



MINISTRY OF TOURISM



C.N.C.C.

World Vision

"Children's work, Adult's play"

Child Sex Tourism a Problem in Cambodia



THE VICTIM

The girl in this
Cambodian brothel
is just eight years
old. The unidentified
man was a regular
customer of hers

Ministry of Tourism, CNCC, and World Vision-Cambodia

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EXECUTIVE SUMMARY

BY GROUP

I. Children

There were 68 children interviewed in total.

- 91.30% of the children identified that they disliked sex tourism.
- 95.74% identified that they want to take action against sex tourism.
- 85.71% of children stated that they did not want sex tourism to be taken place in Cambodia.
- 70.59% identified that they have been involved in sexual relation with tourists.

Even though most of the children do not like sexual exploitation, many of them are in need to find money to improve their daily living conditions, according to two of the questions. I.e. "What is your purpose of contact with tourism?" and "Why do you work as sex workers?"

96% of those children identified that they need money while 4% stated that they need to sell groceries and handicraft products to tourists.

II. Tourism Ministry

There were 28 responses of the Tourism Ministry in total.

- 73.50% identified that the Ministry of Tourism, together with relevant governmental institutes, should develop education materials on CRC/Laws and SEC issues for the use of the staff of relevant ministries and local groups
- 57.14% identified that they have never received training on laws, child rights, CST/SEC issues, and official tourism management
- 78.57% expressed that some of them have seen some tour guides supply girls for their tourists

- 60.71% identified that they have no intention to be involved in action against child sex tourism actions in Cambodia because they do not know enough about it.
- 96.43% expressed that they needs assistance in the area of resources for knowledge and capacity building to develop promotion and prevention of child sexual exploitation and sex tourism.
- 43% correctly identified that a child is legally anyone below 18 years old.
- 57% believed that a child of 14-17 years old is legally mature.

Note:

The answer of tourism staff identified the cultural and traditional concepts of childhood. Refer page 4 definition of a child.

III. Travel Agent /Tour Operator

There were 22 responses from tour operators in total.

- 81.82% identified that they want to joint the prevention program against sex tourism
- 73.50% identified that they propose that the Ministry of Tourism (MOT) and other relevant governmental institutes should organize training courses/exchanges of knowledge on laws and child issues among local groups in each target tourist areas
- 25.01% identified that they proposed that the Ministry of Tourism (MOT) should produce educational materials against CST, with other relevant government and non-government organizations.
- 61.60% identified that there are no procedures or regulations warning their clients who are involved with sexual relation with children (extracted from MOT in Attitude Column).

IV. Members of General Public

There were 20 members of the general public interviewed in total.

- 95% identified that they want to combat and eliminate child sex tourism and the sexual exploitation of children.
- 80% identified that the activities of young girls with tourists provides a bad attitude to other families that have daughters.
- 63.16% expressed that sex tourism will increase the spread of HIV/AIDS in Cambodia.

- 55% said that they want the Government, especially the Tourism Ministry and CNCC, to make strong laws against child sex tourism and the sexual exploitation of children.

V. Owners of the tourism facilities (Hotel /guesthouses)

There were 32 responses from owners of Guesthouse and Hotels in total.

- 96% identified that they are interested in assisting the Ministry Of Tourism (MOT) and the Cambodian National Council for Children (CNCC) by using educational materials warning of child sex tourism and the sexual exploitation of children.
- 50% identified that MOT should make laws and regulations to condemn those who are involved with child sex tourism and the sexual exploitation of children; and to raise awareness on the preventive processes.

VI. Taxi and Motor Drivers

There were 26 motor and taxi drivers interviewed in total (12 taxi drivers and 14 motor drivers)

- 94% identified that they disliked sex tourism
- 53.85% want to combat child sex tourism and sexual exploitation of children. They propose that relevant GO Institutes implement the laws for prevention and the protection of children.
- 76.92% identified that sex tourism is one of the main factors that effects the reputation and cultural values of young women (aged from 15 to 18 years old).

VII. Non-Governmental Organizations

There were 8 responses of non-governmental organizations.

- 36.67% identified that most of brothel owners have been supported by some high ranking officers.
- 21.67% are concerned about low cooperation between government and non-governmental organizations.
- 100% want to cooperate with the 5Y Plan and to combat Child Sex Tourism (CST) and the Sexual Exploitation of Children (SEC), while 18.34% expressed concerns about the lack of specific networks to report through about incidents of SEC to local authorities, in order for them to take intervention.

- 56.67% expressed the need for awareness raising in tourists places/areas and media centers, and to develop posters/leaflets while 36.66% identified the need for the strengthening of the implementation of existing laws and crime monitoring systems.
- 43.32% recommended the Ministry of Tourism organize training/distribution of information on Child Sex Tourism/the Sexual Exploitation of Children, and the appropriate laws involved, among it staff, tour operators, and the general public; and to inform their tourists who visited Cambodia.
- 50% identified that the potential groups that could assist in preventing CST/SEC are: local authorities, the police forces, Military Police, the court, the Women's Affairs Department, the Social Action Departments, and politicians.

VIII. Government

There were 14 responses from officers of the governmental ministerial departments in total. They are from Social Affairs, Women's Affairs, and Police Commissary.

- 26.24% expressed that the main barriers to the prevention and protection of children is that some exploitative issues are supported by senior governmental high ranking officers
- 19.93% identified that the 5 Years Plan of the Cambodian National Council for Children (CNCC) has not been accepted by the government. (It was ratified by the Royal Cambodian Government in April 2000).
- 40.04% of the officers identified that the Tourism Ministry should develop posters on "No sex with Children", and that it should cooperate with NGOs in an awareness campaign.
- 100% identified that they want to cooperate with the CNCC's 5 Year Plan against the trafficking and sexual exploitation of children.
- 64.28% identified that the Tourism Ministry should conduct awareness raising on CRC, laws, and SEC/CST issues at tourism resorts/areas, and use these materials through the media.
- 53.56% expressed that Tourism Ministry should organize the training of trainers (TOT) about knowledge of child issues and laws so that their staff could transfer their knowledge to other staff of governmental institutes.
- 51.18% identified that the Tourism Ministry should conduct awareness raising on children's rights, laws on the suppression of the kidnapping and trafficking of human persons for exploitation, and Sexual Exploitation of Children issues among general public by cooperation with relevant NGOs and Governmental Institutes.

