

**Agreement on Guidelines for Practices and Cooperation between  
the Relevant Government Institutions and Victim Support  
Agencies In Cases of Human Trafficking**

**Having seen** the 1993 Cambodian Constitution, in which Article 46 stipulates that “[t]he commerce of human beings, exploitation by prostitution and obscenity which affect the reputation of women shall be prohibited;”

**Having seen** the Law ជំនួញ/វិក័ម /02 96/01 dated 29 February 1996 on the Suppression of Kidnapping, Trafficking, and Exploitation of Human Persons;

**Having seen** that the Government of the Kingdom of Cambodia has ratified the United Nations Convention against Transnational Organized Crime on 12 December 2005 and the supplementary Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children on 16 January 2006;

**Having seen** the Memorandum of Understanding between the Government of the Kingdom of Cambodia and the Government of the Kingdom of Thailand on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking that was signed in Siem Reap on 31 May 2003;

**Having seen** the Memorandum of Understanding on Cooperation against Trafficking in Person in the Greater Mekong Sub-Region that was signed by the Government of the Kingdom of Cambodia in Rangoon, Myanmar, on 29 October, 2004;

**Having seen** the Agreement between the Government of the Kingdom of Cambodia and the Government of the Socialist Republic of Viet Nam on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking that was signed in Hanoi on 10 October 2005;

**Understanding that** the Kingdom of Cambodia does not yet have special procedures and practices relating to human trafficking and a law on evidence;

**Understanding that** all parties recognize that only cooperation between the relevant government institutions and the victims support agencies can result in successful prosecutions of human trafficking cases and justice for victims;

## Appendix 1

We, the undersigned, have made this Agreement on Guidelines for Practices and Cooperation Between the Relevant Government Institutions and Victim Support Agencies in Cases of Human Trafficking, which addresses Definitions (Chapter 1); Rescue (Chapter 2); Identification of Victims (Chapter 3); Protection of Victims (Chapter 4); Minors (Chapter 5); Medical Issues (Chapter 6); Legal Counsel Issues (Chapter 7); Evidence, Statement, and Testimony Issues (Chapter 8); Shelter Services Conditions and Staffs (Chapter 9); Shelter Authority (Chapter 10); First-Contact Agencies (Chapter 11); Reintegration (Chapter 12); and Cooperation Between All Parties (Chapter 13).

### Chapter 1-Definitions

#### Article 1

1. In this Agreement, trafficking is defined as in Cambodian law, with reference to the 29 February 1996 Law on Suppression of Kidnapping, Trafficking, and Exploitation of Human Persons, which defines trafficking in Article 3 as follows:

Any person who lures another person, male or female, minor or adult of whatever nationality by ways of enticing or any other means, by promising to offer any money or jewelry, whether or not there is consent from that other person, by ways of forcing, threatening or using of hypnotic drugs, in order to kidnap him/her for trafficking/sale or for prostitution, shall be subject to imprisonment from ten (10) to fifteen (15) years. The perpetrator shall be punished by imprisonment from fifteen (15) to twenty (20) years, if the victim is a minor of less than 15 years old.

2. In the case of cross-border trafficking, trafficking is defined as in the supplementary *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, of the United Nations Convention Against Transnational Organized Crime*:

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) "Child" shall mean any person who is under eighteen years of age.

c. Referring to the Memorandum of Understanding between the Government of the Kingdom of Cambodia and the Government of the Kingdom of Thailand on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking (article 3); and Agreement Between the Government of the Kingdom of Cambodia and the Government of the Socialist Republic of Viet Nam on Bilateral Cooperation for Eliminating

## Appendix 1

Trafficking in Children and Women and Assisting Victims of Trafficking (article 2), “trafficking” in this Agreement is considered to be for, but not limited to, the following purposes:

1. Prostitution;
2. Domestic work including forced or exploitative domestic labour;
3. Child labour;
4. Bonded labour
5. Servile marriage;
6. False adoption;
7. Sex tourism and entertainment;
8. Pornography;
9. Begging, dangerous, hazardous and exploitative labour;
10. Use in criminal activities; and,
11. Use of drugs as mean to enslave women and children.

