

CAMBODIA

After The First World Congress Against Commercial Sexual Exploitation of Children



Contribution to the Second World Congress
in Yokohama, Japan
December 2001



មូលនិធិសិទ្ធិកុមារ (ម.ស.ក)
Child Rights Foundation (CRF)



Child Rights Foundation (CRF) is a local, child focused, non-profit, non-political and non-religious Non-Governmental Organization. CRF aims at mobilizing local resources, commitments and actions by promoting solidarity, respect and tolerance within Cambodia society toward the improvement of children's lives and rights in Cambodia and the region.

The work of the CRF is conducted in conformity with the United Nations Convention on the Rights of the Child (UNCRC) to ensure that children are respected, cared for and protected through 3 main missions:

- Working for the understanding of children's rights and needs through awareness raising and advocacy at all levels.
- Assisting the Government in the implementation of the UNCRC and monitoring its implementation in Cambodia.
- Promoting child participation and children's voices in the society.

Address:

#29E1, Mao Tse Toung Blvd.,
Sangkat Boeung Keng Kang 1,
Khan Chamcar Mon,
Phnom Penh, Cambodia.
Tel: 855-23-211-223
E-mail: crf2000@forum.org.kh

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After The First World Congress
Against Commercial Sexual
Exploitation of Children

**Contribution to the Second World Congress
in Yokohama, Japan
17-20 December 2001**

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H.E.Mr. **KEM Sokha**, Chairman of the Protection of Human Rights and Reception of Complaints Commission of the Senate, H.E.Mrs. **NIN Saphon** Secretary of the Protection of Human Rights and Reception of Complaints Commission of the National Assembly, H.E.Mrs. **MU Sok Huor**, Minister of the Ministry of Women's and Veterans' Affairs, H.E.Mr. **VONG Soth**, Under Secretary of State of the Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation, Mr. **Louis-Georges ARSENAULT**, Representative of United Nations Children's Fund (UNICEF) in Cambodia, Mr. **Ole Bernt HARVOLD**, Resident Representative of Save the Children Norway-Cambodia Office and Coordinator of Save the Children Alliance, Mrs. **Brigitte SONNOIS**, Project Officer-UNICEF, Mrs. **Janet ASHBY**, Coordinator of the Cambodian National Project Against Trafficking in Women and Children in the Mekong Sub-region.

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We wish to especially recognize the National Workshop organized by the Royal Government of Cambodia, CNCC, and its Government's report. This report and the Government report are complementary perspectives and represent some of the close cooperation from which Cambodia's children and youths will benefit.

This important piece of work could not come into shape, without the invaluable assistance, inputs and contribution from Excellencies, Ladies and Gentlemen, Youths, Boys and Girls.

Pages

Contents

11

Introduction

15

General Situation of Trafficking and Sexual Exploitation of Children in Cambodia

21

Actions Taken by The Royal Government and Non-Governmental Organizations

29

Challenges and Difficulties Faced

34

Children's and Young Peoples' Dreams and Recommendations

45

Ways Forward

A light orange map of Cambodia is shown in the background. The map is filled with a light orange color and has a darker orange outline. The text is overlaid on the map.

Facts about Cambodia

Area	181,035 sq km
Number of Provinces and Cities	24
Population	13,099,000
Children under 15 years old (as % of population)	42.80%
Children under 18 years old (as % of population)	51%
Annual Population Growth Rate	2.60%
Infant Mortality Rate (under one year old)	95 in 1,000
Mortality Rate of Children under 5 years old	125 in 1,000
Malnourished Children under 5 years old	50%
Gross Domestic Product per Capita (GDP)	US\$286
Literacy Rate (15 years old and over)	67.3%

(Sources: Education Indicators 1999-2000,
Investing in Children 2001-2005, UNICEF)

1

Introduction

Stockholm Commitment

- Accord high priority to action against commercial sexual exploitation of children and allocate adequate resources.
- Promote stronger co-operation between states and all sectors of society to prevent children from entering the sex trade, and to strengthen the role of families in protecting children against commercial sexual exploitation.
- Criminalize the commercial sexual exploitation of children and other forms of sexual exploitation of children and condemn and penalise all those offenders involved, local or foreign, while assuring child victims are not penalised.
- Review and revise laws, policies, programs and practices to eliminate sexual exploitation of children.
- Enforce laws, policies and programs to protect children from commercial sexual exploitation and strengthen co-operation between law enforcement authorities.
- Promote adoption, implementation and dissemination of laws, policies and programs supported by relevant regional, national and local mechanisms.
- Develop and implement comprehensive gender sensitive plans and programs to prevent commercial sexual exploitation of children.
- Create a climate, through education, social mobilisation and development activities, to ensure that parents and others legally responsible for children are able to fulfil their rights, duties and responsibilities to protect children from commercial sexual exploitation.
- Mobilise political and other partners, national and international communities, NGOs and international organisations to assist countries in eliminating commercial sexual exploitation of children.
- Enhance the role of popular participation, including that of children, in preventing and eliminating the commercial sexual exploitation of children.



Introduction

Cambodia After The First World Congress Against Commercial Sexual Exploitation of Children shows the involvement of civil society in monitoring the implementation of the Agenda for Action of the First World Congress Against Commercial Sexual Exploitation of Children and the Cambodian National Five-Year Plan, and is a contribution to the Second World Congress, held in Yokohama, Japan, in December 2001.

The general situation of trafficking and sexual exploitation of children in Cambodia, actions taken so far, challenges and difficulties faced, dreams and recommendations of children and young people, related laws and policies, good practices, child victim case studies, as well as important recommendations are included in this report. These contents come from the discussions in two different three-day workshops on Trafficking and Sexual Exploitation of Children (one was organized for children and young people, the other was for non-governmental organizations, international organizations and relevant government ministries), from interviews with key persons and child victims, and from review of existing information.

With the intention to make use of this booklet as a significant tool for planning, advocacy and reinforcement for the effective implementation of the national five-year plan against trafficking and sexual exploitation of children in Cambodia; this important information needs to be disseminated to all related agencies including the Senate, National Assembly, relevant Ministries, Embassies, National and International Organizations as well as in the Second World Congress, and expectedly to be referred to for further action.

The First World Congress Against Commercial Sexual Exploitation of Children was held in August 1996, in Stockholm, Sweden. Delegates from 122 countries, including Cambodia, took part and adopted the Declaration and the Agenda for Action of the Congress to take action-protecting children from commercial sexual exploitation, sex tourism, use of children in producing pornographic materials, and trafficking. The Congress also agreed to establish country focal points and to develop national plans of action against this issue by the year 2000.

In December 2001, the Second World Congress will be held in Yokohama, Japan, with the aim to enhance political commitment to the implementation of the agenda for action adopted at the First World Congress, review progress in the implementation of the agenda for action, share expertise and good practices, identify main problem areas and/or gaps in the fight against Commercial Sexual Exploitation of Children, and to strengthen the follow-up process of the World Congress. Representatives from governments, NGOs, other concerned agencies and individuals worldwide will be invited to participate in this crucial event.

