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2021 Trafficking in Persons Report: Cambodia

CAMBODIA: Tier 2 Watch List

The Government of Cambodia does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included improving data collection and monitoring of prosecutions and convictions of traffickers, as well as victim identification data, throughout the entire country; continuing to investigate, prosecute, and convict traffickers; and continuing to implement a national action plan to combat trafficking. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period, even considering the impact of the COVID-19 pandemic on its anti-trafficking capacity. Endemic corruption and lack of political will continued to severely limit progress in holding traffickers accountable; corruption continued to impede law enforcement operations, criminal proceedings, and victim service provision. Amid insufficient government oversight and accountability measures, authorities did not investigate the large majority of credible reports of official complicity, in particular with unscrupulous business owners who subjected thousands of men, women, and children throughout the country to human trafficking in entertainment establishments and brick kilns. The government’s failure to establish and implement adequate judicial monitoring systems continued to enable suspected traffickers to abscond prior to their trials, culminating in some convictions in absentia. The government did not provide adequate protection services for victims domestically or overseas and relied heavily on foreign donors and NGOs to provide much-needed care. Authorities did not issue formal guidance allowing the use of undercover investigative techniques in anti-trafficking operations—a factor that continued to impede officials’ ability to hold sex traffickers fully accountable. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Cambodia was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Cambodia remained on Tier 2 Watch List for the third consecutive year.

PRIORITIZED RECOMMENDATIONS:

Respect due process, vigorously investigate and prosecute trafficking offenses, and convict and adequately penalize sex and labor traffickers, including complicit officials, with significant prison sentences. • Increase funding to anti-trafficking law enforcement units and disburse it in advance of investigations, rather than by reimbursement. • Strengthen efforts to fully implement the nationwide protocol for proactive victim identification among vulnerable groups and train officials in all areas of the country on its provisions. • Allocate increased resources to anti-human trafficking police to better facilitate the monitoring of defendants released under judicial supervision pending trial. • Increase or start unannounced labor inspections in high-vulnerability professions, especially at brick kilns entertainment venues, construction sites, and plantations, with a focus on identifying debt bondage and holding business owners accountable to the law. • Increase the availability of services for male victims, especially men and boys exploited in commercial fishing abroad. • Increase efforts to incentivize domestic and foreign victims’ participation in criminal and civil proceedings, including by establishing a victim’s fund and granting permission to work, temporary residency, or other relevant immigration status to foreign victims wishing to remain in country during proceedings. • Implement a system for monitoring, collecting, and reporting data on anti-trafficking prosecution and victim protection efforts, and disseminate data among the relevant government agencies in a manner that protects victims’ identities and privacy. • Take steps to eliminate recruitment or placement fees charged to workers by Cambodian labor recruiters and ensure they are instead paid by employers. • Increase inspection and oversight of lending institutions, including private micro-finance organizations, to reduce vulnerability to debt-based coercion among economically disadvantaged communities. • Modify the law to allow restitution upon conviction of the trafficker and establish and train the relevant officials on standard operating procedures for calculating and granting restitution. • Establish and allocate resources to implement systematic procedures at diplomatic missions to assist Cambodian victims abroad, including in countries without Cambodian diplomatic representation. • Amend regulations on labor recruitment licensure and contract requirements to include strengthened language on worker protections and labor rights. • Strengthen efforts to inspect private labor recruitment agencies and their sub-licensed brokers for fraudulent recruitment and other trafficking indicators. • Increase public awareness on proper travel document application procedures to facilitate safe, legal migration. • Strengthen efforts to incorporate NGO input into the policy for formally transferring custody of child victims.

PROSECUTION

The government modestly increased law enforcement efforts. The 2008 Law on the Suppression of Human Trafficking and Commercial Sexual Exploitation criminalized sex trafficking and labor trafficking and prescribed penalties of seven to 15 years’ imprisonment for offenses involving an adult victim and 15 to 20 years’ imprisonment for those involving a child victim; these penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. NGOs reported that, in practice, the government did not issue criminal penalties under the anti-trafficking law for labor trafficking offenders; instead, it utilized the labor law to issue fines and/or short jail sentences of six days to one month, which did not represent sufficient punishment to deter future crimes or provide justice for the victims.

