

Jesuit Refugee Service Cambodia

Authored by: Reyce Hyacenth Bendana



I'M
NOT
FOR
SALE

The Human Trafficking Situation in Cambodia



¹ Cover photo in the first page is © (Lauber, 2014). This section is a photocollage of real trafficking conditions in Cambodia.

Table of Contents

1. The Cambodian Context	4
1.1 What is Human Trafficking?	4
1.2 What is the Human Trafficking Situation in Cambodia?	5
1.3 Who is Trafficked Out?	5
1.4 Who is Trafficked In?	6
1.5 Who is Most at Risk	7
1.6 Who Returns	8
2. The Legal Framework of Trafficking in Cambodia	9
2.1 Victim Identification	9
2.2 Victim Investigation	9
2.3 Criminal Prosecution	9
2.4 Aftercare	10
2.5 Inter-agency Coordination	11
2.6 Cross-border Collaboration	11
2.6.1 Coordinated Mekong Ministerial Initiative Against Human Trafficking	12
2.6.2 Association of Southeast Asian Nations	12
2.6.3 The Bali Process	12
2.6.4 Bilateral Agreements	13
3. Progress & Challenges in Prosecution, Prevention, & Protection	14
3.1 Prosecution	15
3.2 Protection	16
3.3 Prevention	16
4. Key Recommendations: What can we do?	17
5. Ending Human Trafficking as a Global Priority	19
5.1 Sustainable Development Goals	19
5.2 Global Compact for Safe, Orderly, and Regular Migration	20
6. The Pope's Call to Action	20
Works Cited	21
Appendices	23
Appendix 1. Victim Identification Guidelines	23
Appendix 2. List of Organizations Providing Aftercare	26
Appendix 3. Strategic Component Outcomes of the National Plan of Action	28

1. The Cambodian Context

1.1. What is Human Trafficking?²

Trafficking in persons (TIP) involves three separate elements:

- i. The **ACTION** of recruiting, transporting, transferring, harboring, or receiving person/s
- ii. By **MEANS** of



A threat of use of force



The giving or receiving of payments or benefits to achieve the consent of a person having control over another person



Other forms of coercion, abduction, fraud, deception, or abuse of power and/or abuse of a position of vulnerability

- iii. For the **PURPOSE** of exploitation. Exploitation includes at a minimum the exploitation of the prostitution of others, other forms of sexual exploitation, forced labor or services, slavery or practices like slavery, servitude, or removal of organs.

Five important things to remember about Trafficking in Persons (TIP):

- i. It is a **CRIME**.
Trafficked persons should be treated as **victims of a crime** rather than criminals who may have violated laws relating to immigration, labor, or prostitution because of being trafficked.
- ii. It is **NOT LIMITED** to forced prostitution or sexual exploitation.
There are other forms of exploitation for men, women, and children.
- iii. It **DOES NOT REQUIRE** movement across borders.
Trafficking in persons can take place transnationally across borders, within a single country, or even within a town
- iv. It **EXTENDS FROM** beyond the recruitment and transport of persons to the keeping and receipt of trafficked persons.
- v. It **DOES NOT REQUIRE** abduction or threat.
Sometimes, a person becomes a victim of trafficking because of deception, abuse of vulnerability (poverty and immediate need), and other forms of coercion.

² (Gleeson, 2012)

1.2. What is the Trafficking Situation in Cambodia?

Cambodia is a source, transit, and destination for victims of human trafficking. As of 2018, at least 261 000 live in conditions of modern slavery. Cambodia has a global slavery index of 9 of 167, ranking it in the top 10 countries in the world where modern slavery is happening.³ Many of whom are in the following:



Fishing



Manufacturing



Street Begging



Domestic Servitude



Commercial Sex



Forced Marriages

“My family borrowed money and failed to pay it on time. It eventually amounted to about \$6000 in debt. With money-lenders threatening us, I agreed to the offer from a woman who promised me big money for my daughter’s virginity. I sold my daughter for \$800.”

- Sephak’s mother⁴

Poverty is just one of the many motivations. Some victims are sold by their own parents and spouses for money. Other factors include increased tourism, weak law enforcement, corruption, and the lack of safe and legal ways for migration.

1.3. Who is Trafficked Out?

All of Cambodia’s 25 provinces are sources for human trafficking. Cambodians are promised jobs with good salary. Most willingly decide to leave the country expecting job arrangements so they could send money back home to their families. However, this is usually not the case. Instead, they are sent and sold to be abused in places such as Malaysia, Thailand, Indonesia, Senegal, Saudi Arabia, Singapore, Taiwan, China, South Korea, Papua New Guinea, Mauritius, Somalia, Eastern Europe, Pakistan, and South Africa⁵.

³ (International Organization for Migration, 2018)

⁴ (Hume, Cohen, & Sorvino, 2013)

⁵ (International Organization for Migration, 2018)

“I guess no matter how much information we spread on the risks and dangers, the reality is that people need to support their families, so they will go after all. They are not hard of hearing. They are desperate and poor.”

- Thol Meng, Deputy Chief of the Anti-trafficking Bureau in Kompong Cham province, notable for bride trafficking⁶

Most are trafficked out for a promise of a better future. Some are sold to commercial sex establishments abroad. Some are sold to forced marriages, mostly to Chinese husbands. Cambodian men are sent to Thailand fishing boats and factories. Most are abused by the captains, given low wages, and forced to remain in boats in the middle of the ocean for years.

In the 2018 report of the Ministry of Foreign Affairs and International Cooperation (MFAIC), the primary government agency in charge of helping trafficking victims, the ministry repatriated 986 Cambodian trafficking victims. They came from nine countries including 382 victims from Malaysia, 288 from Thailand, 171 from Vietnam, 53 from China, 49 from Laos, 23 from Indonesia, 5 from Singapore, and 3 from Burma⁷.

1.4. Who is Trafficked In?

There is no consistent data about the breakdown of those trafficking to Cambodia⁸. However, majority of reports introduce a pattern: Vietnamese women and children from impoverished rural provinces are usually the ones trafficked in Cambodia⁹. Like those trafficked out, these victims are lured by the promise of a better future.