Despite a lot of efforts have been made, Commercial Sexual Exploitation of Children has continued to expand. It is now the time that all relevant key actors must join hands to put an end to this phenomenon and realize the dreams of our young people.

2

General Situation of Trafficking and Sexual Exploitation of Children in Cambodia

Facts and Figures Related to Trafficking and Sexual Exploitation of Children

Time Period	Political Period	Trends in sex slavery
Before 1970	Kingdom of Cambodia	Existed but not widespread
1970-1975	Khmer Republic	Increased due to war in Vietnam
1975-1979	Democratic Kampuchea	Banned
1979-1989	People Republic of Kampuchea	Existed but strict controlled
1989-1993	State of Cambodia	
1990		1,500 sex slaves and prostitutes in Phnom Penh
1991	(UNTAC)	6,000
1992	(UNTAC)	20,000
1993-Present	Kingdom of Cambodia	
1995	(Post UNTAC)	17,000
2001		17,000 in Phnom Penh, 30% under 18 years old 80,000-100,000 nationwide

(Sources: Cambodia Human Development Report 2000 of the Ministry of Planning & the National 5Year Plan against CSEC)

- About 400 to 800 children and women, each month, are trafficked abroad to work as sex workers.

(Source: CWCC)

- As of the beginning of 2001, 2,592 children had died of AIDS.
- In 2001, 2,614 children have become infected with HIV/AIDS.

(Source: National Authority against HIV/AIDS)



General Situation of Trafficking and Sexual Exploitation of Children in Cambodia

Trafficking and Sexual Exploitation of Children is a serious global concern, since this inhuman crime has been spreading both in developing and developed countries, damaging human resources especially children, their families and communities that each one of us must not ignore or let spread.

Prostitution in Cambodia has been evident over a long period. Under the Khmer Rouge, prostitution was banned through force of arms. After 1979, under the State of Cambodia, prostitution was strictly controlled. Since the opening up of the country and economic liberalization in 1990, the number of women and children in prostitution has increased and become a terribly hot and growing issue.

According to the Cambodia Human Development Report 2000 of the Ministry of Planning, it is estimated that there are from 80,000 to 100,000 sex workers in Cambodia. In Phnom Penh particularly, there are around 17, 000 sex workers with 30% under 18 years old. Throughout the country, there are not less than 300 brothels, and the numbers of guesthouses, entertainment clubs, massage shops, karaoke clubs, cafés, beauty saloons, restaurants, and nightclubs etc. have notably increased. Some of these places have open prostitutions others offer them secretly. Moreover, a few of them have secret networks selling young virgin girls.

A report of the Ministry of Interior in 1999 and a survey conducted by IOM in 1998-99 indicate that there is import of Vietnamese women to Cambodia and export of women from Cambodia to other countries like Thailand, Hong Kong and Malaysia to work in prostitutions. A Cambodian country paper for participating in the 2000 meeting of the Asian Regional Initiative Against Trafficking in Woman and Children showed approximately 88,000 undocumented Cambodians in Thailand and 7,000 in Vietnam. In 2001, each month, about 1,650 Cambodian citizens are sent back home from Thailand, of whom about 50% are women and children (statistics of CWCC).

Child Rape is also one of the main concerns in Cambodia. At least 5 to 6 children are victimized each month by this problem. Moreover, about 90% of these cases are not settled or are settled out of court by compromise or compensation (Statement of NGOCRC to UN Committee for Children's Rights in 2000).

Approximately 37% of the total Cambodian population lives under the poverty line. This issue has been recognized as a main factor in forcing children to leave their parents and try to earn a living. With immature physical and mental ability, children have to face many problems and difficulties in finding jobs and daily survival. Sometimes they are at risk and caught by tricks such as being promised a job, being deceived by boyfriends and sold to brothels, or being raped by evil people. Some children become prostitutes because of domestic violence, family breakdown, being an orphan, or being sold by their parents to pay debts or to gamble. Others are victimized by fake marriage and sold to foreign countries.

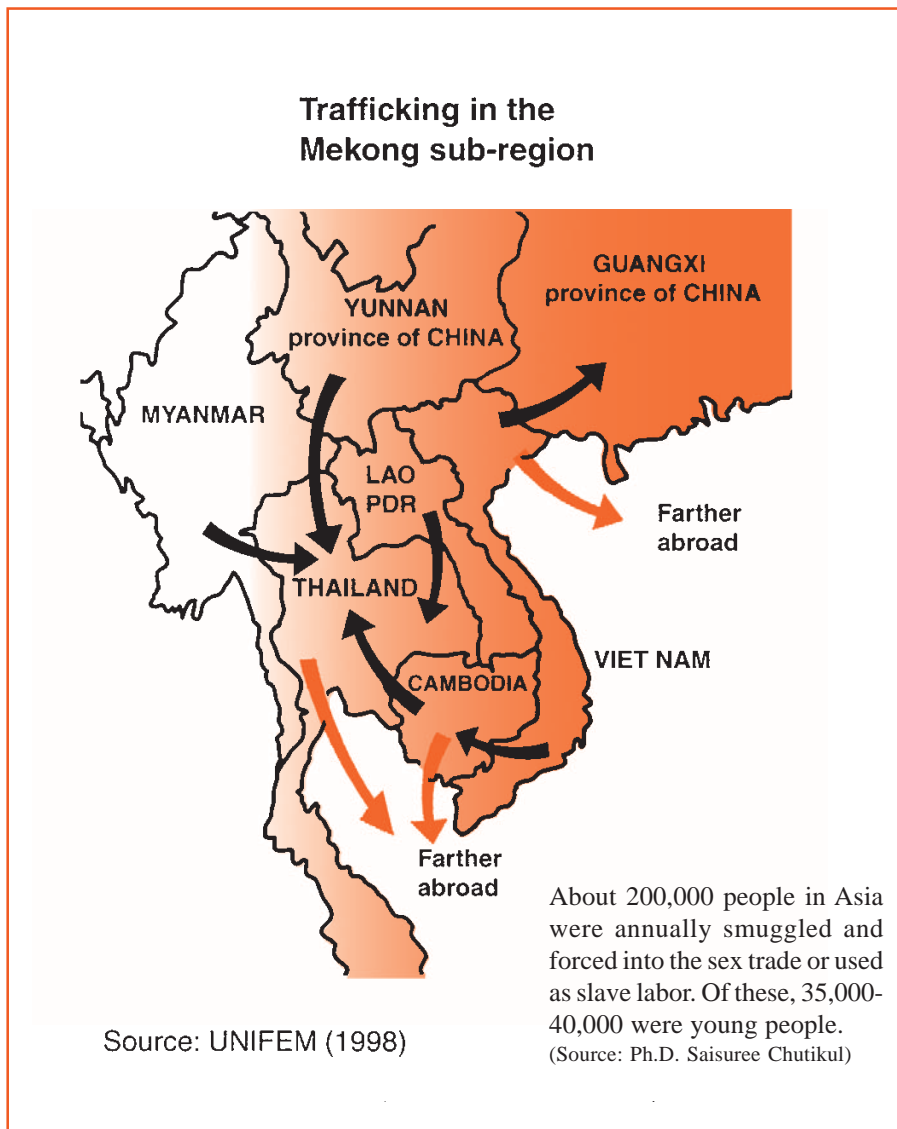
In addition to poverty, illiteracy among the population, especially in rural areas, is another factor that makes people vulnerable. Due to limited access to information throughout the country, people have low awareness on the issues affecting their children. In contrast, the torrential inflow of foreign culture through TV programs, films, videos, and other kinds of media that demonstrate violence, cruelty, and pornography, which are in opposition to the Khmer tradition and culture, is a negative invisible influence, encouraging adolescents to be overwhelmed with excitement, to lose their self control, and to commit unacceptable behavior.