OVERALL CONCLUSION

The number of tourists to Cambodia has increased dramatically since 1997. Child sex tourism and the sexual exploitation of children will also increase in the 3 main tourist areas of Cambodia. There are many entertainment services and places which cater for this market. Bars, Karaoke bars, night clubs, restaurants, hotels and guesthouses (from cheap to luxurious), nude dancing, pornographic magazines, etc.

Sex tourists, procurers, pimps, and trafficker/deceivers are demanding young girls and children from districts, rural areas, provincial and municipal areas in order to exchange them as commodities for profit. These criminal acts also destroy the marvelous cultural concepts of Cambodia as well as the children's values and rights of survival, development, and participation. Traffickers use various methods to trick and abuse the ignorant villagers at remote communes in order to lure/traffick their daughters/children for sexual exploitation. Sometime these perpetrators have pretended to adopt children, to get married to the children, or to take children for a walk: and then sell them in to prostitution.

Increased sex tourism, has resulted in more demand for children used as entertainment commodities. Children receive little income and are a great risk of HIV/AIDS and STDS. They lose values, rights, and future. They risk rejection from family as people who damage their family's reputation. These concerns were expressed to researchers. Concern was also expressed about the role of the pimp in tricking children and attracting clients.

Factors contributing to the involvement of children in tourist linked sexual exploitation include:

- Poverty and ignorance common in communities and families of children involved in prostitution.
- High number of unemployed people in a child's family (low capacities, and or gambling, etc.)
- Dependence of the family on the child's income (assign the children to be vendors, employees, etc.)
- A partisan attitudes among the powerful or rich which is seen in impunity from investigation or prosecution (corruption, and bribery, etc.)
- Flourishing of pornographic facilities through magazines, Karaoke, and the Internet.
- Low awareness of existing mechanisms for child protection from local authorities on their link to this type of exploitation.

Some of the significant gaps in the prevention and protection of children from sexual exploitation are identified as follows;

- Limited networking on child protection between relevant governmental ministerial departments.
- Lack of financial and human resources to develop target strategic policies/mechanisms against child sex tourism and the sexual exploitation of children.
- Many high ranking officers involved in child sex tourism and the sexual exploitation of children; and the support of the activities of the traffickers.
- Low implementation of existing laws (many officers have a low understanding of relevant laws)
- Low priority by some NGOs in lobbying for the protection needs of sexually exploited children;

More over, the research has identified that the increasing of sexual exploitation of children has also been affected by the following factors:

- Some tour guides seeking to provide children for tourists.
- Some tourists taking young girls and children to take pornographic pictures in historical temples and paying them a high price.
- Ministry of Tourism has no specific regulation and strategic plan against sex tourists.
- Many owners of tourism facilities do not have any prohibition for their clients to have/operate sexual relation with children at their places.
- Lack of educational mechanisms/materials against child sex tourism; etc.

The sexual exploitation of children is a clear violation of Cambodia's, constitution, laws and the CRC. Studies have demonstrated that sexually exploited children may grow into adults who continue to be exploited or become offenders themselves. Secondary data has stressed that sexual abuse, violence and the exploitation of children and child sex tourism are not problems that can be taken in isolation. They cut across many other issues such as socio economic stability, the emergence of civil society, good governance, juvenile justice, gender, race and minority discrimination, and health considerations such as the HIV/AIDS epidemic. These wider concerns need to be taken in to account with long term strategy development. In the short term however, there are clear areas that can be addressed through regulatory and monitoring measures. Government industry and NGO can contribute to this process in both the immediate and long term interests of children

OVERALL RECOMMENDATIONS

The Royal Government of Cambodia has a legal and moral obligation to children who are being or at risk of exploitation. Specific arms of the Government to increase their efforts are ministerial departments/offices of the Ministry of Tourism, the Ministry of Women's Affairs and Veteran Affairs, the Ministry of Interior, and the Ministry of Social Action, Labor, Vocational Skill Training, and Youth Rehabilitation. The following specific recommendations are made for the consideration of the Cambodian National Council for Children, Ministry of Tourism unless otherwise stated. Other actors that can take action are Embassies, NGOs, communities and children themselves.

Prevention

- Involve owners of tourist facilities through jointly planned training sessions to raise awareness on Sexual Exploitation of Children (SEC) issues:
- Develop and design educational materials to use in tourist areas and tourist facilities such as posters, leaflets, and brochures. This should use different languages of main tourist grouping to highlight the criminal nature of the activity:
- Strengthen the existing child rights networks:
- Develop specific training workshops among the travel agents and tourism facilities (including tour guides) on ways to include child-wise tourism practice in their roles.
- The Ministry of Tourism actively links with NGOs to implement regular workshops for the Tourism Industry Department personnel on their role in combating sexual exploitation of children so that they are able to continue to transfer their knowledge to other colleagues.
- That the Ministry of Tourism and the Immigration Department of the Ministry of Interior place appropriate information to warn of consequences of sexual exploitation of children at all entry points into the Cambodia.
- NGOs partner with children to promote opportunities for children's networks to speak out on exploitation.
- NGOs explore opportunities with the tourist business and industry groups to identify positive training or employment opportunities that increase options for children in locations where tourism is a significant economic presence.
- Local Tourist Associations commit themselves to child safe tourism and promote a code of conduct among members.

- International tourist networks such as PATA (Pacific Asia Tourist Association) and World Tourism Organization promote observance of the tourism bill of rights and tourist code among local and international tour operators linked to Cambodia.

Protection

- The Ministry of Women's Affairs (MWA) and the Ministry of Social Action (MSA) and NGOs pursue child protection issue which require investigation and prosecution by Cambodia's law enforcers.
- The Ministry of Tourism strengthens its link with law enforcement agencies including Labor Inspectors and the judiciary.
- The Tourism Ministry and Royal Government of Cambodia to review the stated position of Foreign Embassies with regard to their provision for prosecution of their foreign nationals who engage in the sexual exploitation of children while in Cambodia.
- Foreign Embassies in Cambodia review child protection measures of their country, which address (a) crimes against children by their nationals in another country, (b) travel of known sex offenders to Cambodia. Signatories of the Convention on the Rights of the Child have made a commitment to act in the best interest of children within their capacity. Child protection commitments extended beyond national boundaries.
- NGOs and other actors use existing information of children at risk of sexual exploitation by tourists to initiate targeted income generation activities as a protection as well as prevention measure.
- NGOs work with other actors to promote HIV awareness among children at risk of sexual exploitation in the 3 locations surveyed.
- NGOs working with children in locations link the issue of sexual exploitation by tourists to broader campaigns on gender and girl child issues.
- Tourism networks such as PATA and WTO advise international tour operators not use facilities which have been linked sexual exploitation of children.
- Tourist facility owners or staff report suspicious activities involving tourists with children to local authorities and child protection agencies.

