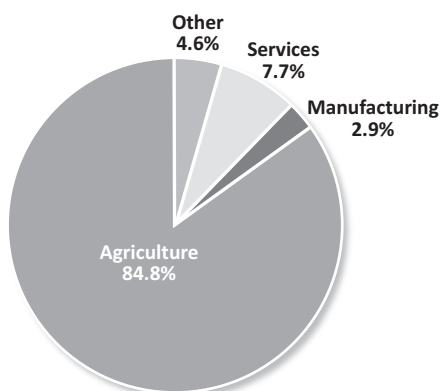


*In 2012, Cambodia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted a child labor monitoring system and trained government officials, including those from the national, provincial, and commune levels, on the system's implementation and management. In addition, the Government trained over 2,500 tour guides and law enforcement officials on preventing child sexual exploitation, child protection, trafficking, and children's rights. Finally, the Government began participating in a new \$10 million project to combat child labor in agriculture, fishing, and domestic service. However, the legal framework continued to have important gaps that leave children vulnerable to the worst forms of child labor. There is no compulsory education requirement, and the law allows children as young as age 12 to work in domestic service. Children continue to be involved in the worst forms of child labor, particularly in hazardous activities in agriculture and as victims of trafficking.*

#### Statistics on Working Children and Education

Children	Age	Percent
Working	10-14 yrs.	48.9 (884,728)
Attending School	5-14 yrs.	76.8
Combining Work and School	10-14 yrs.	42.1
Primary Completion Rate		87.1

#### Working Children by Sector, Ages 5-14



#### Sources:

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from HHS Survey, 2003-2004.(2)



#### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Cambodia are engaged in the worst forms of child labor. Many of these children work in hazardous activities in agriculture, while some fall victim to trafficking for commercial sexual exploitation and forced labor.(3-6) Children work in agriculture, often in tobacco and cassava cultivation.(3, 6-9) Children are also reported to work on rubber plantations.(5, 9) In Cambodia, children working in agriculture may work long hours in hot weather conditions, use potentially dangerous equipment without proper training and supervision, apply dangerous chemicals, and suffer from snake, insect, and scorpion bites.(6, 10, 11) Children in rural areas are more likely to work than children in urban areas due to the prevalence of rural poverty and lack of educational opportunities.(5, 12)

Additionally, children work in a number of hazardous occupations including working as porters and brick makers.(5, 9, 13, 14) In brickmaking, children haul heavy loads, crush and grind clay, and operate heavy machinery.(13, 14) Although information is limited, there are reports that children work in hazardous conditions mining coal and gems.(15) In the seafood industry, children work in hazardous fishing, including deep-sea and night fishing. Limited evidence suggests that children also engage in peeling shrimp and shucking crabs. These children may work long hours, perform physically demanding tasks, and are vulnerable to other risks such as drowning.(9, 16-19) Children also work in other hazardous activities, such as salt production, which requires them to carry heavy loads, work long hours in hot weather conditions, and suffer from cuts on their feet from the salt crystals.(3, 5, 14, 20) Children, some as young as six years old, work in domestic service in

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hazardous conditions.(9, 21-23) Child domestic laborers may be required to work long hours and perform strenuous tasks without sufficient food or shelter. These children may be isolated in private homes and are susceptible to physical and sexual abuse.(5, 14, 24, 25)

Children engage in hazardous street work as beggars and scavengers.(19, 26) Children on the streets in Cambodia are at times summarily rounded up and illegally confined, often under abusive conditions.(21, 23)

Cambodia is a source and destination country for trafficking in children. Cambodian girls are trafficked to Thailand for forced labor in factories and domestic work and may be forced into prostitution.(27) Cambodian children are trafficked to Thailand and Vietnam for begging, selling candy and flowers on the street, and shining shoes.(27) Children are trafficked to Malaysia for domestic service.(14, 27, 28) Fraudulent recruiting agencies that send girls to Malaysia forge identity documents to make young workers appear older and house recruits in prison-like “training facilities.”(14, 28, 29) Girls are trafficked internally and from Vietnam for prostitution, some in situations of debt bondage.(14, 27, 29) Limited reports also indicate that some girls are sold into debt bondage to other families for domestic labor.(27) Cambodia is also a destination country for child sex tourism.(27, 29, 30) Girls who previously worked as child domestic laborers have been found to be particularly vulnerable to trafficking for prostitution.(27)