### **Article 2**

‘Victim Support Agencies’ (VSAs) in this Agreement refers to the agencies that provide support to victims of human trafficking, including government agencies as well as both national civil society / non government organizations and international government agencies.

### **Article 3**

A ‘First Contact Agency’ (FCA) is any government agency, national civil society non-government organization, or international non-governmental organization which has no shelters for trafficking victims but is the agency which first encounters and provides initial services to a victim and then refers to a shelter for care and protection.

## **Chapter 2-Rescue**

### **Article 4**

The safety, rights, and well-being of victims are the primary concern. Guidelines for rescuing victims are:

- After a police operation, the police have the right to keep any persons removed during the operation in order to interview and take statements. If it is possible, a female police officer should be selected to interview a female or child victim. The interviews must be conducted as soon as possible after the operation. In the case that taking a statement requires more than two days, the police must ask guidance from the prosecutor.
- After the interview, the police must identify provisionally whether a person is or is not a victim, as well as provisionally determine the age of the person.
- After a positive identification, the police shall provide information to each victim about their rights and services available to them, in a language the victim understands. These services shall be provided whether or not the victim has agreed to cooperate with police.
- The police shall then send the victims to Provincial/Municipal Department of MoSAVY.

### **Chapter 3-Identification of Victims**

#### **Article 5**

In principle, as victims of cross-border trafficking shall be identified by using the definition of trafficking in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, a victim of cross-border human trafficking shall not be considered an offender under the Immigration Law.

#### **Article 6**

The final determination of whether or not a person is a victim of trafficking is the role of the prosecutor or judge. The police or VSA who first encounter a victim have the duty to make a preliminary determination. If a VSA initially determines that the person is a victim and sends information to the police, but if subsequently the police, prosecutor, or judge makes a contrary determination, the police or prosecutor or judge shall inform the VSA about this so that the VSA can add or search for more information.

### **Chapter 4-Protection of Victims**

#### **Article 7**

The basic concern of all parties to this Agreement is the protection of victims.

#### **Article 8**

Throughout every step in the process of prosecuting a human trafficking case, all authorities, at every level, must prevent:

- recording of photographs or voice, or public disclosure of the identity of or documentation about a victim or witness; and
- disclosure of personal data or biography of a victim or witness.

These bans may be waived only if the victim or, in the case of a minor victim or a person under guardianship, the parent or guardian, consents to such disclosure, or if the disclosure is in the best interests of the victim.

#### **Article 9**

Police have the responsibility to assess risk and provide protection to victims, their families, witnesses, and VSAs and their staff.

#### **Article 10**

Where a victim of cross-border trafficking agrees to be a witness until the end of prosecution against a suspect, the prosecutor must inform the immigration police of this case, in order to secure temporary authorization for the victim to remain in Cambodia.

#### **Article 11**

All investigations shall be conducted in a way that avoids affecting the security of victims. For example, suspects should not be aware of any investigation that could be linked to a victim.

## **Chapter 5-Minors**

### **Article 12**

In all cases, the best interests of the minors involved shall be the prime concern. The wishes of a victim who is a minor shall be respected, as far as the decision-making maturity of the minor allows.

### **Article 13**

Police, prosecutors, and judges will, in principle, accept a birth certificate or family card as the most important evidence proving the age of a victim. In the absence of such documentation, the police, prosecutors, and judges may accept a determination of the age of the trafficked victim by the National or Provincial/Municipal Comity on Forensic Evidence, such as through examination of teeth or bones of the victim.

The age of the victim shall be calculated as the age when the offense was first committed.

### **Article 14**

Where a person charged with trafficking has their own child/ children or is the legal guardian of a child/ children, the court can remove their parental authority or guardianship, as provided by law. In this case, to ensure that the best interests of the child remains the primary concern, a VSA with expertise in child psychology can provide advice.

## **Chapter 6-Medical Issues**

### **Article 15**

If necessary to avoid the loss of forensic evidence, a VSA may assist the victim to request that a medical certificate be issued by the National or Provincial/Municipal Comity on Forensic Evidence, either through the Judicial Police in charge of the case, Judge, Prosecutor, and or victim's lawyer.

### **Article 16**

In cases relating to rape, if necessary, a victim or an interested agency may request that the responsible authorities keep forensic matter that might serve as evidence in the future.

