

Migration Vs Trafficking in person

Challenges and responses

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Outlines

- Challenges: migration and human trafficking
- Royal Government of Cambodia's commitment in combating human trafficking
 - Laws and policies
 - Mechanisms
 - Strategies
- Examples of strategy's implementation
- Lesson learned
- Next step

General Situations of Migration

- Migration is a need and human rights
- Migrants often have hope and ignore the challenges or obstacles

Types of Migration

- Legal migration channel (inclined to be lucky)
- Illegal migration channel (faced with trafficking or exploitation)
- Seeking permanent resident in the foreign country via international marriage or other means (embed human trafficking and removal with the purpose of exploitation)
- Unlawful removal (smuggling or human trafficking)
- Bot man, woman and child are able to be trafficked and exploited.

The Link between Migration and Human Trafficking

- Migration provides opportunity for the traffickers especially on those who are choiceless and vulnerable
- For many years, migration in the South-east Asia has been markedly escalating
- Universalization, continuing economic integration and inadequacy of the government's responses to migration issue
- A number of migrants, who expect to improve their economic condition through employment, are faced with different vulnerabilities
- Illegal migrants lured by deceptive brokers are facing high risks and their situations as illegal migrants are often linked with violence, exploitation and human rights abuse

Royal Government's Commitments

- Human trafficking is the gross violation of human rights, an intolerable crime and a form of modern-day slavery that the Royal Government of Cambodia and the civilized world is united to combat
- The complicated nature of human trafficking networks both domestically and internationally requires a strong and more-focused attention from the relevant governments, all levels of local authorities, specialized agencies and relevant civil society organizations working in the community domestically and internationally.

National Mechanisms

- Royal Government of Cambodia demonstrates high commitment in combating human trafficking by establishing the mechanisms to prevent and implement the law on human trafficking at all levels
- In 2000, the Ministry of Interior created the Department of Human Trafficking and Juvenile Protection
 - 2005 – COMMIT Cambodia created after COMMIT's meeting in 2004, which comprised of 10 ministries as members
 - 2007 – National Task Force established
 - 2007 – High Level Working Groups to lead the suppression of human trafficking and sexual exploitation in women and children established to respond to human trafficking issues,
 - End of 2009, National Committee to lead the suppression of human trafficking, smuggling, labor exploitation and sexual exploitation in women and children established, which call NC/S.T.S.L.S, lead by Minister of Interior and comprise of 14 ministries as members. The structure also include civil society representative at all level.

Laws, Policies and Legal Instruments

- Constitution
- International laws and conventions
- National laws: Law on human trafficking and sexual exploitation, criminal code procedure and penal code
- Bilateral and multilateral MOU
- Policies and legal instruments issued by:
 - National Committee S.T.S.L.S
 - National Committee secretariat
 - Ministry of Labor and Vocational Training
 - Ministry of Social Affairs, Veterans and Youth Rehabilitation
 - Ministry of Justice
 - National Police Commissariat

Strategies to Combat Human Trafficking

Prevention	→	The Working Group is lead by MoWA
Law Enforcement – Suppression	→	The Working Group is lead by NPC
Victims protection	→	The Working Group is lead by MoSVY
Justice	→	The Working Group is lead by MoJ
Bilateral and multilateral cooperation	→	The Working Group is lead by MoWA
Child affairs	→	The Working Group is lead by MoSVY

National Committee S.T.S.L.S

- Chaired by Deputy Prime Minister, Minister of Interior and deputy-chaired by Minister of Justice; Minister of Social Affairs, Veterans and Youth Rehabilitation; Minister of Labor and Vocational Training and Minister of Women Affairs
- Comprised of 18 members, the highest senior officials from 14 ministries
- Has a Secretariat which composed of multi institutions and six Working Groups which is led by specialized ministries and co-chaired by a representative of civil society
- Include sub-national structure
- Some examples:

