



KINGDOM OF CAMBODIA
Nation Religion King



**Permanent Mission of the Kingdom of Cambodia
to the United Nations Office and other
International Organizations at Geneva**

No: 2022/11/657

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights and, with reference to the Joint Communication No. AL KHM 2/2022 dated 20 September 2022 from the Special Procedures, has the honor to transmit to the latter herewith a letter of H.E. Mr. SOKKHOEURN AN, Ambassador and Permanent Representative of the Kingdom of Cambodia, as to the alleged case of human trafficking in Cambodia.

The Permanent Mission of Cambodia would appreciate it if the said information could be conveyed to its high destinations.

The Permanent Mission of the Kingdom of Cambodia to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 15 November 2022



Office of the High Commissioner for Human Rights
Geneva



KINGDOM OF CAMBODIA
Nation Religion King



**Permanent Mission of the Kingdom of Cambodia
to the United Nations Office and other
International Organizations at Geneva**

Geneva, 15 November 2022

Dear Ms. and Mr. Special Rapporteurs,

I would like to refer to your Joint Communication No. AL KHM 2/2022 dated 20 September 2022, inquiring the status of the trafficking in persons, and protection and assistance extended to the victims.

At your request, the said letter has been transmitted to Cambodian authorities concerned. Pending their reply to be offered in due course, I wish to draw your attention to preliminary details as to certain issues raised in your file.

1. Measures against online scams and human trafficking

Some reports depicted foreigners lured into working illegally in the Kingdom. Worse than this, some media portrayed the purported “seriousness” of the situation and “bad conditions” suffered by them.

Ms. Siobhan Mullally

Special Rapporteur on trafficking in persons, especially women and children

Ms. Fernanda Hopenhaym

Chair-Rapporteur of the Working Group on the issue of human rights and transitional corporations and other business enterprises

Mr. Vitit Muntarbhorn

Special Rapporteur on the situation of human rights in Cambodia

Mr. Jose Francisco Cali Tzay

Special Rapporteur on the rights of indigenous people

Mr. Tomoya Obokata

Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Allegations with concrete evidence are never taken lightly by Cambodian government, which has taken considerable steps in collaboration with stakeholders, including the families and foreign embassies, to fight against online scams and human trafficking. Among mechanisms put in place are the “Board of Command”, telephone hotlines in local and foreign languages, and online complaint platforms, which include the Facebook page of Deputy Prime Minister and Minister of Interior, and websites of National Police General Commissariat, General Department of Immigration and National Committee Against Human Trafficking.

496 complaints involving 1,301 people were lodged for investigation from 18 August to 19 October 2022. During the same period, 290 cases with 741 individuals were investigated, leading to an arrest of 84 suspects brought to the court, closure of five business sites, and provisional shutdown of other four for further probes.

Following a series of crackdowns, some facts on the other side of the coin were unveiled. For instance, from January to August 2022, Cambodian authorities intervened in 104 complaint cases, resulting in the rescue of 968 individuals and the detention of 82 suspects. Only 19 out of the 104 cases involved extortion and confinement. The rest entailed labor disputes, debt settlement, job switches without consent, discontent with living and working conditions, and missing family members. Notably, some individuals, who had been saved, refused to leave the Kingdom for their respective countries of origin. Organ harvesting has also been fabricated to tarnish Cambodia’s image.

2. Gender-sensitive and child-friendly approach

Cambodia’s approach to counter-trafficking focuses on, among others, preventive responses, protection, judicial system (suppression, rescue and prosecution), and international cooperation.

Identification of individuals found during the operations is made by law enforcers in accordance with the 2008 Law on Suppression of Human Trafficking and Sexual Exploitation, and Palermo Protocols with a view to offering necessary, social and legal services, taking into account victims’ rights and best interests with priority accorded to women and children.

3. The principles of voluntary return and non-refoulement

The saved individuals’ decision on voluntary return to the country of origin or care center is respected. Their repatriation is carried out with close collaboration with respective embassies to Cambodia.

While having denied being the victims, some insist upon the return to the same workplace. The authorities apprise them of the illegal activities undertaken at their office, and do not allow them to go back to the unsafe enterprises. At the same time, the status of their entry into and employment in Cambodia is reviewed.

4. Principle of non-punishment, and access to consular assistance and asylum

Those identified as victims by the authorities are not penalized on the immigration ground. Instead, due care is provided to them at a safe place. Cambodia's repatriation process is lenient, and they receive consular assistance of their respective embassies and a timely notification for a proper travel arrangement.

The asylum question is guided by a 2009 Sub-degree on Procedures for Recognition as a Refugee or Provision of Asylum Rights, 1951 Convention on Refugees, and its 1967 Protocol.

To conclude, Cambodian government has taken drastic measures to strengthen national process to counter the online scams, online gambling and human trafficking with significant results over the past months. Furthermore, the government remains steadfast in the joint endeavors toward timely prevention, suppression, rescue operation and prosecution in close collaboration with all stakeholders.

Please accept, Ms. and Mr. Special Rapporteurs, the renewed assurances of my highest consideration.

A handwritten signature in blue ink, appearing to read 'An. 15', with a horizontal line underneath.

SOKKHOEURN AN

Ambassador and Permanent Representative