



Counter Trafficking in Person (CTIP II)

The SMART: Issue No 1, January-March, 2013

## Editorial: Smart Support

Human trafficking happens when people are trapped in an exploitative situation they cannot escape from. Victims of human trafficking are usually poor people that have to migrate within Cambodia or across borders to find a job to support their families; they need quick earnings and they often have low skills. In most of the cases they look for employments as construction workers, domestic helpers or in the entertainment sector. In many cases they will end up with little earnings, in some cases not paid, in most cases being exploited. Some of them will become victims of human trafficking.

What could prevent these people from being trafficked? More employment opportunities would surely decrease their chances of being forced to migrate in a risky way. Better access to vocational trainings will give them more job opportunities and more information on migration process will also equip them with knowledge that will reduce the risks of being trafficked. Eventually, a more regulated and monitored migration process will also reduce risks. But all these actions need time and meanwhile people will continue to take high risks to migrate to Phnom Penh or Thailand for quick income.

A prevention campaign that aims to tell people not to migrate will not stop human trafficking, especially when there are not alternatives for all of them, it is thus important to analyze the reality and provide people with the information and support that respond to real needs.

Dear Readers,

Winrock newsletter aims to provide information on human trafficking and safe migration to migrant workers, youth, students and school children. In every issue we have questions for readers (**only on Khmer issue**). Please if you are below 18 years old, answer the questions and send them to our office through the contact provided. For every issue, all answers will participate to lucky draw and three winners will be awarded of 50 USD.

Winrock International

It is also important to provide support to survivors that do not end with bringing them back home and leaving them again at risk. Survivors need information on how to re-migrate safely or they need help to find sustainable livelihood, otherwise all support is wasted.

If people need to be SMART when migrating, also prevention of human trafficking needs to be SMART.

Winrock International

## Counter Trafficking in Person Program CTIP II Program of USAID

Counter Trafficking in Person Program (CTIP II) is a USAID funded project to fight human trafficking and labor exploitation in Cambodia. The four years project (2011-2015) is implemented by Winrock International together with government and non- government partners. The project aims to improve the ability and readiness of Cambodian institutions to combat all forms of human trafficking through preventing human trafficking, enhancing the protection and care for trafficked victims and migrant workers

## Human Trafficking Definition

There is often confusion on human trafficking. Some people think that human trafficking is human smuggling; some confuse human trafficking with migration. The first step is to understand the different concepts and to have clear ideas about human trafficking and which are the elements that identify human trafficking. Cambodian law on suppression of human trafficking and sexual exploitation does not provide one comprehensive definition, but different articles of the law describe human trafficking and describe crimes related to human smuggling. (continue on page 2)

The most comprehensive definition is in article 13 of the law, that explains that the sale of human beings, buying or exchanging, delivering a person unlawfully to another or receiving, control over a person from another in exchange for anything of value including service is to be considered human trafficking. The law also mentions about the cross border selling of a person as human trafficking

According to United States Agency for International Development (USAID) human trafficking is an international crime involving the acquisition of human being through the use of force, fraud, or coercion for the purpose of exploiting the individual for profit through forced labor or prostitution

On 15<sup>th</sup> November 2000, a meeting was organized by United Nations in Palermo, Italy to discuss human trafficking. The meeting issued a protocol to prevent and suppress and punish human trafficking. The Palermo meeting defines human trafficking as follow:

“The recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payment or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or service, slavery or practices similar to slavery, servitude or the removal of organ.”

The three key elements of human trafficking are then:

- 1) movement of a person;
- 2) with deception or coercion;
- 3) into a situation of forced labor, servitude or slavery-like practices, including forced prostitution and sexual exploitation.

Articles in Cambodian law on suppression of human trafficking and sexual exploitation touch all actions mentioned in the Palermo protocol, but in different articles.

Human trafficking can happen within a country and across borders. Within a country people can be trafficked from rural areas to cities for sexual exploitation and forced labor. Children can be trafficked for child domestic work and begging. People can be trafficked across borders for sexual exploitation and forced labor. Women, men and children can become victims of human trafficking.

Irregular, illegal migration does not always end with human trafficking. And usually human trafficking happens more often within a country rather than across borders.

Illegal migrants abroad incur in the risk to be repatriated and to be underpaid as illegal workers: they need to have the option to migrate legally and work with dignity with right wages.

Victims of trafficking are the ones that, in name of migration, have been cheated and deceived and they have to be rescued from a slavery-like situation.

Human Smuggling is instead the receipt of some form of payment to transfer a person from one country to another illegally. It is not for the purpose of exploiting that person once they arrive in their destination country.

Presently, NGOs and governments, and institutions involved in combating human trafficking worldwide have been using the Palermo protocol definition to identify the crime.

## **Seven Trafficking Victims Rescued, Returned to Cambodia**

CTIP II, through its partner CARAM Cambodia has rescued seven trafficking victims early this year from Malaysia. The seven victims are five women and two girls. The seven victims were lured by a woman to migrate to Malaysia through Thailand to work as domestic servants. The woman transferred the seven victims to an unidentified agency in Malaysia.

One of the victim said the agency forced them to work hard while waiting for employer to pick them up. The agency provided only one meal a day and beat them on the head for fun, she said.

The seven victims managed to escape from the locked agency compound by climbing the wall through water pipe at midnight.

