From Ratification to Reality: Assessing the Effectiveness of Cambodia's Response to International Anti-Trafficking Obligations

Tran Quynh Tran, Minh Ngoc Hieu Le and Ha Van Tran
Diplomatic Academy of Vietnam

Abstract: Human trafficking, although a human rights violation, remains a severe and persistent issue globally. Cambodia, in particular, has emerged as a country of origin, transit, and destination for trafficking in persons. According to the 2024 U.S. Trafficking in Persons Report, Cambodia is placed at Tier 3, signifying that the Cambodian government has neither met the minimum standards for the elimination of human trafficking nor demonstrated significant efforts toward achieving compliance. This paper investigates the issue of human trafficking in Cambodia from a legal perspective, focusing on assessing the extent to which the Cambodian government has fulfilled its international anti-trafficking obligations. It critically evaluates the practical effectiveness of these efforts and explores the underlying structural and institutional factors contributing to the persistent implementation gap. In doing so, this study aims to provide a deeper understanding of the structural barriers to anti-trafficking effectiveness in Cambodia and to contribute to broader discussions on regime compliance and human security in Southeast Asia.

Introduction

Human trafficking presents a grave violation of human rights, fueling crime, corruption, and economic distortion. Around 27 million people worldwide are exploited through force, fraud, or coercion, often in agriculture, factories, or domestic work. Traffickers often target the most vulnerable, including the unemployed, people with little or no formal education, and women and children living in poverty who are seeking stability and well-paid jobs. Traffickers target the most vulnerable including the unemployed, women and children in poverty, profiting from their suffering . Developed and labor-scarce countries are major destinations, while developing states often serve as sources and transit hubs, especially in Southeast Asia, where governments have responded with national laws and regional cooperation frameworks. Cambodia exemplifies these dynamics. It has become simultaneously a source, transit, and destination country for trafficking in Southeast Asia. Cambodia has built up a fairly extensive legal and policy framework to combat human trafficking. At the national level,

this includes the Law on the Suppression of Human Trafficking and Sexual Exploitation 2008, relevant provisions in the Criminal Code, as well as a number of sub-decrees, royal decrees, ministerial instructions, policies, and minimum standards. These laws and regulations are further complemented by Cambodia's participation in bilateral and regional cooperation frameworks, such as the 2005 Agreement with Vietnam on eliminating trafficking in women and children, and the Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-Region. The government has also introduced practical tools for victim protection, for example, the Ministry of Social Affairs' 2007 Guiding Circular on victim identification and service provision.

Nevertheless, Cambodia's anti-trafficking policies remain weak in practice. Limited institutional capacity, lack of specialized expertise among frontline staff, and insufficient enforcement undermine the effectiveness of these instruments.

This study therefore examines the following research questions: 'How has Cambodia fulfilled its international anti-human trafficking obligations, and how effective have these been in reality? What are the primary causes behind the lack of practical effectiveness?' The aim is to provide an in-depth examination of the situation in Cambodia regarding human trafficking.

This paper seeks to analyze Cambodia's implementation of its international anti-trafficking obligations. It evaluates (i) the degree of domestic legal alignment with international standards, (ii) the effectiveness (or lack of effectiveness) of state responses, and (iii) the factors behind the persistent gap between legal compliance and practical implementation and the challenges encountered. The research begins with a literature review examining existing scholarship on human trafficking in Cambodia. The "Theoretical Framework and Methodology" section draws on international instruments such as the Palermo Protocol, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), and the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) to define key concepts and guide analysis. Subsequent sections provide a contextual background and assess Cambodia's domestic and international obligations, with particular attention to the rise of online scam-related trafficking. The paper concludes by offering policy recommendations tailored to Cambodia's political and institutional context, aimed at strengthening prevention, protection, and prosecution efforts against human trafficking.

Literature Review

Southeast Asia (SEA), especially Cambodia, is one of the biggest hubs for hu-

man trafficking. Cambodia suffers from multiple forms of human trafficking, with the most prevalent being trafficking for sexual exploitation and forced labor. Since the majority of victims are children and women, many of the first anti-trafficking studies published on human trafficking were conducted by feminist organizations trying to overcome sex trafficking and female exploitation. In the 1970s and 1980s, many organizations focused solely on women and girls as exploited sexual victims, while ignoring the labor trafficking or the fact that victims of trafficking could be men, leaving a significant gap in the study of human trafficking.

It was not until the 1990s that non-governmental organizations (NGOs) conducted studies on labor trafficking encompassing both male and female victims. In SEA, with most of the studies still lacking due to the lack of transparency within governmental systems, the scarcity of specialized NGOs, and low public awareness, it is becoming more and more complicated for researchers to fully study the causes and the situation of human trafficking in the region.

Cambodia is among the most criticized countries in the region for human trafficking. They have been on Tier 3 of the U.S. government's Trafficking in Persons Report for the third year in a row, indicating that the U.S. government evaluates the Cambodian authorities as not fully complying with the minimum standards of the Trafficking Victims Protection Act of 2000 (TVPA) and not making significant efforts to address the issue of human trafficking. Cambodia has become the main focus of numerous studies and advocacy efforts addressing the issue in SEA. Many of these works, like the "Human Trafficking In Southeast Asia: Causes And Policy Implications" by Diana Betz or the "ASEAN and Human Trafficking: Case Studies of Cambodia, Thailand, and Vietnam" By Naparat Kranrattanasuit, attempt to analyze the underlying causes of Cambodia's trafficking problems, highlighting the challenges faced by the government, society, and even neighboring countries. The majority of these analyses point to systemic issues such as weaknesses in leadership and gaps in the domestic legal framework. For instance, Keo et al. (2014) highlight how moral panic and corruption have undermined the effective enforcement of anti-trafficking laws, while Kranrattanasuit (2014) emphasizes the structural legal gaps across Cambodia, Thailand, and Vietnam.

The strength of such studies lies in their ability to examine the problem connected to many non-surface factors. They connect human trafficking not only to Cambodia, but to even broader historical and socio-economic factors: the consequences of post-war recovery, slow economic development, incomplete legal reforms, and governmental incompetence.

In SEA, Thailand, Indonesia, and Cambodia all have a history of human-trafficking. While each of these countries' governments have different approaches

to tackle the human trafficking issue, none of them seem to have significant success, having failed to create a policy addressing the root of the human-trafficking problem in their countries. When compared to the other countries, Cambodia has the least successful anti-trafficking policy creation and enforcement, while Thailand and Indonesia are placed in Tier 2 of US government reports, reflecting significant efforts of the governments to bring their countries into compliance with TVPA standards. Due to the lack of effective governance, the efforts to create a sound policy that addresses the unique concerns of this war-torn country have been hindered.

With the recent trend toward globalization, many problems require a shift in perspective to adapt to the new global context. Studies of human trafficking in Cambodia often lack an international perspective. Cambodia has embraced globalization by joining numerous international organizations, having cooperated with many countries not only in the same region but around the world.

It also became part of the international legal system, which not only opens potential pathways to address human trafficking through international frameworks, but also raises questions about the country's fulfillment of its international obligations. It has been argued that the latest wave of globalization has acted as a catalyst for the recent explosion in human trafficking, a problem from which Cambodia clearly suffers. While many studies emphasize Cambodia's domestic challenges, few link these issues to its international commitments. This study seeks to address that gap by combining an analysis of Cambodia's international legal obligations with an assessment of its political, social, and institutional constraints.

Theoretical Framework

1. The Definition of Human Trafficking

Before analyzing the situation in Cambodia concerning human trafficking, it is important to clarify the concept of the crime, and examine the interpretation of human trafficking in scholarly literature.

Article 3(a) of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UNTIP or TIP Protocol) defines 'trafficking in persons' as the recruitment, transportation, transfer, harboring or other forms of coercion, abduction, fraud, deception or the abuse of power, for the purpose of exploitation. The Article further specifies the forms of exploitation, that is, the activities considered an exploitation of the person being trafficked.

Since the UNTIP Protocol is the first global legally binding instrument with an agreed definition of trafficking in persons, it is the most well-known and widely accepted interpretation of human trafficking. The Protocol states clearly that for a situation to be considered trafficking in persons, it must meet three conditions, specifically the act (for example, recruitment or transportation), the means (that is, coercion, abduction or through the use of force) and the purpose (for exploitation). The analysis and assessment conducted in the study will mostly be based on the concept of this specific definition.

This definition is widely accepted in most scholarly literature on the topic. In her thesis titled 'An overview of Human Trafficking in Cambodia: The UN Role to address the problem', Bailey Gilarowski first states the definition as set out in the Protocol, then provides a comparison between human trafficking and human smuggling. According to Gilarowski, prior to 2000, the concept of the two crimes was blurred together, and it was not until the late 1990s that the international community began to differentiate between these two crimes.

Gilarowski uses the definition of human trafficking in the Protocol for comparing the basic characteristics of human trafficking activity with human smuggling activity, however, she does not establish anything deeper than that regarding the meaning of human trafficking. Generally, she seems to accept the interpretation in the Protocol as the foundation for the rest of her thesis.

Takashi Yasunobu takes a slightly different approach in his research paper 'Combating Human Trafficking in Cambodia: Establishing A Legal Environment for the Effective Counter Trafficking Measures'. He starts by stating the definition in the Protocol as a starting point, then proceeds to further explain each stage in the human trafficking process. According to him, there are four stages: recruitment, transport, coercion and exploitation.

The recruitment stage often involves finding and targeting potential victims, who are usually poor and might or might not have an idea of what they would be doing once recruited. These people, according to Takashi, are easily persuaded and are more willing to join, most often because of poverty, unemployment or lack of education. Then in the next stage, the victims would be transported to where they are needed, and the transportation could be domestic or international.

Once they reach the destinations, victims would usually be stripped of their freedom and then coerced or threatened into performing work in the coercion stage. Finally, the exploitation occurs through forced labor with minimal or no compensation under the guise of repaying debts, while traffickers profit substantially. In some cases, victims are exploited through illicit practices such as organ trade, receiving only a fraction of the proceeds from what is taken.

Takashi's approach is most relevant to this study because it has provided useful insights specifically into how human trafficking is conducted in most cases, and therefore lays out a foundation to look at the situation in Cambodia in-depth, providing an understanding of how human trafficking works, from where the development of possible solutions and recommendations can be facilitated.

2. Legal Instruments

2.1. International laws

2.1.1. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (UNTIP or TIP Protocol)

While conducting this research, numerous legal instruments have been utilized to examine the issue of human trafficking in Cambodia and assess the Cambodian government's efforts to comply with the international regulations.

The core document that acts as the foundation for the analysis in this study is the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (UNTIP or TIP Protocol). This Protocol is supplemental to the United Nations Convention against Transnational Organized Crime and the Protocol Thereto, which is the main international instrument governing transnational organized crimes, and shall be interpreted together with the Convention. It was adopted by the General Assembly resolution 55/25 and entered into force in December 2003.

The UNTIP Protocol marks the initial effort at the global level to legally define and address human trafficking through a binding agreement and provides a general framework to combat human trafficking. It requires participating states to take proactive steps to prevent trafficking and underscores the importance of protecting and assisting victims, ensuring their human rights are prioritized. UNTIP encourages states to take measures beyond boundaries and promotes international cooperation through information sharing and joint efforts.

Even though this legal document presents a broad framework for tackling the issue of trafficking in persons, its efficiency ultimately depends on the political will and capacity of individual states and how they interpret and comply with such regulations, raising concerns about inconsistent implementation and accountability across jurisdictions. Therefore, the Protocol will be used in the specific context of Cambodia to compare its effectiveness in theory and in reality.

2.1.2. The International Labour Organization Conventions

The International Labour Organization (ILO) is a specialized UN agency that

sets international labor standards to promote rights at work, encourage decent employment, and enhance social protection. Among its core conventions are those addressing forced or compulsory labour, particularly ILO Convention No. 29. This Convention defines 'forced labour' as all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily. While ratifying states are obligated to take concrete measures to suppress such practices, the Convention allows for some exceptions.

In theory, the convention supports its objectives by requiring member states to legislate against forced labor and hold offenders accountable through appropriate sanctions. It also stresses the role of enforcement, particularly through the training of law enforcement agencies to recognize and respond to forced labor situations. However, it does not provide a direct link to the problem in Cambodia, and instead just clarifies definitions and provides general measures. Therefore, whether the provisions referred to in this Convention are effective or not relies largely on their practical application by each state, here specifically Cambodia.

Nonetheless, the general guidelines provided by ILO Convention No. 29 may serve as a foundational framework from which more targeted and detailed recommendations can be developed. For this reason, the Convention is incorporated in this study.

2.2. Regional laws

Given that human trafficking in Cambodia transcends national borders, this paper also examines relevant regional legally binding instruments to provide a more comprehensive perspective within the international context. Thus, we have decided to include the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) to compare and evaluate regional anti human trafficking efforts.

The ACTIP is a regional legal instrument adopted by ASEAN Member States to combat human trafficking. Recognizing trafficking as a violation of human rights and an offense to human dignity, ACTIP builds upon existing international and regional commitments, including the UN Convention against Transnational Organized Crime and its Palermo Protocols (UNTOC). Cambodia is also a member of ASEAN and signed the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) in 2015.

Before the establishment of ACTIP, foundational instruments such as the ASEAN Charter, the ASEAN Human Rights Declaration, and the ASEAN Declaration against Trafficking in Persons, Particularly Women and Children (commonly

referred to as the "ASEAN Trafficking Declaration") laid the initial framework for a regional response to human trafficking in Southeast Asia. However, the ASEAN Trafficking Declaration lacked legal enforceability and did not impose binding obligations on member states, hence the establishment of the ACTIP.

In addition to the ACTIP, ASEAN set out the ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children, with which the ASEAN aims to provide specific action plans within ASEAN Member States' domestic laws and policies, as well as relevant international obligations, to effectively address regional challenges.

The ACTIP and the ASEAN Plan of Action serve a critical function in our research in analyzing the regional efforts in confronting human trafficking in Southeast Asia in general and in Cambodia in particular.

