



**USAID**  
FROM THE AMERICAN PEOPLE

# INTERNATIONAL JUSTICE MISSION ANTI-TRAFFICKING PROGRAM IN CAMBODIA ASSESSMENT

February 10, 2006

## CONTENTS

---

Executive Summary	iv
SECTION I Assessment Objective and Methodology	6
SECTION II Scope of the Trafficking Situation	7
SECTION III Analysis of IJM Activities	9
A. Overview of Activities	9
B. Analysis	10
B1. Strengths	10
B2. Challenges	11
SECTION IV Recommendations	16
SECTION V Overview of Anti-Trafficking Responses in Cambodia	19
A. Rescue Services	19
B. Shelter and Support Services	20
C. Legal Services	21
D. Prosecution and Government Support	21
E. Technical Assistance and Research	23
ANNEX A List of Interviews	24
ANNEX B Bibliography	27

## List of Abbreviations

AHTJPU	Anti-human Trafficking Juvenile Protection Unit
ARCPPT	Asia Regional Cooperation to Prevent People Trafficking
CDP	Cambodia Defenders Project
COMMIT	The Coordinated Mekong Ministerial Initiative against Trafficking
CWCC	Cambodian Women’s Crisis Center
CWDA	Cambodian Women’s Development Association
HPI	Human Poverty Index
IJM	International Justice Mission
INGO	International non-governmental organization
IOM	International Office of Migration
LSWC	Legal Support for Women and Children
MOI	Ministry of the Interior
MoSAVY	Ministry of Social Affairs, Veterans and Youth Rehabilitation
MOU	Memorandum of Understanding
MoWA	Ministry of Women’s Affairs
NGO	Non-governmental organization
PJJ	Protection of Juvenile Justice
RGC	Royal Government of Cambodia
SOW	Scope of Work
TAF	The Asia Foundation
TIP	Trafficking in persons
UN	United Nations
UNIAP	UN Inter Agency Project on Human Trafficking
UNICEF	United Nations Children’s Fund
WH	World Hope
WID	Women in Development
WV	World Vision

## Executive Summary

Cambodia is a source, transit and destination country for children and adults trafficked for sexual exploitation and forced labor. Khmer and Vietnamese women and girls, both within Cambodia and from other countries, are trafficked into the commercial sex trade, often ending up in tourist destinations such as Siem Reap, Sihanoukville, Phnom Penh, and until recently, Svay Pak. The majority of trafficking victims come from rural areas. Traffickers recruit victims within their villages, while they are attempting to migrate, or soon after arrival to an urban area.

USAID has provided funding for a number of organizations to implement anti-trafficking activities in Cambodia. In September 2003, USAID's Office of Women in Development (WID Office), provided \$994,761 to support the International Justice Mission's (IJM) 2-year anti-trafficking program in Cambodia. This cooperative agreement marked the first funding that IJM had received from USAID. IJM's programs to combat trafficking focus on rescue and prosecution through investigations of trafficking, provision of technical assistance to the police and support for brothel raids and prosecutions of traffickers.

An assessment of the IJM anti-trafficking program in Cambodia was conducted from November 1- 11, 2005 by USAID. The purpose was to determine whether IJM met its objectives and to identify the strengths and weaknesses of its proactive rescue and prosecution approach within the Cambodian context. IJM's objective in Cambodia is to reduce the victimization of minors who are at risk of, or who have been trafficked into sexual exploitation, through three activities:

- 1) Establishment of a **permanent office** in Phnom Penh;
- 2) **Investigative training** for officers of the Anti-human Trafficking Juvenile Protection Unit (AHTJPU); and
- 3) **Legal advocacy** to ensure prosecution of human traffickers

The assessment included a review of pertinent documents, a pre-trip meeting with IJM/Washington to discuss the assessment and extensive interviews with stakeholders during a two-week visit to Cambodia. Although the purpose of this assessment centered on the IJM cooperative agreement, it was important to look at IJM's approach and work within the context

of the human trafficking situation in Cambodia and of their relationship to other anti-trafficking programs. IJM's approach is only one piece, albeit an important one, of the strategy needed to combat trafficking. Its effectiveness depends, importantly, upon connections and collaboration with those who are working on other components of the strategy to eliminate trafficking, particularly aftercare, legal representation and law enforcement.

Prior to this cooperative agreement IJM did not have an office in Cambodia, although it was working in the country. At that time, NGOs and the government saw IJM's approach to investigations and rescues as uncooperative and aggressive. IJM took a very central and activist role in the actual raids and rescues. During the past two years, IJM has established a permanent office and staff in Cambodia and has become much more open and approachable. The organization is working well with the police who now are taking the upfront role in the raids and rescues and who have benefited from the training provided by IJM.

IJM's efforts play a useful role in fighting trafficking in persons in Phnom Penh. Its investigations provide thorough and valuable evidence, sufficient to obtain convictions of traffickers. IJM has forged strong collaboration with AHTJPU in the Ministry of Interior and the Municipal police. Its investigation of brothels using underage girls and its quick action in mobilizing the police to organize raids on brothels and rescue victims is proactive and effective. IJM has exceeded the number of trainings, rescues and prosecutions originally targeted.

Corruption and poorly trained law enforcement are exogenous factors with which IJM must contend. Despite these significant obstacles, IJM has continued to respond in a proactive and aggressive manner, and to increase cooperation within the anti-trafficking community. In light of some criticisms of IJM for lack of collaboration with NGOs and certain government ministries, IJM should continue to work on building bridges with several government departments, particularly the Ministry of Women's Affairs (MoWA), and Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSAVY), as well as with international NGOs, UN agencies and local NGOs.

