

# FROM INSIDE PRISON WALLS

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INTERVIEWS WITH INCARCERATED BROTHEL OWNERS  
AND HUMAN TRAFFICKERS IN CAMBODIA

NAOMI L. SVENSSON

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The author would also like to thank each of the researchers for their dedication, compassion, and commitment to excellence. Your hard work and genuine care for these women enabled us to hear their stories, perhaps for the first time, and to give voice to their unique and important experiences. Many thanks are also owed to our translator, Sok Lyna, for her excellent work in translating the many, many pages of interview notes. Your hard work has enabled us to tell these stories accurately.

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*“If a girl engaging in sex work was lucky enough to have somebody provide for her, her life could be a bit more comfortable than for others. While she is still able, she would have plenty of clients seeking her services. But when her time is over, nobody would bother to take her out. That’s the life of a girl working in bars. When you’re still in demand, a client could give you as much as a thousand dollars. But when your time is over, no one cares for you.”*

- Woman convicted for negotiating the sale of minors for sex. Prior to exploiting others, she had been a prostitute for some time.

*“My daughter is very pious to me, her mother. She loves me and her grandmother very much. Seeing that I didn’t have the money to buy medicines for my mother when she was ill, she sacrificed herself by having her virginity ‘khui’-ed. Being her mother, it hurt me a lot when I had to send my daughter to have her virginity ‘khui’-ed. Although I am not educated, that doesn’t mean that I was unfeeling to what my daughter, who came out of my womb, had to endure. However, we had no other choice and had to let her engage in such work. We were faced with a terribly difficult situation.”*

- Woman who sold her daughter’s virginity and subsequently trafficked young women to work in the sex industry in Malaysia



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## TERMS AND DEFINITIONS

<b>Bu Ding</b>	Also known as the Anarchy Building. Building complex in Phnom Penh well known for its high concentration of brothels and sex workers, with a large population of migrants from rural areas.
<b>Commercial sex worker, prostitute, prostituted woman<sup>1</sup></b>	These terms refer to an individual who provides sexual services in exchange for money or goods. These terms will be used interchangeably in this report.
<b>Correctional Center 2</b>	Cambodia's only all-female prison, located just outside of Phnom Penh. An adjacent facility separately houses male minors.
<b>Exploitation</b>	The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children defines exploitation to include, at a minimum, "the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs." <sup>2</sup>
<b>Khui or khuy</b>	The term used to refer to sex with a virgin. Literally means "to open a bottle, to uncork or to make a hole." <sup>3</sup>
<b>Trafficking</b>	The UN Protocol on Trafficking in Persons defines trafficking in persons as "the recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation." The Protocol further provides that the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation is considered trafficking, regardless of the means used. <sup>4</sup>

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<sup>1</sup> Choice of language in this area is subject to much heated debate and generally reflects a philosophical or ideological position. For the purposes of this report, however, these words will be used interchangeably and does not reflect a particular ideological stance.

<sup>2</sup> UNODC (2001) Art. 3a

<sup>3</sup> Derks, A. (1998)

<sup>4</sup> UNODC (2001) Art. 3a

## **ACRONYMS AND ABBREVIATIONS**

<b>CS</b>	Commercial Sex
<b>CSI</b>	Commercial Sex Industry
<b>CSW</b>	Commercial Sex Worker
<b>CSE</b>	Commercial Sexual Exploitation
<b>CSEC</b>	Commercial Sexual Exploitation of Children
<b>CC2</b>	Correctional Center 2
<b>FGD</b>	Focus Group Discussion
<b>IJM</b>	International Justice Mission
<b>NGO</b>	Non-Governmental Organization

## EXECUTIVE SUMMARY

In January 2009, International Justice Mission (IJM) Cambodia conducted a research project in Cambodia's only all-female prison. The research team interviewed a total of 57 prisoners incarcerated for human trafficking or the commercial sexual exploitation of women. The women were asked questions about their background and life experiences, the role they played in the commercial sex industry (CSI), their perceptions and feelings about the CSI, and their experiences in Cambodia's public justice system. Interviews were conducted over the course of two and a half months, all taking place inside the walls of this prison facility. The following briefly summarizes some of the research findings. More in-depth discussion and numerous direct quotations are included in the corresponding sections of the report.