Monitoring

- The Ministry of Tourism link with local authorities to check the registration of hotels and guesthouses about their legal approval to operate;
- The Ministry of Tourism and local authorities liaise with Embassies and Interpol in securing background checks on foreigners establishing guesthouses and tourist operations in Cambodia. *(Note: some guesthouses have been set up by foreigners with outstanding warrants against them for sexual abuse of children in their own countries. Others have been linked to paedophile activity in other countries)*
- Cross functional committees are formed in the three areas surveyed, selected from the police force, women affairs, social affairs, the tourism office, and human right organizations to monitor local trends and take action;
- The Ministry of Tourism to take steps to monitor business activities of tourist facilities in line with the proposed sub-degree No. 26 of RGC.
(This sub-decree will provide the guideline for business activities that are relevant to good business practices. Also, it focuses on the specific roles and responsibilities of each ministry for avoiding duplicate activities.)
- NGOs monitor the prevalence of tourist linked sexual exploitation of children and mobilize action on specific cases.
- NGOs coordinate to monitor change quarterly in the 3 locations and report trends to government, industry, embassies, and regional forums on child labor and sexual exploitation.
- Tourism Networks such as PATA and WTO include information from NGO monitoring reports in liaison with the Cambodian Government

CHAPTER V

CONCLUSION

AND

RECOMMENDATIONS

5.1. OVERAL CONCLUSION

The number of tourists to Cambodia has increased dramatically since 1997. This research would suggest that with further growth predicted the sexual exploitation of children will also increase in the 3 main tourism areas of Cambodia. There are many entertainment services which cater for this market. Bars, Karaoke clubs, night clubs, restaurants, hotels and guesthouses from cheap to luxurious, nude dancing, pornographic materials and more.

Sex tourists, procurers, pimps, and trafficker are demanding young girls and children from districts, rural areas, and provincial and municipal areas to use them as commodities for profit. These criminal acts are against children's rights of survival, development, protection and participation. Further this offensive exploitation is at odds with the marvelous cultural heritage of Cambodia. Trafficker's use of various methods to trick and abuse the ignorant villagers at remote communes in order to lure their daughters/children for sexual exploitation. Sometimes pimps have pretended to adopt children, to get married to the children, to take children for a walk, etc.; and then they sell them in to prostitution.

Children who are held by a pimp receive little income and are a great risk of HIV/AIDS and STDS. They lose values, rights, and their future. Children who supplement their income by providing casual sex to tourists can be seen as damaging their family's reputation and risk rejection from community members.

Contributing factors to the increasing number of children involved in meeting a demand from sex tourists include:

- Poverty and ignorance, which is common in communities and families of children involved prostitution
- The increase of dependents in families of the children (low capacities, gambling, etc.)
- Low income of families (assign the children to be vendors, employees, etc.)
- High partisan attitudes of authorities (corruption, and bribery, etc.)
- The flourishing of pornographic facilities through magazines, video, Karaoke, and Internet
- Some tour guides seek out and bring children for tourists;
- Some tourists contact young girls and children to take the pornographic pictures in historical temples and pay them high price;

Significant gaps in the prevention and protection of children from sexual exploitation include:

- Limited networking on child protection issues between relevant government ministry departments.
- Lack of financial and human resources to develop target strategic policies/mechanisms to take action on tourism linked sexual exploitation of children.
- Many high ranking officers were identified as being involved in child sex tourism and the sexual exploitation of children; They were seen to support the traffickers.
- Low implementation of existing laws (many officers have a low understanding of relevant laws).
- Lack of action from some NGOs in collecting information and lobbying for the protection needs of sexually exploited children.
- The Ministry of Tourism does not have any specific regulations or strategic plan against sex tourists;
- Many owners of the tourist facilities do not have any prohibition for their clients to have sexual relations with children at their places;
- Lack of educational mechanisms/materials against child sex tourism; etc.

The sexual exploitation of children is a clear violation of Cambodia's, constitution, laws and the CRC. Studies have demonstrated that sexually exploited children may grow into adults who continue to be exploited or become offenders themselves. Secondary data has stressed that sexual abuse, violence and the exploitation of children and child sex tourism are not problems that can be taken in isolation. They cut across many other issues such as socio economic stability, the emergence of civil society, good governance, juvenile justice, gender, race and minority discrimination, and health considerations such as the HIV/AIDS epidemic. These wider concerns need to be taken in to account with long term strategy development. In the short term however, there are clear areas that can be addressed through regulatory and monitoring measures. Government industry and NGO can contribute to this process in both the immediate and long term interests of children

5.2. RECOMMENDATIONS

The following are location specific recommendations that have been selected from target interviews in the 3 main tourist areas throughout the study: They are in addition to the general recommendations.