## SECTION I

---

### Assessment Methodology

The USAID Office of Women in Development (WID Office) supported this assessment of the International Justice Mission's (IJM) anti-trafficking cooperative agreement with USAID for Cambodia. The assessment, which took place from November 1-11, 2005, included Katherine Blakeslee, Director of the WID Office, Wendy Blanpied, consultant and Serey Chan of USAID/Cambodia. The objective of the assessment was to determine if IJM met its program objectives and to identify the strengths and weaknesses of IJM's proactive rescue and prosecution approach within the Cambodian context.

Prior to arrival in Cambodia, pertinent literature and documents were reviewed and organizations and individuals to be interviewed in Cambodia were identified with the assistance of IJM and USAID/Cambodia. Kostos Kotopoulos, Director of Program Development for IJM in Washington DC, provided background information on IJM. Upon arrival in country, the Mission Director and mission staff discussed details of the assessment. Over the course of two weeks, meetings were held with over 30 non-governmental organizations (NGOs), international non-governmental organizations (INGOs), the United States Embassy, the Royal Government of Cambodia (RGC), United Nations agencies and IJM. One or more individuals from USAID/Cambodia attended most of the stakeholder meetings. A debrief was conducted with the United States Ambassador to the Kingdom of Cambodia, Joseph A. Mussomeli; the Deputy Chief of Mission, Mark Storella; USAID Mission Director, Jonathan Addleton; USAID Office of General Development Director, Reed Aeschliman; and USAID Office of General Development Program Officer, Bruce Etling. A separate debrief was held with IJM Director Kaign Christy and Director of Operations, Ron Dunne.

This report provides background on the trafficking situation in Cambodia as the context, identifies the extent to which IJM achieved its objectives, the effectiveness of its approach, its fit with other anti-trafficking activities in Cambodia, and its strengths and challenges. The assessment focused on IJM's activities including criminal investigation, assistance to and cooperation with the police, rescues and prosecutions. Because IJM's activities form only one part of the range of activities needed to combat trafficking in persons, related anti-trafficking activities, aftercare for rescued victims, security and legal representation were reviewed. A list of those interviewed and written sources consulted are included in the annexes.

## SECTION II

---

### Scope of the Trafficking Situation

The Kingdom of Cambodia has a total of 13.4 million inhabitants, 90 percent Khmer and 10 percent other, including Vietnamese, Chinese, Cham and indigenous hill tribes. It is one of the poorest countries in Southeast Asia. The overall literacy rate is 37.1 percent, although for adult females it is only 29.2 percent. Cambodia's infant, child and maternal mortality rates are the highest in Asia. Cambodia has achieved a significant decline in its HIV/AIDS prevalence rate because of effective health outreach. According to the last HIV Sentinel Surveillance report in 2003, the prevalence rate for brothel-based prostitutes was 20.8%.

Cambodia is a source, transit and destination country for children and adults trafficked for commercial sexual exploitation and forced labor. Cambodian women and girls are trafficked into Thailand and Malaysia for sexual exploitation. Khmer, ethnic Vietnamese residing in Cambodia, and Vietnamese women and girls are trafficked into the sex trade, often ending up in tourist destinations such as Siem Reap, Sihanoukville, Phnom Penh, and until recently, Svay Pak. Traffickers in Cambodia are not believed to be involved in large well-organized mafia-like networks. According to IJM, two-thirds of traffickers are women, referred to as *mamasans*.

Cambodian NGOs report that domestic violence and rape often are precursors to trafficking among Khmer girls. Girls who have been raped are stigmatized and believe they have no chance of a normal life, leaving them vulnerable to traffickers. There are two common forms of recruiting rural girls into the sex trade. The girls are either sold to a trafficker by a parent or acquaintance aware of their fate, or are tricked into believing they will be married or gain employment elsewhere. The girls are often aware of what is happening, but their culturally ingrained sense of gratefulness to and responsibility for their parents lead them to accept this lot in life. This ingrained sense is common in daughters, but not in sons. A Khmer adage sums it up well: "A son does not feel responsible to take care of his parents, whereas a daughter, even when she works as a prostitute, will still think of her mother." Louise Brown, the author of the book *Sex Slaves*, argues that family problems are a more significant factor than poverty in pushing girls into prostitution. "Troubled families are the breeding grounds for sex workers. And troubled families in poor, marginal, and crisis-ridden communities generate the most reliable supply of cheap girls."

Traffickers recruit victims within their villages, while they are attempting to migrate, or soon after arrival to an urban area. A PACT study found that many trafficking victims were in fact not the poorest or most isolated, but rather those who lived near road access. With USAID/Cambodia funding, IOM is conducting a multi-media campaign emphasizing blind migration<sup>1</sup> and targeting potential victims during the migration process.

There is a belief among Asian men that having sex with young virgins enhances their health; many believe that sleeping with a virgin will cure HIV/AIDS. As a result, Cambodia has had an influx of wealthy Asian sex tourists over the past decade. A 2002 study by AidéTous asserts that sex tourists have increased prostitution in Cambodia. Willingness of clients to pay as much as \$1000 for three days with a virgin has led brothel owners to search for younger and younger girls as prostitutes. AidéTous found that 55 percent of the prostituted girls interviewed had sex for the first time with a foreign client. Sixty-six percent of the girls were between the ages of 13 and 18 when they lost their virginity to a client. This study reveals that the younger a girl is when first sexually exploited, the more likely she is to spend her life in a brothel. After girls have lost their virginity, brothel owners sell them for half the amount they originally commanded for a short period of time.

