

Cambodia

Cambodia has strengthened its policy framework to address the worst forms of child labor through implementation of a National Plan of Action on the Elimination of the Worst Forms of Child Labor. However, children continue to perform hazardous work in agriculture and are in danger of being trafficked. Additionally, gaps still remain in Cambodia's enforcement framework due to a limited number of resources and labor inspectors.



Statistics on Working Children and School Attendance

Children	Percent
Working	Unavailable
Attending School	Unavailable
Combining Work and School	Unavailable

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Cambodia are exploited in the worst forms of child labor,⁸³⁰ many of them in agriculture, including on rubber plantations.⁸³¹ Children's work in agriculture commonly involves harmful activities, such as use of potentially dangerous machinery and tools, carrying of heavy loads, and the application of harmful pesticides. Additionally, children work in a number of occupations the Government has determined to be dangerous, including fishing, portering, rubbish picking, handicraft work, brick making, and working in restaurants and as domestic servants.⁸³² Although evidence is limited, there is reason to believe that the worst forms of child labor are used in the production of cassava, coal, gems and tobacco.

Children work in other worst forms of child labor activities such as salt production and shrimp processing.⁸³³ In the salt fields children carry heavy loads, work long hours in the sun, and suffer from cuts on their feet from the salt crystals.⁸³⁴ Children also work on the street as beggars, vendors, shoe polishers,

and scavengers.⁸³⁵ Street work exposes children to dangers, which may include severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements.

Cambodia is a source and destination country for trafficking in children. Cambodian girls are trafficked to Thailand for factory and domestic work and may be forced into prostitution.⁸³⁶ Cambodian children are trafficked to Thailand and Vietnam for begging, selling candy and flowers on the street, and shining shoes.⁸³⁷ Girls are trafficked internally and from Vietnam for prostitution.⁸³⁸ Cambodia is also a destination country for child sex tourism.⁸³⁹

Laws and Regulations on the Worst Forms of Child Labor

The Cambodian Labor Law sets the minimum age for employment at 15.⁸⁴⁰ Children under 18 are barred from work that is hazardous to their health, safety, and moral development according to a 2004 declaration issued by the Ministry of Labor and Vocational Training (MOLVT).⁸⁴¹ The declaration lists 38 types

of hazardous work, including working underground; lifting, carrying, or moving heavy loads; deep-sea and off-shore fishing; and working near furnaces or kilns used to manufacture glass ceramics or bricks.⁸⁴²

MOLVT makes some exceptions to the prohibition of hazardous work. Children 16 and 17 receiving vocational training can work underground and at night under strict supervision.⁸⁴³ Children as young as 12 are permitted to perform domestic labor as long as the work is not hazardous to their health, safety, or morals and it doesn't involve any of the types of hazardous work specifically prohibited.⁸⁴⁴

While the legal framework provides some protections against the worst forms of child labor, the Labor Law does not prohibit hazardous work in family-based agriculture or family businesses.⁸⁴⁵ Additionally, there is no compulsory school age in Cambodia.⁸⁴⁶ This leaves children vulnerable to the worst forms of child labor as they are not required to be in school, but are not legally permitted to work either.

	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	None
	Free Public Education	Yes

Forced or compulsory labor is outlawed in Section 5 of the Cambodian Labor Law.⁸⁴⁷ The Law provides for imprisonment of those convicted of these crimes.⁸⁴⁸ The Constitution prohibits prostitution and the buying and selling of human beings.⁸⁴⁹ In February 2008, the

Law on the Suppression of Human Trafficking and Sexual Exploitation took effect. It defines trafficking crimes, criminalizes child prostitution as well as sexual and indecent acts with minors, and specifies fines and prison terms.⁸⁵⁰ The minimum age for conscription into military service is 18.⁸⁵¹

Institutional Mechanisms for Coordination and Enforcement

The Cambodian National Council for Children (CNCC) and its subcommittee for child labor are the main monitoring institutions at the national level on child labor issues.⁸⁵² The CNCC also implements and evaluates policies and programs to protect children. The CNCC subcommittee on child labor includes all concerned ministries, businesses, trade unions, and NGOs and coordinates projects and programs with national policy on child labor.⁸⁵³ Coordination also occurs at the provincial level through the Provincial Committees on Protection of Child Rights and Provincial Committees on Child Labor.⁸⁵⁴