“After we escaped, we wandered around. I thought I would die as I did not know anyone and where to go,” She said after four hours run, a policeman arrested them. The policeman sent them to Cambodian Embassy.

The seven victims have now returned to their villages in Kampong Cham province and live with their family.

According to Cambodian law, the victims can sue the middle woman for human trafficking. Human trafficker may face penalty and imprisonment up to 20 year.



## Municipal Court Hears Human Trafficking Case

Phnom Penh Municipal Court on 13 March opened a hearing of a human trafficking case. The case occurred last year.

A man and his four friends were lured from Kampong Cham province to Phnom Penh by a group of people that invited them to their house. But when the man and his friends, one man and three girls, arrived at the house, the group locked them up, tortured and forced them to use drug, and raped one of the three girls. The next day he ran out and called for help. Police arrived at the house and arrested five suspects. Some escaped at the time police arrived.

The five denied the accusation before the judges. They said the real offenders had escaped and that they knew nothing about the crime in their house. They said they had a deal with the victims that came to their house to arrange a praying ceremony to raise their fortune in the house. They said that they had to pay for the deal. Now it is the word of the victims against the one of the traffickers and the judges have conducted two trials already and the verdict will be rendered on 6<sup>th</sup> of April, 2013. CTIP II Program is supporting the victims and ensures they will get justice.

## Youth Trained on Safe Migration

A group of young people gather on 24 February in a Buddhist temple to learn about how to protect themselves from human trafficking.

The group, aged from 14 to 30, traveled from different villages of Svay Rieng province. They met in Svay Tiep district, 30km away from provincial town.

They did not know about human trafficking. They often migrate for work when they are free from harvest.

Training coordinator Mishi No and his youth led group from Khmer Youth Association conduct trainings in different parts of Cambodia. They go from Phnom Penh to rural villages to train youth on safe migration.

They train youth to be able to identify human traffickers, middlemen and to be aware of their tricks.

Mishi No said, "Youth migrant workers often end up falling into slavery work and labor or sexual exploitation.

Two former migrant workers shared their experience in the meeting. They told the group about their life being migrant workers in Thailand. They said illegal workers were arrested by police or faced forced labor without pay.

Khou Sun, former migrant worker said: "A middle man deceived me. He said I could get a good income. But when I got there, it was a lie. They did not pay me what they promised. It was just enough to eat. I returned back with empty hands "

Non- government organizations estimate that more than half million Cambodians migrate and work abroad. Most of them are unskilled workers and almost half of them migrate illegally.

Migration can be an opportunity, but it is important to be informed before leaving the country and to be aware about risks and how to avoid them. To migrate for work, you need to be over 18 and you need proper documents: passport, visa and work permit.

It is important to have information of the country where you are going to and to have and read carefully the job contract before leaving. It is advisable to learn skills and have some knowledge of the language: legal, skilled migration can bring good income, whereas unskilled and illegal migration often result in a loss and put you in danger of being exploited.

In last years, there have been many cases of girls and women that ended up as domestic slaves; there are still families that are searching their young girls, but they



*Youth learning on human trafficking and safe migration thorough CTIP II Program*

knowing where they were going and without checking the information provided by brokers, now there are no chances for them to find their girls. Men have suffered on fishing boats without any earning and being tortured, and children are trafficked to beg or to forced to work as drug smugglers.

In the training, the youth learn how to prevent trafficking and how people can migrate in a safer and more profitable way.

The youth group that participated will become peer educators to convey message to their friends in their community.

## Tips to avoid human trafficking: It can save your life!

- Do not believe anyone who promises you good job, high salary or even offer you money to migrate abroad or to Phnom Penh. It can be a trap.
- Consult with your family, elderly people, educated people, local authority and organizations that you know.
- Check the destination you are going to and search information on that destination
- Inform your parents, brothers and sisters or local authority before you go and leave address, contact numbers and photocopy of your passport, ID card and job contract.
- Ask the name of recruiting agency or broker and seek for information before leaving
- When you leave, bring with you some money and hotline numbers. Try to learn hotline numbers by heart.
- Be brave to run or seek for help or call police or NGOs you know you when you think something wrong is going to happen to you.
- If a poor person offers asks you to take away a poor child with you, remember that this person is committing a crime and if you accept you are also committing a crime. Call police.

### Useful Contacts:

#### In Cambodia

##### **Cambodia Woman's Crisis Center (CWCC)**

Telephone: +855-23 99 79 67

##### **Coordination of Action Research on AIDS and Mobility (CARAM-CAMBODIA)**

Telephone: +855-23 21 80 65

##### **Legal Support for Children and Women (LSCW)**

Telephone: +855- 77 45 55 16

#### Overseas contact number:

##### **Cambodian Embassy in Thailand:**

(66) 29 57 58 81 or (66)29 57 58 52

##### **LPN (Thai NGO)**

(66)34 434 267

##### **Cambodian Embassy in Malaysia:**

(60) 34 25 71 159 or (60) 34 25 73 711

##### **TENAGANITA (NGO in MALAYSIA)**

(60) 37 770 3691



CTIP II Program joins Government, UN Agencies, NGOs and Youth to celebrate Anti-Human Trafficking Day (12 December 2012)

Winrock International is a nonprofit organization that works with people in the United States and around the world to empower the disadvantaged, increase economic opportunity, and sustain natural resources.



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