2.3. Domestic laws

2.3.1. Cambodian Constitution

The Cambodian government established the legal foundation for addressing trafficking in persons and forced labor, including the exploitation occurring within cyber-scam compounds. These constitutional articles reaffirm Cambodia's commitment to international human rights standards and provide a domestic legal basis for protecting victims of trafficking.

The Cambodian Constitution provides a legal basis to combat trafficking in persons and forced labor. Article 31 commits: "The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, the covenants and conventions related to human rights, women's and children's rights". This Article gives constitutional status to international legal instruments such as the ILO Conventions, the Palermo Protocol, and the Convention on the Rights of the Child, all of which prohibit forced labor, slavery, and human trafficking. Articles 38, 45, and 46 protect dignity and prohibit human trafficking, sexual exploitation, and abuse against women. Article 48 enshrines children's rights and protection from exploitation. However, implementation remains weak.

2.3.2. Law on Suppression of Human Trafficking and Sexual Exploitation

Cambodia's legal framework to address human trafficking is primarily built upon the 2008 Law on the Suppression of Human Trafficking and Sexual Exploitation, often referred to as the Anti-Human Trafficking Law. As documented by civil society and international observers, significant gaps remain in the enforcement of this law, particularly concerning labor trafficking, trafficking for

forced criminality, and the complicity of state actors.

In conclusion, while Cambodia is party to comprehensive international legal frameworks to address trafficking, the persistent gaps in implementation, selective enforcement, and corruption continue to undermine these obligations. Analyzing the problem through these legal instruments highlights not only Cambodia's formal commitments but also the urgent need for genuine political will and accountability to translate these frameworks into effective protection for victims.

Methodology

The study aims to have a deeper look at the situation of human trafficking in Cambodia under the legal lens to understand how Cambodia complies with international regulations in combating this issue, assess the practical effectiveness of these measures, and identify root causes behind their limited impact. To achieve that goal, we decided to use a mix of both quantitative and qualitative data in our research. Given the time constraint, the data was mostly secondary data collected by other professionals that we used as a base for analysis.

To adequately address the research question, this study adopted a mixed-methods strategy, integrating quantitative and qualitative data collection techniques. Due to the sensitive context of human trafficking and the possible lack of transparency in related data, publicly available sources were prioritized in the selection of both quantitative and qualitative materials.

Quantitative data was mostly drawn from existing data and statistics, for example, the annual reports from the U.S. State Department's Trafficking in Persons (TIP) Report or the United Nations Office on Drugs and Crime (UNODC) Global Report on Trafficking in Persons. These sources were selected based on their credibility, consistency in reporting over time, and relevance to the enforcement and prosecution aspects of trafficking prevention.

Qualitative data were the international legal instruments and regional documents on the matter, as well as the existing research and studies on the problem of human trafficking in Cambodia. Sources were selected based on their relevance to Cambodia's issue, as well as their examination of practical challenges in implementation of the legal framework.

The analytical approach began with a comprehensive review of prior academic studies in order to gain insight into the background of the human trafficking situation in Cambodia and to identify gaps in the existing literature, thus highlighting the relevance of this research. In addition, pertinent international legally binding instruments were examined in detail to provide a legal framework for

the analysis. Quantitative data and statistics were also instrumental in facilitating a comparative evaluation of the Cambodian government's anti-human trafficking initiatives.

Analysis

1. The Current State of Illegal Human Trafficking

Human trafficking remains a persistent and complex transnational issue that goes beyond territorial boundaries, affecting every corner of the world. In this research, we will first provide a background on the current situation with human trafficking on the global and regional scale, then explain why the study chose Cambodia as the main subject of our analysis.

1.1. Global Scale

According to the statistics reported by the United Nations Office on Drugs and Crime (UNODC) in the Global Trafficking in Persons (TIP) Report 2024, the global situation on human trafficking has shown a general upward trend in comparison to the pre-pandemic period. The following indicators further point to a significant intensification of the human trafficking problem in recent years.

First of all, a key indicator of the growing severity of this issue is the rising number of identified victims. The UNODC reports that the total number of victims detected in 2022 increased by 25% compared to 2019 and by 43% in relation to 2020. Among those trafficked, women continued to constitute the largest proportion of victims, followed by men, and subsequently, boys and girls.

More specifically, in 2022, most global regions reported higher numbers of detected victims compared to 2019, with particularly significant increases observed in Sub-Saharan Africa, North America, and Western and Southern Europe. Conversely, regions such as East Asia and the Pacific, as well as North Africa and the Middle East, experienced declines in detection rates when compared to the pre-pandemic period.

Of the 66 countries that reported data for 2023, the majority continued to observe an upward trend in the number of victims detected. Approximately one-third of these countries, however, recorded a decline in victim detection compared to 2022. Notably, rising detection rates were observed in Western and Southern Europe, East Asia and the Pacific, as well as North Africa and the Middle East.

Secondly, the number of children targeted among the trafficked victims also showed a concerning trend. The data collected most recently in 2022, which was based on a total of more than 18.000 victims detected in 81 countries and

territories, has shown that 60% of girls were trafficked for the purpose of sexual exploitation, followed by 21% forced into nonconsensual labour and 19% suffering other forms of exploitation. On the contrary, the percentage of young boys sexually exploited stayed low at 8%, while the majority of them were trafficked for other forms of exploitation and forced labor.

In comparison with the pre-pandemic period, the UNODC stated that the number of young girls sex-trafficked has risen, however, it did not specify the reason for this escalation. The authors suspect one of the reasons for this trend is that the Covid-19 restriction during 2019 and 2020 had inadvertently limited both domestic and cross-border transportation in general, illegal trafficking in persons being one of them. From another perspective, the data collected in the pandemic period might not be sufficient and accurate. Given the state of fear and panic amid the Covid-19 pandemic, victims of human trafficking might not be fully reported or detected, hence the smaller number of young girls being sexually exploited in the two years between 2019 and 2020 compared to those in 2022.

On the other hand, the UNODC suggests that the rising number of boys identified as victims of human trafficking may be associated with the growing presence of unaccompanied migrant children in Western nations.

Thirdly, while trafficking for the purpose of forced labor is on the rise, few convictions are reported. Since 2019, trafficking for forced labor has seen a greater increase in detection than trafficking for sexual exploitation or other purposes, rising by 47% globally compared to the pre-pandemic period. In 2022, 42% of detected victims were trafficked for forced labor, while 35% were exploited for sexual purposes.

Although cases of trafficking for forced labor are now detected more frequently than those for sexual exploitation, the number of convictions related to forced labor trafficking remains significantly lower. This might be due to the fact that trafficking for forced labor purposes involves more victims per perpetrator than sexual exploitation, as explained by UNODC.

Recent reports by the United Nations Office on Drugs and Crime (UNODC) highlight a concerning upward trend in the global prevalence of human trafficking. This issue transcends national development levels, affecting developed, developing, and underdeveloped countries alike. However, regions characterized by a high concentration of developing or underdeveloped nations, or those experiencing ongoing conflict and warfare, tend to be disproportionately affected. In such contexts, women and girls are the most frequent victims. In contrast, in more developed regions, the rise in human trafficking may not necessarily stem from poverty or lack of education. Instead, it may be driven by growing socio-

economic vulnerability and inequality, including unemployment (which does not inherently equate to poverty) and lack of access to equal opportunities, or the emergence of new forms of online trafficking.

It becomes evident that, although human trafficking is not a newly emerging issue, it is becoming increasingly pressing and demands comprehensive measures at national, regional, and international levels. Particularly in the digital age, the development of technology has facilitated new methods of exploiting victims. A notable example is cyber scams, in which traffickers entice individuals with promises of high-paying employment opportunities abroad. Once trust is established, victims are lured to unfamiliar locations where they are ultimately abducted and trafficked.

1.2. Regional Scale

1.2.1. Current Trend

Southeast Asia remains one of the regions most severely affected by human trafficking, serving as both the source and the transit of the crime. Promises of overseas employment are frequently used to deceive victims. Once trafficked, many face conditions of forced labor, sexual exploitation, or are coerced into cybercrime operations. There are currently several trends concerning human trafficking in Southeast Asia as addressed below.

The first trend we observed is that trafficking in persons shows no signs of declining or being effectively controlled, both in scale and in severity. In her research article 'A Hidden Scourge,' Mely Caballero-Anthony uses data and statistics collected in 2016 by the UNODC and Walk Free Foundation to emphasize the alarming trends in trafficking in persons in the region. The UNODC Report does not mention the Southeast Asia region specifically, however it reported the data collected in the East Asia and the Pacific region, which comprise the Southeast Asia region.

According to Caballero-Anthony (2016), over 85% of trafficking victims originated from within the region, with countries such as China, Japan, Malaysia, and Thailand serving as primary destinations for individuals trafficked from neighboring states. Within Southeast Asia, Thailand emerged as the principal destination for victims from Cambodia, Lao People's Democratic Republic (Lao P.D.R.), and Myanmar, whereas Malaysia primarily received victims from Indonesia, the Philippines, and Vietnam. In East Asia, women made up 51% of the victims, while children accounted for approximately 30%.

Meanwhile, the latest UNODC Report has shown that females made up nearly 80% of victims in East Asia and the Pacific. Women and girls made up a large

proportion of sexually exploited victims, which was 82% based on the data on sex and age of 326 victims detected in 16 countries and territories in East Asia and the Pacific.

This supports the second trend observed, whereby women and girls continue to be the primary victims of human trafficking in general, in particular in sex trafficking, although the significant rise in the number of boys being sexually taken advantage of—13% according to UNODC Report 2024—indicates a disturbing trend: this crime is gradually affecting more children of all genders alike.

The disturbingly high percentage of women and girls sexually exploited might be due to gender norms rooted in stereotypical social roles, which are generalized beliefs or expectations about a specific group of people that dictate what are considered 'normal' or as the 'expected' or 'must-have' behaviours and characteristics of that category of people. Beliefs whereby women have lower social status and less education than men and therefore are more prone to succumb to human trafficking are still worryingly common, especially in underdeveloped countries. Many families also follow traditional gender ideologies that prioritize sons over daughters, and as a result, women and little girls are often the ones being sold to traffickers or sex workers.

However, from another perspective, trafficking of boys and young men might just be more difficult to detect. Stereotypical gender norms may discourage boys and young men from disclosing experiences of sexual exploitation, as they may fear being perceived as weak. The prevailing stigma that males should possess the strength to resist traffickers often prevents them from reporting such incidents when they do occur, and consequently, the data concerning male victims of sex trafficking remains insufficient and does not yet represent reality.

Even so, the latest statistics shown by UNODC have emphasized the increase in the number of young boys being trafficked for sexual purposes, hence warning us that this does not indicate a decline in the trafficking of girls, but rather reflects an unfortunate growth in the number of boys falling victim to child trafficking, showing that every child now increasingly faces the same risk of being illegally transported, exploited, abused, and taken advantage of.

The third human trafficking pattern in Southeast Asia, following global trends, is that sexual exploitation is no longer the predominant form of exploitation identified in human trafficking cases; rather, instances of forced labor have been increasingly prevalent. In the 2012-2014 period, more than 60% of the 7.800 identified victims were trafficked for sexual coercion and abuse. Meanwhile, data collected in 2022 showed that only 32% of trafficking is for sexual servitude, just slightly over half of that in 2016, while 38% of trafficking is for forced labor.

1.2.2. The Possible Causes

The causes of human trafficking in Southeast Asia are quite varied. Meli Caballero-Anthony has listed conflicts and natural disasters as possible causes of human trafficking in her article 'A Hidden Scourge,' stating that the offenders also predominantly target those among the massive numbers of people displaced by armed conflicts and natural disasters. She provides an example involving the Typhoon Haiyan, which devastated the Philippines in 2013. Numerous survivors were reportedly coerced into exploitative forms of labor, including domestic servitude, begging, prostitution, and other menial work. Similarly, drought-driven migrants in Cambodia have been trafficked into Thailand, often via unauthorized and perilous routes. In her view, these unsafe migration pathways significantly increase their vulnerability to exploitation by criminal networks.

While recognizing climate change and extreme weather patterns as potential reasons for the increasing forced migration leading to higher risks of being vulnerable to human trafficking, the study would argue that this is not a direct factor of human trafficking. Rather than triggered by climate change, human trafficking is influenced more significantly by socioeconomic and political conditions.

One of the primary factors directly contributing to human trafficking is poverty. In economically disadvantaged areas of the region, individuals may be sold into trafficking by their own family members or relatives as a means of financial survival. In some cases, victims consent to being trafficked—either knowingly or without full awareness of the circumstances or nature of the work involved. Some are forcibly abducted and compelled to engage in labor or sexual exploitation, while many others are deceived by false promises of legitimate, well-paying employment abroad, only to be exploited once trafficked.

Another contributor to the current state of human trafficking in the region is the lack of education. In her thesis 'Human Trafficking in Southeast Asia: Causes and Policy Implications,'Diana Betz had stated that the lack of education that trafficking victims have is perhaps the most straightforward of all the universal causes. She explained that many trafficking victims, driven by poverty and limited opportunities, turn to migration as a means of escape. However, due to a lack of awareness about the risks involved, they often rely on intermediaries who present false promises of legal employment. These brokers—frequently trusted community members rather than organized criminals—recruit victims under deceptive pretenses, only to exploit them en route or upon arrival. Often, victims incur substantial debts to these intermediaries, leaving them vulnerable to forced labor or exploitation with little recourse.

While the study concurs with the perspective that limited education contributes significantly to vulnerability among trafficking victims, it also highlights

an additional dimension of the issue. Specifically, it argues that susceptibility to trafficking is not confined to impoverished or marginalized individuals. Even those from relatively stable and financially secure backgrounds may be deceived by fraudulent offers of lucrative employment. This suggests that a lack of awareness regarding the realities of human trafficking extends beyond disadvantaged communities and affects broader segments of the population.

