

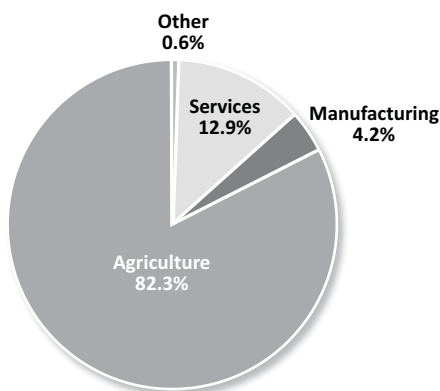
# Cambodia

In 2011, Cambodia made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government issued regulations that defined unsafe working conditions in agriculture, including separate regulations for cassava and tobacco production, and freshwater fishing that are prohibited to children. The Government also adopted the 2011-2013 National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (NPA-STSLs), which includes a section on child labor. Similarly, the Government passed the National Social Protection Strategy for the Poor and Vulnerable, which directly targets child laborers and their families for conditional cash transfers, school feeding programs and take-home rations. 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 dangerous 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 dangerous activities in agriculture, while some fall victim to trafficking for commercial sexual exploitation and forced labor.(3-5) Children work in agriculture, and often in tobacco and cassava cultivation.(4, 6, 7) Children are also reported to work in the production of rubber.(5) Children's work in agriculture commonly involves hazardous activities, such as using potentially dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.(8, 9)

Additionally, children work in a number of hazardous occupations including portering and brickmaking.(4, 5, 10) In brickmaking, children haul heavy loads, crush and grind clay and operate heavy machinery.(10) Children reportedly work in the production of coal and gems.(3, 11, 12) In the seafood industry, children work in hazardous deep-sea and night fishing as well as in peeling shrimp and shucking crabs. These children face multiple hazards, including the risk of drowning, and are sometimes victims of boating accidents and violent piracy at sea.(4, 9, 13) Children also work in other dangerous activities, such as salt production, which requires them to carry heavy loads, work long hours in the sun and suffer from cuts on their feet from the salt crystals.(4, 5, 12) Children work in domestic service in exploitative conditions.(14) Child domestic laborers do not attend school and work long hours for little or no pay.(5, 15)

Children engage in street work as beggars, street vendors, shoe polishers and scavengers.(3, 11) Children working on the

streets are vulnerable to severe weather, traffic accidents and crime. Children on the streets are at times summarily rounded up and illegally confined, often under abusive conditions.(14, 16)

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.(17, 18) Cambodian children are trafficked to Thailand and Vietnam for begging, selling candy and flowers on the street and shining shoes.(18-20) Children are trafficked to Malaysia for domestic service.(20, 21) Girls are trafficked internally and from Vietnam for prostitution.(17, 19, 20) Cambodia is also a destination country for child sex tourism.(19, 20, 22) Girls who previously worked as child domestic laborers have been found to be particularly vulnerable to trafficking for commercial sexual exploitation.(18)

Education is free, but not compulsory, through grade nine. Although there are conflicting reports, children appear to attend school until about age 14. 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. In addition, significant barriers to accessing the education system still exist.(5, 23, 24) In remote areas, children have to travel long distances to reach school and transportation is limited. This sometimes deters girls from attending school due to safety concerns.(5, 25) Because teacher salaries are low, instructors often charge extra fees to students for exams, snacks and even class time.(26) The lack of bilingual instruction is a further obstacle to school access. 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.(14)

In the fall of 2011, Cambodia experienced major flooding, which destroyed homes and infrastructure including schools and health centers. For children in the affected areas, the start of the school year was delayed from October until December.(27, 28)

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

The Cambodian Labor Law sets the minimum age for employment at 15.(5, 29) 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.(30, 31) The law specifies the maximum number of hours children in this age range may 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.(30)

	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	No
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	No
	Free Public Education	Yes

Children younger than age 18 are barred from hazardous work according to a 2004 declaration issued by the Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation.(5, 8, 29) 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.(8) In November 2011, the Ministry of Labor and Vocational Training (MOLVT) issued regulations that defined unsafe working conditions in agriculture, including separate regulations for cassava and tobacco production, and freshwater fishing that are prohibited for children.(4, 32-35)

The law lacks full protections for children involved in domestic service.(29, 36) 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.(8) A minimum age of 12 for work is below the minimum age for all other types of work in Cambodia and below the international standard of 14.

