

Agreement
between
the Government of the People's Republic of China
and
the Government of the Kingdom of Cambodia
on
Strengthening Cooperation in Counter Trafficking in Persons

The Government of the People's Republic of China and the Government of the Kingdom of Cambodia, (hereinafter referred to as "the Two Parties");

DEEPLY CONCERNED OVER crimes of trafficking in persons, violating the rights and interests of victims of trafficking and undermining social order;

ON THE BASIS OF mutual respect for each other's independence, sovereignty, equality and mutual benefits, with the aim to strengthen law enforcement cooperation between them to prevent, combat and punish transnational trafficking in persons, and provide necessary protection and assistance to victims of trafficking in an effective manner,

Have agreed as follows:

Article 1

Definition

For the purpose of this Agreement, trafficking in persons shall be defined according to the relevant national laws of the Two Parties.

Article 2

Scope of Cooperation

The Two Parties shall carry out cooperation in compliance with their respective domestic laws and relevant international treaties acceded to by the Two Parties in the following areas:

- a. Prevent crimes of trafficking in persons;
- b. Investigate and prosecute cases of trafficking in persons;
- c. Protect, assist and repatriate victims of trafficking;
- d. Build capacity in the areas of prevention and combating trafficking in persons.

Article 3

Prevention Measures

The Two Parties shall make best efforts to prevent trafficking in persons, especially women and children, through the following preventive measures:

- a) Jointly establish and develop prevention strategies and policies combating trafficking in persons, especially in forced marriage and/or fake marriage;

- b) Increase social services to support vulnerable people ;
- c) Exchange best practices, key information or data and experiences on prevention .

Article 4

Protection Measures

The Two Parties shall commonly undertake proper measures to identify and protect victims of trafficking who shall be treated as victims of criminal activities rather than offenders or criminal suspects, hence:

- a) Neither Party shall punish the victims for illegal entry into or exit from its territory, or any other offences arising directly from trafficking in persons during their stay in China and/or Cambodia;
- b) Prior to and during the process of repatriation, relevant authorities and agencies of the Two Parties shall provide the victims with assistance appropriate for their gender and age, where possible and not limited to, shelter, legal assistance, health care, counselling and necessary social support ;
- c) The Two Parties shall ensure security and privacy for the victims in the process;
- d) In the process of victim identification of trafficking in persons, interim assistance, repatriation and judicial proceedings, the victims shall be entitled to humanitarian and dignified treatment.

Article 5

Repatriation Measures

The Two Parties shall cooperate to ensure safety and repatriation of victims in an appropriate and timely manner based on commonly agreed simplified repatriation procedures.

Either party shall complete the verification process concerning the nationality and identity of the victims, and notify the requesting party of the result within 30 days after receiving the request.

In the process of repatriation, each party shall notify the other party in advance the name and other required information through police affairs cooperation mechanisms or diplomatic channels.

Article 6

Investigation and Prosecution Measures

The Two Parties shall work in close cooperation to uncover and suppress cross border trafficking in persons, especially children and women.

The law enforcement agencies of the Two Parties shall cooperate in investigation, exchanging information and evidence, and handing over suspects related to trafficking cases.

Article 7

Implementation

The competent authorities of this agreement shall be the Ministry of Public Security of the People's Republic of China and the Ministry of Interior of the Kingdom of Cambodia. The competent authorities shall hold annual consultation meetings in the two countries alternately to discuss matters related to the prevention and combating of trafficking in persons. In emergency cases, the Two Parties may agree to hold additional meetings by identifying the time and venues for such temporary meetings.

The invited delegation under this Agreement shall bear their own international travel expenses. The expenses occurring during the stay of such delegation shall be borne by the receiving Party, unless otherwise agreed upon by the Two Parties.

Article 8

Request Refusal

For the purpose of this Agreement, the Requested Party may refuse to provide assistance to the Requesting Party if the Requested Party considers that the assistance requested by the other Party may bring about any negative impact to the sovereignty, security, social orders, basic interests or legal principles of the Requested Party, and the Requesting Party shall be informed about the reason for such objection.

Article 9

Confidentiality

The Two Parties shall undertake to observe rigorously the confidentiality principle concerning the sources and information exchanged by the two Parties. No information received shall be disclosed to any third Party without prior written consent given by the providing Party.

Article 10

International Cooperation

The present Agreement shall not affect the rights and obligations under any other international treaties concluded or acceded to by either of the Two Parties respectively.

Article 11

Disputes Settlement

Any differences between the Two Parties arising from the interpretation or implementation of this Agreement shall be settled through consultations in the spirit of friendship and mutual understanding.

Article 12

Final Provision

This Agreement shall be effective on the date of signing by both Parties.

This Agreement can be amended after consultation by mutual consent.

Either party may notify the other party in writing through diplomatic channels about the termination of this agreement. This agreement will become invalid after ninety (90) days upon the other Party receiving such notification.

Done in duplicate on Date ~~13.10.16~~ at in Chinese, Cambodian and English languages. All texts shall be equally authentic. In case of any divergence of interpretation, the English text shall prevail.



For the Government of the
People's Republic of China



For the Government of the
Kingdom of Cambodia