



CHILD SAFE ORGANIZATIONS
REPORT: KHMER NGO FOR EDUCATION
(KHEN)

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1. CHILD SAFE ORGANIZATION BACKGROUND

Child Safe Organizations (CSOs) take a preventative and participatory approach "in protecting children who they work with, care for or support (directly or indirectly) from abuse, exploitation and harm, and ensure the realization of their rights. CSOs have systems in place to ensure that best practices are mainstreamed in all operations in order to minimize the risk of child abuse from occurring, as well as respond to child abuse in a timely, appropriate and effective manner, if it occurs. CSOs develop strategies to ensure that child rights and human rights principles are not only understood by all staff and volunteers, but are also applied in every-day operations, behaviors and relations. CSOs ensure that all staff and volunteers are able to identify and understand child abuse and exploitation, and deal with disclosures in an appropriate manner. CSOs coordinate all aspects of their environment to ensure that programs are protective, risks are assessed and managed, and locally relevant strategies are developed. In addition, CSOs are clear about the ethical behavior expected from staff and set appropriate boundaries between staff's personal and professional lives. Alongside this, CSOs value children's ideas and opinions and incorporate them into their preventative approach to protecting them from abuse, exploitation and harm (including in rules and regulations).

2. PROJECT OBJECTIVES

Upon the provision of the Child Safe Organisation training and auditing in May 2015, in Battambang, Cambodia, **KHEN** re-approached **CWC** to request more supports in further building the capacity of its staff as a whole unit to be accredited as a Child Safe Organisation (CSO). Followed by discussions between CWC and **KHEN** on Child Safe Organisation Certification, **CWC** agreed to certify **KHEN** to become a Child Safe Organisation by assessing knowledge, skills and basic tools to adjust, develop, implement and monitor internal systems, policies and mechanisms as well as mainstream best practices in all operations.

3. PURPOSE OF THE REPORT

To provide feedbacks to **KHEN** on its implementation of the minimum standards required to be certified as a Child Wise Child Safe Organization. The present report aims to help **KHEN** recognize its strengths and weaknesses in relation to child safety. The findings and recommendations contained within the current report are based on documentation related to child safety provided by **KHEN**, alongside the findings of the onsite audit conducted by **CWC**.

4. PURPOSE OF BEING A CERTIFIED CHILD SAFE ORGANIZATION

The Child Safe Organization registration aims to expand the number of organizations which adhere to standards and procedures that are considered ideal for child protection organization. The purpose of the audit process is to assess whether your organization has fulfilled the required steps, or to identify any areas in which Child Wise Cambodia can help you to achieve this goal. There are a number of reasons an organization should take all necessary measures to fulfill the requirements of a CSO. Firstly, children who are in contact with the organization or its staff are protected. Unfortunately, no organization can offer complete protection to children, however, any organization working with children should take these steps in order to minimize the risk to children being abused or exploited. Secondly, personnel within your organization have a clear understanding of their duties and obligations; this will invariably provide better care for children. A third reason to become a certified CSO is to ensure your organization has adequate policies and procedures to protect your organization and staff from allegations of abuse.

5. ABOUT CHILD WISE CAMBODIA

Child Wise Cambodia is a leading localized child protection charity committed to fighting against the abuse and exploitation of children. Our programs are specifically child focused and are informed by a fundamental belief that children have a right to physical and psychological safety. Child Wise Cambodia is the recognised experts in the field of child safe organizations. In order for the certification to be of significance, Child Wise Cambodia has a duty to certify only those organizations which have, in practice, fulfilled these standards. Child Wise Cambodia is unable to certify organizations as Child Safe Organizations without the appropriate mechanisms in place to protect children from abuse. Therefore, the purpose of this report is to assess whether the audited organisation possesses the appropriate mechanisms in place to protect children from abuse to a standard recognised for CSO certification.

6. THE AUDIT PROCESS

The purposes of the audit are twofold:

- i. To assess whether the organization has fulfilled the minimum standards outlined in the ten steps; and
- ii. To identify common weaknesses within organizations for the purposes of future training or activities.

This report will assist your organization in identifying your strengths and to outline areas where you could seek improvement. Being a committed Child Safe Organization is a dynamic process which requires constant review and assessment. If the process has uncovered aspects of your policies or practices which do not meet the standard, Child Wise Cambodia is dedicated to assisting your organization in addressing these areas for future accreditation as a CSO.

For the purposes of certification, organizations must have achieved the minimum standards outlined in the ten steps handbook. Organizations are not expected to answer all questions perfectly.

In the event that the Audit uncovers shortcomings within your organization's infrastructure or activities which prevent immediate certification as a CSO, the substantive findings will not be shared without the consent of the organization. The primary goal of the CSO process is to protect children. Child Wise Cambodia appreciates your organization's commitment to this shared goal and is dedicated to helping your organization reach these high standards.

7. KHEN TO BECOME A CHILD SAFE ORGANISATION

a. Summary

PROJECT TITLE :	KHEN to Become a Child Safe Organization
Project Steps:	Child Safe Organization Audit
Organization:	Khmer NGO for Education (KHEN)
Location:	#385, St. 530, Chamkar Somrong 2 Village, Sangkat Chamkar Somrong, Battambang, Cambodia
Audited by :	CWC Child Protection Team
No of staff:	16 (11 female)
No of Children & Parents:	(20+16) = 36 (18 female)

b. Background of KHEN

KHEN is a local NGO and certified Child Safe Organisation based in Battambang Province, Cambodia. We work to promote child rights, accessible, inclusive & quality education and protection of vulnerable children, so that they can develop to their full potential.

KHEN reorganised in 2014 with the formal transfer of 2 inclusive education projects from Kumar Ney Kdey Sangheum (KNKS). This transfer was to improve project management and the outcomes for both Battambang and Pursat Provinces. KNKS projects and staff stayed in Pursat and the Battambang based staff transferred to KHEN.

With this reorganisation, KHEN changed the meaning of its name and reregistered with the Ministry of the Interior of Cambodia. KHEN is now officially recognised as Khmer NGO for Education with the registration number of 662 (ស៊ីដ្យូ ៦៦២) dated 13th April 2015.

KHEN's approach is rights-based inclusive development in partnership with target beneficiaries. KHEN focuses on those most vulnerable – the poor, the remote, those with disabilities, those from minority groups and girls/women.

As an equal opportunity NGO, KHEN has mainstreamed cross-cutting issues such as gender, people with disabilities and minority backgrounds throughout its practices. This ensures that there is no discrimination in whom it employs or who can access the services it provides. KHEN projects focus on:

1. Improving the quality and inclusiveness of education
2. Improving child rights in schools and communities
3. Inclusive WASH and improving access to clean water in schools
4. Strengthening leadership capacity of children and youth

8. THE REPORT

The present report offers a review of the ten steps towards becoming a Child Safe Organisation, and assesses the extent to which **KHEN** has satisfied each of these steps.

Child Wise recommends organisations regularly review the child safety requirements and the importance of child safety mechanisms and procedures. The layout of this report is intended to provide an easy point of reference for your organisation to review and assess your child safety requirements on a regular basis. For each of the ten steps, the report will:

- a) Provide an overview of why the step is necessary for child safety
- b) Suggest methods of implementation
- c) Provide an analysis of your organisation’s application of the steps; and
- d) Offer recommendations relevant to your organisation.

At the end of the report, you will find a summary chart based on the results of the audit for your organisation and any relevant policy documentation. This chart is intended as a guide only to assist your organisation to take any necessary steps to improve child safety within your organisation.

Appendices

One of the findings common to the audits conducted in Cambodia was that organisations are not familiar with the domestic legislation relating to child protection. Child Wise has compiled a list of some of the legislative provisions we consider relevant for organisations working with children. Please see Annex 1.

Similarly, Child Wise Cambodia identified Risk Management as a common weakness amongst organisations audited within the Project timeframe. Child Wise therefore chose to include additional information relating to Risk Assessment. Please see Annex 2.

Finally, the present report has included a contact list for organisations as an easy reference point for organisations to report complaints or incidents of child abuse. Please see Annex 3.

9. MINIMUM STANDARD OF COMPLIANCE

Please note: “The Handbook” within this document refers to “The ten steps to a Child Safe Organisation; A Handbook on Child Safety in Organisations in Cambodia” Developed by Save the Children Australia and Child Wise with support from the Australian Government, 2007. Please notify Child Wise Staff if you do not have a copy of this handbook.

Steps to Becoming a Child Safe Organization
1. Understanding children in Cambodia
2. Understanding Cambodian law and your legal responsibilities
3. Managing the risks to children in your organization
4. Developing a child protection policy
5. Establishing a code of conduct
6. Choosing suitable staff and volunteers (Combined with step 3)
7. Ensuring a clear procedure for reporting complaints/concerns
8. Encouraging and promoting the participation of children

9. Assessing child safety in your organization
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10. Creating an Action Plan with education and training

10. METHODOLOGY

CHRONOLOGY OF THE PROCESS UNDERTAKEN FOR CSO CERTIFICATION

1. Training and refresher courses attended by appropriate members of the organization.
2. Action plan created and implemented by the organisation with the aim of becoming child safe.
3. Child Protection Policy and Code of Conduct submitted to Child Wise Cambodia for review.
4. Preliminary feedback and recommendations on the relevant policy documents provided by Child Wise Cambodia to **KHEN**.
5. Additional documents provided by **KHEN**.
6. Child Wise Cambodia prepares a report aimed at providing constructive feedback to **KHEN** in relation to child safety
7. **KHEN** is certified as a Child Wise Cambodia ¹Child Safe Organisation™
8. For the interviews involved in the Audit, please see annex 4: List of Participants

11. INFRASTRUCTURE

The Child Wise Cambodia Child Safe Organisation involved extensive training materials for both the initial training sessions, as well as the training materials utilised in the refresher course on child safety. The primary reading material developed for the purposes of enhancing child safety amongst organisations involved in work with children is *The Ten steps to a Child Safe Organisation; A Handbook on Child Safety in Organisations in Cambodia* Developed by Save the Children Australia and Child Wise with support from the Australian Government, 2007.