Significant barriers to accessing the education system still exist.(5) In remote areas, children have to travel long distances to reach school, and transportation is limited. This sometimes deters parents from sending girls to school due to safety concerns.(5) The lack of bilingual instruction for children of ethnic minorities is a further obstacle to school access. Some children cannot gain access to education due to being displaced from their homes during land disputes and government land concessions for large agro-industry development and infrastructure projects.(31, 32) Limited access to education makes children, especially those who are marginalized because of race, ethnicity, and disability, vulnerable to the worst forms of child labor.(21)

## Laws and Regulations on the Worst Forms of Child Labor

The Cambodian Labor Law sets the minimum age for employment at 15.(5, 33) The law also permits children ages 12 to 14 to engage in light work, provided that the work is not hazardous and that they are also attending school.(34, 35) The law specifies the maximum number of hours children in this

age range may work in light work per day and per week, the hours during which children are not allowed to work, and the amount of rest time required per working period.(34)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	No
	Free Public Education	Yes

The Cambodian Labor Law also prohibits children younger than age 18 from hazardous work, which is defined further by a 2004 declaration on the Prohibition of Hazardous Child Labor.(5, 33, 36) The declaration lists 38 types of hazardous work, including working underground; lifting, carrying, or moving heavy loads; deep-sea and off-shore fishing; working near furnaces or kilns used to manufacture glass ceramics or bricks; and handling and spraying pesticides and herbicides.(36) In addition to the hazardous list, regulations issued by the Ministry of Labor and Vocational Training (MOLVT) define unsafe working conditions in agriculture, including separate regulations for cassava and tobacco production, and freshwater fishing that are prohibited for children.(3, 37-40)

The law lacks full protections for children involved in domestic service.(5, 41, 42) Children as young as age 12 are permitted to perform domestic labor by law, as long as the work is not hazardous to their health, safety, or morals, and does not involve any type of hazardous work specifically prohibited.(36) This minimum age of 12 for domestic work is below the minimum age for all other occupations in Cambodia.

While the legal framework provides some protection against the worst forms of child labor, the Cambodian Labor Law does not prohibit hazardous work in family businesses.(26)

Forced or compulsory labor is outlawed in section 5 of the Cambodian Labor Law.(5) The Cambodian Labor Law specifically prohibits forced labor in domestic service and agricultural work.(43) The Constitution prohibits prostitution and the buying and selling of human beings.(44) The Law on the Suppression of Human Trafficking and Sexual Exploitation defines trafficking crimes and criminalizes child prostitution as well as sexual and indecent acts with minors, and specifies fines and prison terms.(45, 46) The Penal Code explicitly prohibits child trafficking, child pornography, child prostitution and the use of children in other illicit activities.(19) Judges can determine whether perpetrators will be imprisoned or fined, and they can determine the amount of the fine. If fines are levied without a prison sentence, the punishment may not be a sufficient deterrent for wealthy perpetrators.(3, 9) The minimum age for voluntary and compulsory conscription into military service is 18.(3, 47)

Education is free, but not compulsory, through grade nine.(48) Although there are conflicting reports, typically children attend school until about age 14.(1, 23) The lack of compulsory schooling makes children under age 15, the legal age to work, particularly vulnerable to the worst forms of child labor because they are not required to attend school and are not legally permitted to work. Although education is free, teacher salaries are low, and instructors often charge extra fees to students for exams, snacks, and even class time.(48-50)

### **Institutional Mechanisms for Coordination and Enforcement**

The Cambodian National Council for Children (CNCC) and its subcommittee for child labor are the main coordinating institutions on child labor issues at the national level.(51) The CNCC subcommittee on child labor includes all concerned ministries, businesses, trade unions, and NGOs; it ensures that projects and programs follow national policy on child labor.(51) The Provincial Committees on the Protection of Child Rights and Provincial Committees on Child Labor coordinate efforts to address child labor at the provincial level.(51)

An inter-ministerial committee is responsible for determining the number of people living and working on the street, including children, and providing for their needs. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) provides direct support for street children.(52)