Corruption and impunity among police and high-ranking government officials are factors in Cambodia's sex trade. IJM and other NGOs reported that several rescues, aftercare placement and prosecution efforts were thwarted due to police corruption. An AidéTous study on the impact of closing Svay Pak found that 10 to 20 sexually exploited children between the ages of 10 and 12 bring in approximately \$1000 per night to their "pimp." This study indicates that the "pimp" pays between \$200 and \$300 per day to high-ranking police officials, with some "pimps" paying \$80,000 annually for police protection.

The United States Government has been instrumental in shaping the anti-trafficking political environment in Cambodia. The threat of the Tier 3 ranking in the 2005 US Department of State Trafficking in Person's Report highlighted the issue within Cambodia. When Cambodia was placed on Tier 3 in June 2005, the Cambodian government increased its response to fighting trafficking. However, remaining on Tier 3 after the re-evaluation caused disappointment and frustration within the Cambodian government.

---

<sup>1</sup> Un or ill informed migration that puts the migrant at risk of trafficking.

## SECTION III

---

### IJM Activities

#### A. Overview

In September 2003, the WID Office provided \$994,761 to IJM through a two-year cooperative agreement to implement an anti-trafficking program in Cambodia. The program was managed by USAID/Cambodia. IJM subsequently received a no-cost extension from WID to continue programming through December 30, 2005.

IJM's overall project goal is to reduce the victimization of minors who are at risk for, or who have been trafficked into, commercial sexual exploitation in Cambodia. The program is composed of three activities:

- 1) Establishment of a **permanent office** in Phnom Penh to assist in investigations and prosecutions of sex trafficking and commercial sexual exploitation;
- 2) **Investigative training** for officers of the Cambodian Ministry of Interior Anti-Human Trafficking and Juvenile Protection Unit (AHTJPU); and
- 3) **Legal advocacy** to ensure prosecution of individuals accused of human trafficking.

IJM operated in Cambodia prior to September 2003 but only opened a full-time office in Phnom Penh after receiving USAID funding. IJM signed a lease for the office on February 1, 2004; 4 months after the cooperative agreement was signed. Ron Dunne, the current Director of Operations, was the acting Director. Prior to that time IJM operated on an ad hoc basis with personnel working temporarily in the country to organize raids. Full-scale IJM operations began in April 2004 with the acting Director, an aftercare coordinator and assistant aftercare coordinator. Kaign Christy, the current country Director, took up his position with IJM/Cambodia in August 2004. Today IJM has three expatriate and nineteen local staff members, not including operatives working in the field. IJM's strategy is to indigenize its efforts in Cambodia within five years, employing only local staff to pursue its initiatives.

During the past two years, IJM has placed emphasis on building the capacity of the AHTJPU of the Ministry of Interior to respond effectively to trafficking. Investigative training materials, including documents, manuals, and audio/visual devices developed at the University of North Texas were reviewed, adapted to the Cambodian context and translated into Khmer. The first training course for the AHTJPU focused on ethics in basic law enforcement. Additional

trainings included Basic Intelligence Gathering, Suspect Identification and Fugitive Apprehension, Interviewing Witnesses and Victims Course, General Criminal Investigation and Report Writing Course Part I and Part II, Physical Evidence Collection and Preservation, Witness Protection and Criminal Network Investigation.

IJM's target was to conduct eight training courses for eighty officers. They exceeded the goal, providing ten training sessions for 161 officers. Following the training sessions with the AHTJPU, IJM worked to strengthen the prosecution of alleged traffickers and to secure appropriate care for rescued victims. This included the development of evidentiary systems to maintain the chain of custody and support and preparation of witnesses for trial. IJM planned to support the arrest of 20 perpetrators, leading to 15 trials and 10 convictions. Forty-five perpetrators were arrested, with 27 trials, and 29 convictions. As of November 11, 2005, IJM had rescued 109 victims.

The assessment reviewed not only the achievement of quantitative targets, but also the level and effectiveness of IJM's coordination with other anti-trafficking organizations. More than 30 meetings were conducted with NGOs, government bodies, UN agencies, and the US Embassy to evaluate effectiveness.

## **B. Analysis**

### **B1. Strengths**

There is consensus among stakeholders that IJM collects solid evidence through its investigations of trafficking cases. Several stakeholders have stated that, of the rescue organizations working in Cambodia, IJM is the most professional and its investigations the most thorough. The Protection of Juvenile Justice (PJJ), an NGO that provides legal services and investigations, notes that when working with IJM, it seldom has to collect additional evidence. IJM has contributed to successful prosecutions through its collection of overwhelming evidence.

IJM obtains its evidence by utilizing numerous operatives throughout Phnom Penh and Siem Reap with whom the Director of Investigations is in weekly contact. These operatives and informants include Westerners, tour guides, *tuk tuk* drivers, a disk jockey and others. Once IJM obtains evidence from its operatives, IJM works with the anti-trafficking police to pursue the case. IJM documents its cases with video evidence collected by undercover agents and maintains case files with written reports.

IJM employs two methods for rescuing victims, one is brothel raids in cooperation with the police, and the other is the "buy-bust" operation. In the latter, undercover agents attempt to

purchase the services of an underage girl. Once the perpetrator accepts the money, the police who are watching and waiting, step in and arrest them.<sup>2</sup> These raids and “buy-busts” are targeted at perpetrators discovered through information provided by undercover operatives.

