational training. Such work activities for night work is forbidden for children. Such work demand that regulations be put in place so that children's safety and non-exploitation are guaranteed, which makes establishing employment child labour a special focus for implementing child protection measures.

▪ Gender Focus

The gender focus is apparent on issues of trafficking and sexual exploitation and in jobs related to child labour; therefore, the issues of discrimination, abuse and exploitation of women are integral issues within the Child Safe Tourism Plan. Consequently, the living conditions of women and children should be looked into in relation to HIV/AIDS, drug and substance-abuse which are closely identified with the negative impact of tourism.

▪ Migrant Workers

⁵¹ Trafficking as generally defined in the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the UN Convention Against Transnational Organised Crime

Enterprises associated with the tourism leisure and entertainment sub-sectors where sex tourism is widespread would generally rely on migrant labour either trafficked or voluntary. The notable labour movement from rural areas to urban/sub-urban environments and cross-border destinations also accounts for a large number of local migrants. The issues of ethnic discrimination and legal labour migration are also inherent issues with the Child Safe Tourism Project.

3.5 SETTING THE GOAL

The National Poverty Reduction Strategy for the tourism sector emphasises a pro-poor tourism policy which calls for a shift in the direction from objectives concerned with increasing overall tourism numbers and revenues to one that stresses forms of tourism that are of benefit to the poor⁵².

Towards this end, the RGC will exert its best efforts to minimising the possible negative impacts of tourism. Tourism development should not undermine the unique socio-cultural and environmental assets of the areas of Cambodia which will receive the greatest concentration of tourist. In particular, the strategy will discourage the perception of Cambodia as a suitable destination for sex tourists and establish Cambodia's position against child sexual exploitation. Additionally, attention shall be paid to the effects of domestic tourism and cross border links on human and drug trafficking as well as gambling.

In line with social protection and the fight against human trafficking, the NPRS recognises the need to address the main causes for the number of trafficked Cambodian women⁵³ as related to push-and- pull factors. The strategies require integrating the strengthening the law and effective enforcement; cross border agreements for common approach to border issues; sensitive application of law to victims; expanded public awareness campaign; police detection and prosecution of criminal elements managing trafficking and addressing poverty as the principal push factor.

In line with the child labour issues in the tourism industry, the NPRS was explicit in the reduction of working children. Across all economic sectors, the goal is placed at reducing the incidence of child labour to 13% in 2005, to 8% by 2015 and elimination of all forms of child labour by 2020⁵⁴. It should be noted, however, that there is no define numbers of working children within the tourism sector as defined by the Child Labour Survey.

The over-all goal therefore of preventing trafficking in the tourism sector and at the same time contributing to the goals of the NPRS, shall have to be obtained by implementing the strategic plan in the sectors in the tourism industry where trafficking and exploitative labour is known and/ or alleged to be existing. In terms of actual numbers, the starting-off point will be the existing registered tourism establishments and services in the 3 tourism poles and the northeast areas of the country and in the communities at and proximate to the tourist sites. *The lynch-pin in setting the numerical goals for the plan resides in the first strategy of the plan where accurate information on targets can only be attained by conducting research surveys/ studies in the tourism industry/ sector and communities.*

3.6 TARGETING

Determining the target beneficiaries of the strategic plan is primarily guided by the mandate of the Tourism Ministry, that is, the scope of its coverage and responsibility as defined by its charter during the ministry's

⁵² Tourism Strategy, National Poverty Reduction Strategy (NPRS), Chapter 4, Section 4.2

⁵³ The NPRS set this 80,000 trafficked Cambodian women in Thailand and between 40-60% or 14,000 sex workers in Cambodia

⁵⁴ NPA-WFCL, Vision, Mission, Goal

creation under the national government. The ministry is mandated to develop the tourism sector/ industry (natural, social and cultural attractions of the country, the establishments and services catering to the industry, and the communities in tourism sites/ areas) to contribute to national economic growth, preserve and protect the social and cultural heritage of the country and at the same time contribute to poverty alleviation.

In the tourism industry, it is in the tourism establishments and services and in the communities at or proximate to tourism sites where trafficking for sexual and labour exploitation and exploitative labour conditions and situations have occurred and are still occurring. Therefore, these are the target areas/ beneficiaries of the strategic plan.

3.6.1 Target Establishments and Services Sector

The tourism industry sector is quite large and often interacts with general trade, commerce and industry encompassing the general population. It is necessary to define the sectors which directly cater to tourists. Various Prakas from the Ministry of Tourism have identified several businesses that directly cater and have propensities towards tourism and whose owners, employees and indirect service providers should be the targets for implementation of the Strategic Plan activities. These services or enterprises are listed as follows:

- Hotels, Guesthouses, Inns
- Restaurants and Food Catering Services
- Bars, Karaoke, Night Clubs and Discotheques
- Sports and Entertainment Clubs
- Tourist Resorts
- Massage Services/ Establishments
- Travel Agencies and Tourist Guides
- Transport Services: Taxi Cabs, Buses, Boats, Planes, Trains
- Souvenir, Handicrafts and Curio Shops

A critical target enterprises are those associated closely with sex tourism. These are often unregistered business doubling as any of the above mentioned establishments. Aside from the owners and employees of establishments related to sex tourism, there are other indirect procurers operating with these locales such as traffickers, recruiters, pimps and street prostitutes who should be targeted for prevention measures.

Other services catering largely to tourist but as individual operators such as motorcycle-taxi drivers, cars or boats for-charter, vendors and mendicants and various business shops within the receiving and transit areas for tourists are also included for targeting.

