



Today's Opportunities Driving Tomorrow's Success



Cambodian Children's Report 2013 on the Implementation of Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography

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A large, decorative red ribbon graphic that starts at the top left, loops around the number '1', and then extends down the left side of the page, ending in a large loop at the bottom. The ribbon has a slight sheen and is set against a light green background.

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Acknowledgement



This Cambodian Children's Report "Today's Opportunities Driving Tomorrow's Success" on the Implementation of UNCR Optional Protocol on "the Sale of Children, Child Prostitution and Child Pornography" would not have been possible without the encouragement and contribution of opinions, time, technical and financial support from many different stakeholders.

We all, as representatives of Cambodian children, would like to express our deep thanks to all the following relevant actors:

- Children, communities and local authorities in the 16 provinces and in the Capital for giving their invaluable time and contribution in sharing their information and comments, and to their parents for allowing them to participate in this process.
- 32 child researchers from the 16 provinces and the Capital for initiating research planning, their participation in the field study, facilitating provincial consultations and providing inputs to this report.
- Parents organisations from the 16 provinces and the Capital for facilitating the collection of information by the child researchers and organization of provincial consultations.
- Staff at NGO Coalition on the Rights of the Child (NGOCRC) for providing technical support, motivation and coordination in the development of this Children's Report.
- Plan International in Cambodia for providing technical and financial support and for their encouragement in the formulation of this Children's Report;
- The two youth coordinators, the three youth staff members from the Child Support Team of NGOCRC and the three youth representatives from the Executive Committee of the Cambodian Child and Young People Movement for Child's Rights (CCYMCR) for their technical support field visits to help the child researchers and for providing coordination in the drafting of this report.





The Kingdom of Cambodia ratified the Convention on the Rights of the Child on October 15, 1992 and later ratified the UNCRC's the Optional Protocol on "the Sale of Children, Child Prostitution and Child Pornography (OPSC)" on 21 February 2002 and the Optional Protocol on "the Involvement of Children in Armed Conflict (OPAC)", on July 16, 2004

The Royal Government of Cambodia has prepared and submitted the 1st and 2nd National Reports on the Implementation of the Convention on the Rights of the Child's two optional protocols in 2012.

For contribution to the better implementation of the rights of the child, child participation in monitoring the implementation of the rights of the child and the two optional protocols, CAN and CCYMCR has joined together to develop the Cambodian Children's Report "Today's Opportunities Driving Tomorrow's Success" on Implementation of UNCRC Optional Protocol on "the Sale of Children, Child Prostitution and Child Pornography" with the participation of the 32 child representatives of CAN and CCYMCR (16 girls and 16 boys) from the 16 provinces and the Capital, who conducted the field research, consultation and information gathering to create



Children Participated In National Workshop For Adopting Children Report.

this report.

The Cambodian Children's Report reflects the implementation of the optional protocol by the Royal Government of Cambodia and indicates the concerns, challenges and suggestions of the children to the Royal Government and the stakeholders in order to help them take corresponding and proper actions to deal with them.

As the representatives of the Cambodian children, we all hope firmly that the United Nations, the Royal Government and the Civil Societies will take this Cambodian Children's Report into consideration and take actions according to their respective authorization and duties.

Phnom Penh, May 28, 2013



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Process of Developing the Cambodian Children's Report



3.1

Who Develops the Cambodian Children's Report?

32 child representatives from the 16 provinces and the Capital (16 boys and 16 girls), who participated in a consultative workshop in Phnom Penh on February 23-24, 2012, were directly responsible for gathering information from their individual communities through the provincial consultations in the 16 provinces and the Capital (Phnom Penh, Kandal, Prey Veng, Svay Rieng, Kompong Cham, Kompong Chhnang, Takeo, Preah Sihanouk, Koh Kong, Banteay Meanchey, Preah Vihear, Pursat, Battambang, Siem Reap, Kratie and Ratanakiri) with coordination and technical support from coordinating working group.

The coordinating working group was composed of the following:

- *Two representatives from NGOCRC*
- *Two representatives from Plan International in Cambodia*
- *Three representatives from the Child Support Team at NGOCRC*
- *Three representatives from CCYMCR*
- *Two youth volunteer coordinators*



Children Discuss Children Report Together
In National Workshop



children identify Issues In National Workshop





3.2

Development Process for Cambodian Children's Report:




- **Agreement from the Child led Networks:** CAN and CCYMCR discussed and made decisions among their members to extend cooperation in the development of the Cambodian Children's Report on the Implementation of the optional protocol.
- **Create a working group for coordination and provision of technical support:** A technical working group was established its members as shown in the above paragraph to be in charge of coordination and provision of technical support to the preparation of the Cambodian Children's Report.
- **Studying relevant documents:** National laws and policies, the government's relevant reports and procedures for the implementation of the Convention on the Rights of the Child and the two optional protocols were studied and a presentation was made on the findings of desk review for approval by the child representatives who were to take



part in the national consultative workshop.