5.2.1. Phnom Penh

- The Ministry of Tourism organize training courses on the CRC and on child sex tourism (CST/SEC). Further training should also be provided for the staff of the Tourism Ministry, owners and staff of tourism facilities, travel agencies, and tour guides;
- The Ministry of Tourism design and produce educational materials such as posters, leaflets and brochures against the sexual exploitation of children and child sex tourism (CST/SEC); these should be wide-distributed among the target groups in the capital;
- The Ministry of Tourism create TV spots that speak out against the sexual exploitation of children and child sex tourism (CST/SEC). These spots could be used by bus companies, tourist facilities (Hotel/Guesthouses), Karaoke / massage bars, Discotheques, and other dancing clubs, and through media centers;
- The existing Inter-Ministerial Committee on Child Labor extend its role and membership to monitor and prevent the sexual exploitation of children and the child sex tourism that are taking place in The Kingdom of Cambodia;

5.2.2. Sihanouk Ville

The following action are recommended as methods to work against the commercial sexual exploitation of children and child sex tourism:

- Education materials with simple messages and easy to understand warnings regarding sex tourism should be produced by the MOT together with CNCC and other stakeholders.
- Departments of the MOT, Police Municipality, Child Labor/welfare and relevant NGOs produce short spots of Video warning of child sex tourism. These should be displayed through TV and by travel companies on the buses, at the stations, etc.
- Every local government office develop a policy on prevention of child sex tourism and the commercial sexual exploitation of children.
- The MOT, the sub-committee of the CNCC at provincial departmental level, the child labor/welfare office of MSA and MWA, including the police and NGOs set up a monitoring system on suspicious tourist behavior with children.
- The MOT monitoring team should include police at tourist resorts and the personnel of the tourist offices at the resorts, at the seaside and in other tourist area.
- The MOT monitoring team should refer to the articles of law that applies to sexual exploitation of children. This should consider;
 - Limiting the age of being able to enter into prostitution
 - Making identity cards for all sex workers
 - The regulation and taxation of prostitution
 - Limiting age and duration of imprisonment for those whom violate the law
 - Strongly condemning those who do not implement the officially approved laws

5.2.3. Siemreap

- Respondents in Siem Reap recommended that a center for street children involved in substance abuse be established so children have an opportunity to receive basic education order to leave prostitution.
- The MOT and other actors use creative opportunities to provide awareness raising amongst tourists on the problem of child sexual exploitation and AIDS. One opportunity is the use of traditional dancing teams that entertain the national and foreigner tourists at different areas.

- MOT, MSALVY labour inspectors, and CNCC pay attention to the problem of young girls being employed in at risk occupations such as servants for laundry, cooking, and housework at brothels.
- The MOT, CNCC, and Police Criminal Department promote understanding on trafficking law, CRC, and child rights issues among tourist facilities and governmental institutes/offices through workshop and or meeting;
- The Ministry of Women's Affairs, the Ministry of Social Affairs, and NGOs increase prevention initiatives in communities near centers of tourism. This needs to respond to socio-economic push factors as well as awareness raising.

According to the study, there are many owners of tourism facilities who support the promotion of Cambodian Culture and want to counter the commercial sexual exploitation of children. They will participate to prevent child exploitation by complying with any regulations from government offices or institutes. This willingness needs to be acted on in the ways stated. It will require monitoring from the Ministry of Tourism and other agencies.

5.3. OVERALL RECOMMENDATIONS

The Royal Government of Cambodia has a legal and moral obligation to children who are being or at risk of exploitation. Specific arms of the Government to increase their efforts are ministerial departments/offices of the Ministry of Tourism, the Ministry of Women's Affairs and Veteran Affairs, the Ministry of Interior, and the Ministry of Social Action, Labor, Vocational Skill Training, and Youth Rehabilitation. The following specific recommendations are made for the consideration of the Cambodian National Council for Children. Ministry of Tourism unless otherwise stated. Other actors that can take action are Embassies NGOs, communities and children themselves.

5.3.1. Prevention

- Involve owners of tourist facilities through jointly planned training sessions to raise awareness on Sexual Exploitation of Children/CRC issues;
- Develop and design educational materials to use in tourist areas and tourist facilities such as posters, leaflets, and brochures. This should use different languages of main tourist grouping to highlight the criminal nature of the activity;
- Strengthen the existing child rights networks;
- Develop specific training workshops among the travel agents and tourism facilities (including tour guides) on ways to include child-wise tourism practice in their roles.
- The Ministry of Tourism actively links with NGOs to implement regular workshops for the Tourism Industry Department personnel on their role in combating sexual exploitation of children so that they are able to continue to transfer their knowledge to other colleagues.
- That the Ministry of Tourism and the Immigration Department of the Ministry of Interior place appropriate information to warn of consequences of sexual exploitation of children at all entry points into the Cambodia.
- NGOs partner with children to promote opportunities for children's networks to speak out on exploitation.
- NGOs explore opportunities with the tourist business and industry groups to identify positive training or employment opportunities that increase options for children in locations where tourism is a significant economic presence.
- Local Tourist Associations commit themselves to child safe tourism and promote a code of conduct among members.
- International tourist networks such as PATA (Pacific Asia Tourist Association) and World Tourism Organization promote observance of the tourism bill of rights and tourist code among local and international tour operators linked to Cambodia.

5.3.2. Protection

- The Ministry of Women's Affairs (MWA) and the Ministry of Social Action (MSA) and NGOs pursue child protection issue which require investigation and prosecution by Cambodia's law enforcers.
- The Ministry of Tourism strengthens its link with law enforcement agencies including Labor Inspectors and the judiciary.
- The Tourism Ministry and Royal Government of Cambodia to review the stated position of Foreign Embassies with regard to their provision for prosecution of their foreign nationals who engage in the sexual exploitation of children while in Cambodia.
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- NGOs working with children in locations link the issue of sexual exploitation by tourists to broader campaigns on gender and girl child issues.
- Tourism networks such as PATA and WTO advise international tour operators not use facilities which have been linked sexual exploitation off children.
- Tourist facility owners or staff report suspicious activities involving tourists with children to local authorities and child protection agencies.

5.3.3. Monitoring

- The Ministry of Tourism link with local authorities to check the registration of hotels and guesthouses about their legal approval to operate;
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Appendix II

World Congress

Declaration

1. We, gather in Stockholm for the World Congress against Commercial Sexual Exploitation of Children, representing the Government of 130 countries, together with non-governmental organizations, ECPAT Campaign, UNICEF and other agencies within the family of the United Nations, and other concerned organizations and individuals worldwide, hereby commit ourselves to a global partnership against the commercial sexual exploitation of children.

