

Sexual Exploitation of Children in Cambodia
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APLE Cambodia strengthens national social and legal mechanisms for the protection of children at risk of, or affected by, child sexual abuse or exploitation with the goal to create a community with robust social and legal justice in which all children are safe from child sexual abuse and exploitation. Currently, APLE runs four programs: Criminal Justice Development, Court Support, Community Engagement, and Research & Advocacy.



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ECPAT International is a global network of civil society organisations working for the eradication of all forms of sexual exploitation of children. For the past 26 years, ECPAT has acted as the international watchdog, monitoring States' response to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 104 network members operating in 93 countries.

Justification for Submission

1. The present submission is an update to review the progress that has been made by the Government of Cambodia (GoC) to end sexual exploitation of children (SEC) and assess the level of implementation of the UPR recommendations, pertaining to SEC, made in 2014.¹ New recommendations to end SEC in Cambodia will be made. The recommendations made in this report are in line with the commitment made by the GoC to eliminate all forms of violence against children, including sexual abuse and exploitation with the adoption of the 2030 agenda for Sustainable Development in 2015.²
2. The content of this report is mostly based on ECPAT's research and the work experience and research of APLE Cambodia in the period 2014 to 2018.
3. The scope of this report is limited to SEC and its different manifestations, including exploitation of children in prostitution,³ online child sexual exploitation ('OCSE'), child sexual abuse materials ('CSAM'),⁴ trafficking of children for sexual purposes, sexual exploitation of children in the context of travel and tourism ('SECTT')⁵ and child, early and forced marriage ('CEFM').

Current status and developments of sexual exploitation of children in Cambodia

4. The Kingdom of Cambodia is a Southeast Asian country, located in the Greater Mekong Sub-region. Cambodia is a constitutional monarchy, with a population of over 16 million inhabitants.⁶ Following two decades of strong economic growth, Cambodia has reached the lower middle-income status in 2015, with a GDP per capita of 1,070 USdollars in 2016.⁷ In 2014, the poverty rate reached 13.5%.⁸ In terms of Human Development, Cambodia ranks 143th out of 188 countries, which places Cambodia in the lower quartile of countries considered to have "Medium Human Development."⁹
5. According to Cambodian national legislation, a child is "a person under the age of eighteen."¹⁰ Children represent 36% of the population (5,854,000).¹¹ Although the primary school enrolment rates are high (95% in 2016),¹² many children from poor rural families, ethnic communities and those with disabilities do not complete primary school.¹³ Moreover, even though the general minimum age of work is 15 years,¹⁴ or 12 years old for light work activities¹⁵ and 18 years old for hazardous work, children often leave school to help their families, or combine school with other activities to contribute to the family's income. UNICEF estimates that one in ten children are engaged in child labour, including in the worst forms of child labour such as sexual exploitation.¹⁶ The age of consent is 15 years and the age of marriage is 18 years for boys and girls, or 16 years with parental consent for both genders.¹⁷ Birth registration rate in Cambodia is only 73%.¹⁸
6. Cambodia's child protection and welfare services remain weak, understaffed and lack funds. Such gaps in welfare services and in poverty levels can lead parents to resort to alternative measures such as unsafe migration, abandonment or placement of children in residential care.¹⁹ Approximately three in four children living in residential care institutions have at least one parent who is known to be alive.²⁰ Lack of family and social support increases the risk for children to end up living and working on the streets, exposing them to sexual abuse and exploitation, trafficking, dangerous child labour. Moreover, the Government's budget to monitor alternative care institutions is still insufficient, leaving children at risk of suffering from unsafe and unhealthy conditions and, being exposed to sexual exploitation.²¹
7. The demand for virgin girls in Cambodia is a big business that thrives due to cultural myths.²² Girls who have been abused, exploited or raped for their virginity will often not disclose it. Indeed, expectations of female chastity in Cambodia are revered and have been translated into a code of conduct and obedience known as *chbab srey* ('women's law').²³ A different problem can exist for boys. The sexual exploitation of boys is often little understood and goes ignored. Social and cultural norms assume boys to be strong, powerful and invulnerable.²⁴ Yet, boys

who have been sexually abused/exploited experience high levels of trauma, shame and a loss of honour, fears of others finding out and attaching homophobic labels that clearly have a profound impact on their self-esteem. Moreover, what little attention boys have received, often portrayed them as the exploiters, or willing participants, and not as victims of sexual exploitation. Therefore, the sexual exploitation of boys has been a difficult reality to recognise.²⁵