IJM’s presence in Cambodia has aided law enforcement’s capacity to fight trafficking. IJM has closely supported the AHTJPU and the Municipal Police Chief, both of which expressed appreciation for IJM’s assistance and dedication to fighting human trafficking. General B.G Un Sokhunthea, the Director of AHTJPU, specifically acknowledged the value of police training and equipment provided by IJM including a camera, video equipment, a television, microphones and CD player. This equipment has also been used by the police force to train other officers and staff.

Following rescues, MoSAVY temporarily holds victims from four to twenty-four hours before placing them in shelters. Prior to December 2004, when police conducted brothel raids, cooperating NGOs chose the shelter location for victims. This policy changed after a raid conducted by AFESIP on the Chai Hour 2 hotel resulted in the victims’ abduction from the shelter by the brothel owners. In this raid, only two of the 80 victims rescued claimed to be trafficking victims and several of the rescued victims called their brothel owners to tell them their whereabouts. After that incident, MoSAVY began processing victims and transferring them to shelters. MoSAVY social workers assess each case and decide if and where to place victims. Although some shelters have expressed frustration over the new policy, IJM acknowledged that MoSAVY’s placements to date have been appropriate.

IJM has assisted MoSAVY by purchasing cots and food for the children during their stay. IJM also provided transportation when needed, driving victims from the police station to MoSAVY and to their permanent aftercare facility. IJM’s aftercare coordinator accompanies the children from their rescue until their placement in shelters, staying overnight at the police station or MoSAVY, if required. Once victims are placed in permanent shelters, the aftercare coordinator continues to monitor their situation.

## **B2. Challenges**

### ***Collaboration***

IJM’s operations in Cambodia, prior to their funding through USAID, were more sporadic than they are now. Before its permanent residence in Cambodia, IJM representatives came into the country, organized raids and left. NGOs and the government complained that there was little or no collaboration between IJM with other anti-trafficking groups. Since August

---

<sup>2</sup> IJM reports that the funds used to “buy” girls are not provided by USAID.

2004 when Kaign Christy became Director, IJM's work and contact with other anti-trafficking organizations has been strengthened. Mr. Christy has made significant efforts to meet and coordinate with other agencies and organizations involved in combating trafficking.

Although IJM's reputation for openness and coordination has improved, various stakeholders still perceive IJM as keeping to itself. Stakeholders have acknowledged that the sensitive nature of IJM's work may account for some of the perceived isolation. IJM collaborates well with the AHTJPU and municipal police as well as with AFESIP, World Vision, World Hope and Children of Cambodia shelters. However, IJM had not met with the Minister of Women's Affairs, who was appointed in August 2004, and IJM's working relationship with MoSAVY and several NGOs involved in fighting trafficking is not as smooth as it could be. An NGO expressed concern over IJM's perceived reluctance to share its police training materials. It is the perception of some groups that IJM did not attend network meetings with the other anti-trafficking organizations as frequently as they could have.

### ***Rescues***

IJM is one of several organizations involved in brothel raids in Cambodia. Others include: the Cambodian League for the Promotion and Defense of Human Rights (Licado), Cambodia Human Rights and Development Association (Adhoc) and Agir Pour Les Femmes En Situation Precaire (AFESIP), an organization that provides aftercare for victims of trafficking. Among those involved in brothel raids, IJM is the most proactive basing its approach on undercover operatives actively searching brothels for underage girls, cooperation with the police to conduct raids, and the rescue of girls and women. Licado, Adhoc and AFESIP all use a reactive approach; rescuing victims based upon complaints from family members or from tip offs about victims from health outreach trips or other sources. Those critical of the proactive approach argue that some of those rescued may not consider themselves trafficking victims or may not want to be rescued for fear of losing their means of economic survival.

Some Cambodian legal aid NGOs raised questions about the legality of IJM's rescue approaches, considering it entrapment. IJM operatives offer money to brothel owners for young girls who are then rescued by waiting police. Because there is no *mens rea* (guilty mind) requirement under the Cambodian criminal statute, some attorneys defending traffickers and even a judge have accused IJM of being guilty of the offense of trying to buy the sexual services of a minor. IJM is seeking a Memorandum of Understanding (MOU) with the Ministry of Interior and the Ministry of Justice to protect them from prosecution. Despite the criticisms, it is clear that these proactive investigations and rescues are an effective tool for catching and prosecuting traffickers and brothel owners. Among the legal aid NGOs there were differences of

opinion about IJM, some working well with the organization while others did not enjoy as collaborative a relationship. Opinions also varied internally within at least one legal aid group.

IJM and other organizations, including AFESIP, were instrumental in closing down Svay Pak (officially closed down during the summer of 2004), the notorious brothel area 11 kilometers from Phnom Penh where men from Cambodia and abroad sought underage girls and boys for sex. Since the closure, traffickers and brothel owners are no longer openly displaying children. A recent study conducted by AidéTous and the Coalition to Address Sexual Exploitation of Children in Cambodia (COSECAM) evaluated the impact of closing Svay Pak on the children. The study pointed out that Svay Pak's closure did not stop the commercial sexual exploitation of these children. Many of the children were scattered to other brothels in Phnom Penh, Siem Reap and Sihanoukville. Some women took to freelancing in nightclubs like Martini's and Sharkey's. According to the study, some of the exploited children are now living in worse conditions in underground operations.