The Challenge

2. Everyday more and more children around the world are subjected to sexual exploitation and sexual abuse. Concerted action is needed at the local, national, regional and international levels to bring an end to the phenomena.
3. Every child is entitled to full protection from all forms of sexual exploitation and sexual abuse. This is reaffirmed by the Convention on the Rights of the Child, an international legal instrument of universal significance (of which there are ... States Parties). State is required to protect the children from sexual exploitation and sexual abuse and promote physical and psychological recovery and social reintegration of the child victim.
4. According to the Convention on the Right of the Child, the best interests of the child shall be a primary consideration in all actions concerning children, and their rights are to be enjoyed without discrimination of any kind. In all matters affecting the child, the views of the child should be given due weight, in accordance with the age and maturity of the child.
5. The commercial sexual exploitation of children is a fundamental violation of children's rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labor and a contemporary form of slavery.
6. Poverty cannot be used as a justification for the commercial sexual exploitation of children, even though it contributes to an environment, which may lead to such exploitation. A range of other complex contributing factors include economic disparities, inequitable socio-economic structures, dysfunctioning families, lack of education, growing consumerism, urban-rural migration, gender discrimination, irresponsible male sexual behavior, harmful traditional practices, armed conflicts and trafficking of children. All these factors exacerbate the vulnerability of girls and boys to those who would seek to procure them for commercial sexual exploitation.
7. Criminals and criminal networks take part in procuring and channeling vulnerable children toward commercial sexual exploitation and in perpetuating such exploitation. These criminal elements service the demand in the sex market created by customers, mainly men, who seek unlawful sexual gratification with children. Corruption and collusion, absence of/or inadequate laws, lax law enforcement, and limited sensitization of law enforcement personnel to the harmful impact on children, are all further factors, which lead, directly or indirectly, to the commercial sexual exploitation of children.

8. A wide range of individual and groups at all levels of society contribute to the exploitative practice. This includes intermediaries, family members, the business sector, service providers, customers, community leaders and government officials, all of whom may contribute to the exploitation through indifference, ignorance of the harmful consequences suffered by children, or the perpetuation of attitudes and values that view children as economic commodities.
9. The commercial sexual exploitation of children can result in serious, life-long, even life threatening consequences for the physical, psychological, spiritual, moral and social development of children, including the threat of early pregnancy, maternal mortality, injury, retarded development, physical disabilities and sexually transmitted diseases, including HIV/AIDS. Their right to enjoy childhood and to lead a productive, rewarding and dignified life is seriously compromised.
10. While laws, policies and programs exist to counter the commercial sexual exploitation of children, greater political will, more effective implementation measures, and adequate allocation of resources are needed to give effect to the spirit and letter of these laws, policies and programs.
11. The primary task of combating the commercial sexual exploitation of children rests with the State and Families. The civil society also has an essential role to play in preventing and protecting children from commercial sexual exploitation. *It is imperative to build a strong partnership between Governments, international organizations and all sectors of society to counter such exploitation.*

The Commitment

The world Congress reiterates its commitment to the rights of the child, bearing in mind the Convention on the Rights of the Child, and calls upon all states in cooperation with national and international organizations and civil society to:

- *Accord* high priority to action against the commercial sexual exploitation of children and allocate adequate resources for this purpose;
- *Promote* stronger cooperation between States and all sectors of society to prevent children from entering the sex trade and to strengthen the role of families in protecting children against commercial sexual exploitation (CSE);
- *Criminalize* the CSEC, as well as other forms of CSEC, and condemn and penalize all those offenders involved, whether local or foreign, while ensuring that the child victims of this practice are not penalized;
- *Review and Revise*, where appropriate, laws, policies, programs and practices to eliminate the sexual exploitation of children;
- *Enforce* laws, policies and programs to protect children from CSE and strengthen communication and cooperation between law enforcement authorities;
- *Promote* adoption, implementation and dissemination of laws, policies, and programs supported by relevant regional, national and local mechanism against the CSEC;

- *Develop and Implement* comprehensive gender-sensitive plans and programs to prevent the CSEC, to protect and assist the child victims and to facilitate their recovery and reintegration into society;
- *Create* a climate through education, social mobilization, and development activities to ensure that parents and others are able to fulfill their rights, duties and responsibilities to protect children from CSE;
- *Mobilize* political and other partners, national and international communities, including intergovernmental organizations and non-governmental organizations, to assist countries in eliminating the CSEC; and
- *Enhance* the role of popular participation, including that of children, in preventing and eliminating the sexual exploitation of children.

Agenda for Action

The Agenda for Action aims to highlight existing international commitments, to identify priorities for action and to assist in the implementation of relevant international instruments. It calls for action from States, all sectors of society, and national, regional, and international organizations, against the commercial sexual exploitation of children.

1. Coordination and Cooperation

i. Local/National levels

ii. Regional/International levels

2. Prevention

- a. provide children with access to education as a means of improving their status and make primary education compulsory and available free to all;
- b. improve access and provide relevant health services, education, training, recreation and a supportive environment to families and children vulnerable to commercial sexual exploitation and a supportive environment to families and children vulnerable to commercial sexual exploitation, including those who are displaced, homeless, refugees, stateless, unregistered, in detention and/or in state institutions;
- c. maximize education on child rights and incorporate, where appropriate, the Convention on the Rights of the Child into formal and non-formal education for all communities, families and children;
- d. initiate gender-sensitive communication, media and information campaigns to raise awareness and educate government personnel and other members of the public about child rights and the illegality and harmful impact of the commercial sexual exploitation of children, and promote responsible sexual attitudes and behavior in society, in keeping with the child's development, sense of dignity and self-esteem;
- e. promote child rights in family education and family development assistance, including and understanding that both parents are equally responsible for their children, with special intervention to prevent sexual violence against children;
- f. identify or establish peer education programmes and monitoring networks to counter the Commercial Sexual Exploitation of Children;

- g. formulate or strengthen and implement gender-sensitive national social and economic policies and programmes to assist children vulnerable to commercial sexual exploitation, families and communities in *resisting/resting* acts that lead to the CSEC, with special attention for family abuse, harmful traditional practices and their impact on girls, and to promoting the value of children as human beings rather than commodities; and reduce poverty by promoting gainful employment, income generation and other supports;
- h. develop or strengthen, implement and publicize relevant laws, policies and programs, to prevent the CSEC, bearing in mind the Convention on the Right of the Child;
- i. review laws, policies, programs and practices, which lead to or facilitate the CSEC and adopt effective reforms.
- j. *mobilize the business sector, including the tourism industry, against the use of its networks and establishments for the commercial sexual exploitation of children;*
- k. encourage media professionals to develop strategies which strengthen the role of the media in providing information of the highest quality, reliability and ethical standards concerning all aspects of commercial sexual exploitation of children; and
- l. target those involved with commercial sexual exploitation of children with information, education and outreach campaigns and programs to promote behavioral change to counter the practice.