### **Article 17**

Medical examinations shall respect the wishes of the victim.

## **Chapter 7-Legal Counsel Issues**

### **Article 18**

Police, prosecutors, and VSAs shall provide information to victims about legal issues and procedures for filing a complaint against the perpetrators. This provision of information shall be done in a language that the victim can use and understand.

### **Article 19**

Both police and VSAs shall offer to help victims contact legal services.

## **Chapter 8-Evidence, Statement, and Testimony Issues**

### **Article 20**

All victim statements shall be kept confidential.

### **Article 21**

At court hearings related to trafficking, the court can work in closed session, in order to respect the best interests, dignity, and privacy of a victim; or the court may allow a victim to give testimony from a separate place, through a video link (the court may request to borrow this equipment from the Ministry of Justice); or the court may allow a victim to give testimony by a video recording. If necessary, the court may allow a support person to be with a victim during testimony.

### **Article 22**

During the course of a case, the authority and VSA who are in charge of the case shall be responsible to provide a translator for a language that a victim can understand.

### **Article 23**

In the case where a victim has been evaluated by an expert psychologist or psychiatrist as suffering from trauma that affects their mental and emotional state or memory, the responsible authorities may allow the presence of a counselor with skills in psychology during the questioning and testimony of the victim.

### **Article 24**

In case a victim cannot wait until the end of the trial process to give his/her testimony, the victim may do so by an appropriate alternative means which is lawful. The methods for giving evidence shall include options for the victim to testify such as by video, through an interview in another place, and testifying in advance of the trial and later having someone else read that testimony at the trial.

### **Article 25**

Courts shall pay special attention so that investigations are carefully conducted in cases when court officials believe that there might be threats to a victim or a victim's family, or the use of other methods that could cause a victim to change testimony.

### **Article 26**

All contracts that are made with the goal of human trafficking or sex exploitation, or contracts that are done in connection with human trafficking or sex exploitation, shall be considered invalid.

### **Article 27**

A victim who is a party to a court case may ask to see the dossier of their court case at the office of the court clerk.

## **Chapter 9 – Services, Conditions, and Staff of Shelter**

### **Article 28**

The purpose of a shelter is to secure, rehabilitate and reintegrates the victims. To do that, the shelter shall rehabilitate (professional skills training, health care, and education) and reintegrate those victims to their family or community.

The above services shall not have a negative affect or physically or psychologically harm the victim.

### **Article 29**

Upon arrival at the shelter, a victim's needs and abilities shall be assessed in order to determine what care should be provided to that victim.

### **Article 30**

Shelters shall help Khmer victim to register for legal status in his or her home community in order to have the opportunity to find jobs and get other legal benefits.

### **Article 31**

Each shelter shall provide health services to the victim. These services can be done through Health Center or Referral Health Center at the nearest place. In circumstances where regular medical check-ups are provided by the shelter, the shelter shall obey the law on *Management of Private Medical, Paramedical, and Medical Aide Practice*.

### **Article 32**

Shelter staff shall immediately report any illnesses to the shelter manager. A victim infected with a communicable illness shall be separated from the others and shall receive careful medical attention. If there is a serious illness, the shelter manager shall report to or send the patient to hospital or Health Center as soon as practicable.

### **Article 33**

Shelters shall offer education to each victim according to their age, level of education, level of understanding and maturity. Any special needs of a victim shall be taken into consideration. The education should include literacy, numeric and life skills as well.

Shelters shall provide an opportunity to victims to have access to what is going on in society through national and international news via TV, radio, and newspapers, opportunities to participate in activities organised by the local community, and to study in either formal or non-formal education while living at the shelter.

### **Article 34**

Shelters may provide opportunities for the victim to work in the shelter, but they shall not be pressured or intimidated into doing so. Any labour undertaken by victim shall be 'light' work

## Appendix 1

that does not interfere in any way with their education, counselling, life skills training or any service contributing to their rehabilitation and reintegration.

A victim should work no more than eight hours each week, which shall be spread out over the week with a maximum of two hours per day.

Victims shall receive remuneration for any work carried out in the shelter. The victim can spend this money. Whatever is left over shall be looked after by the shelter until the victim leaves the shelter, at which point it will be returned to the victim.