In 2009 the Prime Minister signed a sub-decree forming a single policymaking entity called the National Committee on Suppression of Human Trafficking, Smuggling, and Labor and Sexual Exploitation. The sub-decree combined the National Task Force and High-Level Working Groups on Human Trafficking.⁸⁵⁵ The Committee includes representatives from all 18 ministries and the Ministries of Women's Affairs, Social Affairs, Justice, and Labor and Vocational Training hold deputy chairmanships.⁸⁵⁶

The MOLVT and Provincial Labor departments are responsible for enforcing the child-related provisions of the Cambodian Labor Law.⁸⁵⁷ The MOLVT has 10 inspectors dedicated to child labor in Phnom Penh and 27 child labor inspection officials at municipal and provincial levels.⁸⁵⁸ Given the large number of children working in Cambodia, the number of labor inspectors is insufficient for the scope of the problem. During 2009, child labor training, conducted by the ILO and Winrock International, was provided to 1,270 inspectors, monitors, police officers, parents, local authorities, teachers, and representatives from youth clubs.⁸⁵⁹

Inspectors are reported to lack a budget for transportation, fuel, and other necessities to carry out inspections.⁸⁶⁰ The MOLTV conducts routine inspections of some industries, however much inspection is complaint driven.⁸⁶¹

Enforcement actions are rare and punishments are light. In 2009 there was only one documented child labor violation. It involved an underage garment factory worker.⁸⁶² The factory owner was fined for employing a child for full-time work, and the child worker was withdrawn from the factory and placed in vocational training.⁸⁶³ In cases in which violations are found, it reportedly can take more than one month to resolve child labor cases.⁸⁶⁴

Laws against trafficking, child sexual exploitation, and illicit activities are enforced by the Ministry of the Interior and 24 municipal and provincial Anti-Human Trafficking and Juvenile Protection offices.⁸⁶⁵ There are approximately 200 anti-human trafficking police officers at the national level and about 312 officers at the municipal and provincial levels.⁸⁶⁶ The Government also partnered with NGOs to train over 4,000 police, social workers, court officials, and other employees on human trafficking.⁸⁶⁷ Complaints of human trafficking can be filed through nine anti-trafficking hotlines established by the Ministry of Interior.⁸⁶⁸

Cambodian police investigated 72 human trafficking cases from April through December 2009, arresting 112 perpetrators, and rescuing 473 victims, 105 of which were children.⁸⁶⁹ These victims were referred to local NGOs for treatment and rehabilitation. In 2009, IOM identified 144 Cambodian victims trafficked to Thailand, who were mostly children. At the same time, 665 Cambodian child beggars, porters, and other street children were returned from Vietnam and reintegrated into their communities.⁸⁷⁰

Trafficking investigators have office facilities, but often lack transportation, fuel, and other necessities for carrying out investigations.⁸⁷¹

Government Policies on the Worst Forms of Child Labor

In 2008, the Government, in consultation with stakeholders, approved the National Plan of Action on the Elimination of the Worst Forms of Child Labor 2008-2012 (NPA-WFCL). It aims to reduce the percentage of children ages 5 to 17 in Cambodia who are working from 13 percent in 2005 to 8 percent by 2015, and to eradicate the worst forms of child labor by 2016.⁸⁷²

The NPA-WFCL addresses all relevant worst forms of child labor and lays out the specific sectors, regions, and activities in which these worst forms may be found.⁸⁷³ The Plan reflects the list of prohibited hazardous work through its list of priority sectors including domestic labor, quarrying, brick making, portering, rubber plantation work, salt production, fishing, and mining.⁸⁷⁴ 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 a number of areas including research, policy, enforcement, social mobilization, education, protection, prevention, and withdrawal.⁸⁷⁵

The issue of child labor has also been incorporated into other key development policies. The Cambodia Millennium Development Goals adopts the objective of decreasing the share of children working to 8 percent by 2015.⁸⁷⁶ In 2009 the Government began developing its first National Social Protection Strategy, which includes a focus on managing the risks of child labor in its worst forms.⁸⁷⁷ The MOLVT also endorsed the ILO Decent Work Country Program, which highlights child labor issues and outlines a framework for enhancing policies, laws, and enforcement mechanisms to protect children.⁸⁷⁸ In addition, the MOLVT adopted the first Occupational Safety and Health Master Plan (2009-2013).⁸⁷⁹ One of its six priorities is eliminating hazardous child labor.⁸⁸⁰