Many have agreed to migrate to Cambodia with the promise of alternative work, such as being a maid or a waitress. However, when they arrive, they owed money for transportation costs. They are forced to brothel work to pay their debt and to hopefully earn savings.

⁶ (Blomberg, 2019)

⁷ (United States Department of State, 2018)

⁸ (Keo, Bouhours, Broadhurst, & Bouhours, 2014) reported that NGOs claimed 80 000 – 100 000 human trafficking victims. UNICEF suggested there were 55 000 sex workers in Cambodia. However, (Steinfatt, 2011) showed that there were only 21 000, of which 2 500 may have been trafficked. Official statistics in Cambodia reveals equal inconsistencies. Some statistics recorded that there were no human trafficking events from 2005 to 2009, however the Annual Report of the National Police reported 200 cases in 2008 alone. A decade later, the lack of inconsistent data is still a problem.

⁹ (ECPAT International, 2018)

“That middleman brought me to Svay Pak... When she took me to a brothel, I knew that they tricked me. I refused to stay in the three brothels, and I told her I wanted to go home, I did not want to work here, and I was crying. She said if I want to go home, I must pay her \$300 for the transport. I did not have money... so I had to stay and borrow money from the brother owner. Then I stayed but I refused to have clients. The owner was not happy with me. She said I had borrowed money, so I had to work to pay my debt. I was afraid of them, so I had to work. “

- Interview with sex worker, age 22¹⁰

This system of debt-bondage worsens the situation. It tightens the control of traffickers and brokers to victims, making it difficult to negotiate work conditions or even go back home.

1.5. Who is Most at Risk?

There are two major patterns showed in case interviews with convicted human traffickers serving in prison¹¹. The participants were poor and cannot access legal work because of their lack of education and skills.

“I am an orphan and migrated from Vietnam and three friends. Once in Cambodia, my friends got jobs as builders, but I could not find a job. A brother owner asked me to become a spruiker in his Svay Pak brother. He told me that it was not illegal. It was easy, but competitive. I just hung around the street, approached men, and told them that the brother had lots of beautiful girls and they were not expensive. I got 25 cents for each customer I introduced to the brother, and each night I earned about \$3.”

- Krouch, 22-years old, sentenced to 10 years imprisonment¹²

¹⁰ (Busza, 2004)

¹¹ (Keo, Bouhours, Broadhurst, & Bouhours, 2014)

¹² (Keo, Bouhours, Broadhurst, & Bouhours, 2014). Spruikers are independent male agents who are not paid a fixed salary, but a small commission depending on the number of customers they introduce to the brother.

Although Krouch himself is a facilitator, not a direct victim of trafficking, people like him are vulnerable because of poverty. In desperation, they become involved in human trafficking, either through recruitment, client referral, or being trafficked themselves.

Aside from poverty, more than half of convicted traffickers and brokers were women. This socio-economic and gender category influence who usually get recruited, as most recruiters “recruit” within their circles. Most of which are people in need of money. Although human trafficking reports focus on women and children, Cambodian men are also as vulnerable.

With poverty and lack of access as major factors for trafficking, the most at risk are unregistered children, mostly of Vietnamese origin¹³. The lack of access to birth registration or identity documents classify them as non-citizens. This leads them to live in poor and segregated conditions, making them increasingly vulnerable to trafficking and exploitation. Furthermore, children usually do not have the maturity to detect deception and are likely to believe adults.¹⁴ A research by Chab Dai suggests that half of Cambodia’s ethnic Vietnamese families have sold their child to traffickers and brokers¹⁵.

1.6. Who Returns?



Victims who have paid their debts



Victims who were rescued



Victims who escaped

There are three types of people who return: 1) victims who have paid the money they borrowed from brokers, 2) victims who were rescued, and 3) victims who were able to escape. Usually, victims who return suffer from significant psycho-emotional pain and find it hard to reintegrate into society.

Trafficked fishermen, for example, are forced to work up to 20 hours a day, endure beatings and sexual assault, and have seen injured colleagues thrown overboard and left to drown, researchers have found.¹⁶ Recent study found that that 57 percent of men trafficked for work on fishing boats and other forms of

¹³ (ECPAT International, 2018)

¹⁴ (Gleeson, 2012)

¹⁵ (Immigrant Connect Chicago, 2009)

¹⁶ (Thomson Reuters, 2015)

forced labor showed symptoms of depression, while 46 percent suffered from anxiety and 41 percent were affected by post-traumatic stress disorder.¹⁷

2. The Legal Framework of Trafficking in Cambodia

This section discusses the 6 components of justice response to human trafficking.¹⁸



Victim Identification



Investigation



Criminal Prosecution



Aftercare



Inter-agency Coordination



Cross-border Collaboration

2.1. Victim Identification

Victim identification can happen during or after the victim's exploitation. Without it, victims cannot access services and support. Last 2016, the National Committee for Counter Trafficking in Persons' (NCCT) released the **Victim Identification Guidelines**¹⁹ to help identify victims better. This is a huge improvement in identifying victims and referring them to appropriate and necessary social services.

2.2. Investigation

Once the victim is identified, evidence is gathered to support prosecution of the traffickers. This is led by the **Anti-Human Trafficking and Juvenile Protection Police (AHTJPP)**. The cooperation of victims and witnesses are the most essential elements of successful investigations. However, victims are often too afraid to share due to fear that they will be arrested for illegal migration.

2.3. Criminal Prosecution

The 2008 passage of the **Law on Suppression of Human Trafficking and Sexual Exploitation** was a big achievement for Cambodia's Ministry of Justice. This

¹⁷ (Pocock, Zimmerman, & Kiss, 2014) in partnership with International Organization for Migration

¹⁸ (International Justice Mission, 2016)

¹⁹ Appendix 1. (Coordinated Mekong Ministerial Initiative against Trafficking, 2018)

resulted to an increase in the number of traffickers found guilty in Cambodian courts. However, the lack of trauma-informed practices, child-friendly approaches, and many out-of-court settlements make criminal prosecutions difficult. The connection of traffickers to top government officials also makes justice difficult.