### **Article 35**

Shelters shall arrange recreational activities comprising a creative aspect for the victims; participation shall be on a voluntary basis. Some victims feel afraid to talk to staff members about past experiences and may wish to express themselves through drama, dance, or music. Alternative creative means of counselling such as these have strong benefits for victims.

### **Article 36**

Shelters shall have separate living arrangements for victims according to sex, except in the case of siblings who are aged less than 13 years old.

### **Article 37**

Shelters shall provide or refer a victim for legal assistance as and when necessary. If the victim does not have parent or guardian, the shelter acting as his/her guardian, can ask a lawyer to defend the victim.

Shelters shall encourage but not coerce victims to testify against traffickers in court or to sue for compensatory damages.

### **Article 38**

In the process of resolving a case that relates to a victim who is staying at a shelter, the shelter manager shall cooperate with the responsible authorities. In addition, the shelter manager shall encourage victims to cooperate with the responsible authorities, but without using any force or pressure.

### **Article 39**

Shelters are encouraged to refer victims to other institutions for various services, such as vocational training or specialized health care, if those services are good quality and will be provided appropriately to victims. Shelters should not be expected to be able to provide all services directly. However, the social worker responsible for each victim's case should act as a case manager, following up the services provided by others and making sure that they are actually assisting the victim.

### **Article 40**

Each shelter shall have policies, internal rules, and a clear program for the victims who stay there. Victims living at the shelter shall be informed of their rights and how long the shelter is able to house them from the start.

## Appendix 1

### **Article 41.-**

Shelter rules shall be clearly stipulated and also communicated in a language understood by victims.

### **Article 42**

The shelter's method of discipline shall be administered in an appropriate manner, which does not have a negative effect on the victims' physical or mental welfare.

The shelter's method of discipline shall not include beatings, being locked up, tortured or any other form of inhumane treatment – even if the victim is considered to have committed a serious mistake.

### **Article 43**

Shelters shall make all possible efforts to try and maintain a discreet/ subtle exterior and good order within the shelter, in order to prevent the shelter from being an easy target for traffickers, who may seek revenge or to reclaim a victim, and to protect the victim-witnesses.

### **Article 44**

If there are changes in the security status of victims, the shelter manager shall immediately report to the nearest competent police.

### **Article 45**

Shelters shall be a spacious environment with fresh air, containing both sunlight and shade, with large doors and windows. Shelters should include a secure and safe area outside for victims to play.

Victims shall have the opportunity to exercise and partake in recreational activities at least one hour a day in an open area of the shelter.

### **Article 46**

Shelters must retain a good level of hygiene and sanitation and instruct victims on personal hygiene so that they remain clean and healthy. Shelters shall provide suitable and proper clothing to the victims.

Shelter shall provide a locker or a physical space where victims can keep the personal belongings.

### **Article 47**

Shelters shall provide sufficient food, at regular mealtimes, and clean drinking water.

### **Article 48**

Shelters shall facilitate and encourage relationships among the victims, especially among those who are the same age; however, shelters shall take action to prevent any improper sexual relations among them.

## Appendix 1

Shelters shall take action to prevent any sexual relations between the shelter staff and victims.

### **Article 49**

Shelters shall permit victims to communicate with family members and friends through visits, written correspondence and, if necessary, phone calls.

The right to communicate with family and friends will be restricted where the shelter has reason to believe the relatives in question were involved in the victim's trafficking.

### **Article 50**

Shelters shall respect fully the right to freedom of thought and religion and shall not compel victims to participate in religious activities of any kind.

### **Article 51**

In the shelter, there shall be no prejudice against any victim based on age, gender, general appearance, parentage, ethnicity, social status, or religion.

### **Article 52**

Victims shall be permitted to participate in all the shelter's activities. The shelter shall take into consideration any ideas or concerns victims have with regard to the operation of the shelter. The victims shall be able to express these openly and freely.

### **Article 53**

Shelters shall give attention to all victim complaints and take appropriate measures. Shelters should consider setting up a mechanism to investigate complaints regarding violations of victim's rights.

