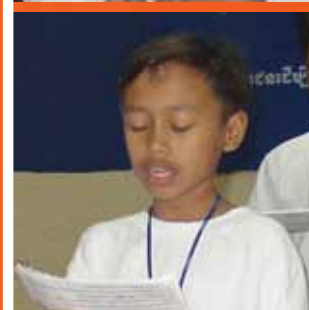


Children's Report

CHILDREN'S VIEWS ON IMPLEMENTATION OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD IN CAMBODIA

2000 - 2004

Prepared by Children & Young People Movement for Child Rights
under technical coordination from Child Rights Foundation



December 2004



Preparation Meeting of CYPMCR for the National Children Conference

Children's Report

CONTENTS

1. Introduction	3
2. Why We Write This Report	3
3. How We Wrote This Report	4
4. Our Opinions and Recommendations	5
4.1. Education	5
4.2. Health	9
4.3. Drugs	12
4.4. Child Labour	15
4.5. Trafficking and Child Sex Exploitation	17
4.6. Children's Participation	19



Children's survey in school, Banteay Meanchey Province



Children's discussion in the National Children Conference, 15-17 December 2004, Phnom Penh

1. Introduction

We, members of the Children and Young People Movement for Child Rights coordinated by Child Rights Foundation, are pleased and proud to present the report, “**Children’s views on the implementation of the UN Convention on the Rights of the Child in Cambodia**” to the UN Committee on the Rights of the Child in Geneva, the Royal Government of Cambodia and the civil society.

Children and Young People Movement for Child Rights (**CYPMCR**) is a network of children and youth created in 2002 by nine children and youth led organizations/clubs. At present, this network has thirteen organization/clubs as members. Its important role is to disseminate and monitor the implementation of the UN Convention on the Rights of the Child (**UNCRC**) in Cambodia.

This is our first report in Cambodia and it is through this report that we, children can express our views, ideas related to our rights and demands in Cambodia. In this report, we raise six issues to be checked and evaluated—**education, health, drugs, child labor, trafficking and child sex exploitation and children’s participation**. Each issue is to be presented separately. Each section will begin with the concluding observation (or recommendation) by the UN Committee on the Rights of the Child at the 24th session with the Royal Government of Cambodia or related articles of the UNCRC. Then, we will present our evaluation about the positive implementation of children’s rights for the past five years, the issues still threatening our livelihood and development, and at last we will present the recommendations to the government for the five upcoming years.

2. Why We Write This Report

The UNCRC stipulates that after the initial report, State Parties are required to submit periodic reports every five years about the status of implementation of children’s rights in the country to the UN Committee on the Rights of the Child. The Convention allows organizations working with or for the benefit of children to send alternate reports to the UN Committee.

We decided to write and send this report to the UN Committee on the Rights of the Child in the hope that the Committee will discuss the issues and ideas raised by our groups with our Royal Government of Cambodia during the consideration session of

the report submitted by the Cambodian Government. We hope that the Committee will keep us informed about specific recommendations the Committee will make for Cambodia. To do so, we can follow up the implementation of the recommendations in the future. This report is also written to submit to the Royal Government of Cambodia for consideration in its policies and programs for children in the future.

3. How We Wrote This Report

To give opportunities to the children to express their ideas as much as they can, CYPMCR supported by Child Rights Foundation (CRF) surveyed the children at primary and junior high schools in 16 of the 24 provinces and municipalities. The sample was split between the five regions of Cambodia— Plains, Tonle Sap, Coastal, Plateau/Mountain and Phnom Penh. The numbers of children interviewed in each region were determined according to proportion of the children aged between 12 and 18. In total, more than 5,000 children were surveyed. In the data analysis, besides analyzing the answers in each region and sex, we divide the children according to their ages of 12 to 14 and 15 to 18.



H.E.Mr. IM Sethy, Secretary of State of Ministry of Education, Youth and Sports at the opening ceremony

To more effectively facilitate the children’s participation in the process of monitoring the implementation of the UNCRC in Cambodia, the CYPMCR and CRF organized a national children conference on “Child Participation in Monitoring the Implementation of the UNCRC in Cambodia” in Phnom Penh on 15 to 17 December, 2004. The purpose of the conference was to facilitate a meaningful child participation process in assessment of the progress made by the Cambodian Government, to seek children’s input and recommendations and to support the children reporting the preparation of the report. In the three-day conference, 74 children from the 24 provinces and municipalities participated. Those children are students and child rights activists, child victims, vulnerable children, the disabled and minority children from the rural areas and suburbs.