3.6.2 Target Areas

Consideration of the push-pull factors for trafficking and migration, sexual exploitation and child labour would require that interventions should be directed towards the three critical points: the sending /origin areas for trafficked or migrant workers, the transit points for trafficked and migrant workers and the destination areas which in the context of this Plan, are the 3 tourism poles and the northeast areas.

Activities for the preventive aspects of the Strategic Plan should focus on areas which are the sending/origin areas of trafficked persons, migrant workers and local workers for the tourism sector. These are generally acknowledged as poor areas with few viable employment or livelihood alternatives or areas which are in close proximity to the tourism poles. Considering the lure of employment within the identified tourism poles

because of unprecedented growth and development, poor rural and urban communities adjacent to or within the destination areas, are the main sources of labour.

Transit points are areas where trafficked women and children and/ or migrating people are processed for sending to places of destination. In many cases, these too serve as rounding areas for returned, escapees or rehabilitated trafficked victims. These areas are often found in border/ near border areas or areas with access for transport or travel (seaports, river crossings, land transportation hubs). For internal migration, the transit points are usually located in highways or riverine ports connecting the sending areas and the receiving areas. The identified sending and transit areas are Prey Veng, Kampong Cham, Svay Rieng and Banteay Meanchey and the in-country receiving areas are the tourism poles of Phnom Penh, Siem Reap and Sihanoukville⁵⁵.

In line with this, the target groups for the protection and prevention measures in this Strategic Plan is the mix of victims (trafficked persons, women and children in sex tourism, child labourers) and those at-risk for trafficking and child labour in the communities at or near the tourism poles. These are found mainly in the sending and transit communities for trafficked women and children and the communities around the receiving centres which provide cheap labour. The target groups for the regulation and enforcement measures are found in the workplace and comprise of owners, employees, workers, service providers, workers groups, business associations and people in government and non-government institutions with tourism-related programmes at the national, provincial and communities' level.

This targeting approach follows the guidelines and experiences of ILO-IPEC's TICW project which has been on-going in the greater Mekong region since the year 2000. This targeting approach will allow a close working relationship between this Strategic Plan and the interventions of the TICW Project in Cambodia.

3.7 STRATEGIES OF THE PLAN

The matrix of the proposed strategic plan is attached as Annex 1. There are 5 proposed strategies in line with the mandate of the MoT and consistent with the provisions of the NPA-TSEC and the NPA-WFCL. Likewise, principles of the COMMIT have been key considerations.

The strategies and their corresponding activities can be clearly defined according to the 3 key means of implementing the Plan.

The first emanates from the existing guidelines and procedures of the CST Programme where awareness raising and training/ capability building are the means of preventing and combating child sex tourism in the tourism industry. This will also be the main approach in the implementation of the Plan but the targeting scope will be expanded to include labour issues at the workplaces, vulnerability issues at tourism communities/ areas, and human resource/ capability building among the 5 partner ministries.

The second focuses on the direct actions that are necessary to effectively implement the strategies of the plan. This refers to activities such as studies and surveys at tourism sites and establishments, review of legislation and regulations and of previous/ on-going work on CST among relevant organisations including the MoT, creation of the inter-ministry working group, and such other activities that are necessary before

⁵⁵ To exclude north eastern provinces of Ratanakiri, Mondulkiri and other eco-tourist spots which are still being developed for natural tourism and where in-migration has not been prevalent; Poipet is both receiving point and transit point for cross-border migration into Thailand and out-country destinations are to be addressed separately by the COMMIT initiatives.

embarking on awareness raising and training/ capability building work, and other resulting direct interventions.

The last focuses on the referral aspect of the Plan. The plan clearly falls within the tourism sector and mandate but cross-cutting issues are common given the nature of trafficking and labour exploitation. Thus, referrals occur when the activities require resources and capabilities outside of the MoT and of the Plan. A clear example would be the handling of rescued victims of trafficking and labour exploitation. Such victims upon discovery and withdrawal through the Plan will then be referred to appropriate agencies and organisations that have the resources, experiences, and skills to properly assist and support such victims.

3.7.1 Research and study on trafficking of women and children for sexual and labour exploitation in the tourism sector

3.7.1.1 Justification

Accurate and reliable information is the key in designing appropriate responses in addressing any issue. In the context of the proposed strategic plan, the information necessary to better target interventions will revolve on the establishment and operations of businesses/ activities that cater to tourists in both the formal and informal sectors. A key information need would be the characteristics of employees/ workers and the nature of their work and the environment of their work. Their origins, manner of recruitment/ employment, eligibility for work, and other information are necessary to revise current regulations on the establishment and operation of tourism-oriented establishments.

In tourism areas/ communities, information on indigenous resources (both natural and local skills), availability of local trainers, local manpower are vital to developing livelihood-improving interventions in the tourism areas thereby lessening the local people's reliance on exploitative work in tourism establishment and activities.

In improving current strategies in CST, assessments and evaluations of previously conducted and on-going programmes are necessary. Core learnings from the implementation of these past and on-going programmes will lead more effective and efficient CST strategies and interventions.

A vital factor in this strategy is the active participation of IOs and NGOs who have had extensive experience in the trafficking and child labour issue as discussed in the preceding sections above. Their experience and knowledge will be of considerable input.