8. Prostitution, although prohibited by law, is prevalent all over the country and especially in the tourist hotspots of Siem Reap, the capital of Phnom Penh and Sihanoukville.²⁶ Recently prostitution is becoming more prevalent in increasingly popular tourist destinations such as Kep, Kampot, Koh Kong, Battambang and Rattanak Kiri. The situation of prostitution and SEC in Sihanoukville is closely linked to the large influx of Chinese population and businesses. Exploitation of children in prostitution usually occurs within one of two categories: establishment-based sexual exploitation of children or street-based sexual exploitation.
9. Cambodia is a source, transit and destination country for children victims of trafficking. Trafficking for sexual exploitation occurs primarily from Cambodia to Thailand and Vietnam, from Vietnam to Cambodia, where children are exploited in brothels, beer gardens, massage parlours, karaoke and other venues. The trafficking of young ethnic Vietnamese girls to Phnom Penh, Sihanoukville or Siem Reap for the purpose of sexual exploitation is an increasing problem.²⁷ Children of Vietnamese origin have no access to birth registration or identity documents and are therefore not recognised as citizens, which leads them to live in poor and segregated conditions, making them increasingly vulnerable to trafficking and exploitation.²⁸ Although international attention focuses more on girls, young Cambodian boys are also vulnerable to sexual trafficking and abuse.²⁹
10. Internet usage and connectivity has rapidly grown in Cambodia. Internet users represent 4.1 million or 25% of the total population³⁰ and mobile connections represent 25.8 million or around 165% of the total population.³¹ Although the country benefits greatly from this technology, the latter has also been used for illegal activities, particularly accessing and distributing child sexual abuse materials, which result in child sexual abuse and exploitation online. A survey by UNICEF on Cambodia in 2013 reported that almost 1 in 10 females and males in the respondent group aged between 13 and 17 have already been upset by someone speaking or writing sexual things to them. Just under half of males aged 13 to 17 reported being forced by someone to watch sex photos or videos against their will.³²
11. Online child exploitation in Cambodia is a growing concern, but there is to date no dedicated research and few resources on the issue, making it harder to combat. With the support of Terre des Hommes Netherlands and Save the Children, APLE Cambodia is currently conducting an analytical study on OCSE in Cambodia, in order to make evidence based recommendations and help in the development of a National Plan of Action to fight against OSCE.³³ OCSE is often associated with the sexual exploitation of children in travel and tourism. Cases of child sex exploitation by foreigners show that offenders were often also convicted for producing and distributing child sexual exploitation material.³⁴
12. Cambodia is unfortunately targeted as a key destination for SECTT. This is in part due to the low costs of travel to Cambodia and the poverty that affects the local population. In particular, Special Economic and Free Trade Zones (FTZ)³⁵ have been identified as hotspots for child sexual exploitation and trafficking.³⁶ Indeed, the promise of economic opportunities within these areas have made them destinations particularly attractive to children and families from poor regions throughout Cambodia. SECTT in the region appears to be dominated by Asian men, and especially Chinese tourists,³⁷ even though the focus of the media and child protection efforts has long been on western tourists.
13. Cambodia has also been a particular destination for 'orphanage tourism'. According to the Global Study on Sexual Exploitation of Children in Travel and Tourism, increased tourist interest in volunteering during their stay has inspired some orphanages to encourage poor families to hand over their children for care, in order to offer more 'volun-tourism' opportunities to tourists.³⁸ According to UNICEF, the number of orphanages doubled between 2009 and 2014 in Cambodia, even though the number of orphans has decreased. In 2014, a government

inspection found that 70 percent of 12,000 orphans living in state and private care institutions still had parents or other relatives. They are exploited to raise money by soliciting donations from the ‘volun-tourists’.³⁹

14. Child marriage in Cambodia is, despite regulation, occurring on a broad scale, especially in the rural areas. A report by UNICEF shows that 2% of children in Cambodia are married before the age of 15, while 19% are married before the age of 18.⁴⁰ In Cambodia, CEFM manifests itself in other harmful ways, such as the trafficking of child brides from Cambodia’s rural areas to South Korea or China.⁴¹