Children’s displays at the National Children Conference

With the information from the children survey and the national children conference under the technical coordination from CRF, the report was prepared by CYPMCR and finally unanimously adopted by the participants.

4. Our Opinions and Recommendations

Between 2000 and 2004, the Royal Government of Cambodia took actions and carried out activities to help develop and protect children from all forms of exploitation, trafficking, abuse and violence. The measures included increasing access for children to basic education, paying more attention to health and nutrition, increasing attention to HIV/AIDS, increasing attention to protecting the children, increasing the budget for the education and health sectors, adopting national and international laws, signing memorandum of understanding with the neighboring countries and organizing national plans. Although efforts have been made, our plight has yet to be improved. The understanding and the responses from the national institutions related to the threatening issues we face remain limited.

4.1. Education

Concluding Observations of the Committee on the Rights of the Child, June 2000

The Committee recommends that the State party continue to undertake effective measures to make primary education free and compulsory for all children; to increase the enrolment rates and decrease drop-out and repetition rates; to increase access to schools, in particular for poor children, girls, children belonging to minority groups and children living in remote areas. The Committee further recommends that the State party continue to take measures to improve its education system by increasing budget allocations for the education sector; providing training to upgrade teachers' skills; making the school curricula more relevant to children's needs; expanding opportunities for vocational training and non-formal education, including at pre-school and secondary levels; and establishing an evaluation system to measure the effectiveness of the education system.

Since 2000, the Royal Government of Cambodia publicly announced that enrollment at primary schools does not require payment. We welcome this announcement. This announcement has delighted our parents. This can encourage them to send children to school and enable impoverished children to attend school. Not having to pay for school enrollment has improved our family's livelihood. We are very pleased with the Royal Government's actions in helping to reduce the rate of drop-outs and repetitions. We observe that the repetition rate has reduced. The Ministry of Education, Youth and Sports has tried to reform educational curricula and focused teachers' capacity building and school inspection.

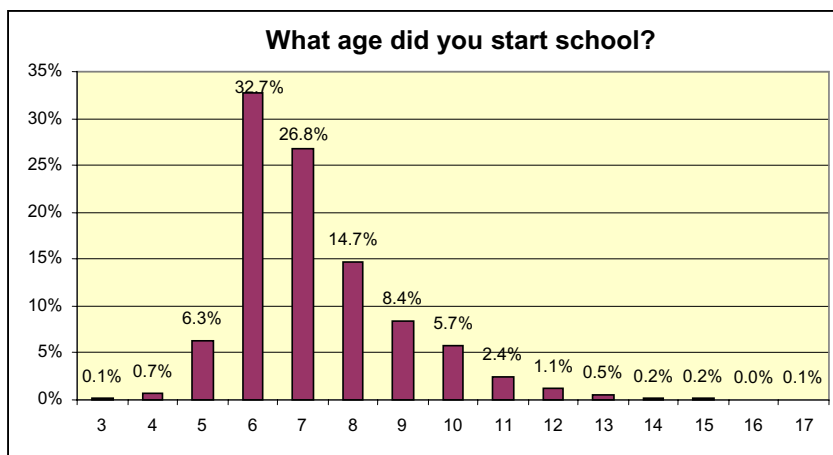
But we are concerned about our education. Based on experience, we have to pay other costs, such as papers for examinations, lesson papers, material for sewing and the decoration of the class. These expenses are very high, especially when it comes to paying for extra classes. According to the result of the children's opinion survey, of the children interviewed, more than half (54.6 %) responded that they paid money when attending school and studying at the primary school. The answers are not much different between ages or sexes. But there is a notable difference if we compare answers from children in different regions. Of the five regions, Phnom Penh had the most students who had answered "paying money".

Plains	Tonle Sap	Coastal	Plateau/Mountain	Phnom Penh
44.1%	61.9%	64.7%	47.3%	80.1%

When asked in detail, what did you pay for? the answer, "paying money for extra classes," was given by three in five students answered. After that, the answer, "buying books" was given by half of the interviewed students. More male students than female students answered that they "paid for enrolment".