The National Committee on Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation of Women and Children focuses on coordinating policymaking efforts in those areas. The committee includes 18 representatives from all government ministries.(22, 27) In September, the Chair of the Committee established a Migration Working Group with 32 members, including representatives from the Cambodian Government and civil society.(53, 54) The Migration Working Group is responsible for coordinating multi-sectoral participation to address migration issues, gather and monitor data on migration, facilitate information exchange, and provide recommendations on the formulation of agreements with relevant countries. The activities of this working group may assist the Government in its efforts to eliminate child trafficking and address the issues of unsafe child migration through fraudulent labor recruiters.(54)

The MOLVT and the provincial labor departments are responsible for enforcing the child-related provisions of the Cambodian Labor Law.(3) While the Department of Inspection oversees the training and activities of labor inspectors, the Department of Child Labor conducts separate child labor inspections. There is no evident coordination mechanism between the two departments.(55) The MOLVT has 12 inspectors dedicated to child labor in Phnom Penh, and 27 child labor inspection officials at municipal and provincial levels.(3, 9) While the MOLVT has specific regulations regarding acceptable work for children in agriculture, fishing, and tobacco and cassava cultivation, Government officials report that they have not yet been able to enforce these regulations.(9) The Government lacks standardized guidelines on how to conduct labor inspections, and it is unclear how inspectors verify the age of children in the workplace.(55) Inspectors have no budget for transportation, fuel, and other necessities to carry out inspections.(3, 26) The MOLVT conducts routine inspections of some industries, primarily in the formal sector; however, most inspections are complaint driven rather than initiated by the MOLVT.(5, 56)

The Government does not officially release data on the number of child labor inspections or the number of children assisted.(57) Although labor inspectors have the authority to order immediate removal of children from the workplace and levy fines, procedures for applying such penalties are not administered uniformly.(55)

In June, the MOLVT adopted Cambodia's Child Labor Monitoring System. Subsequently, 83 MOLVT representatives, labor inspectors, representatives from other ministries, and provincial and commune officials were trained on the system's implementation and management.(53)

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Laws against trafficking, child sexual exploitation, and criminal activities are enforced by the Ministry of the Interior and 24 municipal and provincial anti-human trafficking and juvenile protection offices.(26) There are approximately 210 trained anti-human trafficking police officers at the national level.(3, 9) The MOSAVY accompanies the police on investigations during which child victims may be found, and subsequently refers child victims to NGO services.(3, 9) In 2012, 1,368 police officers participated in anti-trafficking training.(9) Human trafficking complaints can be filed through nine anti-trafficking hotlines.(26)

From January through December 2012, police arrested 29 people accused of involvement in human trafficking and child prostitution. During the same time period, police rescued 189 victims of trafficking in Cambodia, although not all were children.(58) In 2012, there were 50 prosecutions for trafficking, of which there were three acquittals and 44 convictions. However, there is no information available on whether these cases involved child trafficking. (58)

Research reveals that the borders between Cambodia and Thailand are porous, leaving children in the border regions vulnerable to trafficking.(59)

## Government Policies on the Worst Forms of Child Labor

The 2008-2012 National Plan of Action on the Elimination of the Worst Forms of Child Labor (NPA-WFCL) aims to reduce the percentage of working children ages 5 to 17 from an estimated 13 percent in 2005 to 8 percent by 2015, and to eradicate the worst forms of child labor by 2016.(3, 26, 60)

The NPA-WFCL includes a matrix of outputs, activities, implementing agencies, resources, and indicators to articulate how the Government will achieve its objectives in areas including research, policy, enforcement, social mobilization, education, protection, prevention, and withdrawal.(51) The plan targets children engaged in the types of work identified in the country's list of hazardous work prohibited for children, including quarrying, brickmaking, portering, rubber plantation work, salt production, fishing, and mining as priority sectors. Domestic service is also listed as a priority, although it is not universally prohibited to children younger than age 18.(51) During the reporting period, the Government drafted the NPA-WFCL II (2013-2017); however, it has not yet been finalized and adopted by the MOLVT.(9, 53)