The pandemic hindered government efforts to prosecute perpetrators and heighten awareness of trafficking among officials and vulnerable populations. Cambodian courts shut down for several months beginning in March 2020, temporarily halting all judicial activity including anti-trafficking investigations. Despite this challenge, for the first time since 2017, the Ministry of Justice (MOJ) reported data on trafficking prosecutions and convictions in all provinces throughout the country, although it did not provide comprehensive details on such cases. Judicial authorities may have included cases of rape and other crimes outside the standard definition of trafficking in their reported data; therefore the true number of trafficking investigations, prosecutions, or convictions was likely lower than reported. According to the Anti-Human Trafficking Juvenile Police (AHTJP), during the reporting period, authorities arrested 48 suspects in connection with 37 cases of “non-sexual human trafficking” (26 suspects in connection with 21 cases in 2019) and 46 suspects in connection with 21 cases of sex trafficking (27 suspects in connection with 14 cases in 2019); of these arrests, 14 were labor brokers. According to the MOJ, from January to December 2020, the government prosecuted a total of 348 cases of trafficking in all provinces in the country, of which they referred 233 for formal investigation; 190 cases remained active as of February 2021. Some of these cases, however, occurred outside of the reporting period and may have involved crimes other than trafficking. During the previous reporting period, the government reported incomplete data only from certain parts of the country, in which it prosecuted 199 cases and referred 134 for formal investigation. During the reporting period, the government convicted and sentenced 440 individuals in all provinces in the country, 234 of whom remained in detention, but the MOJ did not report the details of these cases and some may not have met the definition of human trafficking under international law. In previous years, courts reportedly convicted suspects on lesser charges and concluded sex trafficking cases with monetary settlements in lieu of prison sentences. As also reported in previous years, victims whose families received out-of-court settlements from traffickers often withdrew from trials or changed their testimonies, further complicating prosecutions. During the previous reporting period, the government reported conviction data only from the Phnom Penh Municipal Court, which convicted 140 individuals. The government maintained memoranda of understanding (MOUs) outlining cross-border anti-trafficking investigation with Thailand and Vietnam, as well as an extradition treaty with the former, but did not report investigating or extraditing any suspected traffickers under their auspices during the reporting period. During the reporting period, the government also entered into an agreement with Thailand to establish standard operating procedures on bilateral anti-trafficking law enforcement cooperation. The government continued to cooperate with the United States through a law enforcement task force dedicated to combating online child sexual exploitation and other child sex crimes, but it did not report if it conducted investigations on such cases during the reporting period.

Nationwide, law enforcement authorities often did not take appropriate action against suspected or convicted traffickers. Judicial police lacked the resources to monitor defendants released on “judicial supervision” pending trial, allowing some to flee prior to their trial dates, which left courts the only option to convict offenders in absentia. Authorities rarely issued arrest warrants for absconded defendants unless NGOs were available to assist in tracking and apprehending them. Further compounding this challenge, Cambodian criminal procedural code featured no guidelines, monitoring provisions, or language outlining specific law enforcement duties with regard to judicial supervision. Citing resource constraints, prosecutors and investigating judges did not advance all of the trafficking cases for which police had supplied evidence. Local experts continued to report that cases involving foreign suspects were more likely to result in trafficking convictions than cases involving Cambodian suspects, for whom charges were often reduced to less serious offenses.

Authorities continued to deliver donor-designed and -funded training to police, prosecutors, judges, and other government officials, including 192 training sessions on anti-trafficking laws, investigative techniques, and evidence collection for 7,491 law enforcement and judicial officers; it did not report how many provincial officials participated in these sessions. Despite these trainings, many police—particularly in rural areas—remained unaware of how to conduct anti-trafficking work, as most did not receive training on basic law enforcement techniques. Moreover, law enforcement and judicial officials lacked the necessary equipment to handle trafficking cases appropriately, including vehicles, computer and communications equipment, and forensic tools. Additionally, the government required the funding of all anti-trafficking investigative work to be conducted through reimbursement, forcing individual police units to personally cover relevant expenses. NGO contacts reported some officers waited months for this reimbursement, which was sometimes not repaid in full, and that the ensuing financial hardships made some police units more susceptible to corruption. Local organizations and some officials continued to stress an urgent need for more sophisticated evidence collection techniques, including more undercover investigations, to decrease reliance on witness testimony and improve efforts to detect and combat sex trafficking. MOJ officials reported their concern that revising the law or issuing new regulations to specifically authorize undercover investigation authority in trafficking cases could lead to abuse of power by the police.