Enrollment remains low. In the remote areas, there is a shortage of teachers. The teachers who are highly educated have yet to reach the far-off areas. There are not sufficient school buildings, especially in the remote areas. The schools do not have strict discipline.

The survey of the children’s opinions then asked “at what age did you start school?” the answers showed that only 40 per cent of the children said they had started school at the age of 6 or before 6. The study showed that Cambodian children start school at the mean age of 7.2 years. Our concern is that 10 per cent of the children did not start school until at the least age of 10 or above. This problem becomes worse in the Plateau/ Mountain regions where 27 per cent of the children began school after age ten. However there are signs of improvement: a significantly higher proportion of younger (44%) children than older children (37%) reported starting school before age 6, which indicate that conditions improved between when the older children were starting school and when the younger children started school.



For the question “when you do something wrong, would you be punished by your teachers?” More than nine out of ten respondents answered “yes” to this question. However, when asked to list what kinds of punishments they would receive, nine out of ten listed ‘talk to me/advise me’. One in five listed ‘Beat me’, ‘Insult me’ or ‘Shout at me’, although boys were twice as likely to list one of these options. Also 12-14 year olds were almost twice as likely to list ‘Beat me’ as 15-18 year olds.

The budget for strengthening teachers’ performance remains limited. The salaries are low, there is a lack of budget for buying teaching materials, and the assessment of the quality of education and the teachers’ capacity of the Ministry of Education, Youth and Sports is not complete in some provinces and municipalities.

Therefore, we, children would like to propose to the Royal Government of Cambodia to:



- √ add to the budget to strengthen the capacity of teachers and to provide adequate material to the teachers
- √ build enough schools in the remote areas
- √ increase dissemination nationwide about the ages of children who should attend school and the ability to register without paying money
- √ find a committee to evaluate the education programs that meets both national and international standards
- √ give chances to teachers and students to participate in changing or improving the education curricula
- √ increase inspection of the quality of teaching and discipline in schools nationwide
- √ increase salaries for teachers and pay them on regular paydays
- √ develop infrastructure in the rural areas and equally assign teachers to the rural areas and towns
- √ help find jobs for graduates
- √ issue strict discipline in each school regardless of whether children are from rich and powerful families
- √ encourage the good and obedient students
- √ Build separate water closets for girls in each school.

4.2. Health

Concluding Observations of the Committee on the Rights of the Child, June 2000

The Committee recommends that the State party address the issue of childhood morbidity and mortality by taking a multisectoral approach recognizing the critical role of illiteracy, lack of clean water supplies and food insecurity in the current pattern of childhood illnesses. Priority areas must be identified on the basis of baseline data collected by careful and comprehensive research. Such a strategy must take into account that most health care takes place outside health facilities and outside State control; it must also recognize the needs of particularly isolated communities. In addition, the Committee recommends that measures be put in place for establishing an efficient primary health-care sector, including strategies to encourage care-seeking for childhood illnesses. In this regard, the Committee encourages the State party to continue working in cooperation with international agencies.

The Committee recommends that the State party continue to take effective measures for the prevention of HIV/AIDS, including awareness-raising and educational campaigns. The Committee further recommends that the State party take into consideration the Committee's recommendations adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80). International technical assistance from UNICEF, WHO and UNAIDS, among others, should continue to be requested in this regard.

The Committee recommends that health-care services and medicines be improved and extended in order to guarantee the access of children belonging to poor families and other marginalized groups.

The Committee recommends that the State party undertake a comprehensive and multidisciplinary study to determine the scope of adolescent health problems, including mental health, as a basis for promoting adolescent health policies and strengthening reproductive health education. The Committee also recommends that further efforts be undertaken for the development of child-friendly counseling services as well as care and rehabilitation facilities for adolescents.

Generally, we are pleased with the government's strategy to reduce the child mortality. It has built more hospitals and health centers, trained physicians, disseminated information to prevent diseases, such as respiratory disease, diarrhea, dengue fever etc., as well as to promote active and regular vaccination in the villages free of charge. It has also worked to educate pregnant women about health care. For HIV/AIDS, the Royal Government in cooperation with national and international NGOs have carried out programs to educate the youths and the people through peer education and radio announcements, and by including HIV/AIDS in the curriculum in the state schools. Education about birth spacing medicine and condom use is also widely disseminated.