Prevention

- National Committee Secretariat reviewed marriage procedure between Cambodian nationals and foreigners in order to prevent fake marriages and human trafficking or smuggling in the form of marriage.
- Conducting research and seeking recommendations to prepare a village-based training manual for the prevention of human trafficking and blind migration.
- Ministry of Education, Youth and Sport raised awareness on human trafficking through posting of banners and posters at the targeted schools and integrated human trafficking issues in the monthly and quarterly exams.
- Ministry of Tourist in collaboration with World Vision, ECPAT-Cambodia, Mith Samlanh and Child Wise Australia disseminated the message “Join us to Protect our children, Welcome Responsible Tourists” and disseminated the tourism law and disseminated educational posters on **342** tuk-tuks

Prevention

- Ministry of Social Affairs, Veterans and Youth Rehabilitation:
 - In collaboration with IOM and The Asia Foundation distributed the Collaborative Agreement between RGC and Socialist Republic of Vietnam (SRV) on Victim Identification Procedure and Repatriation of Victims of Human Trafficking
 - Disseminated Policy on Victim Protection and Minimum Standard for Victim Protection to Municipal/Provincial/District Department of Social Affairs, Veterans and Youth Rehabilitation. The Ministry also discussed the strengths and gaps in implementing the collaborative agreement between the two countries
 - Has three meetings with COSECAM and World Vision to organize standardized data collection of human trafficking, monitoring form to service providers to victims, and to monitor the rehabilitation projects, the outcomes of rehabilitated children and the activity implementation, and to evaluate the project aiming to reduce the vulnerability of children to trafficking.
 - Meeting with The Asia Foundation to discuss the National Mekong Youth Forum and evaluate on the results of the seminar to distribute the policy booklet and Minimum Standard for Victim Protection of human trafficking.

Prevention

- MoWA in collaboration with IOM & DoWA in Banteay Meanchey province
 - Organized awareness raising on safe migration for **564** people in Malay district
 - Conducted baseline study by interviewing **250** people to collect information on human trafficking and migration in Takeo, Pailin, Kratie, Steung Treng and Preah Sihanouk provinces.
 - Guest speaker in an event organized by CARAM on migration for employment in Steung Treng province
 - Guest speakers in radio talk-back and another event organized by Women Media Center (WMC) **FM102** on “**Human Trafficking through Marriage**”, “Safe Migration and Consequences of Being Trafficked.”
- Ministry of Labor and Vocational Training participated as guest speakers for five times with the Radio **FM103**, to raise public awareness on child labor and participated in the round table discussion with the Cambodian National Television on the process to eliminate the worst forms of child labor.

Prevention

- Municipal/Provincial department of Anti-Human Trafficking and Juvenile Protection of General Commissariat of National Police:
 - Had **27** meetings with relevant ministries, institutions and NGO/IO focusing on collaboration and raids related to human trafficking, reviewing NPA 2010,
 - Reviewing marriage procedures between Cambodians and foreigners, evaluation of PRUMDEN health promotion and safe migration projects,
 - Meeting on result presentation on the assessment on connecting families related to migration and consulting on poster and leaflet development for awareness raising at the target locations.
- Municipal/Provincial National Police Commissariat:
 - Patrolled **1,510** key businesses
 - Participated in information dissemination on combating human trafficking and sexual exploitation to **21,318** (F=**8,636**),
 - Posted the NPC's Instruction No. 005 S.N.n to **817** targets, which may link to sexual services
 - Made agreement to prohibit prostitution to **1,178** businesses, karaoke and massage parlors, comprising of **2,486** people (F=**1,566**) and shutting down **234** relevant sexual businesses
 - Collecting data on labor migration, amounted to **95,106** (F=**37,098**) and obtained information on **131** brokers.
 - Patrolled and prevented **629** people (F=**154**) from illegal migration to Thailand and they were educated prior to being sent home.

