



## CHAPTER IV

### ROLE AND CHALLENGES OF NGOs IN COMBATING WOMEN TRAFFICKING

#### 4.1 Roles of NGOs

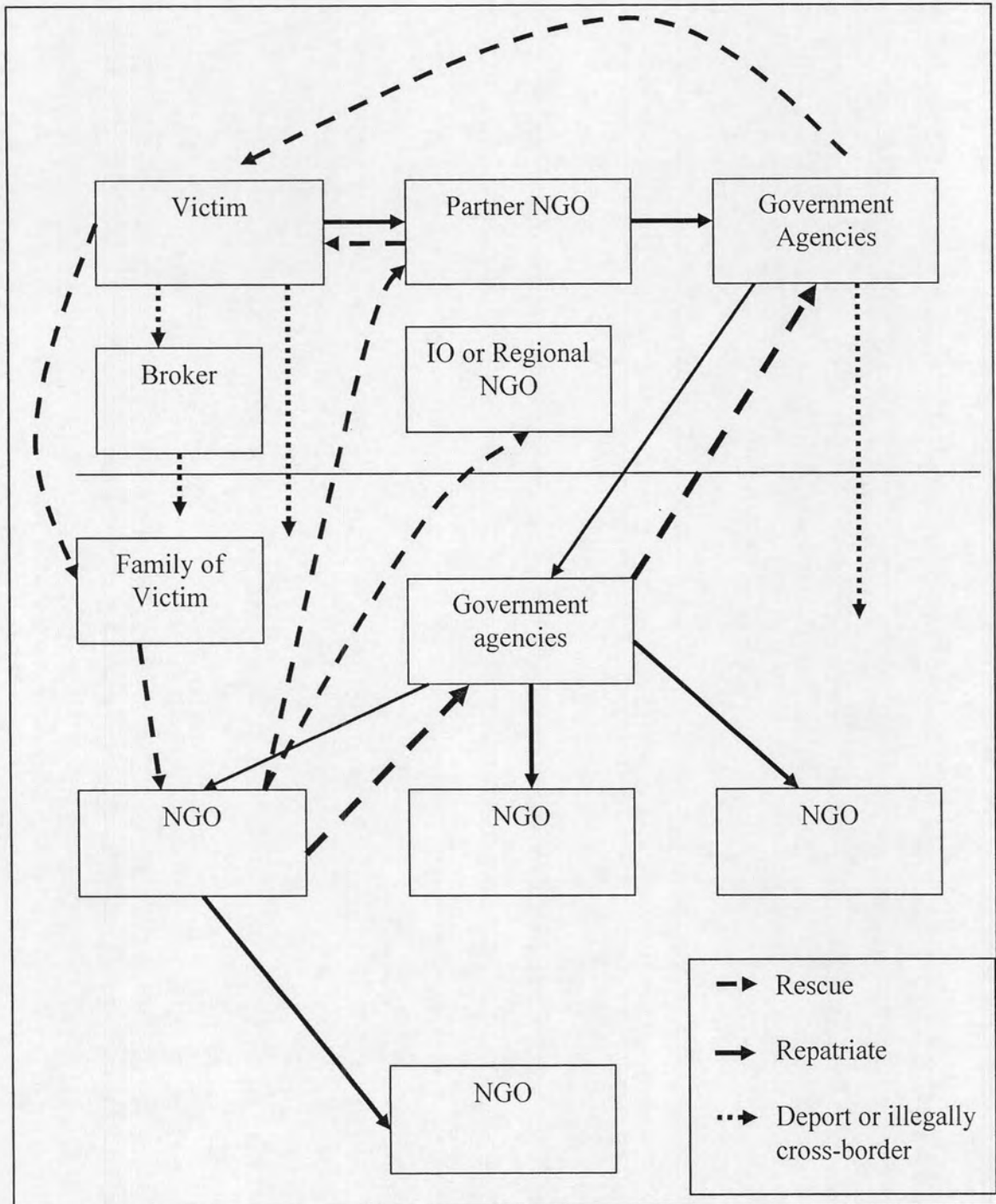
In Cambodia, nearly 200 NGOs are working in the field of trafficking. However, they must limit their activities according to their available resources. Some of them can provide only legal aid, shelter, or prevention, and some can only provide protection programs. However, according to many reports, NGOs are often credited with contributing in the fight against women trafficking. To prevent people from being preyed on by traffickers, many NGOs have offices in the provinces, and they provide many kinds of services, including advice, counseling, raising awareness through seminar meetings, and distributing pamphlets and books. Awareness can also be raised through the media, such as newspapers, TV spots, or movies. Some NGOs report on the victims' cases, the general situation of trafficking, or the policies of both the sending and receiving countries for publication in the newspapers. Recently, ILO and some NGOs collaborated with BBC to show movies such as "Taste of Life" in order to raise awareness via TV. Concerts are another useful tool, especially for attracting youth. MTVEXIT also has collaborated with NGOs and TV stations in Cambodia to set up concerts to support the new Cambodian anti-trafficking laws. However, most NGOs go to their targeted places, arrange meetings there with people, and explain how dangerous it is to trust some brokers or to migrate without legal documents or protection. And some NGOs, such as LSCW, receive funding and cooperation from Thai NGOs (such as Rak Thai) to go into some Thai border provinces to explain to Cambodian people the best ways to legalize their status, to register, and also about the rights of workers. But the most important thing is to change Cambodian expectations that the Thai government will legalize both documented and undocumented migrants during the next registration. In reality, the Thai government is reluctant to even continue the registration process with the documented migrants because

it would like to keep jobs for those Thais who lost their jobs during the global economic crisis.