General measures of implementation

National Action Plans and overall Strategies

15. The National Plan of Action (NPA) on the Suppression of Human Trafficking, Smuggling, Labour, and Sexual Exploitation (2014-2018) was launched in 2015. It aims to coordinate efforts to prevent and eliminate all forms of human trafficking by improving prevention, victim protection, law enforcement and criminal justice responses, and by strengthening international cooperation. The new guidelines on forms and procedures for identification of victims of human trafficking was put in place in 2015 with the goal to improve appropriate services to victims of human trafficking.⁴² It also aims to provide assistance to victims depending on age and gender.⁴³ The National Committee for Counter Trafficking in Persons (NCCT) is currently working to develop the new NPA for the next 5 year period (2019 – 2023).
16. In the country's last UPR in 2014, Indonesia and Iraq recommended to the GoC to strengthen the protection of the rights of the child through the implementation of the new draft of the national plan to eliminate the worst forms of child labour for the period 2013–2018.⁴⁴ In 2016, the GoC implemented the new NPA on the Elimination of the Worst Forms of Child Labour by 2016 (2012-2017). It aims to adopt an integrated, cross-sectoral approach to child labour reduction.⁴⁵ No information can be find about the drafting of a new national plan of action.
17. The Ministry of Women’s Affairs, with the support of UNICEF is currently developing the Provincial Action Plan to Prevent Child Marriage and Teenage Pregnancy for Ratanakiri province. Activities delivered will aim at reducing child marriage and promoting safe behaviours among adolescents.⁴⁶
18. Finally, a National Plan of Action for Child Development 2016-2018 was launched in January 2016. In August 2017, the CNCC organised a national workshop at the Ministry of Interior to promote the implementation of the NPA for Child Development among relevant government officials and to request the establishment of a working group for children with the Ministry of Interior. The NPA was being promoted at national and sub-national levels, and the CNCC has been able to mainstream the NPA into 9 ministries and 3 provinces.⁴⁷

Recommendations for the GoC to:

- Include trafficking of children with the purpose of sexual exploitation in the new National Plan of Action Suppression of Human Trafficking, Smuggling, Labour, and Sexual Exploitation;
- Establish a new National Plan of Action (NPA) on the Elimination of the Worst Forms of Child Labour to include all manifestations of sexual exploitation of children;
- Develop a Provincial Action Plan to Prevent Child Marriage and Teenage Pregnancy in all the provinces in Cambodia;
- Ensure and allocate sufficient budget for the dissemination, implementation, monitoring and evaluation of all National Plans of Action;
- Establish a data-gathering system to evaluate the extent and severity of SEC in Cambodia.

Coordination and Evaluation

19. The government established different mechanisms in order to coordinate its efforts on fighting SEC.

20. The National Committee for Counter Trafficking in Persons addresses, at a national level, human trafficking issues, including child trafficking and sexual exploitation, through the coordination of actions of and mobilisation of resources from different actors and the gathering of information for monitoring, evaluation and learning.⁴⁸
21. The National Anti-Human Trafficking and Juvenile Protection Police established units to fight against SEC and all its manifestations, within all the territory. However, those units still lack of resources and coordination in order to strengthen the capacity of the police to detect and prevent child abuse.⁴⁹
22. The Cambodian National Council for Children (CNCC) is a national coordination mechanism attached to the Ministry of Social Affairs, Veterans and Youth Rehabilitation. Its key function is for the implementation, monitoring and evaluation of all child right policies and programmes related to Cambodian children. However, it lacks the necessary human, technical and financial resources to fulfil its role.⁵⁰ The Committee on the Rights of the Child expressed its concerns in 2015 that the coordinating functions of the CNCC and the National Committee for Counter Trafficking overlap, therefore undermining the capacity of Cambodia to effectively implement the OPSC.⁵¹
23. Commune Committees for Women and Children (CCWC) were established across the country to ensure child protection at the local level, although they are often unclear on their roles and responsibilities. They lack adequate funding to fulfil their mandates and have limited capacity in designing budget plans or expertise to identify the most vulnerable children in their Commune.⁵²
24. The Ministry of Tourism is entrusted with the power to manage and control the tourism sector.⁵³ Despite some measures taken to prevent and protect children from SECTT (training on and promotion of the Law on Tourism, plus a research study on SECTT), its mandate in fighting SECTT is restricted.⁵⁴
25. To tackle OCSE and prosecute offenders, Cambodia has established an Information and Technology Office under the Anti-Human Trafficking and Juvenile Protection Department and an Anti-Cyber Crime Unit under the Criminal Investigation Department.⁵⁵ The Anti-Cyber Crime Unit is currently assisting to draft a new Law on Cybercrime, consulting international experts.
26. There are many examples of cooperation between the Government and the NGO sector. For example, the Counter Trafficking in Persons Program (CTIPII) is a four-year USAID-funded project (2011-2015) to fight human trafficking and labour exploitation in Cambodia. It was implemented by Winrock International together with the government and non-governmental partners. It aimed to improve the Government and civil society's coordination and capacity to combat all forms of human trafficking, including the trafficking of children for sexual purposes.⁵⁶ However, NGOs still have limited input into the development of strategies, policies or mechanisms to combat SEC despite their essential role and expertise in promoting and protecting children's rights.⁵⁷