However, we are still concerned because the mortality rate of the children remains high. The hospitals lack modern equipment for curing patients and do not have adequate medicines. The medicines being sold in the public are not of good quality and are often expired. There are no free medical services for street children and impoverished children. Some remote areas are inaccessible to those seeking vaccinations and health care.

The responses by children to the question, “When you are sick, how often are you able to get help?” showed that 38.1 per cent answered “sometimes,” 29.7 per cent said “often,” 4.9 per cent responded “rarely” and 8.3 per cent said “never.” In the Plains region, 10.8 per cent of children said “never” and 5.4 per cent said “rarely”.

In the remote areas, health centers are very far from the villages and there are not enough physicians and medicines. Dissemination about children’s health care is low. Private institutions, such as private companies and enterprises, do not pay attention to pregnant women working and on maternal leave. Dissemination about HIV/AIDS to sex workers in the countryside is not widespread. Related to the reproductive health, we see that there were young marriages, especially among girls and those in the remote areas who do not clearly understand such issues.



Drawn by Seil Sima, 14, Somroung Andet secondary school, Phnom Penh

Therefore, we, children would like to propose to the Royal Government of Cambodia to:



- √ provide medical service to street children and impoverished children free of charge and provide adequate medicine to the remote areas
- √ create health centers close to the villages in the remote areas and to enlarge health care programs
- √ strengthen physicians' code of ethics to not discriminate against poor children and street children
- √ take action to inspect the quality of medicines and provide unexpired medicines
- √ cooperate with NGOs for children's health care in the remote areas and to strengthen the physicians' capacity
- √ provide adequate vaccination to the remote areas
- √ increase health education about HIV/AIDS to sex workers
- √ provide funds and modern equipment to health care centers
- √ widely disseminate HIV/AIDS information to children
- √ strengthen the implementation of marriage law and disseminate this law to prevent underage marriage
- √ increase salaries for physicians and ask for the presence of health care educators in the remote areas
- √ create clean water system and pump wells in the rural areas.

4.3. Drugs



Article 33 of the Convention on the Rights of the Child
Children have the rights to protection from the use of narcotic and psychotropic drugs, and from being involved in their production or distribution

Drug use is an alarming issue in Cambodia. In response, the Royal Government has created laws against the use of drugs and has disseminated information about its effects to health and it has created youth rehabilitation centers.

We see some negative points that have caused drug use to flourish, especially among students and street children.

These points include ineffective implementation of the laws, and corruption in the government, which makes it difficult to eliminate the production and importation, distribution and selling of drugs. The children who answered the questions related to the enforcement of drug control laws did not think that the implementation of the laws is effective —13.8 per cent answered “not effective” and 41.3 per cent said “partially effective”. Older children were more likely to answer not effective or partially effective (58.2%) compared to (49.0%) while younger children were more likely to answer effective or very effective (38.9% compared to 30.7%). In the coastal area, most of the children answered “not effective” or “partially effective”. In contrast, most of the children in the Plateau/Mountain region answered “effective” or “very effective”. This discrepancy may be due to the children being too young and in the Plateau and Mountainous area, they do not understand or get access to information on the implementation of the laws.

Education and dissemination of information about the effects of drug use is not widespread to the people in the cities and the remote areas, especially at school. The result of the children’s survey showed that alcohol (80 per cent), tobacco (75 per cent) and sniffing-glue (66 per cent) are the kinds of drugs that children have heard of most. Most of the boys and older children were more likely to know of more drugs.

Highest rate of drug children knew by region

Alcohol	Plains	85.1
Tobacco	Plateau/Mountain	79.7
Sniffing-glue	Coastal	88.7
Yama	Phnom Penh	53.9
Narcotic plant (kancha)	Tonle Sap	41.9
Heroin	Phnom Penh	15.0
Cocaine	Phnom Penh	5.9
Ecstasy	Plateau/Mountain	4.2

31.5 per cent of the children interviewed reported that there was drug selling and drug use in their villages and schools. It was highest in Phnom Penh with 34.8 per cent and lowest is in the plateau and mountainous area with 24.3 per cent. It was also higher for 15-18 years old children knew more about this issue than the children aged from 12 to 14. Given the question “Has anyone provided you information on the effects of drug?” more children aged from 12 to 14 answered “no one” than children aged from 15 to 18. Most children learned about the effects of drug use from radio and television with 82.3 per cent and through teachers with 65.6 per cent, “the family” with 55.2 per cent and “newspapers” with 54.3 per cent. In the plateau and mountainous region, the number of children who chose “teachers” was lower than unusual. In comparison, in the coastal area, the number of the children who choose “friends” and “family” was higher than unusual.