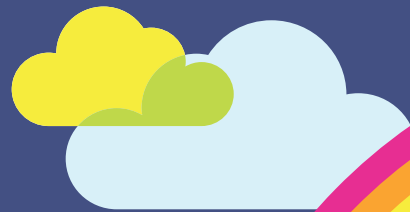
- **Consultative Workshop on Processing and Planning:** The 33 child representatives (17 girls) aged from 9 to 17 from the 16 provinces and the Capital were equipped with knowledge about the Convention on the Rights of the Child and the two optional protocols, the Children's Report writing process, methods for gathering information from children in the communities and key data collection tools. The children discussed and identified priority issues, developed an action plan and determined tools for conducting their field consultations to collect information in their respective communities in the 16 provinces and the Capital.
- **Provincial Consultation and Information Gathering:** The child representatives conducted research, collected information, and facilitated consultations in the 16 provinces and the Capital. A total of 349 children including 206 girls aged from 9 to 13 attended the consultations. Of them, 14.33% were especially vulnerable children (orphans, children with disabilities, poor children, dropouts school, at orphanages, and minority children). The group discussions were organized using body mapping tool and community risk mapping to identify issues and solution trees. Besides this, a total of 103 representatives of authorities, parents or guardians and civil societies, including 55 female were interviewed by the child representatives for verification (21.36%, 64.08% and 14.56% represents the authorities, citizens and organizations, respectively).
- **Draft Findings Report:** After receiving data from consultations and research in the provinces, the coordinating working group analyzed and reviewed the information, then drafted the outcome report for discussion, verification and decision making during the national consultative workshop.
- **National Consultative Workshop and Report Adoption:** The 31





representatives of the children from the 16 provinces and the Capital, including 17 girls, aged from 9 to 17, reviewed, verified and provided additional information, discussed suggestions, designed and adopted the Cambodian Children's Report. A number of methods were employed, including group discussions, pair discussions, page design, painting and issue identification (through the squid picture) and suggestion identification (through the balloon picture).

- **Finalizing the Report:** The report presentation and layout was designed by using computer applications based on the decisions made by the children in the above workshop, and published .
- **Report submitted to the United Nations Committee on the Rights of the Child**



3.3

Activities Following the Development of the Children's Report Who will discuss with children and meet with children?



CAN and CCYMCR under support from NGOCRC will :

- Discuss with children the selection of the child representative(s) to attend pre-sessional meeting with the United Nations Committee on the Rights of the Child.
- Meet with child representative(s) to strengthen their participation and advocacy capacities for their meeting with the United Nations Committee on the Rights of the Child.
- Assist the child representative(s) sharing experiences and outcomes of the meeting with the United Nations Committee on the Rights of the Child with the members of the Child Advocate Network and the Cambodian Child and Young People Movement for Child's Rights.
- Monitor meetings between the United Nations Committee on the Rights of the Child and the Royal Government and ask for the recommendations/concluding observation of the United Nations Committee on the Rights of the Child to the Royal Government.
- Share the child friendly version of the recommendations/concluding observations with the child members of the two networks and discussed the preparation of action plans for the implementation of the recommendations with the children and communities and encourage local and national authorities to perform their duties based on the recommendations.