In order to ensure assessments were consistent and standardised, Child Wise Cambodia developed a questionnaire for management and a separate questionnaire for staff members. Child Wise Cambodia child protection officers are also provided with guidance notes for the auditing tools. This guidance is vital for ensuring comprehensive understanding of each question and serves to ensure consistency amongst Child Wise audits, both currently and in the future. The audit tools were developed by Child Wise Cambodia child protection officers.

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¹Where organizations fail to satisfy the minimum standards required to be certified as a Child Wise Cambodia Child Safe Organisation, Child Wise Cambodia will work together with the organization in any possible mean to make the necessary changes to enhance child safety and be accredited as a Child Safe Organisation in the future.

12. FEEDBACK FOR KHEN AS A CHILD-SAFE ORGANIZATION

The present report offers a review of the ten steps towards becoming a Child Safe Organisation, and assesses the extent to which **KHEN** has satisfied each of these steps.

1. UNDERSTANDING CHILDREN IN CAMBODIA (THE RIGHTS AND THE PROTECTION OF THE CHILD)

Critiquing Step 1 of the Ten Steps

The Purpose

Understanding child abuse is the first step in building a child safe organization. To protect children in your organisation is working with you need to know the potential risks and indicators of child abuse. It is only with this knowledge and understanding that you can develop effective child protection policies and child abuse prevention practices.

Child abuse can be broadly defined as any harm inflicted on children physically, emotionally, and/or sexually and which interprets or endangers their development and well-being. Abuse can also include neglect (lack of care), harassing behaviors like bullying, and witnessing domestic violence. Staff and volunteers need to have an understanding of all these forms. They need to learn about the nature of child abuse, and develop an awareness of how and why some children are victimized. By understanding the activities, relationships, inadequate procedures and environmental factors that potentially put children at risk, your organisation can act against them. This will enable staff and volunteers to recognize dangerous situations and act before children are abused.

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Staff and volunteers also need to be aware of indicators of possible child abuse and how to react if they notice these signs with children they work with (directly or indirectly), so they can respond appropriately to suspected abuse.

Child abuse can only be prevented when the causes and indicators of the problem are understood.

Cultural factors will also contribute to the types of abuse likely to affect children in Cambodia, as well as the different ways in which children will exhibit signs that they are being abused. In this respect, it is essential that international staff and volunteers are given a comprehensive understanding of Cambodia's history, cultural practices, and behavioural norms when they start working in child safe organisations.

The Implementation

The Child Safe Organisation certification process draws on the basic principles outlined in the United Nations Convention on the Rights of the Child (hereafter the UNCRC).

Although the Kingdom of Cambodia has ratified the UNCRC and agreed to enforce the implementation of its principles into Cambodian society, it is also important for organisations – particularly those working with international staff or volunteers - to become familiar with Cambodian cultural values and traditional practices and regularly train staff members on this knowledge. In becoming familiar with Khmer cultural values and practices, organisations with an international presence can be more culturally sensitive when engaging with service users, challenging certain perceptions and behaviours, and implementing internationally accepted principles such as the UNCRC and Child Wise Cambodia's Ten Steps into Cambodian communities².

²For more information on the tensions between traditional Khmer culture and the UNCRC, see *The Middle Way: Bridging the Gap Between Cambodian Culture and Children's Rights*, Steve Gourley, NGO Committee on the Rights of the Child, 2009

Every society has traditional practices which are a violation of human rights outlined in international conventions.³ It is essential that organisations promoting the rights of the child can identify traditional, common and unique practices that exist in the country that they work in which may violate human rights. Some key areas of difference across cultures include the promotion of children's right to participation, gender equality and formal justice as a response to wrong doing. For example, studies have revealed that Khmer values and ethics differ in some ways from the UNCRC. Khmer values espouse a socially stratified order involving hierarchy, patriarchy and amicable solutions rather than justice-based solutions and disciplinary measures as outlined in the UNCRC (see the Middle Way for further insight into comparisons between traditional Khmer values and UNCRC values). It is important for child safe organisations to understand and respect these traditional values, yet to simultaneously recognise where certain practices are a violation of the rights of the child and to challenge practices which are in conflict with the fundamental principles of the UNCRC. It is important that both national and international staff understand children in Cambodia in the context of the UNCRC in order to challenge traditional practices which violate the rights of the child.

Organisations are encouraged to continually research and explore the contrasts and tensions between the two ethical systems to better understand child abuse and how Cambodian children and families/guardians interpret it. It is also fundamental that organisations working with children are aware of the developments, statistics, research studies and reports relating to children in Cambodia and the region in order to be fully aware of the risks involved to children both within and outside your organisation. Some of the ways this can be done is by keeping up to date with new information relevant to child protection, media and data on child related issues, publications and reports by credible organisations and contextualising cultural values and ethics⁴.

Findings for KHEN

KHEN management team and staff members have a good understanding of children in Cambodia. They also possess a good knowledge of what a Child Safe Organization is, the steps to becoming a Child Safe Organisation and the CSO's 5 basic characteristics. All staff members fully participated in the training provided by Child Wise Cambodia and were able to identify child abuse well as well as its major types as physical, sexual, emotional and neglect. Remarkably, **KHEN** members were also able to define plenty of possible signs that a child can be, or can have been, abused.

Notwithstanding this, half of children and a rather large number of adults interviewed reported to have not attended the CSO training provided by **KHEN** staff. Their knowledge about steps and the fundamental principles is moderately low. In addition, the result findings of the audit revealed their superficial understanding on child abuse and their distinct signs. They possess a relatively medium understanding and identifying on the four categories of the rights of the child.

The Child Protection Policy (CPP) of **KHEN** offers an excellent overview of the definition of the child (UNCRC), Child Rights and Child Protection, Staff, Concerned stakeholders, Types of child abuse and the possible indicators that children could be/could have been abused, Working with children and Employee screening. The extended CPP provides a model example of a Child Safe Organisation's dedication to ensuring all staff members understand child abuse and how to recognize the signs. **KHEN** is dedicated to protecting children from all kinds of abuse via the following strategies:

- All staff and all relevant stakeholders have to fully understand the CPP through training and orientation
- Disseminating information to all related stakeholders in the target areas
- All staff and all relevant stakeholders have to sign the agreement to apply the CPP
- All relevant stakeholders have responsibilities to report all children's concerns or child abuse and exploitation
- Appointing the focal points in each target area
- Including child risks management in all projects
- Staff screening (as described in details in recruiting procedures section)
- Establishing referral directories to assist children (all staff have to fully understand it and have all detailed information of the directories)

(Details on each point can be obtained from's CPP page 2)

³For example the treatment of women in western societies is now in violation of international human rights principles. Similarly, slavery was considered an acceptable practice in western cultures.

⁴Child Wise endeavours to keep up to date with current reports and can refer your organisation to a number of credible materials. However, new information is constantly becoming available and Child Wise would also appreciate your organisation to share with us any reports, media issues or other information you see as relevant to child protection in Cambodia.

Recommendations

Accordingly, it appeared at the audit that a large number of adults and children at KHEN's target areas had not been trained or oriented on Child Safe Organisation, yet there is a merely small number of children and adults having some ideas of what a Child Safe Organisation is. Children are the first ones who can protect themselves from all forms of abuse everywhere. So it is significant that children need to realize where is safe for them. Children must be protected from abuse when at KHEN premises both inside and outside the building. Adults are, what's more, an indispensable agent to help protect children and prevent child abuse. They need to know where is safe for children. It is thus beneficiary and mandatory to further provide training to them to ensure child protectors are omnipresent

2. UNDERSTANDING CAMBODIAN LAW AND YOUR LEGAL RESPONSIBILITIES

Critiquing Step 2 of the Ten Steps

The Purpose

Child Protection is recognised as a global responsibility and is enshrined in the United Nations Convention on the Rights of the Child. The Convention has transformed the way children are viewed and treated throughout the world. It has exerted a pervasive and profound influence on national and international legislation, policy and programmes, public and private institutions, families, communities and individuals. Cambodia has illustrated its commitment to the UNCRC by becoming a signatory to the convention, as well as directly incorporating it into the Constitution of the Kingdom of Cambodia. All organisations working with children therefore have an obligation to ensure the fundamental rights of the child, as expounded in the UNCRC, are upheld and understood by all staff members and reflected in all policies and procedures.

Furthermore, legal responsibilities of organisations working with children must be understood to protect all personnel from criminal or other ramifications stemming from Cambodian domestic laws relating to child protection. Failure to understand these legal responsibilities can lead to severe penalties under criminal law for individual staff members, as well as civil or criminal consequences for the organisation as a whole.

The Implementation

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Unfortunately, access to, and availability of, legislation and legal or other instruments related to child protection is problematic in Cambodia due to a number of factors. For example, the Criminal Code in Cambodia entered into force in December 2010, therefore, public awareness of its provisions is still not widespread. Child Wise Cambodia opted to include a number of questions within the CSO audit aimed at identifying the level of awareness of applicable laws within organisations dealing with children with the aim of assessing whether there is a need for training or other measures to address this possible gap. Knowledge of the Criminal Code, the *LHTSE*, the Cambodian Labour Law and other relevant child protection laws is scarce amongst the general population in Cambodia and it is the responsibility of organisations working directly with children to ensure the applicable provisions are both understood by staff members, and that this information is made available within their organisations.

Child Wise recommends that organisations take all necessary measures to ensure that the legal consequences for violating domestic laws in relation to children are incorporated within their child protection policies and information is distributed to all personnel responsible for direct and indirect work with children⁵.

Findings for KHEN

As discussed above, most organisations in Cambodia do not possess a profound knowledge of Cambodia's domestic law and the finding revealed that this is true for most of those working in **KHEN**. Nonetheless, Child Wise Cambodia would like the Child Safe Organisation to help lead the way in assisting to erect the effectiveness of rule of law in Cambodia in its response to child abuse. Most **KHEN** staff members were knowledgeable enough of the rights of the child; however, they did not

⁵Please see Annex 1 for a summary of the domestic laws necessary for Child Safe organisations. However, this is *not a complete list*. Laws are regularly amended and reviewed, it is therefore important that organisations keep up to date with legislative changes in Cambodia.

demonstrate a comprehensive awareness of Cambodian domestic law. Regarding to the legal responsibilities, all staff well known and very committed to apply it in their daily life and work.