3.7.1.2 Objective

To clearly identify and understand the depth and extent of the trafficking and child labour problem in the tourism sector for better targeting for capacity building, awareness raising and development of livelihood interventions in the tourism areas/ communities in the country, initially targeting the 3 identified tourism poles and in the northeast areas

3.7.1.3 Major Actions

1. Conduct household survey in tourism sending, transit and receiving areas in collaboration with local authority prioritising the 3 tourism poles and the northeast tourism areas
2. Registration of all establishments catering to tourism including registration of workers/ employees/ staff

3. Establishment of monitoring system/ benchmarks for tourism establishments for compliance to relevant regulations/ Prakas, including accreditation systems
4. Community resource assessments and livelihood opportunities studies and livelihood programmes in key tourism areas/ communities resulting in viable and realistic market opportunities
5. Conduct of gender studies in tourism establishments to improve business operation guidelines to protect rights women and children
6. Review and evaluation of past and on-going interventions in Child Safe Tourism/ Child wise Tourism programmes in-country and in other areas/ countries
7. Preparation of improved awareness raising and capability building materials with specific designs/ modules for different sectors catering to the tourism industry with Participation of NGOs in the preparation of improved AR and CB materials
8. Development of monitoring tools and checklists on child safe tourism conditions and practices
9. Updating of training manuals/ modules to include relevant provisions of revised and/or new tourism laws and regulations

3.7.2 Policy and Institutional Development for Child Safe Tourism

3.7.2.1 Justification

Although coordination work and capability building are and have been always part of previous and on-going programmes on the issue of trafficking and child labour (and even in development programmes addressing other issues), experience have also always shown that these 2 are major areas of concern in implementing projects and programmes. More often than not, these are the main issues cited as lacking or inadequate during assessments of completed projects including the lack of resources within the implementing entity.

Given that the proposed strategic plan will be inter-ministry in nature and will utilise existing manpower and resources, and will emanate from present programmes and activities, coordination and capability building as core activities within the strategic plan becomes more important.

At the same time, it is accepted that existing laws and regulations are good enough to counter or combat trafficking and exploitative labour conditions/ situations in the tourism industry. However, the knowledge and capacity of those who should implement are still presently wanting. Likewise, their capabilities in terms of implementing and monitoring programmes also need improvement and strengthening. These are human resource development issues that the strategic plan needs to address for the plan's effective implementation.

3.7.2.2 Objective

To improve coordination and consultation procedures between and among the 5 ministries and their partner NGOs leading to more effective promotion of CST practices and guidelines and implementation of programmes against trafficking in women and children for sexual and labour exploitation and child labour and efficient use of resources

3.7.2.3 Major Actions

1. Creation of inter-ministry group and relevant partners to review of existing policies on trafficking and child labour and existing and planned programmes to come-up with a unified policy/ approach to address the problem.

2. Review of existing and proposed programmes on trafficking and child labour among the 5 ministries and relevant partners to replicate successful strategies/ programmes and eliminate duplication of activities
3. Preparation of MOU among the 5 ministries and relevant partners formalising results/ recommendations of reviews and evaluations
4. Expansion of membership of CSTCs to include key members from the 4 ministries and their partner NGOs
5. Training needs assessments of CSTCs and key non-member staffs
6. Capacity-building for CSTCs and inter-ministry working group using improved training modules resulting from Strategy 1
7. Training of Working Group, key ministry staff, CSTCs on project implementation, monitoring and evaluation
8. Review of existing licensing/ permitting procedures and Improvement of licensing/ permitting guidelines to include:
 - a). inspection of premises for OHS purposes
 - b). validation/ authentication of workers ages
 - c). other relevant guidelines to prevent use of premises for sexual and labour exploitation
 - d). allowable background checks on new proprietors/ owners
 - e). testing of employers on the Labour Law of Cambodia

3.7.3 Review of appropriate national laws and regulations and improvement of tourism laws/ regulations and enforcement of such laws and regulations

3.7.3.1 Justification

At present, child safe tourism practices and guidelines are generally focused on trafficking for sexual exploitation and prevention/ protection from child sex tourism. This then translates to programmes and activities addressing factors contributing to trafficking and child sex tourism. Exploitative and child labour are not yet key concerns and therefore translated to key strategies in child safe tourism. Likewise, tourism Prakas and circulars and even the draft Tourism Law mentions consistency of operations of tourism establishments and services with the Cambodian Labour Code, provisions in these regulations are general in scope and nature. This situation therefore presents the need for a review of current laws and regulations in the tourism sector and where appropriate, their revisions to integrate concerns in child labour.

Second, initiatives (improved licensing procedures, workers'/ employees' cards, and stronger inspection systems) at the MoT require new and innovative strategies to address practices of immorality and exploitative labour. Although the draft Tourism Law may already have adequate provisions, Prakas and circulars governing operations of tourism establishments and services would require updating/ revisions for clear implementation mechanisms and guidelines to be developed and thus effectively implemented.

Third, since working bodies/ committees (e.g. the CST Commission) will have to be expanded and reorganised to accommodate new members (with the partnership with MoWA, MoLVT, MoSVY, and key NGOs) and assign roles/ responsibilities, agreements and/ or memoranda of understanding and committee rules will have to be reviewed and revised. This process then will also require the review and revision of relevant regulations.

3.7.3.2 Objective

To improve existing tourism laws and regulations to counter trafficking of women and children for sexual and labour exploitation and to streamline working arrangements with partners and stakeholders and study other relevant laws

3.7.3.3 Major Actions

1. Review and revision of draft Tourism Law and existing Prakas and declarations to incorporate relevant provisions for child work/ labour and those arising from Strategy 1 according to the Labour Law: according to articles on employment permission, and local rights at the workplace
2. Awareness raising and sensitising on trafficking and WFCL and corresponding laws and regulations and international conventions through television spots/ posters/ magazines/ radio/ newspapers.
3. Seminar/ workshops/ trainings on operational/ implementing guidelines for revised laws and regulations and monitoring guidelines
4. Dissemination and information campaign in tourism establishments/ businesses/ services on the revised laws/ regulations and monitoring guidelines and encourage the owner of tourism establishments to register
5. Enforcement and follow relevant laws and regulations and CST practices through inspection of MoT, MoLVT, and the Department of Anti-Human Trafficking and Juvenile Protection (DAHTJP) of Ministry of Interior.
6. Stricter implementation and enforcement of laws and regulations and CST guidelines through the Department of Labour Inspection and police units of the MoI. This to include coordination in monitoring activities between MoT, MoLVT and the MoI
7. Expanded inspection, enforcement and monitoring to informal sectors and the district authority provides licensing and monitors informal sectors