Children's discussion in community to identify issues by using body map



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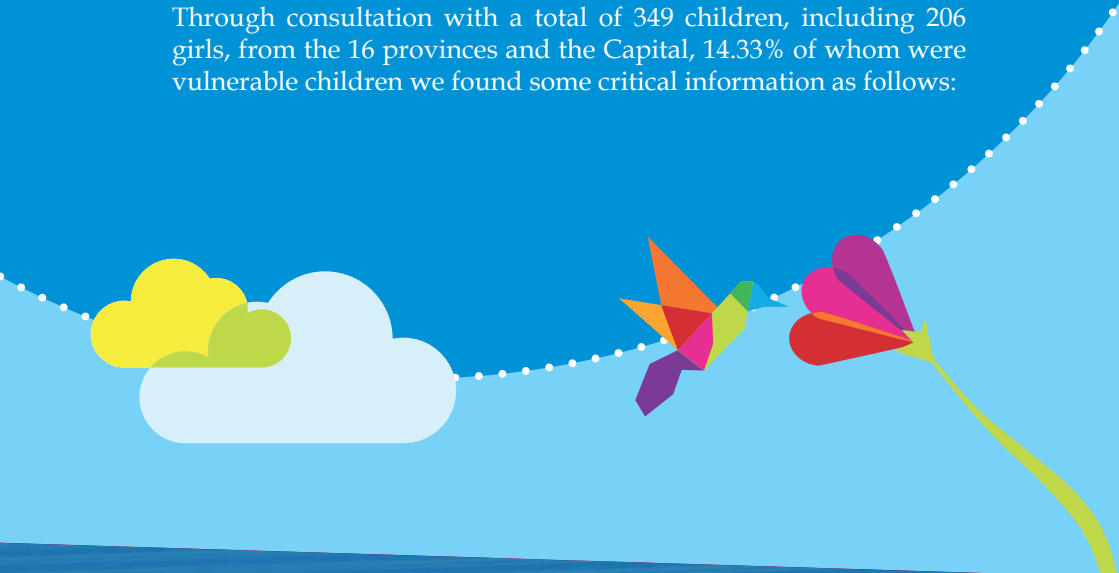
Our Findings

We, the Cambodian children, would hereby like to express our gratitude to the Royal Government of Cambodia for its great effort in the prevention and action against crime related to the sale of children, child prostitution, child pornography and child rape.

The Kingdom of Cambodia has adopted laws, legal instruments, strategies, national policies, a 5-year national plan against human trafficking and child sexual exploitation, established a National Committee to Lead the Suppression of Human Trafficking, Smuggling, Labour and Sexual Exploitation of Women and Children in 2009, the Anti-Human Trafficking and Juvenile Protection Bureau, and passed the Law on Suppression of Human Trafficking and Sexual Exploitation in 2008.

Nevertheless, the sale of children in any form remains a great concern whilst child prostitution is often hidden under the disguise of using the locations of beer garden, nightclub, Karaoke parlors, Café shops, massage parlor, and in private . Child pornography is secretly filmed and shared on phones as the procedures to monitor on the Internet system is not available. So it is creating vulnerable conditions for the children.

Through consultation with a total of 349 children, including 206 girls, from the 16 provinces and the Capital, 14.33% of whom were vulnerable children we found some critical information as follows:



4.1 Sale of Children



- Article 2 (A) of the Optional Protocol: *Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration.*
- Article 3 of the Optional Protocol: Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis:
 - A. In the context of sale of children as defined in article 2:
 - (i). Offering, delivering or accepting, by whatever means, a child for the purpose of:
 - Sexual exploitation of the child;
 - Transfer of organs of the child for profit;
 - Engagement of the child in forced labour;
 - (ii). (ii) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;



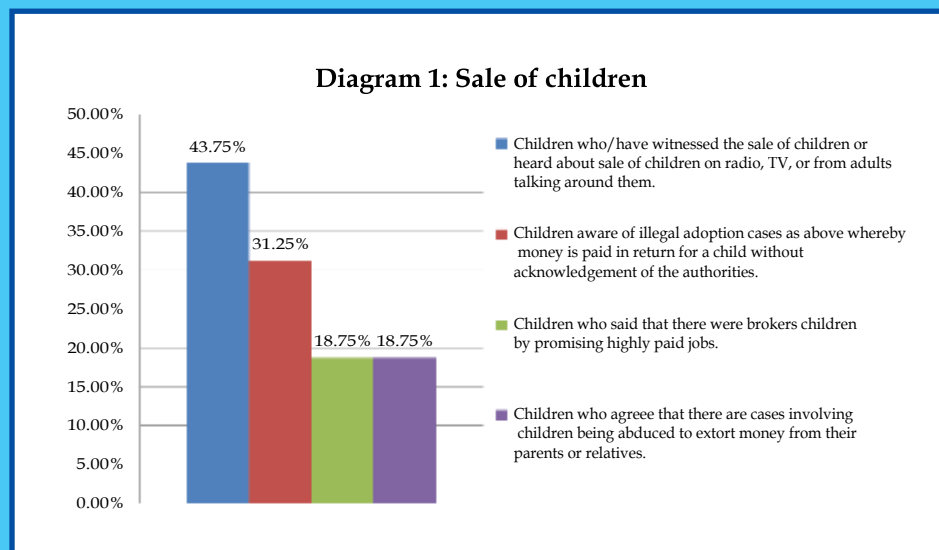
Result from discussion amongst children on issue of the sale of children by using octopus method