### DEMOGRAPHIC FINDINGS

- **Age:** The participants' ages ranged from 18 to 69 years of age.
- **Ethnic Heritage:** 55% of the participants identified as Khmer. 30% of the participants identified as Vietnamese. 10% of the participants identified as being a combination of Khmer, Vietnamese, and/or Chinese.
- **Country of Birth:** 70% of the participants were born in Cambodia. 30% were born in Vietnam.
- **Marital Status:** 32% of the participants indicated that they were currently married. The remaining 68% did not currently have a partner (i.e., they are single, divorced, separated or widowed).
- **Children:** 81% of the participants indicated that they had one or more children.
- **Education Level:** 25% of the participants never attended school. 25% attended school for 3 years or less. 30% attended school for 4 to 6 years. 21% attended school for more than 6 years.
- **Childhood Hardships:** Among the childhood hardships that the participants mentioned, 34% mentioned the death of a parent, 21% mentioned that their family did not have enough money, 21% mentioned that they experienced domestic violence and 36% mentioned that their family was indebted at some point during their childhood.
- **Time Served:** The length of time the women had served in prison at the time of this research ranged from 1 to 11 years. 60% of the participants had been incarcerated for at least 4 years.
- **Sentence Length:** The sentence lengths range from 5 to 28 years. 26% of the participants are serving sentences of 6 years or less. 36% of the participants are serving sentences ranging from 10 to 14 years in length. 32% of the women are serving sentences ranging from 15 to 28 years. The average sentence is 11.5 years. 6% of the women did not respond to this question.

**LIFE EXPERIENCES:** The research team asked the women about their life experiences. Commonalities among the women's experiences were not easily discernable because of the wide variety of life experiences. However, a few common experiences did emerge, as listed below and as explored more fully in the corresponding section of the report.

- **Initial Role in the CSI:** 23% of the women had their first direct contact with the CSI as victims of trafficking. 9% of the women first became involved in the CSI as prostitutes. The remaining 68% became involved in the CSI as exploiters.
- **Financial Hardships:** Many of the women discussed financial difficulties and surrounding circumstances that led to or exacerbated these financial difficulties. The

women mentioned lack of food, family members addicted to gambling and alcohol, debt, death of a parent or spouse, divorce, illness and estrangement from family members.

- **Family Dysfunction:** The women also recounted dysfunctional family events or circumstances, including incidents of physical, verbal, or sexual abuse, marital infidelity, addiction, and being commercially exploited by a family member.
- **Abuse and Trauma:** Some of the women recounted serious incidents of abuse and trauma, both in and outside the CSI. These incidents included rape (outside the CSI) and myriad acts of violence and trauma (within the CSI).
- **Exposure to CSE:** The researchers asked the women how they learned about exploiting others in the CSI. 20% stated that they learned about opportunities to exploit others while working as a prostitute in a CS establishment. 20% indicated that they learned about CSE while working in the CSI in some other capacity, i.e., not as a prostitute. 41% learned about opportunities to exploit others while living in a neighborhood with many prostitutes and CS establishments. 22% were recruited by a neighbor who was involved in the CSE of others. 17% were recruited by a family member who was involved in the CSE of others. 7% were recruited by a friend who was involved in the CSE of others. 7% were recruited by a stranger who was involved in CSE of others. 10% were approached by a victim (i.e., a minor) who asked them for help finding work in the CSI. 2% were approached by a prostitute who was looking for someone to assist them in finding work or to “manage” them.

### COMMERCIAL SEXUAL EXPLOITATION OF OTHERS

- **Roles Played:** Of the 41 women who admitted to engaging in the commercial sexual exploitation of others, 51% were traffickers, 24% were pimps, 37% owned or managed a commercial sex establishment and 17% sold a relative for CSE. Some women played more than one role.
- **Degree of Involvement:** 71% of the 41 women admitted to regularly engaging in the CSE of others. 29% admitted to only engaging in the CSE of others on one occasion.
- **Strategies and Methods of Operation:** The women were not very forthcoming about the strategies and methods they employed in running their brothels or CSE establishments. This section includes some general information shared about recruitment strategies, disciplinary measures, division of earnings and evading arrest.

### PERCEPTIONS AND FEELINGS ABOUT COMMERCIAL SEX INDUSTRY

- **General Feelings:** The participants were asked to indicate their level of agreement with four statements: (1) Working as a commercial sex worker is a good job for a woman. (2) Acting as the person who introduces sex workers to the client is a good job for women. (3) A daughter should be willing to sell her virginity to her support family. (4) It is a good thing for a daughter to be a sex worker to support her family. The women provided a range of responses, some of which revealed the tensions and mixed feelings the women have about the CSI. Many women expressed negative feelings about prostitution and/or managing prostitutes, such as: “*Working as a sex worker is terribly miserable,*” or “*I think having to work as a sex worker is so pitiful,*” or “*Introducing girls to clients is a job hated by society.*” However, many stated that despite the stigmatization associated with prostitution, women feel compelled to participate in the CSI to provide income for their destitute families. The participants were also asked to speculate as to why they thought women engaged in the CSE of others. Some of these responses were echoed by the women when they were asked why they chose to engage in the CSE of others.
- **Specific Feelings:** The researchers asked the women about why they did what they did, i.e., why they engaged in the CSE of others. The women’s responses were categorized

into the following 10 reasons: (1) The girl or her parents begged me to help; (2) The girl volunteered to do this work herself; (3) I was destitute; (4) I could not earn a viable income another way; (5) I was enticed by the money; (5) I saw others doing the same to earn money; (6) It seemed like an easy way to make money; (7) I was helping poor people earn money; (8) I was abused, so I also abused others; (9) It was my daughter's duty to do this; (10) The girl had already lost her virginity. This section contains many direct quotes that help to explore these reasons and the complexities surrounding them.