3. Protection

- a. develop or strengthen and implement laws, policies and programs to protect children and to prohibit the CSEC, bearing in mind that the different types of perpetrators and ages and circumstances of victims require differing legal and programmatic responses;
- b. develop or strengthen and implement national laws to establish the criminal responsibility of service providers, customers and intermediaries in child prostitution, child trafficking, child pornography, including possession of child pornography, and other unlawful sexual activity;
- c. develop or strengthen and implement national laws, policies and programs that protect child victims of CSE from being penalized as criminals and ensure that they have full access to child-friendly personnel and support services in all sectors, and particularly in the legal, social and health fields;
- d. *in the case of sex tourism, develop or strengthen and implement laws to criminalise the acts of the nationals of the countries of origin when committed against children in the countries of destination ("extra-territorial criminal law"); promote extradition and other arrangements to ensure that a person who exploits a child for sexual purposes in another country (the destination country) is prosecuted either in the country of origin or the destination country; strengthen laws and law enforcement, including confiscation and seizure of assets and profits, and other sanctions, against those who commit sexual crimes against children in destination countries; and share relevant data; s*

- e. in the case of trafficking of children, develop and implement national laws policies and programs to protect children from being trafficked within or across borders and penalize the traffickers; in cross border situations, treat these children humanely under national immigration laws, and establish readmission agreements to ensure their safe return to their countries of origin accompanied by supportive services; and share relevant data;
- f. identify and strengthen or establish networks between national and international law enforcement authorities, including **Interpol**, and civil society to monitor against the CSEC; set up special units among law enforcement personnel, with adequate resources and child-friendly facilities, to counter the commercial sexual exploitation of children; appoint liaison officers aimed at guaranteeing child rights in police investigations and judicial procedures for the exchange of key information; and train all law enforcement personnel on child development and child rights, in particular the Convention on the Rights of the Child, other relevant human rights standards and national legislation;
- g. identify and encourage the establishment of national and international networks and coalitions among the civil society to protect children from commercial sexual exploitation; foster action and interaction among communities, families, non-governmental organizations, the business sector, including tourist agencies, the World Tourism Organization, employers and trade unions, computer and technology industry, the mass media, professional associations, and service providers to monitor and report cases to the authorities, and to adopt voluntary ethical codes of conduct; and
- h. create safe havens for children escaping from commercial sexual exploitation, and protect those who provide assistance to child victims of commercial sexual exploitation from intimidation and harassment.

4. Child Participation

- a) promote the participation of children, including child victims, young people, their families, peers and others who are potential helpers of children so that they are able to express their views and to take action to prevent and protect children from CSE and to assist child victims to be reintegrated into society; and
- b) identify or establish and support networks of children and young people as advocates of child rights, and include children, according to their evolving capacity, in developing and implementing government and other programs concerning them.
- c) The World Congress adopted this Declaration and Agenda for Action to assist in protecting child rights, particularly the implementation of the Convention on the Rights of the Child and other relevant instruments, to put an end to the commercial sexual exploitation of children worldwide.

Appendix IV

Cambodia: Statement by Heads of Delegation at The World Congress against Commercial Sexual Exploitation of Children, *(in briefly)*.

The 1995 Situation Report on Trafficking and Prostitution of Children in Cambodia that the Royal Government prepares with assistance from UNICEF denotes many factors that contribute to this problem:

1. The most basic relationship units of Cambodian society, the family, and the community were almost destroyed by our recent traumatic past. Death of, and separation from, parents and other significant adults reduced the number of caregivers available to nurture and protect our children.
2. Poverty has been a constant reality for the majority of our people, despite tremendous efforts to rebuild the country's economy and social structures. Dire poverty makes our people easy prey to unscrupulous individuals who deceive them into entrusting their children to these people's care in exchange for a few dollars or for a promise of a better future for their children.
3. The eradication of our educational system and the killing of the educated professionals who could mold the minds and guide our youths created a vacuum in our human resource development. The lack of competent teachers has resulted in high illiteracy rates especially in the countryside, while their deficient knowledge and skills of our public servants make the task of national rehabilitation even more painfully slow and frustrating. Ignorance feeds deceit: the gullibility of our illiterate people in the countryside makes them susceptible to false promises of traffickers of human persons.
4. In such an environment of fragmented family and community units, continuing poverty, and dearth of knowledgeable and skillful human resource, the impact of commercialism and media is dangerous. Opportunities for economic growth and humanitarian aid have been valuable for rehabilitation of our country. Unfortunately, economic growth has also led to availability of pornography, proliferation of pedophiles, sex worker trafficking networks, and an increase in commercial sex parlors, all of which corrupt moral values.

As a signatory to the Convention on the Rights of the Child and deeply committed to the protection of its youth, our Government's prime obligation is to take determined measures to ensure improved protection for the general well-being of our children, knowing that in so doing, we are investing in the general well-being of Cambodia as a nation.

Cambodia's current Constitution is fully cognizant of the Declaration of the CRC. As a further step, the National Assembly adopted the Legislation for the Suppression of the Kidnapping and Trafficking/Sale of Human Persons and Exploitation of human persons on January 16, 1996.

At present, the Royal Government is in the process of finalizing the creation of the Cambodian National Council for Children (CNCC), the mandate of which is to co-ordinate and monitor all programs relating to child welfare, nation-wide. *It is a policy of the RGC to maintain close cooperative and consultative relationship with non-governmental agencies (NGOs) that are working for the promotion of child welfare in data collection, preventative education activities and rehabilitation services.*

Finally, we would like to affirm that the RGC is pleased to **accepted the Declaration** of this World Congress and is committed to ensuring the implementation of the Action Plan through cooperation with all Governments and NGOs in our region and in the rest of the world.

Our Cambodian children are our future. We do not have any other alternative: we **must** protect and help them grow into healthy, happy and responsible citizens fully capable of rebuilding and propelling Cambodia towards regaining its rightful place among the family of free and progressive nations.

Thank you.