Table 1: Sale of Children

Known cases/issues	Mentioned capital/provinces	Percentage (%)
Children who/have witnessed the sale of children or heard about sale of children on radio, TV, or from adults talking around them.	Kandal, Pursat, Koh Kong, Preah Vihear, Preah Sihanouk, Banteay Meanchey, Ratanakiri	43.75%
Children aware of illegal adoption cases whereby money is paid in return for a child without acknowledgement of the authorities.	Kratie, Koh Kong, Kompong Cham, Banteay Meanchey, Phnom Penh	31.25%
Children who said that there were brokers children by promising highly paid jobs	Koh Kong, Preah Sihanouk, Phnom Penh	18.75%
Children who agree that there are cases involving children being abducted to extort money from their parents or relatives.	Banteay Meanchey, Phnom Penh, Ratanakiri	18.75%

Diagram 1: Sale of children



4.2

Child Prostitution



- Article 2 (B) of the Optional Protocol: *Child prostitution means the use of a child in sexual activities for remuneration or any other form of consideration;*
- Article 3 of the Optional Protocol: Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis:
- Article 3 (B) of the Optional Protocol: Offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2;



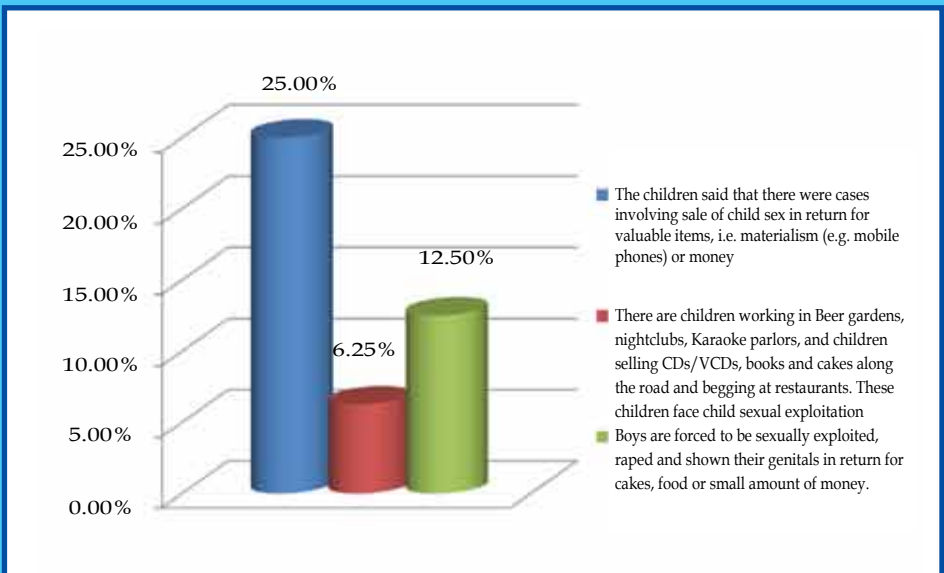
Child representative presented the results from discussions on child prostitution during national consultation workshop



Table 2: Child Prostitution

Known cases/issues	Mentioned capital/provinces	Percentage (%)
The children said that there were cases involving sale of child sex in return for valuable items, i.e. materialism (e.g. mobile phones) or money	Kandal, Preah Vihear, Ratanakiri	25%
There are children working in Beer gardens, nightclubs, Karaoke parlors, and children selling CDs/VCDs, books and cakes along the road and begging at restaurants. These children face child sexual exploitation	Phnom Penh	6.25%
Boys are forced to be sexually exploited, raped and shown their genitals in return for cakes, food or small amount of money.	Phnom Penh, Ratanakiri	12.5%

Diagram 2: Child Prostitution



4.3 Child Pornography



- Article 2 (b) of the optional protocol: *Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes*
- Article 3 of the optional protocol: Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis.
- Article 3 (c) of the optional protocol: Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography as defined in article 2.