Even though Cambodia has a number of laws protecting children, such as a law on the Suppression of the Kidnapping and Trafficking/Sale of Human Persons and Exploitation of Human Persons, the law enforcement is not effective and information about the existing laws does not reach remote areas. Some cases are not handled through legal procedures, for some law enforcement officers are corrupt.

It is not only girls who suffer from this phenomenon. Boys have also become a target of foreign pedophiles and sex tourists for sexual and pornographic activities. They amuse their sexual desire and publicize pornographic materials in magazines and on Internet sites in order to attract other customers. In addition to some foreigners who are tourists, and some expatriate staff of certain organizations or businesses, most sex customers are local Cambodians.



These factors contribute to making Cambodia a destination for child trafficking and sex tourism. Too many boys and girls have experienced this tragedy. In consequence, they have lost their educational opportunities. Instead, have their mental, spiritual, and physical development damaged, and they have to bear the brunt of discrimination from their communities. Moreover, many child victims are infected by sexually transmitted diseases, especially HIV/AIDS. These are major obstacles affecting the development of Cambodian society, both for the present and the future.



Relevant International Instruments

- UN Convention on the Rights of the Child, Articles 34 and 35
- ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.
- Convention on the Elimination of Discrimination against Women (CEDAW), Article 6.
- Stockholm Declaration and Agenda for Action, 1996.
- Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child prostitution and Child Pornography.
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

3

Actions Taken by The Royal Government and Non- Governmental Organizations

Relevant Cambodian Law/Regulations/Documents

- The Constitution of the Kingdom of Cambodia (1993), Articles 46, 48.
- Provisions Relating to the Judiciary and Criminal Law and Procedure Applicable in Cambodia during the Transitional Period (UNTAC Criminal Law, 1992), Articles 35, 36,41, 42(3).
- Law on Anti-Terrorism (1992), Article 2.
- Law on the Suppression of the Kidnapping, Trafficking/Sales and Exploitation of Human Persons (1996), Articles 4 and 8.
- Decree from Ministry of Justice establishing the National Children’s Rights and Child Exploitation Protection Commission (June 1997).
- Sub-decree No. 32 SD of the Council of Ministers on organizing and controlling movies and videos (14 June 1989).
- Decision No.14 on the Creation of the Inter-Ministerial Commission for Suppression on the Exploitation on Performing and Selling of Pornographic Video Cassettes in Phnom Penh (9 May 1996).
- National Assembly Committee on Human Rights and Receipts of Complaints report on Exploitation and Trafficking Issues in Cambodia (September 1997).
- National 5 Year Plan Against Trafficking And Sexual Exploitation of Children (2000-2004).
- Declaration on measures to be taken for the implementation of the National 5 Year Plan Against Trafficking and Sexual Exploitation of Children (April 2000)



Actions Taken by The Royal Government and Non-Governmental Organizations

After the First World Congress in 1996, both the Royal Government and non-governmental organizations involved in this particular issue have been actively trying their best to develop and implement policies and programs in order to prevent and eliminate trafficking and sexual exploitation of children in Cambodia. The following are the main achievements in both policies and practices:

Policies

Cambodia has passed a law on the Suppression of the Kidnapping, Trafficking/Sale and Exploitation of Human Persons, a law on Drug Control, and a Labor law, etc. The Royal Government has paid high attention in the development of policies and issuing a number of decrees, circulars, and decisions to take measures against the problem. These include circulars prohibiting the sale, rent, and showing of cruel or pornographic videos, prohibiting TV stations from showing scenes of rape or pornography, and prohibiting that children act in programs without educational value that would affect them.

In particular, the Royal Government has developed a National Five-Year Plan Against Trafficking and Sexual Exploitation of Children. There was active involvement from local and international organizations in providing inputs. In order to monitor the implementation of this plan, the Cambodian National Council for Children created a Sub-Committee against Trafficking and Sexual Exploitation of Children headed by the Secretary of State of the Ministry of Interior.

Practices

For Prevention, the Royal Government as well as non-governmental organizations have done a great deal of work to raise awareness on children's rights, especially the issue of trafficking and sexual exploitation of children through radio and TV programs, workshops, dramas, rallies and marches, production and dissemination of awareness raising materials such as posters, magazines,

bulletins/newsletters, calendars etc. The issue of trafficking and sexual exploitation of children is being integrated into the formal and informal education systems. Meanwhile, non-governmental organizations and relevant Ministries have had good cooperation in organizing campaigns in some provinces and cities where the problem are acute. Some international organizations have worked hand in hand with the Royal Government in conducting trainings for government officers of relevant Ministries and departments, setting up watchdog groups in communities, providing food security programs and mobilizing communities to take part in monitoring and protecting children.

For protection, the Royal Government has established investigation groups and a legal executive task force to suppress offences and to bring offenders to justice. An on-call team and a 24- hour hot line have been set up. Non-governmental organizations have engaged actively in investigating and helping rescue child victims, providing legal assistance to child victims, conducting a comparative legal study on Cambodian laws and the Convention on the Rights of the Child, and developing a legal handbook for law enforcement officers. Trainings and disseminating laws to strengthen the capacity of law enforcement officers have been conducted in the framework of Ministries, and national and international organizations. In terms of international cooperation, the Royal Government of Cambodia is part of the Interpol network and has done extraditions with Thailand and China. The Royal Government actively cooperates in implementing the UN Inter-Agency Project Against Trafficking of Women and Children in the Mekong Sub-Region.

For Rehabilitation, the Ministry of Social Affairs, Labor, Vocational Training, and Youth Rehabilitation has created and managed the structure of supporting services and emergency rescue. Non-governmental organizations play an important role in providing services to child victims by setting up shelters and offering literacy education and vocational training, health service and psychological counseling, as well as helping to find jobs and providing credit for survivors to make a living.

Non-governmental organizations have also focused on reintegrating child victims back to communities. Main activities conducted so far include contacting the networks of provincial social affairs department and local authorities to have the reintegration forms filled out, reconciliation with families and neighbors, facilitating earning a living through providing materials, funds, and skills for their families, finding markets etc., as well as providing



counseling to the victims and their families. In case a child cannot be brought back to his/her family, some non-governmental organizations used other options like renting houses for them to live in groups for a certain period and finding jobs for them or finding alternative shelters with the on-going follow-up. In case of cross-border reintegration, the Royal Government has joined forces with IOM and UNICEF to reintegrate women and child victims of trafficking back to their homeland. In this regard, non-governmental organizations have participated actively with the Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation in following up this reintegration program.