### **Article 54**

The staffing of each VSA shelter shall include at the very minimum: a shelter manager, counselling staff, care giver(s), social worker(s) and security guard(s).

All shelter staff shall receive training on a regular basis, according to corresponding individual needs, in their specific area of work.

### **Article 55**

A caregiver must understand a victim's values and needs. The main duty of a caregiver is to care for victim in order to allow them to attain full physical and intellectual development and life skills, enabling them to lead a full and independent life later on.

### **Article 56**

Counsellors shall assist the victims in rehabilitation with mental health. Counsellors shall have counselling qualifications through adequate training before working with trafficking victims.

The shelter should have counsellors that can work in shifts to be available 24 hours a day for counselling services for victims. Most trafficking victims are likely to suffer from issues relating to trauma, drugs, and alcohol.

**Article 57**

Social workers play a significant role in managing cases, reintegration and monitoring and evaluation of victims who have returned and been reintegrated into their communities. Social workers shall report to the shelter manager immediately about important problems relating to a victim.

**Article 58**

Security guards have the duty of maintaining the safety and security of the victims in the shelter. For example, s/he must take care and pay attention to any incidents that occur in or around the shelter. In necessary cases where the safety and security of a victim is considered to be at risk, s/he shall report to the shelter manager in order to take further action.

**Article 59**

The shelter should not only recruit specialist staff such as therapists, physicians, job placement specialists and volunteers, but the shelter should also involve former victims as peer-to-peer counsellors.

**Article 60**

All conditions stipulated in the chapter 9 of this agreement shall be replaced by Prakas on Minimum Standard for Child Care Shelter which will be issued by MoSAVY.

## **Chapter 10-Authority of Shelters**

**Article 61**

All VSAs must have official authorization and recognition to carry out their mandate; each international VSA shall register at the outset with the Ministry of Foreign Affairs, whereas local NGOs need to register with the Ministry of Interior. VSAs shall then sign agreements with MOSAVY and sign agreements with other involved Ministries.

**Article 62**

Shelters registered in compliance with article 61 of this agreement shall have the right to exercise guardian responsibility for the victims in their care. This right bestows decision-making authority upon shelters concerning such victims however this right is based on the principle of the best interests of the victim with consideration given to the views and opinions of the victim.

When a shelter has received a victim in compliance with Article 63 of this agreement, the shelter shall not be charged with illegal detention of the victim.

**Article 63**

A victim who stays at the shelter shall have given his/her prior consent or that of his/her guardian to remain at the shelter as well as having obtained the prior approval of the shelter.

If the shelter has reason to believe that the victim does not want to stay in the shelter and this may place the victim at risk of harm, the shelter shall immediately report such a belief to a competent authority for further immediate and appropriate action.

## Appendix 1

The shelter's receipt of a victim upon referral from an individual or agency shall be detailed in written form. This form shall be signed by the shelter manager, the victim or his/her representative (a parent, guardian, or other person responsible for the victim), and an officer of DoSAVY. The same procedure shall apply when a victim is transferred from another shelter.

The document for receiving and referring victims should contain the following information:

- 1) Name and age of victim
- 2) Name of parent or person representing victim
- 3) Name of the VSA and the shelter manager
- 4) Name of local MoSAVY official
- 5) Summary of the situation and circumstances of the victim upon being rescued and brought to the shelter
- 6) Health/medical condition of the victim
- 7) Estimated period of time for which the victim will remain at the shelter
- 8) Education or training that can be available to the victim
- 9) Information about how to contact the victim's close relatives or friends

### **Article 64**

Shelter managers must provide DOSAVY with a list of the names, sex, photo, birthdate and birthplace, health information, and length of stay for the victims staying there. This list shall be regularly updated. DOSAVY shall undertake to keep this information confidential.

Three years after a victim (client) has left the shelter, DOSAVY and shelter may choose to turn the file over to the victim; if the victim does not want the file, it should be disposed of. In the meantime, however, a victim may at any time claim her/his file from the DOSAVY and shelter.

### **Article 65**

In case any person requests to live in a shelter of their own accord, the shelter manager shall inform the local police promptly in order to meet legal requirements.