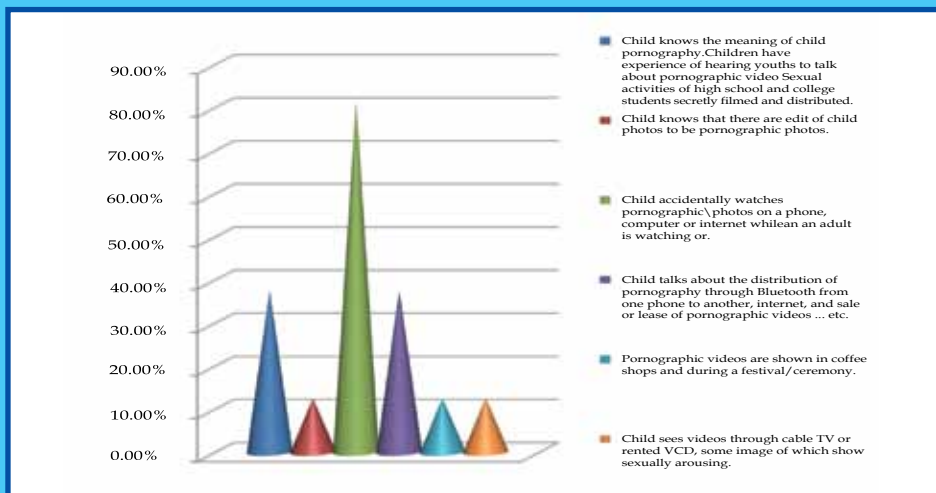
Result of discussion of children on issue of the sale of children and child photography



Table 3: Child Pornography

Known cases/problems	Capital/provinces	Percentage (%)
Child knows the meaning of child pornography.Children have experience of hearing youths to talk about pornographic video Sexual activities of high school and college students secretly filmed and distributed.	Kandal, Kompong Chhnang, Preah Vihear, Phnom Penh, Pursat, Ratanakiri	37.5%
Child knows that there are edit of child photos to be pornographic photos.	Kandal, Ratanakiri	12.5%
Child accidentally watches pornographic photos on a phone, computer or internet whilean adult is watching or.	Kratie, Battambang, Koh Kong, Kompong Cham, Preah Vihear, Prey Veng, Preah Sihanouk, Phnom Penh, Banteay Meanchey, Takeo, Pursat, Ratanakiri, Svay Rieng	81.25%
Child talks about the distribution of pornography through Bluetooth from one phone to another, internet, and sale or lease of pornographic videos ... etc.	Kompong Chhnang, Kompong Cham, Preah Sihanouk, Banteay Meanchey, Phnom Penh, Ratanakiri	37.50%
Pornographic videos are shown in coffee shops and during a festival/ceremony.	Kompong Chhnang, Preah Sihanouk	12.5%
Child sees videos through cable TV or rented VCD, some image of which show sexually arousing.	Prey Veng, Phnom Penh	12.5%

Diagram 3: Child Pornography



4.4

Child Sexual Abuse



Article 34 of UN Convention on the Rights of the Child: States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse.



Child representative presents the result from discussion of child sexual abuse

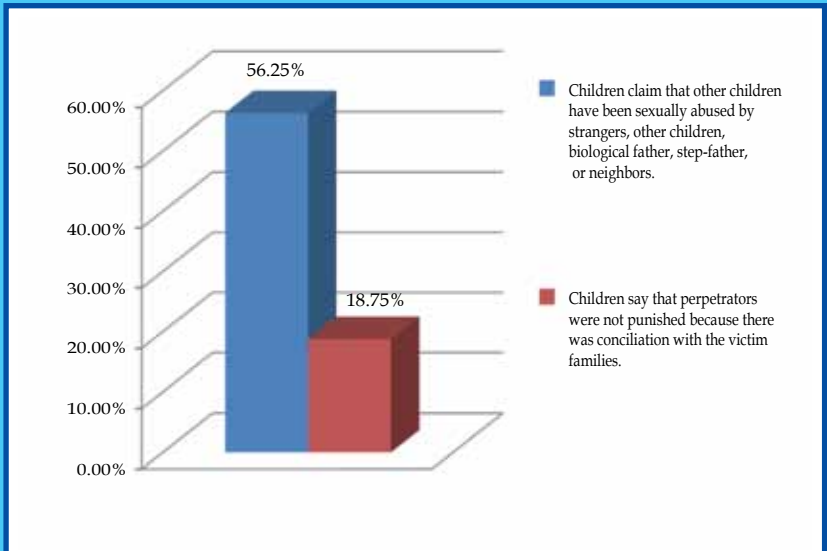




Table 4 Child Sexual Abuse:

Known cases/problems	Capital/provinces	Percentage (%)
Children claim that other children have been sexually abused by strangers, other children, biological father, step-father, or neighbors.	Kandal, Koh Kong, Kompong Cham, Preah Vihear, Preah Sihanouk, Pursat, Banteay Meanchey, Ratanakiri	56.25%
Children say that perpetrators were not punished because there was conciliation with the victim families.	Kompong Cham, Preah Sihanouk, Banteay Meanchey	18.75%

Diagram 4: Child Sexual Abuse





5

Causes of problems identified

5.1
Limited Law Enforcement

5.2
Limited knowledge of Government officers, authorities, people and children

5.3
Insufficient reporting mechanism and protection metrics.



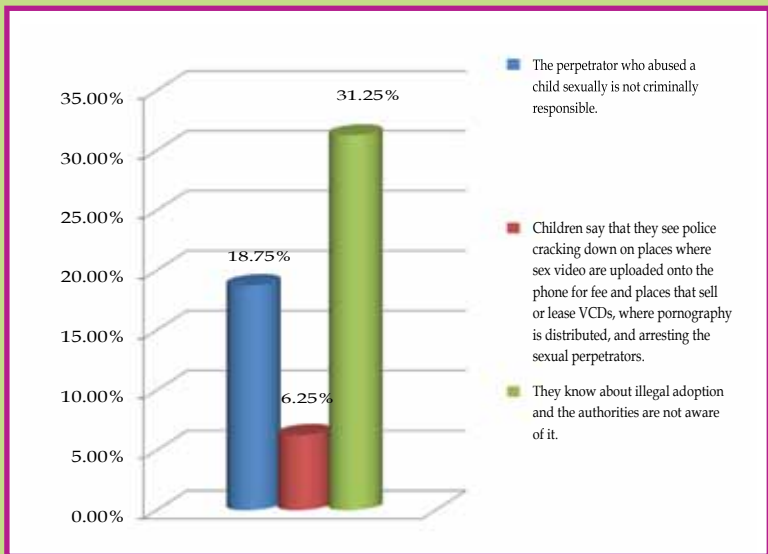
5.1

Limited Law Enforcement



Following through the consultation with children, 18.75% say that the perpetrator who abused a child sexually is not criminally responsible after the perpetrator conciliates and pays the compensation to the victim's family. Only in 16 Capital/provinces, children say that they see police cracking down on places where sex video are uploaded onto the phone for fee and places that sell or lease VCDs, where pornography is distributed, and arresting the sexual perpetrators. Regarding adoption, 31.25% of children in 5 Capital/provinces know about illegal adoption and the authorities are not aware of it.

Diagram 5: Limited law enforcement People,



5.2

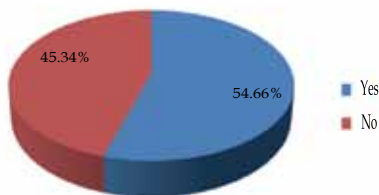
Limited Knowledge of Government Officers, Authorities, adults and Children



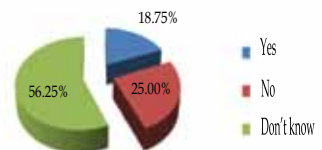
People, NGOs and authorities interviewed by the child researchers to confirm the consultation with the children in the provinces say that their communities have obtained knowledge of the sale of children, child prostitution, child pornography and child abuse and related laws through media (radio, television, newspaper, magazine, bulletin), meetings or forums, word of mouth, brochures or educational pictures and marches. However, 45.34% say that their communities have not received any publicity or knowledge of the above, especially legal knowledge.

Separately, through the consultation with children, children in only 3 Capital/provinces said that there has been dissemination of information by authorities, partner NGOs, and child clubs in the communities about migration, child trafficking and child sexual abuse. In 4 other Capital/provinces, children said that they saw no dissemination of information by the authorities and stakeholders in their communities.

In your village and commune, has there been any publicity about the sale of children, child pornography, child prostitution, and child abuse?



In your village and commune, has there been any publicity about the sale of child, child pornography, child prostitution, and child abuse?