Income generation is another way NGOs reduce the vulnerability of women. Income generation is another important program that those NGOs set up as the way to get rid of the vulnerability those women face in their communities. While some NGO provide some small loan to the vulnerable, others provide the scholarship to the girls to study as the way to improve and empower themselves and also to keep them longer in the school to avoid the migration.

In Cambodia, rescue missions are carried out in many ways. Some NGOs have their staff search for trafficking victims inside brothels or other sexual establishments. Sometimes they receive information from their partner NGOs and sometimes they receive information from the victims' families. The NGOs can contact government agencies, such as local or involved authorities, and also contact some IO, regional NGOs or directly to partner NGOs in the case of rescuing overseas victims. Then, that partner NGO can try to contact the victim or the authorities to orchestrate a rescue mission. Victims can be referred to a shelter where they can receive treatment and training before being repatriated through Cambodian government agencies. Then, the government agencies can refer them to an NGO shelter, and if the NGO shelter and the victim would like to file formal legal charges against the criminals, they can do so. If they do not work in the legal field, they can refer the case to an NGO member who specializes in legal aid. However, for those victims who are not identified as trafficking victims, they can be deported by government agencies to the border. However, they usually must pay for their trip and food. However, it should be noticed here that if the migrants have money and do not trust the government agencies, they can pay the broker to bring them home, or if they are brave enough, they can cross the border illegally.

Figure 3: The Rescue and Deportation Process



During their stay in the shelter, victims can receive skills training. However, those skills are very limited. The most popular skills learned are cloth making, weaving,

sewing, beautification, hairdressing, and English language. Moreover, the length of stay in the shelter can be short or long, depending on the skills or problems they have. Usually, victims can stay from 3 to 12 months. After training, they can return back to their families if they choose. They may receive some funding and equipment to start businesses. Follow up is important for the success of victim reintegration, but follow up is not usually done because of a shortage of funds. If the victims stay with their families for one year, the NGO shelter will consider the victim successfully reintegrated and the case will be closed even though it is not sure if their economic situation is better or not..

However, the most important role of the NGOs is to lobby the governments to set up national programs that fight against trafficking. In addition to creating the Ministry of Women's and Veteran's Affairs in 2001, Cambodia also created the Cambodian National Council for Women (CNCW); in 2002, the Anti-Human trafficking and Juvenile Protection Department was established; in 2003, an MOU was signed between Cambodia and Thailand to jointly combat cross-border trafficking crimes; and in 2008 the new anti-trafficking law went into effect.

NGO staffs also encounter many problems. For instance, in a 10-year review by CWCC (2006), the NGO noted being threatened with guns and grenades by pimps and their accomplices; rape, murder, and acid-attack threats via telephone; defamation against CWCC, alleging that it goes against those criminals because it would like to attract funds from donors or the compensation assigned by courts to the victim; bribing the victims to accuse CWCC of forcing her to sue the criminal; creating a website to accuse CWCC of detaining children and forcing them to sue the criminal; and one staff member was slashed (and nearly died). With such danger, some NGOs do not publicly display their addresses, especially the addresses of their shelters.

Aside from the achievements of NGOs, we should also note that the relationships among NGOs, and between the NGOs and the government, are not always smooth. While many NGOs believe that coordination is the best way to fight trafficking, many obstacles remain, including policy differences, mistrust, etc. This discourages the groups from



working together, or they will only work with those NGOs they trust. Between the government and NGOs, there can be a lot of bitterness. Despite the aforementioned achievements, the government still sometimes sees NGOs as too critical, noting that the government has set up many programs and activities to suppress trafficking that go unrecognized. NGOs also see the government as ineffective or as not having the will to combat trafficking, particularly since the business of trafficking sometimes involves high-ranking officials. All of these points will be discussed in more detail in the next section. The problems are seen more clearly through three factors: definition, statistics, and funds.

## 4.2 Challenges facing NGOs

### 4.2.1 DEFINITION

The definition of trafficking in Cambodia varies partially according to the law and the country. Cambodia had its previous anti-trafficking law since 1996 but it did not cover all aspects of trafficking, especially issues of forced labor and men trafficking (please see the Appendix 2). In 2008, the new anti-trafficking law was passed, and covered many forms of trafficking. It reads as below:

#### *Article 8*

*The act of unlawful removal in this law shall mean to:*

*1) remove a person from his/her current place of residence to a place under the actor's or a third person's control by means of force, threat, deception, abuse of power, or enticement*

#### *Article 10: Unlawful Removal with Purpose*

*A person who unlawfully removes another for the purpose of profit making, sexual aggression, production of pornography, marriage against will of the victim, adoption or any form of exploitation shall be punished with imprisonment for 7 years to 15 years.*

*The terms “any form of exploitation” in this Article and Article 12, 15, 17, and 19 of this law shall include the exploitation of the prostitution of others, pornography, commercial sex act, forced labor or services, slavery or practices similar to slavery, debt bondage, involuntary servitude, child labor or the removal of organs. (Please Appendix)*

Even though it covers other forms of trafficking, the 2008 anti-trafficking law has the same nature as the 1996 anti-trafficking law. The 2008 law seeks to suppress sexual exploitation particularly in cases involving women and children. In other words, the definition seems to reflect the government’s concern with the traditional image of Cambodian women as the perfect women. It was found, however, that the term “sexual exploitation” was defined similarly to the UN protocol, but the Cambodian law did not mention consent. In other words, this law considers all kinds of prostitution as trafficking unless the women work alone without any help or establishment. The perpetrators are those who are involved with the business and share the money with the sex workers, even though they may take more than her. Many NGOs interviewed in this study explained that family members or friends who helped find customers would be classified as traffickers. Of the money that she earns, nobody can ask for any shares; if it is shared, those that ask for the share would be considered as traffickers. Some NGOs reported that even moto-taxi drivers, hotels, or guesthouse staffs would be considered as traffickers if they facilitated, found customers, or received commission from that business.