## EXPERIENCE WITH THE PUBLIC JUSTICE SYSTEM

- **Police Officers:** The women's impressions about and experiences with police officers were generally negative. When asked about their arrest and about co-perpetrators, 21% of the women reported that at least one or more co-perpetrators evaded arrested by corrupt means (e.g., bribing a police officer or abusing a position of influence). Of those who reported that their co-perpetrators were arrested, 49% indicated that one or more of those arrested co-perpetrators were released, again generally as a result of corrupt influences. While several women indicated that they were treated fairly by police officers, many recounted incidents of corruption and abuse, including physical abuse, theft of personal possessions, and requests for payments in exchange for favorable treatment.
- **Defense Lawyers:** The women's general impressions of their lawyers were mixed, with both positive and negative responses expressed during initial focus group discussions. When asked more specifically about their experiences during interviews, 83% indicated that they had a lawyer represent them, while 11% did not have a lawyer. Of those who did have a lawyer, 36% paid their lawyer, while 54% did not or could not pay their lawyer. Of those who paid their lawyer, the amount paid ranged from \$25 to \$20,000. 61% of the women who had a lawyer only met with their lawyer one time. 30% of the women met with their lawyer while they were in prison, while 57% met their lawyer for the first time at their trial. 96% of the women who had lawyers stated that their lawyer was present on the day of their trial to represent them. Two of the 44 women reported that the lawyer they hired did not appear on the day of their trial, but that another lawyer appeared instead to represent them.
- **Judges and Courts:** The women's feelings about judges and the trial process were generally negative. The women repeatedly mentioned phrases like "*tried without mercy*," and "*no justice*." 60% of the women described their trial experience as unfair. 50% of the women who stated that they needed a translator were not provided with a translator during trial. 23% of the women reported that they had been asked to provide payment to a judge or did in fact provide payment to a judge in exchange for a promise of favorable treatment.
- **Validity of Convictions:** 15% of the participants insisted throughout their interviews that they were neither involved in the commercial exploitation of others nor affiliated in any way with the CSI. The researchers could not confirm or deny their assertions. Some of these women's accounts have been included for further reflection and consideration.
- **Prison:** The women spoke candidly about the prison conditions, such as having insufficient sleeping space, food, water and medical care, as well as the emotional hardships of being in prison, separated from their families.
- **Reflections and Recommendations:** The women were asked to share their opinions about Cambodia's public justice system and to offer some recommendations. This section contains many insightful comments. One woman expressed a recurring sentiment well: "*I feel that justice is only for the rich. There is no justice for the poor.*"



## INTRODUCTION

International Justice Mission is a human rights agency that secures justice for victims of slavery, sexual exploitation, and other forms of violent oppression. IJM lawyers, investigators and aftercare professionals work with local officials to ensure immediate victim rescue and aftercare, to prosecute perpetrators and to transform public justice systems. IJM investigators, lawyers and social workers intervene in individual cases of abuse in partnership with state and local authorities. By pushing individual cases of abuse through the justice system from the investigative stage to the prosecutorial stage, IJM determines the specific source of corruption, lack of resources, or lack of good will in the system denying victims the protection of their legal rights. In collaboration with local authorities, IJM addresses these specific points of brokenness to meet the urgent needs of victims of injustice.

In all of its casework, IJM has a four-fold purpose:

1. **Victim Relief:** IJM's first priority in its casework is immediate relief for the victim of the abuse being committed.
2. **Perpetrator Accountability:** IJM seeks to hold perpetrators accountable in their local justice systems. Accountability changes the fear equation: When would-be perpetrators are rightly afraid of the consequences of their abuse, the vulnerable do not need to fear them.
3. **Victim Aftercare:** IJM aftercare staff and trusted local aftercare partners work to ensure that victims of oppression are equipped to rebuild their lives and respond to the complex emotional and physical needs that are often the result of abuse.
4. **Structural Transformation:** IJM seeks to prevent abuse from being committed against others at risk by strengthening the community factors and local judicial systems that will deter potential oppressors.