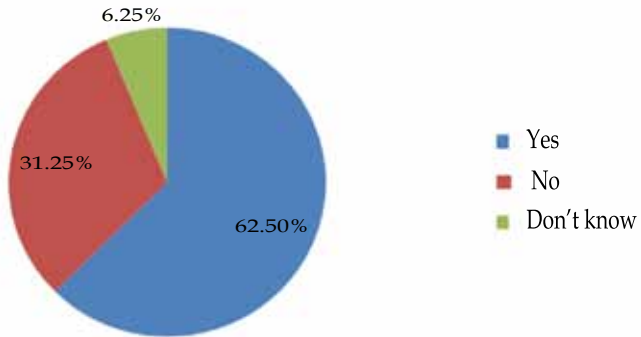
5.3

Inadequate Reporting Mechanism and protection measurement



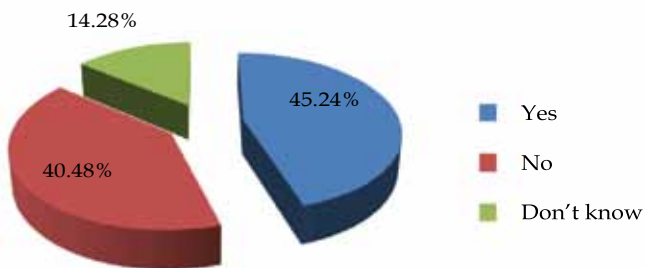
Through the national workshop with child representatives, 62.50% said that they know about the child abuse reporting mechanism to local authorities (reporting to village chief and police), 31.25% did not know about the reporting mechanism and 6.25% don't know the answer.

In your village and commune, is there any reporting mechanism when a child was abused? (Question for Children)



Among the people and authorities interviewed by the child researchers to confirm the consultation with the children from the province, 40.48% said that there is no reporting system and 45.24% said there is, and other 17.28% said they did not know.

In your village and commune, is there any reporting system when a child was abused? (Question for adults)