Endemic corruption at many levels of government continued to severely limit the ability of individual officials to make progress in holding traffickers accountable. The Supreme Council of the Magistracy, which had the power to remove judges and prosecutors for corruption, did not do so during the reporting period; it also lacked the investigative resources to respond to such allegations. Furthermore, the government did not investigate the large

majority of the reports of government officials’ complicity in trafficking crimes, nor did it prosecute and convict any government employees complicit in trafficking during the reporting period. The national police maintained a mechanism for NGO workers to report incidents of corruption among anti-trafficking police, but it did not report if it received or responded to any complaints during the reporting period. Law enforcement raids on sex trafficking establishments were sometimes unsuccessful due to advance warning from working-level police. However, some provincial police chiefs continued to minimize these leaks by turning over cases to the AHTJP, which conducted independent raids without notifying the local authorities until moments before they began. Some police reportedly protected sex trafficking establishments in exchange for monthly payments from the business owners or sexual favors from the victims. In February 2021, authorities arrested an anti-trafficking police officer for physically assaulting a girl in a karaoke bar after she refused to have sex with him and for threatening to close the bar down; the case was under investigation at the end of the reporting period. Authorities often overlooked, denied, or downplayed labor abuses—including forced child labor—in factories and at brick kilns, and colluded with brick manufacturers to arrest, jail, and return indentured laborers who had attempted to escape. Contacts alleged prosecutors and judges accepted bribes in return for dismissal of charges, acquittals, and reduced sentencing. Corrupt officials often thwarted progress in cases where the perpetrators were believed to have political, criminal, or economic ties to government officials. During the reporting period, Cambodian labor inspectors made no progress accessing construction sites to inspect potential forced labor abuses because—as some NGOs reported—construction company owners with political connections refused labor inspectors entry to construction sites. Throughout the reporting period, AHTJP police leadership publicly warned entertainment business owners who had military connections that they would shut down their businesses for any violation of anti-trafficking laws; the government did not report, however, if it shut down or investigated any of these businesses for trafficking crimes. In February 2021, the government investigated and arrested a district police chief for allegedly releasing 14 labor brokers days after they were arrested for facilitating the illegal movement and alleged labor trafficking of migrant workers from Cambodia to Thailand. Despite consistent credible allegations of complicity, the government did not report prosecuting or convicting any government employees complicit in human trafficking crimes.

PROTECTION

The government maintained insufficient protection efforts. Despite retaining victim identification guidelines developed by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) in 2017, victim identification, referral, and repatriation efforts remained disparate and underdeveloped across law enforcement agencies. Due to improved data collection measures, the government reported victim identification data from all provinces in the country. While conducting arrests during the reporting period, police identified 322 potential victims of “non-sexual trafficking” (66 in 2019) and 95 potential victims of sex trafficking, including 26 children (76 victims in 2019). As with all law enforcement statistics, these figures likely included victims of crimes that did not meet standard definitions of sex trafficking or forced labor. MOSAVY continued to operate a migrant transit center in the border city of Poipet, where transit center officials reportedly continued to screen for and identify trafficking victims among adult and child migrants at the center. The government, however, did not report how many trafficking victims officials identified in the transit center during the reporting period. During the previous reporting period, the National Committee for Counter Trafficking (NCCT) launched an application-based victim identification manual and screening tool for use at the transit center to improve victim identification procedures; however, it did not report if transit center officials used this screening tool during the reporting period. Given the high vulnerability to trafficking among migrant populations and the lack of universal implementation of victim identification standards, many victims likely transited this facility unidentified. The government continued implementing a regulation barring NGOs from representing individuals seeking formal recognition as trafficking victims. Under this arrangement—which NGOs claimed severely intimidated victims and their families—victims were required to approach the Ministry of Interior (MOI) for the formal identification needed to access protection services. Some anti-trafficking NGOs further reported a lack of cooperation with the authorities, which hindered the operations of key anti-trafficking NGOs.