Recommendations for the GoC to:

- Provide more resources and establish clear functions to the Anti Human Trafficking and Juvenile Protection Units to coordinate the actions to end SEC and cover areas covered by the OPSC;
- Develop a monitoring system with participation of all stakeholders and measure achievements on set indicators to combat SEC;
- Strengthen coordination and cooperation between the various government ministries, departments and agencies working in the areas covered by the OPSC, especially to avoid any potential overlap or gaps. Specifically coordination between law enforcement, judiciary and social services;
- Ensure active and meaningful consultation with the civil society in the development of mechanisms, strategies and budgets of service delivery for children as well as their implementation.

Legislative framework

27. Cambodia's Law on Suppression of Human Trafficking and Sexual Exploitation of 2008 (TIPSE Law) provides a comprehensive definition of the **exploitation of children in prostitution**.⁵⁸ 'Child prostitution' is defined as "having sexual intercourse or other sexual conduct of all kinds between a minor and another person in exchange for anything of value".⁵⁹ This definition is fully compliant with article 2 of the OPSC. Moreover, the criminalisation of 'child prostitution' is far-reaching as the element of the offence relating to the "exchange for anything of value" includes the provision or promise of provision of anything of value, either to the child or an intermediary, a parent, a guardian or any other person who keeps the child under his or her supervision or control.⁶⁰ Penalties for the 'purchase of child prostitution' under the TIPSE Law are 2 to 5 years imprisonment when the child is 15 years old or older, and 7 to 15 years imprisonment when the child is under 15 years old. The TIPSE Law criminalises other offences relating to exploitation in prostitution, including the procurement of prostitution, management of a prostitution establishment and the provision of premises for the exploitation of children in prostitution. The Law explicitly exempts children from criminal responsibility and punishment for prostitution related offences (e.g. solicitation).⁶¹ Children exploited in prostitution are considered by law to be victims and not offenders. It seems that the Cambodian laws comply with the international standards. However, in the last country's UPR, Portugal and Belgium suggested the GoC to fully implement its laws against the sexual exploitation of children.⁶²
28. In the last country's UPR, the States of Ecuador, Germany and Nicaragua recommended the GoC to take the necessary measures to combat child trafficking.⁶³
29. The GoC has adopted separate legislations specific to **child trafficking**, including trafficking of children for sexual purposes, and adopted legal provisions that include a comprehensive definition of child trafficking in compliance with the Palermo Protocol and the ASEAN Convention Against Trafficking in Persons, Especially Women and Children. The TIPSE Law expressly addresses trafficking offences in 12 of its 30 articles. It prohibits all forms of trafficking and entails sentences of 7 to 15 years, and up to 20 years for aggravating circumstances, for sex and labour trafficking. However, gaps remain in the Law. Under Article 12, the recruitment of children for the purpose of exploitation is unlawful only if it is done by means of deception, abuse of power, confinement, force, threat or any coercive means.⁶⁴ This is not consistent with Article 3 of the Palermo Protocol, which criminalises the recruitment of children for the purpose of exploitation, regardless of the means used.
30. The TIPSE Law also condemns the '**sale of a person**' defined as the "unlawful delivery of the control over a person to another, or the unlawful receipt of the control over a person from another, in exchange for anything of value including any services and persons".⁶⁵ Article 12 adds "the act of unlawful recruitment in this law shall mean to induce, hire or employ a person to engage in any form of exploitation with the use of deception, abuse of power, confinement, force, threat or any coercive means". This definition is not compliant with the OPSC and the Committee on the Rights of the Child expressed its concerns in 2015 stating that an element of force or other forms of coercion, such as the use of deception, abuse of power, confinement or threat, shall not be required.⁶⁶
31. The criminal provisions related to **online child sexual exploitation** are prescribed in the Law on Suppression of Human Trafficking and Sexual Exploitation. Article 40 defines 'child pornography' as "a visible material such as a photograph or videotape, including a material in electronic form, depicting a minor's naked figure which excites or stimulates sexual desire".⁶⁷ According to the explanatory note from the Ministry of Justice, such 'visible material' include photographs, drawings, texts, videos and movies in any physical or electronic form, and may also contain audio content that is pornographic in nature.⁶⁸ This definition is still only partially compliant with the OPSC as it fails to provide a comprehensive definition of 'child pornography'. The law does not include in the definition images of the sexual parts of a child's body for primarily sexual purposes, nor does it cover child sexual abuse/exploitation material