“I was not surprised that the police released him; in fact, my jaw dropped when I heard that they had arrested him in the first place. A lot of traffickers are protected. They are connected all the way up.”

- Human Rights Activist’s Opinion on the Release of Richard Chun, a known syndicate.

2.4. Aftercare²⁰



13 years ago, Vannan needed money for his pregnant wife. He looked for work on the Thailand-Cambodia border. He was kidnapped, detained, and sold to slavery on a fishing boat. He worked 20 hours every day without food and rest.

When their vessel neared the coastline, he jumped and escaped. He went to ask for help from the police officers of Malaysia. The police sold him into slavery. This time, he worked in a palm oil plantation.

“I miss my family so bad. I just wanted to be free.”

- Vannak Anan Prum, twice a slave²¹

Survivors are vulnerable to be victims again unless given protection, safe living conditions, and sustainable source of income. The Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSVY) provide direct support and services to these victims. They also operate the Poipet Transit Center to help trafficked

²⁰ List of some organizations involved are provided in Appendix 2

²¹ (Stayner, 2019)

women and children from Thailand. However, the lack of funding and social workers limits the help MOSVY can provide.

2.5. Inter-agency Coordination

The formation of NCCT has improved inter-agency coordination. It has developed the NCCT's 2014 – 2018 National Plan of Action (NPA) which distributes the responsibilities of monitoring and evaluation to provincial and community level. It works with the following actors: Media for *victim privacy*, Ministry of Labor and Vocational Training (MOLVT) for *better protection of workers' rights*, and Ministry of Foreign Affairs and International Cooperation (MFAIC) for *ensuring protection, rescue, and care of Cambodians abroad*. The following are the 5 component strategies of the NPA²²:

2.5.1 Strengthening Law and Policy and Enhancing Cooperation

2.5.2 Enhancing Prevention

2.5.3 Enhancing Criminal Justice Response to Human Trafficking

2.5.4 Protecting Victims of Gender and Age Appropriate and Qualitative Support

2.5.5 Plan for Implementation, Planning, Coordination, Monitoring, & Evaluation

The objectives per strategy, important updates, and progress report as of February 2017 are all attached as Appendix 3.²³

2.6. Cross-border Collaboration



²² (National Committee for Counter Trafficking in Persons MidTerm Review Report, 2017)

²³ (National Committee for Counter Trafficking in Persons MidTerm Review Report, 2017)

Cambodia ratified the ASEAN Treaty on Mutual Legal Assistance on Criminal Matters (MLAT) that requires member nations to help each other in victim identification, investigations, among others. However, implementation is lacking throughout ASEAN. Additionally, Cambodia also signed the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers. The policy aims to lessen huge recruitment fees and increase regulation.²⁴

2.6.1 Coordinated Mekong Ministerial Initiative Against Human Trafficking

On 2004, six governments of the Greater Mekong Subregion (GMS), namely Cambodia, China, Lao PDR, Myanmar, Thailand, and Vietnam, signed the Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Subregion (COMMIT MOU) and established the Coordinated Mekong Ministerial Initiative against Human Trafficking (COMMIT).

On 2007, they signed a Joint Declaration of the Coordinated Mekong Ministerial Initiative Against Human Trafficking to re-affirm their commitments. COMMIT 4th Sub regional Plan of Action 2015 – 2018 (COMMIT SPA IV) was adopted. It focuses on five areas: 1) policy and cooperation, 2) prevention, 3) protection, 4) prosecution, and 5) monitoring and evaluation²⁵.

2.6.2 Association of Southeast Asian Nations (ASEAN)²⁶

On 2004, member states adopted the Declaration Against Trafficking in Persons, especially Women and Children (ADTIP). It sets out commitments to increase cooperation, adopt measures to suppress trafficking in persons, and assist and protect victims.

ASEAN also endorsed the ASEAN Practitioner Guidelines on Effective Criminal Justice Responses to Trafficking in Persons (ASEAN Practitioner Guidelines). These aim to assist the criminal justice agencies of ASEAN member states to end impunity for traffickers and achieve justice for trafficked persons.

2.6.3 The Bali Process

The Bali Process provides a framework through which Cambodia and other countries in the region can work together on practical measures to

²⁴ (International Justice Mission, 2016)

²⁵ (Coordinated Mekong Ministerial Initiative Against Trafficking, 2015)

²⁶ (Gleeson, 2012)

help fight people smuggling, trafficking in persons, and related transnational crime in the region.

2.6.4 Bilateral Agreements²⁷

Cambodia has bilateral agreements concerning trafficking in persons including the following:

- A Memorandum of Understanding on Cooperation in the Employment of Workers between Thailand and Cambodia in 2003
- A Memorandum of Understanding on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking concluded with Thailand in 2003 and Vietnam in 2005. This was reaffirmed in the Guidelines for Cooperation on Criminal Justice Process Trafficking-Related Crimes with Thailand on 2006.
- An Agreement on Cooperation Against Vietnam-Cambodia Cross-border Human Trafficking, Especially Trafficking in Women and Children concluded between Cambodia and Vietnam in 2007
- A Cooperation Agreement on Standard Operating Procedures for the Identification and Repatriation of Trafficked Victims between Cambodia and Vietnam in 2009
- A Memorandum of Understanding on Bilateral Cooperation for Eliminating Trafficking in Persons and Protecting Victims of Trafficking between Thailand and Cambodia in 2014
- A Bilateral Agreement establishing a Framework for the Recruitment, Employment, and Repatriation of Labor Migrants between Cambodia and Malaysia on 2015
- A Treaty on Extradition between the Cambodia and Thailand on 2015
- A Memorandum of Understanding on the Recruitment and Employment of Workers between Malaysia and Cambodia in 2017

²⁷ All files were retrieved from the database of United Nations Action for Cooperation against Trafficking in Persons (UN ACT).