Good practice of the Ministry of Interior in the implementation of the Law Enforcement Against Sexual Exploitation of Children Project

On the 4th of April 2000, the Ministry of Interior signed a Memorandum of Understanding with IOM, SCN, UNCOHCHR, UNICEF and WV, for the provision of technical and financial assistance to implement the Law Enforcement Against Sexual Exploitation of Children Project. To prepare for the project, WV Cambodia undertook a needs assessment study of current law enforcement efforts, barriers and opportunities. This involved consultation with NGOs International Organizations, Police commanders and offices. It had the full cooperation of the Ministry of Interior and involved a review of previous capacity building projects with the judiciary and the police. Results were used to design strategies for the project.

The objective of the project is to protect Cambodian children from sexual exploitation and abuse by enhancing the capacity of the police to investigate cases, to rescue victims, to use referral systems and to arrest offenders and send them to court.

The Project Coordination Committee is chaired by the Secretary of State of the Ministry of Interior and works closely with the Project Steering Committee, of which the 5 supporting organizations are members.

The first task of the project was to develop training materials and manuals with assistance from international police experts and Ministry staff.

The second task was to train the commissioners, deputy commissioners and deputy commissioners in charge of Judicial Police and to organize workshops within 13 provinces and municipalities.

The third task was to perform technical investigation to selected police, judges and prosecutors in Phnom Penh city and also to establish 2 special bureaus, the Juvenile Protection Bureau and the Anti-Trafficking Bureau.

Another important component of the project is the setting up of a Hotline for reporting cases of sexual exploitation and trafficking which operates 24 hours a day and 7 days a week.

From 15 October 2000 to 15 October 2001, 186 cases have been reported to the Project Team, mostly through the Hotline. 311 victims have been rescued from sexual exploitation or from other sex offences, including 150 under 18 years of age, and 75 offenders have been arrested and sent to court. Among them, 19 had raped children below 15 years of age.

The factors that contributed to the success of this project are:

- Government policies and the National 5 year Plan
- Instructions given by the General Direction of the National Police
- A Memorandum on the 4th of April 2000 which contributes very much to the project running
- Technical and financial assistance from the international community
- Close collaboration with courts, government agencies, NGOs and neighboring countries
- Efforts and commitment of all the police in the ministry and in the provinces
- Inventiveness to use existing resources effectively.

Good Practice of Prevention Program run by the Children and Love Association

In 1999 the Children and Love Association (CLA) started the “Children’s Rights and Child Protection” program in 14 villages in Mésang district, Prey Veng province, where children have been targeted for trafficking for sexual exploitation. The objective of the project is to prevent and protect children from trafficking and sexual exploitation and worst forms of child labor. The project has been financially supported by Save the Children-UK and implemented in close cooperation with the Departments of Child Welfare and Labor Inspection of the Ministry of Social Affairs, Labor, Vocational Training and Youth Rehabilitation; provincial Rural Development and Agriculture Departments; and Human Rights Vigilance of Cambodia. This project has been undertaken through a network consisting of child peer educators, village development committees, mother-to-mother groups, father-to-father groups and local authorities.

CLA has provided trainings to the above network on children’s rights and issues related to child trafficking in order to strengthen this mechanism for protecting children within their communities. With the coordination of CLA, the network has been tasked as followed:

- Developing teaching materials and documents related to trafficking and sexual exploitation of children.
- Conducting trainings on information collecting methods to members of children’s clubs and focal persons.
- Conducting TOT training for members of children clubs and focal persons on children’s rights and issues related to child trafficking so that they are able to continue to pass the knowledge to communities and relevant institutions.
- Disseminating relevant information to parents and communities.

The project has three components: children’s rights training, micro credit and food security, and encouraging children to schools. After 2 years of project implementation, the following results have been highlighted:

- The number of children sent to work in the cities has been reduced about 70%.
- 1125 out of 1500 children, who had left and not been enrolled in school, have returned to schools.
- More than 7000 adults and 5000 children have gone through sensitization sessions on child rights and issues related to child trafficking.
- From June 01, 2000 to August 31, 2001, the project has successfully prevented 23 cases of cheating children for trafficking and sexual exploitation involving 67 girls aged from 12 to 16 years old reported by child peer educators, children clubs, and focal persons.

This project can be implemented successfully due to:

- High commitment and good relationships between child peer educators, children’s clubs, focal persons, and other network members within the targeted communities.
- Good cooperation of local authorities.
- High participation of the communities in reporting cases or information in time.
- Prevention activities have been implemented in close linkage with other project components especially a food security program.

“I entered Thailand to work as a rice sack porter with my friends. There I was injected with drugs to make me strong in order to work harder. Then I could not stand the work, and escaped back to Cambodia and worked as a shoe shiner in Phnom Penh. One day a foreigner asked me to go to his house. He asked me to have sex with him and paid me \$30 for one time. I hate foreigners!”

Said T.V.N, a 14 years old boy.

“ I was born in Poi pet. I lived with my grandmother, for my parents divorced. One day a neighbor came to me and persuaded me to work in a Chinese noodle restaurant, so that I could earn some money to make a living. I agreed to go with the person; but the person sold me to a brothel in Thailand. There, I was forced to serve many clients. I was warned that if I did not agree to serve the customers, I would be sent to work in Krong Theb, a place where I would not be allowed to see even the sunlight. Then I managed to escape, and nowadays CWCC is trying to sue the person who cheated me.

Said K.S.N, a 17 years old girl.

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4

Challenges and Difficulties Faced



Challenges and Difficulties Faced

Despite many efforts made by the Royal Government and civil society, children fall into prostitution everyday, as noticed in reality. Through experience in the implementation of the National Five-Year Plan Against Trafficking and Sexual Exploitation of Children, the following difficulties, gaps and challenges have been highlighted:

A. Prevention

- Dissemination of information about relevant laws is not broad, and the legal texts and terms are difficult to understand for the people, especially at grass root level.
- Media systems such as newspapers, radios, and televisions do not concentrate enough on trafficking and sexual exploitation of children or cover the whole country, especially the remote areas. Moreover, the cost of broadcasting is high.
- It is difficult to mobilize villagers to come to learn about the problem, because they are poor and have limited education.
- People do not actively provide information to authorities, as they fear for their own safety.
- Having sex with young virgins is a preference for customers; as a result the demand for child trafficking has increased.

B. Protection

- Laws are not adequate, there are gaps in laws, and no separate laws for children.
- Law enforcement is not effective, because some law enforcement officers and people do not know the laws. Furthermore, there is corruption, for example: intervention is made by powerful individuals when children are rescued; some cases do not follow legal procedure but instead give compensation to victims or their families without charging the offenders; some local officers hide information and threaten victims not to complain; and legal procedure to handle cases takes a

long time.