in the form of audio or written materials.⁶⁹ Moreover, the law is unclear concerning virtual child sexual abuse images.⁷⁰

32. Under the TIPSE Law, making **CSAM** available by distributing, selling, leasing, displaying, projecting or presenting it in a public place is punishable with imprisonment from 2 to 5 years and a fine from 4,000,000 to 10,000,000 riel (1,000 to 2,500 USD). Possessing, transporting, importing or exporting CSAM for the same purpose is liable to the same penalty, whereas producing CSAM carries an offence punishable by 5 to 10 years (10 to 20 years when the material is produced in order to make it available).⁷¹ However, the TIPSE Law does not contain any provision criminalising the basic offence of possessing 'child pornography' without the intent to distribute.⁷² Despite not being required by the OPSC, adoption of such a provision was highly recommended by the Committee on the Rights of the Child.⁷³ Likewise, article 41 of the TIPSE Law does not address the distribution, sale, lease, displaying, projection or presentation of CSAM in private places, nor the intentional consumption, access and viewing of such materials through the use of communication and information technologies. Finally, the law does not prohibit the online solicitation of children for sexual purposes, 'online grooming', which creates a major legal gap due to the growing risk of OCSE in Cambodia. The Cambodian Government is currently examining the draft of a cybercrime law, which would address not only the offence of 'online grooming', but also the issue of CSAM, by criminalising the possession of CSAM in a computer system or on a computer-data storage medium.⁷⁴ Finally, Cambodia has no laws, policies or practices requiring Internet Service Providers to report cases of CSAM and provide related material to law enforcement⁷⁵, except where required by court order.
33. Cambodian law does not contain provisions defining or explicitly criminalising **SECTT**. Administrative laws can be of some relevance in the fight against SECTT.⁷⁶ As such, the 2009 Law on Tourism stipulates that tourists or travellers who partake in activities related to sexual human trafficking and confinement, child trafficking and sexual exploitation/prostitution, disseminations of pornographic pictures and materials, shall be "subject to a nullification of entry-visa and shall be expelled or may be banned on staying the Kingdom of Cambodia for a specified period of time not exceeding five years or permanently".⁷⁷ The Law also prohibits minors to enter premises of adult entertainment sites and, requires managers of adult entertainment centres to ban and take reasonable measures to ensure that no minors are present in the premises.⁷⁸
34. In the last country's UPR, no recommendations have been done regarding **child early and forced marriage**. Cambodian law forbids child marriages, setting the minimum age for marriage without parental consent at 18, and the legal age for marriage with parental consent at 16 for both genders.⁷⁹ Nowadays in Cambodia, 19% of girls are married before the age of 18 and 2% before the age of 15.⁸⁰

Recommendations for the GoC to:

- Criminalise the recruitment of children for the purpose of exploitation and the 'sale of a person' by any means;
- Include in the TIPSE Law or the Law on Cybercrime the definition of 'images of the sexual parts of a child's body for primarily sexual purposes', the notion of CSAM in the form of audio, virtual and written materials;
- Criminalise the possessing of 'child pornography' without the intend to distribute it, 'online grooming';
- Establish a legal obligation for Internet Service Providers (ISP) to report, remove or block access to websites or online contents where sexual abuse materials representing children are available;
- Provide a legal definition and criminalise SECTT;
- Fulfil gaps in the existing legislations or create new laws that comprehensively address protection of victims of SEC/SECTT;

- Establish procedures and specify the authority for reporting of CSAM on online child sexual exploitation complaints.
- Harmonise national, regional and international laws on SEC/SECTT;
- Ensure full implementation of the TIPSE Law, the law against child marriage and the other related laws in force.

Prevention

35. The GoC has been active in implementing activities related to child protection including the prevention of sexual exploitation of children in Cambodia, however an overall national strategy on prevention is missing.
36. The Ministry of Education, Youth and Sports has integrated the Convention on the Rights of the Child into school curricula, disseminated preventive measures and a plan against human trafficking to students at schools and universities. It also implemented a programme that monitors the safety of children at school and another one that educates communities in order to enhance their understanding, vigilance and protection of children from trafficking. Simultaneously, the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSAVY) disseminated the Convention into the social work training curriculum.⁸¹ Training activities have been carried out on the prevention and fight against the trafficking of children: technical training for law enforcement officers about investigation, prosecution and sentencing techniques, training to capital and provincial public officials to raise awareness on the strategies to prevent and combat the trafficking of children, organisation of public forums in the capital and provinces to raise public awareness about the law.⁸² However, not all offences relating to SEC are covered by these training activities and only a limited number of trained social workers carry out preventive activities at the communal and local levels.⁸³
37. Civil society has also widely contributed to the efforts made to prevent SEC. The Cambodia Against Child Trafficking Coalition (Cambodia-Acts) is a network of 14 Cambodian NGOs working together to fight child trafficking, child exploitation and sexual abuse in provinces and municipalities across the country. Another example is APLE which provided trainings with an emphasis on SEC and SECTT, focusing particularly on grooming techniques, victim identification and investigation of SEC, to about 4,000 people including children, parents, local authorities, carers, NGO staff, law enforcement, etc.⁸⁴ ECPAT Cambodia⁸⁵ played also an important role in the prevention of SEC and worked in 19 capitals and provinces. It ran programmes and activities on human trafficking prevention through awareness raising, provision of vocational training, informal education to child victims and vulnerable children.⁸⁶ Efforts were made to involve the tourism industry e.g. through the Child Safe Tourism Campaign supported by Friends International and APLE. MOEYS has participated in meetings to help develop messaging.
38. However, despite an increasing number of initiatives, preventive measures remain inadequate and scattered. The CRC Committee expressed its concerns in 2015 that the underlying root causes and contributing factors leading to vulnerability to sexual exploitation are not sufficiently addressed.⁸⁷ Several manifestations of SEC are still not specifically targeted by prevention strategies, such as CSAM, OCSE, and the exploitation of boys in prostitution. The sale of virgins is a crime that requires specific research and preventive measures.⁸⁸ Lastly, most awareness raising campaigns, especially addressing SECTT, have been mainly implemented in cities only, even though the phenomenon is growing in rural areas as well.⁸⁹
39. Regarding youth participation, the Cambodian National Council for Children, although not composed of children, is a coordinating body that provides comments to the Government on work related to child survival, development, protection, promotion of welfare and child participation in implementing action plans relating to the implementation of the Convention on the Rights of the Child.⁹⁰ Since 2013, the CNCC has involved child representatives in the preparation of the annual forum for policy-makers on International Children's Day. The CNCC consulted children in the development of relevant policies, such as the 2014 Decision on

Guidelines for Applying Child Participation. Various NGOs established monitoring mechanisms, children's councils and clubs and, organised workshops to raise awareness and take action on children's rights including SEC.^{91,92,93}

Recommendations for the GoC to:

- Develop an overall national prevention strategy to prevent trafficking and all manifestations of SEC;
- Continue raising public awareness about SEC and all its manifestations and the sanctions on the crime through campaigns, trainings activities, workshops and social media;
- Continue investing in child empowering prevention programmes on SEC, included in the standard school curricula, and to address its root causes and multiple vulnerabilities that endanger children, families and communities;
- Promote child protective social norms through community development projects, and the media, including social networks;
- Invest in a public education programme to raise awareness on online behaviour and safety, knowledge and reporting of online child sexual exploitation and abuse offences;
- Enhance the implementation of the regulatory framework and take all legislative, administrative, social and other measures necessary to prevent and eliminate child sex tourism;
- Ensure that the child's voice is heard and taken into consideration in all legal and social proceedings affecting the child;
- Establish a sex offenders' register to ensure the activities of offenders are monitored/restricted and the possibility for interaction with children is reduced and, use the Interpol's Green Notice system in order to warn other member states if a known child-sex offender is travelling to their territory.

Protection of the rights of child victims

40. In the last country's UPR, Belgium recommended to the GoC to protect children in rehabilitation centres and youth centres from torture and ill-treatment.⁹⁴
41. In order to improve investigation and prosecution of SEC cases, the GoC developed several databases to gather information on sexual abuse, sexual exploitation and trafficking cases. However, these databases not only tend to focus primarily on trafficking, but are also insufficiently linked to each other and are not accessible at the provincial and municipal levels.⁹⁵ The total number of violations related to SEC and data on the number of prosecutions and investigations is unknown. The GoC doesn't have a comprehensive system in place to collect and report data on SEC, which greatly limits its capacity to assess, monitor and prevent SEC offences.
42. Law enforcement also lacks the financial resources to conduct investigations.⁹⁶ This greatly restrains the reach of law enforcement and only a small number of victims are identified. The low quality of investigations is due to multiple factors. First, police officers are not paid a reasonable salary, inducing a negative impact on the willingness of the police to investigate. This is especially the case in rural areas.⁹⁷ Furthermore, police officers lack the knowledge, skills, equipment and operational budget to conduct high-quality investigations. This is especially the case for SECTT, CSAM and OCSE-related cases which require intensive investigations.⁹⁸
43. There is also a need to enable law enforcement to use undercover investigative techniques to investigate SECTT and OSCE cases which will reduce the reliance on victims' statements throughout the investigation and prosecution process. Furthermore, it will also help to prevent crimes. Thus far law enforcement has been reactive and can often only intervene after a crime has been committed.

