



REGIONAL WORKSHOP

To support Knowledge Exchange and Experience on
Shelter Practices Across ASEAN Member States

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H.E. CHOU BUN ENG

PERMANENT VICE-CHAIRPERSON OF THE NATIONAL COMMITTEE FOR COUNTER
TRAFFICKING (NCCT) AND SECRETARY OF STATE, MINISTRY OF INTERIOR,
CAMBODIA

Overview

- ▶ The Cambodia Constitution states that “women exploitation and human trafficking are prohibited”. The Royal Government of Cambodia commits itself to combat trafficking in persons by focusing on four strategies: Prevention, Protection of Victims, Prosecution of offenders and Partnership.
- ▶ The RGC upholds human rights, women’s rights and child rights as core to anti-human trafficking measure, especially in the protection of victims.
- ▶ This ideology has been incorporated into laws, policies and relevant tools for the implementation of counter-TIP activities.
- ▶ The mechanisms, especially the National Committee for Counter Trafficking (NCCT), which is a coordinating body of multi-sectoral institutions, was established and has been in counter-TIP operations involving all stakeholders to the anti-human trafficking framework, and to protect all victims of human trafficking, especially, women, children as well as men and elders.

Focused on Laws, policies and mechanism to protect/uphold rights of TIP victims:

- ▶ In 2006, a sub-decree on “policy to provide assistance to victims residing in state-run shelter” had been issued by the Government by detailing financial and human resource allocation, to respond to the need of several types of victims, including victims of human trafficking.
- ▶ In 2007 (February), five Relevant Gov’t institutions signed an agreement with 24 Victim Support Agencies and NGOs on “Guidelines for Practices and Cooperation to protect victims of human trafficking”.
- ▶ Cambodia’s Ministry of Social Affairs, Veterans and Youth Rehabilitation established the Anti-Trafficking in persons and Reintegration Office (ATRO), under the supervision of the Department of Social Welfare, and issued a **Prakas (March 12, 2007) to establish the Poipet Transit Center**, as a place to provide short-term/temporary shelter, to accept and reintegrate victims of human trafficking and other vulnerable children repatriated from Thailand, before they could be referred for proper services and to return to live with their families or communities.

- ▶ In 2007 (September 28), the Gov't issued a “**directive on Reintegration and Follow up of Victims residing in shelters**” (both state-run and NGO-run shelters). This was re-visited in early 2021 to include following-up of victims in their communities.
- ▶ In 2009, the Gov't issued a “**Prakas on the Implementation of the Policy on Protection of the Rights of Victims of Human Trafficking**” introducing the concept on the Protection of the Rights of Victims, Case Management Model, Policy on the protection of the rights of victims and the Responsibility of Competent Ministries/Institutions in protecting the rights of VoTs
- ▶ In 2009, the Gov't also issued and put into implementation **Minimum Standards for Protection of the Rights of Victims of Human Trafficking** to ensure rights of VoTs were appropriately upheld, starting with victim identification and continue to provide appropriate services until case closure.

- ▶ In line with the implementation of the Policy and this Minimum Standards, the gov't also took other steps to better protect rights of VoTs. These include:
 - ▶ Taking actions toward ratifying the **Mutual Legal Assistance Treaty** to coordinate legal responses among ASEAN countries;
 - ▶ Expanding, strengthening and monitoring the implementation of Memoranda of Understanding between nearby countries to suppress perpetrators and to rescue VoTs; and
 - ▶ Mobilizing experts within governments, UN agencies and NGOs to ensure a balanced response and seriously consider issues of human trafficking.
- ▶ Many victims receive needed services in communities where they live, especially male victims, and some female and child victims, who have appropriate supports from families and their communities.

- ▶ In 2015, M&E tools to monitor and evaluate the implementation of the policy and minimum standard for the protection of the rights of VoTs, was developed with participation and inputs from relevant counter-TIP NGOs/stakeholders, to ensure that shelters meet minimum standards policy, by which shelters must abide.
- ▶ In 2015, the Gov't launched the "Guidelines on Forms and Procedures for Identification of Victims of Human Trafficking for appropriate service provision", by focusing on the roles of relevant stakeholders in providing support to suspected victims for appropriate services provision and referral.
- ▶ NCCT and the MoSVY provided several trainings to front-line officials at the sub-national level, both government and non government key actors, as well as, the diplomatic mission officials who are responsible for victim protection, and facilitate the repatriation process for them back in Cambodia.
- ▶ More and more organizations and civil society have engaged and become part of victim support approaches providing expertise and facilities to take care and protect VoTs. As of 2019, 17 centres run by NGOs provided services to VoTs who are women and children.
- ▶ However, there was no shelter to accommodate male victims, but they would receive a community support packages instead of staying in shelters.

During Covid-19, 2020 up to present

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Some activities have been postponed or changed the process, however:

- ▶ The Gov't has recently (early 2021) worked on a circular on reintegration and follow-up of VoTs residing in state-run shelters, NGOs and in communities. This new circular/directive includes sections on case management system, and detailed steps to be taken by relevant officials to make sure appropriate services were provided and rights of victims were upheld accordingly in all stages, (i.e., before reintegration, during reintegration, follow-ups after reintegration, and case closure).
- ▶ Another Migrant Reception Center (MRC) has been built in Dong, Kamrieng district of Battambang province near Cambodia-Thai border. This MRC will be used to serve victims and returned migrants, both deported and voluntarily returned, and will provide various services by collaborating with relevant partners and communities.
- ▶ All centres have to meet the requirement to prevent Covid-19 pandemic by applying guidelines set by the Ministry of Health.

Challenges

- ▶ Some of child victims from Thailand have lost or missed information about their families.
- ▶ They don't know where to go. They need school and care and need to stay long term in the center.
- ▶ Some of them could not even speak Khmer as they were born in Thailand. They could not communicate with friends. They felt so lonely, Thus, it takes long time to assess their habit and to respond appropriately to their needs.
- ▶ Some child victims need to access legal support services, including family documentation.
- ▶ Sexual abused victims need special care and good educational and psycho-social counseling process, to ensure that they can overcome their trauma, and will not be re-victimized.
- ▶ Victims who stayed for a long period of time outside Cambodia, do not have land or other assets back home. It's a grave challenge for them to reintegrate into community as they have no-where to go.
- ▶ In some cases, long-term stay in shelter will make them shamed and scared of meeting others and do not know how to build good relationship with others.

Lessons learnt

- ▶ When it comes to victim protection, a genuine collaboration and cooperation with relevant stakeholders are indispensable, as some services might not be available from one institution/NGO, but are available at other relevant Gov't institutions/NGOs based on victims' needs/best interest of victims/survivors;
- ▶ A comprehensive services referral system/mapping is needed;
- ▶ There should be careful consideration between restricted movement in shelter versus exposure to being harassed, discriminated, and re-victimized. A well thought-out and balanced approach, need to be applied based on a case-by-case basis;
- ▶ While shelter is one approach to provide victim protection, a community-based approach should not be ignored, and should be applied as soon as it deems fit with the context/condition of victims/survivors;
- ▶ A community of practice should be established, either in a country or across the region, to share best practices among victim protection service providers to exchange knowledge and experiences so that challenges can be prevented or dealt with effectively in a timely manner; and
- ▶ As victim is a human being, therefore, their rights must be respected and upheld.

Thank you for your attention!