3. Progress and Challenges in Prosecution, Prevention, and Protection²⁸

Half of Cambodians still live at less than \$2 per day.²⁹ Poverty forces many to migrate for work. The poor quality of education, lack of legal protection, and low levels of awareness on migration makes many Cambodians vulnerable to human trafficking³⁰

The government increased anti-human trafficking efforts. Part of the national budget is given for raising awareness, increasing legal action, and collaborating with civil society. Some of its notable efforts included the following³¹:

- prosecuting and convicting more traffickers
- repatriating more Cambodians subjected to trafficking abroad
- strengthening efforts to raise awareness on child sexual exploitation in the hospitality industry
- taking steps to incentivize safe migration to primary destination countries

The government also aimed to create safe employment opportunities to prevent the vulnerable and poor from being part of human trafficking. Detailed efforts of the government from 2014 – 2018 are illustrated in Appendix 4.³²



²⁸ Section 3 is largely informed by (Gleeson, 2012) and (United States Department of State, 2018)

²⁹ (Asian Development Bank, 2014)

³⁰ (The Asia Foundation, 2013)

³¹ (United States Department of State, 2018)

³² (National Committee for Counter Trafficking in Persons MidTerm Review Report, 2017)

The government also developed stricter screening for migrant workers. They built partnerships with countries like Thailand and China to lessen human trafficking³³. However, appropriate punishments and sanctions to foreign nationals and recruiters who are involved are still not enforced. **Even with increasing efforts, Cambodia fails to meet minimum standards. It remains in Tier 2 in the latest Trafficking in Persons Report.**³⁴

3.1. Prosecution



Cambodia is prosecuting an increasing number of cases under both Cambodian Trafficking in Persons Law and the Penal Code. However, the following concerns are still present:

- low rates of arrest, prosecution, and conviction of cases compared to the reported scale of the human trafficking problem in Cambodia
- cases involving sexual exploitation and abuse of women and children are resolved extrajudicially through out-of-court payments and other forms of settlements
- low prosecution of owners and managers of private recruitment agencies and terminate their licenses for trafficking offenses
- high corruption giving tip-offs that result to failed raids and crackdowns
- long legal processes and lack of effective witness protection, discouraging the victims from cooperating in cases

³³ Check Sections 2.6.1 and 2.6.4 for list of partnerships built by the Cambodian government.

³⁴ (United States Department of State, 2018)

3.2. Protection

Local and international organizations who work with trafficking victims believe that Cambodia can comply more with international and regional obligations to support and assist victims. The following concerns are present:

- **Local organizations asked Cambodian Government to take over the responsibility of giving shelters and other post-harm services to victims**
- **Lack of protection for victims under Cambodian domestic law, including recognizing trafficked persons as victims**
- **Lack of political will to recognize certain trafficked persons as victims and extend protection after**
- **Legal procedures are not accessible to victims because of cost, time, and complexity to obtain compensation or file civil cases against traffickers.**

3.3. Prevention

Cambodia has done important efforts in trafficking in persons. Most efforts are focused on public awareness campaigns. Despite these, the following concerns remain:

- **Police and immigration officers outside the provincial Anti-Human Trafficking and Juvenile Protection Offices do not recognize their active role in preventing trafficking in persons**
- **Law enforcement and immigration officers on the front-line are not trained enough to recognize trafficking, its concept, and implications**
- **Local demand for commercial sex needs to be reduced especially child exploitation and sex slavery**
- **Government corruption that enables trafficking must be resolved**
- **Bilateral labor agreements with receiving countries need to be improved to protect Cambodian workers against trafficking abroad**

4. Key Recommendations: What can we do?



The following are some actionable recommendations:

- Design national and local mass media awareness campaigns against human trafficking and services available to victims.
- Improve the quality of psycho-social support given to victims. Whenever possible, integrate faith into their healing process.
- Provide livelihood support to prevent the vulnerable and the poor from being involved in human trafficking.
- Assist communities in fighting human trafficking by helping in recording migration and labor recruitment processes happening in their villages
- Suggest systematic method of quantifying data, especially number of victims and the status of the resolution of their cases
- Regularly check on the well-being of repatriated victims as most victims suffer from post-traumatic disorders and anxiety as they reintegrate back into their communities
- Implement anti-discrimination campaigns in local communities to reduce the stigma against repatriated trafficking victims
- Train local officials and community leaders in rural villages to identify potential traffickers and victims of trafficking and report them to authorities

- Urge the Cambodian government to implement legal ways for regular migration and resettlement. With the human trafficking situation in the country, this should be a priority.
- Urge the Cambodian government to fully implement the National Plan of Action (NPA). Some of the outcomes that were not fulfilled for NPA 2014 – 2018 include:
 - Development and implementation of Provincial Plans of Action
 - Creation of new policies for seasonal migration
 - Development of database for migrant and complaint mechanism
 - Enhancement of prosecution database and release of regular report to the public
 - Finalization and Implementation on the Guidelines for Repatriation
 - Development of Standards to Monitor Recruitment Agencies
 - Increase in the number of trafficking cases that end with conviction of perpetrators
 - Increase in the number of victims that were reintegrated with sustainable livelihood
 - Creation of a national case coding system for monitoring cases throughout the entire criminal justice process
 - Creation of a database that has clear guidelines for inputting and processing data and dissemination of regular reports to all stakeholders
- Urge the Cambodian government to repeal all legislative provisions that discriminate and exclude domestic workers from the protection of labor and industrial relations laws
- Urge the Cambodian government to simplify legal procedures for victims to obtain compensation and legal access, encouraging them to file civil cases and participate in criminal prosecution
- Urge the Cambodian government to review the informal credit sector and its relation to increased vulnerability to trafficking
- Urge the Cambodian government to recognize trafficked persons as victims under domestic law and grant them immunity from punishment for violations of immigration, labor, and prostitution laws which occur because of being trafficked