### **Article 66**

Victims have the right to request to permanently leave the shelter and go to live with their families or in a community. In the case of an adult victim who wants to permanently leave the shelter, the shelter manager shall have no right to refuse, but the shelter manager must inform the Provincial/Office Department of MoSAVY and the latter must inform the police in charge of the case and the shelter shall inform the police generally in order to guarantee the overall security of the victim as well.

In the case of a minor victim who wants to permanently leave the shelter, the shelter may counsel and encourage the child to remain in the shelter but shall not compel the child to stay unwillingly. When a minor decides to leave the shelter, the shelter shall ensure that there is a relative, guardian, or other responsible person or another agency that will be responsible for the minor, and will get information about how to contact the victim later if necessary.

## Appendix 1

If the minor is in a government shelter, the shelter manager shall get approval for the transfer from DoSAVY. If the minor is in a NGO shelter, the shelter manager shall inform DoSAVY of the transfer of responsibility and specialist police.

In the case of a victim who wants to permanently leave the shelter and his/her case is under the investigation or prosecution process, the shelter manager shall give the police or prosecutor, as much advance notice as possible.

### **Article 67**

Where any individual attempts to take a victim away from the shelter and the shelter has reason to believe that the individual has the intention to re-traffic the victim, the shelter is entitled, as acting guardian authority, to retain the victim in the centre against the will of the individuals concerned. The shelter must notify DoSAVY of all such attempts.

### **Article 68**

If an individual wants to take a victim from a shelter and the shelter does not allow it, the individual may appeal to DoSAVY, in order to assist to solve the problem. If DoSAVY fails to solve it or any party does not agree with DoSAVY's decision, that party can make a complaint to the court. During this period, the victim shall be under the guardian authority of the shelter.

### **Article 69**

If individuals take a victim from a shelter by any means without prior consent of the shelter for the victim's removal, the shelter shall inform the local police and DoSAVY for further action.

### **Article 70**

The victim or another involved person can make a complaint to DoSAVY about improper management or other issues with the shelter. DoSAVY shall promptly and thoroughly carry out an investigation into the alleged incidents.

### **Article 71**

Where DoSAVY finds that a shelter has made a mistake, DoSAVY shall advise and instruct the shelter.

If the shelter made a second mistake with the same victim, DoSAVY has the right to withdraw the shelter's guardian authority for that victim.

### **Article 72**

The shelter's guardian authority over a victim ceases the moment a victim leaves the shelter – whether the victim decides to leave, runs away from the shelter, is taken back by parents, or completes skills training or reintegration—except as described in Article 69.

The shelter will cease to have guardian authority if the victim dies; in this case, the shelter shall inform the local police and DoSAVY.

## **Chapter 11-First-Contact Agencies**

### **Article 73**

FCA's shall take all possible measures to ensure that a victim with whom they come into contact is informed about the range of services available and how to access those services, including shelters and assists victims in gaining access to a shelter if the victim would like to go to one.

The FCA shall immediately notify DoSAVY, if it is providing temporary housing to a victim before sending the victim to a shelter. When the FCA refers a victim to any shelter, the FCA shall notify DoSAVY as well.

### **Article 74**

The FCA should only house victims in the most exceptional circumstances, such as public holidays, poor roads, night time and shelters are far away.

The FCA shall house victims for the shortest period of time necessary to find an appropriate shelter accommodation.

### **Article 75**

Most victims are likely to have suffered physically and emotionally when they first come into contact with an FCA. FCA's shall therefore provide at least the minimum standards before referring the victim to a proper shelter including but not limited to providing access to a counsellor or social worker, clean drinking water, meals, a suitable sleeping area, and health care.

## **Chapter 12-Reintegration**

### **Article 76**

For the reintegration of the victim, the shelter shall fulfil the conditions in Article 63 and certify the activities of the victim during his/her stay in the shelter. In the case of a minor victim, the document shall specify the background information of the person who will have guardian authority the victim later on, the place where the victim will live (village, commune) and the follow-up, monitoring and evaluation procedure. The shelter shall arrange the involvement of a parent or relative in the victim's rehabilitation and reintegration process whenever possible.

### **Article 77**

For the reintegration of a victim with specific skills, the shelter should, if possible, facilitate or provide the opportunity for the victims to get a cash loan which permits them to start up a small business which will provide a livelihood. Such loans will be interest free and to be repaid gradually.