Other concerned stakeholders such as adults interviewed demonstrated very little knowledge on their responsibilities toward the protection of children and the laws of Cambodia concerning child protection. Simultaneously, children interviewed in the community possessed quite no comprehension on Cambodian law and their legal responsibilities.

Recommendations

Due to the spirit of the establishment of the Child Protection Policy of **KHEN** and the Cambodian rule of law aimed at protecting children, it would be even more beneficial if the laws are included in an Appendix of the CPP per se to ensure **KHEN** is committed to upholding the rule of law when it comes to child protection.

CWC is fully satisfied if **KHEN** could include training on laws when providing training on Child Protection Policy to staff, volunteers and such other stakeholders as adults and children. Legislative reform in Cambodia is a constant and evolving process and it is essential that organisations remain up-to-date with laws and court decisions which may affect the rights of the child and the responsibility of organisations working with children.

3. STAFF RECRUITMENT AND MANAGING RISKS WITHIN YOUR ORGANISATION⁶

Critiquing Step 3 of the Ten Steps (Two steps combined)

The Purpose

The importance of a structured risk management strategy may not be immediately obvious to most organisations. However, Child Wise Cambodia emphasises that many risks to children are not foreseen in everyday activities and thus responded to in an ad hoc manner when issues arise. It is therefore essential that risk assessments are conducted in advance, both on a programmatic level, and in day to day activities.

Risk management is child abuse prevention. Only by identifying risks can you develop strategies to prevent child abuse. Child Wise Cambodia is aware that, whilst most organisations do everything they can to protect children and keep them safe, harm to children can occur as a result of external factors which may not be immediately obvious.

In the context of creating safe environments for children, risk management means identifying, assessing and taking steps to minimise the risks of harm to children.

To help identify risks, work with your staff and participants to ask:

- **What/how/why children in your organisation can be abused?**
- **What are the dangers?**
- **What could go wrong?**
- **What are the consequences?**
- **How likely are they to occur?**
- **What controls such as policies, procedures, and strategies are in or should be in place?**

The majority of carers, staff and volunteers working with children are safe. In fact most incidences of child abuse occur outside of children's organisations, within the family and extended environment. However it is known that child abusers do target children's organisations as places of employment in order to gain close access to children for the purposes of abuse and/or exploitation.

Children's organisations need to be vigilant in their recruitment and selection of staff and volunteers, as abusers will target organisations that are unaware of the risks and dangers of child abuse. Offenders will be attracted to organisations that conduct little or no screening and those that provide opportunities to make contact and be alone with children.

⁶Please see Annex 2 or a sample risk management strategy and a summary of the types of risk assessment

The fundamental aim of Child Safe Organisations is to support and promote the wellbeing of children. To achieve this, organisations must obligate themselves to have in place stringent procedures and policies to increase the likelihood that they are able to recruit appropriate staff and volunteers effectively for the protection of the children they represent.

The Implementation

The precise format of the risk management/ risk assessment strategy will vary, depending on a number of different factors including the nature of the organisation and the activities involved. Some risk management strategies will require clear, written assessments of risks and the steps to be implemented in order to mitigate these risks. Other risks would simply involve a mental assessment. Staff should be trained to adequately address all scenarios where children are involved.

Developing strategies to prevent or minimise as much as possible any harm to children will allow you to manage those risks effectively and to the best of your ability. This is called risk management. Once your organisation is aware of how and why child abuse occurs you need to consider the risks that your organisation poses to children, as well as any attached programs or services that originate from the organisation.

There is a misconception that if organisations have more staff, then they pose a higher risk to children than less staffed organisations. Yet this does not reflect higher or lower risk levels. If staff members have infrequent direct contacts with children, it does not mean that your organisation has less child protection risks than organisations with more regular contacts. In contrast many factors are involved in determining potential harm to children or - in some cases - may cause damage to an organisation and/or its staff.

These risk management strategies (although they are not exhaustive) should be implemented at a number of levels within your organisation:

a) Risk management for the organisation as a whole (requires formal documentation)

Every organisation working with children is faced with a number of risks to the safety of the child. These risks should be formally identified, documented and assessed within the establishment of your organisation (and regularly reviewed). These common, overarching risks will be mitigated through formal documentation consisting of The Child Protection Policy, Code of Conduct, Recruitment procedures, and other procedural guidelines.

b) Project specific risk management (requires formal documentation)

Each project created and undertaken by your organisation will pose additional specific risks to children. These risks should be identified in the Project Design phase.

This form of risk management strategy will be in writing and will formally identify all foreseeable risks to children within the projects implemented by your organisation. The risks should consist of all aspects of the project plan including all activities that make up the project.

c) Activity Risk management strategies (usually involves semi-formal documentation)

A risk assessment should be undertaken for each significant activity within each project. These risk assessments should be in writing and developed before the activity is undertaken. The staff members involved in the activity should be aware of the risk assessment and the strategies developed to mitigate these risks.

d) Staff should also be trained on risk assessment strategies and the tools necessary to constantly engage in a mental risk assessment/management on a day-to-day basis.

Experienced organisations agree that it can be difficult to identify a child abuser in the selection process, as there is no conclusive child abuser profile and no distinguishing physical characteristics. It is essential to keep an open mind and do not stereotype potential child abusers because one of the main reasons why abusers fail to be detected is because people expect them to look strange and act suspiciously. The majority of child abusers look and act like everybody else. Often abusers do not have criminal convictions and are often extremely clever at presenting themselves as caring and trustworthy individuals. Child abusers will go to great lengths to appear normal and to be as convincing as possible. Organisations need to keep in mind that child abusers could be anyone and though it is a complex area, they must not stop looking for signs. When working with children personnel should always remain alert.

Findings for KHEN

A good foundation for risk management was provided within its policy documents. Risk management is elucidated in just about all aspects of the policy documents subsuming:

- Detailed Recruitment procedures
- Responsibilities of staff and chaperones (specifically the responsibilities of the Child Protection Focal Point)
- Code of Conduct and Behavior protocols
- Child Risk Management Matrix in compliant with the CSO standard

Risks are also painstakingly discussed within the extended policy document. Risk assessment and risk management is a common area where organisations fail to meet the necessary standards for child safety as it is a difficult and complex process to implement. Child Wise Cambodia was extremely impressed with the provisions dealing with risks within the standard of the points including 1) Main activities 2) Possible risks 3) Level of risks 4) Strategies to downgrade risks and 5) Monitoring and responsible entity (Safe Village Network) and helpfully offers constant encouragement to KHEN to train all staff members and partners on these outstanding principles. There is also a point putting emphasis that children are trained about the risk management when travelling.

Forms of rules and agreement for staff, volunteers and/or chaperones are precisely established to further effectively ensure the safety of children when travelling. (Other forms such as Form for Child Information Confirmation, Form for Character Clarification, Form for Child and Youth Participation, Forms for Guardians and so forth were also attached within the Child Protection Policy Documentation). Trip Information Letter for local authority was also in place showing even stronger commitment of KHEN in the child protection work.

The recruitment procedures in place, additionally, are genuinely inclusive. Both national and international staffs are recruited in compliant with best practices for Child Safe Organisation.

The Child protection policy offers an obvious and unambiguous discussion on the importance of Police checks and/ or Sangkat/Community Confirmation, Employment verification, and Interview guide form that candidates are legally approved of good character and that no substantiated allegation or charge of abuse has made against them, the requisites that staff/volunteers' references will be verbally checked with. Child Wise Cambodia completely further supports the section within the Child Protection Policy that enables KHEN, during which is in the probation period, to immediately terminate the contract for any reason that may breach the policy and/or put the children at risk and face legal actions.

Recommendations

Particular risks such as the occasional case where children are in the care of a staff team overnight when travelling to a workshop or a training across the district or province should be recorded in more details. In KHEN's Child Protection Policy also states that "Staff are not allowed to stay alone with a child without the presence of others and sleep in the room where the child is present". However, the points mentioned are inadequate to ensure the safety of the child and the staff. There should also include a point saying that when taking children to a meeting or a workshop which requires a consent form signed and approved by the guardians/parents and the children per se; and in case it is a need that children travel across provinces, there must be an obtainment of an approval from the local authority, so Child Wise Cambodia recommends that KHEN's risk assessment with the policy documentation be mirrored in all activities such as this one.

Child Wise Cambodia simultaneously recommends that the Child Protection Policy require that KHEN verbally contacts for both national and international volunteers' and staff's referees in case the actual meeting would not be able to be held as the referees are on missions or settling in other provinces or overseas. Principally, it is crucial that the contacting to referees for international staff shall be stressed, preferably via telephone or Skype. By virtue that the potential child sex abusers can apply for the positions within international or local organisations where they will have access to children, meticulous attention to reference check is thus compulsory in association with international staff members and volunteers. Child Wise Cambodia recommends that KHEN formally appraise and evaluate international volunteers on a monthly basis for the first 3 months should there be ones existing in KHEN.

4. DEVELOPMENT OF A CHILD PROTECTION POLICY

In line with the standard of Child Wise Cambodia CSO certification, organisations should have received the preliminary feedback on the Child Protection Policy and the Code of Conduct prior to the audit. Where the Child Protection Policy and Code of Conduct were assessed upon the audit, please refer to suggestions made in this feedback and ensure the necessary amendments have been made. The following discussion on steps 4 and 5 are based merely on the findings at the audit.

Findings for KHEN

The Child Protection Policy should encompass the organizations commitment to the ten steps and should outline the strategies in place to ensure adherence to these principles. The policy will reflect the size and nature of the organisation and will reflect the overall policy objectives as part of the permanent infrastructure of the organisation.

The CPP also outlines the clear responsibilities of the Executive Director and the Boards of Directors/Executive Committees regarding the necessity of maintaining confidentiality of child abuse/concern reporting within and outside KHEN which is recognized as best practice of the organization.

The audit confirmed that most staff members interviewed were aware of the Child Protection Policy, had received training on the contents of the policy and had involved in the development of the Child Protection Policy. Nonetheless, all children and adults have yet to be trained or oriented about KHEN's CPP as per the audit at field but some of them reported to have received some information about CSO (Please see the results of audit, point 14).

Child Wise Cambodia was very impressed with the dedication and creativity revealed by KHEN in implementation of the ten steps within its own existing practices and policies.