- There are no judges specialized in children affairs; some law enforcement officers lack expertise in children's rights; and judges pay less attention to lawyers' conclusions and child victims' answers while considering cases.
- Lack of good cooperation among police, judges, prosecutors, clerks of the court, and local authorities.
- Evidence to prosecute offenders is usually insufficient, for the people do not know about the importance of maintaining the proof.
- There are import, usage, production, and trade of drugs.

C. Recovery and Rehabilitation

- There are insufficient rehabilitation centers, vocational training centers, and centers for children who are HIV positive.
- The skills and capacity of staff working in fields like child psychology and counseling are still limited.

D. Reintegration

- Some child victims cannot identify themselves or give their own addresses.
- Discrimination makes it hard for child victims to adopt lives in the communities.
- Despite having gone through vocational training, survivors cannot make a living because some certain skills do not meet the needs/demands in the market; funds to provide direct support are limited.
- Most child victims are illiterate and both physically and mentally weakened; that makes it difficult to train and find them a job.
- A further challenge due to lack of capacity from the Government and NGOs in adequate follow up to reintegrated children when they are back in the community.



E. Coordination and Cooperation

- Data collection systems and monitoring mechanisms on the implementation the national plan are not in place at all levels, causing a shortage in accurate statistics about trafficking and sexual exploitation on children and in exchange of information and experiences. Materials produced are not widely shared or disseminated.
- The participation of children and non-governmental organizations in monitoring the implementation of the national plan is still limited, while the capacity and ability of coordinating officers and budgets for this work is low.
- Cooperation with media people to disseminate information and advocate for effective implementation of laws, policies and related programs is still limited.
- There is no good cooperation with the private sector in prevention and rehabilitation activities, training, and job provision.

The East Asia and Pacific Regional Commitment Against Commercial Sexual Exploitation of Children, October 2001 in Bangkok

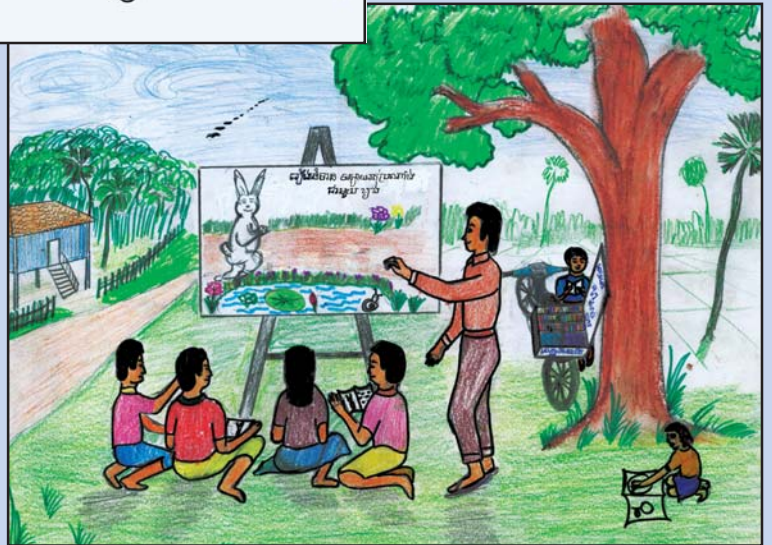
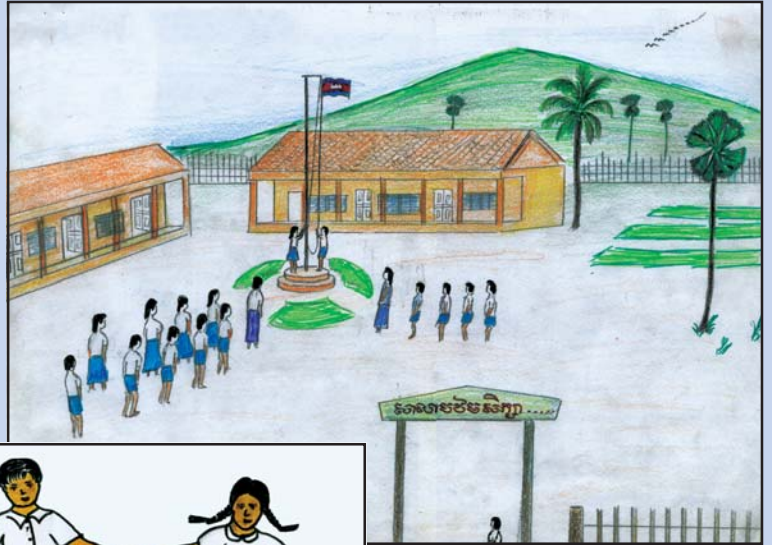
We commit ourselves to taking action on the following:

- Ensure effective implementation of the Convention on the Rights of the Child and the Stockholm Declaration and Agenda for Action and undertake to provide sufficient resources for this purpose;
- Support the process leading to the Second World Congress;
- Encourage early ratification of the relevant international instruments for child protection, including ILO Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;
- Aim for integrated and comprehensive measures against Commercial Sexual Exploitation of Children (CSEC);
- Improve laws and related procedures, policies, programs and mechanisms, and train personnel against CSEC, while treating sexually exploited children as victims and not as criminals;
- Address the interrelationship between CSEC and child trafficking, and improve laws to combat the phenomenon, while ensuring that the child victims of trafficking are not classified or treated as illegal immigrants and that they are able to access support systems to protect their security and safe return home;
- Enhance cooperation and coordination against CSEC among governments, NGOs and others members of civil society, the private sector, the media, inter-governmental organizations, including regional organizations, and young people;
- Improve research and data gathering to inform policy and programs to address CSEC;
- Improve the monitoring process at all levels concerning CSEC and ensure its sustainability and
- Strengthen young people's meaningful participation against CSEC and support their activities and networks on child protection.

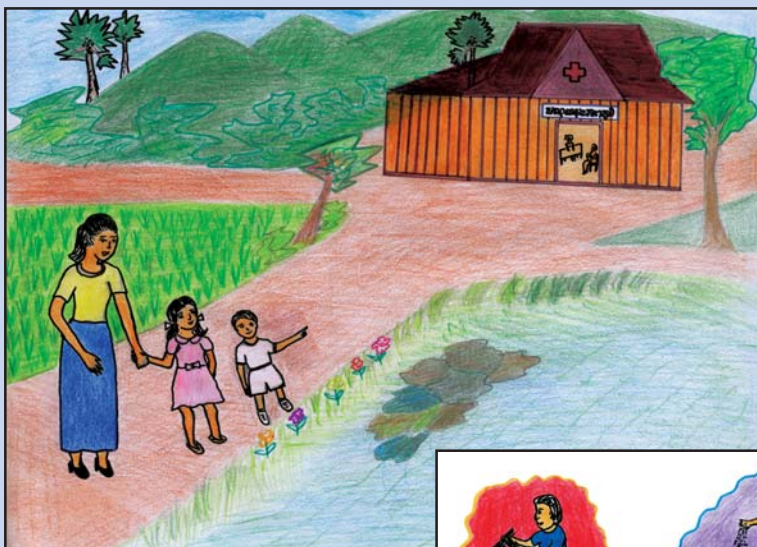
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Children's and Young Peoples' Dreams and Recommendations

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Children's and Young Peoples' Recommendations