However, this definition is not accepted by all NGOs in Cambodia. This is one reason why NGOs can not agree on the numbers of trafficking cases and why they do not work with each other. For instance, Chin Chanveasna, the ECPAT Executive Director reflected on its 63 shelter members: "ECPAT received from the report of the 63 shelters that 518 women and girls<sup>17</sup>, who had been reported being sexually exploited. Within that pool, ECPAT determined that 179 were trafficked according to their definition, meaning they were recruited, transported, transferred, harbored, received or trapped while being threatened, physically forced, coerced, abducted, deceived, abused, drugged, inebriated,

---

<sup>17</sup> girls are defined as females under 18.

sold or rented. This shows that there are not as many trafficking cases as the other NGOs think." (Katie Nelson, 13 Jun 2008)

Interestingly, while there are some who want to see prostitution considered as trafficking and all of the sexual establishments to be closed, some NGOs reported on the negative impact of closure and recommend other means besides quick closure. According to a report by Frederic Thomas (2005), who researched the impact of closing Svay Pak<sup>18</sup>, simply closing sexual establishments does not lead to the end of trafficking, but rather creates more exploitative situations for the women and girls. Before the closure, NGOs could access many of the sex workers and provide them with services (such as health) and also observe and take action against forced prostitution activities. However, since the closure, many women and girls were moved to places that are difficult to access. In addition to the existing financial difficulties those sex workers have, they are exploited by the owners of the sexual establishment and clients more since they are targeted by the authorities. Even though Cambodia law does not prohibit self-prostitution, many police take advantage of these self-prostitutes who are unaware of the laws. Some of them will be asked to pay much more money than what they should pay according to the law in exchange for their release. According to Article 24 of the new anti-trafficking law, those who are self-prostituting in public places will be fined from 3000 to 10000 Riels (around \$0.75 to \$2.5 USD) and imprisoned from 1 to 6 days<sup>19</sup>. With the wrong interpretation and implementation of the new anti-trafficking law, many sex workers did not accept the new anti-trafficking law because the police and government agencies used it to arrest and sometimes rape them. The situation is clarified in the opinion expressed here:

*"The closure of brothel parlor and the arrest of sex workers are not acceptable because it strongly affects our rights, especially because we have suffered repeated violence in the process from police and social*

---

<sup>18</sup> It is located 11 km to the north of Phnom Penh

<sup>19</sup> According to Frederic Thomas (2005), for the brothel, they have to pay around 20 dollars to bribe the police for the release of each sex workers, and around 500 to 2000 dollars for the brothel owners; Moreover, some brothels have to pay for the fee of protection to the senior police from 200 to 300 dollars daily and the local police around 5000 to 10000 riels everyday (1.25 to 2.50 USD).

*affairs center guards." (Chan Dina, a leader of the Cambodia Prostitutes Union and the representative of about 300 sex workers)*

*"One 27-year old sex worker who attended the rally said she was raped regularly while detained for three months in the Ministry of Social Affairs center in Prek Speu commune of Kandal province's Koh Thom district."*

*"I fear being arrested and locked in the center again." (Kuch Naren and Katie Nelson. 5 June, 2008.)*

The ideas expressed by these two groups on prostitution bring up the controversial debate of whether prostitution should be legalized or not. One of these groups represents the conservative point of view, which believes that legalizing prostitution in Cambodia would contribute to a growth in both prostitution and trafficking, while the other group believes that legalizing prostitution would lead to a decrease in prostitution and trafficking. They argue that those women would be better protected by the law and would also gain access to healthcare.

While in Cambodia there is a controversial debate on the definition of trafficking, Thailand also has the same problem. For instance, in Thailand's anti-trafficking law, sexual exploitation that includes prostitution of others is considered trafficking. However, it routinely causes confusion with other laws. Philip Guest et al. (2007) discusses this in the 2007 survey of sexual and reproductive health of sex workers in Thailand: *"The code of entertainment Sectors 1999 and the code of prohibition of prostitution 1996 are contradictory. In Thailand it is illegal for a woman to work as a sex worker, according to the code of prohibition of prostitution 1996, while it is not illegal for bar owners to do such business, under the code of entertainment sector 1999. The contradiction have contributed to the structure of sex work employment and working conditions. the two codes have empowered the 'others' over sex workers in the sex industry. Sex worker are practicing an illegal activities, while 'other' are not undertaking any illegal activities. The 'others' in this sense can be bar owners, brothel owners, clients or even policemen.*



*These structural and policy factors contribute to social and health vulnerability of sex workers.*" Remarkably, the same authors note that in some places, sex workers were badly treated by the police. For instance, in Chonburi, 42.9 percent of sex workers who participated in a survey reported that they were treated worse by the police, while 7.1 percent claimed to have been treated better, and 50 percent said they were treated the same as others<sup>20</sup>.