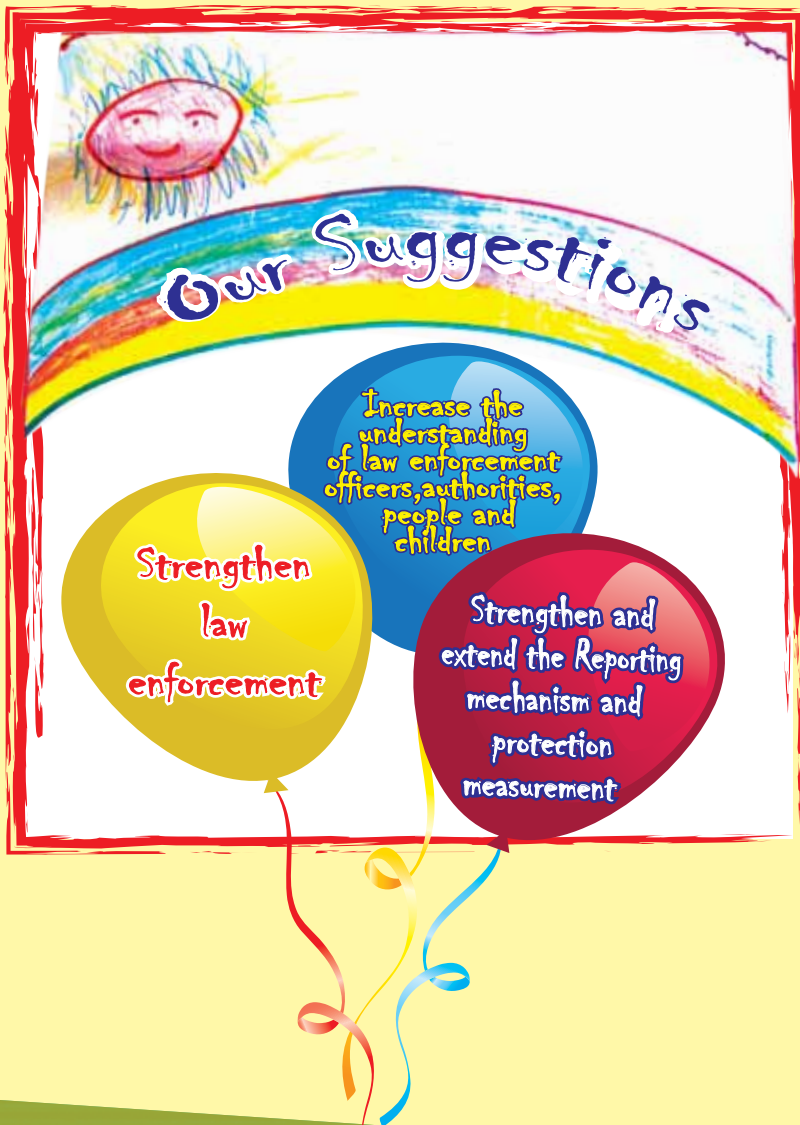


Activities of children in national work shop



6

Our Suggestions



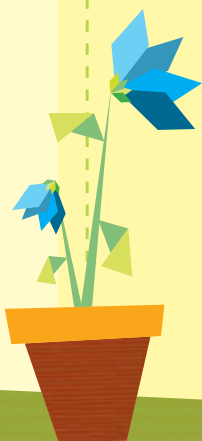
6.1

Strengthening law enforcement



❖ Government and authorities at different level

- Improve the enforcement of the law on transnational adoption to ensure that children are being adopted with safety;
- Enforce the Law on Suppression of Human Trafficking and Sexual Exploitation as effectively as possible;
- Improve the enforcement of the Law on Drug and alcohol usage;
- Create the law on the prevention of risky migration;
- Punish the perpetrators who have committed offenses such as human and child trafficking and child sexual exploitation;
- Arrest the importers, producers and distributors of pornography; punish and fine them severely shut down any website that show child pornography;
- Action against on places where pornography is produced, screened and distributed such as places where pornography video are uploaded onto phones for fee, places where CD/VCDs are sold or leased, coffee shops, internet, television, theater, and public places such as urban area and schools;
- Action against the production of child pornography, sale of child and child prostitution as soon as possible;
- Investigate the people who are suspected to have produced child pornography, sold children and provided/committed child prostitution;
- Take immediate action against conciliation of rape outside the court system, especially in remote areas;
- Prevent any child under 18 from worker in KTV, massage clubs and entertainment clubs;
- Take action against parents or guardians who forced or persuaded their underage child into marriage and prostitution.

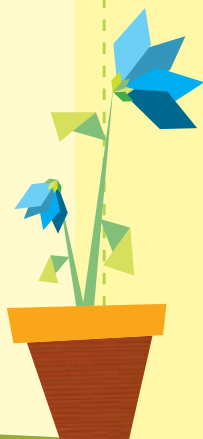


6.2

Increasing understanding amongst law enforcement officers, authorities, adults and children

❖ Government and authorities

- Disseminate the law related to children, the Convention on the Rights of the Child and its Optional Protocols as broadly as possible among law enforcement officers, police, local authorities, the public at large and children, especially in remote areas through pamphlets and boards along public roads;
- Encourage all institutions to create radio and TV programs to discuss the problems and impacts of child pornography and trafficking;
- Take account of child pornography through the dissemination of its impacts;
- Assist and provide resources for Commune councils to disseminate the issues of pornography during their monthly meeting and to communities ;
- Cooperate with NGOs to warn about the behaviours and actions of perpetrators who want to abuse and traffic children and produce child pornography;
- Create training courses and forum to educate the communities;
- Educate students on the sale of child, child pornography and child prostitution;
- School principals and teachers help teach children about the sale of children, child pornography and child prostitution and its impacts;
- Build the capacity of parents to help disseminate the information and knowledge to neighbors and their children on the sale children, child pornography and child prostitution;
- Improve the knowledge and capacity of parents to protect and advise their children to prevent abuse by not leaving their children alone or with those of opposite sex, advise their children to be careful, do not permit their children to meet any stranger without the knowledge of the authority, and do not allow their children to get married with strangers;
- Build the knowledge of children to protect themselves and have the courage to tell their parents/elders or report to the police when they are aware of rape, trafficking, distribution or screening of pornography, not to hide away, as well as to be able to advise their peers not to watch pornography.





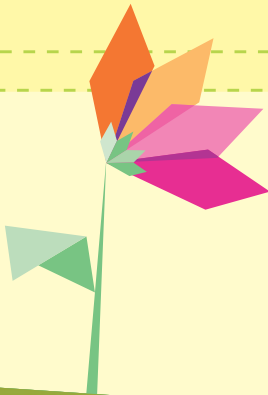
6.3

Strengthening and extending Reporting mechanism and protection measures

- ❖ Government and authority
 - Establish and improve the reporting mechanism in the communities (radio, telephone) which the children and communities know and can report any case easily at any time.
 - Establish and assist the community's child network to prevent any child abuse;
 - Establish and assist the community's adult network to protect the safety of children and report;
 - Build the capacity of local authorities to perform their duties in protecting children and communicate and listen to the communities, particularly the children;
 - Create information monitor and management system for the sale of children, child pornography, child prostitution, and child abuse;
 - Create specific plans of action to protect children at all levels with participation from children and communities;
 - Increase the budget and resources for child victim service and child protection.



Activities of children in national workshop



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