For example, in Vietnam, the increasing number of 'online kidnapping' cases is sparking concerns. One such case involves M., a university student who was reported as kidnapped by one of his family members. Earlier that day, M.'s mother had received a message via Zalo with a video showing multiple "injuries" on M.'s body, and a demand for a ransom of 370 million VND, threatening that M. would have a finger severed if the amount was not transferred. Upon receiving the report, authorities promptly located M. alone in a hotel. During the investigation, M. confessed to being contacted by individuals impersonating police officers, who accused him of involvement in money laundering and drug trafficking. As M. had no money, the perpetrators instructed him to simulate signs of physical abuse and stage a kidnapping in order to extort money from his family.

This incident underscores a critical gap in awareness and self-protection skills among the public, especially vulnerable youth, against high-tech scams and impersonation and psychological manipulation tactics.

1.3. Cambodia

1.3.1. The Current Situation in Cambodia

Human trafficking in Cambodia has emerged as a highly complex problem and is rapidly causing a human rights crisis in Southeast Asia. Once perceived primarily as an issue of labor trafficking in Sihanoukville, a province of Cambodia, it has evolved into a deeply entrenched system of forced labor, fraud, and transnational crime, transcending Cambodia's borders. By 2025, Cambodia has not only become a major source, transit, and destination country for victims of human trafficking, it has also solidified its position as the global center for cyber fraud operations, particularly those fueled by human trafficking into forced criminality within online scam compounds.

Traffickers exploit victims from across the globe, including Asia, Africa, Europe, and the Americas. According to the U.S. Trafficking in Persons (TIP) Report 2024, in Cambodia, almost all victims living in the country continue to be trafficked for forced labor and sexual exploitation in sectors such as agriculture, construction, fishing, domestic work, and the entertainment industry. With the foreign nationals, they are often deceived by promises of high-paying jobs and are trafficked into Cambodia, where they are confined in heavily guarded scam

compounds operated by transnational criminal networks. These operations are particularly concentrated in coastal areas like Sihanoukville, border zones such as O'Smach, and other regions with deep ties to organized crime.

In the 2024 U.S. TIP Report, Cambodia was placed on Tier 3, indicating that despite the rising concerns about the human trafficking situation in the country, the government's lack of adequate efforts and sufficient attention to the problem as well as the victims was making the situation worse.

Human trafficking in Cambodia presents itself in various forms, primarily categorized into four major types: sexual exploitation, forced labor, child trafficking, and other forms not explicitly defined.

Sex trafficking remains a persistent problem, particularly targeting women and girls. In 2023, the Cambodian government reported 16 cases involving sex trafficking, but no further breakdown was provided for 2023, raising concerns about transparency and the true scale of the problem. The government further reported having identified 214 victims of forced marriage.

Labor trafficking remains a critical concern in Cambodia, with 24 reported cases involving forced labor, particularly in scam compounds located in urban centers and border regions. Victim profiles indicate that the majority were male individuals, predominantly monolingual and possessing incomplete secondary education, making them highly vulnerable to recruitment through deception and coercion.

The government also identified cases involving child trafficking, although official reports lacked clarity on the specific forms of exploitation involved. In addition, authorities documented 48 cases of unspecified trafficking, suggesting the presence of other forms of exploitation that remain uncategorized or insufficiently detailed in public records. The government reported that it convicted 109 traffickers under the trafficking law, however it did not provide disaggregated data for this type of trafficking.

Despite alarming indicators, Cambodia's official anti-trafficking response remains fragmented and opaque. In 2023, the government reported initiating prosecution against approximately 600 suspected traffickers in 354 cases yet failed to disaggregate these by law type or trafficking category.

1.3.2. Why Cambodia as a case?

Data reveals the alarming scale of cross-border victimization. For example, there were a significant number of 1,112 cases involving Indonesian citizens in Cambodia that were associated with online fraud activities in the first quarter of

2025, which prompted the two countries to renew and strengthen their commitment to combat this transnational crime. In early 2025, more than 200 foreigners were rescued from Cambodian scam centres, including 109 Thais (with 54 of them women), 50 Pakistanis, 48 Indians, five Taiwanese and three Indonesians. Meanwhile, Chinese nationals remain the most significant foreign victim group in Cambodia, with 2,695 victims reported in 2024, more than double of the previous year's figures.

The negative repercussions extend beyond the direct suffering of victims. Countries of origin are burdened with the costs of repatriation, victim rehabilitation, and the broader social destabilization these trafficking networks create. The exploitation of foreign nationals in Cambodia is not only a grave human rights concern, it also presents a significant threat to regional stability, economic security, and international cooperation efforts.

Human trafficking constitutes a serious transnational crime that is not confined by national borders, thereby impacting countries across regions, particularly those that share geographic proximity. Vietnam, which borders Cambodia, is significantly affected by this issue. Therefore, the authors, who are Vietnamese, decided to center this study on Cambodia and not any other countries in the region, considering the geographic proximity and close connections between the two countries in the human trafficking problem, where one country may be the source and the other the destination.

Although both countries face similar challenges related to trafficking, their political systems and policy approaches diverge considerably. These differences in governance and institutional capacity may influence how each country responds to trafficking. By narrowing the focus to Cambodia, this study aims to provide deeper insights into context-specific challenges and responses, thereby contributing to a more nuanced understanding of anti-trafficking efforts within the region.

2. Analyzing

2.1. The definition of "Human trafficking" under Cambodian domestic law

TIP under Article 3(a) establishes the international definition of trafficking in persons, requiring the presence of three elements: acts such as recruitment, transportation, transfer, harboring, or receipt of persons, means including force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or the giving/receiving of payments to a person in control, and the purpose of exploitation, including sexual exploitation, forced labor, slavery, servitude, and organ removal.

Cambodia's Law on Suppression of Human Trafficking and Sexual Exploitation 2008 (TIPSE) incorporates many of these elements through provisions such as Articles 8, 10, 12, 15, 17, and 19, but alignment remains partial. Articles 8 and 12 criminalize unlawful removal and recruitment using force, threat, deception, abuse of power, or coercion, mirroring much of the Protocol's "means" requirement; however, they omit "abuse of vulnerability" and "payments/benefits," narrowing the scope of prosecutable conduct and leaving certain forms of economic coercion or family-mediated trafficking outside the law's reach. Articles 10, 15, 17, and 19 reflect the acts and purposes of trafficking, criminalizing removal, sale, transport, harboring, and a wide range of exploitative ends such as forced labour, sexual exploitation, servitude, debt bondage, and organ removal, while also recognizing that a victim's consent is irrelevant when coercion is used, consistent with Palermo.

To conclude, Cambodia's Law on Suppression of Human Trafficking and Sexual Exploitation 2008 represents significant progress toward compliance, capturing many acts and exploitative purposes of trafficking, but its failure to include abuse of vulnerability, payments/benefits, and a uniform child definition reflects critical gaps that prevent full alignment with TIP's comprehensive standard.

2.2. Criminalization with Human trafficking crime

2.2.1. The requirement of criminalization with Human trafficking crime

Article 5 TIP to Prevent, Suppress and Punish Trafficking in Persons requires each state party to adopt legislative and other necessary measures to establish as criminal offences the conduct set forth in Article 3 TIP, provided that such acts are committed intentionally. In practical terms, this provision obliges states to criminalize, within their domestic legal systems, acts such as the recruitment, transportation, transfer, harboring or receipt of persons, when carried out through means such as threat, use of force, coercion, abduction, fraud, deception, abuse of power, or giving and receiving payments or benefits to achieve the consent of a person having control over another.

TIPSE explicitly states its objective as the implementation of TIP. Substantively, the law criminalizes a wide range of conduct that clearly falls within the scope of Article 3 TIP. For example, the law prohibits the act of recruiting, transporting, transferring, receiving, or harboring persons for the purpose of exploitation, whether through force, deception, abuse of power, or other coercive means. These provisions mirror the definition of trafficking under TIP, ensuring that the core conduct is firmly criminalized in Cambodian law.

Cambodian law also addresses the peripheral offences mandated by Article 5(2) TIP. Article 4 TIPSE provides that "attempt, complicity, instigation, organiza-

tion and direction" shall be subject to the same punishment as principal offenders. This language closely aligns with the TIP obligation to criminalize attempts, accomplices, and organizers. In fact, Cambodia's law arguably goes beyond the minimum standard of the UNTOC by explicitly including "instigation" and "organization" as categories of liability, and by equating the penalty of accomplices and instigators with that of direct perpetrators. Further, TIPSE introduces corporate liability, allowing legal entities to be held responsible when trafficking crimes are committed for their benefit. This inclusion demonstrates Cambodia's effort to expand accountability to cover businesses and organizations that profit from exploitation. Cambodia has therefore met its formal legal obligations under Article 5.

2.2.2. Strengthening the effectiveness of legal procedures, from investigation to prosecution and trial.

Jurisdiction

Arising from the transnational and intricate nature of the crime of human trafficking, TIP clearly issued on states' jurisdiction to ensure accountability, create a stable framework to prosecute the criminal, and effectively protect the victim. Under the Convention, states are required to establish jurisdiction over trafficking crimes committed on their territory or on-board of ships and planes flying their flag. Beyond territorial jurisdiction, Article 15 UNTOC encourages States to consider extraterritorial jurisdiction, particularly where the offence is committed by or against their nationals, or by a stateless person habitually residing on their territory.

Jurisdiction over human trafficking offenses in Cambodia is clearly stipulated in the Law on the Suppression of Human Trafficking and Sexual Exploitation of 2008. Regarding its scope, Article 2 TIPSE establishes that Cambodia's territorial jurisdiction extends to any trafficking offence committed within its territory, including acts committed on vessels or aircraft flying the Cambodian flag. Moreover, the Article also adopts the principle of "constituent acts," whereby the occurrence of any element of the offense within Cambodian territory is sufficient for the offense to be deemed committed in Cambodia. The provision helps law enforcement agencies to more easily handle complex cases with transnational elements. Besides, Article 3 TIPSE extends extraterritorial jurisdiction by allowing for the prosecution of felonies or misdemeanors committed abroad by Khmer citizens, as well as offences committed abroad by foreigners if the victim was a Khmer citizen at the time of the crime. The Cambodian commitment to combating trafficking as a transnational crime is shown in the fully established territorial jurisdiction and limited extraterritorial jurisdiction rules. These align directly with TOC's territorial jurisdiction requirement and recommendation for extraterritorial jurisdiction.

Nevertheless, TIPSE has a major limitation in situations when the crime takes place on Cambodian soil, the jurisdiction does not apply when both the victim and the perpetrator are foreign nationals. This restriction undermines the capacity to prosecute cases of cross-border trafficking in which Cambodia is a stop along the way, creating a legal loophole. Therefore, the effective prevention and prosecution of trafficking requires not only action by the State where the offense occurs but also cooperation with the State of the victim's nationality, through mechanisms such as mutual legal assistance, extradition, and joint investigations.

Confiscation and Seizure of Assets from Human Trafficking

Human trafficking is a transnationally organized crime that increasingly operates across borders in a globalized context. UNTOC addresses this gap through Article 12, and Article 26 recognizes the need for states to assert jurisdiction to ensure accountability. While Article 12 requires state parties to adopt legislative and other measures to confiscate proceeds of crime, including property, equipment, or instrumentalities used in offences, it also calls for tracing, freezing, and seizure to ensure eventual confiscation, even if proceeds have been converted, intermingled, or reinvested. Besides, states must empower courts to access financial and commercial records, overriding bank secrecy if necessary. Article 26 complements this by urging states to encourage members of organized criminal groups to supply useful information, particularly about assets and resources, and provides for possible mitigation of punishment or immunity when substantial cooperation is offered. These provisions together aim to deprive traffickers of economic power, thereby dismantling criminal structures.

Under Articles 45–47 TIPSE, victims may claim compensation and confiscated assets, including financial proceeds and property, may be prioritized for victim restitution. The law also allows for seizure of means used in trafficking crimes, reflecting the requirement, as mentioned in Article 2, to cover both profits and instrumentalities. Cambodian criminal procedure law further permits freezing and seizure of property during investigations, providing the legal mechanism to trace and secure proceeds prior to trial. Importantly, the law does not restrict confiscation to direct proceeds; benefits or assets obtained indirectly through trafficking can also be subject to seizure. These measures show substantive compatibility with Article 12.

In addition, Cambodia's broader criminal code incorporates provisions on accomplices and instigators, which may support the cooperation model envisioned in Article 26. However, the Cambodian framework does not clearly establish incentives such as mitigation of punishment or immunity for offenders who cooperate with authorities. Cambodia's legislation remains punitive in orientation, limiting its ability to leverage insider cooperation to dismantle trafficking net-

works. As a result, while the Cambodian law is substantively consistent with the confiscation requirements of UNTOC, it only partially responds to the co-operation mechanisms that are critical to depriving organized groups of their resources.

2.3. Protect and support victims of human trafficking

2.3.1. Ensure physical safety

TIP establishes clear obligations on states to guarantee the physical safety of victims. Article 6(5) TIP requires them to "take into account the safety of victims of trafficking in persons" while they are within the state's territory. This provision reflects an international standard that victim protection must extend beyond judicial processes to proactively safeguard against retaliation, intimidation, or re-trafficking.

TIPSE incorporates certain protective elements but only partially complies with these international obligations. For example, Article 49 of the TIPSE prohibits the media from disclosing identifying information about victims, thereby indirectly contributing to their safety by preventing public exposure. However, TIPSE lacks explicit provisions on physical protection. It does not mandate secure shelters, family protection, or systematic state measures to shield victims from traffickers during investigations or prosecutions. This creates a significant gap compared to Article 6(5) TIP, which envisions a more comprehensive framework.