Table 4: Sex Workers' Perceptions toward the Police treatment

Treatment	Bangkok	Chiang Mai	Chonburi	SongKhla	Overall
Police					
Better	12.9	0.0	7.1	7.1	8.4
Same	67.7	100.0	50.0	85.7	68.7
Worse	19.4	0.0	42.9	7.1	22.9
Overall	100.0	100.0	100.0	100.0	100.0
Respondents	31	10	28	14	83

Source: Philip Guest et al. (2007)

Moreover, the 2008 US TIP report showed that even the Thai government focuses its effort mainly on anti-trafficking of sex workers, some Cambodians are still trafficked there to be sex workers, or are trafficked through Thailand to Malaysia, and the report condemns the policy of widespread sex tourism in Thailand and local police who protect or help facilitate sexual establishments (please see Appendix A ). Therefore, because of these laws and because of inaccurate perceptions and implementations, the coordination between Cambodia and Thailand seems to be limited. For example, it has been reported by one Cambodian NGO that some Thai police do not fully help Cambodian women even though they were asked to provide protection to them. However, he was told by police

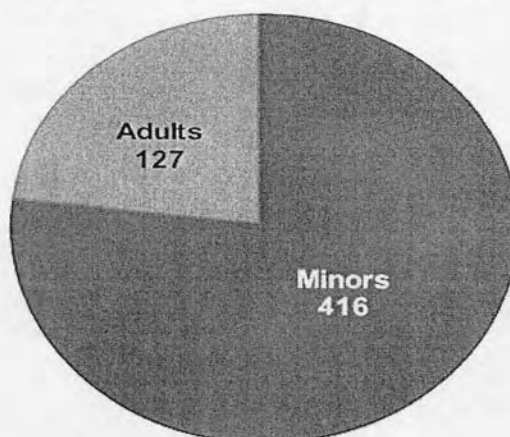
<sup>20</sup> According to Philip Guest et al. (2007), the 2006 official number of sex workers from the division of sexually transmit infection, the ministry of public health, is 55355, however the authors believed that the reasonable estimate of the number of sex workers active at any one time in the industry is around 200000 to 300000. The reason that the estimate is very different is partially because of the difficulties in identifying the sex workers and also the change of form of sexual establishments. Moreover, the same authors noticed that in the past two decades, the number of undocumented sex workers is rising.

that he should not care about those people because they were sex workers. Another example by the same staff: He visited a bar in Thailand and talked with one NGO worker about a Cambodian sex worker there but was told that she had not been trafficked. She was smart, did her job well, and made a lot of money. However, it should be noted that sex workers in a sexual establishment are considered by Cambodian legal standards as trafficking victims.

Regarding labor trafficking, Cambodia seems to adhere mostly to the UN protocol. For instance, in the Act of Selling/Buying or Exchanging a Person, from Articles 8 to 22, the act of unlawful removal, transferring, delivering or receipt of people by means of force, threat, deception, abuse of power, or enticement on the purpose of any form of exploitation are all identified. And it refers to trafficking as any form of exploitation, including the prostitution of others, commercial sex acts, pornography, forced services or labor, slave-like activities, debt bondage, involuntary servitude or the removal of organs. However, in practice, it is very difficult to identify those who are the victims of labor trafficking because there is no clear differentiation between forced labor and non-forced labor in Cambodia or in Thailand. In Cambodia, people generally use the definition provided in the law that partially adapts to the outside. To do this, they ignore existing etiquette, and this also leads to limited levels of law enforcement. The idea here is that we should not ignore one and accept the other. We should raise all points and study the best ways to guarantee that each group accepts and applies human rights law. Otherwise, the law is just something on paper. For instance, even rape is a criminal case that Cambodian people sometimes accept when the perpetrator agrees to marry the victim. It is possible to draw the same conclusion in the case of forced labor. People, especially the poor working class, sometimes tolerate physical assault, verbal abuse or salary cuts. It is believed that these cases are not brought to the authorities or courts because the acts are often legitimized; the explanation often follows that it is normal for people with low social standing or poor people to be maltreated sometimes. Or those people are blamed for breaking something or losing their property.

Moreover, Derks (1997) cites Southeast Asian experts (such as Osborn) about the differentiation "between 'true' slaves, condemned to a life of unending servitude, and those who had voluntarily, but temporarily, given up their freedom in order to meet a debt or other unfulfilled obligation." Such differentiation is useful since it reflects the understanding of people toward the concepts of slave and non-slave. However, it should be more fully researched and explained. Otherwise, it is very difficult to avoid misunderstandings because these two concepts seem to show that freedom is restricted alike even though one can not buy their freedom back while other can buy or have when the debt is cleared. This is only one reason why until 2008 the anti-human trafficking included labor trafficking. And to avoid the ambiguity, the recent cases of labor trafficking are found only when the evidence is clear that they were deceived, transported, detained, forced, and tortured; otherwise, those cases are not considered as trafficking. Additionally, while in Cambodia, most NGO research only reported that forced labor happened mostly among children, Thailand shares some similarities with Cambodia and other Southeast Asian countries is reported that adult victims are not always labeled as a trafficking victims since these cultures will sometimes accept maltreatment from the boss. According to the UNODC (2009), the adult victims of forced labor in Thailand were found to number only 127 (from 2006 to 2007), while the minors reached 416.

Figure 4: Foreign Victims Identified by State Authority in Thailand, by age (Oct-2006-Dec 2007) (Might Include also other Person in need)



Source: UNODC (2009)

That is why some authorities need the victims to "*have been literally chained to her work*" (Human Rights and Development Foundation, 2008) or "*tangible evidence*" (Jukojima, July, 2007). However, even some have tangible evidence, they could not be treated as trafficked persons, but rather as undocumented migrant workers who face deportation. Andre Olivie (2008) quotes a very interesting story of a woman who was beaten and not paid her salary interviewed by the Thai police. He wrote, "They asked me my name, took my finger print and a photo. They asked what happened with me when I was in Thailand. I told them everything, about how I was beaten and not given a salary. They asked why I did not tell the police near my workplace." (p.25). For him, such a case should be considered as trafficking, but the police did not think like him and deported the woman to Cambodia under illegal immigrant status.