Recommendations

Regardless of the participation in the development of the Child Protection Policy, a rather small portion of staff did not really remember the key elements within the CPP as such, essentially the Child Risks Management. CWC vigorously recommends that KHEN staff have comprehensive knowledge on the CPP. Upon KHEN provision of the training on CPP, staff should take further learning to ensure the in-depth understanding on KHEN's CPP and thus their everyday implementation application of the CPP would be so fruitful and the protection of children would then be able to cover large areas of work including KHEN and its staff members as well as children.

All adults interviewed, on the one hand, still have very limited knowledge on the Child Protection Policy, though reported to have attended the orientation on CSO provided by KHEN staff. A rather large number of children, on the other hand, have very rudimentary knowledge on KHEN's CPP. (Please refer to the results finding of the interview, point 14). CWC strongly recommends KHEN to continue its working to pass on knowledge on CPP through many means to ensure that adults and children in the community can fully help protect children and themselves.

5. ESTABLISHING A CODE OF CONDUCT

Findings for KHEN

The Code of Conduct is a very good summation of the significant rules for child protection. Most staff members, half number of adults and children interviewed was able to refer to the essential aspects of the code of conduct and CWC is increasingly confident that the understanding of the code of conduct will have further improved progressively via KHEN's various mechanism.

Recommendations

It is strongly recommended that KHEN takes measures to ensure all staff members that can possibly come into contact with children such as finance departments, and social worker possess clearer understanding of the minimum standard for child

safety subsuming the Code of Conduct (CoC) since when asking them, during the interview, they were able to provide relatively satisfied answers regarding the CoC.

A mere half number of adults, nonetheless, knew that KHEN has a Code of Conduct, and could give some examples showing they really understand what's in the CoC. Even more, just about half of children interviewed did not know about the Code of Conduct. CWC vigorously recommends that the rules in the CoC be further elucidated or trained to them and if they are illiterate, KHEN must ensure that the CoC's rules are explained to them in manner they can understand to ensure the child safety in the community as well as other areas.

6. ENSURING A CLEAR PROCEDURE FOR REPORTING COMPLAINTS/CONCERNS

Critiquing Step 6 of the Ten Steps

The Purpose

The importance of having clear, unambiguous procedures in place for reporting concerns relating to child abuse cannot be over-emphasised.

Due to the inherent difficulties often involved in reporting child safety concerns, particularly when it involves another staff member, it has been shown that people are much more likely to report concerns when the procedure is **clear, mandatory and effective**.

The Implementation

For the purposes of CSO certification, reporting procedures must be in place for the following scenarios:

- a) Suspected child abuse by a member of staff
- b) In addition, it must be recognised that children and young people can also be perpetrators of abuse against other children;
- c) Suspected child abuse by management
- d) Suspected child abuse within the organisation
- e) Suspected child abuse by a member of staff but outside of the organisation's activities
- f) Suspected abuse of children with whom the organisation works directly (whether by a member of staff or someone outside)
- g) Suspected abuse outside the organisation of children not directly connected with the organisation

Flow Chart and Procedure

In line with the steps in the Handbook, to begin putting such a procedure in place, you first need a designated Child Protection Officer or someone within the organisation who is given the responsibility of handling child concerns. Everyone in the organisation should know which named staff member has special responsibilities for keeping children safe and how to contact them. Staff members with special responsibilities for keeping children safe should have access to specialist advice, support and information. Organisations should also have easily accessible contact details for other organisations/agencies to which complaints can be referred outside of the organisation⁷.

A flowchart outlining the process for reporting child safety concerns helps the staff visualise and understand the procedure clearly. It will convey a clear message to everyone that their concerns will be handled fairly, confidentially and efficiently. It is important that organisations have a standard procedure for reporting concerns, as well as a standard methodology for documenting complaints.

Article 530 of the Cambodia Criminal Code 2010 makes it a criminal offense for any person who has knowledge of the mistreatment or sexual abuse against a minor (under 15 years), but who fails to inform the court or administrative authority. This is punishable by imprisonment (1-3 years) and a fine of up to 6 million Riels. This criminal law does not only apply to organisations working with children, but to all people in Cambodia. A Child Safe Organisation should therefore make this clear to all staff members, and to communities with whom they work.

⁷Please see contact list in annex 3

All staff members must be encouraged to speak to someone and to take action rather than wait until it is too late. Staff and volunteers must receive, and feel comfortable with the message that they will not lose their jobs, and that their personal safety is not in danger if they raise a concern about a colleague, even if it involves management. This is why confidentiality is one of the key values underlying a reporting process.

Response Procedure

This will usually mean that the person against whom the allegation is made will immediately be suspended from working directly with children and that it will be made clear to staff members that this is a **precautionary** measure only until the investigation is complete.

The accused person should be supported to the best of the organisation's ability. People who are accused should not be treated as guilty until an investigation (by the organisation or the court of law depending on the offence) has been undergone to determine this.

Child Friendly

A CSO working directly with children should also have clear, child-friendly guidelines for dealing with concerns or complaints. A child must feel that they can approach any person within the organisation to express their concerns about their treatment and that they will be taken seriously.

Findings for KHEN

There is a totally clear guideline to which extra information about what to do when you feel concerned that a child is being abused and other forms relevant to staff responsibilities and requisites in application of their daily work implementation has been given. There is also a good summation of a responding procedure whose such main features are delineated as what, when, who and how to report and next action or plan. The Child Protection Policy also outlines an obvious reporting procedure which comprises of a team of a child protection focal point of KHEN which then allows the reporting of child abuse to occur with ease for both staff and outsiders within the head office and the target areas respectively. An annex of the form of reporting concerns was attached within the CPP.

The Child Protection Policy additionally outlines a clear-cut response mechanism for whenever a concern is reported. The KHEN summarized policy document clearly delineates the procedures that will be taken in the case of an allegation against staff. Staff and management were definitely aware of the procedures and of the person to whom they are to report any concern. The response procedure is also made apparent to staff members. The reporting procedures are visible to all personnel and have access to them with ease.

The KHEN summarized policy document also addresses the need for confidentiality, professionalism and the alignment of the Cambodia's national law or certain sphere of authority for the person against whom the allegation is made, including the rights of KHEN to immediately terminate the alleged staff.

The reporting procedures within the summarized document, moreover, put emphasis on making consideration to contact to or file complaints to the police in reference to the circumstances where the allegation reveals a violation of the laws of Cambodia to report child abusers to the police.

Some IEC materials containing the information dissemination messages about the Code of Conduct, Reporting Concerns' How-To, Reporting Systems, Child Protection, The Rights of the Child, and Risk Management Guide were in place and they (staff) know them full well. Reporting systems papers were produced for their head office and its respective centers.

Recommendations

Whilst it is well documented that children do not tell lies about being abused, strict reporting requirements will unfortunately lead to occasions where false allegations have deliberately or mistakenly been made. Hence, in order to protect personnel from ramifications of unsubstantiated allegations, it is important that the person is not presumed guilty. KHEN's policy should also explicitly define the processes including the need to ensure all efforts are made to preserve the perception of innocence is maintained against the accused person during which is in the investigative period.

It is also highly recommended that KHEN's CPP address the appropriate measures in place to ensure anyone against whom a reasonable allegation is made is not permitted to keep on being around with children or is suspended his/her whilst investigation is on track. The alleged, however, is still normally being paid (based on KHEN internal policy) whilst the result finding has yet to be released. Importantly, the CPP should strongly encourage staff and children to respond to the child abuse case immediately when occurring within the period of 24 hours.

It is also mandatory for KHEN to include the point that any employee who intentionally makes or reports a false allegation or makes an allegation against someone in bad attempt shall face disciplinary actions of KHEN. The reporting procedures, what's more, should include mechanisms that in case the abuse is made by the executive director and made it apparent to all staff, adults and children to ensure who they can report to when witnessing or confronting this kind of child abuse/concern. This also hugely helps contribute to a rather large scale of the protection of the child.

Child Safe Organisations must, too, aim at discouraging the practices of ignoring the child abuse cases or the cases are resolved through out of court settlements or financial compensation or in some cases, victims of child rape or child sexual abuse are compelled to marry their perpetrators. It is thus important that personnel understand the criminal ramifications of physically or sexually abusing a child.

7. ENCOURAGING AND PROMOTING THE PARTICIPATION OF CHILDREN

Critiquing Step 7 of the Ten Steps

The Purpose

Abuse is more common in organisations where children have no voice. The objective behind encouraging and promoting child participation within organisations is to empower children as this creates an environment where children can feel confident to voice their concerns. In essence, empowerment refers to a meaningful interchange of ideas between service user and service provider.

Encouraging children's participation can mean that more risks are identified, an open and aware culture is created and children feel safe to report abuse. This enforces the organisations goals of providing a safe environment for the children they represent.

The Implementation

The underlying values that underpin encouraging and promoting child participation consist of consulting and listening to children and teaching them about their rights and protective behaviour strategies.

Participation should not be a separate function but rather a key feature of any organisations planning process that affects children and young people. If organisations listen to children and teach them about their rights and protective behaviour strategies, the organisation will begin to manifest a supportive and child safe environment.

The best way to protect children is to empower them to protect themselves. Where organisations are providing direct services to children, it is important that steps are taken to ensure children are involved in the development of communication guidelines, and that children's consent is sought in relation to the use of information in a way that is easy to understand by the child, which clearly outlines how the information will be used, and which gives them a genuine option / choice / option to opt out.

Findings for KHEN

The development of KHEN's Child Protection Policy documentation was reported to have no participation of children, and adults have yet to participate in the process as well. Hence, it is highly recommended that children be included in the next review of the CPP. In the extended Child Protection Policy's Methodologies of CPP Application provides an excellent summary of the relationship between child safety and empowerment of children:

“Give chances and rights to children to express their opinions (without fear); Empower the capacity of children; and Encourage their rights...etc.”

Child Wise Cambodia also endorses and commends KHEN on its decision to include the empowerment of children in the Child Protection Policy Plan.