Drawn by Soth Kanica, grade 8, Serey Pheap secondary school, Kandal province

The number of the youth rehabilitation centers cannot respond to the demand and do not have enough funds and services to help children who suffer from drug use and some children face discrimination from the community after they quit using drugs.



Therefore, we, children would like to ask the Royal Government of Cambodia to:

- ✓ prevent the production and import of drugs and to eliminate the sales and advertisements of products that cause dangers to health such as cigarettes and alcohol
- ✓ increase the dissemination of information on the effects of drugs in the provinces and municipalities and in the remote areas by including it in the curriculum at primary schools and to train teachers to teach about the effects of drugs
- ✓ strengthen the implementation of the law against drug use by following up and eliminating corruption from the high level to the low level and punish according to the law those people who force children to use and sell yama and to steal, pickpocket for their personal advantage
- ✓ create adequate rehabilitation centers and to collect all children addicted in drugs to educate them to quit using drugs and to provide them with skills
- ✓ educate people to encourage and not discriminate against children who quit using drugs
- ✓ add enough funds for rehabilitation programs and reintegration by contacting charitable people inside and outside the country.

4.4. Child Labor

Concluding Observations of the Committee on the Rights of the Child, June 2000

Cambodian Government enforces the provisions of the Labor Law regarding the minimum age for access to employment; that labor inspectors be trained and provided with the means to monitor child labor; and that appropriate sanctions be applied to violators. The Committee further recommends that the State party enact legislation protecting children from hazardous forms of labor. The Committee acknowledges that the State party is considering ratification of the new ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, 1999 and encourages it to do so.

In terms of preventing the exploitation of child workers, the Royal Government has carried out activities such as the creation of labor laws, inspection in work places, dissemination of information about the bad effects of child labor and cooperation with the civil society in rescuing victimized children.

But these responses remain limited. The Royal Government still has a lot work to do. The point that concerns us most is the ineffective implementation of the labor laws due to corruption. There is no inspection of clear ages of the laborers before they are employed. We see children's ages are raised for their employment while some offenders of child exploitation are never punished. Moreover, the Royal Government has yet to provide adequate resources for inspection teams, such as building capacity and providing funds for labor inspection in the companies, factories and enterprises. It has yet to adopt a special law for the protection of child laborers. We are not very satisfied with the above-mentioned ineffective implementation because the exploitation of child labor has adverse effects on our physical, intellectual and spirit development.



Therefore, we, children would like to ask the Royal Government of Cambodia to:



- ✓ hold the employers responsible for children who are injured due to their labor and to punish those employers in breach of the labor law
- ✓ better train the inspection teams, provide the means and funds for regular inspection of business places
- ✓ assign activists employed in the factories and enterprises to follow the working condition of the children
- ✓ cooperate with NGOs and institutions to prevent child labor
- ✓ inspect and examine ages of the workers when they are employed and to punish those who increase the children's ages for work
- ✓ strengthen the strict and effective implementation of the labor law by punishing the offenders who are corrupt from the top to the bottom
- ✓ adopt special laws for protecting child laborers
- ✓ create rehabilitation centers for children who get injured because of labor and to provide vocational training
- ✓ widely disseminate information about the laws and the effects of abuses and exploitation of child labor
- ✓ reduce the working hours for children.

4.5. Trafficking and Child Sex Exploitation

Concluding Observations of the Committee on the Rights of the Child, June 2000.

Cambodian Government reviews its legislation with a view to reinforcing it, and in the meantime to enforce fully its current legislation against sexual exploitation; that the Plan of Action be fully implemented; that sufficient resources, both human and financial, be allocated for the implementation of the Plan; that social services for the rehabilitation of child victims of sexual exploitation be strengthened and expanded; that violators be prosecuted; and that bilateral cooperation, especially with neighboring countries, be strengthened and border controls increased.