Similarly, even in the formal migration channels, sometimes migrants face the similar situation as the trafficked persons but do not receive much attention. According to Chantavanich (2008), 39 percent of the formal migrants reported differences in what was promised by the recruitment company in the country of origin with what they actually received. Their passports were taken and they feared losing their land or property if they did not do the job offered. They cannot go out freely because they have no passport, they fear being arrested by the police, and they lack basic freedoms because they are constrained by their employer.

To conclude, we believe that coordination means they will bind to the same operational definition; however, it is not 100 percent true, since they must cling to their own ways, especially to identify trafficking victims. As mentioned above, while some consider prostitution of others as trafficking, some believe it is not.

#### 4.2.2 STATISTICS

In Cambodia, there are many databases on trafficking being collected by government and NGO agencies. Examples include the Law Enforcement Against Sexual and Trafficking in Children (LEASETC) database, managed by the Ministry of Interior; the database of criminal cases managed by the Ministry of Justice; the Coordination and



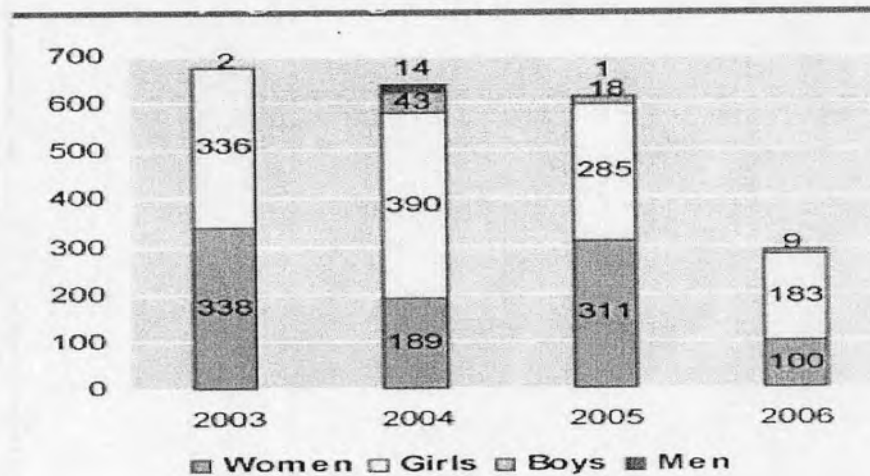
Document Center managed by the Ministry of Social Affairs, Veterans and Youth Rehabilitation; the Counter-Trafficking Information Campaign; the Labor Migration Information System, managed by the Ministry of Labor and Vocational Training; and the NGO Joint Statistics Database Report on Trafficking and Rape in Cambodia, managed by ECPAT. However, they are inconsistent and are only used internally or shared among their members (IOM, 2007). Moreover, since all agencies have their own methods and definitions of trafficking, those databases often represent the tension rather than the agreement on the common measurements on anti-trafficking in Cambodia. For instance, while the Ministry of Interior found 117 trafficking and sexual exploitation cases in 2008, according to its statistics, the CNCW found 141 cases and criticized that only 15 cases were being prosecuted (Dara Rith, 25 Feb 2009). Furthermore, according to a senior official in the Ministry of the Interior, the number of trafficking cases in Phnom Penh decreased sharply in 2008. It was believed that only 20 percent of trafficking cases remained (Sokh Serei, 14 Dec 2008). These claims are, more or less, supported by a study done by Tom Steinfatt of the University of Miami on the number of sex workers in Cambodia (with a focus on child prostitution) (The Economist Print Edition, 21 Aug 2008). However, many NGOs believe that trafficking cases, especially sexual exploitation, is still increasing, but it changes its form from brothels to other kinds of sexual establishments, such as bars, beer gardens, and massage parlors (Kim Pov, 4 March 2009). Some of the interviewees have provided more examples. For instance, the owners of sexual establishments can run a telephone shop in the front of the house while providing sex services in the back; sometimes they make secret places, or doors covered by a cupboard that connect to another house in order to hide the sex workers or themselves when there are raids. Such examples are believed by Juan Miguel Petit, the UN special rapporteur. He strongly criticized the Cambodian government (Thailand and India are also criticized at the same time): *"Sometimes there are big pressures on governments, explicitly or implicitly, when there are enormous touristic activities going on, making millions of dollars...some interests see the limitation on the sexual market as a limitation for their earning of money...police often appear unconcerned about the scale and gravity of the problem"*<sup>21</sup> With such a claim, it is difficult to determine whether it is

---

<sup>21</sup> Please see <http://afp.google.com/article/ALeqM5g-IVZpi5t3nIBK88kWCfYZcBQtWw>

right or wrong. Even if we compare the statistics used by the UNDOC (cited from Department of Anti-trafficking and Juvenile Protection, Ministry of Interior) with the statistics of the same ministry displayed via the internet, the number of trafficking victims are different. While the UNDOC reported that there were 676 victims in 2003 and 636 in 2005, the Ministry of Interior showed online that there were only 215 in 2003, and 229 in 2004.