### *Aftercare*

In 2003 when IJM received USAID funding for work in Cambodia, there were inadequate aftercare facilities, which IJM saw as a major challenge, hampering its ability to organize rescues. At that time, only a few shelters in Phnom Penh accepted sexually exploited children and they were often full. IJM only conducts rescue operations with assurance for the safekeeping of rescued victims. Today, IJM believes there is adequate and safe shelter space for rescued victims in Phnom Penh. IJM and a number of NGOs noted that shelter space in the provinces is inadequate, requiring transportation of girls rescued there to shelters in Phnom Penh.

There are no standard guidelines or policies for aftercare facilities. Both COSECAM and Asia Regional Cooperation to Prevent People Trafficking (ARCPPT) are currently developing their own standards. Of major concern is whether shelters should have an open door policy, allowing victims to leave at any time. Some shelters, including World Vision, Children of Cambodia and Hagar attempt to hold victim-witnesses against their will while awaiting the trial of their traffickers or brothel owners. AFESIP holds victims for two weeks to assess their situation, after which they are free to leave. In some cases, the children's families ask for their return but the shelter may refuse out of a fear of re-trafficking. There are repeated incidences of children, especially Vietnamese, escaping from aftercare facilities.

The issue of holding children and women against their will and under what conditions was unclear among the legal organizations interviewed. Some, including AFESIP and CWCC claimed that it was illegal to hold people against their will. Others contend that shelters can hold children with permission from their parents. The Cambodian National Council for Children is

lobbying for a law making it illegal to hold children against their will pending trial. If the parents are implicated in trafficking of their children, shelters can seek legal custody through the court. Although shelters are registered with MoSAVY, the government does not monitor them.

About 75% of the victims rescued through the efforts of IJM are Vietnamese. Many jobs available to Vietnamese women are in the sex industry, massage parlors, and karaoke bars. One study, completed in 2003, found that 95% of trafficked prostitutes were Vietnamese.<sup>3</sup> This study also found that many of these Vietnamese women were subject to debt contracts, having been trafficked into Cambodia by family members. Because of these debt contracts, the Vietnamese women feel pressure from their families to remit money and to comply with their exploitative situation. IJM targets brothels, especially those known for underage prostitutes, the great proportion of whom are Vietnamese.

Although there is no evidence of discrimination against Vietnamese girls in brothels, this is not the case in aftercare facilities. The enmity between the Khmer and Vietnamese spills over to these victims. Vietnamese victims may not be treated as well as others in some shelters and also face possible deportation to Vietnam. Some of these Vietnamese girls were born in Cambodia, but have neither Cambodian nor Vietnamese citizenship. NGOs reported a high incidence of flight from shelter by Vietnamese victims.

### *Legal issues*

Challenges to combating trafficking in Cambodia include the high level of corruption, weak rule of law and lack of capacity among law enforcement officers. The current law, adopted in 1996, on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Persons is weak, punishing traffickers based on the age of the victim and only covering those below age 15. Many victims either lie or do not know their age. Although medical techniques can determine age through wrist measurements, many judges do not give this method much credence.

Despite police training from IJM, CDP and ARCPPT, the investigative capacity of the police remains weak, presenting a serious challenge for IJM. Although anti-trafficking training is essential, CDP felt that police need basic investigative training skills before they can comprehend the material taught in IJM's courses. When working with the police, IJM is keenly aware of possible corruption that could thwart their efforts. Entrusting information to the wrong officials may result in a brothel owner being "tipped off" to a raid. Improperly collected or maintained evidence can lead to dismissal of a case. In the time that IJM has been working with

---

<sup>3</sup> Steinfatt, T.M. (2003) Measuring the Number of Trafficked Women and Children in Cambodia: A Direct Observation Field Study – Part 3 of a Series (United States Agency for International Development)

the AHTJPU, they have worked with a core group of about 10 police officers. IJM has confidence in these officers and cooperates closely with them, providing information and support to conduct raids.

The lengthy trial process and lack of judicial capacity also has negative affects on IJM's work. A trafficking prosecution can take up to six months before trial and many victims do not want to remain in a shelter waiting to testify. The longer they wait, the more likely a victim will change their mind about testifying or be offered compensation by a trafficker to drop the case.

## SECTION IV

---

### Recommendations

Despite obstacles, IJM has responded in a proactive and positive manner to Cambodia's trafficking problem. During the past two years, it has worked to improve its cooperation with, and respect within the anti-trafficking community, utilizing lessons learned from its experience and from others. IJM exceeded its quantitative goals for victims rescued, trafficking convictions, and police officers trained. Its Director is well respected in the community and it is generally known for its professional investigatory work. Even with these achievements, more can be done to build on its effectiveness.

Specific recommendations include:

**1. Increase collaboration with:**

- Ministry of Women's Affairs (MoWA )
- Ministry of Social Affairs, Veterans and Youth (MoSAVY)
- International and Cambodian Anti-trafficking NGOs
- UN organizations

IJM should broaden collaboration with government agencies, particularly the Ministry of Women's Affairs (MoWA), Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSAVY), the United Nations, and other anti-trafficking organizations.

- IJM should meet and collaborate with the Minister of Women's Affairs, Dr. Ing Kantha Phavi. IJM has yet to meet with her since her appointment more than a year ago. The MoWA plays a critical role in Cambodia's anti-trafficking activities through nationwide outreach. The MoWA was recently named the implementer of the new trafficking MOU between Vietnam and Cambodia, which affects IJM given the majority of its rescued victims are Vietnamese. MoWA has been working with the Ministry of Justice on legal reform, with IOM on prevention activities, and with UNIAP on regional coordination. Given their leadership role on this issue, the MoWA is a strategic partner for any organization fighting trafficking in Cambodia.
- IJM should also strengthen its collaboration with the MoSAVY, based on the agency's role in selecting aftercare shelters for trafficking victims. Currently, MoSAVY feels as if IJM distrusts and scrutinizes them. IJM initially kept a close watch on MoSAVY's aftercare placement, but they now consider MoSAVY's placement of victims to be

appropriate. The two groups could become closer, supporting one another in order to provide and improve victim services.