Prevention

- Siem Reap, Banteay Meanchey, Prey Veng, Kampong Thom, Kampong Speu, Kratie, Preah Sihanouk, Svay Rieng and Kandal PC raised awareness on the Law on the Suppression of Human Trafficking and Sexual Exploitation, Domestic Violence and relevant laws to **44,229** villagers (F=**19,377**) and participated as a guest speaker in the radio call back program every Friday on crime prevention, prevention of human trafficking and sexual exploitation of women and children
- Kandal PCS in collaboration with DoSVY and Cambodian Women's Association for Peace and Development conducted parade campaign on the prevention of human trafficking in Ka-orm Samnor commune, Leuk Dek district and Sampov Loun commune and Koh Thom district with the participation of **870** participants.
- Phnom Penh collaborated with MoWA, AFESIP and SMF organized the National Anti-Human Trafficking Day, 12 December, by conducted media conference under the honor of the Minister for MoWA in the ministry, with **100** participants and organized the celebration under the honor of the **First Lady – Madam Bun Rany Hun Sen**, Chair of Red Cross Cambodia and Honorably Chair of the Promotion of Social Morality, Women and Family Values in the garden in front of Botum Vattey Temple, with approximately **6,000** participants.
- Banteay Meanchey PC in collaboration with Big C, Border Child Protection Network organized the Anti-Human Trafficking day, 12 December, in Malay district and with SEADO organized the same event in Serei Sorphorn district, involving a parade campaign along the border and in town with approximately **3,000** participants.
- Siem Reap PC in collaboration with CWCC organized the Anti-Human Trafficking Day, with the parade around the city with approximately **500** participants.

Victims Protection

- Victims' Intake and Rehabilitation:
 - MoSVY received **459** (children = **317**) at-risk and victims from Thailand, Vietnam, India, Indonesia and South Africa from the destination countries (supported and coordinated by IOM, UNIAP and some local NGOs)
 - The victims were referred to NGO/IO partners included: **238** to WNU/CPN, **11** to Friends, **6** to WHI, **42** to Afesip, **37** to HCC, **21** to CCPCR, **1** to Our Home, **2** to Hagar and **20** to MoSVY's PP Center.
 - The remaining was provided with healthcare, accommodation, education, economic support, vocational skill training, rehabilitation and reintegration to their community and family.
 - The Multi-Disciplinary Team of Phnom Penh Commanding Unit
 - conducted administrative monitoring, collected **310** sexual workers who solicited for clients in public spaces and referred to PPDOSVY for education,
 - monitored the labor recruitment agencies for worker abroad and withdrew **55** children and then referred **7** to CWCC, **22** to PPDOSVY and **26** to families.

Victims Protection

- Reintegration of Victims
 - MoSVY
 - Has continued to monitor **1,611** (F=**996**) victims and at-risk clients who have been reintegrated to their family and community in 21 municipality/provinces, in which **237** clients who were searching for families, **165** clients were provided with family assessment and **614** clients' cases were closed
 - Provided services to **1,611** victims/clients in the shelter including food, materials, finance, vocational skill training and job-placement
 - Monitor the remaining **595** victims/clients.

Victims Protection

- **Receiving Migrants from Foreign Authority:**
 - MoSVY received **196** repatriated clients (**children=127**) from authority in Thailand, Vietnam and Malaysia. The clients were referred to partner organizations and provided with shelter support including health services, education, economic support, vocational skill training, job placement and they were reintegrated to their family and community.
 - Banteay Meanchey, Svay Rieng and Koh Kong PDPC received **127,053** deportees (F=**38,572**; children under the age of 18 = **11,871**) from Thailand and Vietnam, totaling **24,736** deportees or equivalent to **21.47%** increase from 2009.
 - Deportees who were jailed for more than a month before being deported amounted to **14,552**

Law enforcement

- **Raid Operations:**
- Municipal/Provincial Police and Military Police:
 - investigated and cracked down on human trafficking and sexual exploitation in **160** cases, detained **242** suspects (F=**79**), a reduction of **5** cases from 2009 (165 cases in 2009) but an increase of **11** suspects, which comprised of **19** foreign suspects (**4** British, **4** Americans, **2** Japanese, **2** Australians, **1** African, **1** Danish, **1** Chinese, **1** Norwegian, **1** Dutch, **1** Laotian and **1** Swiss) and rescued **686** victims.
 - There were three categories of victims: **88** victims under the age of 15, **109** victims between the age of 15 and 18 and **489** victims aged over 18. Among **686** victims, **301** were referred to PP-DoSVY, **24** to NGOs and **361** to families.
 - Monitored the irregularity of **6** companies in relation to **6** cases, which led to apprehending **8** suspects and rescuing **55** under-aged migrants from unlawful removal for cross-border transfer.