5. Ending Human Trafficking as a Global Priority

5.1. Sustainable Development Goals (SDG)³⁵

TARGET 1-1	1 NO POVERTY	<p style="text-align: center;">Eradicate Extreme Poverty</p> <p>By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day</p> <p>Indicator: Proportion of population below the international poverty line, by sex, age, employment status and geographical location (urban/rural)</p>
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<p>End All Violence Against and Exploitation of Women & Girls</p> <p>By 2030, eliminate all forms of violence against all women and girls, including trafficking and sexual and other types of exploitation</p> <p>Indicators: Proportion of women aged 15 years & older violated by 1) a current / former intimate partner & 2) non-intimate partner in the last 12 months</p>	5 GENDER EQUALITY	TARGET 5-2
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TARGET 8-7	8 DECENT WORK AND ECONOMIC GROWTH	<p style="text-align: center;">End Modern Slavery, Trafficking, and Child Labor</p> <p>By 2030, take effective measures to eradicate forced labor, human trafficking and secure the prohibition and elimination of the worst forms of child labor</p> <p>Indicator: Proportion and number of children aged 5-17 years engaged in child labor, by sex and age</p>
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<p>Protect Labor Rights & Promote Safe Working Environments</p> <p>Protect labor rights & promote safe & secure working environments for all workers, especially women migrants, and those in precarious employment</p> <p>Indicators: 1) Frequency rates of fatal and non-fatal occupational injuries 2) Increase in national compliance of labor rights based on ILO standards</p>	8 DECENT WORK AND ECONOMIC GROWTH	TARGET 8-8
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TARGET 10-7	10 REDUCED INEQUALITIES	<p style="text-align: center;">Responsible and Well-Managed Migration Policies</p> <p>By 2030, facilitate orderly, safe & regular migration & mobility of people, through the implementation of planned and well-managed migration policies</p> <p>Indicators: 1) recruitment cost by employee as proportion of income earned and 2) # of countries that have implemented well-managed migration policies</p>
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<p>Protect Children from Abuse, Exploitation, Trafficking, & Violence</p> <p>By 2030, end abuse, exploitation, trafficking and all forms of violence against and torture of children</p> <p>Indicators: 1) proportion of children 1-17 years who experienced violence and/or aggression in the past month, 2) # of trafficking victims per 100 000 population, and 3) proportion of people 18-29 years who experienced sexual violence by age 18</p>	16 PEACE, JUSTICE AND STRONG INSTITUTIONS	TARGET 16-2
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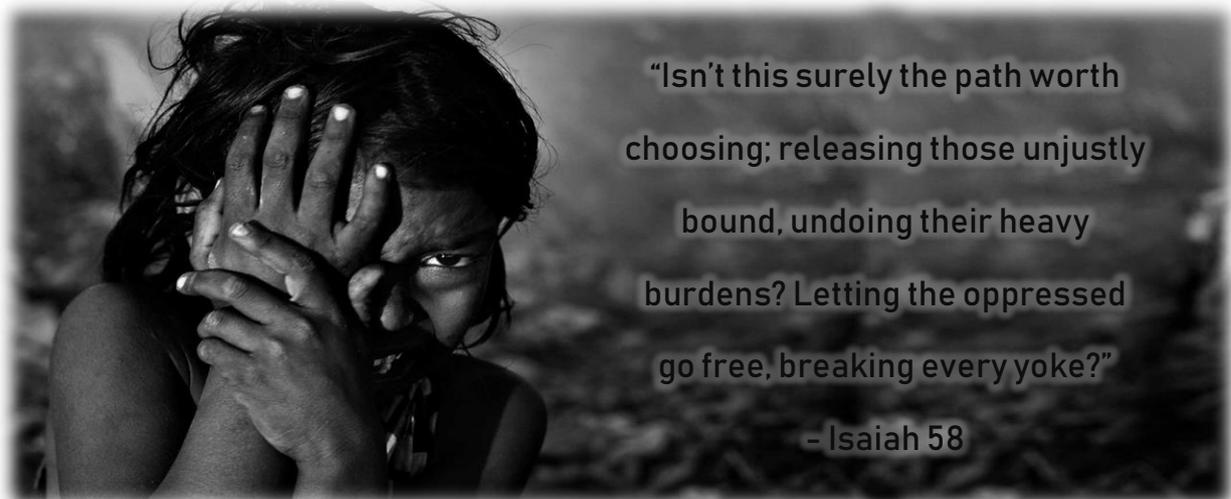
³⁵ (UNICEF USA, 2016)

5.2. Global Compact for Safe, Orderly and Regular Migration

The following are 7 objectives in the GCM that aim to combat trafficking:

- Minimize the adverse drivers and structural factors that compel people to leave their country of origin
- Ensure that all migrants have proof of legal identity and adequate documentation
- Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work
- Save lives and establish coordinated international efforts on missing migrants
- Strengthen the transnational response to smuggling of migrants
- Prevent, combat, and eradicate trafficking in persons in the context of international migration
- Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration

6. The Pope's Call to Action



Pope Francis believes that trafficking people is the worst manifestation of the commodification of others. According to him, “trafficking seriously damages humanity, tearing apart the human family and the Body of Christ. It hurts not only the victims, but also destroys the humanity of those who take advantage of them because it denies them access to the abundant life of Jesus.”

The Pope calls us to respond against human trafficking. He stressed that “All actions that aim to restore and promote our humanity and that of others are in line with the mission of the Church, as a continuation of the saving mission of Jesus Christ.” Responding against human trafficking is a Catholic mission.

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Appendix 1. Victim Identification Guidelines

A. Overarching Guidelines

1. The primacy of a human-rights based response to trafficking, ensuring that the rights of victims are at the center of counter-trafficking responses.
2. Presumed victims of trafficking should be considered victims of trafficking and aided until formal identification has taken place
3. The privacy of victims and confidentiality of their personal information should be respected in all support provided, based on non-disclosure of case information, except to service providers on a 'need to know' basis.
4. Victim identification procedures and referral services must be gender-sensitive and responsive, recognizing the vulnerabilities associated with gender
5. Special attention should be given to child victims of trafficking; their best interests should be the primary consideration in all policies and procedures related to them. There should be a presumption that a victim who may be a child is treated as a child unless or until another determination is made
6. All victims of trafficking should have access to comprehensive, high quality support services that are age, gender, language and culturally appropriate; that are responsive to the victim's needs and respect their right of choice; that are provided by adequately trained individuals; and that aim to reinforce the victim's dignity and restore their decision-making power
7. Presumed trafficked persons and trafficked persons should be provided with full access to information and informed of all their rights and options, as well as obligations, at all steps of the victim identification, referral, and support process, in a language they fully understand

B. Interpretation

8. Provide access to a trained translator where needed.
9. Request embassies and missions to provide translation assistance in presumed cases, after risk assessments, where possible and appropriate
10. Train interpreters and key service providers in the issues around relevant ethical and security concerns, support for victims of trafficking, and child-friendly interviewing techniques.
11. Ensure specific consideration of gender in the selection and training of interpreters in responding to cases.

