

Cambodia

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working in 2001:	44.8% ⁷⁶¹
Minimum age for admission to work:	14/15 ^{762*}
Age to which education is compulsory:	Not compulsory ⁷⁶³
Free public education:	Yes ⁷⁶⁴
Gross primary enrollment rate in 2004:	137% ⁷⁶⁵
Net primary enrollment rate in 2004:	98% ⁷⁶⁶
Percent of children 5-14 attending school in 2001:	69.5% ⁷⁶⁷
As of 2003 primary school entrants likely to reach grade 5:	60% ⁷⁶⁸
Ratified Convention 138:	8/23/1999 ⁷⁶⁹
Ratified Convention 182:	3/14/2006 ⁷⁷⁰
ILO-IPEC participating country:	Yes ⁷⁷¹
*Laws are inconsistent	

Incidence and Nature of Child Labor

In 2001, approximately 45 percent of boys and 44.6 percent of girls ages 5 to 14 were working in Cambodia. The majority of working children were found in the agricultural sector (76.5 percent), followed by services (17.7 percent), manufacturing (4.9 percent) and other sectors (0.9 percent).⁷⁷² Children work in hazardous conditions on commercial rubber plantations, in salt production, in fish processing, in portering, in brick making,⁷⁷³ and as rubbish pickers, on

⁷⁶¹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, March 1, 2007.

⁷⁶² Government of Cambodia, *Cambodian Labor Law*, (March 13, 1997), Article 177 (1); available from http://www.bigpond.com.kh/Council_of_Jurists/Travail/trv001g.htm. See also U.S. Embassy- Phnom Penh, *reporting*, August 30, 2005.

⁷⁶³ U.S. Department of State, "Cambodia," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78769>.

⁷⁶⁴ Ibid. See also U.S. Embassy- Phnom Penh, *reporting*, December 28, 2006.

⁷⁶⁵ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

⁷⁶⁶ UNESCO Institute for Statistics, *Net Enrolment Rate. Primary. Total*, accessed December 20, 2006; available from <http://stats.uis.unesco.org/>.

⁷⁶⁷ UNESCO Institute for Statistics, *Attendance Statistics*, December 20, 2006; available from <http://stats.uis.unesco.org/>.

⁷⁶⁸ UNESCO Institute for Statistics, *Survival Rate to Grade 5. Total*, accessed December 18, 2006; available from <http://stats.uis.unesco.org/>.

⁷⁶⁹ ILO, *Ratifications by Country*, accessed June 16, 2006; available from <http://www.ilo.org/ilolex/english/newratframeE.htm>.

⁷⁷⁰ Ibid.

⁷⁷¹ ILO, *IPEC Action Against Child Labour- Highlights 2006*, Geneva, October 2006; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061018_Implementationreport_eng.pdf.

⁷⁷² UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

⁷⁷³ ILO-IPEC, *Support to the Cambodian National Plan of Action on the Elimination of the Worst Forms of Child Labour: A Timebound Approach*, project document, Geneva, September 2004, v. See also ILO-IPEC, *Combating Child Labor in Hazardous Work in Salt Production, Rubber Plantations, and Fish/Shrimp Processing Centers in Cambodia*, project document, Geneva 2001.

tobacco plantations, and in making handicrafts. Children also work processing sea products; breaking, quarrying or collecting stones; in gem and coal mining; and in restaurants.⁷⁷⁴ Children, primarily girls, also work as domestic servants. Most of these child domestics are girls 14 to 17 years old, though it is not uncommon to find them as young as 8 or 9. They typically work 12 to 16 hours a day, 7 days a week.⁷⁷⁵

Cambodia is reported to be a country of origin, transit, and destination for trafficking in children for the purposes of commercial sexual exploitation and forced labor,⁷⁷⁶ including begging. Cambodian children are trafficked to Thailand and Vietnam; and Vietnamese children are trafficked to Cambodia for commercial sexual exploitation or forced labor in begging, soliciting, street vending, and flower selling.⁷⁷⁷

Child Labor Laws and Enforcement

The Labor Law sets the minimum age for employment at 15 years,⁷⁷⁸ although a later 1999 ministerial decree sets the minimum age at 14 years.⁷⁷⁹ The law allows children 12 to 15 years to perform light work that is not hazardous and does not affect regular school attendance or participation in other training programs.⁷⁸⁰ Cambodian law prohibits work that is hazardous to the mental and physical development of children under 18, including in agriculture and domestic work.⁷⁸¹ Employers who hire children less than 18 years are liable to a fine of 31 to 60 days of the daily wage.⁷⁸² The law also prohibits hiring people to work to pay debts.⁷⁸³ The law lists 38 types of hazardous work, such as tanning, logging, using chemicals in textile production, etc., in which children under 18 are not permitted to work. The law separately identifies domestic work as hazardous, states that children under 12 shall not carry out domestic work, and sets guidelines for children 12 to 14 undertaking domestic work. Night work is generally prohibited for children.⁷⁸⁴ The law also states that no one under 18 shall work in underground mines or quarries, or work from 10 p.m. to 5 a.m. Lists of working children must be kept by employers and must be submitted to labor inspectors, and children who have parents or guardians must have their consent in order to work.⁷⁸⁵