In Cambodia, IJM supports the Royal Government of Cambodia to eliminate the commercial sexual exploitation of minors in the target cities of Phnom Penh, Sihanoukville, and Siem Reap and surrounding provinces through leveraged casework and transformational activities. IJM Cambodia opened a field office in Cambodia in February 2004. Since that time, IJM Cambodia has partnered with government officials, police officers, lawyers, and aftercare professionals to bring tangible relief to victims of commercial sexual exploitation and trafficking and to facilitate the arrest and conviction of perpetrators involved in these crimes. In addition, IJM Cambodia has also worked to build the capacity of the public justice system to effectively combat trafficking and the commercial sexual exploitation of women and children in Cambodia through the on-going training of public justice professionals.

A number of concerns identified while engaging in this work prompted IJM Cambodia to launch this research project. First, since beginning operations here, IJM Cambodia has aimed to assess its effectiveness by collecting and examining qualitative and quantitative data. IJM maintains databases to gather and track basic information about the women and girls who have been removed from CSE. In addition, IJM tracks the numbers of perpetrators arrested, charged and convicted for trafficking and CSE crimes, and to the extent possible, collects basic biographical data about these perpetrators. When IJM examined the cumulative statistics related to perpetrators, the results confirmed what had been suspected – that a large percentage of the perpetrators arrested, charged, and convicted in connection with our work were women. Specifically, as of August 2008, over 60% of the perpetrators arrested in the previous 5 years were women.



On a global scale, it has been reported that a disproportionate number of women are involved in human trafficking, not only as victims, but as traffickers. According to a recent United Nations Office on Drugs and Crime (“UNODC”) report on trafficking globally, “female offenders have a more prominent role in present day slavery than in most other forms of crime... The data gathered on the gender of offenders in 46 countries suggest that women play a key role as perpetrators of human trafficking.”<sup>5</sup> The report goes on to stress that this “fact needs to be addressed, especially the cases where former victims become perpetrators.”<sup>6</sup>

While our statistic (60% females among all perpetrators detained in connection to our work) may or may not represent the gender breakdown of all perpetrators involved in trafficking and CSE crimes in Cambodia, it nonetheless begs to be explored and understood. Is it that women do in fact play a surprisingly key role in the CSE of other women? Alternatively, is it that women’s roles in the CSI allow for easier detection, arrest and conviction than the roles typically played by men? Or perhaps the higher number of females convicted indicates a justice system that favors men or those with access to funds or power, enabling them to evade arrest or conviction? This research was conducted in part to try to understand the meaning of this alarming statistic.

Another reason that IJM Cambodia conducted this research was to learn about these women. Beyond the basic biographical data we glean about perpetrators from police reports, we do not have any meaningful information about perpetrators. We do not have information about how they initially became involved with their criminal activities or how they entered the CSI. What are these women’s stories? How did they get involved? What circumstances surrounded their decision to exploit other women? Did some start out as victims of trafficking themselves? We believed that learning about these women’s experiences could provide us with a more complete picture of human trafficking and CSE in Cambodia and help to inform the intervention and assistance strategies we and our partners employ, not just for victims of trafficking, but also for potential perpetrators.

Furthermore, we conducted this research to learn how Cambodia’s public justice system treats perpetrators. While our work has exposed us to some aspects of Cambodia’s justice system, allowing us to see both its strengths and weaknesses, these insights have been limited to those relating to victims. While our primary focus continues to be the rescue, representation and assistance of victims, we are also committed to contributing to the transformation of Cambodia’s public justice system. However, without a complete view of the public justice system, including how perpetrators are treated and served by the public justice system, our perspective and efforts are also incomplete. Because a truly functional public justice system protects the rights of both victims and defendants, we felt it was our responsibility to learn about the perpetrators’ experiences with the justice system. For example, are perpetrators receiving adequate legal representation? Are they given a fair trial? Are their rights protected? Does the public justice system deter perpetrators? Does the prison system rehabilitate convicted perpetrators, or does it instead create a more dysfunctional, more traumatized individual? And ultimately, is the public justice system “just,” in the full sense of the word? Learning the answers to these questions is a vital part of helping transform Cambodia’s public justice system and assessing whether our efforts to reduce the incidents of CSE in Cambodia are effective.