C. Initial Screening and Referral

12. Adopt the common ASEAN-COMMIT indicators of human trafficking and, where applicable, add additional indicators based on country contexts.
13. Develop a standardized, national screening checklist for first responders that includes the common ASEAN-COMMIT indicators.
14. Train first responders on the indicators of human trafficking, particularly in hotspot areas, including related agencies who may encounter potential victims.
15. Ensure law enforcement officials implement a gender-sensitive response in responding to reported cases of trafficking in persons.

16. Agree and implement standard operating procedures for the removal of presumed victims from harm environments and ensuring separation from potential exploiters and controllers.
17. Ensure procedures are established for the removal of presumed victims of trafficking from detention facilities to appropriate care and services.
18. Initial screening should take place in an environment where the presumed victim can be assured of their safety, security, and privacy, by officials trained in the procedures.
19. Identify the focal agency responsible for victim identification and notify other relevant agencies.
20. Establish reliable steps for transferring presumed cases to the focal agency responsible for coordinating support services, updating as appropriate, and publicize among relevant agencies and countries.
21. Ensure the focal agency responsible for victim identification has enough technical, financial, and human capacity to coordinate response to cases.
22. Ensure no use of ad hoc translators present at the exploitation environment.
23. Record cases of presumed victims of trafficking received by the focal agency in internal database.

D. Interim Assistance

24. Ensure that trafficked persons are not, in any circumstances, prosecuted for violations of immigration laws or for activities they are involved in as a direct consequence of their situation as trafficked persons; or held in detention.
25. Map referral network for interim support with clear roles and responsibilities between government and non-government service providers in providing basic needs and referral of presumed victims
26. Train service providers in specialized areas of care under their responsibility, including but not limited to: gender, age, and culturally sensitive assistance; services for persons who have suffered severe abuse, those with physical or psychological ailments, or otherwise harmed by their experience.
27. Implement a standardized intake process to ensure the presumed victim has information on their rights and any duties accorded to them.
28. Provide enough resources to meet basic needs of presumed victims.
29. Assess potential risks to the presumed victim in consultation with them, including health, safety, and security concerns; categorize levels of risks present, and undertake appropriate responses.

E. Recovery and Reflection Period

30. Promote and provide a recovery and reflection period of 30 days for victims of trafficking implemented in all cases prior to formal identification.
31. Provide a clear timeline to presumed victims on the support they may receive as well as repatriation if that is desired.
32. Consult with presumed victims on the services available, and ensure independent advice is available on the most appropriate services for them.

33. Ensure procedures are in place for presumed victims to access services that they may have initially declined, and to decline services that they may have initially consented to.
34. Ensure that trust is developed with presumed victims during the reflection period, through rights-based support and service provision.

F. Formal Identification

35. Align policies for formal identification to comply with the UN Trafficking Protocol definition
36. Ensure interview procedures and the process for identification are sensitive to the needs and concerns of victims, and child-sensitive in the case of those suspected of being minors
37. Develop and implement a standardized process and form for formal identification, to be used by trained specialists, including interpreters and victim service providers.
38. Implement operational procedures for the exchange of information on cases with source and transit countries through national focal points, to support accurate and rapid identification and support.
39. Coordinate with focal persons at relevant diplomatic missions to aid in victim identification, communications, and family tracing.
40. Provide an alternative mechanism for support to persons who show signs of exploitation but are not formally identified as victims of trafficking.
41. Conduct family tracing and assessment as appropriate when formal identification is concluded.

G. Referral, Information, and Support Services

42. Develop a standardized information package provided to victims of trafficking, with information on their legal and other rights, obligations, and all services available to them, updated as necessary.
43. Conduct a needs assessment to ensure all fundamental needs are met, as informed by the trafficked person.
44. Provide referral services through an effective coordination mechanism involving all relevant government and non-government service providers, as identified through the COMMIT regional (re)integration research
45. Develop, implement, and monitor minimum standards for services provided to victims, including shelter and other community-based alternatives.
46. Document and scale up best practices and proven models for victim support including through research and other data collected by service providers, especially at the community level.
47. Provide specialized services for special cases, such as persons with trauma, and physical or psychological ailments.
48. Provide specialized services for special cases, such as persons with trauma, and physical or psychological ailments.

Appendix 2. Some Organizations involved³⁶

1. International Organization for Migration (IOM)³⁷

IOM works in partnership with the government, the United Nations, NGOs, the private sector, and other development partners on all aspects of counter-trafficking responses – prevention protection and prosecution.

IOM supports efforts to strengthen policies and procedures to facilitate the 1) identification, referral, and protection & assistance of trafficked persons; 2) improvements to anti-trafficking legislations and regulations and their implementations; and 3) advisory services to private sector entities aiming to eliminate exploitation from their operations and supply chains.

Through information campaigns and outreach, IOM seeks to equip vulnerable populations with the information they need to migrate safely and access assistance when necessary. IOM also aims to address the root causes of vulnerability to trafficking through programming at the household, community, and structural levels.

IOM provides protection and assistance to victims of trafficking. Ensuring freedom and a chance at a new life, IOM's assistance can include safe accommodation, medical and psychosocial support, and assisted voluntary return and reintegration.

2. Chab Dai

Chab Dai Coalition incorporate three of the components of successful reintegration, preventing stigmatization, legal support and providing psychological services. A crucial aspect to Chab Dai's work is their collaboration with other organizations, for the services that they do not offer or are able to provide for, they refer clients to other organizations that may be able to assist. They also coordinate meetings of the government with NGOs involved against human trafficking.