The Royal Government

- The Royal Government should raise more awareness on the issue through formal and informal education systems and encourage communities to solve the problem jointly.
- The Royal Government, especially the Ministry of Information and the Ministry of Culture and Fine Arts, must prevent and abolish the inflow of unacceptable culture by controlling the import and broadcasting of foreign culture such as series, videos, and sexy magazines which are instruments that cause sexual desire leading to the sexual violation of children.
- Build adequate schools, allowing poor children to study without paying so that they can understand more and protect themselves from being cheated; moreover, help poor families by increasing family income in order that the parents will not sell their children or relatives.
- Crack down on brothels, rescue child victims, increase the number of centers to take care of child victims in areas where there is no such center, and provide vocational training for children, to help them have an appropriate living standard in the future.
- Increase education and expand the coverage of the media system widely, especially broadcasting about the Convention on the Rights of the Child and the problem of trafficking and sexual exploitation of children to all regions.
- Adopt the law against domestic violence and eliminate all kinds of big and small gambling places that cause child trafficking.
- Ensure the security of children by taking firm actions as quickly as possible to eliminate transnational trafficking of children.
- Strengthen law dissemination and enforcement of the law on the Suppression of the Kidnapping, Trafficking/Sales and Exploitation of Human Persons, and make the existing measures effective by severely punishing offenders.
- Set up committees to monitor the trafficking and sexual exploitation of



children in provinces, cities and borders.

- Crack down on corruption by strict action for local authorities; punish any authority that collaborates with brothel owners especially severely.
- Ensure the participation of children and young people in planning, implementing, monitoring, and evaluating the program for eliminating trafficking and sexual exploitation of children.
- The Royal Government should strengthen cooperation with other countries in the region through exchanging experiences with each other and taking written measures or setting up laws to co-implement in an effective manner.
- Take firm actions to prevent the importation and usage of all kinds of drugs in Cambodia, and seriously punish offenders. Upgrade the awareness of the public, especially children, about the impacts of drugs. Intervene immediately to rescue children who use drug in order to work closely with them, and establish centers for rehabilitation and healing drug addiction to provide opportunities for children to change their behavior and take part in social activities without discrimination.
- Work hand in hand with non-governmental organizations to raise awareness on AIDS and its impacts on families and communities.
- Ensure no discrimination against children who are victims of trafficking and sexual exploitation, children infected by AIDS, and children who used to be drug addicted.

Non-governmental Organizations

- Monitor and investigate in detail the trafficking and sexual exploitation of children, and closely cooperate with relevant Ministries in rescuing child victims, provide health care and encouragement for children, and increase informal educational programs and vocational training for children.
- Disseminate and broadcast about children's rights, the issues of trafficking and exploitation of children, and related laws to people who live in remote areas so that they understand about the issue and support, and remind the Royal Government about children's recommendations.
- Strengthen the ability of children, young people, and relevant staff to ensure the quality of children's and young people's participation in eliminating trafficking and sexual exploitation of children.

Families and Communities

- Families, parents, and responsible persons should be aware of children's rights. Children, whether girls or boys, should be sent to school without discrimination. Parents should provide good advice to their children, explain to them about social issues and solutions, and give warmth and motivation to children so that children can use their rights properly, including the right to express their ideas. Parents should not use children as means to resolve their personal problems and should not use domestic violence within the family.
- Communities should pay attention to children without discrimination, and should advise others not to have domestic violence in their families. Communities should also make an atmosphere of trust between the villagers and local authorities, so they can help each other. Local authorities should have regular meetings to provide new information and knowledge related to the issue of trafficking and sexual exploitation of children.

Children and Youth Groups

- Children's groups have to be courageous and dare to speak out the truth of the problems related to trafficking and sexual exploitation that they have met or experienced, because children are important witnesses who can find the offenders. Children's groups must be brave to advocate the issue to relevant key actors, including the Royal Government.
- Children should cooperate with youths both in and outside the country in order to help child victims and children who are vulnerable to trafficking and sexual exploitation. Children should know how to protect their rights by using all of their potential for protecting the best interests of children.



- Youth groups must act as role models for children, and should motivate child victims so they do not feel hopeless. Youth groups are effective intermediaries and catalysts in counseling and raising awareness to make children understand about the Convention on the Rights of the Child, the problem of trafficking and sexual exploitation of children, and advocacy on behalf of child victims and vulnerable children.
- Cambodian youths, together with youths of the countries who adopted the Stockholm Declaration should build up network, join forces in finding solutions to this problem, and play a role as observers in the implementation of the law against trafficking and sexual exploitation of children of each government.

My Views Concerning Commercial



H.E. Mr. KEM Sokha, Chairman of Commission Human Rights and Reception of Complaints of the Senate:

“... Concerning CSEC, we have some laws and mechanisms but the real implementation is still weak due to the ineffective law enforcement and the lack of protection mechanisms throughout the country. Poverty is also one of the factors contributing to increasing CSEC in Cambodia. We need more laws protecting children, and a wide dissemination of existing laws. The Senate will push for fast adoption of laws drafted by the government to fill the gaps in the existing laws and to facilitate the work of the courts so that no wrongdoer can escape from the law. In order to produce good laws, the National Assembly and the Senate must hold public sessions, before adopting the law, to get comments from our people especially civil society. Civil Society or the public can also give inputs to draft laws through MOSALVY and other relevant ministries, so that as a result, a good draft law can be made and submitted to National Assembly and Senate...”

H.E. Mrs. MU Sok Huor, Minister of Women’s and Veterans’ Affairs:

*“... Children’s problem is everyone’s concern, which demands an effective solution with the parallelism of both social and economical development. The Ministry of Women’s and Veterans’ Affairs particularly has its 5 year plan called **Women are precious Gems**, promoting the rights of women including young ladies and girl children. At the present time we are promoting an awareness raising campaign on the issue of SCEC, which is the most serious problem in 6 different target areas...”*



Mr. Ole Bernt HARVOLD, Resident Representative of Save the Children Norway, and Coordinator of Save the Children Alliance-Cambodia:

“... CSEC is a huge and complicated problem. There have been a lot of efforts made by the Government, but the problem is still expanding. We need to work with people at all levels, from community to policy-makers. SCN is trying to focus more and more on the Prevention. What we can do with our existing program is trying to integrate CSEC issues in the school curriculum, so that we can reach more children. Recently, Save the Children Alliance has established a working group for Child Protection ... we can try to include this work in other programs of the Alliance’s members...”

SEN Jeunsafy, 19, President of Child Assistance for Mobilization and Participation (CAMP), a youth organization:

“... Allowing children and young people to participate is very useful, because they can spread the information quickly and they know their problem... We will lose a lot without their participation in addressing social problem! CAMP is co-implementing a prevention project on CSEC linked to tourism with World Vision and the Ministry of Tourism from late 2001 up to 2003. Children and Young People would like to join hands with adults to build our society, however, we need opportunities, encouragement and good models...”