8. ASSESSING CHILD SAFETY IN YOUR ORGANISATION

Critiquing Step 8 of the Ten Steps

The Purpose

The Child Safe Organisation audit process is a good way in which you can be assured that the minimum standards necessary to minimise risks to children within your organisation have been met. However, it is important that regular assessments are made to ensure child safety continues to be upheld within your organisation. The action plan for your organisation will include dates for review and assessment internally. The Handbook provides a sample of a Self-Audit Tool for these purposes. By completing the following Child Protection Audit honestly, you will quickly identify your organisation’s strengths and weaknesses in keeping children safe. With the information you get from this exercise, you can learn from mistakes and try to predict risks to children before they happen. Moreover, it shows you exactly what area you need to strengthen or change in the organisation.

Furthermore, the CSO certification is valid for 2 years, at which point it will be necessary to apply for re-certification.

The Implementation

The Self-audit tool in the Handbook is a useful way for organisations to regularly assess child safety within their organisation.

Findings for KHEN

KHEN’s summarized Child Protection Policy will be reviewed at least every 2 years.

However, to ensure the effectiveness of application of the Child Protection Policy put in place, a plan to not only review but also to assess should be conducted via different means comprising the evaluation on preparation and application of the CPP, the monitoring on actual implementation of the child protection focal point or the program manager, the self-monitoring or evaluation of all staff, and the monitoring on the staff implementation’ side effect by the management team and so on. A tool of the assessment should be created in place for the easiness of internal use.

9. CREATING AN ACTION PLAN WITH EDUCATION AND TRAINING

Critiquing Step 9 of the Ten Steps

The Purpose

Throughout the certification process for Child Safe Organisations, you will have discovered certain actions and activities that need to be implemented within your organisation to make it more child-safe. The most effective way to ensure these changes are implemented is by making an Action Plan.

An Action Plan is basically a list which identifies tasks to be completed, with deadlines and persons responsible for completing the task.

As explained in the handbook, the goals in the Action Plan should follow the **SMART** principle.

- **Specific:** The tasks must be clear, specific and detailed
- **Measurable:** You must be able to demonstrate or prove the task has been achieved. (e.g. you will have a written Child Protection Policy)

- *Achievable* and agreed to. Everyone must be committed and want to work towards a Child Safe Organisation. There should be no organisational obstacles to achieving the tasks
- *Realistic*. The tasks must be realistic. While we all want to make our organisation a model of child safety, we must realise that this cannot happen in one night or in one workshop session. It takes time, and our Action Plan must reflect this
- *Time-related*. Without set due dates and time frames, work can often go on and on and people will lose interest. Due dates will provide the pressure needed to get work completed.

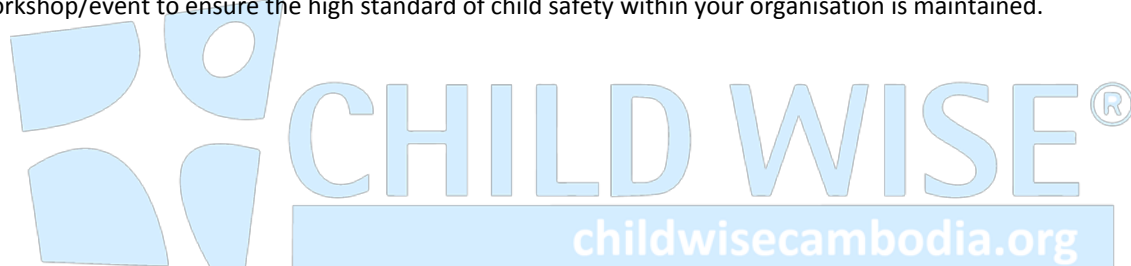
By implementing the action plan your organisation will become child safe for the purposes of CSO certification. Furthermore, an action plan is necessary for an organisation to continue to be child safe after the CSO audit is complete. Ongoing review of policies and procedures should be planned for so that at any given time, your organisation should be able to satisfy all the required steps for a CSO.

Findings for KHEN

The Child Safe Organisations audit made it clear to Child Wise Cambodia that KHEN is dedicated to ensuring training and education of its staff, including new staff who will also receive training or orientation during their 3-month-probation period, and the community including village people and children.

Recommendations

It is recommended that the training and/or awareness raising schedules be established in a way easier to comprehend and be made aware and clear to children, adults and other concerned stakeholders who will involve in the training or awareness raising workshop/event to ensure the high standard of child safety within your organisation is maintained.



KHEN HAS A HIGH STANDARD OF CHILD SAFE POLICIES AND PROCEDURES AND CHILD WISE CAMBODIA IS PLEASED TO CERTIFY KHEN AS A CHILD WISE CAMBODIA CHILD SAFE ORGANISATION™.

KHEN HAS DEMONSTRATED A FIRM COMMITMENT TO CHILD SAFETY AND A GENUINE DEDICATION TOWARDS PROTECTING CHILDREN IN CAMBODIA.

KEEP UP THE GOOD WORK!



13. CHILD WISE CAMBODIA CONTACT DETAILS

Please do not hesitate to contact the Child Wise staff for any support, clarification or assistance related to child safety.

Mr. Mark O.McKeown, Advisor

Tel: 077 908 284

Email: momckeown@gmail.com

Mrs. EngKalyan, National Programs Director

Tel: 012 544 413

Email: kalyan.khem@gmail.com/kalyanengpsy@yahoo.com



Mr. KhemNeang, Projects Coordinator

Tel: 012 240 708

Email: neang@childwisecambodia.org

14. KHEN CERTIFICATION ASSESSMENT RESULT

KHEN Staff and Management Members:

Results of Audit		Status of answers					
Topic	Evaluation Questions	Sufficient %		Not sufficient %		No %	
		No.	%	No.	%	No.	%
Child Safe Organization	1/Have you ever received any training on Child-Safe Organizations? If yes, from whom and when?	16	100%	0	0%	0	0%
	2/ What is a Child-Safe Organization?	11	69%	5	31%	0	0%
	3/ What are the steps to become a Child Safe Organization?	12	75%	4	25%	0	0%
	4/ What are the basic characteristics of a Child Safe Organization?	14	88%	2	12%	0	0%
Understanding Children in Cambodia	5/ Have you ever received any training re children including child abuse, responding to child abuse, the rights of the child, exploitation of the child and child trafficking? If yes, from whom and when?	16	100%	0	0%	0	0%
	6/ What is "Child Abuse"?	16	100%	0	0%	0	0%
	7/ How many types of child abuse? Please identify them each with their signs respectively.	16	100%	0	0%	0	0%
	8/ What are the fundamental rights can children receive? Please describe	16	100%	0	0%	0	0%
Understanding Cambodian Law and Your Legal Responsibilities	9/ Have you ever received any training on Cambodian laws on child protection and your legal responsibilities toward children? If yes, from whom and when?	13	81%	0	0%	3	9%
	10/ What laws did the Royal Government of Cambodia establish for the protection of children?	13	81%	0	0%	3	9%
	11/ What are your legal responsibilities toward the protection of children?	13	81%	0	0%	3	9%
Child Protection Policy	12/ Has your organization got an easy-to-understand Child Protection in Khmer?	16	100%	0	0%	0	0%
	13/ Has your organization got a Child Protection Policy in English?	16	100%	0	0%	0	0%
	14/ Have you participated in the development of this Child Protection Policy?	14	88%	0	0%	2	12%
	15/ Have you read and signed on this Child Protection Policy?	16	100%	0	0%	0	0%

	16/ Have you received any training on this Child Protection Policy?	16	100%	0	0%	0	0%
	17/ If yes, what does "Child Protection Policy" mean?	16	100%	0	0%	0	0%
	18/ What are the main points written in your organization Child Protection Policy?	12	75%	4	25%	0	0%
Reporting Procedures	19/ Have you ever received any orientation or training on reporting procedures (cases you need to report, reporting methodology, and the response to child abuse)?	16	100%	0	0%	0	0%
	20/ Does your organization have a reporting system clear and easy to understand for its staff? If yes, please describe.	16	100%	0	0%	0	0%
	21/ Does your organization have a reporting system clear and easy to understand for its target areas? If yes, please describe.	16	100%	0	0%	0	0%
	22/ Have your organization appointed a child protection focal point?	16	100%	0	0%	0	0%
	23/ Who is he/she? And what are his/her responsibilities?	16	100%	0	0%	0	0%
	24/ To whom you can report when witnessing or suspecting a child abuse within your organization?	16	100%	0	0%	0	0%
Staff Recruitment	25/ What are your organization proper staff recruitment procedures and systems?	13	81%	3	19%	0	0%
	26/ Does your organization show its commitment about the protection of children when recruiting new staff?	16	100%	0	0%	0	0%
	27/ Does your organization require an employment verification from its staff?	16	100%	0	0%	0	0%
	28/ Does your organization require a police check or criminal record from its staff?	16	100%	0	0%	0	0%
	29/ Does your organization check its staff's referee? If yes, how many?	16	100%	0	0%	0	0%
	30/ Do you have knowledge on what the questions are do the HRs use to interview new staff in any position concerning children?	16	100%	0	0%	0	0%
Risks Management	31/ Have you ever received any training on risk management of children? If yes, from whom?	16	100%	0	0%	0	0%
	32/ Does your organization make a table (matrix) of risk management of children in the project activities?	16	100%	0	0%	0	0%
	33/ If yes, please describe an example in a matrix format of risk management of children in any one of your organization's protection activities.	16	100%	0	0%	0	0%
Code of Conduct	34/ Does your organization have a Code of Conduct for staff and visitors of what should and should not behave toward children?	16	100%	0	0%	0	0%