While the legal framework provides some protections against the worst forms of child labor, the Labor Law does not prohibit hazardous work in family businesses.(3)

Forced or compulsory labor is outlawed in section 5 of the Cambodian Labor Law.(29) The minimum age for voluntary and compulsory conscription into military service is 18.(4, 37) The Law specifically prohibits forced labor in domestic service and agricultural work.(38) The Constitution prohibits prostitution and the buying and selling of human beings.(39) 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.(17) The Penal Code explicitly prohibits child trafficking, child pornography, child prostitution and the use of children in other illicit activities.(11) Judges can determine whether perpetrators will be imprisoned or fined in addition to the amount of the fine. If fines are levied without a prison sentence, the punishment may not be a sufficient deterrent for wealthy perpetrators.(4)

## **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.(40) 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.(40) 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.(40)

The National Committee on Suppression of Human Trafficking, Smuggling and Labor and Sexual Exploitation focuses on coordinating policymaking efforts in these areas. The Committee includes 18 representatives from all government ministries.(3)

The MOLVT and the provincial labor departments are responsible for enforcing the child-related provisions of the Cambodian Labor Law.(4) While the Department of Inspection oversees the training and activities of labor inspectors, the Department of Child Labor conducts separate child labor inspections. It is unclear how these two departments coordinate efforts.(41) The MOLVT has 12 inspectors dedicated to child labor in Phnom Penh, and 27 child labor inspection officials at municipal and provincial levels.(4) 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.(41) Inspectors lack a sufficient budget for transportation, fuel and other necessities to carry out inspections.(3, 4) The MOLVT conducts routine

inspections of some industries, primarily in the formal sector; however, most inspections are complaint driven rather than targeted.(5, 25)

The Government does not officially release data on the number of child labor inspections or the number of children assisted.(42) 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.(41)

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.(3) There are approximately 210 anti-human trafficking police officers at the national level.(4, 18) The Ministry of Social Affairs, Veterans, and Youth Services (MOSAVY) accompanies the police on investigations during which child victims may be found, and subsequently refers child victims to NGO services.(4) Human trafficking complaints can be filed through nine anti-trafficking hotlines.(3)

In 2011, Cambodian police arrested 38 people suspected of human trafficking violations. Of these suspected perpetrators, 13 were convicted of their crimes. However, there is no information available on whether these cases involved child trafficking.(4)

Research reveals that the borders between Cambodia and Thailand are porous, leaving children in the border regions vulnerable to trafficking.(18)

## **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, 4, 43)

The NPA-WFCL addresses all worst forms of child labor and lays out the specific sectors, regions and activities in which these worst forms may be found.(40) The Plan reflects Cambodia's list of hazardous work prohibited for children by targeting these same types of work, 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.(40) The NPA-WFCL also 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.(40)

In February 2012, the Ministry of Agriculture, Forestry and Fisheries, in collaboration with the ILO-IPEC, the Food and Agriculture Organization and other international organizations, adopted an Action Plan to combat child labor in the fisheries sector. The Action Plan will incorporate child labor into the Ministry's policies and legal frameworks for fisheries and aquaculture; it will also include a participatory risk assessment on work in fisheries and aquaculture considered hazardous for children under age 15 and between the ages of 15 and 17 and ensure that education and livelihood opportunities are adequately provided to children in fisheries and their families.(28)

The Education Strategic Plan (2009-2013) addresses access to education and targets marginalized groups, including child laborers, for entry into primary education.(44) The Plan also highlights the need for vocational and life-skills training for youth, to enhance youth productivity.(27) This Plan uses vocational training as a development strategy for marginalized youth, including child laborers.(44)

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 contain child labor reduction targets.(36, 45)