The Royal Government of Cambodia adopted the National Minimum Standards for the Protection of the Rights of Victims of Human Trafficking (NMS, 2009) introduced detailed requirements for safe accommodation, including shelter security protocols, confidentiality, and protective measures for both victims and their families. It further ensured access to healthcare, psychological support, and reintegration services, aligning more closely with the holistic recovery envisioned in Article 6(3) and 6(5) TIP. However, because the NMS is a policy instrument rather than binding legislation, its enforcement remains uneven and dependent on NGO support. Thus, Cambodia's framework shows partial but incomplete alignment with TIP obligations on ensuring physical safety.

2.3.2. Protect Privacy and Identification

TIP establishes a clear obligation for state parties to ensure the privacy and confidentiality of victims of trafficking. Specifically, Article 6(1) TIP Protocol stipulates that: "Each State Party shall, in appropriate cases and to the extent possible under its domestic law, protect the privacy and identity of victims of trafficking in persons, including, inter alia, by making legal proceedings relating to such

trafficking confidential." This provision sets out two layers of obligations: (i) protection of identity through restrictions on disclosure, and (ii) confidentiality of legal proceedings when necessary to safeguard victims from stigma, intimidation, or re-traumatization. The intention is to encourage victims' cooperation with authorities without fear of public exposure or further victimization.

Article 49 TIPSE Law provides: "Newspapers and all other mass media shall be prohibited from publishing or broadcasting or disseminating any information which can lead to public knowledge of the identities of the victims of offenses stipulated in this law." This reflects alignment with the first dimension of Article 6(1) TIP, as it restricts media from revealing personal details that could identify a victim. The rationale, consistent with international standards, is to shield trafficked victims from social stigmatization, secondary victimization, and community ostracization, while at the same time supporting their willingness to testify in criminal proceedings.

However, several gaps remain when comparing Cambodian national law to the broader scope of the Protocol. While Article 49 TIPSE limits disclosure by the press and media, it does not impose a comprehensive confidentiality obligation on other key justice actors, such as police, prosecutors, judges, or NGO partners. In practice, this creates legal uncertainty about whether investigative and judicial authorities are legally bound to maintain confidentiality beyond their professional ethics. In contrast, the TIP Article 6(1) explicitly anticipates confidentiality in "legal proceedings," which goes beyond media disclosure to include courtroom practice and official record management.

Second, Cambodian law does not contain an explicit statutory requirement for closed hearings in trafficking cases. While the Criminal Procedure Code of Cambodia allows courts to order closed hearings under exceptional circumstances, this is discretionary rather than mandatory in trafficking cases. By contrast, the Palermo Protocol encourages states to provide mandatory safeguards ensuring that trial proceedings do not expose victims to public scrutiny unless they consent. The absence of such a guarantee leaves victims at risk of re-traumatization during trial. In practice, these gaps have been addressed only partially by policy instruments such as the National Minimum Standards for the Protection of the Rights of Victims of Human Trafficking in 2009, which include provisions on confidentiality, safe shelters, and victim-centered services.

Shortly, it falls short of providing a comprehensive framework for protecting privacy and identity throughout the judicial process. The absence of explicit legal provisions on closed hearings, confidentiality obligations for justice actors, and protection of victim information during investigations undermines Cambodia's alignment with international obligations.

2.3.3. Repatriation

Under Article 8 TIP, state parties are obliged to facilitate the safe and prompt repatriation of victims of trafficking, taking into account their safety, dignity, and ongoing legal proceedings. TIP further emphasizes that repatriation should preferably be voluntary and supported by proper documentation.

TIPSE does not provide detailed mechanisms for repatriation, leaving a significant gap in compliance. While the law criminalizes trafficking and offers some victim protection, it lacks explicit procedures for coordinating with other states to return victims safely and without undue delay. This shortfall has been partially addressed through bilateral and regional cooperation instruments. Notably, Cambodia and Thailand finalized Standard Operating Procedures (SOPs) in 2021 for the repatriation and reintegration of Cambodian trafficking victims, followed in 2022 by SOPs on cross-border law enforcement cooperation. These frameworks create practical guidelines for safe return, referral mechanisms, and reintegration support. Nevertheless, SOPs are policy tools rather than binding statutory law, their effectiveness relies heavily on political will, administrative capacity, and cross-border coordination.

2.3.4. Community Reintegration

TIP sets out a broad framework for victim assistance. Article 6(3) obliges states to consider implementing measures to provide for the physical, psychological, and social recovery of victims of trafficking, including housing, counseling, medical and psychological care, and access to education, training, and employment of victims. Furthermore, Article 6(4) requires that in applying these measures, state parties shall take into account the age, gender, and special needs of victims of trafficking in persons, particularly the special needs of children, including appropriate housing, education, and care. These provisions underscore the international expectation that victim protection should extend beyond legal remedies to encompass holistic recovery, reintegration, and long-term social inclusion.

TIPSE addresses some of these obligations but only partially. Article 45 TIPSE provides that a victim of an offence under this law has the right to claim compensation for damages suffered. Article 46 further establishes that confiscated property from offenders shall be used, with priority given to compensate victims, and Article 47 provides that victims may receive restitution in accordance with applicable criminal and civil procedures. These provisions align in part with Article 6(6) of the TIP, which guarantees victims “the possibility of obtaining compensation for damage suffered.” However, the TIPSE Law does not contain detailed provisions on medical care, psychological support, safe housing, or educational access as explicitly required in TIP

To fill this gap, the NMS. These standards provide non-binding but detailed guarantees, including victims' rights to food, safe accommodation, emergency and long-term health care, psychosocial counselling, education, vocational training, and access to livelihoods. For example, Section 3.1 of the NMS requires safe and confidential shelter services, while Section 4.2 obliges service providers to offer counselling and psychological care, and Section 5.1 guarantees educational and vocational opportunities for reintegration. These measures reflect the "holistic recovery" envisioned by Articles 6(3) and 6(4) of the Palermo Protocol.

In practice, this means that Cambodia has established a legal right to compensation under the TIPSE, while broader protections relating to housing, counselling, and rehabilitation remain dependent on administrative implementation and NGO partnerships, leading to inconsistent application across provinces.

2.3.5. Support about the legitimate document

TIP establishes binding obligations to safeguard the rights of trafficking victims. Under Article 6(2), states shall ensure that victims of trafficking in persons are informed of relevant court and administrative proceedings and that their views and concerns are presented and considered during criminal processes. This provision sets out clear procedural rights for victims, recognizing them as active participants rather than passive subjects in the justice system. Article 6(6) requires states to ensure that victims of trafficking in persons have access to compensation for damage suffered, creating a material remedy that complements procedural guarantees.

TIPSE incorporates some but not all of these guarantees. Articles 45–47 of the TIPSE provide that victims are entitled to claim damages against offenders in civil or criminal proceedings, and they are given priority over confiscated property of the offender when such property is liquidated. This framework is broadly consistent with Article 6(6) of the TIP, as it ensures victims have a right to financial compensation and restitution. However, gaps remain significant. First, the TIPSE does not contain explicit provisions ensuring that victims are systematically informed of proceedings or that their views are presented during trials, as required under Article 6(2) TIP. Second, while the Protocol requires measures to protect victims from intimidation or retaliation, the TIPSE Law does not provide specific guarantees of witness protection during testimony. Third, unlike international standards, the TIPSE fails to adopt a non-punishment principle for trafficked persons who may have committed unlawful acts under coercion, such as immigration violations or prostitution-related offenses.

This partial incorporation highlights the need for further legal reform to bring Cambodian law into full conformity with international obligations and to ensure

a genuinely victim-centered approach.

2.3.6. Compensation

The National Minimum Standards for the Protection of the Rights of Victims of Human Trafficking 2009 bridges some of these gaps. It recognizes non-punishment, provides legal assistance during investigations, and ensures that victims may testify in safe environments. However, Cambodia's statutory law remains vague about the scope and mechanisms of compensation, creating imbalance. Without detailed procedures or a dedicated compensation fund, remedies depend on confiscated assets, which are often inaccessible or insufficient. This legal uncertainty undermines consistent enforcement and weakens alignment with Palermo's comprehensive guarantees.

2.4. International cooperation

2.4.1. Information exchange

Article 10 of TIP outlines a cooperative framework for combating human trafficking. It mandates that countries exchange information to identify both victims and perpetrators at international borders and to track the methods of organized criminal groups. The article also requires states to provide training for law enforcement and immigration officials, focusing on prevention, prosecution, and victim protection. This training must be human rights- and gender-sensitive. Finally, countries receiving information must respect any restrictions placed on its use by the transmitting country, ensuring trust and effective collaboration.

Article 11 outlines border measures to combat human trafficking. It requires countries to strengthen border controls and hold commercial carriers accountable for verifying passenger documents. States must impose sanctions for non-compliance, and cooperation among international border agencies is encouraged to deny entry to traffickers.

Before becoming a member of TIP, Cambodia enrolled in ASEAN Senior Officials Meeting on Transnational Crime (SOMTC), a mechanism that acts as an institutional framework combating transnational crimes like human trafficking by implementing strategies and coordinating cooperation among ASEAN's member states. Cambodia has established key bilateral agreements with its neighbors. With Vietnam, Cambodia signed an "Agreement on Bilateral Cooperation for Eliminating Trafficking in Women and Children and Assisting Victims of Trafficking" on 10 October, 2005, amended on 9 September, 2012 and entered a Memorandum of Understanding with Thailand on 31 May, 2003, focusing on "Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking". These agreements are crucial for strength-

ening cross-border collaboration to suppress trafficking networks, ensure the protection of vulnerable populations, and provide a legal framework for joint efforts in prevention, law enforcement, and providing comprehensive support to victims. However, officials note that they often lack clarity on specific roles and procedures. To address this, Cambodia and Thailand have recently developed Standard Operating Procedures (SOPs). In 2021, both governments finalized SOPs on the repatriation and reintegration of Cambodian victims, followed in 2022 by SOPs on law enforcement cooperation against trafficking, marking a crucial step toward operationalizing cross-border collaboration.

UNODC Border Liaison Office (BLO) have been established in Cambodia on the borders with Thailand, Lao PDR and Viet Nam. In total, 108 officers work at the BLOs. Numerous national and regional seminars, study trips, and workshops have been conducted since 2003. Cambodia recently requested UNODC to integrate all available training and modules on counter-human trafficking and chemical precursor control into the Computer-Based Training system.

Besides, the Cambodian government had many high-level visits to cooperate with neighboring countries in human trafficking related crimes, like the 2024 signature of a collaboration plan in Hanoi by Vietnamese Minister of Public Security Luong Tam Quang and Cambodian Deputy Prime Minister and Minister of Interior Sar Sokha, focusing on combating transnational crimes, especially human trafficking, drug trafficking, and online fraud. In the same period, the Cambodian Ministry of the Interior and the Lao Ministry of Public Security signed a 2025 security cooperation agreement in Vientiane. The agreement aims to enhance collaboration in combating transnational crimes, specifically focusing on human trafficking, drug trafficking, online scams, and cybercrimes. Both nations also committed to improving border security and cooperation on training initiatives.

2.4.2. Investigation

UNTOC provides a framework for cross-border collaboration in criminal investigations, including human trafficking. Specifically, Article 19 obliges states to consider bilateral or multilateral agreements enabling joint investigative bodies to be established when crimes span multiple jurisdictions. These joint investigations are intended to overcome the jurisdictional barriers that frequently hamper the prosecution of transnational organized crime. Complementing this, Article 20 focuses on special investigative techniques such as controlled deliveries, electronic surveillance, and undercover operations. It encourages state parties to adopt domestic legislation permitting such methods and to negotiate agreements to apply them across borders. Both provisions are especially critical in the context of human trafficking, where organized criminal groups exploit porous borders, differing legal systems, and gaps in enforcement to perpetuate exploitation.

TIPSE Law aligns partially with these international obligations. While the law criminalizes a wide range of trafficking acts and provides jurisdiction under Articles 2 and 3 for both domestic and extraterritorial offences, it does not expressly regulate joint investigations or the use of special investigative techniques. Instead, Cambodian practice has relied heavily on bilateral and regional cooperation frameworks to operationalize these commitments. For example, Cambodia has concluded Memoranda of Understanding with Vietnam, Thailand, and Laos, which provide mechanisms for case referrals, exchange of intelligence, and coordination in criminal investigations. These Memorandum of Understanding (MoUs), although not legally binding to the extent of national legislation, reflect the spirit of Article 19 UNTOC by establishing practical channels for cooperation. Similarly, Cambodia participates in the Coordinated Mekong Ministerial Initiative against Trafficking Process (COMMIT), a regional framework involving six Mekong countries, which facilitates multi-country task forces and information exchange in line with Palermo's joint investigation model.

Regarding Article 20, Cambodia's domestic law does not explicitly provide for advanced investigative methods such as controlled deliveries or electronic surveillance in trafficking cases. Nevertheless, Cambodia has undertaken measures through regional agreements and SOPs. In 2021, Cambodia and Thailand finalized SOPs for the repatriation and reintegration of victims, and in 2022, the two countries adopted SOPs for law enforcement cooperation against trafficking, which include operational guidance for cross-border information exchange and coordinated investigations. These SOPs demonstrate incremental progress toward Palermo's vision of special investigative cooperation, though they remain policy tools without the binding force of statutory law. Furthermore, Cambodia's participation in ASEAN mechanisms such as Senior Officials Meeting on Transnational Crime (SOMTC) also creates space for technical cooperation and, potentially, the application of special investigative techniques across jurisdictions.

2.4.3. Mutual Legal Assistance

Article 18(1) UNTOC establishes the scope of obligations for states in providing mutual legal assistance. It requires that assistance be afforded in investigations, prosecutions, and judicial proceedings related to crimes defined under the Convention, including those in Articles 5, 6, 8, and 23, when there are reasonable grounds to believe that victims, witnesses, proceeds, instrumentalities, or evidence are located in the requested state party, and the crime involves an organized criminal group. These offences encompass participation in organized criminal groups, laundering of proceeds of crime, corruption in Article 8, and obstruction of justice in Article 23. In addition, Article 18 extends mutual legal assistance obligations to "serious crimes" where transnational elements and organized crime involvement exist, and to all offences covered by the Protocols

supplementing UNTOC, including trafficking in persons. This broad scope ensures that mutual legal assistance is not confined to narrowly defined categories but covers the full range of organized crime activities that transcend borders. Where domestic legislation or existing mutual legal assistance treaties of a state party do not yet cover the offences identified under Article 18(1), UNTOC expects states to amend or supplement their national legal frameworks to guarantee full compliance.