44. NGOs work side-by-side with the Cambodian police to train and share up-to-date investigative techniques on how to handle sensitive situations, such as child grooming and child abuse materials online. NGOs such as APLE Cambodia also provide a training of trainers (ToT) to maximise sustainability and disperse knowledge further.⁹⁹ In March 2017, a comprehensive training programme to strengthen understanding of the essentials of cybercrime investigation has been conducted by UNODC jointly with the International Centre for Missing and Exploited Children (ICMEC).¹⁰⁰ Various criminal justice officials improved their skills and knowledge of strategies to successfully investigate and prosecute cases of child sexual exploitation, including OCSE.
45. Cambodia has also an online reporting mechanism, set up by the local NGO APLE, and associated with the INHOPE Foundation. The hotline in Cambodia receives online reports of illegal content, including child sexual abuse materials,¹⁰¹ and APLE refers them to the Anti Cybercrime Department for investigation or to the hotline member of INHOPE for further action.¹⁰²
46. Finally, there is a lack of understanding of sexual abuse of males overall and often, a lack of empathy for boy victims during the investigation stage, especially from authorities (police, medical personnel, courts, etc.). Cambodian society, like many, considers boys to be invulnerable and able to protect themselves, and it spreads the idea that, even if boys are abused, they do not require support.¹⁰³ In recent years, a few specialist NGOs supporting males have emerged, and they also provide training for social welfare practitioners and law enforcement.¹⁰⁴
47. In 2015, the CRC Committee expressed its deep concerns regarding the low prosecution and conviction rates.¹⁰⁵ Efforts to prosecute and convict offenders may be hindered by the widespread practice of out-of-court settlements and high levels of corruption among judicial authorities.
48. The Cambodian Justice system is evolving but is not yet fully equipped to respond to the need of children who come in contact with the law, whether as victims of SEC or as witnesses. Access to justice for all is another target of the 2030 Agenda for Sustainable Development.¹⁰⁶ No independent mechanism to receive and address complaints from children concerning violations of their rights exists in Cambodia.¹⁰⁷ Current complaint mechanisms are not easily accessible at the community level and not available to children.¹⁰⁸ When they are accessible, child victims are often reluctant to file a complaint due to a lack of confidence in law enforcement and judicial authorities due to the possible criminalisation of victims or cut down sentences.¹⁰⁹ Only perpetrators are entitled to a lawyer through e.g. the BAR association's pro bono legal services, but the law does not provide the same right to victims.
49. The police are rarely proactive in investigating reports of sexual exploitation of children. There is a tendency to wait for a substantial amount of information before responding, thus undermining the importance of crime prevention. A study supported by UNICEF showed that only in very few cases children had been approached by the police to file charges. In only two cases (among 54 cases), the police, who were already investigating a case with multiple victims, took the initiative to get the children to file a complaint and testify against the offenders.¹¹⁰
50. There are no specific provisions for child protection and victim/witness assistance in the criminal justice process under Cambodian law. NGOs in Cambodia play a very significant role in getting some children to go to court. In the UNICEF study, the majority of children (65%) were living in an NGO shelter at the time of the court process and many families saw NGO support as vital.¹¹¹ In its concluding observations in 2015, the Committee on the Rights of the Child highlighted the absence of State-run rehabilitation and reintegration programmes in Cambodia. Moreover, the system also lacks a comprehensive Child Protection Law.¹¹²
51. Some initiatives and guidance exist. For example, the MoSAVY has established the Anti-Trafficking in persons and Reintegration Office (ATRO) under the supervision of the Department of Social Welfare, to accept and reintegrate victims of human trafficking from Thailand and Vietnam to return and live with their communities.¹¹³ For the year 2014-2018, the Ministry has launched a strategic plan to promote the fight against human trafficking and assist

victims through rehabilitation and/or vocational training.¹¹⁴ The Government also runs a 24-hour hotline platform to inform the public where children can receive assistance and be referred to support services.¹¹⁵

Recommendations for the GoC:

- Coordinate the work of ISPs, government and the Internet hotline to ensure a good flow of case reports;
- Develop and implement a comprehensive, coordinated and effective system of data collection and case management to improve investigation and prosecution of SEC cases as well as dissemination of lessons learnt;
- Ensure that law enforcement agencies have the resources and skills to identify, investigate – undercover if necessary – and respond to SEC proactively and are able to use victim-centred and child friendly methods when dealing with child victims and witnesses;
- Ensure that child-friendly services are available and regulated by quality standards, put in place by competent and well-trained staff with adequate resources and easily accessible to all children in order to guarantee their physical and psychological recovery and reintegration into their communities;
- Invest in the development of analytical tools and new investigative techniques – such as undercover investigations – to enable law enforcement to identify perpetrators and rescue victims;
- Support boys and girls victims equally during the criminal justice process;
- Establish one legal mechanism for children to access justice without delay and provide free legal services for victims;
- Inform and educate child victims of SEC about available recovery and reintegration structures;
- Mobilise sufficient financial and human resources to develop emergency shelters for child victims which offer integrated services (psychological, legal, medical, etc.) and to establish rehabilitation and reintegration programmes;
- Abolish barriers for child victims of SEC to compensation by abolishing the requirement for victims to apply and identify the offender’s assets;
- Ensure that SEC victims are not treated as criminals, that the burden of proof falls on the authorities and not on the victim with the help of recordings of interviews of victims and training of law enforcement;
- Offer or subsidise tailored recovery and reintegration services to SEC victims;
- Effectively fight against impunity and corruption by fully enforcing existing laws and conducting rigorous investigations and prosecuting officials and teachers who commit SEC offences;
- Strengthen extra-territorial cooperation and practices with the various countries by improving timely information sharing and responses to mutual legal assistance requests;
- Create a legal condition or provision that makes deportation of convicted foreign child sex offenders mandatory, not based on judge’s discretion/opinion.
- To deny entry to any visitor for which immigration authorities have received a notification that the visitor might pose a danger to children.

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