



STOP

HUMAN TRAFFICKING



Newsletter

December 2007

Welcome to the December Newsletter

On the 20th of December the Cambodian National Assembly unanimously approved the new law on anti-human trafficking and sexual exploitation. The new laws, which have taken several years to be approved, are the first steps to reforming the inadequate judicial system and strengthening the rule of law in Cambodia. However, the creation of laws and regulations at corporate and ministerial levels of government do not necessarily result in positive changes that affect and pro-actively protect the local community. In particular, countries like Cambodia where a vast majority of the population live under the poverty line, don't have access to quality education, and high levels of corruption dictate judicial and policing process, crimes against the person such as human trafficking, bonded labor, rape and sexual assault continue to be prevalent. Currently in Cambodia, the number of incidents of rape and sexual assault is unacceptable and the changing of laws at ministerial level on its own will not alter this trend.

Rape and sexual assault takes many forms and is not gender specific affecting both females and males, however in most cases victims are females. These crimes are not a crime of passion, but a crime of violence and degradation equally as humiliating and traumatic for the victim. In most civil society's stringent laws, regulations and protocols in policing and judicial circles ensure that the community is protected and offenders are not tolerated and punished accordingly. In Cambodia, the lack of laws, inadequacy of police to investigate crimes and corrupt judicial system is only the beginning. What is more alarming, is that Cambodian society, in particular provincial areas, has an entrenched culture and belief that rape and sexual assault results from inciting overt acts from the victim and that some form of justifiable reason should be afforded to the offender. In many instances victims will not report a rape or sexual assault to police due to a lack of victim protection by police, victims in many cases will be encouraged by the police and court to resolve the allegation through civil process resulting in both police and the court receiving a share of monetary payments, and knowledge by the community of a rape or sexual assault will result in the victim being ostracised, incorrectly labeled as promiscuous and in most cases alienated from the local community. This culminated with a severe lack of quality medical, counseling and psychological services for victims of rape and sexual assault equates to a serious social issue that needs to be addressed.

CASE - On the 21st of November **SISHA** received information regarding the rape of two young sisters in Phnom Pursat province, Cambodia. Unfortunately even after a speedy investigation by **SISHA** and police who provided the courts two victim statements, three witness statements and medical documents that overwhelmingly indicated that an offence had been committed, due to sub standard procedures and an ever too common inability by the courts to understand the seriousness of rape allegations involving children, the court still took 5 weeks to issue an arrest warrant for the offender and an order allowing **SISHA** to rescue the children.



'Scene of the rapes – poor provincial family home'

On the 15th of December **SISHA** staff and police executed a raid on a house in Phnom Pursat province and rescued 13 year old Sopheak and 11 year old Phor who had been raped many times over the past year by their stepfather. The stepfather, who used fear and physical assault, which had occurred even on the morning of the rescue, to sexually abuse his daughters without fear of prosecution was arrested at the house and is now in pre-trial detention. Sopheak and Phor were taken to the World Hope Aftercare Center and are now receiving quality medical treatment and psychological counseling and for the first time in along time are safe and protected from the evil actions of their stepfather. **SISHA** will monitor the courts to ensure that the judicial process does not succumb to negative influence and the stepfather is trialed according to Cambodian Law.



'11 year old Phor bears injuries caused by her stepfather, prior to her rescue'



'Arrested - the stepfather at Kandal province police station'

CASE – In November **SISHA** in co-operation with Cambodian Anti Human Trafficking and Juvenile Protection Police raided a house and rescued 43 Cambodian men who were being trafficked to Thailand for bonded labor.

On the 10th of December, as a result of that investigation, **SISHA** and AHTJP police executed another raid at a house in Poipet Province and rescued 6 more Cambodia men who were going to be trafficked to Thailand for bonded labor. Each Cambodian male, who paid between 2500 – 3000 Thai Baht (approximately \$85 USD) to the trafficker, was promised false employment opportunities in Thailand that would supposedly pay decent salaries.

The reality of this deception is that the men would be taken into Thailand via a non-policed border checkpoint, have their identification and personal documents taken from them and placed into substandard working conditions in the fishing, rubber, logging or general labor industries, only to be arrested by Thai Police for working illegally in Thailand without work permits. The trafficked males would have no-recourse, receive no monetary payment for the work they conducted and be conveyed back to Cambodia. On the day of the rescue, LY Kun (40 years old) was arrested and charged with human trafficking and deception and is now in pre-trial detention. Police located and seized 1,300,000 Thai Baht (approximately \$38,000 USD) in LY Kun's possession which is money he received from many trafficked Cambodian men. Unofficial reports from the Cambodian and Thai border police is that between 250 – 400 Cambodian people are being arrested in Thailand for working illegally ever day. The majority of these people have been trafficked.



'Six rescued Cambodia males pictured with arrested LY Kun'



'Thai Baht. Human trafficking – low risk, high reward'

SISHA would like to sincerely thank Mr. Richard Van Dam for another financial contribution this month. Without the support of people like Mr. Van Dam, **SISHA** would not be able to rescue the many victims that are currently being exploited in Cambodia and Thailand.

Year 2007 has been an exciting year for **SISHA**, with our official registration and signing of the Cambodia Memorandum of Understanding and most importantly the investigation of several incidents of exploitation, resulting in the rescue of victims and arrest of offenders. **SISHA** and the Board of Directors would like to thank everyone for your constant support and we wish you all a very merry Christmas and a safe new year and hope that we have your support in 2008.

SISHA Bank Account – **SISHA** is constantly seeking financial support from socially conscious companies and like minded individuals who wish to assist **SISHA** in rescuing victims from trafficking, sexual and non-sexual exploitation, bonded labor, rape and sexual assault. For those who wish to provide financial support, **SISHA** now has a Cambodian bank account and all donations can be sent to the following account.

Beneficiary's Bank (BBK)
ANZ Royal Bank of Cambodia Limited
Swift Code: ANZBKHPP

Beneficiary (BNF)
Account Name: SISHA Limited
Account Number: 662656