3.7.4 Prevention of trafficking of young women and children from tourism areas/ communities for sexual and labour exploitation

3.7.4.1 Justification

The prevention strategy of this Plan intends to replicate proven activities in the NPA-TSEC and NPA-WFCL and in the present CST programme and in other national mechanisms and programmes of IOs and NGOs that focus on preventing trafficking of persons and exploitative labour. Prevention is generally better than finding ways to remove and rehabilitate persons who have trafficked an exploited for sexual and labour purposes. Preventing persons from being in vulnerable situations whether in the points of origin, transit, and final destination and even being in a situation that leads to vulnerability, is probably the best way of eliminating trafficking for sexual and exploitative labour.

3.7.4.2 Objective

To prevent trafficking of young women and children for sexual and labour exploitation in tourism areas/ communities.

3.7.4.3 Major Actions

1. Prioritisation of identified high-risk tourism areas/ communities in provision/ implementation of child-safe tourism programmes
2. Regular awareness raising and capability building at tourism areas/ communities, among local and national officials of the 5 ministries and among owners and workers of tourism establishments on CST
3. Awareness raising and capability building workshops/ seminars with employer's groups/ associations and trade unions/ workers' associations on CST and establish awareness raising group and monitor tourism establishments
4. Information drive/ campaign in all modes of transit for international and local tourists and in tourism establishments and services (especially among tourism guides, taxi drivers, and motor-taxi drivers) on CST laws and regulations in force in Cambodia
5. Advocacy work to promote non-patronage of establishments and services in the tourism sector who are classified as non-practitioners of CST and are not "child-labour free"
6. Provision of incentives to employers establishments and services banning/ not using CL and not catering to commercial sex trade such as
 - a. tax deductions
 - b. commendations/ recognition of establishments and businesses which are "CL-free"
7. Special and constant awareness-raising work among parents and children in tourism communities
8. Institution of "community-watch" systems against trafficking of women and children and in involvement in exploitative employment in tourism areas/ communities
 - a. workshops/ seminars on child rights, applicable laws and regulations among provincial, commune and village leaders/ officials
 - b. Training of village/ commune leaders and sensitisation of their roles in community monitoring
 - c. Establishment of monitoring mechanisms at village level with village development councils (VDCs) as the lead entity
 - d. Strengthening if existing Child Protection Networks (CPNs) and organisation of CPNs in the priority tourism areas/ communities

3.7.5 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

3.7.5.1 Justification

One of the key mandates of the MoT is "to support and pave the way to the sustainable national tourism development and to participate in the reduction of poverty of the people" and "in addition, it aims at preventing all kinds of negative impacts and ensuring the promotion of quality, both products and tourism services by making a competitive market and the development of the tourism in Cambodia in the framework of natural and cultural tourism". This is contained in its Master Plan for 2005 – 2009 and should guide all initiatives of the Ministry.

Further the Master Plan intends to “to prepare the tourism development plan in all 24 provinces/municipalities in order to mobilise all provinces/municipalities to attract the tourist both local and international” and “to prevent and obstruct the negative impacts happening in the tourism field. In addition, we strongly oppose the trafficking and the sexual abuse to the children in the tourism and the trafficking and the use of drugs in this field”.

3.7.5.2 Objective

To protect vulnerable young women and children in tourism sites and communities and in tourism establishments/ services from being trafficked for sexual and labour exploitation and being violated of their of labour rights

3.7.5.3 Major Actions

1. Workshops and seminars at two times per year with the Mol and members of the Judiciary on relevant laws and regulations on trafficking and child labour and on CST initiatives and practices
2. Coordination of the inter-ministry working group with and key members of the judiciary for constant coordination and consultation in the investigation and prosecution of reported incidents in violation of CST guidelines and practices
3. Constant coordination and monitoring with foreign law enforcement agencies to monitor entry/ presence of known and suspected child-sex offenders
4. Expansion of business practices and work conditions monitoring and improvement to all formal and informal sectors catering to the tourism industry
5. Enforcement of relevant laws and regulations and constant monitoring of businesses catering to tourists and tourism activities through
 - a. Legal registration of establishments and workers including background checks on foreign nationals establishing tourism-oriented businesses in Cambodia
 - b. Recruitment and hiring of workers
 - c. Monitoring of workplace conditions and activities/ practices
6. Creation and expansion of special vocational skills training and apprenticeship programmes in tourism areas/ communities promoting local products from indigenous resources and skills for consumption in the tourism industry
7. Vocational and life skills training for vulnerable young women and children working in tourism establishments and services
8. Advocacy work among employers to allow school-time for young women and children employees
9. Awareness raising and capability building among young women and children employed in the tourism sector and among vulnerable groups/ families in tourism areas/ communities
10. Establishment of coordination mechanism with MoSVY, MoWA, and victim support agencies (VSAs) for referral of trafficking victims in the tourism sector

ANNEX 1 – MATRIX OF OBJECTIVES, ACTIVITIES AND INDICATORS

Strategy 1: Research and study on trafficking of women and children for sexual and labour exploitation in the tourism sector