The government did not have the capacity or resources available to provide adequate protection services, including shelter, to trafficking victims; it therefore continued to rely heavily on donor countries, international organizations, and NGOs to provide or support provision of such services to trafficking victims. The government did not have enough shelter capacity throughout the country dedicated to providing immediate or long-term assistance to trafficking victims, including Cambodian victims who were repatriated, or those vulnerable to trafficking. MOSAVY maintained guidelines outlining minimum standards for residential care of trafficking victims and continued to disseminate them among NGO shelters during the reporting period. The government, however, did not facilitate formal transfer of the custody of child trafficking victims to NGOs, leaving NGOs that accepted child victims into their care vulnerable to court action. Ongoing custody issues reportedly dissuaded some NGO shelters from protecting residents’ freedom of movement, contrary to best practices. Provisions allowing for financial settlements in lieu of harsher sentencing further discouraged some families from consenting to temporary guardianship at shelters; absent family consent, government officials, at times, returned children to high-risk environments, leaving them vulnerable to re-victimization. During the reporting period, the government established a national policy on migrants’ health, which gave public health facilities the authority to provide free medical services to all migrant workers in Cambodia, including foreign trafficking victims; this policy relieved NGOs of the financial burden of providing medical care to this vulnerable population.

Despite the prominence of male labor trafficking victims, government assistance for this population remained limited. During the reporting period, the government acknowledged this population was underserved and requested help from NGOs to provide services to male victims. The government reportedly provided vocational training and

other programs to identify job opportunities for male trafficking victims from the commercial fishing industry, but it did not report how many victims benefited from these programs. However, service provider NGOs noted that an acute lack of reintegration services and cultural stigma surrounding the experience of forced labor at sea catalyzed re-trafficking among fishermen returning home after escaping their abuses. Unlike in the previous reporting period when authorities did not provide complete statistics on the number of victims they assisted or referred, during this reporting period local police referred 371 international and domestic victims of trafficking and those vulnerable to trafficking to provincial social affairs offices. These offices generally referred victims to short- and long-term NGO shelters for care; NGOs reported that in most cases, the victim referral process was quick. Additionally, in 2020 MOSAVY referred to NGO services 220 Cambodian trafficking victims and “other vulnerable migrants” who were repatriated from foreign countries, including China, Indonesia, Malaysia, Singapore, Thailand, and Vietnam. Of the 220 returnees, 113 were victims of forced marriage, 54 of forced labor, and three of sex trafficking. MOSAVY reintegrated 104 Cambodian trafficking victims and persons vulnerable to trafficking to their home villages. In comparison in 2019, MOSAVY assisted in the repatriation of 290 Cambodian victims of trafficking and other vulnerable migrants and referred them to NGOs for care.

The government continued to rely on donor organizations to finance the repatriation of Cambodian victims who were exploited abroad. Cambodian diplomatic missions overseas continued to lack adequate funding and capacity to provide basic assistance or repatriate victims, despite government action in prior years to train diplomats on migrant worker protections. According to an NGO, some victims were reportedly unable to secure assistance from Cambodian consular services overseas due to unattended hotlines and unresponsive staff. The government also maintained labor attachés at embassies in Malaysia, South Korea, and Thailand—the countries with the highest number of Cambodian migrant workers—but did not provide data on their involvement in identifying or assisting labor trafficking victims. Victims identified in countries without Cambodian diplomatic representation had access to even less support. During the reporting period, the Ministry of Foreign Affairs and International Cooperation (MFAIC) facilitated the return of 10,574 Cambodian migrant workers from China, Indonesia, Laos, Malaysia, Singapore, Thailand, and Vietnam, a large increase over the prior year due to the pandemic. After MOSAVY conducted preliminary interviews of these returnees, it referred all of them to local NGOs for interviews to determine appropriate services: care, rehabilitation, or immediate return to their home villages. However, as in the previous reporting period, authorities did not specify if they implemented appropriate victim identification measures to screen for trafficking among the returnees or what portion of these returnees were trafficking victims. The number of Cambodian returnees who experienced forced labor and sex trafficking abroad was likely much higher than reported due to an increasing tendency among these groups to return via informal migration channels, and due to insufficient victim identification procedures.