	35/ Does your organization have a Code of Conduct for staff and visitors of what should and should not behave toward children within its target area?	16	100%	0	0%	0	0%
	36/ If yes, please give 3 to 5 examples	16	100%	0	0%	0	0%
Legal responsibility (Children's Consent)	37/ Does your organization have a photo or video consent form of children?	16	100%	0	0%	0	0%
	38/ Have you ever used this photo or video consent form? If yes, when?	16	100%	0	0%	0	0%
	39/ Does your organization have a consent form of taking children to a meeting or workshop, training or a field visit?	12	75%	4	25%	0	0%
	40/ Does your organizations have a contract form for the chaperone?	12	75%	4	25%	0	0%
	41/ Does your organization have an interview consent form of children?	11	69%	0	0%	5	31%
	42/ Does your organization have a child transferring form of children to other center or community? (for organizations with centers)	14	88%	0	0%	2	12%
	IEC Materials	43/ Have your organization made any IEC material on child participation?	16	100%	0	0%	0
44/ Does your organization have an information card about reporting system and hotline numbers for children about when they are concerned or a child abuse is happening?		16	100%	0	0%	0	0%
45/ Have your organization made any IEC material about child safety and child rights particularly on the rights to protection from abuse and exploitation?		16	100%	0	0%	0	0%
Referral Directories	46/ Does your organization have a child-help directory in each of its office?	16	100%	0	0%	0	0%
	47/ Have your organization referred any child abuse case to partners (in the directory)?	16	100%	0	0%	0	0%
Action Plan for the Assessment of Org's Activities	48/ Does your organization have an action plan to assess the application of its Child Protection Policy?	12	75%	0	0%	4	25%
	49/ Does your organization have tools for the assessment of the application of its Child Protection Policy? If yes, please describe.	12	75%	0	0%	4	25%
	50/ Does your organization have a plan for the review and revision of its Child Protection Policy based on the outcomes of the assessment?	16	100%	0	0%	0	0%
	51/ Do you think your organization is a child safe one? On what grounds?	16	100%	0	0%	0	0%
Answer for status	Sufficient		94%				
	Not sufficient				3%		
	No						3%

Adults:

Results of Audit		Status of answers					
Topic	Evaluation Questions	Sufficient %		Not sufficient %		No %	
		No.	%	No.	%	No.	%
Child Safe Organization	1. Have you ever received any training on Child-Safe Organizations? If yes, from whom and when?	4	25%	0	0%	12	75%
	2. What is a Child-Safe Organization?	0	0%	6	37%	10	63%
	3. What are the steps to become a Child Safe Organization?	0	0%	0	0%	16	100%
Understanding Children in Cambodia	4. Have you ever received any training re children including child abuse, responding to child abuse, the rights of the child, exploitation of the child and child trafficking? If yes, from whom and when?	14	88%	0	0%	2	12%
	5. What is "Child Abuse"?	14	88%	2	12%	0	0%
	6. How many types of child abuse? Please identify them each with their signs respectively.	14	88%	2	12%	0	0%
	7. What are the fundamental rights can children receive? Please describe	14	88%	2	12%	0	0%
Understanding Cambodian Law and Your Legal Responsibilities	8. Have you ever received any training on Cambodian laws on child protection and your legal responsibilities toward children? If yes, from whom and when?	0	0%	0	0%	16	100%
	9. What laws did the Royal Government of Cambodia establish for the protection of children?	4	25%	10	63%	2	12%
	10. What are your legal responsibilities toward the protection of children?	6	37%	10	63%	0	0%
Child protection policy	11. Has your organization got a Child Protection Policy?	0	0%	0	0%	16	100%
	12. Have you participated in the development of this Child Protection Policy?	0	0%	0	0%	16	100%
	13/ Have you received any training on this Child Protection Policy?	0	0%	0	0%	16	100%
	14. What are the main points written in your organization Child Protection Policy?	0	0%	0	0%	16	100%
Reporting Procedures	15. Does your organization have a reporting system clear and easy to understand for its staff? If yes, please describe.	16	100%	0	0%	0	0%
	16. Have you ever called the phone numbers in the reporting system? If yes, any response and intervention to your reported problem?	6	37%	4	25%	6	37%
	17. To whom can you report when witnessing or feeling concerned about child abuse in the organization or community?	16	100%	0	0%	0	0%

Risk Management	18. Have you ever received any training on risk management of children? If yes, from whom?	0	0%	0	0%	16	100%
	19. Does your organization make a table (matrix) of risk management of children in the project activities?	0	0%	0	0%	16	100%
Code of conduct	20. Does your organization have a Code of Conduct for staff and visitors of what should and should not behave toward children?	0	0%	0	0%	16	100%
	21. If yes, please give 3 to 5 examples.	0	0%	0	0%	16	100%
Legal Responsibilities (Children's Consent)	22/ Does your organization have a photo or video consent form of children?	0	0%	0	0%	16	100%
	23/Have you ever used this photo or video consent form? If yes, when?	0	0%	0	0%	16	100%
	24/ Does your organization have a consent form of taking children to a meeting or workshop, training or a field visit?	0	0%	0	0%	16	100%
	25/ Does your organizations have a contract form for the chaperone?	0	0%	0	0%	16	100%
	26/ Does your organization have an interview consent form of children?	0	0%	0	0%	16	100%
	27/ Does your organization have a child transferring form of children to other center or community? (for organizations with centers)	0	0%	0	0%	16	100%
IEC materials	28/ Have your organization made any IEC material on child participation?	16	100%	0	0%	0	0%
	29/ Does your organization have an information card about reporting system and hotline numbers for children about when they are concerned or a child abuse is happening?	16	100%	0	0%	0	0%
	30/ Have your organization made any IEC material about child safety and child rights particularly on the rights to protection from abuse and exploitation?	16	100%	0	0%	0	0%
Referral Directories	31. Have your organization referred any child abuse case to partners (in the directory)?	8	50%	0	0%	8	50%
Action Plan for the Assessment of Org's Activities	32. Does your organization have action plans to evaluate the child protection policy implementation?	0	0%	0	0%	16	100%
	33. Do you think your organization is safe for children why?	16	100%	0	0%	0	0%
Starters for answers	Sufficient		34%				
	Not sufficient				7%		
	No						59%

Children:

Results of Audit		Status of answers					
Topic	Evaluation Questions	Sufficient %		Not sufficient %		No %	
		No.	%	No.	%	No.	%
Child Safe Organization	1. Have you ever received any training on Child-Safe Organizations? If yes, from whom and when?	0	0%	0	0%	20	100%
	2. What is a Child-Safe Organization?	0	0%	0	0%	20	100%
	3. What are the steps to become a Child Safe Organization?	0	0%	0	0%	20	100%
Understanding Children in Cambodia	4. Have you ever received any training re children including child abuse, responding to child abuse, the rights of the child, exploitation of the child and child trafficking? If yes, from whom and when?	20	100%	0	0%	0	0%
	5. What is "Child Abuse"?	20	100%	0	0%	0	0%
	6. How many types of child abuse? Please identify them each with their signs respectively.	20	100%	0	0%	0	0%
	7. What are the fundamental rights can children receive? Please describe	20	100%	0	0%	0	0%
Understanding Cambodian Law and Your Legal Responsibilities	8. Have you ever received any training on Cambodian laws on child protection and your legal responsibilities toward children? If yes, from whom and when?	0	0%	0	0%	20	100%
	9. What laws did the Royal Government of Cambodia establish for the protection of children?	0	0%	0	0%	20	100%
	10. What are your legal responsibilities toward the protection of children?	0	0%	10	50%	10	50%
Child protection policy	11. Has your organization got a Child Protection Policy?	0	0%	0	0%	20	100%
	12. Have you participated in the development of this Child Protection Policy?	0	0%	0	0%	20	100%
	13/ Have you received any training on this Child Protection Policy?	0	0%	0	0%	20	100%
	14. What are the main points written in your organization Child Protection Policy?	0	0%	0	0%	20	100%
Reporting Procedures	15. Does your organization have a reporting system clear and easy to understand for its staff? If yes, please describe.	20	100%	0	0%	0	0%
	16. Have you ever called the phone numbers in the reporting system? If yes, any response and intervention to your reported problem?	10	50%	0	0%	10	50%
	17. To whom can you report when witnessing or feeling concerned about child abuse in the organization or community?	20	100%	0	0%	0	0%

Risk Management	18. Have you ever received any training on risk management of children? If yes, from whom?	0	0%	0	0%	20	100%
	19. Does your organization make a table (matrix) of risk management of children in the project activities?	0	0%	0	0%	20	100%
Code of conduct	20. Does your organization have a Code of Conduct for staff and visitors of what should and should not behave toward children?	15	75%	5	25%	0	0%
	21. If yes, please give 3 to 5 examples.	15	75%	5	25%	0	0%
Legal Responsibilities (Children's Consent)	22/ Does your organization have a photo or video consent form of children?	0	0%	0	0%	20	100%
	23/Have you ever used this photo or video consent form? If yes, when?	0	0%	0	0%	20	100%
	24/ Does your organization have a consent form of taking children to a meeting or workshop, training or a field visit?	0	0%	0	0%	20	100%
	25/ Does your organizations have a contract form for the chaperone?	0	0%	0	0%	20	100%
	26/ Does your organization have an interview consent form of children?	0	0%	0	0%	20	100%
	27/ Does your organization have a child transferring form of children to other center or community? (for organizations with centers)	0	0%	0	0%	20	100%
IEC materials	28/ Have your organization made any IEC material on child participation?	20	100%	0	0%	0	0%
	29/ Does your organization have an information card about reporting system and hotline numbers for children about when they are concerned or a child abuse is happening?	20	100%	0	0%	0	0%
	30/ Have your organization made any IEC material about child safety and child rights particularly on the rights to protection from abuse and exploitation?	20	100%	0	0%	0	0%
Referral Directories	31. Have your organization referred any child abuse case to partners (in the directory)?	10	50%	0	0%	10	50%
Action Plan for the Assessment of Org's Activities	32. Does your organization have action plans to evaluate the child protection policy implementation?	0	0%	0	0%	20	100%
	33. Do you think your organization is safe for children why?	20	100%	0	0%	0	0%
Status of answer	Sufficient		38%				
	Not sufficient				3%		
	No						59%

Annex 1: Laws

CAMBODIAN LAWS RELATED TO CHILD PROTECTION

PHYSICAL ABUSE

Criminal Code (Provisional Translation)

Article 217: Intentional Violence

The acts of violence committing on another person is punishable by an imprisonment from between 1(one) and 3 (three) years and a fine of between 2,000,000 (two million) Riels and 6,000,000 (six million) Riels.

Article 219: Aggravating Circumstances in relation to Victims

The intentional violence is punishable by an imprisonment of between 2 (two) and 5 (five) years and a fine of between 4,000,000 (four million) Riels and 10,000,000 (ten million) Riels when it is committed:

1. on a person particularly vulnerable due to his/her age;

SEXUAL ABUSE

Criminal Code 2010

Article 239: Elements of Rape

All acts of sexual penetration, of any kind whatsoever, or an act of penetrating any object into sexual organs of a person of either the same sex or different sexes by violence, coercion, threat or surprise constitutes a rape. The rape is punishable by an imprisonment from 5 (five) to 10 (ten) years. Legality of sexual intercourse is determined from the age of 15 (fifteen) years old.