Figure 5: Victims of Trafficking in Persons Identified by State Authorities in Cambodia, by age and gender (2003-2006)



Source: Department of Anti-Trafficking and Juvenile Protection, Ministry of the Interior

If we compare UNDOC and ECPAT statistics about the number of women and children in 2005-2006, the number is far different even though ECPAT does not count the 92 women believed to be victims of forced labor because they work only with sexual exploitation. While UNODC reported 596 cases in 2005 and 283 in 2006, ECPAT found only 111 in 2005 and 68 in 2006. This is from its 25 NGO members, representing at least 63 shelters, referral agencies, and legal aid NGOs in 17 provinces.

Figure 6: Number of Trafficking Cases Collected from ECPAT Members

	2005	2006
AFESIP	47	28
APLE	0	4
ARM	1	2
CCPCR	28	6
CWOC	16	5
HCC	7	4
LSCW	8	10
MPK	0	1
PJJ	2	2
RAO	0	3
WVC	2	3
SUBTOTAL	111	68
<b>TOTAL</b>		<b>179</b>

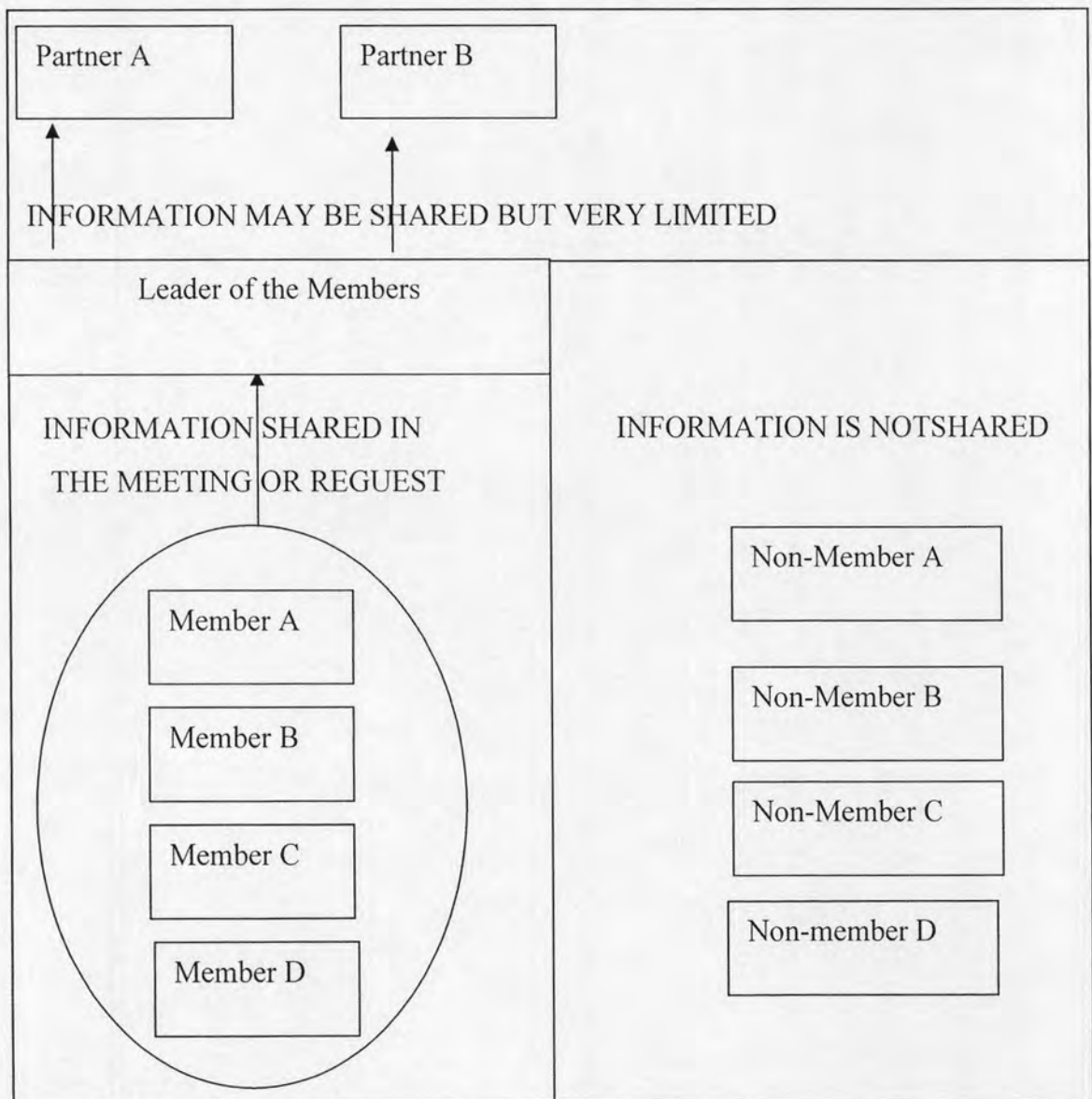
Source: Eduardo Hidalgo, 2008

Moreover, According to field interviews, the trend of trafficking cases was only made based on the cases they received from victims. So, if each NGO receives a different number of cases, the interpretation will also be different. If the cases they receive this year is less than last year, it means that trafficking in Cambodia is decreasing, but if they receive more cases, then trafficking is increasing. Furthermore, some NGOs even mix the number of children, men, and women together and then draw a conclusion. However, to do this, it is very difficult to set up an effective policy since it can not determine the target groups, places or even the magnitude of trafficking. Therefore, with such vastly different statistics, there is apparently not good among the organizations. Field research determined that the interviewees always question the credibility of the other groups' statistics, believing that most of the statistics were brought from the NGO reports.