(Statement by H E Ms Mu Sothou, Advisor to the First Prime Minister on Women's Affairs, Cambodia)

Appendix VII

VISITOR TRAVELS TO CAMBODIA BY COUNTRY OF RESIDENCE FROM 1994-1999 (IN PERCENTAGE OF INCREMENT) BY AIR

COUNTRY OF RESIDENCE	Visitor Arrivals						Change 99/98
	1994	1995	1996	1997	1998	1999	
GRAND TOTAL	176.617	219.680	260.489	218.843	186.333	262.907	-41.10%
ASIA AND PACIFIC	114.014	156.678	178.015	150.205	107.421	137.054	27.59%
AUSTRALIA	6.962	6.634	7.508	7.237	6.777	9.417	39.75%
CHINA (PRC)	20.782	22.886	22.029	17.282	18.035	26.805	48.63%
HONG KONG, CHINA	-	1.656	2.070	1.785	2.596	2.128	-18.03%
INDIA	-	1.158	2.148	2.000	1.195	1.455	21.76%
INDONESIA	-	1.488	2.095	2.283	1.517	1.968	29.73%
JAPAN	12.827	21.629	33.039	25.362	13.386	17.885	33.61%
MALAYSIA	8.327	11.553	22.579	18.381	11.019	12.541	13.81%
MYANMAR	-	-	432	415	372	473	27.15%
NEWZEALAND	-	1.334	1.923	1.521	1.395	1.816	30.18%
PHILIPPINES	-	-	3.972	1.925	1.487	1.883	26.63%
SINGAPORE	6.843	9.155	14.045	13.536	9.123	10.634	16.56%
SOUTH KOREA	-	4.141	8.982	8.469	4.467	6.377	-42.76%
THAILAND	15.197	13.595	16.215	16.056	10.983	15.272	39.05%
TAIWAN(CHINESE TAIPEI)	10.218	22.422	35.329	28.116	18.239	20.607	12.98%
VIETNAM	1.336	834	2.911	2.838	3.044	5.217	71.39%
BRUNEI	-	-	387	306	115	88	-23.48%
LAOS	-	-	426	393	386	715	85.23%
SRILANKA	-	-	549	307	326	243	-25.46%
PAKISTAN	-	-	912	428	478	331	-30.75%
OTHERS	31.460	37.493	464	1.565	2.481	1.145	-53.85%
EUROPE	36.603	37.907	53.761	43.331	46.165	60.031	30.04%
BELGIUM	-	-	2.486	1.748	2.648	2.131	-19.52%
DENMARK	-	-	728	681	550	653	18.73%
FINLAND	-	-	195	171	327	426	30.28%
FRANCE	19.164	19.437	23.333	17.538	18.616	23.754	27.60%
GERMANY	2.731	3.499	5.488	4.604	4.199	6.490	54.56%
ITALY	1.244	1.810	2.968	1.870	2.116	3.384	59.92%
NETHERLANDS	-	-	2.652	1.239	1.274	1.779	39.64%
NORWAY	-	-	379	372	428	542	26.64%
SPAIN	-	-	872	337	788	1.173	48.86%
SWITZERLAND	2.008	1.832	2.970	2.194	1.789	2.346	31.13%
UNITED KINGDOM	5.642	5.809	9.306	9.193	11.156	13.843	24.09%
AUSTRIA	-	-	-	-	321	702	118.69
OTHERS'	5.814	5.520	2.384	3.384	1.953	2.808	43.78%
THE AMERICAS	4.000	21.538	27.812	24.561	21.773	66.233	66.41%
CANADA	3.824	3.692	5.143	3.716	3.298	5.415	64.19%
U.S.A	14.659	17.846	21.967	20.291	17.946	30.301	68.85%
OTHERS	5.517	-	702	554	529	517	-2.27%
Africa & Middle East	2.000	3.257	901	746	551	1.064	93.10%
Siemreap (Direct Flight)	-	-	-	-	10.423	28.525	173.63%

NUMBER OF VISITOR ARRIVALS TO CAMBODIA IN 1999
(MODE OF ARRIVALS)

MONTH	By Air		By Land and Boat		TOTAL
	PCT*	BKK-SRP*	PVH*	OTHERS*	
JANUARY	19.170	1.203	53.851	12.704	86.928
FEBRUARY	17.521	1.833	25.009	12.658	57.021
MARCH	21.043	1.439	21.077	8.338	51.987
APRIL	19.727	1.272	43.252	10.396	74.647
MAY	15.824	2.032	17.117	8.583	43.556
JUNE	17.339	1.548	7.171	8.758	34.816
JULY	20.639	2.171	14.779	9.650	47.239
AUGUST	20.899	2.876	11.471	-	35.246
SEPTEMBER	15.664	2.081	-	-	17.745
TOTAL	167.826	16.455	192.727	71.087	449.095

Note:

- BKK-SRP: Bangkok- Siemreap (by direct-flight)
- PCT: Pochentong International Airport
- PVH: Preah Vihear Temple (Preah Vihear province)
- Others: Included Bavet, Mekong river, Phnom Den, Cham Yeam and Piopet and We have made a remark 10% in the total amount of these check-points.

CONCLUSION

-TOTAL TOURIST ARRIVALS TO CAMBODIA IN THE FIRST NINE MONTHS (JAN-SEP), 1999 WAS: 184.281

- . HOLIDAY: 120.359 (65.3%)
- . BUSSINESS: 41826 (22.7%)
- . OTHER: 5.641 (3.1%)
- . INCLUDED BY DIRECT FLIGHT: 6455 (8.9%)

-THE LARGEST ARRIVALS TO CAMBODIA IN FIRST NINE MONTHS 1999 WAS U.S.A: 22.122 (13%)

-CHINA TOOK THE SECOND PLACE FOR HOLIDAY VISITOR WITH TOTAL ARRIVALS WAS: 19.769

(11.794 WAS HOLIDAY)

***THE MAIN MARKETS OF CAMBODIA IN THE FIRST NINE MONTHS, 1999 WAS:**

- . U.S.A: 22.122 (13%)
- . CHINA: 19.769 (12%)
- . FRANCE: 17.056 (10%)
- . TAIWAN: 15.238 (9%)
- . JSPAN: 12.344(4%)

TOTAL TOURISM DEPARTURES FROM CAMBODIA IN SEPTEMBER 1999 WAS 15,480 (NOT INCLUDE BY DIRECT FLIGHT SIEMREAP-BANGKOK)

Appendix IX

Cambodian National Council for Children (CNCC)

The 5 Years Plan against sexual exploitation of children of CNCC comprises four programs: Prevention, Protection, Recovery, and Reintegration, which correspond to the Agenda for Action against Commercial Sexual Exploitation of Children adopted in Stockholm. It also emphasizes child participation.