Article 240: Aggravating Circumstances which Based on Means Used or Connection with the Offender

The rape is punishable by an imprisonment of between 7 (seven) to 15 (fifteen) years when it is committed:

1. with a utilization of weapon or a threat with a weapon;
2. with a utilization of drug or all other methods of any kind designed to suppress or weaken the resistance of the victim;
3. by a person who has authority over the victim;
4. by a person who abuses his/her power which was vested in him/her;
5. by several persons acting in their capacity as an perpetrator, co-perpetrators, an instigator or an accomplice.

Article 241: Aggravating Circumstances in connection with Victims

The rape is punishable by an imprisonment of between 7 (seven) and 15 (fifteen) years when it is committed:

1. on a person particularly vulnerable due to his/her age;

Article 249: Exposure of Sex Organ

All sex organs exposed within the sight of another person in a place which is accessible to the public eyes is punishable by an imprisonment of between 6 (six) days to 3 (three) months and a fine of between 100,000 (one hundred thousand) Riels and 500,000 (five hundred thousand) Riels.

Article 250: Sexual Harassment

Sexual harassment is an act that a person abuses the power which was vested to him/her in his/her functions in order to put pressure again and again on other persons in exchange for sexual favour.

The sexual harassment is punishable by an imprisonment of between 6 (six) days to 3 (three) months and a fine of between 100,000 (one hundred thousand) Riels and 500,000 (five hundred thousand) Riels.

The Law on the Suppression of Human Trafficking and Sexual Exploitation (2008) outlines that sexual acts with a child (which includes sexual touch and not only sexual penetration) is a crime in Cambodia. The Law states that the punishment for an indecent act against minor aged under 15 can be anywhere between 1 to 15 years in jail and a substantial fine. Article

42 of the Law on the Suppression of Human Trafficking and Sexual Exploitation states that anybody who engages in sexual intercourse with a minor under 15 years of age will receive 5 to 10 years of prison. Article 43 prescribes the sanctions for indecent acts against children⁸.

Article 34 of the LHTSE on “Purchase of Child Prostitution” states that: A person who has sexual intercourse or other sexual conduct of all kinds with a minor who is 15 years of age or above (16-18) by providing, or promising to provide, anything of value to the minor, an intermediary, a parent, a guardian or any other person who keeps the child under his or her supervision or control shall be punished with imprisonment for 2 to 5 years.

NEGLECT

The constitution of the kingdom of Cambodia, Article 47 provides: Parents shall have the obligation to nurture, care for and educate their children to become good citizens. Children in turn shall have the obligation to take good care of their elderly parents according to Khmer traditions.

Criminal Code 2010:

Article 337 criminalises the act of depriving food or care to a minor (under 15 years old) to the extent that his or her health is endangered, where that act is committed by any person who has authority over that minor.

Article 343 further makes it an offense to fail to send a minor to school without valid reason which violates the measures in force relating to age and schooling period.

Minimum Standards on alternative Care for Children Article 3(5) states that the following forms of discipline must be avoided:

- Locking a child in solitary confinement
- Tying the child up
- Keeping away from school
- Deprivation of food, drink or sleep

REPORTING CHILD ABUSE

Criminal Code 2010

Article 530: Failure to Complain about Mistreatment of a Minor

Any person who has knowledge of mistreatment or sexual abuse against a minor, of less than 15 (fifteen) years of age, but fails to inform the court or administrative authority, is punishable by an imprisonment from 1 (one) year to 3 (three) years and a fine from 2,000,000 (two million) Riels to 6,000,000 (six million) Riels.

CHILD LABOUR

The Labour Law of the Kingdom of Cambodia states the minimum age for entering into labour force. The minimum age for wage employment of children is 15 years old and above. Children can be involved in work even at the age of 12 if it is light work, it does not cause harm to the health and mental development and does not interfere with their education or training

Article 177 of the Cambodian Labour Law 1997 states, „[t]he minimum allowable age for any kind of employment or work, which, by its nature, could be hazardous to the health, the safety, or the morality of an adolescent, is eighteen years.'

The types of child labour are considered hazardous, are listed in a *prakas*(Ministerial Order) and are subject to labour inspection.

Article 339 of the Criminal Code states that it is illegal to be involved in placing a minor in working conditions which endanger his/her health or development.

Also see above provisions on Child Prostitution in the *LHTSE* and Article 23 and the Criminal Code 2010.

TRAFFICKING

The Law on the suppression of Human Trafficking and Sexual Exploitation, 2008 (the LHTSE) is the primary law in Cambodia governing human trafficking and sexual exploitation in Cambodia. Article 13 of the *LHTSE* defines human trafficking as „the act of selling, buying or exchanging a person“ as „to unlawfully deliver the control over a person to another, or to unlawfully receive the control over a person from another, in exchange for anything of value including any services and persons“.

The *LHTSE* goes further by removing the element of exploitation when the act is committed against a minor under 18 years old. Articles 8 and 9 prohibit unlawful removal of a minor.

Other legal documents relevant to human trafficking and sexual exploitation in Cambodia include⁹:

⁸Part 5 of The LHTSE also addresses Child Pornography.

- The Policy and Minimum Standards for Protection of the Rights of Victim of Human trafficking.¹⁰
- Sub Decree on Establishment of National Committee to Lead the Suppression of Human Trafficking, Smuggling, Labour Exploitation and Sexual Exploitation in Women and Children (S.T.S.L.S) Number: 162..ANKR/BK
- National Plan of Action¹¹

Ministry of Justice in Cambodia has issued written guidance to police and prosecutors on the proper interpretation and enforcement of the new trafficking law¹².

INTERNATIONAL LAWS RELATED TO CHILD PROTECTION

PHYSICAL ABUSE

International Law

The international laws aimed at protecting children from physical violence include:

- Convention on the Rights of the Child (1989) Article 19;
- International Covenant on Civil and Political Rights (ICCPR);
- Convention on the Elimination of all forms of Discrimination against Women (CEDAW);
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987)

Other international instruments

- ILO Convention 182 on Worst Forms of Child Labour (1999)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)
- Promotion and Protection of the Rights of Children. UN General Assembly Resolution A/C.3/61/L.16/Rev.1 (2006)
- The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment. General Comment No. 8 to the Convention on the Rights of the Child (CRC/C/GC/8) (2006)¹³
- UN convention on the rights of persons with disabilities (2006)¹⁴

EMOTIONAL ABUSE

International law recognises emotional abuse as a form of violence against children. Article 19 of the CRC asserts children's right to protection "from all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child."

The Committee on the Rights of the Child states: "In the view of the Committee, corporal punishment is invariably degrading. In addition, there are other non-physical forms of punishment which are also cruel and degrading and thus incompatible with the CRC. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child¹⁵."

NEGLECT

Cambodia is a party to the Convention on the Rights of the Child, article 3 of which states in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Article 19 also deals directly with the illegality of neglect, requiring States to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of neglect or negligent treatment .

⁹ Policy on the Protection of the Rights of Victims of Human Trafficking (2009) and the Agreement on Guidelines for Practices and Cooperation between the Relevant Government Institutions and Victim Support Agencies In Cases of Human Trafficking (2007)

¹⁰ Adopted by Ministry of Social Affairs, Veterans and Youth Rehabilitation Kingdom of Cambodia 2009

¹¹ Cambodia is currently in the process of finalising and implementing its Second National Plan of Action on Trafficking in Persons and Sexual Exploitation (NPA TIPSE 2006-2010)

¹² Guideline No. 20/09 dated September 23, 2009 on the application of Article 9: Illegal taking away of persons including minors of the Law on the Suppression of Human Trafficking and Sexual Exploitation.

¹³ Committee's General Comment No. 8, 2006 confirms "The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and control."

¹⁴ Article 16 calls for people with disabilities to be protected from exploitation, violence and abuse both within the home and outside it; Article 27 commits States to ensure non-discrimination and protection from exploitation in labour practices.

¹⁵ Committee on the Rights of the Child (2006). General Comment No. 8. The Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (articles 19, 28(2) and 37, inter alia), CRC/C/GC/8.

This obligation includes establishment of social programs to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment.

SEXUAL ABUSE

The international legal framework on physical abuse is applicable in relation to sexual abuse.

Additional international legal instruments for Cambodia's purposes include:

- Convention on the Rights of the Child (1989) Article 19 and 34¹⁶.
- Convention Against Torture (1987)¹⁷
- Convention on the Elimination of Discrimination Against Women (CEDAW)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)
- ILO Convention 182 on Worst Forms of Child Labour (1999)¹⁸
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime

Also see

- ILO R190 Worst Forms of Child Labour Recommendation, 1999
- Guidelines on the Protection of Child Victims of Trafficking UNICEF technical notes
- Guiding Principles on Memoranda of Understanding between Key Stakeholders and Law Enforcement Agencies on Counter-Trafficking Cooperation
- Stockholm Declaration and Agenda for Action (1996) and the Yokohama Global Commitment (2001) against the sexual exploitation of children
- UN World Tourism Organisation (UNWTO)
- Global Code of Ethics for Tourism¹⁹

Article 34 of the CRC places an obligation on States Parties to protect the child from all forms of sexual exploitation and sexual abuse: " For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent: (a) The inducement or coercion of a child to engage in any unlawful sexual activity; (b) The exploitative use of children in prostitution or other unlawful sexual practices; (c) The exploitative use of children in pornographic performances and materials." (Article 34)

childwisecambodia.org

CHILD LABOUR

The CRC requires that Governments „recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development" (Article 32.1)

Article 33, governments shall take all appropriate measures to prevent the use of children in the illicit production and trafficking of narcotic drugs and psychotropic substances;

Article 35, governments shall take all appropriate measures to prevent the abduction, sale or traffic of children for any purpose or any form.

Article 36 affirms more generally that governments shall protect the child against all other forms of exploitation prejudicial to any aspect of the child's welfare.

The primary international instruments aimed at protecting children from child labour include:

¹⁶In addition to article 19, the CRC contains specific provisions relating to sexual abuse. Under Article 34, governments undertake to protect the child from all forms of sexual exploitation and sexual abuse and particularly to take all appropriate measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, including the exploitative use of children in prostitution and in pornographic performances and materials.