Moreover, it is interesting to note that there is mistrust not only between the government and NGOs but also among the NGOs. The statistics do not represent the national situation but rather the individual NGOs or their collective member. In Cambodia, there is a tendency to form NGOs in groups according to interests and policies. It has been found that there are two kinds of coordination. One is a partnership in which reports or statistics will be shared on a limited basis. This kind of relationship is created in order to join programs for a short while. For instance, such partnerships are mostly seen at the regional level between NGOs in different countries. They may need

help in dealing with cases they received from that country. And when there are no more cases that require them to join forces, they rarely contact one another or share information. Some Cambodian NGOs have had partnerships with Thai NGOs. However, they rarely contact one another, or they only make contact when one of them is offering a proposal. This is why some NGOs said that for the past two years, they have not contacted any of their partners. However, regarding their memberships, they will share because they are a single group under one leadership, responsible for capacity building as well as fund-raising; and to be members they must hold the meetings regularly twice a year:

Figure 7: The Level of Information Distributed among Members and Partners





It should be noted that the NGOs develop their memberships because some donors require that. They also try to link with bigger NGOs in order to receive benefits, such as training and fund allocation. Furthermore, some NGOs offer limited services so they need members who can provide services they do not offer. For example, some NGOs run only prevention, protection, or rescue programs; as such, they need members who can refer victims to shelters or legal aid from other NGOs. However, there is still mistrust among the members, since each member not only depends on one leading NGO for funding, but also on the other sources. Sometimes NGOs are afraid that other NGOs will not do any work but rather wait for the results and then report those results to their donors. Some NGOs leak information when they would like to rescue victims. This is one reason why some NGOs do not appear in meetings, and sometimes do not report all their information to the other members. Instead, they keep the information for their own annual reports for their donors.

That is why the ECPAT Database on NGO Joint Statistics on Trafficking and Rape in Cambodia 2005-2006 (Eduardo, Hidalgo 2008) shows some gaps, because in these two years there is no data on Siem Riep, one of the biggest trafficking places. The numbers are less than what have been collected by COSECAM, which estimated before 2005 that the number of child sex workers rescued annually by NGOs was between 200 to 300, while, for ECPAT, the number was only thought to be 176 in 2005 and 2006.

Because of this mistrust, NGOs sometimes implement their work according to unreliable information and statistics. Reviewing NGO literature, the SIREN report noted the myths still haunting some of the NGOs. SIREN listed at least six myths: 1) *Trafficking is primarily caused by poverty and a lack of education*; 2) *Large, organized criminal networks drive the human trafficking problem in southeast Asia*; 3) *Human trafficking relates mostly to women and girls being exploited within the sex industry*; 4) *if there are stricter border controls, trafficking can be reduced*; 5) *A holistic, comprehensive, development approach is the only law to address the human trafficking problem*; 6) *if we could catch all of the traffickers and put them in jail, the problem would go away*. In other words, what we learn from the NGOs is that trafficking is an

issue of poverty and low education, even though it is found that some trafficking victims are not the absolute poor, but rather the relative poor, and that they even access to some education or some people with higher level of education in the villages are also the victims of trafficking. According to statistics from MoSVY (2005), which conducted a survey on trafficked persons from Thailand, in the case of the trafficked persons from Banteay Meanchey, they found that 51 percent own land and 77 percent own their own house. This is, they are not absolute poor. However, some NGOs still claim that their ineffective work is because of poverty. One of the NGOs interviewed claimed that it was difficult to raise awareness among those people, because they used verbal means while the traffickers used money to attract them. Poor people tend to believe more in money than words. Some NGOs even complained that the victims sometimes get angry with them because they expect to get some money after their trial. Or sometimes, in the case of law processing, the traffickers approach the victims and bribe them with money, and then the victim will simply drop the case. Is it possible, then, to draw a conclusion that trafficking in poor countries cannot be tackled?

Some NGOs do not have a good conceptual framework for dealing with trafficking. They blame the corruption of police or border migration officers, or suggest stricter controls for restricting the movement of people which in return affect the vulnerable people. Therefore, without reliable statistics or databases on trafficking and trafficking victims, it is difficult to prepare effective plans for combating trafficking. Moreover, if there is no reliable number of trafficking victims and their situations, it is impossible to know which project or program is most effective and should be used as a model.

#### 4.2.3 FUNDING

As Matt Friedman (2009) cited in the UNODC report in 2008, the fund for responding to trafficking cases globally is only 0.05 % of the \$31000 million USD annual profit of that crime. However, sometimes, some IOs without any skills in trafficking change their mission to compete for the funds from local NGOs. As Jennifer Margaret

Cameron (2004) cited Legros: "I observe since September 2003 international organization specialized in agriculture coming to trafficking issues. We know that that subject is very "sexy" and can earn billion of dollars. But please do not denature trafficking to a marketing object, because victims will suffer much more" (p.1). Moreover, when funds must be distributed in many places, the amount is relatively small and can affect the quality of the work of the local NGOs. For instance, in Cambodia, one of the poorest countries in the world, while NGOs heavily depend on foreign funds to operate their activities, there is high competition among themselves. With limited foreign funds, many NGOs can only run short-term projects, and must stop whenever the funds are exhausted. During interviews, many NGOs confessed to selecting only some target places and people where the fund can be allocated. To do this really impacts the effectiveness of the program for helping the most vulnerable victims who live far from where NGO services are provided. Accordingly, the study by Chantavanich (2007) found that among migrants (both documented and undocumented), none claimed to have learned about the risks of irregular migration from NGOs.