Furthermore, UNTOC expressly recognizes that mutual legal assistance extends to cases involving the liability of legal persons, ensuring that companies or organizations involved in human trafficking are not shielded from accountability. Finally, UNTOC links mutual legal assistance to related areas of cooperation, including provisional measures such as seizure of assets, confiscation of proceeds, and enforcement of criminal judgments, thereby creating a comprehensive legal framework for international cooperation.

Turning to Cambodia's domestic framework, partial alignment with Article 18(1) can be identified. TIPSE law establishes a wide range of offences covering trafficking-related conduct, including unlawful removal, recruitment, transportation, sale, and exploitation for sexual or labor purposes in Articles 8 to 10. These provisions mirror the substantive criminalization required by UNTOC and its Protocols. However, Cambodia relies on the Law on Mutual Legal Assistance in Criminal Matters 2004, which designates the Ministry of Justice as the central authority for mutual legal assistance requests. This law allows Cambodia to cooperate in areas such as taking witness testimony, executing searches and seizures, providing certified documents, tracing and confiscating criminal proceeds, and facilitating the voluntary transfer of persons in custody.

Cambodia has sought to strengthen international cooperation through bilateral and regional agreements. Cambodia has concluded MoUs with Thailand, Vietnam, and Laos, and cooperates with ASEAN member states. It also participates actively in the COMMIT Process. These agreements represent Cambodia's recognition that domestic legislation alone cannot meet the challenges posed by transnational trafficking and that regional cooperation is indispensable for effective implementation.

2.4.4. Extradition

Article 16 UNTOC establishes that trafficking-related crimes, when involving organized criminal groups, must be deemed extraditable offences between state parties, regardless of whether they are explicitly listed in existing bilateral treaties (Art. 16(3)). States that condition extradition on treaties are encouraged to treat UNTOC itself as a sufficient legal basis (Art. 16(4)), and to simplify evidentiary requirements and expedite procedures (Art. 16(8)). Importantly, where

a state refuses extradition of its own nationals, it is obliged under Art. 16(10) to prosecute domestically in accordance with the principle of aut dedere aut judicare. (either extradite or prosecute)

Cambodia incorporates these obligations on a treaty level, as it has actively concluded extradition agreements with key partners. These include the Extradition Treaty with Thailand in 1999, the Extradition Treaty with Vietnam in 2013, and the Extradition Treaty with the Russian Federation. In addition, Cambodia participates in broader regional frameworks such as the ASEAN Mutual Legal Assistance Treaty 2004 and the ASEAN Convention on Counter-Terrorism 2007, both of which facilitate extradition and judicial cooperation in relation to serious transnational crimes, including human trafficking.

However, for Cambodian nationals, the law does not fully implement the principle of aut dedere aut judicare under Article 16(10) UNTOC. This means that, although Cambodia has an expanding network of extradition treaties, its domestic law still leaves open the risk that nationals who commit trafficking crimes abroad may avoid both extradition and effective prosecution.

2.5. Prevent human trafficking

Article 9 TIP, supplementing the UNTOC, establishes a comprehensive framework for prevention. Parties are required to adopt national policies and programs to prevent trafficking and protect victims from re-victimization, particularly women and children. The Article emphasizes proactive measures, including research, public awareness campaigns, and social and economic initiatives aimed at reducing risks such as poverty and lack of equal opportunity. It also highlights the importance of cooperation with civil society and non-governmental organizations, as well as the adoption of legislative, educational, and cultural initiatives to reduce demand for exploitation.

In recent years, Cambodia has strengthened prevention measures through national strategies, bilateral cooperation, and awareness programs. The National Strategic Plan for Counter Trafficking in Persons 2019–2023 focused on the "4 Ps" (Prevention, Protection, Prosecution, and Partnership) and emphasized primary prevention through legal enforcement, public awareness, and community engagement. A new 2024–2028 Strategic Plan is under development, consolidating lessons learned and enhancing local-level implementation. The government also endorsed the Third National Plan of Action for Counter-Trafficking in Persons (2019–2023), which prioritized research, evidence-based policymaking, and coordinated campaigns to reduce trafficking risk factors.

On bilateral and regional levels, Cambodia has signed memoranda of understanding with Thailand, Vietnam, and China, focusing on victim repatriation,

reintegration, and cross-border cooperation. Regionally, it plays an active role in the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT), which fosters joint prevention efforts and harmonizes standards across the Greater Mekong Subregion.

Other notable measures include the National Action Plan to Prevent Violence Against Women (NAPVAW3, 2019–2023), which integrates anti-trafficking efforts with gender-based violence prevention, and specialized guidelines for the identification and care of trafficking victims. The Ministry of Women's Affairs has implemented safe migration campaigns, distributed information leaflets to all 25 provinces, and provided helplines and remote counseling to prevent vulnerable women and migrant workers from falling into trafficking schemes. The government also declared December 12 as National Anti-Human Trafficking Day, using annual events to mobilize public support. The policies complemented these efforts in 2022–2023, authorities cracked down on 330 trafficking-related cases, arresting nearly 396 suspects and rescuing over 834 victims, alongside repatriating hundreds of foreign victims exploited in scam compounds.

Generally, Cambodia's current measures and policies nearly align with UNTOC to prevent human trafficking. However, the effectiveness of the Cambodian legal framework and measures is unclear, particularly in the prevention of human trafficking into online scam centers and other forms of modern-day slavery in Cambodia. According to the U.S. Embassy in Cambodia, law enforcement suffers from insufficient funding, and victim identification guidelines are inadequately implemented, especially with respect to foreign victims. This weakens the overall effectiveness of prevention efforts.

3. Evaluate the effectiveness of Cambodia's implemented measures

3.1. The inadequate domestic legal framework

Cambodia is a source, transit, and destination country for trafficking in persons. For a country that has to fight with full power against human trafficking, Cambodia does not actually utilize the legal procedure, law, or rights to the fullest for tackling the issue. One of the country's main legal instruments is the 2008 Law on Suppression of Human Trafficking and Sexual Exploitation. This law originated from a project supported financially by USAID, which provided $3 million through the Asia Foundation, a U.S-based NGO, for an anti-trafficking program in Cambodia. With the help of an international consultant and pressure from the Bush administration, the Cambodian Ministry of Justice drafted a new anti-trafficking law, which was passed on January 18, 2008. However, despite the international backing, the 2008 law still could not address all the problems of the earlier 1996 Law on Suppression of the Kidnapping, Trafficking, and Exploitation of Human.

The 2008 Law on the Suppression of Human Trafficking and Sexual Exploitation (TSE) did not address the inconsistencies of the 1996 Law but created an even wider range to cover, from prostitution and pornography to indecency against minors. The new law also does not give a clear definition of human trafficking. Many terms such as "exploitation" and "organized group" are left to the interpretation of criminal justice officials instead of providing a clear definition. All of these flaws lead to an incomplete and confusing law for the court to deal with, meaning confusion may cause the prosecution and the procedure to be prolonged, while the protection of victims is not guaranteed.

The insufficient law becomes an obstacle in the long run. According to the Cambodia Center for Human Rights (CCHR) 2010 report, the application of the 2008 law has been "inconsistent at best and incorrect at worst," which implies that the judicial court is ineffective and shows that the punishment may not be applied correctly in many situations. Despite enforcement of the 2008 Law, NGOs reported that in practice the government did not issue criminal penalties under the anti-trafficking law for labor traffickers, instead, it utilized the labor law to issue fines and/or short jail sentences of six days to one month, which did not represent sufficient punishment to deter future crimes or provide justice for victims. The inconsistency of the prosecution can not stop or prevent human trafficking; many victims do not receive the justice they deserve.

The Cambodian criminal procedural code does not provide sufficient procedural guidance, monitoring provisions, or language outlining the responsibilities of law enforcement in ensuring effective judicial supervision, which some defendants use for their advantages. As previously reported, some defendants may flee prior to their trial dates as the police lack resources to monitor them when released. While they were released under judicial supervision, courts tried to convict these kinds of suspected traffickers, even if they are absent. The lack of monitoring of criminals, suspected traffickers or defendants is one of the gaps in the legislative systems that can promote the human trafficking problem. Since most traffickers have contracts overseas, they can easily flee the jurisdiction and hide from the authorities, especially to other countries with which the Cambodian government has not signed any extradition treaties.

The victims of human trafficking also did not receive enough protection from the government. The government can not implement and adhere to the minimum standard of victim protection, especially for foreign victims, they will likely end up being deported immediately with a lack of appropriate services. The Cambodia Ministry of Social Affairs, Veterans, and Youth Rehabilitation's victim identification guidelines also remained disparate and underdeveloped. In December 2023, the government opened a victim support center in Banteay Meanchey province and migrant transit center in the border town of Poipet but never reported about their provided service or identified victims. Training for

the shelter utilized NGO funding and support but doesn't seem to actually make a difference to the evolving situation. The 2008 Law also did not provide any separate guidance for foreign victims of human trafficking.

Despite the revision of domestic laws to better adapt to the new context of globalization, Cambodia's government still shows signs of incompetence, while the unfinished domestic legal system presents another challenge. Too many inconsistencies in the statue lead to inconsistencies in legal interpretation and application. There are too many gaps that criminals can exploit, while the ignorance towards victims of human trafficking lead to the ineffectiveness of the whole country's legal system in combating the ongoing issue. The problem still remains in the governance, the undeveloped law is a sight of systemic dysfunction that is unable to adapt to the realities.

Cambodian domestic law actually aligns with international law in some respects. Both the Cambodian law and the UN Protocol appear deficient in several areas. This reflects the original intention of the 2008 law, as confirmed by the Cambodian Ministry of Justice: "The TSE Law has additional objectives: "to protect the rights and dignity of human beings, to improve the health and welfare of citizens, to preserve and enhance good national customs, and to implement the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime[…]." However, if the domestic law adapts to the international law without improving the source, the domestic implementation still contains the same shortcomings as the Protocol.

Cambodia did not fully incorporate international obligations into the domestic law, the 2008 law has not been effectively applied. Similar to the UN definition of trafficking, they fail to clearly define key terms, which is particularly hazardous for justice and human rights. For instance, the Cambodian anti-trafficking legal framework casts a wide net over poorly defined activities that include and confound trafficking, smuggling, and prostitution.

According to the U.S. Trafficking In Person 2024 Report, the Government of Cambodia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Cambodia developed its anti-trafficking law with the support of the international legal system and relevant organizations. However, when applied to the current situation, the state has failed to commit, neglecting many of its obligations due to the corruption within the governance system.

3.2. International cooperation in solving human trafficking

Cambodia can be considered to be very active in the international field of pre-

venting and handling human trafficking problems through international agreements or bilateral agreements with shared-border countries. Cambodia also pledged to join hands with countries like Japan and Australia.

The authorities signed all three of the Palermo Protocols, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition. Cambodia's efforts show its commitment to upholding international standards and fighting against human trafficking. Within the ASEAN region, there has been extensive cooperation through a series of formal legal instruments signed among member states. Most notably, the ASEAN Convention Against Trafficking in Persons, Especially Women and Children was signed by representatives of the following countries: Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam.

Cambodia has concluded bilateral labor migration and trafficking agreements with Thailand, Vietnam, and China, like the 2019 bilateral agreement on the Standard Operating Procedures (SOPs) on Case Management of Repatriation and Reintegration of Victims of Human Trafficking and Development of the Joint Plan of Action of SOPs with Thailand, the 2009 Standard Operating Procedures for the Identification and Repatriation of Trafficked Victims with Vietnam, and the 2016 Bilateral Agreement between China and Cambodia on Strengthening Cooperation in Counter Trafficking. The collaboration with China brings many positive outcomes. According to the Cambodia Interior Ministry Sar Sokha, from 2023 to the first half of 2024, the two sides have investigated and cracked down on multiple transnational crimes, including cybercrimes, human trafficking and drug-related crimes. China also supports Cambodia in training officials, providing technical equipment to improve the capacity of Cambodia in hunting down human trafficking compounds.

That said, Cambodia and most of the SEA countries' anti-human trafficking measures remain ineffective in keeping up with the growing scale and complexity of the crime. Experts or even governments do not consider SEA areas to be a safe place, they assess the government's efforts as insufficient to effectively address the issue of human trafficking: Many countries like Cambodia are on the watch list of the US government.

Human trafficking is not only a problem of developing countries like Cambodia, but also an issue for more developed countries within the EU. With better resources and a more comprehensive legal framework, the EU shows greater success in combating human trafficking. The EU has taken many measures to fight against human trafficking and is pushing for more efforts to fight human

trafficking. In 2023 alone, 457 arrests were made and €4.1 million were seized thanks to EU action. According to Diane Schmitt, the EU Anti-Trafficking Coordinator, the EU and its member states all follow a comprehensive approach, from prevention of the crime to the prosecution and conviction of criminals, while protecting the victims at all stages. This could be considered a key reason for their more effective action against human trafficking.

While EU member states have the primary responsibility of handling human trafficking within their respective jurisdictions, cooperation among member states is necessary, so law enforcement authorities from all EU countries work together to fight human trafficking through European Multidisciplinary Platform Against Criminal Threats (EMPACT) and with the support of EU agencies such as Europol, Frontex and Eurojust. The numbers illustrate an impactful outcome, as just between 2018 and 2023, about 5,555 arrests were made and 4,690 investigations were carried out with cash seizures totaling more than €39 million. These numbers may serve as a guide and inspiration for Cambodia and other SEA countries to continue their collaboration more efficiently.