Sexual Exploitation of Children



H.E. Mrs NIN Saphon, Secretary of the Commission Protection of Human Rights and Reception of Complaints of the National Assembly:

“... Many policies, laws and measures have been passed by the State to protect Human Rights, especially Children Rights. Unfortunately, we still face many problems of which violence on children and child sexual exploitation are the most serious concerns. Regarding CSEC, the Parliament adopted a Law on Suppression of the Kidnapping, Trafficking / Sales and Exploitation of Human Persons which is presently being enforced seriously. Recent significant measure of the Government is the closing of Night Clubs and Karaoke, which is a source for violence and sexual exploitation of children and women. We have commitment and political will against the above problems in both executive and legislative bodies, but there is insufficient means for effective implementation. We are welcoming all commitments and support from the International Community to promote and protect Children’s Rights and to eliminate all forms of child exploitation...”

Louis-Georges ARSENAULT, Country Representative of UNICEF Cambodia:

“... I would say that the situation has been really serious, not decreasing. We could also see a lot of efforts have been made. We cannot include children in such sex trade; this is a shame of the whole humanity. We must have zero tolerance to CSEC anywhere, in Cambodia and the World. To me, we must look at the holistic picture and tackle the problem from the root causes like the demands for Child Sex and poverty. Also we should look at the legal structure, providing legal assistance to protect children and bring offenders to justice. Then it is critical to talk about awareness raising for people in the community, especially parents and children. I would like to see the young generations are able to cross the bridge from primary school to at least the secondary school. Many children have been brought to prostitution by tricks; such things could not have happened if they had received good education. So we must ensure the quality of education especially for girls. For Unicef, CSEC is a top priority. and in our new global strategy, which has recently been adopted, Child Protection is one of the five main priority areas...”



EM Chanmakara, 17, Chairperson of Children’s Committee:

“...The CSEC problem is increasing so that the authorities need to control it seriously. Schools must also strengthen discipline strictly, especially control the unreasonable absences of the students, in order to prevent them from quitting school, which possibly leads to prostitution. Another thing, for the Government to consider, is the control of border crossing, which is a way for transnational trafficking. The Children’s Committee has a strong commitment to support putting an end to CSEC in Cambodia, with the activities like CRC awareness raising through concerts and workshops with children and young people’s network in Phnom Penh and some provinces.”

Recommendations from the UN Committee on CRC

The Committee recommends that the state party:

- Review its legislation with a view to reinforcing it, and in the meantime to enforce fully its current legislation against sexual exploitation, and prosecute violators,
- Fully implement the Plan of Action and allocate sufficient resources, both human and financial for its implementation,
- Strengthen and expand social services for the rehabilitation of child victims of sexual exploitation,
- Strengthen bilateral cooperation especially with neighboring countries and increase border controls,
- Seek further technical assistance from OHCHR and UNICEF.

6

Ways Forward

Appeal from H.E. Mr. Sok An, Senior Minister, Minister in charge of the Office of the Council of Ministers

(during the closing ceremony of the National Workshop on Implementation of the National Plan to Combat Trafficking and Sexual Exploitation of Children, October 10, 2001)

We already know that consistency and coordination are the determinants of success. Taking this opportunity, I would like to appeal as follows:

- Ministries and stakeholders concerned should have good coordination, and the National Council for Children should play a coordination role and enforce control mechanisms.
- There should be a unit established to file complaints in cases of trafficking in women and children abuse, and a lawyer's group to defend victims.
- Encourage women, victimized children, and their families to cooperate with local authorities to search for offenders and file complaints against them.
- The Ministry of Education Youth and Sports should ensure better education programs on the rights of children.
- Labor unions in companies and factories should educate workers on liberty and the possible consequences resulting from sexual intercourse and improper acts.
- The Council of Jurists of the Office of the Council of Ministers looks forwards to working cooperatively to draft laws regarding the rights of children.



Ways Forward

The recommendations from children and young people are crucial. Recommendations have also been developed from NGOs, International Organizations, and government bodies through a process of workshops and consultations.

The recommendations can be carried out effectively only if there is enough political will to give the fight against trafficking and sexual exploitation of children a top priority, including provision of appropriate financial and human resources and political commitment to actual implementation.

Moreover, as this issue is a global phenomenon, close cooperation among countries in the region and around the world, with collaboration between governments, non-governmental organizations, international organizations, the private sector, communities, and especially children who know exactly what their problems and needs are, is the key factor to lead to the total abolishment of trafficking and sexual exploitation of children, which is a form of intolerable child rights violation.

A. Prevention

The Royal Government

- The Royal Government should increase education and widely expand the dissemination of information about trafficking and sexual exploitation such as the law on the “Suppression of the Kidnapping, Trafficking/Sales and Exploitation of Human Persons”, the Convention on the Rights of the Child, tricks of offenders, and consequences of sexual exploitation and domestic violence on children to communities and tourist-service providers through workshops for relevant officers and media networks. Cooperate with private services in including short spots into programs of radios, televisions, films, and videos and promote the involvement of the Ministry of Religion in spreading the above information and knowledge through Buddhist ceremonies and pagodas.

- Encourage and make it possible for all children to attend school, and increase the education about the Convention on the Rights of the Child, issues concerning trafficking and sexual exploitation of children, AIDS, the consequences of using drugs, and reproductive health into formal and informal education systems.
- Strengthen and expand child protection networks in villages, and also set up networks from national to local level in order to receive and provide information related to trafficking and sexual exploitation of children in a timely way; spread information about this mechanism widely.
- Strengthen the official recording of births, raise awareness about the importance of having birth certificates, and make birth registration compulsory.
- Strengthen and raise national cultural values, and take firm actions to control the inflow of foreign culture against Khmer traditions and culture.
- Alleviate poverty through micro-credit, vocational training, and food security programs.

Non-governmental Organizations

- Non-governmental Organizations should widely expand and strengthen prevention programs by promoting the participation and responsibility of media network, communities, and pagodas. Increase the production of awareness raising materials such as short documentaries, short spots, and posters, and properly control contents and pictures, and disseminate as far as possible throughout the whole country.
- Strengthen and expand the child-to-child approach in the prevention and protection of children from trafficking and sexual exploitation, especially in targeted and vulnerable areas.
- Conduct extensive study and research to find out actual statistics of trafficking and sexual exploitation of children, with regular follow-up on the evolution of the situation within communities.
- Cooperate with the Royal Government, especially the Ministry of Rural Development and the Ministry of Social Affairs, Labor, Vocational Training, and Youth Rehabilitation, in developing family income-generation programs, particularly in remote areas, through providing skills and credit.



Communities

- Local authorities should record children's statistics carefully, according to the different kinds of children's problems, and educate children in the villages to make them aware of signs of danger, tricks of offenders, and ways to protect themselves.
- Parents should never force their children to go outside the community to make money in order to help family burdens, but advise their children and inform the authorities in case there are suspicious persons or potential problems concerning trafficking and exploitation, so that local authorities take action in time.
- Strengthen and expand community working groups, such as village development committees, parent committees, and child to child groups to protect children in the communities.