In addition, while a growing body of research has developed over the past decade on the issue of trafficking in Cambodia, few of these studies have been based on interviews or communications with those engaged in CSE. In fact, a review of a decade of research in trafficking in Cambodia

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<sup>5</sup> UNODC (2009) p. 10

<sup>6</sup> UNODC (2009) p. 6

concluded that “traffickers/recruiters were hardly ever interviewed” during research projects.<sup>7</sup> Some international reports have aimed to profile the trafficker or the brothel owner, but most such reports are based on interviews of victims or NGO workers, rather than with the perpetrator. While helpful in some respects, secondhand information about who the perpetrators are does not give accurate information about how, when and why they became involved in these activities, or how they perpetuate their abuses. As documented elsewhere, little is known about human traffickers and about those who engage in the commercial sexual exploitation of others. “Data and information about how people come to commit trafficking crimes...their relationships to other criminals and victims, and a strong understanding of trafficking modus operandi would help establish the means by which actual traffickers can be identified, stopped and prosecuted, as well as preventing potential traffickers from becoming so.”<sup>8</sup>

The obvious difficulty involved in directly accessing perpetrators likely explains this lack of firsthand information. However, such direct research with perpetrators could be highly instructive. Candid interviews with these individuals could yield a wealth of new information about trafficking from the perspective of those who help to sustain the enterprise. This information could alter how the anti-trafficking community conducts its work, as well as provide new insights into how to better protect potential trafficking victims, how to implement more effective prevention efforts, and how to locate and eradicate trafficking networks or commercial sex institutions.

With the hope that we would be successful in gaining access to incarcerated traffickers and brothel owners to learn this and much more, IJM Cambodia decided to conduct this research.

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<sup>7</sup> Derks, A. (2006) p. 12

<sup>8</sup> UN Gift (2008)



# RESEARCH DESIGN AND IMPLEMENTATION

## A. RESEARCH DESIGN AND PREPARATION

### **Initial Consultations with Stakeholders and Researchers**

Prior to beginning any formal planning on the research project, the research team leader and the IJM Cambodia Field Office Director met with several stakeholders in both the anti-trafficking and prison assistance communities in Cambodia to discuss the project and its potential value. Each stakeholder provided positive feedback on the project and helped to refine the scope, objectives, and methodologies of the project. The research team leader also met with several experienced researchers to obtain advice and insight into effective research methodologies, researcher selection strategies, formulation of research tools, creation and implementation of ethical guidelines, and other areas. These meetings were vital to the effective formulation of the research content and the manner in which the research would be carried out.

### **Research Objectives**

The project was designed around three research objectives. First, it was designed to learn what factors influenced the perpetrators' decisions to traffic or engage in the commercial sexual exploitation of women or children. This information could be used to shape and inform prevention, assistance, and community education efforts directed at both victims and potential perpetrators. Second, it was designed to learn about the perpetrators' trial and prison experiences. This could help inform activities aimed at transforming Cambodia's public justice system, including improving the defense bar and providing relevant in-prison educational programming in partnership with existing prison programs. Third, it was designed to obtain information about trafficking and the CSE of women and children from perpetrators, including how the exploitation happens, what types of tactics are used to recruit women and children and other relevant information. This information could be used to inform the counter-trafficking operations of government agencies and their partners.

While these objectives set the direction of this research project, the women's responses ultimately informed our research findings. As readers will note, these findings differed from the objectives in many important respects. In some ways, the findings went beyond the scope of the research objectives, while in others, they did not satisfy the research objectives.

### **Research Team**

The research team was led by a non-Cambodian staff member of the IJM Cambodia Field Office. The remainder of the research team was composed of two Cambodian researchers and one Vietnamese researcher. All of the team members were female. All of the field work (focus group discussions and interviews) was conducted by the Cambodian and Vietnamese researchers. Appendix A contains a brief biography of each of the team members.

### **Capacity Building Approach to Research**

From the start of the research, the team leader realized the importance of structuring the project to facilitate and nurture local skills development. Therefore, the research team was involved in each stage of the research project, including refining research objectives, creating and refining focus group discussion topics and interview questions, preparing and finalizing the survey, conducting the research, and assisting in analyzing the research findings.

### **Pre-Research Activities**

For the first 6 months of the project, the research team met together on a part-time basis to participate in training, to refine the research methodology and to develop the research materials. The researchers received basic training in self-awareness, understanding trauma, group dynamics,

research ethics, and how to facilitate focus group discussions and conduct interviews. In addition, they were given opportunities to engage in exercises to develop their observation and note-taking skills. Researchers also received a basic overview of the trafficking and CSE situation in Cambodia, as well as Cambodia's prisons and legal system, including relevant laws on trafficking and CSE related offenses. Following these activities, the research team prepared and refined all research materials, including focus group discussion outlines, interview questionnaires and the consent agreement. Once materials were prepared and translated, the research team engaged in mock interviews and focus group discussions to refine materials and practice.

### **Ethical Guidelines**

The research was carried out following the ethical guidelines included in Appendix B. Prior to an initial meeting with a research participant, the researchers would carefully explain the informed consent agreement. Once informed consent was obtained, the researchers began the focus group or interview session. A copy of the informed consent agreement that was read to the prisoners is attached as Appendix C.