### **Article 78**

After reintegrating a victim, MoSAVY shall cooperate with VSAs, shelters, and MoWA to monitor, follow-up and evaluate the victim in order to prevent re-trafficking at least for the

Appendix 1

first half year after reintegration. However, this provision does not apply to foreign victims who have returned to their home country.

**Chapter 13-Cooperation between All Parties**

**Article 79**

All parties shall cooperate with each other for rapid processing of all cases related to human trafficking.

**Article 80**

The parties that are signatories to this Agreement shall respect and properly carry out their work in accord with the elements of this Agreement.

**Article 81**

This Agreement may be amended only if there is agreement from the other signatories to a request for amendment from any one party.

**Article 82**

Government institutions or VSAs which are not signatories to this agreement can request to sign this Agreement from the date of signature of this agreement; the current list of NGO signatories is maintained by the Ministry of Social Affairs, Veterans, and Youth Rehabilitation.

**Done in Phnom Penh, on Day/Month 2006.**

**Signatures of the Parties to this Agreement:**

<b>Ministry of Justice</b>		<b>Ministry of Interior</b>
<b>HE Y Dorn</b> <b>Secretary of State</b>		<b>Pol.Gen.HE. Khan</b> <b>Davoeurn</b> <b>Secretary of State</b>
<b>Ministry of Social Affair,</b> <b>Veterans, and Youth</b> <b>Rehabilitation</b>	<b>Ministry of Women</b> <b>Affair</b>	<b>Ministry of Health</b>
<b>HE Soy Siphon</b> <b>Secretary of State</b>	<b>HE You Ay</b> <b>Secretary of State</b>	<b>HE .....</b> <b>Secretary of State</b>

**Victim Support Agency**

Cambodian Woman's Crisis Center		WathnakPheap
Ms. Oung Chanthol Director		Mr. Nuy Bora Director
Cambodian Defenders Project		Komar Rik Reay Association Center
Mr. Sok SamOeun Director		Ms. Prum Kimchheng Executive Director
Protection of Juvenile Justice		Health Care Center for Children
Ms. Sim Souyeang Director		Ms. Ly Sotheary Executive Director
Cambodia Children against Starvation Violence Association		Legal Support for Children and Women
Mr. Phok Bunroeun Executive Director		Ms. Ly Vichuta Director
Child Assistant for Mobilization and Participation		Association Support New Cambodian Children

Appendix 1

<p>Mr. Oueng Kim Un President</p>		<p>Mr. Nun Thun President</p>
<p>Punleu Komar Kampuchea Organization</p> <p>Mr. Sgnorn Malayvuth Executive Director</p>		<p>Mlop Tapang Organization</p> <p>Mr. Prum Theth Acting President</p>
<p>Poipet Transit Center</p> <p>Ms. Chhea Manith President</p>		<p>Street Families Center (Ptea Teuk Dong)</p> <p>Ms. Prak Sokhany Executive Director</p>
<p>Goutte D' eau Cambodge</p> <p>Dr. Sam Sovannarith Director</p>		<p>Children and Love Association</p> <p>Ms. Buth Samon Executive Director</p>
<p>Cambodia Center for the Protection of Child Rights</p>		<p>Association Internationale pour le Développement, le Tourisme et las Santé (AIDéTous)</p>

Appendix 1

<p>Mr. Yim Po Executive Director</p>		<p>Ms. Marina Protopopoff Country Representative</p>
<p>Cambodia Hope Organization</p> <p>Mr. In Chomno Director</p>		<p>End Child Prostitution, Abuse and Trafficking in Cambodia</p> <p>Mr. Chhin Chanveasnar Executive Director</p>
<p>Kumar Ney Kdey Sangkhem</p> <p>Sok Sothavy Director</p>		<p>Legal Aid of Cambodia</p> <p>Ms. Peung Yok Hiep Director</p>
<p>Cambodia's Woman's Development Agency</p> <p>Hun Phanna Programme Coordinator</p>		<p>Kokkyo naki Kodomotachi</p> <p>Kong Sophea Project Officer</p>
<p>Anakot Komar</p> <p>Khem Sokhon Director</p>		