Challenges and the Reason for the Ineffective Measures

Cambodia's inadequate domestic legislation is a result of the many challenges that the country encounters. The dysfunctional legal system is both a challenge in itself and evidence of deeper structural problems within Cambodian society and governance. The war-torn country has struggled to address the long-term consequences of an underdeveloped economy with a fragile political system while still undergoing post-war recovery.

1. Corruption and the political complicity

After decades of civil war and political violence, corruption still seems to be an issue for Cambodia's society. The "endemic corruption at many levels of government" is a key barrier to progress in fighting human trafficking. The Cambodian government has failed to adequately investigate widespread human rights abuses at scamming compounds despite being repeatedly made aware of them. While law enforcement agencies are perceived as the most corrupt and inefficient sectors, lacking the independence, resources, and capacity to effectively investigate and prosecute corruption cases. The authorities are reported to be deliberately ignoring a litany of human rights abuses including slavery, human trafficking, child labour and torture being carried out by criminal gangs.

Trafficking in persons could not occur at the large scale that it currently does without the leverage supplied by corruption. Corruption has weakened Cambodia's prosecutorial system to the extent that many trafficking leaders remain beyond the reach of justice because officials and police officers actively protect

them. The Cambodian Ministry of Interior reports 65 arrests for human trafficking and several prosecutions of police officials for trafficking-related corruption charges in 2006. For example, the former Deputy Director of the Police Anti-Human Trafficking and Juvenile Protection Department was convicted for complicity in trafficking and sentenced to five years' imprisonment. Two officials under his supervision were also convicted and sentenced to seven years' imprisonment.

According to The 2024 US report on Trafficking in Persons, corruption and official complicity – including by high-level senior government officials – in trafficking crimes remained widespread and endemic during the reporting period; this included the exploitation of tens of thousands of victims in forced criminality in online scam operations in Cambodia.

Cambodia still stays on the 'Tier 3' list of the US report, stating that: "The Government of Cambodia does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore, Cambodia remained on Tier 3." The weak and poor management of the justice system has further exacerbated the issue. The Cambodian government appears to turn a blind eye to reality in an attempt to reduce reported numbers, rather than addressing future crimes or effectively handling the current situation.

Beside the corruption, Cambodia's messy politics is also creating a more complicated scenario to fight against human trafficking. Human trafficking in Cambodia not only includes Cambodians but also many foreigners. The trafficking rings operate at an international scale, often led by Chinese nationals, while the victims can be from a wide range of countries in SEA, which means fighting it requires collaboration between the regions in anti-human trafficking campaigns. The domestic political dynamics have strained Cambodia's diplomatic relations and made it harder to pursue joint strategies against trafficking, especially since Cambodia´s diplomatic policy faces several challenges: disputes with countries like Thailand and Vietnam and balancing its relationship with China and the West.

A leaked call between Thai Prime Minister Paetongtarn Shinawatra and former Cambodian leader Hun Sen started some tension between Thailand and Cambodia, Hun Sen admitted to recording and disseminating the call, and later releasing the full 17-minute audio on Facebook. The leadership style of former Prime Minister Hun Sen drew criticism and may have raised concerns among neighboring countries regarding Cambodia's governance and regional cooperation.

2. The lack of resources

In Cambodia, responsibility for addressing trafficking cases falls on the police and other law enforcement authorities, who must detect, investigate, and prose-

cute offenders, while also rescuing victims and working with NGOs to provide them with support and protection. In reality, these agencies have to face major obstacles like limited funding, inadequate facilities, and a lack of professional training. Many officers are not equipped with the specialized knowledge needed to deal with trafficking, such as recognizing the methods of controlling used against victims of traffickers, they don't fully understand the legal rights and protections available to victims under domestic and international frameworks etc. These shortcomings often lead to mishandled cases, insufficient assistance for victims, and weak evidence collection, which in turn undermines the chances of securing convictions.

The gap between the officers and other agencies in the system can also result in more serious problems. For example, the limited funding and the weak collaboration between police and social services or other victim-support-organizations can lead to insufficient access to shelters, medical care, and legal aid. This situation places an additional burden on victims psychologically, yet their testimony remains a crucial component in securing successful prosecution of traffickers. Limited funding has also limited the essential equipment for anti-trafficking operations, thereby delaying interventions and reducing the chances of success.

3. Limited capacity in online crime investigations

As digital technologies reshape societies worldwide, Cambodia finds itself confronting a growing wave of online fraud and human trafficking that experts say is complicated by significant gaps in technological expertise, alongside accusations from some international media and organisations. During the pandemic, illegal online gambling and operations of forced criminality have increased, creating a new human trafficking and forced labour crisis, with estimates suggesting tens of thousands of individuals being held against their will in scam compounds in Cambodia.

The Cambodian government's limited capacity in combating online crime remains one of the key obstacles in the fight. Chou Bun Eng, vice-chairwoman of the National Committee for Counter Trafficking (NCCT) stated that "Cambodia lacks sufficient expertise in modern technologies and remains primarily a user rather than a developer of such technologies," in a press conference held at the Ministry of Interior. She emphasized the country's lack of ability to fight against online scams. With its under-developed technology, Cambodia can not find the most effective way to stop these strong and sophisticated cyber-enabled crimes.

Despite the introduction of a new five-year plan to combat human trafficking, the data from 2024 reported by the NCCT has shown an increase in cybercrime related to human trafficking. It stated that in 2024, compared to last year, the date marked a 20,15 percent rise with 197 cases of suppression recorded by the

authorities. This trend underscores the hard truth that the Cambodian government still does not have the ability to handle this serious problem.

The limited capacity in combating trafficking in humans is not only contained by the limited cyber-infrastructure but also the weak institutions and low information-and-communications-technology awareness. Many of the victims are young adults, often educated professionals, between the age of 20 and 30 years. The organized crime groups are mostly interested in recruiting young people because they are familiar with social media, smart phones, and cryptocurrency. The lack of awareness about the link between cybercrime and human trafficking remains a critical issue, even educated individuals can fall into the hands of criminals or be vulnerable for exploitation. The limited awareness becomes a bigger problem with the internet, which exposes young and inexperienced individuals seeking employment when the economy is showing signs of stagnation.

The Cambodian government consistently failed to screen foreign and Cambodian workers for trafficking indicators and selectively intervened in cases involving foreign victims from online scam operations, often only after foreign governments applied pressure through consistent advocacy for their citizens. Cambodia does not follow the international obligation to cooperate internationally to prevent, investigate, and prosecute trafficking, as stated in Articles 2 & 10 of the Palermo Protocol.

Recommendation

1. Strengthen Law Enforcement

1.1. Strengthening Institutional Integrity

Human trafficking remains a persistent and deeply rooted issue, disproportionately affecting the most vulnerable members of society. Addressing this complex problem must begin with the government and relevant authorities, who possess the necessary legal mandate, financial resources, and institutional power to enact meaningful change.

To effectively tackle this issue, it is recommended that the Cambodian government addresses issues such as institutional corruption and complicity with traffickers among high-level officials. It is evident that, according to the U.S. TIP Report 2024, Cambodia was placed at Tier 3, demonstrating how the Cambodian government failed to meet the minimum standard to confront human trafficking, lacking effort in the fight against this issue.

Cambodian officials have been reported to either ignore or actively facilitate trafficking operations, particularly in relation to criminal compounds involved

in cyber scams and forced labor. Victims, including foreign nationals lured under false pretenses, were often held in inhumane conditions while authorities delayed or avoided intervention—sometimes due to bribery or political connections. The involvement of officials and economic elites in these criminal operations has greatly hindered efficient law enforcement against human trafficking.

A prominent illustration of this problem is highlighted in a report by the United States Institute of Peace (USIP), which references Mr. Ly Yong Phat—an influential senator and advisor to Prime Minister Hun Manet—who owns the infamous O'Smach Resort and Casino located near the Thai border. The report underscores that, despite substantial evidence implicating the establishment is engaging in large-scale fraud, human trafficking, and acts of violence, the likelihood of holding Mr. Phat and other similar elites accountable remain minimal.

The U.S. Department of State has provided some prioritized recommendations to address this political challenge that undermines the effectiveness of the human trafficking enforcement in Cambodia. The Cambodian government must prioritize the identification and removal of complicit or negligent officials, especially those who have direct connections, for instance, those who serve as the operators of scam organizations and other illegal trafficking centers; or those who indirectly gain benefits from these criminal organizations. According to the U.S. TIP Report 2024, corruption among officials in Cambodia remains prevalent and widespread, becoming a persistent wall that inhibits trafficking combating measures. A complete restructuring of the state machinery may be necessary in the long term, however, immediate measures that should be taken into consideration are the enforcement of strict accountability mechanisms and the enhancement of internal oversight within law enforcement and judicial bodies, as well as ensuring that anti-corruption efforts are integrated into the broader strategy to combat human trafficking.

The issue of human trafficking in Cambodia must be addressed at its root. At present, the root cause lies largely in the government's indifference toward the prevention and suppression of trafficking activities, the dismantling of criminal operations, and the prosecution of those involved. This apathy extends even to basic efforts to ensure the safety and protection of victims, both domestic and foreign. Without a genuine commitment to institutional accountability, criminal networks are allowed to operate with impunity.

In particular, it should be a priority to identify and remove government officials who collude with or enable such crimes. Their removal would serve as a necessary deterrent to others within the system. Only through comprehensive institutional reform—starting with the elimination of corrupt actors—can a clean, transparent, and responsible government apparatus be established. It is only then that the considerable authority vested in public officials can be effectively mobi-

lized to combat human trafficking.

Decisive and stringent punitive measures must be enacted, beginning not with the direct perpetrators, but with those in positions of power who willfully ignore the suffering of the population. Holding high-ranking officials accountable is essential to restoring public trust and breaking the cycle of impunity. If those in power who shield or facilitate criminal activity are not prosecuted, the trafficking crisis in Cambodia will persist. In such a scenario, future criminal enterprises will continue to thrive—fueled by individuals who profit from fraudulent and exploitative operations, particularly within scam compounds. Addressing these systemic failures is therefore not just a legal imperative, but a moral and institutional one.

1.2. Increasing investigations

In addition to strengthening internal integrity, Cambodia must significantly increase the scope and effectiveness of trafficking investigations. While legal frameworks such as the 2008 Law on Suppression of Human Trafficking and Sexual Exploitation exist, enforcement has often been weak. According to the 2023 Trafficking in Persons (TIP) Report, investigations into trafficking cases, particularly those involving cyber scam compounds and forced labor, frequently lacked thoroughness and failed to result in substantive legal outcomes. Victims were not consistently identified through formal mechanisms, undermining their access to protection and justice. Furthermore, credible reports have emerged suggesting that some investigations were prematurely closed or never pursued at all due to corruption, political interference, or insufficient institutional will. This culture of impunity enables traffickers to continue operating with minimal risk, perpetuating cycles of exploitation and weakening public confidence in the justice system.

Improving the investigative infrastructure demands a more systematic and well-resourced approach. The establishment of specialized anti-trafficking units within law enforcement agencies is critical, but such units must be backed by sustainable funding and technical support.

As emphasized in the U.S. Cambodia Trafficking in Persons Report, Cambodia's current capacity remains severely limited, with many investigative bodies lacking access to modern forensic tools, cybercrime analysis software, and trained multilingual personnel necessary for handling cases involving foreign victims. These material and human resource deficits severely hinder the ability of law enforcement to collect evidence, pursue leads, and prosecute traffickers effectively. Moreover, the limited technological capacity makes it difficult to dismantle the increasingly sophisticated digital infrastructure supporting trafficking and online scam networks, which often operate transnationally and in-

volve complex money laundering schemes.

Equally essential is the improvement of interagency coordination and institutional accountability. Fragmentation between key institutions—such as the police, labor ministries, immigration departments, and the judiciary—has resulted in significant gaps in enforcement and victim protection. For instance, inadequate communication between labor inspectors and law enforcement has allowed illicit recruitment agencies, unlicensed employment brokers, and exploitative brothels to evade detection.

To address this, the Cambodian government must implement formalized protocols that mandate data sharing, joint investigative operations, and cross-training among relevant agencies. Institutional silos must be broken down to ensure a cohesive national response to trafficking, where information is rapidly disseminated, and operational responsibilities are clearly delineated. Only through such coordinated, well-resourced, and corruption-resistant mechanisms can Cambodia begin to address the scale and complexity of its human trafficking crisis in a meaningful and sustainable way.

2. Enhance Comprehensive Victim Support in Law

2.1. Non-punishment principle

One of the most significant shortcomings of TIPSE is the absence of the non-punishment principle for victims of trafficking. Under international standards, particularly Article 6(6) of the Palermo Protocol and Article 14(7) ACTIP, states are obliged to ensure that victims of trafficking are not punished for unlawful acts they were compelled to commit as a direct consequence of their exploitation. However, Cambodian legislation does not provide such explicit protection. As a result, victims remain vulnerable to prosecution for offenses such as immigration violations, prostitution-related activities, or the use of false documents. This gap not only contravenes Cambodia's international obligations but also discourages victims from cooperating with law enforcement, thereby weakening criminal investigations and prosecutions against traffickers.

Globally, several states party to the TIP have already taken concrete steps to enshrine the non-punishment principle into their domestic legislation. For example, Vietnam's Law on Prevention and Combat of Human Trafficking 2024, under Article 4(5), explicitly provides that: "Depending on the circumstances and in accordance with relevant laws, a victim of trafficking who has committed a violation of law as a direct consequence of being trafficked may not be subject to administrative sanction or criminal prosecution." This provision ensures a clear statutory basis for differentiating victims from offenders.

Similarly, Scotland incorporates the principle through Section 8 of the Human Trafficking and Exploitation (Scotland) Act 2015, which obliges the Lord Advocate to issue prosecution guidelines. The guidelines establish a "strong presumption against prosecution", distinguishing between children and adults: for children under 18, there is an almost absolute presumption not to prosecute, while for adults, prosecution should be avoided if there is credible evidence that the offense was committed under compulsion arising directly from their status as victims of trafficking. Thailand has also adopted this safeguard in Section 41 of its Anti-Trafficking in Persons Act B.E 2551 (2008), which states that victims of trafficking shall not be punished for offenses relating to prostitution or illegal entry into the country.