- IJM should attend more regular meetings with local and international NGOs and UN agencies working on raids, aftercare, and legal issues to avoid any duplication of efforts. This effort would also assist in the coordination of available services. A number of NGO networks in the anti-trafficking community meet regularly to discuss their efforts and needs. IJM should be actively involved in those networks, including those led by UNICEF and UNIAP (regular stakeholder meeting on Human Trafficking) that relate directly to their work, sharing data, improving services, and exchanging lessons learned.
- IJM should coordinate with other NGOs that provide investigative training for the police. Working together with these organizations, IJM can improve the capacity of police and share data that will lead to an increased number of arrests and prosecutions. IJM can provide the benefit of its experience to these NGOs, thereby increasing their capacities to pursue cases. Some proposed organizations include: CDP, ARCPPT and CWCC, Adhoc and AFESIP. By working together, they with whom IJM might increase coordination will not only avoid duplication of efforts, but will expand the number of qualified personnel available to conduct investigations.

## **2. Work within Cambodia's legal system to:**

- Improve law enforcement capacity
- Avoid negative legal implications for IJM
- Increase respect for the rule of law

IJM should build on its good efforts to increase police capacity by continuing to train and provide technical support for their police entities in connection with anti-trafficking activities. IJM's eventual goal should be for Cambodian law enforcement to conduct all investigations themselves.

- IJM should continue providing anti-trafficking investigative training to those law enforcement officers working on trafficking cases, by tailoring different training courses to the skill level of the police and needs on the ground. To combat police and judicial corruption, IJM should work to increase ethical standards for police and the judiciary in the context of their anti-trafficking training. Responding to a demand for police capacity building in other provinces, IJM has already taken their anti-trafficking training outside of Phnom Penh. They should continue to be aware

of and respond to the needs of police training related to trafficking throughout Cambodia.

- IJM has encountered some problems in their proactive brothel raids, which some have construed as entrapment. In October 2005, a prosecutor threatened to charge IJM for provoking an offense when an “undercover” agent went into a brothel and requested a virgin girl. IJM is working on an MOU with the Ministry of Interior and the Ministry of Justice, which would protect them from prosecution.
- Cultural sensitivity should be a prime consideration for IJM in its activities to ensure buy-in from the government and NGO community, allowing them to be more effective.

## **SECTION V**

---

### Overview of Anti-trafficking Organizations in Cambodia

NGOs, international organizations, foreign donors, and the Cambodian government are conducting a number of anti-trafficking prevention and protection efforts. This assessment focused on trafficking rescues and prosecutions, specifically the work of IJM. Although prevention and protection efforts are beyond the scope of this assessment, they are important to the on-going anti-trafficking efforts in Cambodia. The next section contains a synopsis of some of these activities and the organizations conducting them, organized by theme.

#### **A. Rescues**

##### **ADHOC**

- A human rights organizations with offices in several provinces
- Founded in 1991 by a group of former political prisoners
- Investigates trafficking situations, working with the police to gain access to brothels when a complaint is filed
- Assists rescued victims to find shelter, medical care and legal services
- Conducts research and provides training on the trafficking of women and children in seven of Cambodia's provinces.

##### **AFESIP**

- Conducts health outreach, advocacy initiatives and rescues
- Employs a reactive approach to raids
- Sends health outreach workers into brothels to distribute condoms and health information, thereby providing an opportunity to search for trafficking victims
- Provides intensive care to newly rescued victims for two weeks at a drop-in center and three additional long term shelters located in Siem Reap, Kampong Cham, and on the outskirts of Phnom Penh
- Women and children remain at the drop-in center for 14 days, before choosing whether to go to a longer-term rehabilitation program or to leave the shelter.

##### **AHTJPU**

- Created in 2002 within the Ministry of Interior in direct response to the demand for law enforcement officers with skills to fight human trafficking
- Has good working relationship with IJM, cooperating in trafficking investigations and conducting brothel raids

- Provides training for law enforcement officials in Sihanoukville, Siem Reap, and Kampong Cham

### **The Municipal Police**

- Conducts trafficking investigations and brothel raids

### **B. Shelter and Support Services**

#### **The Children of Cambodia**

- Operates a shelter with a maximum capacity of 20
- Provides aftercare services for trafficking victims
- Provides psychological counseling, vocational training, English and computer classes, and art training

#### **Cambodian Women’s Crisis Center (CWCC)**

- Provides aftercare services for trafficking victims
- Operates three shelters providing services including vocational training, psycho/social counseling, and literacy programs
- Provides education services, trainings, case monitoring, legal services and research
- Provides help with repatriation of Cambodian girls trafficked to Malaysia

#### **World Hope**

- Assessment center began operations 11 months ago, providing intensive evaluation of a maximum of 12 rescued children for up to three months
- At the end of three months, WH determines where the child should receive long-term support and transfers them to either World Vision or Hagar
- Focus on quality care and protection, employing 18 staff members as caregivers, teachers, counselors and guards

#### **World Vision**

- Shelter capacity for 56 victims for a period ranging from six months to one and a half years
- Programs includes counseling, vocational training, literacy courses, reintegration and repatriation services

#### **Hagar**

- Aftercare program serves children ages five to 13 with an onsite capacity of 22
- Places children, who cannot be reintegrated into their communities, with foster mothers