OBJECTIVE	OUTPUTS	ACTIVITIES	TIME FRAME	LEAD MINISTRY /ORGANISATION	RESOURCES ⁵⁶		INDICATORS
					NEEDED (\$ EST.)	POSSIBLE SOURCES	
To clearly identify and understand the depth and extent of the trafficking for sexual and labour exploitation in the tourism sector	1. Improved and updated information on trafficking and worst forms of child labour in the tourism sector, and socio-economic conditions and options for livelihood development in tourism areas/ communities	1. Conduct household survey in tourism sending, transit and receiving areas in collaboration with local authority prioritising the 3 tourism poles and the northwest tourism areas	2 nd Quarter 2006	MoT			Updated and reliable information on trafficking and CL in tourism sector, including OHS situations
		2. Registration of all establishments catering to tourism including registration of workers/ employees/ staff	3 rd quarter 2006	MoT, MoLVT			Comprehensive data on tourism establishments/ services and their workers
		3. Establishment of monitoring system/ group for tourism establishments for compliance to relevant regulations/ Prakas, including accreditation systems	4 th quarter 2006	MoLVT, MoT			Monitoring system of tourism establishments with checklists
		4. Community resource assessments and livelihood opportunities studies Livelihood programmes in key tourism areas/ communities	2 nd quarter 2006	MoT, Provincial Departments			Livelihood development plans implemented in tourism communities
	3. Review of on-going and proposed work/ projects of 5 ministries related to CST	5. Conduct of gender studies in tourism establishments to improve business operation guidelines to protect rights women and children	2 nd quarter 2006	MWVA			Business operation guidelines of tourism establishments and services contain gender concerns
	4. Data collection and data sharing to the 5 ministries and relevant stakeholders						
	5. Key lessons learned from previous, on-going work in Child Safe/ Wise Tourism and from similar work/ activities in tourism in other countries	6. Review and evaluation of past and on-going interventions in Child Safe Tourism/ Child wise Tourism programmes in-country and in other areas/ countries	2 nd quarter 2006	MoT			Lessons Learned are incorporated to CST guidelines and practices

⁵⁶ Activities under research and study require special funding from external donor agencies given that government ministries generally do not have resources for this type of activities.

	6. Updated and improved awareness raising, educational and capability building materials/ training kits/ modules	<p>7. Preparation of improved awareness raising and capability building materials with specific designs/ modules for different sectors catering to the tourism industry</p> <ul style="list-style-type: none"> o Participation of NGOs in the preparation of improved AR and CB materials <p>8. Development of monitoring tools and checklists on child safe tourism conditions and practices</p> <p>9. Updating of training manuals/ modules to include relevant provisions of revised and/or new tourism laws and regulations</p>	3 rd quarter 2006	MoT, MoLVT, MoSVY, MoWVA			<ul style="list-style-type: none"> • Revised/ improved awareness raising, educational, and capability building materials/ designs/ modules • Tourism establishments/ services licensing and operations monitoring system • Involvement of key NGOs in the processes
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Strategy 2: Policy and Institutional Development for Child Safe Tourism

OBJECTIVE	OUTPUTS	ACTIVITIES	TIME FRAME	LEAD MINISTRY /ORGANISATION	RESOURCES		INDICATORS
					NEEDED (\$ EST.)	POSSIBLE SOURCES	
To improve coordination and consultation procedures between and among the 4 ministries and their partner NGOs leading to more effective promotion of CST practices and guidelines and implementation of programmes against trafficking in women and children for sexual and labour exploitation and efficient use of resources	1.Common policy governing anti-trafficking and anti-CL programmes in promoting CST against trafficking of women and children for sexual and labour exploitation	1. Creation of inter-ministry group and relevant partners to review of existing policies on trafficking and child labour and existing and planned programmes to come-up with a unified policy/ approach to address the problem.	1 st quarter 2006	MoT, MoSVY, MoLVT, MoWVA, MoI			Viable and active inter-ministry working group
	2.Memorandum of understanding among MoT, MoLVT, MoWA, MoSVY, and MoI and relevant partners on concerted efforts to address trafficking of women and children for sexual exploitation and labour	2. Review of existing and proposed programmes on trafficking and child labour among the 5 ministries and relevant partners to replicate successful strategies/ programmes and eliminate duplication of activities	2 nd quarter 2006				Inter-ministry Working Group of these 5 ministries adopts MoT Strategic Plan for their activities in the tourism sector
		3. Preparation of MOU among the 5 ministries formalising results/ recommendations of reviews and evaluations	2 nd quarter 2006				Memorandum of Understanding formalising working partnership, roles, and responsibilities among the 5 ministries
	3.Expanded and strengthened CSTCs and capable Inter-ministry working group	4. Expansion of membership of CSTCs to include key members from the 5 ministries and their partner NGOs	3 rd quarter 2006	MoT			CSTCs include key officers and staff of the 5 ministries and relevant stakeholders and operational guidelines of CSTCs are prepared
		5. Training needs assessments of CSTCs and key non-member staffs	3 rd quarter 2006	MoT			TNA Reports resulting to appropriate training modules
		6. Capacity-building for CSTCs and Inter-ministry working group using improved training modules resulting from Strategy 1	4 th quarter of 2006	MoT			Operational and proactive Working Group and CSTCs

		7. Training of Working Group, key ministry staff, CSTCs on project implementation, monitoring and evaluation	4 th quarter of 2006	MoT			
	4. Institutionalised licensing and permitting of all business establishments and activities at national, provincial and community levels catering to tourism activities including those in the informal sector	8. Review of existing licensing/ permitting procedures and Improvement of licensing/ permitting guidelines to include:	2 nd quarter 2006	MoT, MoLVT			Review/ Recommendation Report on improving licensing/ permitting guidelines
		a. inspection of premises for OHS purposes b. validation/ authentication of workers ages c. other relevant guidelines to prevent use of premises for sexual and labour exploitation, and d. allowable background checks on new proprietors/ owners e. testing employers no labour law in Cambodia	3 rd quarter 2006	MoT, MoLVT			Revised licensing/ permitting guidelines/ procedures of tourism establishments and services