There were no legal provisions to offer work permits, temporary residency, or other immigration status to foreign victims wishing to remain in Cambodia to participate in civil or criminal proceedings. The government required the repatriation of foreign victims, except in rare cases, and did not provide legal alternatives to their removal regardless of whether they would face hardship or retribution upon return to their countries of origin. While awaiting repatriation, the government generally allowed foreign victims temporary residence at NGO shelters. In 2020, MOSAVY repatriated two Vietnamese trafficking victims to Vietnam (nine in 2019). Insufficient victim identification efforts left many potential foreign victims at risk of deportation or charged with immigration violations. However, an NGO reported that during the reporting period, anti-trafficking police and prosecutors willingly worked with social workers and employed child-friendly practices when encountering trafficking victims. Law enforcement often did not keep victims and perpetrators separated during interviews. During the reporting period, MOJ instructed provincial courts to implement a child-friendly judicial program, initiated in 2016, allowing for video-conferencing technology as an alternative to direct cross-examination of victims in front of the accused; despite the instruction from MOJ, it did not report if courts universally implemented this program. During the reporting period, the government—in cooperation with an NGO—launched a pilot program in three provinces that trained social workers to offer psychological support to victims involved in court cases. Nevertheless, Cambodia’s weak and corrupt legal system and the lack of adequate victim and witness protection, exacerbated by a lengthy trial process and fear of retaliation by traffickers, hindered victims’ willingness to cooperate in many cases. NGOs reported victims preferred out-of-court settlements over court proceedings as the fastest way to obtain monetary compensation. Cambodian law outlined channels for victim restitution. However, restitution was extremely difficult to obtain due to a legal requirement delaying payment until after the completion of the trafficker’s jail term; convicted traffickers’ frequent abscondment further complicated this arrangement. Observers noted Cambodia lacked a standard operating procedure for determining how to calculate restitution or compensation. Victims rarely received the amount promised, and many victims’ families settled out of court with traffickers or accepted bribes to drop the relevant charges.

PREVENTION

The government maintained some prevention efforts. The NCCT and its secretariat coordinated anti-trafficking activities and continued to implement a 2019-2023 national anti-trafficking action plan, which was developed in collaboration with civil society and international donors. The government’s anti-trafficking budget to fund the interagency committee was approximately 2.2 billion riels (\$543,080), compared with approximately 5.4 billion riels (\$1.33 million) during the previous reporting period; austerity measures due to the pandemic’s economic impact caused the sharp reduction. Most ministries also maintained separate line items in their budgets for anti-trafficking activities. The secretariat of the NCCT maintained six working groups to monitor the efforts of the interagency committee, as well as those of its provincial subcommittees. Subsidiary provincial anti-trafficking committees, four of which continued to receive modest central government funds, coordinated efforts at the local level to mirror the

activities of the national action plan. A Monitoring Working Group strengthened the work of the NCCT at the provincial level by meeting with provincial officials and assessing areas of improvement. NGOs noted the provincial committees’ ad hoc reliance on insufficient surplus funds from General Social Services—rather than on their own annual budgets—undermined the scope and sustainability of their work. The NCCT continued to produce an annual report documenting the government’s holistic anti-trafficking efforts, including comprehensive data on prosecutions and convictions. The Minister of Women’s Affairs and the NCCT Vice Chair co-hosted two bilateral meetings on human trafficking with a foreign government in September 2020 and January 2021, which were attended by senior Cambodian government officials. NGOs and international organizations reported the NCCT was increasingly effective at coordinating with civil society in some anti-trafficking efforts during the reporting period.

