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**National Seminar on Law Enforcement
Against Sexual Exploitation and Trafficking of Children
(hosted by Ministry of Interior, Phnom Penh, 18 September 2002)**

Statement by Ms. Margo Picken
Director

Cambodia Office of the United Nations High Commissioner for Human Rights

Excellencies,
Distinguished Participants and
UN Colleagues,

It is an honour to address you at the conclusion of this National Seminar on Law Enforcement against Sexual Exploitation and Trafficking of Children, and to be part of such an important gathering and discussion of issues vital to the well being of Cambodia and its people.

We have heard much, today, about the nature of this problem in Cambodia, its worrying increase over the past few years, and its consequences for Cambodia's children, families, and society. We have also heard about Government and nongovernmental efforts to address the problem, and the difficulties those involved in the fight against these crimes meet in their daily work.

During her recent visit to Cambodia, the (then) United Nations High Commissioner for Human Rights, Ms. Mary Robinson, raised the problem of trafficking as a major human rights concern, and appealed to Cambodian legislators and to the Royal Government to take stronger action to fight this trade in human beings. She also appealed to the responsibility of all not to contribute to the demand for commercial sex with minors, which fuels trafficking. Why a major human rights concern? Because trafficking and the sexual exploitation of children, women, and men are degrading practices that deprive victims of their fundamental rights and their dignity. Also because the violation of many human rights is often involved, economic and social as well as civil and political. We are disturbed that these practices continue and we are dismayed by the apparent strengthening of the criminal networks that support them.

As we have heard today, Cambodia is not alone in facing this serious problem. Every day, in South East Asia as well as in many other parts of the world, women and children are bought and sold, and forced into lives of prostitution and servitude, and other forms of exploitation. If adequate and prompt measures are taken, we believe that Cambodia can succeed in containing and ending the problem. A determined collective effort is required to this end, and we are pleased to be part of this. We, the international agencies, must assist in building capacities in Cambodia to understand and address the problem, as well as to alert Government institutions to their inefficiencies and encourage remedial action. Government authorities, at the central and provincial level, must provide firm political support, leadership and resources. Police must perform their duties with professionalism and efficiency, pursue

offenders and enforce the law against them without exceptions. They must also provide victims with the protection they are entitled to. Non-governmental organizations must assist victims, monitor government action, cooperate or criticize as the situation requires. If we all play our role with commitment and determination, we can make a difference for the children, women and men who are exploited or trafficked in, from, or to Cambodia. The task is formidable, as we heard through today's discussion, but possible. Cambodia must not be another case of too little, too late.

Certainly, we must not underestimate the complexity and magnitude of the problem we are facing. We all know that sexual exploitation and trafficking find favourable conditions where there is extreme poverty, lack of education and employment opportunities, shattered/unstable family environments, and that all these factors must be addressed to find durable solutions. Long-term measures are needed to deal with these dimensions. More immediately, effective law enforcement can go a long way to improve the situation. Systematic investigation of abuses and arrest and prosecution of offenders will be a powerful signal that these offences will not be tolerated, that no-one is beyond the reach of law.

Our Office is very pleased to be part of the LEASEC (Law Enforcement Against Sexual Exploitation of Children) project. We are also advising the Government on the development of stronger laws against trafficking, advocating with the courts for more effective action, and supporting nongovernmental activities in education, to assist victims, investigate violations, and to advocate for effective policies and laws.

We are aware that the LEASEC project is a small contribution towards addressing the considerable needs in this area. We are pleased that structures have been established within the police, specifically tasked with investigating trafficking and sexual exploitation crimes, and that the technical capacity to investigate has increased. We are also aware that improved technical capacity cannot by itself solve the significant problems that remain. It is essential that the Government authorities provide sustained political support for the fight against trafficking which involves action to curb corruption, ensure that the courts function, that there are lawyers available to defend the victims, that the laws are enforced. The role of the provincial governors is crucial to the success of action against trafficking and sexual exploitation.

Trafficking and sexual exploitation are human rights issues and any action to counter them must be informed by a human rights approach. Such an approach is defined by the international treaties to which Cambodia is a party, and by the Constitutional provisions guaranteeing fundamental rights. The Office of the High Commissioner for Human Rights has developed Principles and Guidelines on Human Rights and Human Trafficking, which are available in Khmer in this room, which provide practical guidance in the application of human rights obligations to international and national anti-trafficking strategies.

A human rights approach entails, among other things, the responsibility of the State to protect and promote the rights of all persons under its jurisdiction, including victims of trafficking and sexual exploitation. We have too often heard of victims being dealt with and treated as criminals, rather than receiving care and protection, an approach that neither helps to fight crime, nor to render justice.

It is very sad that as we are gathered here today to renew our commitment to work against trafficking and to protect the victims, the Phnom Penh court has just delivered a judgement again treating victims of trafficking as illegal immigrants. It is clear that the state must have a common approach and that prosecutors and judges must understand better what the issues and laws are.

Our work as Office of the High Commissioner for Human Rights brings us close to the victims of human rights violations, including sexual exploitation and trafficking. This is true of many of you in this room today. They tell us their stories, their fear, their sense of injustice, and of powerlessness. So many broken lives. They often tell us that they hold no hope of seeing the wrongs redressed.

Your action can change this. Through your work, you can ensure that these persons are rescued and protected, that traffickers and abusers are arrested and held accountable for their crimes. You can help to restore confidence in the capacity of state institutions to provide for and protect those in need. As governors and police officials you have a crucial contribution to make to this process. We look forward to working with you in this important common endeavour.

Thank you