The mentioned regulations could serve as a valuable reference for Cambodian policymakers as they reconstruct their policies and regulations on this issue. TIPSE could be amended to insert a clear non-punishment clause, modeled on the provisions of Vietnam or Thailand, ensuring that trafficked persons are not prosecuted for acts directly linked to their victimization. Victims of trafficking shall not be subject to criminal or administrative liability for unlawful acts directly resulting from their trafficking situation, including immigration violations, the use of fraudulent documents, or participation in prostitution. Besides, law enforcement and judicial authorities require specialized training to shift the prevailing mindset that often criminalizes victims and instead adopt a human rights-based approach to trafficking cases.

This reform would encourage victims to come forward, support investigations, and strengthen prosecutions against traffickers, while aligning Cambodia with best practices already adopted by its regional and international partners.

2.2. Witness protection and prevention of retaliation.

Article 6(5) TIP requires states to guarantee the physical safety of victims and witnesses, especially during criminal proceedings. Cambodian legislation however remains limited. Article 49 TIPSE prohibits the media from disclosing the identity of victims, but it does not extend protection against intimidation, threats, or reprisals from traffickers and their networks, nor does it mandate closed hearings, protective relocation, or secure communication channels for victims and witnesses. As a result, survivors remain highly vulnerable to retaliation, which undermines their willingness to testify and impedes the prosecution of traffickers.

Comparative practices demonstrate stronger protections in the region. Vietnam's Law on Prevention and Combat of Human Trafficking 2024 incorporates detailed victim support obligations. For instance, Article 15(3) and (4) require families to help victims reintegrate and encourage them to cooperate with au-

thorities, while Article 47 assigns social support centers to provide shelter, counseling, and coordination with law enforcement during investigations. Article 56 further mandates local authorities to ensure community-level security and to protect victims from threats. This approach creates a network of institutional, family, and community responsibility, ensuring that victims are not left alone when facing intimidation.

Similarly, Singapore's Prevention of Human Trafficking Act 2014 empowers the Director of Social Welfare to provide shelter and counseling services, and to delegate these responsibilities to public officers or accredited NGOs. This ensures a state-led, legally binding safety net that shields victims not only from media exposure but also from retaliatory harm.

Based on these examples, Cambodia could establish a formal witness protection program, modeled on Vietnam's community-based approach, ensuring coordination between police, local authorities, and social service providers. Further, Cambodia could cooperate with NGOs or other countries to provide safe housing, relocation, and confidential identity management, supported by government funding and in partnership with NGOs, which would decrease financial burdens.

By legally mandating safety guarantees and confidentiality, Cambodia can strengthen both victim-centered justice and the overall effectiveness of anti-trafficking enforcement.

2.3. Protecting identity and private court proceedings

TIPSE is a limited approach to victim identity protection and confidentiality in legal proceedings. This creates a significant gap compared to international obligations under Article 6(1) TIP, which requires states to ensure privacy and protect the identity of victims "in legal proceedings," not merely against media disclosure. The absence of binding rules undermines victims' confidence in the justice system, making them reluctant to cooperate with authorities out of fear of re-traumatization, stigma, or retaliation.

By contrast, regional and international practices provide more models. In Singapore's Prevention of Human Trafficking Act 2014, Section 18 establishes mandatory confidentiality standards in court proceedings. For child victims, hearings must be held on camera, while for adult victims, the court may order private proceedings. Singapore's Prevention of Human Trafficking Act 2014 also prohibits publication of any information that may reveal the victim's identity or that of a witness whose evidence could indirectly identify the victim. Violations are criminalized, carrying penalties of up to three years of imprisonment or fines. This approach protects victims against secondary harm during trial processes.

Similarly, Vietnam's Law on Prevention and Combat of Human Trafficking 2024 codifies a comprehensive right to confidentiality. Article 6(1)(d) guarantees victims' rights to have personal and family information kept secret, while Article 36 requires all organizations and individuals to protect victims' addresses, workplaces, and private life. Moreover, courts are empowered to hold closed hearings in trafficking cases upon victims' request, ensuring that their dignity and security are preserved. These provisions ensure that victims retain agency in deciding whether proceedings should be public, while placing an affirmative duty on state actors to maintain confidentiality.

It is recommended that Cambodia should amend the TIPSE to include explicit provisions on identity protection and private proceedings such as required on-camera hearings for all cases involving trafficked children, and empowering courts to hold private hearings for adult victims on their request, aligning with Singapore's Section 18 and Vietnam's Article 36. Alternatively, the Cambodian government could establish clear procedural guidelines for maintaining confidentiality during investigations, interviews, and prosecutions, ensuring protection from the first point of contact through trial.

3. International cooperation: bilateral and ASEAN-based collaboration

ASEAN has provided many international cooperation efforts on sharing information on trafficking for forced criminality cases, as well as efforts to coordinate victim rescues and repatriations. These collaborations have involved governments, international organizations, NGOs, and the private sector, showing a positive effort to address the challenges of globalization. Such cooperation demonstrates the willingness of countries to support one another in tackling regional problems and keeping pace with the rapid development of human trafficking, which operates not only across Southeast Asia but also beyond the region.

For example, INTERPOL, the Bali Process, and other organizations have held workshops and meetings that included representatives of governments, international organizations, NGOs, and the private sector to share information on the current situation of forced criminality and cases. They have encouraged coordination between all relevant parties to fight human trafficking. As a result of these workshops and meetings, relevant stakeholders now have improved knowledge of the phenomenon of trafficking for forced criminality and are more cognizant of the mechanisms for reporting suspected cases, as well as rescue and repatriation mechanisms. Importantly, law enforcement agencies have now identified focal points in law enforcement in other Southeast Asian countries in order to facilitate information requests and information sharing.

However, the mechanism requires more significant improvements. The databases to exchange the information of victims, suspects, and locations of human

trafficking remain undeveloped. The incomplete networks limit the abilities of the relevant agencies to quickly respond, or increase the chances of failed investigations, prolong operations and place victims of trafficking in further danger. As a starting point, the databases should include lists of victims and suspects to support agencies in tracking exploitation locations. Building comprehensive databases requires stronger commitment from all countries involved. Although this is a challenging project, enhanced databases would significantly improve the region's capacity to combat human trafficking.

The bilateral standardized operating procedures (SOPs) for rescue and repatriation remain under development. The lack of guidance in rescue and repatriation have weakened cross-border cooperation among frontline responders, undermining the effective identification, rescue, and safe return of victims. ASEAN is still missing an effective initiative like EMPACT in the EU, which is a multidisciplinary cooperation platform of member states, supported by all EU institutions, bodies and agencies (such as Europol, Frontex, Eurojust, CEPOL, OLAF, EU-LISA, EFCA and others) with the association of third countries, international organisations, and other public and private partners.

This level of coordination among ASEAN agencies cannot be achieved overnight. Member countries must take proactive steps now to establish a strong foundation. Doing so will create more opportunities for future regional commitments and strengthen the efforts to combat human trafficking. Human-trafficking is now an international threat to the security and peace of the ASEAN, especially in Cambodia, which has now become a hotspot for traffickers. Given its limited resources to combat this crime, Cambodia requires support from other countries. Countries whose citizens have fallen victim to trafficking in Cambodia have called for stronger regional cooperation, pushing Cambodian authorities to improve prevention, victim protection, and prosecution efforts.

Conclusion

This study has examined how Cambodia has fulfilled its international anti-human trafficking obligations and assessed the effectiveness of these commitments in practice. The analysis reveals a fundamental discrepancy between formal compliance and actual enforcement. While Cambodia has ratified key international instruments and established domestic legal frameworks, the persistence of trafficking—especially involving women and children— highlights serious implementation failures rooted in weak institutional capacity, limited political will, and entrenched corruption.

To move beyond the current impasse, this paper suggests a rethinking of anti-trafficking strategies through a multi-dimensional policy framework. This could include the establishment of independent monitoring bodies, the integra-

tion of anti-trafficking goals into national development planning, and the use of targeted international assistance conditioned on measurable progress. Only by aligning legal obligations with concrete enforcement mechanisms and sustainable development efforts can Cambodia begin to close the gap between policy intent and lived realities. In doing so, it may not only fulfill its international obligations but also contribute more meaningfully to regional and global efforts to eradicate human trafficking.

Endnote

1. International Labour Organization, Walk Free, and International Organization for Migration, Global Estimates of Modern Slavery: Forced Labour and Forced Marriage (Geneva: International Labour Organization, 2022), 22–28. https://www.state.gov/reports/2024-trafficking-in-persons-report/

2. United Nations Information Centre. "UNODC Global Report on Human Trafficking: 25 Per Cent Increase of Detected Victims and More Children Being Exploited." UNRIC. Accessed September 17, 2025. https://unric.org/en/unodc-global-report-on-human-trafficking-25-per-cent-increase-of-detected-victims-and-more-children-being-exploited/.

3. UN Women Regional Office for Asia and the Pacific, Gendered Dynamics of Human Trafficking in Asia-Pacific (Bangkok: UN Women, 2020), 15–16.

4. Nicola Piper, "A Problem by a Different Name? A Review of Research on Trafficking in South-East Asia and Oceania," International Migration, vol. 43, no. 1/2 (2005), 210.

5. Ibid.

6. "Cambodia: US Trafficking in Persons Report Continues to Place Cambodia in 3rd Tier as Efforts to Address the Issue Are Not Enough with Increased Online Scams," Business & Human Rights Resource Centre, June 26, 2024, https://www.business-humanrights.org/en/latest-news/cambodia-us-trafficking-in-persons-report-continues-to-place-cambodia-in-3rd-tier-as-efforts-to-address-the-issue-are-not-enough-with-increased-online-scams/.

7. U.S. Department of State, Trafficking in Persons Report 2011, U.S. Department of State (2011), June 26, 2024, https://2009-2017.state.gov/j/tip/rls/tiprpt/2011/164221.htm

8. U.S. Department of State, Report to Congress on 2024 Trafficking in Persons: Interim Assessment Pursuant to the Trafficking Victims Protection Act (Washington, DC: U.S. Department of State, 2024).

9. Diana L. Betz, Human Trafficking in Southeast Asia: Causes and Policy Implications, Master's thesis, Naval Postgraduate School, 2009, 7, ADA501444.

10. Vidyamali Samarasinghe, "Confronting Globalization in Anti-Trafficking Strategies in Asia," Brown Journal of World Affairs, vol. 10, no. 1 (2003), 93.

11. United Nations, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, Nov. 15, 2000, Art. 3(a)

12. Bailey Gilarowski, An overview of Human Trafficking in Cambodia: The UN Role to address the problem, (Ontario, Canada: Peace Operations Training Institute, 2016), p.11-12, https://cdn.peaceopstraining.org/theses/gilarowski.pdf.

13. Bailey Gilarowski, An overview of Human Trafficking in Cambodia: The UN Role to address the problem, (Ontario, Canada: Peace Operations Training Institute, 2016), p.11-12, https://cdn.peaceopstraining.org/theses/gilarowski.pdf.

14. Takashi Yasunobu, Combating Human Trafficking in Cambodia: Establishing A Legal Environment for the Effective Counter Trafficking Measures, (Mekong Migration Organization, 2004), p.4-6, https://www.mekongmigration.org/bibliography/Combating%20Human%20Trafficking%20in%20Cambodia%20Establishing%20A%20Legal%20Environment%20for%20Effective%20Counter%20Trafficking%20Measure_Takashi.pdf.

15. Ibid.

16. Ibid.

17. United Nations Trafficking in Persons Protocol, Art.1(1).

18. ILO Convention No.29, Art.2(1).

19. U.S. Department of State, "2024 Trafficking in Persons Report: Cambodia", accessed June 27, 2025, https://www.state.gov/reports/2024-trafficking-in-persons-report/cambodia/.

20. ASEAN, "ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children", Introduction, p.1, https://asean.org/wp-content/uploads/2021/01/ASEAN-Convention-Against-Trafficking-in-Persons-Especially-Women-and-Children-Plan.pdf.

21. ASEAN-Australia Counter Trafficking. "Cyber Scams and Human Trafficking: A Report." May 2024. https://www.aseanact.org/wp-content/uploads/2024/05/202405-LSCW-Cyber-scams-and-HT-report-design-1.pdf.

22. United Nations: Office on Drugs and Crime, "Global Trafficking in Persons Report 2024" (United Nations publication, Sales no.: E.24.XI.11), p.39, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

23. United Nations: Office on Drugs and Crime, "Global Trafficking in Persons Report 2024" (United Nations publication, Sales no.: E.24.XI.11), p.43, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

24. United Nations: Office on Drugs and Crime, "Global Trafficking in Persons Report 2024" (United Nations publication, Sales no.: E.24.XI.11), p.43, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

25. United Nations: Office on Drugs and Crime, "Global Trafficking in Persons Report 2024" (United Nations publication, Sales no.: E.24.XI.11), p.42-43, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

26. United Nations: Office on Drugs and Crime, "Global Trafficking in Persons Report 2024" (United Nations publication, Sales no.: E.24.XI.11), p.43-44, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

27. United Nations: Office on Drugs and Crime, "Global Trafficking in Persons Report 2024" (United Nations publication, Sales no.: E.24.XI.11), p.51-52, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

28. United Nations: Office on Drugs and Crime, “Teaching Module Series: Trafficking in Persons & Smuggling of Migrants, Module 7”, https://sherloc.unodc.org/cld/en/education/tertiary/tip-and-som/module-7/key-issues/root-causes.html.

29. Surachanee Sriyai, “Global Inequality and Digital Vulnerability: Unpacking Online Scams and Human Trafficking”, ISEAS Perspective no. 45 (2025): 5.

30. Mely Caballero-Anthony, “A Hidden Scourge”, IMF Finance and Development Magazine, Sept 2018, https://www.imf.org/en/Publications/fandd/issues/2018/09/human-trafficking-in-southeast-asia-caballero.