In February 2012, the Ministry of Agriculture, Forestry and Fisheries, in collaboration with ILO-IPEC, the Food and Agriculture Organization, and other international

organizations, adopted an action plan to combat child labor in the fisheries sector.(53) The action plan will incorporate child labor into the Ministry's policies and legal frameworks for fisheries and aquaculture. It will also include an assessment of work hazards for children in fisheries and aquaculture and ensure that education and livelihood opportunities are adequately provided to children and their families who work in fisheries.(53)

The Education Strategic Plan (2009-2013) was designed to improve access to quality education for vulnerable children, including child laborers, and to support the decentralization of education service delivery by building the capacity of local educational institutions to receive and administer funds effectively.(61) The Government evaluated the plan in 2011. Various ministries had made progress in areas including awareness raising on the importance of education; the provision of school meals; improved school infrastructure; increased focus on inclusive education for students from poor families, orphans, and ethnic minorities; bilingual education; and advocacy for community participation.(62) This plan uses vocational training as a development strategy for marginalized youth, including child laborers.(61) In addition, the 2007 Child-Friendly School Policy includes the objectives of universal enrollment, education effectiveness, child protection, gender responsiveness, community participation, and support from education institutions.(63-65) Over half of primary schools and a third of lower secondary schools in Cambodia have already been designated child friendly.(66) Although the policy indicates that the Government, other donors, local communities, and development partners will provide the funding for activities under this policy, it is unclear how much money has been allocated to the policy's implementation thus far.(65)

The issue of child labor has also been incorporated into other key development policies. The National Poverty Reduction Strategy and the Rectangular Strategy Phase II incorporate the country's national child labor reduction targets.(41, 67) Child laborers and their families are also beneficiaries under the National Social Protection Strategy (NSPS).(68) The NSPS aims to protect the poorest and most disadvantaged populations, mitigate risk by providing coping strategies, and promote poverty reduction by building human capital and expanding opportunities including access to health, nutrition, and education services.(68) The National Youth Policy aims to afford meaningful opportunities to young people ages 15 to 30 and focuses on providing them with the skills they need to enhance their economic participation. The Government has yet to finalize an action plan for implementing this new policy.(69)

The ILO Decent Work Country Program, endorsed by the MOSAVY, highlights child labor issues and outlines a framework for enhancing policies, laws, and enforcement mechanisms to protect children.(70) In addition, the MOSAVY's First Occupational Safety and Health Master Plan (2009-2013) includes eliminating hazardous child labor as one of its six priorities.(71)

The Ministry of Social Affairs implements the Policy and National Minimum Standards for the Protection of the Rights of Victims of Human Trafficking. The policy includes guidelines to improve the treatment of victims and mandates training of officials.(72) The policy specifically lists children among those identified as victims of trafficking in Cambodia.(53) The Ministry of the Interior's Safety Village Commune/Sangkat Policy Guide mandates that local governments take action to end the trafficking of women and children to ensure safe communes.(73)

The 2011-2013 National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (NPA-STSL) includes activities aimed at harmonizing the NPA-WFCL and the NPA-STSL. These activities include developing monitoring procedures for domestic servants with an emphasis on child domestic workers and training trainers at the sub-national level to prevent child trafficking and child labor.(53, 74)

In March 2012, the Ministry of Economics and Finance, along with UNICEF and the CNCC, launched a development budgeting plan that targets women and children as some of the most vulnerable groups in greatest need of social policy and programming benefits.(53)

### **Social Programs to Eliminate or Prevent the Worst Forms of Child Labor**

During the reporting period, the Government participated in the final year of a 4-year, \$4.3 million USDOL-funded project to develop national capacity to end the worst forms of child labor, which ran through 2012.(75) The sectors targeted included child trafficking and child labor in fishing, brickmaking, salt mining, and portering. The project withdrew 5,860 children and prevented 5,884 children in 15 provinces from the worst forms of child labor.(53) During 2012, the project provided technical assistance on the drafting of the NPA-WFCL II and built the capacity of 40 Commune Councils to address child labor through local governance.(53) In addition, the MOLVT worked with the project to draft legislation that would allow inspectors to monitor homes that

employ child domestic workers; however, this has not yet been finalized.(9)