In relation with Child Rights Advocacy Project, there are two main programs of CNCC that closely engage to the prevention and protection of children. Some parts of this plan need to be involved by NGOs and Ministry of Tourism as the following:

Prevention

To prevent children to be trafficked and fall into prostitution by:

- Raising awareness on children's rights, the dangers of sexual exploitation and the tricks of traffickers, among all sectors of Cambodian society, both children and adults,
- Strengthening and mobilizing local communities to monitor and protect their children, and by encouraging community based initiatives for the protection of children,
- Addressing causes of vulnerability.

The above goal can be achieved by means of the following strategies:

- Multi-media education: produce of programs and materials on children's rights,
- Integration of UN CRC into the school curriculum;
- Awareness raising, sensitization and training staff and allied workers
- Community mobilization to develop local monitoring systems
- Informal education
- Child to child education program.

The Tourism Ministry together with *Ministry of Interior* will handle the preparation and production of leaflets, posters and banners regarding the problem, the trick use by the traffickers and the law. The produced materials are to be used for hotels, travel agencies, airport to sensitize their staff, tourists, business persons on other visitors to the problem and the law.

In the Strategy 3 "*Awareness raising/sensitization for governmental and other staff*" mentioned on the session about children's rights and sexual exploitation of children will be organized for police, court officials, local authorities, health workers, and *tourism personnel* in order to sensitize to those issues.

Activity 6 of the Strategy 3 indicated that:

"Sensitization for tourism and hotel staff".

- Preparation and distribution of guidelines/information/awareness materials
On child sexual exploitation form *Ministry of Tourism* to *hotels/guesthouses*.

- Rules and regulations for hotels (eg. No child enter hotel room without parent/relatives)
- Meetings/workshop with *Tour Agencies, Hotel Managers, and Staff*
- Distribution of *posters/ leaflets at airports/ hotels etc.*

Protection

Its goal is to protect children through:

- Improving the legal framework;
- Strengthening the implementation of the laws;
- Ensuring that existing laws and mechanisms against sexual exploitation of children are fully and effectively disseminated and implemented throughout Cambodia;
- Addressing child pornography

Strategy 8 :

“Development of specific measures against child pornography”

A review will be undertaken to consider the problem of pornography with a view to promoting government staff awareness and developing a plan of action and measures against showing and dissemination of child pornography, sex videos, and magazines.

In Activity 1:

“Review of child pornography” and *Activity 2 “National action against pornography”*. A survey will be undertaken on the scope of child pornography in Cambodia as well as its availability on the local market. The CNCC and relevant ministries will organize a workshop for police and staff from relevant ministries in the view to discuss about the problems and produce a plan of action. *NGOs partners will be sought for this initiative.*

New legislation will be enacted in order inter alias to prevent showing of pornographic videos and films in hotels and entertainment places, as well as to prevent the sale of sex videos and magazines. The police will be instructed to implement laws.

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**Relevant Cambodian Laws
Related with Adult and Child Protection**

1. Constitution of the Kingdom of Cambodia (1993)

Article 46

The commerce of human beings, exploitation by prostitution and obscenity which affect the reputation of women shall be prohibited.”

Article 48

The state shall protect the rights of the child as stipulated in the Convention on the Right of the Child, in particular, the right to life, education, protection during wartime, and from economic or *sexual exploitation*”.

**2. Provisions relating to the judiciary and criminal law and procedure applicable
in Cambodia during the Transitional Period (UNTAC Criminal Laws)**

Article 42: “Indecent Assault”

1. *Any person who sexually offends another, non-consenting, person of either sex by touching, caressing or any other sexual act not involving penetration, is guilty of the misdemeanor or indecent assault and shall be liable to a term of imprisonment of one to three years.*
2. If the indecent assault is accompanied by fraud, violence or threat, or if it is committed by any person with authority over the victim, or if the victim is under *16 years of age*, the duration of these sentences shall be doubled
3. Any person who procurers, entices or lead away, for purposes of prostitution, or exploits the prostitution of a minor, even with the consent of that minor, shall be liable to a term of imprisonment of two to six years

3. Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Person

Article 4:

Shall be considered as a pimps (male or female) or head of the prostitutes, any person:

1. who supports or protects one or more persons, by whichever means, with advance knowledge of the act of prostitution of such person(s) or seeks customers for such person(s) for the purpose of prostitution, or
2. who regularly shares the benefits obtained from the prostitution acts of any form, or
3. who takes men or women by whatever means, for training and convincing them to become male or female prostitutes, or
4. who acts as an intermediary by whatever form, to establish relationship between male and female prostitutes, or with the head/owner of a brothel or with a person who benefit from prostitution of others, or
5. Who confines men or women in his/her house or any place, for a purpose of forcing them to commit prostitution to earn money for him/her.

Article 5

Any male or female pimp or head/owner of a brothel who commits offenses as stated in the above article shall be punishable to imprisonment from five (5) to ten (10) years. For repeated offenses, the above punishment shall be applied twice.

Shall be subjected to punishment to imprisonment from ten (10) to twenty (20) years, if a pimp:

1. commits an offense onto a minor person of below 15 years old,
2. Commits an offense by force, violence of threats or weapon, or
3. Who is as a husband, wife, boy/girl friend, father or mother or guardian, who forces a man or woman to commit prostitution, or
4. Forces a victim to commit prostitution outside of the country or a victim who is a foreigner to commit prostitution when her/she arrived on the territory of the Kingdom of Cambodia

The court may apply sub-punishment on restricting that person's civil rights and impose a ban on his/her stay, in addition to the above main punishment.

Article 8

Any person who commits debauchery acts onto a minor person of below 15 years old, even though there is his (her) consent or upon the purchase of such minor person from someone else or from a head/owner of a brothel, shall be subjected to punishment to imprisonment from ten (10) to twenty (20) years. For repeated offenses, the above punishment shall be applied twice.