31. Ibid.

32. United Nations: Office on Drugs and Crime, “Global Trafficking in Persons Report 2024” (United Nations publication, Sales no.: E.24.XI.11), p.146, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

33. ECPAT, “Human Trafficking and its impact on women, girls and children,” last accessed Apr 26, 2022, https://ecpat.org/story/international-women-and-girls-series-5-how-does-trafficking-affect-women-girls-and-children/.

34. BetterHelp Editorial Team, “Understanding Societal Stereotypes And How They Can Be Harmful,” last updated Jan 1, 2025, https://www.betterhelp.com/advice/stereotypes/understanding-societal-stereotypes-and-how-they-can-be-harmful/.

35. ECPAT, “Human Trafficking and its impact on women, girls and children,” last accessed Apr 26, 2022, https://ecpat.org/story/international-women-and-girls-series-5-how-does-trafficking-affect-women-girls-and-children/.

36. Mely Caballero-Anthony, “A Hidden Scourge”, IMF Finance and Development Magazine, Sept 2018, https://www.imf.org/en/Publications/fandd/issues/2018/09/human-trafficking-in-southeast-asia-caballero.

37. United Nations: Office on Drugs and Crime, “Global Trafficking in Persons Report 2024” (United Nations publication, Sales no.: E.24.XI.11), p.51, https://www.unodc.org/documents/data-and-analysis/glotip/2024/GLOTIP2024_BOOK.pdf.

38. Mely Caballero-Anthony, “A Hidden Scourge”, IMF Finance and Development Magazine, Sept 2018, https://www.imf.org/en/Publications/fandd/issues/2018/09/human-trafficking-in-southeast-asia-caballero.

39. Ibid.

40. Michael Schidlow, “Forced Fraud: The Financial Exploitation of Human Trafficking Victims”, MDPI Social Science 14, no. 7 (June 2025): 6-7, doi: https://doi.org/10.3390/socsci14070398.

41. Diana Betz, Human Trafficking in Southeast Asia: Causes and Policy Implications, (Monteray, California: Naval Postgraduate School, 2009), p.24-25, https://apps.dtic.mil/sti/pdfs/ADA501444.pdf.

42. Viet Phu, “Cảnh giác với thủ đoạn bắt cóc online,” Báo Quân đội nhân dân, July 25, 2025, https://www.qdnd.vn/phap-luat/cac-van-de/canh-giac-voi-thu-doan-bat-coc-online-838483.

43. “UN agency map reveals Cambodia as global scammer hub,” The Straits Times, Jun 18, 2025, https://www.straitstimes.com/asia/se-asia/un-agency-map-reveals-cambodia-as-global-scammer-hub.

44. Rfa, By Alex Willemyns For. “UN: Hundreds of Thousands of People Forced to Scam.” Radio Free Asia, June 4, 2025. https://www.rfa.org/english/news/cambodia/un-scam-compounds-08292023134753.html.

45. International Organization for Migration, IOM’s Regional Situation Report on Trafficking in Persons into Forced Criminality in Online Scamming Centres in Southeast Asia, February 2024, p.10, https://roasiapacific.iom.int/sites/g/files/tmzbdl671/files/documents/2024-02/iom-southeast-asia-trafficking-for-forced-criminality-update_december-2023.pdf.

46. United States Department of State. “2023 Trafficking in Persons Report: Cambodia,” Jan 6, 2025. https://www.state.gov/reports/2023-trafficking-in-persons-report/cambodia/.

47. Kiripost. “Cambodia, Indonesia Double Down Fight Against Transnational Crime Amid Rise in Online Fraud Cases,” n.d. https://kiripost.com/stories/cambodia-indonesia-double-down-fight-against-transnational-crime-amid-rise-in-online-fraud-cases.

48. “More Than 200 Foreigners Rescued From Cambodian Scam Centre.” VietnamPlus, February 24, 2025. https://en.vietnamplus.vn/more-than-200-foreigners-rescued-from-cambodian-scam-centre-post310446.vnp.

49. “Human Trafficking Cases Surge in 2024, Deportation of Offenders Doubles,” The Phnom Penh Post. March 28, 2025. https://www.phnompenhpost.com/national/human-trafficking-cases-surge-in-2024-deportation-of-offenders-doubles.

50. United Nations, United Nations Convention against Transnational Organized Crime, G.A. Res. 55/25, A/RES/55/25 (Jan. 8, 2001), Art. 15.

51. United Nations Office on Drugs and Crime. United Nations Convention against Transnational Organized Crime. (New York, 2000). Art. 12.

52. United Nations Convention Against Transnational Organized Crime, Art 26.

53. United Nations, “Trafficking in Women and Girls: Strengthening Access to Justice for Victim-Survivors: Report of the Secretary-General,” UN Women, August 23, 2024, A/79/322, 3, https://www.unwomen.org/sites/default/files/2024-10/a-79-322-submission-cambodia-en.pdf.

54. UNTOC, Art. 5

55. UNTOC, Art. 6

56. Report to the Secretary-General of the United Nations on Trafficking in Women and Girls” prepared by the Ministry of Women’s Affairs of Cambodia,

57. Report to the Secretary-General of the United Nations on Trafficking in Women and Girls” prepared by the Ministry of Women’s Affairs of Cambodia,

58. U.S. Embassy in Cambodia, “2024 Trafficking in Persons Report: Cambodia,” U.S. Embassy in Cambodia, last modified June 24, 2024, https://kh.usembassy.gov/2024-trafficking-in-persons-report-cambodia/.

59. Chenda Keo, Thierry Bouhours, Roderic Broadhurst, and Brigitte Bouhours, “Human Trafficking and Moral Panic in Cambodia,” The ANNALS of the American Academy of Political and Social Science 653, no. 1 (May 2014): 206-207.

60. Chenda Keo, Thierry Bouhours, Roderic Broadhurst, and Brigitte Bouhours, “Human Trafficking and Moral Panic in Cambodia,” The ANNALS of the American Academy of Political and Social Science 653, no. 1 (May 2014): 207.

61. Cambodian Center for Human Rights, Human Trafficking Trials in Cambodia, THE ASIA FOUNDATION (July 2010), 40 quoted in Corrin Chow, "Special Coverage," Human Rights Brief 23, no. 1, Article 8 (2020): 40.

62. U.S. Embassy Cambodia, "2024 Trafficking in Persons Report: Cambodia," last modified 2024, U.S. Department of State, https://kh.usembassy.gov/2024-trafficking-in-persons-report-cambodia/.

63. Cambodian law provides for judicial supervision as an alternative to pretrial detention.

64. U.S. Embassy Cambodia, "2024 Trafficking in Persons Report: Cambodia," U.S. Department of State, 2024, https://kh.usembassy.gov/2024-trafficking-in-persons-report-cambodia/.

65. Ibid.

66. Kingdom of Cambodia, Ministry of Justice, Explanatory Notes for the Law on Suppression of Human Trafficking and Sexual Exploitation, produced by the Ministry of Justice of the Kingdom of Cambodia (Phnom Penh: Ministry of Justice, 2013).

67. Keo, Chenda. Human Trafficking in Cambodia. (Oxon: Routledge, 2014), 91.

68. U.S. TIP Report Cambodia 2024.

69. Nang Veasna, "JICA Project to Help Human Trafficking Survivors," Khmer Times, November 8, 2023, https://www.khmertimeskh.com/501388781/jica-project-to-help-human-trafficking-survivors/.

70. Australian Government Department of Foreign Affairs and Trade, "Development Assistance in Cambodia," Department of Foreign Affairs and Trade, June 25, 2025, https://www.dfat.gov.au/geo/cambodia/development-assistance/development-assistance-in-cambodia.

71. Chu Thanh Van, "International Cooperation On Human Trafficking In Some Countries In Southeast Asia," VNU Journal of Foreign Studies 41, no. 2 (April 26 2025): 184-95..

72. Ministry of Women's Affairs Royal, "Report to the Secretary-General of the United Nations on Trafficking in Women and Girls," Ministry of Women's Affairs Royal, May 17, 2024.

73. Niem Chheng, "Cambodia, China Sharpen Efforts to Suppress Transnational Crime," Phnom Penh Post, September 9, 2024 https://www.phnompenhpost.com/national/cambodia-china-sharpen-efforts-to-suppress-transnational-crime.

74. Council of the European Union, "EU Against Human Trafficking," June 25, 2025, https://www.consilium.europa.eu/da/eu-against-human-trafficking/.

75. Diane Schmitt, EU anti-trafficking coordinator

76. Council of the European Union, "EU Against Human Trafficking," June 25, 2025, https://www.consilium.europa.eu/da/eu-against-human-trafficking/.

77. Ibid.

78. Khuon Narim, "Cambodia Remains on US Human Trafficking Watch List after Making Little Progress," CamboJA News, 7 July 2021, https://cambojanews.com/cambodia-remains-on-us-human-trafficking-watch-list-after-making-little-progress/

79. Marie Chêne, Overview of Corruption in Cambodia, U4 Helpdesk Answer (Bergen: U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute, 2009).

80. Amnesty International, “Cambodia: Government Allows Slavery and Torture to Flourish Inside Scamming Compounds,” Amnesty International, 26 June 2025, https://www.amnesty.org/en/latest/news/2025/06/cambodia-government-allows-slavery-torture-flourish-inside-scamming-compounds/.

81. OECD, “Trafficking in Persons and Corruption: Breaking the Chain,” OECD Public Governance Reviews, (Paris:OECD Publishing, 2016).

82. Ibid.

83. U.S. Department of State, “2024 Trafficking in Persons Report: Cambodia,” in Trafficking in Persons Report 2024 (Washington, D.C.: U.S. Department of State, 2024), August 25, 2025, https://www.state.gov/reports/2024-trafficking-in-persons-report/cambodia/.

84. U.S. Embassy Cambodia, “2024 Trafficking in Persons Report: Cambodia,” 2024, U.S. Department of State, https://kh.usembassy.gov/2024-trafficking-in-persons-report-cambodia/.

85. Vu Lam, “Commentary: Thailand–Cambodia Tensions Reveal Risks of Backchannel Diplomacy,” Channel News Asia, June 27, 2025, https://www.channelnewsasia.com/commentary/thailand-cambodia-leaked-call-paetongtarn-shinawatra-hun-sen-asean-backchannel-diplomacy-5204971.

86. Visal Nary Ponlok, The Impact of Anti-Human Trafficking Laws on Local Communities in Cambodia: A Case Study of the Phnom Penh Region, Studies in Law and Justice 3, no. 3 (September 2024), 20 August 2025, https://www.pioneerpublisher.com/slj/article/view/1022/929.

87. “Tech Gaps Hamper Cambodia’s Fight against Online Fraud and Trafficking: Experts,” Asia News Network, 3 June 2025, 20 August 2025, https://asianews.network/tech-gaps-hamper-cambodias-fight-against-online-fraud-and-trafficking-experts/.

88. Global Initiative Against Transnational Organized Crime, “Criminality in Cambodia – The Organized Crime Index,” OC Index, 2023, accessed 25 August 2025, https://ocindex.net/country/cambodia.

89. Neil Loughlin, “Transnational Organised Crime Meets Embedded Corruption: Cambodia’s Role in Southeast Asia’s Online Scam Epidemic,” Global China Pulse 3, no. 1 (2024): pp. 27–34, 25 August 2025.

90. Ibid.

91. Global Initiative Against Transnational Organized Crime, “Criminality in Cambodia – The Organized Crime Index,” OC Index, 2023, 25 August 2025, https://ocindex.net/country/cambodia.

92. United Nations Office on Drugs and Crime (UNODC), Casinos, Cyber Fraud and Trafficking in Persons for Forced Criminality: Policy Report (Bangkok: UNODC Regional Office for Southeast Asia and the Pacific, September 2023).

93. Ibid.

94. U.S. Department of State, 2024 Trafficking in Persons Report: Cambodia (Washington, DC: U.S. Department of State, 24 June 2024), 25 August 2025, https://kh.usembassy.gov/2024-trafficking-in-persons-report-cambodia/.

95. U.S. Department of State, “2024 Trafficking in Persons Report: Cambodia”, https://www.state.gov/reports/2024-trafficking-in-persons-report/cambodia/.

96. Ibid.

97. Ibid.

98. Will Jackson, “US Trafficking in Persons report says Cambodian officials complicit in human trafficking for online scams,” ABC News, Jun 27, 2024, https://www.abc.net.au/news/2024-06-27/us-report-cambodia-complicit-human-trafficking-online-scams/104020954.

99. Ibid.

100. Ibid.

101. U.S. Department of State, “2024 Trafficking in Persons Report: Cambodia”, https://www.state.gov/reports/2024-trafficking-in-persons-report/cambodia/.

102. Crown Office and Procurator Fiscal Service, “Lord Advocate’s instructions for non-prosecution of victims of human trafficking,” Jan 15, 2024, https://www.copfs.gov.uk/publications/lord-advocate-s-instructions-non-prosecution-of-victims-of-human-trafficking/html/.

103. Anti-Trafficking in Persons Act B.E 2551 (2008).

104. Law on Human Trafficking Prevention and Combat, No. 53/2024/QH15.

105. Singapore Prevention of Human Trafficking Act 2014 (PHTA).

106. Law on Human Trafficking Prevention and Combat, No. 53/2024/QH15.

107. United Nations Office on Drugs and Crime (UNODC), Casinos, Cyber Fraud and Trafficking in Persons for Forced Criminality: Policy Report (Bangkok: UNODC Regional Office for Southeast Asia and the Pacific, September 2023).

108. Ibid.

109. Ibid.

110. European Commission, “EMPACT: Fighting Crime Together - European Multidisciplinary Platform Against Criminal Threats,” Migration and Home Affairs, 1 July 2025, European Commission, accessed 20 August 2025, https://home-affairs.ec.europa.eu/policies/internal-security/law-enforcement-cooperation/empact-fighting-crime-together_en.