¹⁷Rape is considered a form of torture under international human rights law

¹⁸ILO convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (No. 182) The term „worst forms of labour" comprises the use, procuring and offering of a child for prostitution or for the production of pornography or for pornographic performances.

¹⁹UNWTO: expressly condemns the sexual exploitation of children and provides that all States must energetically combat and penalise such offences through national and extraterritorial legislation

- Convention on the Rights of the Child (1989) Articles 19, 32, 34, 35 and 36
- ILO Convention on the Minimum Age for Workers (1973)²⁰
- ILO convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (No.182)²¹²² International covenant on economic, social and cultural rights (ICCPR) states that Article 10(3)²³

As discussed above, international law does not proscribe all children's work. The types of work that is considered a violation of international law will depend on a number of factors including the age of the child, the affect of the work on the child, the nature of the employment relationship and the circumstances through which the child is engaged to work.

According to Article 3 of the ILO Convention 182, worst forms of child labour are defined as follows:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.
- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- The use, procuring or offering of a child for illicit activities.
- Work which is likely to harm the health, safety or morals of children.

Where a child has been engaged in prostitution, Cambodia has international obligations to "take all feasible measures" to ensure that all children who have been involved in sexual activities for remuneration or any other form of consideration receive "all appropriate assistance...including their full social reintegration and their full physical and psychological recovery."²⁴ Such assistance should include the "necessary and appropriate direct assistance for the removal of children" from such work and ensuring "access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour."²⁵

HUMAN TRAFFICKING

The international legal framework on physical abuse, sexual abuse and/or child labour are applicable in relation to trafficking and prostitution.

Additionally, the International community has adopted instruments, guidelines and principles to address human trafficking as a specific crime.

The principle international instrument for these purposes is *The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children*, supplementing the UN Convention against Transnational Organized Crime (the Protocol)

"...the recruitment, transportation, transfer, harbouring 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 payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation."

Additional international legal instruments for Cambodia's purposes include:

²⁰Ratified by Cambodia 1999. Text can be found at: <http://www.ilo.org/ilolex/english/newratframeE.htm>

The ILO minimum age convention of 1973 Ratifying States are to fix a minimum age for admission to employment or work, undertake to pursue a national policy designed to ensure the effective abolition of child labour, and raise progressively the minimum age for admission to employment or work to a level suitable with the fullest physical and mental development of young persons Also see: R146 Minimum Age Recommendation, 1973

²¹Also see: R190 Worst Forms of Child Labour Recommendation, 1999

²²Ratified by Cambodia 2006. Text can be found at: <http://www.ilo.org/ilolex/english/newratframeE.htm>

²³"Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law"

²⁴Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, (Optional Protocol CRC SC)

²⁵LO Convention 182, arts. 7(2)(b) and (c).

- Convention on the Rights of the Child (1989) Article 19 and 34²⁶.
- Convention Against Torture (1987)²⁷
- Convention on the Elimination of Discrimination Against Women (CEDAW)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000)
- ILO Convention 182 on Worst Forms of Child Labour (1999)²⁸
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime

Also see

- ILO R190 Worst Forms of Child Labour Recommendation, 1999
- Guidelines on the Protection of Child Victims of Trafficking UNICEF technical notes
- Guiding Principles on Memoranda of Understanding between Key Stakeholders and Law Enforcement Agencies on Counter-Trafficking Cooperation
- Stockholm Declaration and Agenda for Action (1996) and the Yokohama Global Commitment (2001) against the sexual exploitation of children
- UN World Tourism Organisation (UNWTO)
- Global Code of Ethics for Tourism²⁹

Article 34 of the CRC places an obligation on States Parties to protect the child from all forms of sexual exploitation and sexual abuse. “ For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent: (a) The inducement or coercion of a child to engage in any unlawful sexual activity; (b) The exploitative use of children in prostitution or other unlawful sexual practices; (c) The exploitative use of children in pornographic performances and materials.” (Article 34)



²⁶In addition to article 19, the CRC contains specific provisions relating to sexual abuse. Under Article 34, governments undertake to protect the child from all forms of sexual exploitation and sexual abuse and particularly to take all appropriate measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, including the exploitative use of children in prostitution and in pornographic performances and materials.

²⁷Rape is considered a form of torture under international human rights law

²⁸ILO convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (No. 182) The term „worst forms of labour“ comprises the use, procuring and offering of a child for prostitution or for the production of pornography or for pornographic performances.

²⁹UNWTO: expressly condemns the sexual exploitation of children and provides that all States must energetically combat and penalise such offences through national and extraterritorial legislation

Annex 2: Sample Risk Assessment Format

Potential areas of risk	Risk factors	High (H)	Medium (M)	Low (L)	Action to be taken	By whom	By when

Or

Risk	Likelihood (Low/Medium/High)	Impact (Low/Medium/High)	Mitigation Strategies
Risk1			
Risk2			
Risk3			

- Organisations working with children

Risk	Likelihood (Low/Medium/High)	Impact (Low/Medium/High)	Mitigation Strategies
Example, Risk1 : Children are physically abused by staff members of the organisation	M	H	Code of Conduct with clear consequences; Recruitment procedures to screen potential child abusers; Training provided to all staff members, etc.

- Project involving scholarship funds for children in poor communities

Risk	Likelihood (Low/Medium/High)	Impact (Low/Medium/High)	Mitigation Strategies
Example, Risk1 : Children are unable to use the funds for the purposes intended	H	M	The funds are paid directly to the school and materials purchased by organisation; Proper monitoring and evaluation of the project; Financial accountability is required, etc.

- Activity whereby children are taken on an excursion to the water park

Risk	Mitigation Strategies
Example, Risk1 : A child misses the bus to the water park and accepts a ride from a passing car	Alternative transport is available; Procedures in place to ensure all children are accounted for prior to departure; There is a contact person established prior to the excursion and a means of communicating with that person

•The organisation is always at risk of staff members, volunteers or visitors abusing children. These risks are ongoing and will affect all the organisation's activities. These risks are mitigated through the policies and procedures your organisation has in place. For example, the Code of Conduct, the Child Protection Policy, ensuring staff members are trained on child protection issues; ensuring there are procedures in place for recruitment, screening and reference checks.

The Org.

•Every project/program poses its own individual risks, therefore projects must continually be assessed and solutions to these risk must have been developed in the design phase of the project. For example, if a project requires children to travel to the organisation, are the children at risk when travelling to the project? In the project design phase you may minimize this risk by supplying transport for the children. Yet it is also important to consider risks such as the transport failing for some unpredictable reason and develop a solution for this. These risks should be formally documented.

Projects Risks

•Each activity undertaken within a project/program will pose more specific risks. For example, if you are taking children on a one off excursion, there is the risk that a child misses a bus. The best way to ensure activities pose the least amount of risks is by undertaking a written assessment amongst relevant staff members prior to the activity. For example, what will mitigate the risk that children miss the bus? Is there alternative transport or a contact person, etc.?

Activity Risks

•Whilst not all risks can be accounted for in written format, there will be risks to children's safety on a day-to-day level in every organisation working with children. For example, there is a risk that a child falls off a chair, or gets into a fight in a classroom, etc. Staff members should be trained on mentally assessing risks faced to children on a day-to-day level in all actions involving direct or indirect contact with children.

Daily Risks

Annex 3: Contact list of Police and NGOs

- **SISHA** – (South East Asia Investigations into Social and Humanitarian Activities). Investigate cases of exploitation and abuse and work with police to intervene. Based in Phnom Penh but will investigate cases nation-wide and internationally.

Phone: 017 382 877 (24hrs/7days, Khmer language)

Email: director@sisha.org

- **APLE** – (Action Pour Les Enfants). Investigate cases of exploitation and abuse and work with police to intervene. Based in Phnom Penh, Siem Reap and Sihanoukville.

Email: reportabuse@aplecambodia.org

Phone: 012 584 194; 092 46 99 73; 092 46 99 70 (24hrs/7days, Khmer language)

- **Chab Dai Coalition** – Conduct child protection prevention activities across Cambodia and liaise with a network of child protection shelters and services.

Phone: 012 481 597; Email: cambodia@chabdai.org

<ul style="list-style-type: none">▪ Licadho: Cambodian League for the Promotion and Defense of Human Rights<ul style="list-style-type: none">✓ BanteayMeanChey: 054 958 861✓ Battambang: 053 952 828✓ Kampong Cham: 042 941 464✓ Kampong Chhnang: 026 988 637✓ Kampong Speu: 025 987 220✓ Kampong Thom: 062 961 292✓ Kampot: 033 932 663✓ Koh Kong: 035 936 116✓ Pursat: 052 951 496✓ Phnom Penh: 023 360 965✓ Siem Reap: 063 964 066✓ Sihanoukville: 034 933 716✓ SvayRieng: 044 945 833	<ul style="list-style-type: none">▪ ADHOC: Cambodian Human Rights & Development Association<ul style="list-style-type: none">✓ BanteayMeanChey: 054958867✓ Battambang: 053 952829✓ Kampong Cham: 042 941326✓ Kampong Chhnang: 026 988712✓ Kampong Speu: 025 987265✓ Kampong Thom: 062 961294✓ Kampot: 033 932658✓ Kratie: 072 97515✓ Koh Kong: 035 936129✓ Pursat: 052 951552✓ Phnom Penh: 023 218653 / 023 990 544✓ Ratanakiri: 075 974076✓ Siem Reap: 063 863402✓ Sihanoukville: 034 933722✓ Stung Treng: 074 973853✓ SvayRieng: 044 945910✓ Takeo: 032 931362
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Royal Government of Cambodia Police Hotline Numbers

- National Police Hotline: 023 997 919/ 1288/ 117/ 118
- Municipal and Provincial Police Hotline Numbers:
 - ✓ Phnom Penh Police Hotline: 017 276 222

- ✓ BanteayMeanchey Police Hotline: 017 260 222
- ✓ Battambang Police Hotline: 017 256 222
- ✓ Kampong Chhnang Police Hotline: 017 326 222
- ✓ Kampong Thom Police Hotline: 017 254 222
- ✓ Sihanoukville Police Hotline: 017 259 222
- ✓ Siem Reap Police Hotline: 017 258 222