### **Preparing the Research Materials**

The research team prepared materials for focus group discussions on three separate topics. The focus group discussion topics were: (1) knowledge and perceptions of crime generally; (2) knowledge and perceptions of trafficking related crimes; and (3) experiences within the public justice system. The purpose of the focus group discussions was to elicit general feelings and opinions about the topics discussed and to allow the researchers to meet and begin building relationships with the participants whom they would later meet for individual interviews.

The research team organized the interview questions into two sessions. The field research was designed to allow the researchers to meet with most of the selected prisoners a total of three times (once for focus group discussions and twice for individual interviews). The first set of interview questions focused on the prisoner's background and biographical information, the prisoner's involvement with the CSI, and her experiences within the public justice system. The second set of interview questions included more specific questions about the prisoner's knowledge of, perceptions about, and involvement with the CSI.

### **Obtaining Prison Department Authorization**

IJM staff met with the Director General of the Department of Prisons within the Ministry of Interior to discuss the possibility of conducting a research project in the prisons. The Director was supportive and enthusiastic about our intended research project. He provided us with the necessary authorization to conduct our research.

### **Selection of Research Participants**

After receiving authorization from the Department of Prisons to proceed with the research, the research team met with the Prison Chief of CC2 to discuss the parameters of the research and to coordinate the practicalities of the project. The Prison Chief provided the research team with a list of all of the women detained at CC2 for crimes related to trafficking and the procurement of prostitution. He provided the names of 124 women. Of these, 83 women had been either convicted or charged with the offense of "trafficking," and 41 had been convicted or charged with the crime of "pimping."

From this list of 124 women, the team leader selected 57 women to participate in the study. Most of the participants were randomly selected from the list. However, approximately 20 of the 124 women were identified as having been connected with an IJM investigation. All of these women were selected to participate in the study.

### **Gifts to Prisoners and Prison Officials**

Following each focus group discussion and the first set of interviews, participants were given small food gifts of appreciation. Following the second set of interviews, participants were given a small care package containing toiletry items and small food gifts. Given the limited resources of these women and the routine practice employed by researchers of providing small gifts or limited compensation to research participants, the researchers decided it was appropriate and important to make this provision.

At the conclusion of the research, the prison guards were also given small gifts of appreciation for their assistance with the project. In addition, IJM Cambodia officially donated two used computers to the administrative department at CC2. Given the minimal resources allocated to the Prison Department, we considered it appropriate to assist the prison in such a manner.

### **B. CONDUCTING THE FIELD RESEARCH**

The field research was conducted over the course of two and a half months, starting in early January 2009 and concluding in mid-March. The research team visited the prison three times a week.

The field research was conducted in either Khmer or Vietnamese. Ethnically Vietnamese prisoners were gathered together for Vietnamese-speaking focus group discussions and were paired with the Vietnamese researcher for one-on-one interviews. The Vietnamese researcher is also fluent in Khmer, which allowed her to accommodate the different language needs of the interviewees.<sup>9</sup>

#### **Research Participants**

A total of 48 participants took part in 6 focus group discussions. A total of 57 women were interviewed in one-on-one interview sessions. Most of these 57 women (41 to be exact) met with the research team for two interview sessions. The remaining 16 women met with the researchers for only one interview session.

The initial interview schedule planned for two sessions of interviews with each woman. However, in implementation, the research team concluded that meeting with every participant twice was not always an effective use of the limited time. More specifically, if a participant was not likely to provide any additional information in a subsequent session, that participant was not scheduled for a second interview.<sup>10</sup>

After the field research was completed and the research team had reviewed the field reports, the team leader concluded that four of the participants' responses should be removed from the collection of reports to be included in the data analysis. This was because their responses were extremely brief, thereby preventing the team from drawing any conclusions from the data.<sup>11</sup>

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<sup>9</sup> Some of the ethnically Vietnamese prisoners were born and raised in Cambodia. For some of these women, they felt more at ease speaking Khmer, or speaking a mixture of Khmer and Vietnamese.

<sup>10</sup> Although only interviewed once, most of the 16 women's responses were still included for data analysis purposes because their initial session yielded relevant information. As discussed above, they were not scheduled for a subsequent session because the researcher concluded that they would not likely provide additional information during a second session.

<sup>11</sup> While many of the participants exhibited some level of non-cooperation, the 53 participants whose responses were included provided relevant information. With the four remaining women, however, such was not the case. These four interviews yielded a wholly insufficient amount of information from which to draw any conclusions. As such, these responses were excluded.

Therefore, of the 57 women interviewed, the responses of 53 women were analyzed and included in the research findings.