Child trafficking is a serious and worrisome issue. We would like to praise the Royal Government for its creation of law on Suppression of the Kidnapping, Trafficking/Sales and Exploitation of Human Persons, development of National 5 year Plan against Trafficking and Sexual Exploitation of Children and strengthening cooperation with neighboring countries to resolve this issue.

But we still see child trafficking and child rape continuing. In 2004, LICADHO investigated 205 cases of rape and indecent assault compared to 146 cases in 2001. Indeed, 70% of victims reported to LICADHO in 2004 were under the age of 18. We think that this issue stems from the lack of widespread dissemination of laws and injustice in the judicial system. There is no special court for children and most of cases are not sent to court. Education and information dissemination on the issue also remains low. That is why people and victims do not know how to file complaints or where to seek help.

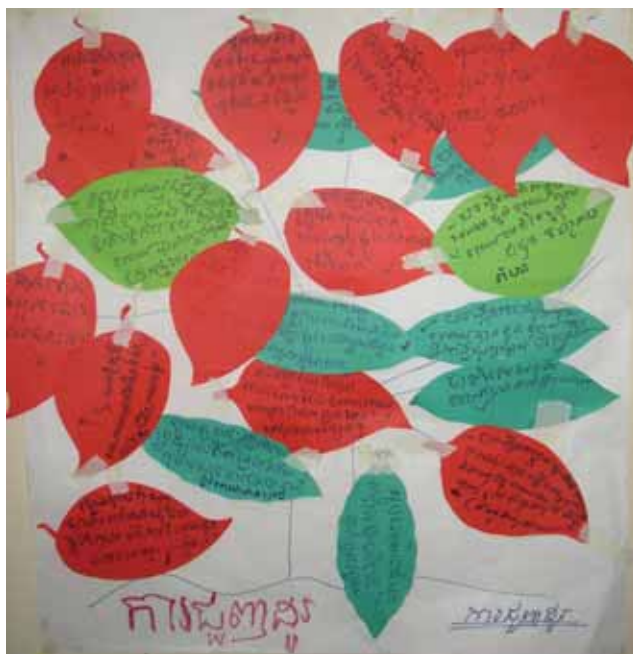


Drawn by Seng Visal, grade 10, Javaraman VII high school, Kandal province

In regard to the rehabilitation, there are few Government and NGO centers and they do not work well due to limited expertise and experience amongst caretakers in dealing with the victimized children.

In the other hand, the cooperation and coordination between Cambodia and the neighboring countries has not been effective in preventing child sex trafficking and there is also discrimination against the victimized children.

Therefore, we, children would like to urge the Royal Government of Cambodia to:



- √ create special court for defending children
- √ effectively reduce poverty
- √ strengthen the implementation of the memorandum of understanding of each country to stop cross-border trafficking
- √ eliminate brothels and gambling places that foster child sex trafficking
- √ give awards to those who report to the police and to arrest the offenders and encourage victims to help find the offenders
- √ choose caretakers who are knowledgeable, experienced and willing to work with children
- √ strengthen the judicial system to be independent and just
- √ effectively implement the laws by punishing the offenders and those who free offenders
- √ increase education through the media, especially in the remote areas
- √ widely disseminate information about intervention services for children
- √ eliminate corruption
- √ create many rehabilitation centers and effectively implement them.

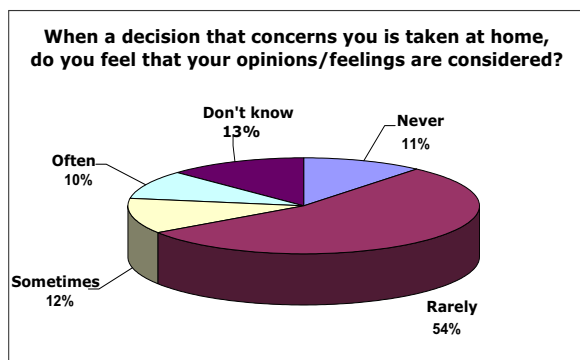
4.6. Children's Participation

Concluding Observations of the Committee on the Rights of the Child, June 2000

In light of articles 12-17 of the Convention, the Committee recommends that further measures, including legislation reform, be undertaken to promote the participation of children in the family, the school and other institutions, as well as to ensure the effective enjoyment of their fundamental freedoms, including the freedoms of opinions, expression and association. Public awareness of the participatory rights of children needs to be increased in families, communities, institutions and schools.