⁷⁷⁴ ILO, UNICEF, and World Bank, *Children's Work in Cambodia: A Challenge for Growth and Poverty Reduction*, 2006, 22; available from http://www.ucw-project.org/pdf/publications/cambodia_rpt.pdf. See also Antonio Graceffo, *The Children of the Garbage Fields of Phnom Penh*, [online] [cited March 20, 2006]; available from <http://www.talesofasia.com/rs-36-garbage.htm>.

⁷⁷⁵ ILO, *Child Domestic Labour in Cambodia: Why It Has to Stop and How We Can Stop It*, Phnom Penh, , 2004; available from <http://www.ilo.org/public/english/region/asro/bangkok/library/download/pub04-12.pdf>.

⁷⁷⁶ U.S. Embassy- Phnom Penh official, E-mail communication to USDOL official, July 31, 2007.

⁷⁷⁷ U.S. Department of State, "Cambodia (Tier 2 Watch List)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/65987.htm>. See also U.S. Department of State, "Country Reports- 2006: Cambodia," Section 5.

⁷⁷⁸ Government of Cambodia, *Cambodian Labor Law*, Article 177(1).

⁷⁷⁹ U.S. Embassy- Phnom Penh, *reporting*, August 30, 2005.

⁷⁸⁰ Government of Cambodia, *Cambodian Labor Law*, Article 177(4).

⁷⁸¹ *Ibid.*, Article 177(2). See also U.S. Embassy- Phnom Penh, *reporting*, November 6, 2003.

⁷⁸² U.S. Embassy- Phnom Penh, *reporting* March 5, 2007.

⁷⁸³ Government of Cambodia, *Cambodian Labor Law*, Articles 15-16.

⁷⁸⁴ *Ibid.*, Articles 175-176.

⁷⁸⁵ Government of Cambodia, *Prakas on the Prohibition of Hazardous Child Labor*, Prakas No. 106, (April 28, 2004).

The Constitution prohibits prostitution and the trafficking of human beings.⁷⁸⁶ Penalties for brothel owners, operators, and individuals who prostitute others include prison terms of between 10 to 20 years, depending on the age of the victim.⁷⁸⁷ The law also stipulates 10 to 15 years of imprisonment for traffickers and their accomplices. If the victim is under 15 years old, violators face penalties of 15 to 20 years of imprisonment. Acts of debauchery are outlawed, and although the legal definition of debauchery does not explicitly include pornography, the courts have prosecuted several cases of child pornography under the law.⁷⁸⁹

The law prohibits all forced or compulsory labor.⁷⁹⁰ The minimum age for conscription into military service is 18 years.⁷⁹¹

The Ministry of Labor and Vocational Training (MOLVT) is responsible for enforcing the child-related provisions of the Cambodian Labor Law.⁷⁹² However, the Labor Law only applies to formal employer-employee relationships and does not cover many areas of informal sector work such as family businesses and farms, begging, scavenging, hauling, day labor, the commercial sex industry, or participation in any illegal activities, where the most serious child labor problems exist.⁷⁹³ No employer has ever been prosecuted for violating child labor laws.⁷⁹⁴ Local police are responsible for enforcing laws against child trafficking and prostitution.⁷⁹⁵ According to the U.S. Department of State, although the government has increased arrests and prosecutions of traffickers and has increased the number of prevention and protection programs, anti-trafficking efforts continue to be hampered by reported corruption and a weak judicial system.⁷⁹⁷ During 2006, the police arrested 670 offenders including 65 arrests for cross border and domestic trafficking.⁷⁹⁸ Thirteen foreign nationals were arrested for debauchery between March 2006 and January 2007.⁷⁹⁹

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) Action Program 2004-2008 places strong emphasis on child welfare and protection. Specific goals include

⁷⁸⁶ Government of Cambodia, *Constitution of the Kingdom of Cambodia*, (September 21, 1993), Article 46; available from http://www.oefre.unibe.ch/law/icl/cb00000_.html. See also *Law on the Suppression of the Kidnapping, Trafficking and Exploitation of Human Beings*, Royal Decree No. 0296/01, (1996).