- Emphasizes quality care, striving to improve the self-esteem and mental health of their residents

### **C. Legal Services**

#### **Legal Support for Children and Women (LSWC)**

- Provides legal services to rescued trafficking victims
- Provided legal training on women and children's issues to their staff and to lawyers

#### **The Cambodian Defenders Project (CDP)**

- Provides legal services to victims of trafficking
- Provides police training designed to improve their investigation techniques

#### **Protection of Juvenile Justice (PJJ)**

- Provides legal services to victims of trafficking
- Conduct investigations of trafficking cases

### **D. Prosecution and Government Support**

#### **The International Organization of Migration (IOM)**

- Works closely with the Ministry of Women's Affairs at the provincial and district levels to provide communities with accurate information on trafficking
- Has focused on return, recovery and reintegration of victims of cross border trafficking since 1996
- IOM and MOSAVY released a detailed study of their work on the return and reintegration of victims of trafficking from Thailand to Cambodia and the repatriation of Vietnamese from Cambodia to Vietnam

#### **The United Nations Children's Fund (UNICEF)**

- Works to sensitize police on trafficking issues; train them on the trafficking law and the rights of children; and identify committed police at the provincial level to work with NGOs on anti-trafficking
- Helped organize the Anti-Human Trafficking Juvenile Police Unit (AHTJPU) within the Ministry of Interior in 2002
- Continues to assist in case monitoring

#### **UN Inter Agency Project on Human Trafficking (UNIAP)**

- Established in 2000 to provide a more coordinated response to human trafficking in the Greater Mekong Sub-region

- At the regional level consists of 6 governments, 13 UN agencies and 8 international NGOs and in Cambodia is a network of governmental bodies, local and international NGOs, UN organizations and donors
- Holds quarterly donor and stakeholder meetings to identify gaps and determine ways to respond to those needs
- Developing a database of trafficking activities, date, funders and reports that will be accessible by the public

#### **Ministry of Women's Affairs (MoWA)**

- In cooperation with IOM, conducts information campaigns and grassroots meetings on safe migration and illegal migration in several provinces
- Provided economic support to some of the most vulnerable families living in Svay Rieng
- In October 2005 appointed as the implementing institution for an MOU with Vietnam on the Bilateral Cooperation for Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking

#### **Ministry Social Affairs, Veterans and Youth Rehabilitation (MoSAVY)**

- Since early 2005, has been in charge of placing rescued victims of trafficking in aftercare facilities
- Trained counselors interview victims when they arrive from the police station
- In some cases, victims spend the night at MOSAVY before being placed in a more permanent shelter

#### **Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)**

- An inter-governmental process that began in 2003 between China, Cambodia, Thailand, Lao PDR, Viet Nam and Myanmar
- Works on a range of trafficking issues, including criminal justice, repatriation, victim support, safe and legal migration and exploitative labor practices
- In October 2004, representatives from the six countries that comprise the Greater Mekong Sub-Region signed an MOU that outlines a framework for concrete action on human trafficking, making it the first comprehensive regional trafficking agreement

#### **Asia Regional Cooperation to Prevent People Trafficking (ARCPPT)**

- Works in Thailand, Laos, Myanmar and Cambodia
- Main objective is to strengthen the criminal justice process to deal effectively with trafficking
- In Cambodia, has provided police training on operational procedures and reactive investigation techniques, legal reform and support to the Cambodian courts

## **E. Technical Assistance and Research**

### **The Asia Foundation (TAF)**

- Serves as an umbrella organization, providing sub-grants and technical assistance to 17 local NGOs
- Working with the Center of Advanced Studies to collect all research and studies conducted on trafficking in Cambodia
- Organizing research into a public database that will provide easy access to the information

### **Coalition to Address the Sexual Exploitation of Children**

- Serves as a network of 23 member NGOs
- Organized and drafted guidelines for minimum shelter standards in Cambodia
- Conducts research on trafficking in Cambodia

### **AidéTous**

- Conducts research on sex tourism in Cambodia
- Collaborated with COSECAM on the study “Impact of Closing Svay Pak”

## **ANNEX A**

---

### **List of Individuals Interviewed**

#### **United States Government**

Jonathan Addleton, Mission Director, USAID/Cambodia

Margaret McKean and Kurt Stoppkotte, Political Section, US Embassy Cambodia

Serey Chan, Bruce Etling, Office of General Development, USAID/Cambodia

Darlene Foote, IWID Fellow, USAID/Cambodia

#### **Cambodian Government**

Ministry of Social Affairs, Labor, Vocational Training, and Youth Rehabilitation (MoSAVY),  
Mr. Chea Sorn, Director of Department

Ministry of Women's Affairs, H.E. You Ay, Secretary of State and H.E. Chou Bun Eng, Director  
General of Social Development

Ministry of Interior, Anti-human Trafficking and Juvenile Protection Unit (AHTJPU), General  
B.G Un Sokunthea, Director of Anti-human Trafficking and Juvenile Protection Unit

Ministry of Justice, Heng Peo, Municipal Police Chief

#### **Cambodian Organizations**

ADHOC, Ms. Lim Mony and Ms. Ol Sokhan, Legal Advisors

Cambodian Defenders Project (CDP), Mr. Sok Sam Oeun, Director and Mr. Yung Phanit,  
Attorney and Coordinator of Center against Trafficking

Cambodian Women's Crisis Center, Ms. Sin Li Pov, Director and Mr. Sok Phay, Legal Advisor