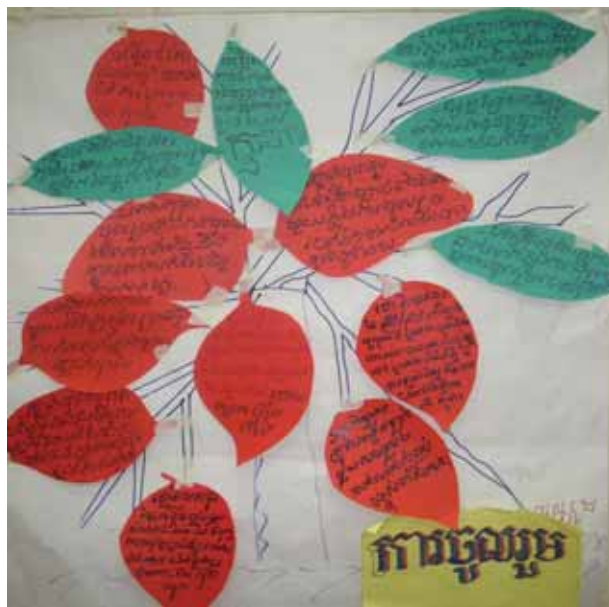
Generally, children in Cambodia are not entitled to full rights to participation. We do not have enough opportunities to participate in all activities, such as decisions related to our personal welfare. We think that these issues stem from many factors, including the lack of laws and regulations that support and encourage children's participation. The Royal Government has yet to create a mechanism to support and to encourage children's participation in society. Encouragement for children to participate remains very low.

We who live in remote areas have yet to receive attention from the Royal Government in terms of encouraging the children to participate in activities that benefit themselves and the society. Some parents and teachers seldom give them opportunities to express their opinions. Most of our opinions are not listened to and are not taken into consideration by adults. According to the result of children's opinion survey, children's participation in the family is very low. Two thirds of the children interviewed responded that their opinions were not or rarely taken into consideration by their elders.




The Royal Government has created laws and sub-decrees, banning pornography and violence in the media, which can affect children's morality, feelings of security and safety. Meanwhile, we are still concerned about the loose implementation of the laws. There is no thorough investigation into the effects to children, and pornographic and violent films flow into Cambodia and are played in towns and rural areas. The Royal Government has not made it easy for legal media owners to widely broadcast such materials.

Therefore, we, children would like to request to the Royal Government of Cambodia to:



- ✓ create clear laws about children's participation
- ✓ increase information dissemination about the advantages of children's participation
- ✓ create clear mechanisms for encouraging children's participation
- ✓ create a children's parliament to participate in the decisions of the Royal Government related to children's issues
- ✓ give the rights for children to organize activities related to them in the society without discrimination
- ✓ encourage children to participate in all levels by allowing them to participate in all activities related to them, both in planning, implementing and monitoring
- ✓ open a national children's conference once a year to give children the chance to meet, discuss, and find reasonable recommendations to submit to the Royal Government and civil society for consideration
- ✓ strengthen law enforcement and to punish those who broadcast material adversely affecting children's welfare.





**Members of
Children & Young People Movement for Child Rights**

- 1- Children's Committee (CC)
- 2- Child Assistance for Mobilization and Participation (CAMP)
- 3- Cambodian Youth Development (CYD)
- 4- Children Support Foundation (CSF)
- 5- Cambodian Children Development Organization (CCD)
- 6- Enfant et Développement (E&D) in Kampong Speu province
- 7- Enfant et Développement (E&D) in Takeo province
- 8- Cambodian League for the Promotion and Defense for Human Rights
in Sihanouk Ville (LICADHO)
- 9- Khmer Community Development (KCD)
- 10- Khmer Youth Camp for Culture (KYCC)
- 11- Khmer Youth and Social Development (KYSD)
- 12- Student Executive Committee (SEC)
- 13- World Vision Cambodia (WV-C) in Steung Meanchey, Phnom Penh

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Don't forget me! I am a member of the society, too!



H.E.Mr. NIM Thoht, Secretary of State of Ministry of Social Affairs, Veteran and Youth Rehabilitation, took photo with children at closing ceremony

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