3. Hagar

Hagar is an international organization which operates within Cambodia with survivors of slavery, trafficking and/or abuse. Hagar advertises a range of intensive and individualized services, providing counselling, case management services, education, employment, and legal support and works closely with the Cambodian Government. Hagar provides recommendations and advice to increase capacity within provincial and national ministries. Hagar also developed a tool kit for legal professionals after recognizing that for survivors, the legal process was inflicting re-traumatization.

³⁶ (Laidler, 2018). This section is a duplication from Jesuit Refugee Service Cambodia's Reintegration of Trafficked Women in Cambodia, 2016.

³⁷ Information was retrieved from IOM website.

4. Cambodian Women's Crisis Centre (CWCC)

Cambodian Women's Crisis Centre is considered a leading organization for the advocacy for the rights of women and the elimination of violence against women and children. Their specific 'protection' projects include, monitoring project, legal assistance, safe shelter, literacy and vocational skills training and a repatriation phase.

CWCC recognizes the importance of the reintegration phase and acknowledges that for most women, they will be returning to very poor conditions and run the risk of being exploited again. For this reason, CWCC staff assist women to set up their own business using the skills that they gained from living in a shelter.

5. Maryknoll

The Catholic Organization Maryknoll runs a specific reintegration project called Horizons, which is open to women from 15-19 years old, who are referred from shelters where they have been placed after being trafficked from countries such as Thailand and young girls who are referred by an NGO because an older sister who works in the sex industry etc. and are considered vulnerable to exploitation.

The objective of the project Horizons' is to give women occupational skills that take them out of the informal sector and 'pink collar' industry. Sister Helene O'Sullivan, the woman who created the project, believes that organizations have primarily been giving women vocational training that is too 'weak', preparing them with skills such as sewing and hair dressing, when the demand for this skill is diminishing because of the import of cheap used clothing from the US, Europe and Japan. Hair dressing is another skill that in her view places the women into the informal sectors where there are no paid sick days or other benefits.

6. Daughters of Cambodia

Daughters of Cambodia is an organization that works to empower those trapped in the sex industry and those that have been trafficked abroad for the purpose of sexual exploitation. Daughters of Cambodia offer a range of services, these being, counselling, medical treatment, creative programs, daycare, and education.

7. Agape International Missions (AIM)

Since 2005, Agape International Missions has been focused on stopping the cycle of sex trafficking and exploitation in Cambodia by preventing human trafficking and rescuing, restoring, and reintegrating survivors. They currently have 12 programs including 1) men's outreach, 2) SWAT Rescue Team, 3) emergency family care, and 4) AIM School.

Some Catholic Sisters offer small discreet services for trafficked and exploited women.

Appendix 3. Strategic Components and Outcomes of NPA

Illustrated below are the strategic components of the National Plan of Action for 2017 – 2018, including its expected outcomes and the progress of each outcome. The following codes are used in the table:

- Low = Low Compliance on Expected Outputs
- Medium = Significant Compliance on Expected Outputs
- High = High Compliance on Expected Outputs

Strategy 1. Strengthening Law and Policy and Enhancing Cooperation	Compliance
<p>a. National Mechanism for countertrafficking in persons improved and strengthened with broad participation and adequate resources for better law and policy enforcement, and enhancement of national and international cooperation</p> <ul style="list-style-type: none"> ✓ Royal Decree on establishment of NCCT signed ✓ Decision of National Committee for Counter Trafficking Endorsed ✓ Training Manual on Roles and Responsibilities for NCCT and PCCT staff developed ✓ List of organizations and development partners signed MOU with NCCT ✗ Provincial Plans of Action are not developed and implemented consistent with NPA 	High
<p>b. Memorandum of Understanding, bilateral and multi-lateral agreements and other legal instruments related to human trafficking, labor and sexual exploitation enforced by stakeholders with clear responsibilities & measurable results</p> <ul style="list-style-type: none"> ✓ Existing national, regional, and international legal instruments/policies/procedures related with TIP, labor and exploitation reviewed and analyzed ✓ MOUs, agreements, and guidelines signed with China, Laos, and Korea while that of Thailand, Vietnam, England, and Peru are still being developed. ✓ ASEAN Treaty on TIP finalized ✗ Guidelines, Standard Operating Procedures (SOPS) and minimum standard are not developed and endorsed ✓ Assessment on implementation of 4th plan of Great Mekong Sub Region (SPA IV) (10 11 and 12) 	High
<p>c. New necessary laws, policies, national and international plan of actions for countering all forms of TIP and sexual and labor exploitation are jointly implemented, monitored, and evaluated, and made more effected by identifying and addressing gaps</p> <ul style="list-style-type: none"> ✓ Guidelines on the rights and protections ✓ Guidelines / mechanism on repatriation with other countries to quicken the repatriation process developed and implemented 	Medium

<ul style="list-style-type: none"> ✓ Explanatory note on law on Suppression on Human Trafficking and Sexual Exploitation dissemination ✗ Guideline for Undercover Investigative Authority (UIA) is not developed and approved ✗ Report on the enforcement of labor law against entertainment venues to prevent the exploitation of minor is not produced ✗ Sub-Decree 183 is not amended, and guidelines are not developed and endorsed ✓ New MOUs and agreements with destination countries to monitor and regulate sending of migrants signed ✗ New policies for seasonal migration are not developed ✗ Database for migrant and complaint mechanism is not developed ✓ Law/legal framework on protection of victims of CTIP and labor exploitation implemented 	
Strategy 2. Enhancing Prevention	
<p>a. Prevention strategy is developed and implemented to also address the demand side of trafficking by focusing on behavior changes in individuals and communities</p> <ul style="list-style-type: none"> ✓ Research conducted and reports disseminated on vulnerability to TIP, labor, and sexual exploitation ▪ National Strategy developed with standardized awareness-raising materials and tools trafficking is not prepared although prevention activities have been conducted. ✓ Measures for Cross-border Management Initiative developed and implemented ✓ Research on employment of domestic workers in Cambodia conducted ✗ Research on the evaluation of informal and formal money lending and how that can increase vulnerability to TIP has not been completed ✗ Effective lessons / modules on counter TIP and sexual exploitation included in National Curriculum at all level, but only 30% of teachers are aware. There is no budget or obligation to use it. 	<p>Medium</p>
<p>b. Trends, impacts, and management of migration workers are monitored to enhance safe migration and protect workers' rights and benefits at all stages of migration</p> <ul style="list-style-type: none"> ✓ Evaluation is conducted and circulated on vocational training programs that have been successful ▪ Some system and standards to monitor recruitment agencies and training centers are developed and implemented although these remain to be insufficient to address the issue. 	<p>High</p>