The Ministry of Labor and Vocational Training (MOLVT) maintained a separate action plan aimed at reducing child labor and debt bondage in the service, agricultural, mining, and energy sectors by 2025 through awareness raising, legal action, and collaboration with civil society funded in part through the national budget. There was no ban on the imposition of worker-paid recruitment or placement fees. Observers noted that the high costs, complex administrative requirements, and restrictive provisions inherent to the formal migration process drove a majority of Cambodian labor migrants to pursue informal pathways to working abroad. The government reported investigating labor recruiters for illegal practices that may have contributed to or involved trafficking. In February 2021, authorities arrested 14 labor brokers for assisting Cambodian workers to illegally cross the Cambodian-Thai border; the government did not report if it investigated the brokers for potential trafficking crimes. Officials and NGO observers noted that labor officials’ insufficient inspections of private recruitment agencies, and the ability of these agencies to sub-license their names to independent brokers continued to perpetuate widespread labor exploitation. Some of these agencies were reportedly directly involved in deceptive recruitment practices leading to trafficking. Adding to the vulnerability of popular migration channels, sub-decrees and regulations governing private recruitment agency licensure and contracting procedures did not include sufficient language outlining migrant worker protections or labor rights. The MOLVT established offices at the provincial level to monitor recruitment agencies and address complaints from workers, including potential incidents of trafficking; however, it did not report how many complaints these offices received during the reporting period. The government did not address recruitment firms that were allegedly involved in trafficking crimes. For example, in August 2020, the Ministry of Labor permitted six recruitment agencies previously suspected of involvement in trafficking to send Cambodian domestic workers abroad.

The government—in collaboration with various donors and NGOs—disseminated information about trafficking laws, safe migration, child labor, and strategies to combat trafficking to law enforcement and other government personnel and the general population. During the reporting period, the Ministry of Education, Youth, and Sports—in cooperation with NGOs—designed and approved a school curriculum to educate students about human trafficking. Despite these efforts, the government curtailed public outreach training sessions due to the pandemic as of the end of the reporting period. The AHTJP and MOI operated a hotline for victims and witnesses to report human trafficking crimes; the government publicized the hotline on government websites and social media sites, required guesthouses and hotels in all 25 provinces to publicize the hotline, and it worked with an NGO focused on child sex trafficking to place placards of the hotline number in taxis and tuk-tuks throughout the country. The government reported the hotline received 21 calls related to trafficking, rape, and domestic violence, but it did not report if it referred any potential trafficking cases to police for further investigation. The AHTJP’s social media site, however, received information on a potential trafficking case in 2020, which led to the arrest of two suspects. MOLVT also reported providing pre-departure orientation to 20,360 Cambodians migrating abroad for work (48,000 in 2019). However, many Cambodians were reportedly unaware of how to apply for travel documentation or how much it should cost—leaving them at higher risk of travel through informal, more vulnerable means—and the government did not take sufficient steps to publicize that information. The government maintained two labor recruitment agreements with Saudi Arabia, a domestic worker recruitment agreement with Hong Kong, and a bilateral cooperative agreement with India. The MFAIC continued to implement consular screening measures to reduce the sex and labor trafficking of Cambodian women via forced and fraudulent marriages, including by assessing applicants against trafficking victim profiles jointly developed with China in 2016. However, the MFAIC did not report referring these potential victims to law enforcement or protective services. The government also continued implementing a regulation passed in 2018 requiring foreign men to pay a fee if intending to return to their home countries with a Cambodian spouse; because this regulation only applied to air travel, contacts reported an increase in the number of Cambodian women traveling through unsafe overland channels for marriage migration to China.

Labor ministry officials continued to deny the existence of child labor—including forced child labor—and debt-based coercion within the brick industry. The Ministry of Labor visited 62 out of 486 brick kilns in 2020, but the purpose of these visits was to raise awareness about child and forced child labor; none of the visits resulted in issuance of penalties or other such punishments for violations of labor or anti-trafficking laws. NGOs claimed police were often unaware that detection of crimes at brick kilns fell under their investigative purview; the AHTJP confirmed that they viewed brick kiln inspections as under the MOLVT’s purview and would only investigate kilns if the MOLVT referred a case to them. The AHTJP could not report any such referrals in 2020. Authorities often conducted inspections with advance notification to the kiln owners, potentially enabling them to conceal abuses. The government’s inter-ministerial task force—established in the previous reporting period—to investigate alleged Chinese involvement in money laundering and human trafficking in Preah Sihanouk province did not report issuing its findings during the reporting period.