To confront human trafficking, the Ministry of Social Affairs issued its Policy and National Minimum

Standards for the Protection of the Rights of Victims of Human Trafficking in August 2009. The policy includes guidelines to improve the treatment of victims and mandates training of officials.⁸⁸¹

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

The Government of Cambodia has participated in donor-funded projects to combat hazardous child labor in fishing, salt production, and brick making as well as eliminate commercial sexual exploitation and child trafficking.⁸⁸² A \$4.75 million USDOL-funded project, which ended in 2009, facilitated the implementation of the NPA-WFCL and provided technical assistance in the finalization of the list of prohibited hazardous labor.⁸⁸³ The Government has also participated in two USAID-funded projects to combat trafficking.⁸⁸⁴

Currently, the Government participates in a \$4 million USDOL-funded program to withdraw 3,750 children and prevent 4,500 children from the worst forms of child labor in subsistence and commercial agriculture and fishing by providing direct education services.⁸⁸⁵ The project works on several of the objectives laid out by the NPA-WFCL, including research, policy development, legislation and enforcement, advocacy, and education.⁸⁸⁶ The Government also participates in a \$4.3 million USDOL-funded project to develop national capacity to end the worst forms of child labor, including child trafficking, fishing, brick making, salt mining, and working as porters. Its objective is to withdraw 7,200 children and prevent 3,800 children in 15 provinces from the worst forms of child labor.⁸⁸⁷ In spite of the Government's efforts to eliminate the worst forms of child labor through social programs, these efforts rely primarily on international donor funding and are at risk of not being sustainable.

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

IN THE AREA OF LAWS AND REGULATIONS:

- Institute a compulsory education age.
- Amend laws to protect children from hazardous work in non-commercial and family agriculture and family businesses.
- Provide adequate legal protections for children working in domestic service.

IN THE AREA OF COORDINATION AND ENFORCEMENT:

- Increase the number of child labor inspectors and provide them with adequate resources.
- Conduct routine inspections of industries where hazardous child labor is known to occur.
- Provide adequate resources for the enforcement of anti-trafficking laws.
- Complete enforcement actions in a timely manner.
- Ensure that violations of child labor laws are punished adequately.

IN THE AREA OF PROGRAMS:

- Increase support to social programs combating child labor and work to achieve sustainability without international financial support.

⁸³⁰ Data provided in the chart at the beginning of this country report are not available from the data sources that are used by USDOL. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. For more information on sources used for these statistics, the definition of working children, and other indicators used in this report, please see the “Children’s Work and Education Statistics: Sources and Definitions” section.

⁸³¹ U.S. Embassy- Phnom Penh, *reporting*, January 29, 2010, 1. See also U.S. Department of State, “Cambodia,” in *Country Reports on Human Rights Practices- 2009*, Washington, DC, March 11, 2010, section 6d; available from www.state.gov/g/drl/rls/hrrpt/2009/eap/135988.htm.

⁸³² ILO, UNICEF, and World Bank, *Children’s Work in Cambodia: A Challenge for Growth and Poverty Reduction*, December 2006, 19 and 20; available from http://www.crin.org/docs/WB_Child_labour.pdf. See also A. Cruz and L. Ratana, *Understanding Children’s Work in Cambodia: Mapping & Costing Current Programmes Targeting the Worst Forms of Child Labour*, Working Paper, UCW, Rome, November 2007, 6; available from http://www.ucw-project.org/pdf/publications/cruz_ratana_WFCL_cambodia.pdf. See also U.S. Embassy- Phnom Penh, *reporting*, June 27, 2008. See also Eleanor Brown, *Out of Sight, Out of Mind? Child Domestic Workers and Patterns of Trafficking in Cambodia*, IOM, January 2007; available from <http://www.humantrafficking.org/publications/585>.

⁸³³ ILO, *Making Decent Work an Asian Goal: Combating Child Labour in Asia and the Pacific: Progress and Challenges*. ILO, 2005 2005; available from <http://www.ilo.org/public/english/region/asro/bangkok/14arm/download/combating.pdf>.