⁷⁸⁷ *Law on the Suppression of Kidnapping*, Article 3.

⁷⁸⁹ U.S. Embassy- Phnom Penh, *reporting, August 30, 2005*.

⁷⁹⁰ Government of Cambodia, *Cambodian Labor Law*, Articles 15-16.

⁷⁹¹ Coalition to Stop the Use of Child Soldiers, "Cambodia," in *Child Soldiers Global Report 2004*, London, 2004; available from http://www.child-soldiers.org/document_get.php?id=848.

⁷⁹² U.S. Embassy- Phnom Penh, *reporting, August 23, 2004*.

⁷⁹³ U.S. Embassy- Phnom Penh, *reporting, November 6, 2003*. See also U.S. Department of State, "Country Reports- 2006: Cambodia," Section 6d.

⁷⁹⁴ U.S. Embassy- Phnom Penh, *reporting, August 30, 2005*.

⁷⁹⁵ U.S. Embassy- Phnom Penh, *reporting, August 23, 2004*. See also U.S. Department of State, "Country Reports- 2006: Cambodia," Section 6d.

⁷⁹⁷ *Ibid.* See also U.S. Embassy- Phnom Penh, *reporting, March 5, 2007*.

⁷⁹⁸ U.S. Department of State, "Country Reports- 2006: Cambodia," section 5.

⁷⁹⁹ U.S. Embassy- Phnom Penh, *reporting, March 5, 2007*.

combating child labor and trafficking, developing national plans, and improving enforcement mechanisms for violators of child labor and trafficking laws.⁸⁰⁰ The Government of Cambodia is undertaking a final assessment of its first 5-year plan against trafficking and sexual exploitation of children in order to finalize and implement its second 5-year plan (2006-2010).⁸⁰¹

Along with Burma, Laos, the People's Republic of China, Thailand, and Vietnam, Cambodia is signatory to the "Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT)." Two agreements were signed in 2006, pledging USD 1.8 million to the COMMIT process. The contributions will fund COMMIT activities to ensure the legal, social, and community protection of victims of trafficking; strengthen the capacity of persons combating the crime of trafficking; and build a comprehensive response involving all relevant ministries.⁸⁰² During the "Civil Society and Government Collaboration to Combat Human Trafficking in the Greater Mekong Subregion" conference, which took place in May 2006, government and NGO representatives adopted an action plan consisting of 19 recommendations to combat human trafficking.⁸⁰³ In November 2006, the Ministry of Women's Affairs established a single National Task Force to implement all agreements and MOUs between the Government of Cambodia and other countries on the elimination of trafficking in persons and assisting victims of trafficking.⁸⁰⁴

There are several governmental agencies that have ongoing programs to address the needs of children vulnerable to exploitation in the worst forms of child labor. The Ministry of Tourism continues to work with the ILO to promote "Child Safe" tourism policies to prevent trafficking of women and children for labor and sexual exploitation.⁸⁰⁵ The Ministry of Interior operates an anti-trafficking hotline.⁸⁰⁶ MOSAVY works with UNICEF and IOM to return trafficked children to their homes. The Ministry of Women's Affairs launched an anti-trafficking information campaign in five northeastern provinces in January 2006.⁸⁰⁷

The Government of Cambodia is participating in a USD 4.75 million USDOL-funded Timebound Program supported by ILO-IPEC to eliminate child labor in specified worst forms

⁸⁰⁰ Veterans and Youth Rehabilitation (MOSAVY) Kingdom of Cambodia's Ministry of Social Affairs, *Action Program 2004-2008*.

⁸⁰¹ ILO, *Cambodia Reviews Five Years of Counter Trafficking Efforts-Prepares for New Plan of Action*, [online] May 19, 2005 [cited May 19, 2005]; available from

<http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/index.htm>. See also World Education, *OPTIONS: Combating Child Trafficking and Commercial Sexual Exploitation through Education in Cambodia*, technical report, September 30, 2005, 5. See also U.S. Embassy- Phnom Penh, *reporting, March 5, 2007*.

⁸⁰² Human Trafficking.org, *Two Agreements Pledging U.S. 1.8 Million to COMMIT process*, [online] May 29, 2006 [cited June 27, 2006]; available from <http://www.humantrafficking.org/updates/349>.

⁸⁰³ Vital Voices Global Partnership, Email communication to USDOL official, June 19, 2006.

⁸⁰⁴ U.S. Embassy- Phnom Penh, *reporting, March 5, 2007*.