<ul style="list-style-type: none"> ✗ Research on remittances conducted and report circulated with discussion and action on recommendations ✓ Curriculum for pre-departure orientation developed and endorsed / number of migrants receiving pre-departure training ✓ Procedure of repatriation from destination countries developed 	
Strategy 3. Enhancing Criminal Justice Response to Human Trafficking	
<p>a. Knowledge of and capacity to use legal instruments among the judiciary in the prosecution of TIP cases strengthened</p> <ul style="list-style-type: none"> ▪ Revised and enhanced prosecution database is in place and regular reports are not shared with the public although courts are providing reports on the number of cases of trafficking along with outcomes. ✗ Court watch reports produced and disseminated ✓ # of training organized and training curriculum developed = 104 sessions, 4761 participants, of which 2283 are women ✓ Increased coordination between law enforcement officials and the prosecutors ▪ Increased number of TIP cases filed. Data is available but report says it is not comparable. ✗ Increased number of TIP cases prosecuted. 201 are prosecuted in 2015 while only 138 the following year. ▪ Increased number of TIP cases ending with conviction of perpetrators. Data is available but report says it is not comparable. ✓ Report on consultation with university and institution managements developed ✓ Victim Protection framework is established within the trial process ✓ Data on prosecution of offences of CTIP compiled and regularly updated and shared with relevant stakeholders 	<p>High</p>
<p>b. Coordination among the law enforcement, judiciary, and social service sectors for investigation and prosecution of STSLS cases enhanced</p> <ul style="list-style-type: none"> ✓ Child-friendly judicial procedures are developed and piloted ✓ # of coordination meetings held. In 2014, total was 406; 496 in 2015; and 576 in 2016. ▪ # of resolution of TIP and sexual exploitation cases with all stakeholders engaged increased (Data not available in annual reports). 	<p>Medium</p>

<ul style="list-style-type: none"> ▪ # of TIP and sexual and labor exploitation cases processed through child-friendly judicial procedures (Data not available in annual reports). ▪ # of mutual legal assistance on TIP cross border cases (Data not available in annual reports). ▪ # of suspects extradited (Data not available in annual reports). 	
<p>c. Responsive measures, case management, and reporting systems by specialized and non-specialized law enforcement officers are agreed as systematic use in combating TIP</p> <ul style="list-style-type: none"> ✗ Training modules are still being developed for all types of law enforcement agencies ▪ # of trainings conducted. Significant training has been conducted but it is not documented. ✓ Victim Identification Procedures/Manual approved, and number of officials trained ✓ Number of officials trained on undercover investigation guidelines ▪ Training curriculum and report on financial investigation has been developed but not fully implemented. Only one training has been conducted. ✓ Case management system is set up within AHTJP and NCS ✗ A national case coding system is created for monitoring cases throughout the entire criminal justice process ✗ TIP database has clear guidelines for inputting and processing data and dissemination regular reports to all stakeholders ✓ Number of quarterly coordination meetings are held between the two working groups 	Medium
<p>Strategy 4. Protecting Victims of Gender and Age Appropriate and Qualitative Support</p>	
<p>a. Victims of human trafficking, labor and sexual exploitation are rescued, repatriated, rehabilitated, reintegrated, and access full appropriate and qualitative services, tailored to their gender age and needs</p> <ul style="list-style-type: none"> ✓ ID Guidelines endorsed. The Guidelines on Forms and Procedures for Identification of Victims of Human Trafficking for Appropriate Service were endorsed in 2015. ✓ Significant training has occurred on the ID guidelines. ▪ National data collection process in place to include all data on victim assistance from service providers and avoiding duplication of data ▪ Guidelines on repatriation are not finalized and operational. The Minimum Standards on Residential Care serves as the current guidelines. 	Medium

<ul style="list-style-type: none"> ✓ # of victims properly identified and referred and provided with assistance = 412 (2014), 295 (2015), and 298 (2016). ▪ # trained officials deployed in transit centers at border = no documentation ▪ # of IP victims repatriated = 326 cases with 257 women (2014) and 295 cases (2015) ▪ # of TIP victims assisted at Government transit centers = 98 (2014), 792 (2015), 64 (2016) ▪ Number of Government officials/agencies/NGO staff trained and using SOP for repatriation = not clear from reports × Data at the national level not systematically compiled and disseminated 	
<p>b. Coordination and collaboration among government and non-government service providers in the effective, efficient, and timely provision of victim support services strengthened</p> <ul style="list-style-type: none"> ▪ Database of services categorized by institution, type of support and locations has not been established although the legal aid service directory has been updated. <ul style="list-style-type: none"> ✓ # of victims properly referred to other organizations/communities for assistance = 104 to PoSVY, 17 to NGOs, 291 to family (2014); 121 to PoSVY, 170 to communities, 4 to NGOs (2015); 161 to PoSVY, 7 to NGOs, 130 to families (2016) ✓ # of victims reported as reintegrated with sustainable livelihoods = 792 (2015) and 1363 (2016) 	Medium
Strategy 5. Plan for Implementation, planning, coordination and monitoring and evaluation*	
a. Mechanism for monitoring and evaluation of the implementation of NPA officially created with participation from stakeholders	Low
b. Capacity of all responsible staff at all level strengthened	Medium
c. Tools for monitoring and evaluation developed and used	Low
d. Collected data evaluation and disseminated	Medium
e. Achievement report of the implementation activities for counter trafficking issued monthly, quarterly annually by measuring achievements against set indicators	Low

*No clear indicators and progress to evaluate.