⁸³⁴ Cruz and Ratana, *Understanding Children’s Work*, 20.

⁸³⁵ U.S. Embassy- Phnom Penh, *reporting*, January 29, 2010, 1.

⁸³⁶ U.S. Embassy- Phnom Penh, *reporting*, February 24, 2010. See also U.S. Embassy- Phnom Penh, *reporting*, February 19, 2009, 2.

⁸³⁷ U.S. Department of State, “Cambodia (Tier 2),” in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from www.state.gov/g/tip/rls/tiprpt/2010/142759.htm. See also U.S. Department of State, “Cambodia (Tier 2),” in *Trafficking in Persons Report- 2008*, Washington, DC, June 4, 2008; available from <http://www.state.gov/g/tip/rls/tiprpt/2008/>. See also U.S. Embassy- Phnom Penh, *reporting*, February 24, 2010. See also U.S. Embassy- Phnom Penh, *reporting*, February 19, 2009, 5.

⁸³⁸ U.S. Department of State, “Trafficking in Persons Report- 2010: Cambodia.” See also U.S. Embassy- Phnom Penh,

reporting, February 19, 2009, 3.

⁸³⁹ Ibid.

⁸⁴⁰ 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.

⁸⁴¹ Government of Cambodia, *Prakas on the Prohibition of Hazardous Child Labor*, Prakas No. 106, (April 28, 2004), items 1-2. See also Government of Cambodia, *Cambodian Labor Law*, article 177(2).

⁸⁴² Government of Cambodia, *Prakas on the Prohibition of Hazardous Child Labor*, items 1 and 2.

⁸⁴³ U.S. Embassy- Phnom Penh, *reporting*, January 16, 2009, section 9.

⁸⁴⁴ Government of Cambodia, *Prakas on the Prohibition of Hazardous Child Labor*, 1-2, 4.

⁸⁴⁵ U.S. Embassy- Phnom Penh, *reporting*, January 29, 2010, 1.

⁸⁴⁶ U.S. Department of State, “Country Reports- 2009: Cambodia.”

⁸⁴⁷ Government of Cambodia, *Cambodian Labor Law*, articles 15 and 16.

⁸⁴⁸ U.S. Department of State, “Country Reports- 2009: Cambodia,” section 6.

⁸⁴⁹ Government of Cambodia, *Constitution of the Kingdom of Cambodia*, (September 21, 1993); available from <http://www.embassy.org/cambodia/cambodia/constitu.htm>. See also ILO, *Ratifications by Country*, accessed January 28, 2009; available from <http://www.ilo.org/ilolex/english/docs/declworld.htm>.

⁸⁵⁰ U.S. Embassy- Phnom Penh, *reporting*, February 19, 2009, 10, 12.

⁸⁵¹ Coalition to Stop the Use of Child Soldiers, “Cambodia,” in *Child Soldiers Global Report 2008*, London, 2004, 81; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.

⁸⁵² Government of Cambodia, *National Plan of Action on the Elimination of the Worst Forms of Child Labour*, Cambodia, 2008, chapter 3, 2; available from [www.childlabor.org.kh/Acrombat/NPA-WFCL%20-%202008-2012%20\(English%20Version\).pdf](http://www.childlabor.org.kh/Acrombat/NPA-WFCL%20-%202008-2012%20(English%20Version).pdf).

⁸⁵³ Ibid., chapter 3, 2.1.2.

⁸⁵⁴ Ibid., chapter 3, 2.

⁸⁵⁵ U.S. Embassy- Phnom Penh, *reporting*, February 24, 2010, section 3.A.

⁸⁵⁶ U.S. Embassy- Phnom Penh, *reporting*, January 29, 2010.

⁸⁵⁷ Ibid.

⁸⁵⁸ Ibid.