Private Sector

- The Private Sector should respect and effectively implement laws, declarations, circulars, etc., especially Cambodian laws concerning importation of products and foreign culture, which badly affect or contradict Khmer culture and custom.
- Disseminate information to employees to encourage awareness, prevention activities, and immediate reporting to authorities when encountering with suspicious events.
- Newspapers, radios, and private televisions should actively prevent child trafficking and sexual exploitation through broadcasting, always respecting the rights to privacy of children.
- Private services, especially tourism services, should set up policies on banning trafficking and sexual exploitation of children, and put up leaflets, posters, banners, billboards etc. against sexual trafficking of children at guest houses, offices, hotels, and brothels.

B. Protection

The Royal Government

- The Royal Government should ratify and effectively implement relevant international instruments for child protection, including the ILO Convention No. 182 concerning the Prohibition and Immediate Action for Elimination

of the Worst Forms of Child Labor, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

- Effectively implement recommendations of United Nations Committee on the Rights of the Child concerning the issue of trafficking and sexual exploitation of children.
- Develop special laws for children in line with the Convention on the Rights of the Child as well as effectively strengthen law enforcement and charge all offenders without exception.
- Amend the law on the Suppression of the Kidnapping, Trafficking/Sales and Exploitation of Human Persons by defining clearly the age for possible sexual consent; also include the charges for those who involve/use children in pornographic activities.
- Provide training on the Convention on the Rights of the Child and related laws for judges, prosecutors, law enforcement officers, and lawyers to strengthen their role, capacity and ability in the fight against child trafficking and sexual exploitation.
- Establish separate offices to receive children's complaints, and designate lawyers, judges, prosecutors, and law enforcement officers specialized in handling children's cases.
- Set up special hotline arrangements in all provinces throughout the country for receiving information and calls for help when there are problems of child rights abuses. Widely inform people about this service. Set up mechanisms to support and protect child victims, child witnesses, and individuals who report about trafficking and sexual exploitation to the authorities.
- Increase the number of female law enforcement officers as much as possible and effectively strengthen cooperation amongst law enforcement institutions.
- Intensify control over brothels, and massage and karaoke clubs where sexual exploitation of children is suspected.
- Cooperate with neighboring countries in abolishing sex videos, pornography, and trafficking of drugs, which are important factors leading to child trafficking and sexual exploitation and debauchery in society.



Non-governmental Organizations

- Non-governmental Organizations should strengthen and expand child protection mechanisms/networks throughout the country by cooperating closely with local authorities.
- Widely disseminate information about related laws to law enforcement officers and communities, strengthen and expand free legal assistance for child victims.
- Strengthen legal committees in researching, examining draft laws related to children, and make recommendations to the government for improvement.
- Strengthen or set up a committee with clear strategies, appropriate resources, and plans to advocate and protect children from trafficking and sexual exploitation.

Communities

- District and commune chiefs and local authorities should have knowledge on the Convention on the Rights of the Child, on the law on the Suppression of the Kidnapping, Trafficking/Sales and Exploitation of Human Persons, and take firm action to eliminate pornographic videos, brothels, and gambling places.
- Create mechanisms to receive and handle complaints in time, and encourage people to protect themselves and not to hide information but to dare to file complaints.

Private Sector

- Cooperate with the responsible authorities in rescuing child victims and arresting offenders.
- Owners of karaoke and massage clubs must not force or allow children under 18 to serve the customers in any sexual way.

C. Recovery and Rehabilitation

The Royal Government

- The Royal Government should increase the number of rehabilitation centers and transit centers for child victims in areas where problems happen, and establish care centers for children who carry the HIV virus and have AIDS.
- Strengthen and expand training for government staff on relevant skills such as counseling, child psychology, etc.
- List/map the organizations that provide services for child victims and disseminate information about the services widely.

- Strengthen the cooperation with the private sector in providing young people with appropriate skills for which there is a market.
- Allocate appropriate funds for recovery and rehabilitation programs; ensure support services, including free health care for child victims.

Non-governmental Organizations

- Non-governmental Organization should increase temporary centers for child victims, and work together with government in building human resources to work in the fields of rehabilitation and building the capacity of child survivors.
- Provide appropriate vocational training, with prior detailed studies about market demand in relation to the needs of local communities.

Communities

- Communities should support and encourage child victims, and cooperate with programs, and share experiences and skills.

Private Sector

- The Private Sector should collaborate and provide spiritual, material and financial support to recovery and rehabilitation programs.

D. Reintegration

The Royal Government

- The Royal Government should strengthen the capacity, roles and responsibilities of social action officers, local authorities, communities, teachers, monks, and village development committees in supporting and following up the welfare and security of children who have been reintegrated and provide information to relevant organizations in case any problem happens.
- Develop agreements (memorandum of understanding) to facilitate cross-border reintegration. In this case, governments of related countries should provide temporary centers to stay before the victims are sent back to their native countries, keeping them separate from other prisoners, and provide health services and counseling etc.
- Arrange meetings with the private sectors to improve working conditions of youth, and encourage private sectors to respect and implement laws, declarations, and regulations.



Non-governmental Organizations

- Non-governmental Organizations should cooperate with local authorities to protect and monitor the reintegration process of child survivors.
- Eliminate discrimination through family and community education about the issues and its impacts on children, and change the attitude of communities to treat sexually exploited children as victims and not as criminals.

Communities

- Communities should set up community funds and support child victims through fund raising.
- Acknowledge and pay attention to children who have been reintegrated; ensure children are not discriminated against or looked down on.
- Important persons in the village such as monks, clergy and elders have to participate in the protection of targeted children and families as well as the whole community.

Private Sector

- The Private Sector should build and move factories and enterprises to provinces, not just cluster in the urban areas.
- Find markets for agricultural products with suitable price.
- Respect and implement the labor law and provide jobs with good condition and appropriate salary for youth.

E. Coordination and Cooperation

- Strengthen and expand mechanisms to coordinate and monitor the implementation of the National 5-Year Plan Against Trafficking and Sexual Exploitation of Children at national, provincial, and local level; provide appropriate human and financial resources for its effective functioning; encourage active participation and cooperation between relevant institutions, local authorities, non-governmental organizations and children and youth.
- Strengthen the exchange of information and experience through regular meetings between relevant key actors including government institutions, local and international organizations, and donor agencies through organizing annual workshops at national and provincial level.
- Carefully identify target areas for project implementation with mutual

agreement between non-governmental organizations and the Royal Government to avoid overlap work and respond to the real needs.

- Strengthen cooperation at regional and international level in cracking down on offenders and rescuing child victims through exchanging information and experience, and developing memorandum of understanding and extradition mechanisms.

F. External Actors in Cambodia's Development

- Bilateral development, which is aimed at building good governance, should include assistance to the Royal Government of Cambodia on prevention and protection measures outlined in this report.
- Bilateral assistance to support the emergence of civil society should include measures, which promote youth participation at community level, and establishment of community based child protection committees.
- Multilateral agencies contributing to development in Cambodia, in particular the Asian Development Bank and World Bank include responses to concern raised in this report as action points within their poverty reduction strategies.
- That the ASEAN association includes areas outlined in this report in strategies to assist Cambodia's development as a member of this association.

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