The ILO Decent Work Country Program, endorsed by the MOLVT, highlights child labor issues and outlines a framework for enhancing policies, laws and enforcement mechanisms to protect children.(28) In addition, the MOLVT's First Occupational Safety and Health Master Plan (2009-2013) includes eliminating hazardous child labor as one of its six priorities.(19)

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.(46) The Policy specifically lists children among those identified as victims of trafficking in Cambodia.(28)

In December, the Government adopted the 2011-2013 National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (NPA-STSL) which includes a section on child labor. The NPA-STSL will serve as a comprehensive roadmap for Cambodia to address such issues in the future.(28)

In March 2012, the Ministry of Economics and Finance (MEF), 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.(27) During the reporting period, the Government also approved the National Youth Policy, which aims to provide meaningful opportunities to youth ages 15 to 30 and focuses on skills training to enhance youth economic participation. The Government has yet to finalize an action plan for implementing the new policy.(47)

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

During 2011, the Government participated in the final year of a 4-year, \$4 million, USDOL-funded program which withdrew and prevented 8,542 children from the worst forms of child labor in agriculture and fishing.(27) The Provincial Agriculture Offices assisted the project in training families of child laborers on alternative income-generation activities, such as chicken raising, fish culture and vegetable gardening. Labor inspectors helped build the capacity of the project's child labor monitoring committees by training the committees on labor laws, education policies and safe migration guidelines.(27) The project was instrumental in the passing of four regulations that defined unsafe working conditions in agriculture, including separate regulations for cassava and tobacco production, and freshwater fishing that are prohibited for children.(48)

The Government also participated in a 4-year, \$4.3 million, USDOL-funded project to develop national capacity to end the worst forms of child labor, which runs through 2012.(48) The sectors targeted include child trafficking and child labor in fishing, brickmaking, salt mining and portering. The objective of the project is to withdraw 7,200 children and prevent 4,800 children in 15 provinces from the worst forms of child labor.(28) During the reporting period, the project worked with the Department of Child Labor to train labor inspectors, community monitors and schoolteachers in the comprehensive child labor monitoring plan. The project also assisted the Government in including child laborers and their families as targets for the National Social Protection Strategy (NSPS).(49) The NSPS aims to protect the poorest and most disadvantaged; mitigate risk by providing coping strategies; and promote poverty reduction by building human capital and expanding opportunities including access to health, nutrition, and education.(28)

The Government began conducting the Joint Labor Force and National Child Labor Survey (2011-2012) in July. The results of the survey will provide information necessary to design new

# Cambodia

strategies and programs to eliminate the worst forms of child labor.(28)

During the reporting period, the National Orphans and Vulnerable Children Task Force (NOVCTF)—led by the Ministry of Social Affairs, Veterans and Youth Rehabilitation—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.(50)

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.(50) They also build the capacity of local police and strengthen protection networks

between human rights organizations, government ministries and local stakeholders.(51)

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.(52) The Ministry of Agriculture, Forestry and Fisheries participates in a UN food security and income generation program that aims to reduce poverty by training and supporting farmers’ organizations to improve their livelihoods.(52) 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
	Raise the minimum age for work in domestic service to at least 14, in compliance with international standards.	2009, 2010, 2011
	Enact laws to protect children from dangerous work in family businesses.	2009, 2010, 2011
Coordination and Enforcement	Develop and implement standardized guidelines for conducting child labor inspections.	2011
	Conduct targeted inspections of industries in which hazardous child labor is known to occur.	2009, 2010, 2011
	Provide adequate resources for the enforcement of child labor laws.	2010, 2011
	Uniformly administer existing penalties for businesses violating child labor laws and ensure that punishments are a sufficient deterrent.	2009, 2011
	Collect and publish data on the number of child labor the inspections conducted, the employers prosecuted, and the children assisted.	2010, 2011
	Take steps to protect children from cross-border trafficking.	2010, 2011
Social Programs	Assess the impact that existing poverty alleviation and education programs may have on the worst forms of child labor.	2010, 2011

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