The Ministry of Tourism, in collaboration with the NCCT, made efforts to reduce the demand for commercial sex acts through workshops for staff in the tourism sector and government officials on child sexual exploitation in the tourism industry; it also continued to produce billboards, signs, posters, pamphlets, and other materials targeting

potential consumers of commercial sex with children. However, as in prior years, the government generally focused on deterring foreign involvement in child sex tourism, rather than targeting campaigns to the local population that constituted the main source of demand for commercial sex with children in Cambodia. Local experts continued to report concerns over the government’s ongoing failure to impose appropriate punishments on foreign nationals who purchased commercial sex acts with children.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit Cambodian men, women, and children in forced labor and sex trafficking in Cambodia and abroad. Traffickers also subject victims from other countries to trafficking in Cambodia, and they use Cambodia as a transit point to exploit victims from other countries to trafficking elsewhere in Asia. NGOs and labor unions reported in 2020 that foreign labor brokers are fraudulently recruiting foreign migrants, including from Bangladesh, China, and Nepal, to work in Chinese-run and other construction sites in Cambodia where some are indebted to recruitment firms and experience passport confiscation. Cambodian adults and children migrate to other countries within the region and increasingly to the Middle East for work; traffickers force many to work on fishing vessels, in agriculture, in construction, in factories, and in domestic service – often through debt-based coercion – or exploit them in sex trafficking. Migrants using irregular migration channels, predominantly with the assistance of unlicensed brokers, are at an increased risk of trafficking, although those using licensed recruiting agents also become victims of forced labor or sex trafficking. Companies operating under the auspices of the Japanese government’s “Technical Intern Training Program” have exploited Cambodian nationals in forced labor in food processing, manufacturing, construction, and fishing. Children from impoverished families are vulnerable to forced labor, often with the complicity of their families, including in domestic service and forced begging or street vending in Thailand and Vietnam. Undocumented Cambodian labor migrants working in Thailand—who constituted an estimated 30-40 percent of the 1.5 to two million Cambodians there before the pandemic—are at high risk of trafficking due to their immigration status, as are undocumented Cambodians working in Vietnam. One study conducted by an international organization in 2017 found that nearly three quarters of all Cambodians traveling to Thailand for work do so through irregular channels known for trafficking vulnerabilities; additionally, only 14 percent of Cambodians emigrating to Thailand through regulated channels participated in pre-departure orientation outlining their rights and protections. The pandemic affected established migration patterns and certain sectors in 2020, such as construction, which placed some vulnerable groups at greater risk of trafficking than in previous years. Between February 2020 to February 2021, more than 150,000 Cambodian labor migrants returned to Cambodia from other countries, primarily Thailand, due to industry closures caused by the pandemic.

Traffickers continue to recruit significant numbers of Cambodian men and boys in Thailand to work on fishing boats and exploit them in forced labor on Thai-owned and -operated vessels in international waters. Cambodian victims escaping from their traffickers have been identified in Fiji, Indonesia, Malaysia, Mauritius, Papua New Guinea, Senegal, and South Africa. Cambodian men working on Thai-owned and -operated fishing vessels report deceptive recruitment tactics, severe physical abuse, underpayment or nonpayment of wages, restricted access to medical care, and confinement at sea for years at a time without permission to come ashore. Traffickers recruit women, and some girls, from rural areas under false pretenses to travel to China to enter into marriages with Chinese men. These women incur thousands of dollars in debt to brokers facilitating the transaction; the men force some of these women to work in factories or exploit them in sex trafficking to repay this debt. Some parents reportedly receive between \$1,500 to \$3,000 from marriage brokers to send their daughters to China for marriage. Cambodian women serving willingly as illegal surrogates for Chinese families are vulnerable to confinement and domestic servitude. Stateless persons, namely in ethnic Vietnamese communities, are at higher risk of trafficking due to lack of identity documentation necessary for access to formal employment, education, marriage registration, the court system, or the right to own land.