Judicial Related Work

- PP Municipal and Provincial Courts of First Instances (MPCFI) implemented the Law on the Suppression of Human Trafficking and Sexual Exploitation by prosecuting **163** human trafficking's related cases involving **249** suspects, an increase of **66** cases and **103** suspects or **68.04%** from 2009 (**97** cases and **103** suspects in 2009).

International Cooperation

- Participated in the summit, international and regional meetings (Vietnam, Thailand, Philippines, USA, Myanmar, Malaysia,...)
- Training in Vietnam, Thailand, USA, Canada, Australia
- Signed on the bilateral and multilateral MOU in the Greater Mekong Sub-Region and encouraged its implementation
- Cooperated to send victims and perpetrators with Vietnam, Thailand, Malaysia, USA, Canada, England, Australia, India,
- Met and exchanged ideas with delegates from China, Vietnam, Japan, Bangladesh, Canada,...

Child Affairs

- The NCS S.T.S.L.S's Child Affairs WG in collaboration with **7** organizations namely WV, ILO, UNIAP, UNICEF, TAF, Save the Children and Child Fund Cambodia organized a National and Regional Children-Youth Mekong Forum in Bangkok, Thailand
- CNCC organized a national forum on Consultation on Draft Report in Implementing the Optional Protocol to the Convention on the Rights of the Child (CRC) of the Involvement of Children in Armed Conflict and Child Trafficking, Child Prostitution and Child Pornography
- MoLVT in collaboration with Winrock International and ILO/IPEC consulted with Child Labor and Other Forms of Exploitation Sub-Commission on cooperation and information sharing and
 - Withdrawn **8,471** (boys = **4,925**, girls = **3,546**) worst form of child labor from agricultural sector for education, vocational skill training and reintegration.
 - Had **3** meetings with ILO to understand the gap and needs to fulfill the policy, legislation and inspection to eliminate the worst forms of child labor.

Child Affairs

- Ministry of Tourism:
 - Had meeting with Aide De Tour to discuss the request for MOU extension in the new programs “stop child sex tourism” to another 3 years (2010 to 2014)
 - Participated in the meetings with other relevant institutions on revising the 5 year NPA to fight against human trafficking and sexual exploitation. Also, MoT provided comments on the children situations in Cambodia in 2009-2010 and the establishment of CNCC’s new logo as well as commented on the draft report on the Optional Protocol to the Convention on the Rights of the Children (CRC) of the Involvement of Children in Armed Conflict and Child Trafficking, Child Prostitution and Child Pornography

Lesson Learned

- Combating human trafficking in Cambodia is the commitment of the Royal Government of Cambodia
- Cambodia undertook and implemented all relevant laws and created law on suppression of human trafficking and sexual exploitation, criminal code procedure and penal code, in which these laws are strong legal instruments for law enforcements
- The national mechanism called NC S.T.S.L.S, a coordinating body for all multi-sectorial efforts under the comprehensive strategy
- Participated and received good cooperation from ministries, institutions and relevant organization within government, national and sub-national level and from national and international civil society and UN agencies
- The more of suppression and prosecution, the better they get which is contributed to the effective prevention

Lesson Learned

- The procedure to protect victims through rehabilitation shelter, reintegration and repatriation by focusing more attentively on the trafficked children, women and men helped to better prosecution
- The 6 WGs implemented the comprehensive strategy and multi-sectorial force to build capacity and sensitize the active participants from officials at national and sub-national levels, in ensuring their timely and effective response to human trafficking.
- Moreover, the RGC's "**Village and Commune Safety**" policy which has been executed by MoI has acted as a mobilizing force encouraging all institutions, organizations, civil society, political parties and all specialized authorities to unite and create a powerful safety net to protect citizens from vulnerability and create a safe, sustainable, secured, disciplined and developed society.

Next Steps

- Approve National Plan of Action to combat human trafficking 2011-2014
- Strengthen and expand the prevention work
- Promote the victims protection, victim identification, the minimum standards and strengthen cooperation in repatriation
- Find strategy to manage migration flow and promote safe migration
- Encourage investigation, suppression and prosecution
- Strengthen cooperation with relevant country bilaterally and multilaterally and there is a need to include the participation from the members of AIPA to monitor, review and encourage effectively implementation of all international convention and agreement between relevant countries in order to promote the rights and interests of migrant workers.

Thank you.