For the purposes of this report, the terms “all participants” or “total number of participants” will refer to these 53 prisoners whose responses were included in the data analysis.

### **C. LIMITATIONS AND CHALLENGES**

#### **Research Environment**

Conducting research within the confines of a prison presented some interesting challenges. Visiting hours at CC2 were limited to 2 to 2.5 hour blocks in the morning and in the afternoon. Researchers were allowed to engage with the women between the hours of 8:00 A.M. and 10:30 A.M., and again from 2:00 P.M. to 4:00 P.M. At the conclusion of each time block, researchers were notified of the time, given an opportunity to wrap up the interview, and were then required to leave. These blocks of time were generally sufficient to complete each interview but did restrict the natural flow of conversations.

Due to the space limitations in the prison compound, all of the research was conducted in one small interview room. During the focus group discussion phase of the research, one focus group discussion was held during each morning and afternoon time slot. During the interview phase of the research, each of the three researchers conducted individual interviews with one prisoner each. However, all three individual interviews were conducted simultaneously inside the small interview room. The room was situated next to a series of rooms set aside for vocational training purposes, which sometimes created a great deal of background noise. The only window in the room opened out into an area where other prisoners could loiter and look in, if the shutters were open. As such, it was difficult to create a private space free from occasional onlookers, noise, or other distractions. Despite this, the researchers were generally able to build rapport with the prisoners and engage in significant and meaningful interviews.

During initial meetings with stakeholders, the team leader was repeatedly forewarned about the possibility of observation by or interference from the prison guards. Surprisingly, however, the researchers were able to conduct their research without the interference or presence of prison guards. This allowed the women to candidly share their stories and experiences, which frequently included their recent experiences in prison. In fact, the prison officials were extremely cooperative and accommodating, and they consistently assisted the researchers by providing access to the interview room, bringing in appropriate prisoners to the interview room and otherwise providing assistance to the researchers as needed.

#### **Language and Translations**

Research materials were prepared initially in English, then translated into Khmer, and then into Vietnamese. Following translations, the team discussed the translated research materials, talked through individual questions, and ran through mock focus group discussions and interviews to ensure that the meaning of the questions was retained. Interview responses were recorded in Khmer by the Cambodian researchers and in Vietnamese by the Vietnamese researcher. Subsequently, they were translated directly into English, either by the researchers themselves, IJM staff skilled in translation or an independent Vietnamese to English translator. The research team and support translators worked together to try to ensure that the integrity of each woman's interview responses was maintained during the course of translation and interpretation. However, even with these efforts, some information was undoubtedly lost in translation.



### **Ethical Challenges**

As mentioned previously, IJM was involved in the cases of approximately one third of the interviewed prisoners. This means that, while not directly involved in the arrest or conviction of any of these perpetrators, IJM staff likely assisted police in gathering evidence in support of their involvement in criminal activity. Additionally, IJM staff likely supported prosecutors, court officials and victims' lawyers to pursue their convictions. Given this level of involvement in these women's cases, the research team questioned how best to ethically conduct this research. In particular, the research team considered whether to identify themselves as working for IJM and how to communicate the purpose of the research to the participants. The researchers decided to identify themselves by name, but realized that over-identification could affect the level of cooperation and participation and ultimately hinder the success of the research.

After much discussion, the research team decided to introduce themselves as contract researchers and did not mention their affiliation with IJM. For a complete description of what was communicated to the participants, please refer to the informed consent agreement included in appendices of the report (Appendix C).

### **Cooperation, Honesty and Accuracy of Data**

From the start, we anticipated that interviewing prisoners, particularly concerning the crime for which they were incarcerated, would be difficult and would yield mixed results. Furthermore, given that commercial sexual exploitation and trafficking are sensitive subjects, we anticipated that the responses we would get would be limited or greatly censored. We anticipated that prisoners would be uncooperative, refuse to admit their involvement in the crime for which they were convicted, create alternative versions of their role in the crime, share true, exaggerated, or fabricated stories about their lives, or a myriad of other possibilities.

To some extent, all of this was true. Some interviewees refused to admit any involvement in the CSI. Some admitted their involvement in the CSI but denied exploiting others. Some diminished their role to that of a mere translator or distanced themselves in one way or another from the exploitation of others. Some were dishonest about their level of involvement. Many participants, however, were candid and open, sharing rich details not only about their lives but about their knowledge and involvement in the CSI. As such, the data contained in this report is the research team's best effort at discerning the truth. Following interviews, the research team engaged in casual debriefing sessions to discuss the stories shared and consider the plausibility and veracity of the accounts. When particular prisoners would mention the involvement of another prisoner, this information would be cross-checked with accounts provided during interviews with that prisoner. For approximately one third of the participants (those who were connected to IJM's cases), IJM possessed additional information related to their culpability which was obtained during the course of conducting investigations. This information was used to verify details and stories shared by the women. These efforts helped to improve the accuracy of the data contained in this report.