Table 5: Services provided to the Migrants

<b>If yes, how did you know?</b>			
Legal status		Cambodian	
		%	number
Formal workers	Recruiter informed me	6.67	8
	Someone in village informed me	19.17	23
	From media reports	0.00	0
	Friend, relative	15.00	18
	Does not apply	8.33	10
	No answer	1.67	2
	Total	50.83	61
Informal workers	Someone in village informed me		3
	NGOs informed me through awareness raising activities		1
	From media reports		0
	Friend, relative		2
	Does not apply		4
	No answer		10
	Total		3

Source: Chantavanich, Supang et al (2007)

Moreover, since funds are very limited, those NGOs cannot hire or select professional researchers or staff members to conduct research for them. Otherwise, they will not have enough money to operate the program. Some NGOs reported that they realize that hiring non-professional researchers or staff affect the quality of the research, but they cannot select those who require monthly salaries around \$400 or \$500. With their budget, they can only choose those who will accept a low salary. Further, they claim that they must train them before letting them take charge of any tasks. These problems can be seen clearly when USAID reduces funding for NGOs. Many complaints and concerns have been expressed that fund reduction has a big impact on the activities of these NGOs. A web resource for combating human trafficking shows the complaints and concerns like this: "Gorsalo Salares, acting country representative for Catholic Relief Services, said his NGOs proposed anti-trafficking program will now not be going ahead because of the USAID funding cut. Talmage Payne, CEO of Hagar, said his NGO had been expecting 240000 dollars from USAID, but pulled out of the Asian Foundation program<sup>22</sup> after hearing funds could be cut." (The Cambodia Daily, 6 Feb 2007)

By learning from countries in the GMS, ILO and other agencies recently introduced good programs and methods for reducing the vulnerability of women. For instance, they created a vulnerability database, vocational training to reduce the vulnerability, micro-financing through Village Development Funds, they set up district operation centers, they improved recruitment policies and practices, and they worked with employer organizations to tackle exploitation. However, although these programs have been proven as best practices, it is not clear whether the NGOs have enough funding or capacity to follow through with them or not. That is why Jerrold W. Huguet and Varamon Ramangkura (2007) suggest the government should prepare funds or integrate these programs into the national social welfare programs.

In addition, since funding is bound to the policy of the donor, some NGOs set their policies to satisfy donors while others do not. To do this risks causing more gaps in the cracked coordination. Brendan Brandy (24 March 2009) has described the arguments

---

<sup>22</sup> Asian Foundation is organization responsible of distributing the fund from USIAD.



of many NGOs toward MTVEXIT, a TV program airing the concert supporting the new Cambodian anti-trafficking law. This legislation is used by the police officers to suppress sex workers. While some NGOs criticized and accused the program of receiving funding from the USA (which does not support sex worker rights), other NGOs supported it and also supported the USA and USAID, commenting: "People don't choose to be prostitutes." ... "Poverty - often pressure within poor families - makes them do it."

Moreover, training courses for the victims are not considered relevant to the markets. A national report on anti-trafficking of women and children from 2000 to 2004 (RGC, no date) states that training courses in rehabilitation centers are not helpful for the women after they reintegrate to the community. During the interview, some NGOs expressed awareness of this, but said they do not have other courses to teach the women. Such constraints are because of a lack of funds, human resources, and the relatively low levels of education of the victims. Some NGOs even complained about the difficulty of rehabilitating and reintegrating those who had worked as sex workers for a long time because they very often return to the same jobs. Such complain can result from many factors but the lack of professions such as social workers who can provide effective counseling to change the idea of those sex workers is one of them. Only recently the faculty of social work is established in Royal University of Phnom Penh. So far NGO staffs just receive the short training course on this skill. Follow-ups are only conducted when funding is available. Otherwise, they close the case after the victims go home. Sometimes NGOs complain that reintegration programs fail since the money is only prepared for helping the victim, but is used by other family members to pay off debts. When the money runs out, the women must migrate again to earn a living. Interestingly, in Cambodia, where the courses are not thought to be relevant to the markets, the Baan Kredtrakarn still use the same courses for training the trafficking victims, including Cambodians. Parichart Phongphisutbubpa (2007) commented:

*Several interviews stated that the protection and occupational development was a good initiative but needed to develop further, for example, ensuring that the provision of such skills are in line with market demand or studies from the origin countries so that it can be more*

*suitable, and for the Thai government to really give something and see the good result. Also, all the steps involved in the process might not suit everyone who enters the Center (all the target groups follow the same activities and services). A 'One-Size-Fits-All' Package for all versus individual needs? In addition, the social worker from NGOs also mentioned that the average age of victim at Kredtrakarn is about 14-15 years and the concern is how to empower such young girls. Vocations training might not be suitable program for this age group. Providing small scale investment fund, for instance, how can this group think of the future investment?" (p.23)*

She even added that Baan Kredtrakarn has shortages of resource personnel and interpreters. She said that in order to provide a successful rehabilitation program for foreign victims, the staffs needed to better understand their background, society, culture, and language. In Thailand, Andre Olivie (2008) found similarly that there is a language barrier for Cambodian victims since there are no NGO staff members who can speak Cambodian. Even the hotline, 1300, is not very useful since nobody there understands the Cambodian language. Moreover, the Center does not have the ability to guarantee that follow-up sessions for foreign victims can be done in their home country because they could not extend their jobs or coordinate with local NGOs. With these problems, it is clear that there is little coordination between Cambodia and Thailand for providing better information and rescue services. This means that an exchange of information is rarely done. This is clarified by the IOM (2007), which says that even though there are many databases in Cambodia and Thailand, they are not public and some of them are still paper-based.