In December, USDOL funded a 4-year, \$10 million project to combat child labor in agriculture, fishing, and domestic service. The project targets 28,000 child laborers and children at-risk to receive education services and 14,000 households to receive livelihood services.(76) The project addresses a complex set of factors causing child labor including poverty, lack of education access, cultural acceptance of child labor, debt, migration, and lack of regulation in the informal sector.(76)

During the reporting period, the Government conducted a number of trainings and workshops, including courses for 343 tour guides on preventing child sexual exploitation, workshops for 651 national law enforcement officials on combating trafficking and child protection, and training for 1,599 provincial law enforcement officials on child protection, trafficking, and children's rights.(27) The Government also implemented campaigns to raise awareness on child labor and trafficking, including the production of a video that was broadcast on national television and shared with provincial education offices for further dissemination.(27)

During the reporting period, the National Orphans and Vulnerable Children Task Force—led by the MOSAVY—provided an “ID Poor” card to orphans, vulnerable children, and their families in targeted provinces. The card facilitates access to services such as education scholarships, health care, vocational and skills training, and income-generation support.(53)

The Government participates in a 4-year, \$3.7 million regional project to combat child sex tourism funded by the Australian Agency for International Development. The project is implemented in Cambodia, Laos, Thailand, and Vietnam.(77, 78) The project seeks to ensure that the relevant legislative framework of each participating country meets international standards; police, prosecutors, and judges understand the law; and mechanisms are established to promote cooperation within and across borders.(78)

In an effort to eliminate trafficking in persons, the Government participated in several programs funded by USDOS and USAID. These projects provide victim assistance, including shelter and psychosocial support. They also build the capacity of local police and strengthen protection networks between human rights organizations, government ministries, and local stakeholders.(79)

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Education and poverty reduction are also addressed through a number of donor-funded initiatives that may indirectly reduce child labor. The Government participates in a 5-year, \$10 million, USAID-funded project to enhance access to education, targeting 202 primary schools and 101 lower secondary schools. The project provides improvement grants to schools for scholarships, latrines, and equipment including computer and science labs.(80) From 2008 through 2012, the World Bank financed a \$57.4 million project to expand preschool and primary education services and enhance institutional capacity for education service delivery.(81) The Ministry of Education, Youth, and Sports implemented a bilingual education program

for ethnic minority children in preschools and primary schools in three provinces. The program targets 2,359 students from grades one through three in 27 schools.(32, 52)

The Government also participates in a 5-year, Australian-funded program to improve food security and nutrition, which includes providing breakfast and take-home rations to primary school children, food assistance to pregnant and lactating women, and offseason income-generation activities for the poor. In 2012, the program was funded at \$2.5 million.(82) Research was not found on the impact these poverty alleviation and education programs may have on the worst forms of child labor.

## Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Cambodia:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Institute and enforce a compulsory education age that is at a minimum equal to the minimum age for work.	2009, 2010, 2011, 2012
	Raise the minimum age for work in domestic service to at least 15, in compliance with the minimum age for work and with international standards.	2009, 2010, 2011, 2012
	Enact laws to protect children from dangerous work in family businesses.	2009, 2010, 2011, 2012
Coordination and Enforcement	Take steps to train employers and investigators on the new regulations regarding child labor in agriculture, tobacco, and cassava cultivation, and fishing so that these regulations can be adequately enforced.	2012
	Develop and implement standardized guidelines for conducting child labor inspections.	2011, 2012
	Conduct targeted inspections of industries in which hazardous child labor is known to occur.	2009, 2010, 2011, 2012
	Provide adequate resources for the enforcement of child labor laws.	2010, 2011, 2012
	Uniformly administer existing penalties for businesses violating child labor laws and ensure that punishments are a sufficient deterrent.	2009, 2011, 2012
	Collect and publish data on the number of child labor inspections conducted, the employers prosecuted, and the children assisted as well as the number of prosecutions, convictions, and penalties in cases of human trafficking and child prostitution.	2010, 2011, 2012
	Take steps to protect children from cross-border trafficking.	2010, 2011, 2012
Social Programs	Assess the impact that existing poverty alleviation and education programs may have on the worst forms of child labor.	2010, 2011, 2012

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