Strategy 3: Review of appropriate national laws and regulations and improvement of tourism laws/ regulations and enforcement of such laws and regulations

OBJECTIVE	OUTPUTS	ACTIVITIES	TIME FRAME	LEAD MINISTRY /ORGANISATION	RESOURCES		INDICATORS
					NEEDED (\$ EST.)	POSSIBLE SOURCES	
To improve existing tourism laws and regulations to counter trafficking of women and children for sexual and labour exploitation and to streamline working arrangements with partners and stakeholders and study other relevant laws	1. More effective tourism laws and regulations incorporating anti-trafficking and anti-child labour initiatives and practices and promoting CST practices	1. Review and revision of draft Tourism Law and existing Prakas and declarations to incorporate relevant provisions for child work/ labour and those arising from Strategy 1 according to labour law - -according to article on employment permission -local rights at the work place	2 nd quarter 2006	MoT and MoLVT			Legal Review of Tourism Law and existing Prakas/ declarations leading to revisions and improvements
	2. Key staff of law enforcement agencies (police, military police, and local authority) and the judiciary are aware and knowledgeable of anti-trafficking and anti-CL laws and regulations and CST practices/ regulations	2. Awareness raising and sensitising on trafficking and WFCL and corresponding laws and regulations and international conventions through spots/ posters/ magazines/ radio/ TV and newspapers	4 th quarter 2006	MoT		ECPAT, World Vision Cambodia, ILO-IPEC	Increased awareness/ knowledge/ capabilities among law enforcement agencies and the judiciary especially administrative post police and local citizens
		3. Seminar/ workshops/ trainings on operational/ implementing guidelines for revised laws and regulations and monitoring guidelines	4 th quarter 2006	MoT			Completed seminars/ workshops
	3. More effective implementation and enforcement of improved laws and regulations against trafficking and child labour	4. Dissemination and information campaign tourism establishments/ businesses/ services on the revised laws/ regulations and monitoring guidelines and encourage the owner of tourism establishments to register	4 th quarter 2006	MoT			Prominent display of relevant provisions of revised laws, regulations and monitoring guidelines in tourism establishments/ services
		5. Enforcement and follow relevant laws and regulations on child safe tourism through inspection of MoT, MoLVT, and department against trafficking in human and juvenile protection of MoI					
		6. Stricter implementation and enforcement laws and regulations and	2007	MoT, MoLVT, MoI			Indicative number of penalised establishments,

		CST practices through the Department of Labour Inspection and police units of Ministry of Interior. This to include coordination in monitoring activities between MoT, MoLVT and the MoI					proprietors/ owners, and tourists
		7. Expanded inspection, enforcement and monitoring to informal sectors and the district authority provides licensing and monitors informal sectors	2007	MoT, MoLVT			Informal establishments/ services are covered by inspection/ monitoring systems

Strategy 4. Prevention of trafficking of young women and children for sexual and labour exploitation in tourism areas/ communities

OBJECTIVE	OUTPUTS	ACTIVITIES	TIME FRAME	LEAD MINISTRY /ORGANISATION	RESOURCES		INDICATORS
					NEEDED (\$ EST.)	POSSIBLE SOURCES	
To prevent trafficking of children for sexual and labour exploitation in tourism areas/ communities	1. Government officials, tourists, tourism services, tourism establishments, and tourism communities, are informed of and aware of laws and regulations on trafficking and child labour and of child-safe tourism practices and are capable to transfer/ disseminate their knowledge to employees, co-workers, and to other members of tourism communities	1. Prioritisation of identified high-risk tourism areas/ communities in provision/ implementation of child-safe tourism programme	1 st quarter 2006	MoT			Priority target tourism areas/ communities where CST initiatives are being implemented
		2. Regular awareness raising and capability building at tourism areas/ communities, among local and national officials of the 5 ministries and among owners and workers of tourism establishments on CST	Plan life	MoT		<ul style="list-style-type: none"> ▪ ECPAT ▪ World Vision Cambodia ▪ Mith Samlanh/ Friends 	<ul style="list-style-type: none"> ▪ Bi-annual capability building sessions among key staff of 5 ministries ▪ AR and CB on CST are being done by key MoT and partner NGOs among staff/ employees of tourism establishments and services
		3. Awareness raising and capability building workshops/ seminars with employer's groups/ associations and trade unions/ workers' associations on CST and establish awareness raising group and monitor tourism establishments	Plan life	MoT, MoLVT			
	2. Tourists are aware and knowledgeable of laws and regulations against child sex tourism	4. Information drive/ campaign in all modes of transit for international and local tourists and in tourism establishments and services (especially among tourism guides, taxi drivers, and motor-taxi drivers) on CST laws and regulations in force in Cambodia	Plan life	MoT			Billboards, posters, leaflets, TV spots, and radio spots are seen, viewed, and heard in all transportation types and stops/ rest areas
	3. Tourism establishments and services do not use child labour and abandon/ refuse practices catering to commercial sex and sex tourism	5. Advocacy work to promote non-patronage of establishment and service owners in the tourism sector who are classified as non-practitioners of CST and are not "child-labour free"	Plan life	MoT, MoLVT, MoWA			<ul style="list-style-type: none"> ▪ "black-listed/ closed tourism establishments and services ▪ Decrease in CL in tourism establishments and services