⁸⁰⁵ Ministry of Tourism and ILO, *Ministry of Tourism of the Kingdom of Cambodia and ILO Team Up to Advocate Promotion of "Child Safe" Tourism Policies to Prevent Trafficking in Children and Women*, September 22, 2005; available from

<http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/camtourismnews.pdf>. See also ILO-IPEC, *Mekong Sub-Regional Project to Combat Trafficking in Children and Women*, [online] [cited April 4, 2007]; available from <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/index.htm>.

⁸⁰⁶ U.S. Embassy- Phnom Penh, *reporting, August 30, 2005*. See also ILO-IPEC, *Mekong Sub-Regional Project*.

⁸⁰⁷ Human Trafficking.org, *Anti-Trafficking Campaign to Begin in Cambodia*, [online] March 2005 [cited March 14, 2006]; available from

http://www.humantrafficking.org/countries/eap/cambodia/news/2006_01/campaign_begins.html.

and to create a platform for eliminating all forms of child labor. The program targets children involved in brick-making, portering, rubber-making, domestic work, salt production, fish processing, and services. It targets 7,270 children to be withdrawn from work and 8,660 to be prevented from engaging in child labor.⁸⁰⁸ Cambodia is also part of a USDOL-funded global project that aims to substantially reduce the engagement of children in the worst forms of child labor.⁸⁰⁹ The government is also participating in a 4-year, USDOL-funded USD 3 million project that focuses on providing education opportunities to those children who have been or have the potential to be trafficked.⁸¹⁰ The project, which was launched in 2003, targets 13,500 children at risk of commercial sexual exploitation and trafficking. The project works in the provinces of Banteay Meanchey, Kampong Cham, and Prey Veng, as well as Phnom Penh.⁸¹¹ USDOL also funds a USD 500,000 project to assist in the reintegration of trafficked women and children. The project provides a range of counseling, training and rehabilitation services to girls and women in the Phnom Penh area.⁸¹²

The U.S. Presidential Anti-Trafficking in Persons Initiative allocated USD 5.6 million to support programs to combat trafficking in Cambodia through 2006.⁸¹³ In addition, in August 2006, USAID committed USD 4.5 million over three years to combat trafficking.⁸¹⁴ Cambodia also participates in a project supported by ASEAN and AusAID on the elimination of trafficking in women and children in four Southeast Asian countries and China's Yunnan Province.⁸¹⁵

Starting in 2006, AusAID is also providing funding for several activities in Cambodia. The "Mobilizing Communities for Child Protection" project and "A Child Safe Cambodia" project will work to protect the rights of children against commercial sexual exploitation and abuse. These projects total almost USD 3 million and will last through 2010.⁸¹⁶ In addition, AusAID has committed to provide USD 15.8 million over the next 5 years to combat human trafficking in four countries including Cambodia.⁸¹⁷

⁸⁰⁸ ILO-IPEC, *Support to the Cambodian National Plan of Action on the Elimination of the Worst Forms of Child Labour: A Time-bound Approach*, project document, Geneva, September 2004.

⁸⁰⁹ Winrock International, *Child Labor Reduction through Community Based Education*, [online] [cited January 31, 2007]; available from <http://www.winrock.org/fact/facts.asp?CC=5519&bu=>.

⁸¹⁰ World Education, *OPTIONS: Combating Child Trafficking and Commercial Sexual Exploitation through Education in Cambodia*, status report, March 2006.

⁸¹¹ U.S. Department of Labor, *Technical Cooperation Project Summary: OPTIONS: Combating Child Trafficking Through Education*, Washington, DC.

⁸¹² U.S. Department of Labor, *Technical Cooperation Project Summary: Reintegration of Trafficked Women*, Washington, DC.

⁸¹³ U.S. Embassy- Phnom Penh, *reporting, August 23, 2004*.

⁸¹⁴ HumanTrafficking.org, *U.S. Promises Funding to Counter Human Trafficking in Cambodia*, [online] [cited January 31, 2007]; available from <http://www.humantrafficking.org/updates/442>.

⁸¹⁵ Australian Embassy Bangkok, *AusAID Program in Thailand Overview* [online] May 2005 [cited May 20, 2005]; available from http://www.austembassy.or.th/agency/ausaid/overview_eng.php.

⁸¹⁶ Australian Agency for International Development (AusAID), *Aid Activities in Cambodia*, [online] [cited November 3, 2006]; available from http://www.ausaid.gov.au/country/cbrief.cfm?DCon=1061_5593_9716_8236_8498&Coun...

⁸¹⁷ Child Trafficking Research Hub, *Australia to Help Fight Human Trafficking in Asia*, [online] 2006 [cited September 21, 2006]; available from http://www.childtrafficking.org/cgi-bin/ct/main.sql?file=view_news.sql&TITLE=-1&AUTHOR=-1&THES...