Children of Cambodia, Ean Nil, Shelter Manager and Psychologist

Coalition to Address Sexual exploitation of Children in Cambodia (COSECAM), Tuon Vicheth, Coalition Coordinator

Legal Support for Women and Children, Ms. Ly Vichuta, Director

Protection of Juvenile Justice, Samphon Sopharath, Attorney and Yin Savat, Attorney

### **International NGOs**

Action Pour Les Enfants (APLE), Stephanie Remion, Departing Director and Beatrice Nagnier, Director

AFESIP, Sao Chhoeurth, Technical Coordinator

AidéTous Advisor, Mr. Frédéric Thomas, Independent Consultant

Asia Foundation, Jackie Pomeroy, Representative and Annette Kirchner, Assistant Representative

Asian Regional Cooperation to Prevent People Trafficking, Janet Ashby, Program Manager

East West Management Institute, Peter Harris, Chief of Party and Kim Sean, Senior Grants Manager

End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT), Chin Chanveasna

Hagar, Sue Hanna, Aftercare Program

IJM, Kaign Christy, Country Director and Ron Dunne, Director of Operations

Pact International, Worth Program, Kurt A. MacLeod, Asia Regional Director, Ms. Hor Sakphea, Program Officer, and Keo Keang, Deputy Country Representative

World Hope, Gregg Burgess, Director and Ruth Elliott, Psychologist

World Vision, Sorn Navy, Project Manager

## **UN Organizations**

United Nations Inter-Agency Project on Human Trafficking (UNIAP), Ly Sunlina, National Project Coordinator and Felicia Johnston, Project Advisor

International Labor Organization, In Focus Program on Child Labor (ILO-IPEC)  
Mr. Khleang Rim, National Project Coordinator

International Organization of Migration (IOM), Anne Horsley, Project Coordinator, and John McGeoghan, Project Officer

United Nations Children's Fund (UNICEF), Christian Guth, Project Officer and Lesley Miller, Head of Child Protection Program

## ANNEX B

---

### Cambodia Bibliography

Agreement between the Royal Government of Cambodia and the Socialist Republic of Vietnam on Bilateral Cooperation for Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking. (October 10, 2005)

AIDéTous. (2002). *Surveys on the behaviors and attitudes of tourists and foreign clients with sex-abused children and young women, Kingdom of Cambodia 2001-2002.*

AIDéTous and COSECAM. (2005) Impact of Closing Svay Pak.

Asia Regional Cooperation to Prevent People Trafficking. (March 2005). *Gender, Human Trafficking, and the Criminal Justice System in Cambodia.*

Asia Regional Cooperation to Prevent People Trafficking. (2004). *The Role of Victim Support Agencies in the Criminal Justice Response to Human Trafficking.*

Asia Regional Cooperation to Prevent People Trafficking. (2005). *Asia Regional Cooperation to Prevent People Trafficking: Gender and Rights Strategy.*

Brown, L. (London: Virago, 2000). *Sex Slaves: the trafficking of women in Asia.*

Cambodian National Council for Children. (2000). *Five Year Plan against Sexual Exploitation of Children: 2000-2005.*

Combating Trafficking in Asia: A Resource Guide to International Instruments, Political Commitments and Recommended Practices.

International Labor Organization Mekong Sub-regional Project to Combat Trafficking in Women and Children. (2005). *Human Trafficking: Redefining Demand.*

ILO and Save the Children, UK. (2005). *Making History, People, Processes and Participation: Mekong Children's Forum on Human Trafficking.*

Kingdom of Cambodia. (1996). *Anti-Trafficking Law.*

Kingdom of Cambodia. (1994). *Law on Immigration*.

Legal Support for Women and Children. (2005). *Gender Analysis of the Patterns of Human Trafficking into and through Koh Kong Province*.

Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region, 2004.

Memorandum of Understanding between the Royal Government of the Kingdom of Cambodia and the Royal Government of the Kingdom of Thailand on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking, 2003.

Ministry of Health of Kingdom of Cambodia, National Center for HIV/AIDS, Dermatology, and STD. (2003). *HIV Sentinel Survey*.

Ministry of Social Affairs, Veterans and Youth Rehabilitation and IOM/Cambodia. (2005). *Repatriation from Cambodia to Vietnam of Vietnamese Victims of Trafficking from 15 May 1999- 30 March 2005*.

Pact Cambodia. (2004). *Preventing Trafficking in Women: A Study of Origin and Vulnerability Factors for Trafficking Victims and Direct Sex Workers in Four Cambodian Cities*.

Rithy Niron, N., Viriya, Y., and Gray, L. (2001). *Child Sex Tourism- The Problem in Cambodia*. (Published by World Vision)

Save the Children. (2001). *Advocacy Paper on Comparative Laws of the Countries in the Mekong Sub-region with Respect to Trafficking in Women and Children*.

Save the Children. (2000). *Comparative Study of the Legal Provisions of the Six Countries in the Mekong Sub-region with Respect to Trafficking in Women and Children: Research Findings and Recommendations*.

Steinfatt, T. (2003). *Measuring the Number of Trafficked Women and Children in Cambodia: A Direct Observation Field Study* (sponsored by USAID).

UNESCAP Regional Seminar on the Social Implications of International Migration 24-26 August, 2005. Bangkok. *Irregular Migration and Trafficking in Cambodia- The Road Ahead*. Presented by HE Dr. Ing Kantha Phavi, Minister of Women's Affairs, Royal Government of Cambodia.

Yasunobu, T. (2004). *Combating Human Trafficking in Cambodia: Establishing a Legal Environment for the Effective Counter Trafficking Measure.*