		6. Provision of incentives to employers establishments and services banning/ not using CL and not catering to commercial sex trade such as <ul style="list-style-type: none"> ▪ tax deductions ▪ commendations/ recognition of establishments and businesses which are “CL-free” 	Plan life	MoT, MoLVT			Increase no. of tourism establishments/ services complying with labour laws and CST regulations/ practices
	4. Tourism community groups established to develop local monitoring and preventive systems to trafficking for sexual and labour exploitation	7. Special and constant AR among parents and children in tourism communities	Plan life	MoT			Widespread awareness of trafficking and child labour issues in tourism communities among parents and children
		8. Institution of “community-watch” systems against trafficking of women and children and in involvement in exploitative employment in tourism areas/ communities <ul style="list-style-type: none"> ▪ workshops/ seminars on child rights, applicable laws and regulations among provincial, commune and village leaders/ officials ▪ Training of village/ commune leaders and sensitisation of their roles in community monitoring ▪ Establishment of monitoring mechanisms at village level with VDCs as the lead entity ▪ Strengthening if existing CPNs and organisation of CPNs in the priority tourism areas/ communities 	Plan life	MoT, MoI, Provincial, commune, and village leaders/ officials		<ul style="list-style-type: none"> ▪ ECPAT ▪ World Vision Cambodia 	Community-watch groups established in at-risk tourism areas/ communities

Strategy 5. 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

OBJECTIVE	OUTPUTS	ACTIVITIES	TIME FRAME	LEAD MINISTRY /ORGANISATION	RESOURCES		INDICATORS
					NEEDED (\$ EST.)	POSSIBLE SOURCES	
To protect vulnerable young women and children in tourism sites and communities and tourism establishments from being trafficked for sexual and labour exploitation and being violated of their of labour rights	1. Strong linkages of MoT with law enforcement agencies/ groups and the judiciary in Cambodia and with other countries to further protect the interests of children who may be exploited in the tourism industry	1. Workshops and seminars 2 times a year with the MoI and members of the Judiciary on relevant laws and regulations on trafficking and child labour and on CST initiatives and practices	Plan life	MoT, MoI MoJ		Ministry budgets	Number of workshop conducted
		2. Coordination of the inter-ministry working group with key members of the judiciary for constant coordination and consultation in the investigation and prosecution of reported incidents in violation of CST guidelines and practices	Plan life			Ministry budgets	Number of inter-ministry working group have quarterly meetings with representatives from the judiciary for investigation and prosecution of violators
		3. Constant coordination and monitoring with foreign law enforcement agencies to monitor entry/ presence of known and suspected child-sex offenders	Plan life			Ministry budgets	<ul style="list-style-type: none">▪ Quarterly meetings with foreign embassies officials▪ Constant communication/ monitoring with Interpol
	2. Improved and expanded monitoring system on commercial sex practices and labour practices in tourism establishments and services – CLM	4. Expansion of business practices and work conditions monitoring and improvement to all formal and informal sectors catering to the tourism industry	Plan life	MoT, MoLVT, TU			<ul style="list-style-type: none">▪ Number of monitoring visits▪ Improvement in work conditions and processes
		5. Enforcement of relevant laws and regulations and constant monitoring of businesses catering to tourists and tourism activities through:	Plan life			Ministry budgets	Increase in no. of establishments complying with the Cambodian Labour Law and Prakas on WFCL
		<ul style="list-style-type: none">▪ Legal registration of establishments and workers including background checks on foreign nationals establishing tourism-oriented					

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OBJECTIVE	OUTPUTS	ACTIVITIES	TIME FRAME	LEAD MINISTRY /ORGANISATION	RESOURCES		INDICATORS
					NEEDED (\$ EST.)	POSSIBLE SOURCES	
		businesses in Cambodia <ul style="list-style-type: none"> Recruitment and hiring of workers Monitoring of workplace conditions and activities/ practices 					
	3. Tourism communities/ families have skills and opportunities to earn from tourism activities other than from exploitative services and conditions of work in tourism establishments and services	6. Creation and expansion of special vocational skills training and apprenticeship programmes in tourism areas/ communities promoting local products from indigenous resources and skills for consumption in the tourism industry	2 nd year to plan life	MoT, MoLVT		Ministry budgets	<ul style="list-style-type: none"> Number of appropriate vocational skills training and apprenticeships implemented in priority tourism areas/ communities Pilot livelihood development projects in high-risk tourism areas/ communities
	4. Young women and children working in tourism establishments and services have alternative skills and/ or are attending school	7. Vocational skills training and life skill training for vulnerable young women and children working in tourism establishments and services 8. Advocacy work among employers to allow school-time for young women and children employees	Plan life	MoT, MoLVT, MoEYS			<ul style="list-style-type: none"> Appropriate vocational skills training and apprenticeships implemented in priority tourism areas/ communities Employed children are attending school
	5. Young women and children working in tourism establishments and those vulnerable in tourism areas/ communities are aware of CST guidelines and practices	9. Awareness raising and capability building among young women and children employed in the tourism sector and among vulnerable groups/ families in tourism areas/ communities	Plan life	MoT, MoLVT			<ul style="list-style-type: none"> Number of vulnerable groups/ families in tourism areas/ communities know of CST guidelines and practices Decrease in numbers of young women and children in vulnerable and exploitative conditions in tourism establishments and services
	6. Victims of trafficking can	1. Establishment of coordination	Plan life	MoT, MoSVY,		Victim	<ul style="list-style-type: none"> Removed and rescued

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OBJECTIVE	OUTPUTS	ACTIVITIES	TIME FRAME	LEAD MINISTRY /ORGANISATION	RESOURCES		INDICATORS
					NEEDED (\$ EST.)	POSSIBLE SOURCES	
	avail of social support and services	mechanism with MoSVY, MoWA, and VSAs for referral of trafficking victims in the tourism sector		MoWA		Support Agencies (VSAs)	victims of trafficking in the tourism industry are supported by appropriate agencies and organisations