- ⁸⁵⁹ Ibid.
- ⁸⁶⁰ Ibid.
- ⁸⁶¹ U.S. Department of State, “Country Reports- 2009: Cambodia,” section 6d.
- ⁸⁶² ILO, *Better Factories Cambodia 23rd Synthesis Report on Working Conditions in Cambodia’s Garment Sector*, 2009, 8; available from http://www.ilo.org/asia/whatwedo/publications/lang--en/docName--WCM_041781/index.htm. See also U.S. Embassy- Phnom Penh, *reporting, January 29, 2010*, 1.
- ⁸⁶³ U.S. Embassy- Phnom Penh, *reporting, January 29, 2010*, 1.
- ⁸⁶⁴ Ibid.
- ⁸⁶⁵ Ibid., 2.
- ⁸⁶⁶ Ibid.
- ⁸⁶⁷ U.S. Department of State, “Trafficking in Persons Report-2010: Cambodia.”
- ⁸⁶⁸ U.S. Embassy- Phnom Penh, *reporting, January 29, 2010*.
- ⁸⁶⁹ Ibid.
- ⁸⁷⁰ Ibid., 2.
- ⁸⁷¹ Ibid.
- ⁸⁷² Government of Cambodia, *National Plan of Action*, 19. See also U.S. Embassy- Phnom Penh, *reporting, January 29, 2010*, 2.
- ⁸⁷³ Government of Cambodia, *National Plan of Action*, chapter 2, 3.1 a-e.
- ⁸⁷⁴ Ibid., 22.
- ⁸⁷⁵ Ibid., table 2.
- ⁸⁷⁶ Ministry of Planning Cambodia, *Cambodia Millennium Development Goals: 2005 Update*, Oct, 2005; available from www.mop.gov.kh/Default.aspx?tabid=156.
- ⁸⁷⁷ ILO-IPEC, *To contribute to developing national capacities to achieve the 2015 national chld labor reduction targets and the ILO global targets for ending the Worst Forms of Child Labor in Cambodia by 2016 “Towards Twenty Sixteen: Contributing towards Ending the WFCL in Cambodia”*, Technical Progress Report, Geneva, March 10, 2010, 2.
- ⁸⁷⁸ Ibid., 3.
- ⁸⁷⁹ Winrock International, *Children’s Empowerment Through Education Services (CHES)*, Technical Progress Report, Arlington, VA, March 31, 2010, 20.
- ⁸⁸⁰ *The First Occupational Safety and Health Master Plan*, (April 20, 2009), 2, 11; available from http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro-bangkok/documents/publication/wcms_112931.pdf.
- ⁸⁸¹ U.S. Department of State, “Trafficking in Persons Report-2010: Cambodia.”
- ⁸⁸² USDOL, *Support to the Cambodian National Plan of Action on the Elimination of the Worst Forms of Child Labor: A Timebound Approach*, Technical Cooperation Project Summary, Washington, DC. See also USDOL, *Combating Child Labour in Hazardous Work in Salt Production, Rubber Plantations, and Fish/Shrimp Processing Sectors in Cambodia*, Technical Cooperation Project Summary, Washington, DC. See also USDOL, *OPTIONS: Combating Child Trafficking and Commercial Sexual Exploitation through Education*, Technical Cooperation Project Summary, Washington, DC, 2007.
- ⁸⁸³ USDOL, *Support to the Cambodian National Plan of Action on the Elimination of the Worst Forms of Child Labor: A Timebound Approach*, ILAB Technical Cooperation Project Summary, Washington, DC, 2007.
- ⁸⁸⁴ U.S. Embassy- Phnom Penh, *reporting, January 16, 2009*, section 24. See also U.S. Embassy- Phnom Penh, *reporting, February 19, 2009*, 8.
- ⁸⁸⁵ USDOL, *Children’s Empowerment through Education Services (CHES): Eliminating the Worst Forms of Child Labor in Cambodia*, ILAB Technical Cooperation Project Summary, Washington, DC, 2009.
- ⁸⁸⁶ Winrock International, *Children’s Empowerment through Education Services (CHES): Eliminating the worst Forms of Child Labor in Cambodia*, Technical Progress Report, Arlington, VA, March 30, 2009, 2.
- ⁸⁸⁷ USDOL, *To Contribute to Developing National Capacities to Achieve the 2015 National Child Labor Reduction Targets and the ILO Global Targets for Ending the Worst Forms of Child Labor in Cambodia by 2016: Technical Cooperation Project Summary*, Washington, DC, 2008. See also ILO-IPEC, *To Contribute to the Developing National Capacities to Achieve the 2015 National Child Labor Reduction Targets and the ILO Global Targets for Ending the Worst Forms of Child Labor in Cambodia by 2016*, ILAB Project Document, Washington, DC, September 2008.