The proprietors of brick kilns subject many of the more than 10,000 Cambodians living at such kilns, including nearly 4,000 children, to multigenerational debt-based coercion, either by buying off their preexisting loans, or by requiring them to take out new loans as a condition of employment or to cover medical expenses resulting from injuries incurred while working. An NGO study conducted in 2017 found nearly all of brick kilns surveyed throughout the country featured indicators of forced labor via debt-based coercion. An extensive, largely unregulated network of predatory micro-finance organizations and private creditors contributes to this arrangement by proactively advertising loans to families in vulnerable communities and connecting them with the kilns. Rural farming families are at higher risk of this form of forced labor due to economic hardships ensuing from climate change; unseasonal rain patterns and subsequent loss of crops push many farmers to take out large loans for new irrigation or pesticide systems, and brick kiln owners often purchase these loans as a means of securing and retaining their labor. Extended rainy seasons also delay the brick-drying process, reducing these bonded kiln workers’ pay and forcing many to become further indebted to the kiln owners. To dissuade workers from fleeing abusive conditions, some kiln owners reportedly allow only select members of family units to be absent for public holidays or to seek medical care at any given time. Some workers report continued confinement and forced labor in the kilns long after they have repaid their debts. Cambodian families may also experience conditions indicative of forced labor in the clay extraction process required for brick making. Traffickers exploit children as young as 13 in domestic servitude and in brothels to pay off family debts accrued through this system. Communities displaced by illegal logging operations supplying the brick kilns with timber for fuel may be at elevated risk of trafficking, including in logging itself and elsewhere as a result of ensuing economic hardships. In previous years, North Koreans working in Cambodia may have been forced to work by the North Korean government. Pursuant to a 2017 UN Security Council

resolution requiring the repatriation of all North Korean nationals earning income overseas by the end of 2019, subject to limited exceptions, the government reportedly repatriated all North Korean labor migrants covered under the relevant provision.

All of Cambodia’s 25 provinces are sources for human trafficking. Sex trafficking is largely clandestine; Cambodian and ethnic Vietnamese women and girls move from rural areas to cities and tourist destinations, where criminals exploit them in sex trafficking in brothels and, more frequently, clandestine sex establishments at beer gardens, massage parlors, salons, karaoke bars, retail spaces, and non-commercial sites. In recent years, the rapidly growing and largely unregulated presence of Chinese casinos, entertainment establishments, and other commercial enterprises in Preah Sihanouk province led to an increase of local sex trafficking and forced labor among Cambodian women and girls, although Cambodia’s 2020 ban on online gambling and the subsequent shuttering of many Chinese-owned casinos and other entertainment establishments has reduced such trafficking. Cambodian men form the largest source of demand for children exploited in sex trafficking; however, men from elsewhere in Asia, Australia, Europe, South Africa, and the United States travel to Cambodia to engage in child sex tourism, increasingly facilitated through social media contact. Thousands of urban children left behind by families migrating abroad for work are particularly vulnerable to sex trafficking and forced labor. The prevalence of child sex trafficking and child sex tourism reportedly declined in 2020 due to reduced international travel and pandemic-related quarantine requirements. However, NGOs and law enforcement officials reported the pandemic increased incidents of online child sexual exploitation in 2020. Vietnamese women and children, many of whom are victims of debt-based coercion, travel to Cambodia and are exploited in sex trafficking. NGOs report that criminal gangs transport some Vietnamese victims through Cambodia before they are exploited in Thailand and Malaysia. Traffickers in Cambodia are most commonly family or community members or small networks of independent brokers. Some Cambodian orphanages purchase local children from economically disadvantaged families and subject them to malnutrition and unclean living conditions in their facilities for the purpose of attracting and profiting from charitable donations; some of these children are at further risk of sex trafficking and domestic servitude, as a result of poor government oversight of adoption processes. Endemic corruption aids and abets trafficking crimes. Some police reportedly solicit commercial sex with children. Corrupt officials facilitate cross-border trafficking, thwart progress on investigations and prosecutions, and, in some cases, profit directly from establishments suspected of trafficking.

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Austrian Red Cross Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)	Wiedner Hauptstraße 32, 1041 Wien T (Telefon) +43 1 589 00 583 F (Fax) +43 1 589 00 589 info@ecoi.net	Contact Imprint & Disclaimer F.A.Q. Data Protection Notice
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