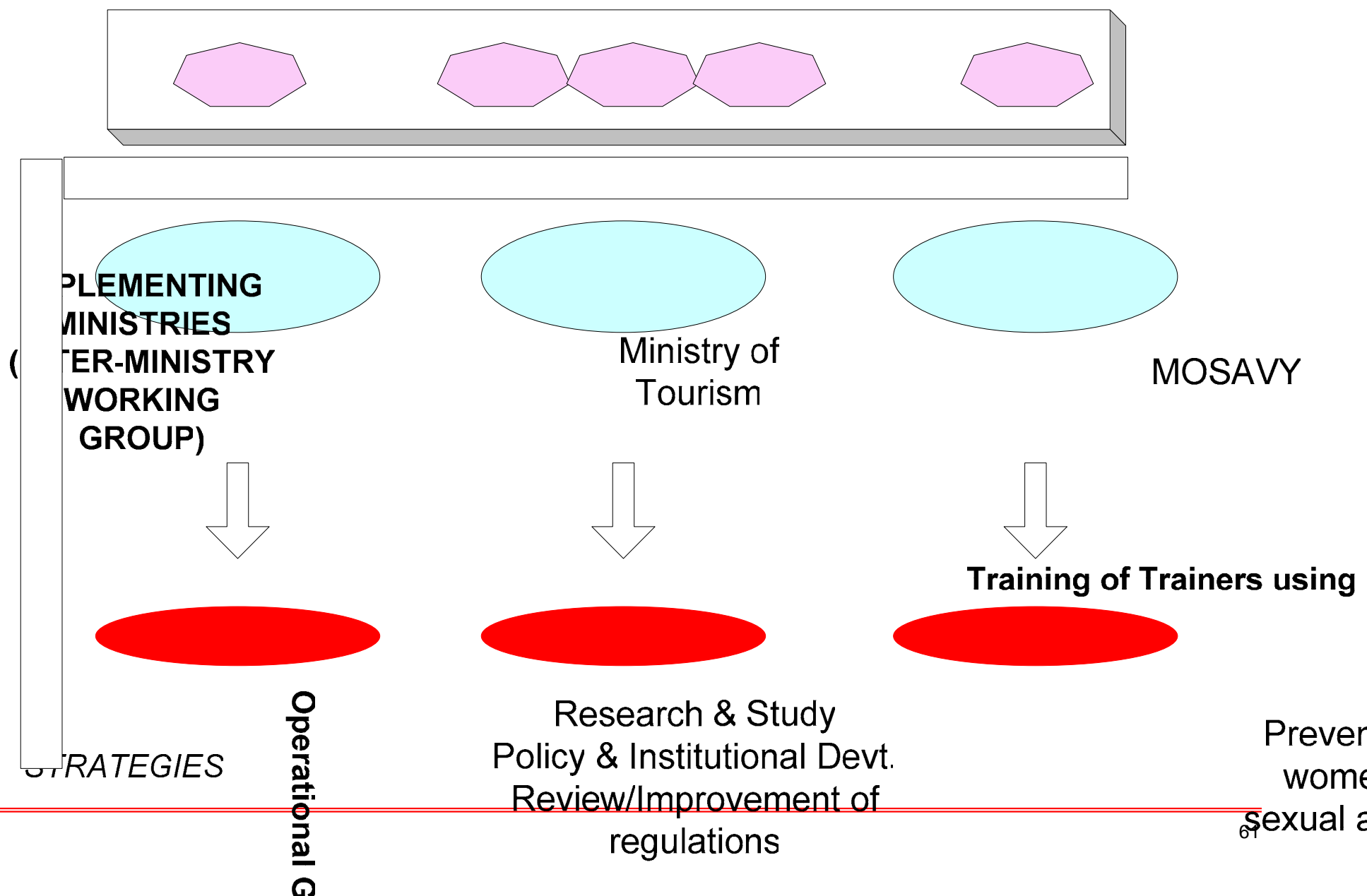
3.8 PLAN IMPLEMENTATION APPROACH

Figure 1 presents the proposed general approach in the implementation of the Strategic Plan. The key activity/ output for the plan's comprehensive implementation is the creation of an inter-ministry working group arising from an acceptance of a common goal consistent with their mandates of eliminating trafficking for sexual and labour exploitation. With this group in place and the consequent demarcation of roles and responsibilities formalised (i.e. in the MOU to be drawn up among and between the 5 ministries), the plan can then be fully implemented given that enough resources are available among the 5 ministries.

The strategies of the plan are to be implemented after key officers and staffs of the 5 ministries are trained in the use and delivery of the revised Training Manual for CST. The revisions/ updating of the training manual arise from the inclusion of exploitative labour concerns, licensing and inspections issues, protection and support concerns for tourism communities, and the widening of coverage in terms of targets in the Plan. These people will serve as the trainers of other trainers and target beneficiaries within the ambit of their ministries mandates all within the scope of tourism development and regulation. The targeting of beneficiaries and areas of work also emanates from the ministry's mandate where it is in tourism areas which are already developed or under development and in existing tourism establishments and services that Plan beneficiaries are found. Both eliminate duplication of prevention and protection activities allowing for effective delivery of the strategies and efficient use of available resources.

The targeting process by location and sector, identification of actual beneficiaries, and procedures of implementing the strategies (and their comprising activities) shall be dictated by the Operation Guidelines of the Strategic Plan. The Guidelines are intended to show the way or process through which the strategies can be appropriately implemented across the 5 ministries as coordinated and backstopped by the Ministry of Tourism and possibly, ILO-IPEC.

Figure 1. Inter-agency Approach to Interventions in the Strategic Plan for the CST as Related to Target Beneficiary Sectors



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