## DEMOGRAPHIC FINDINGS

The researchers engaged with the participants through focus group discussions and interviews. The research was qualitative in nature, designed to gather in-depth information. As such, the researchers were encouraged to allow participants to speak freely about each topic. Although some questions were designed to allow for quantitative analysis, many of the responses were lengthy and addressed a number of different subjects. In an effort to allow these women's stories to come through intact with all their complexities and contradictions, much of the research presented will be direct quotes and summarized stories. The words shared by these women frequently speak for themselves and require little interpretation.

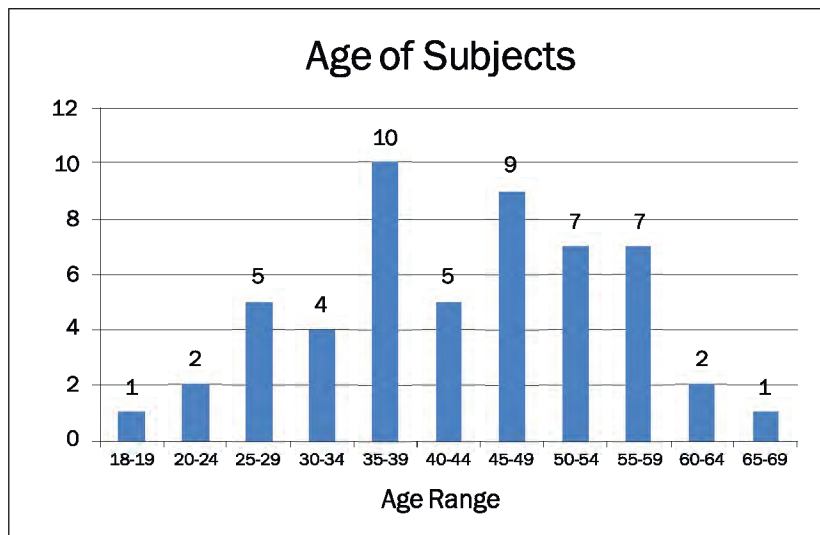
The researchers collected basic biographical information from the participants during the interviews to provide a context for interpreting the research findings. The data, however, cannot be easily reduced to broad conclusions. A more in-depth analysis would require a comparative study of women with similar educational and economic backgrounds who did not become involved as either victims or exploiters in the CSI. Given the amount of hardship and trauma experienced by the majority of Khmers and minority groups in Cambodia during and after the Khmer Rouge regime, the events experienced and described by the participants in this study are likely a common experience among all similarly situated Khmer and Vietnamese women.

### A. BIOGRAPHICAL PROFILES

#### Age of Participants

The figure below depicts the age breakdown of all the interview participants.

**Figure 1: Age of Subjects**



### Ethnic Heritage of Participants

31 of the 53 women (58%) identified as being Khmer.

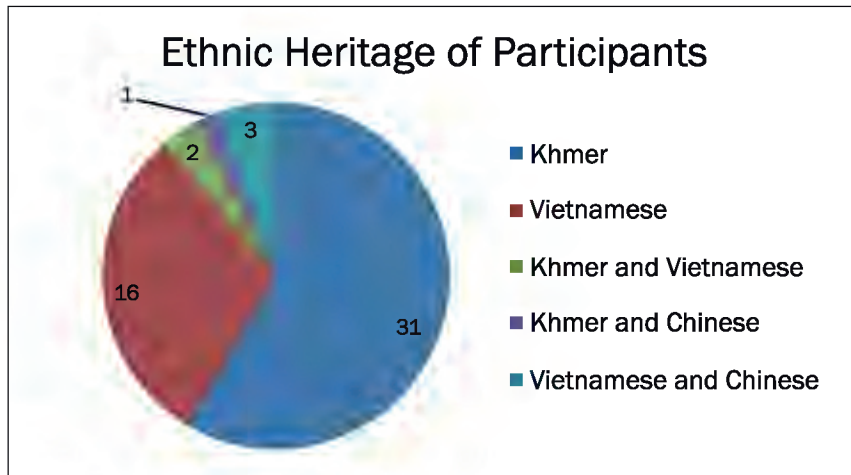
16 of the 53 women (30%) identified as Vietnamese.

2 of the 53 women (4%) identified as being Khmer and Vietnamese.

1 of the 53 women (2%) identified as being Khmer and Chinese

3 of the 53 women (6%) identified as being Vietnamese and Chinese.

**Figure 2: Ethnic Heritage of Participants**

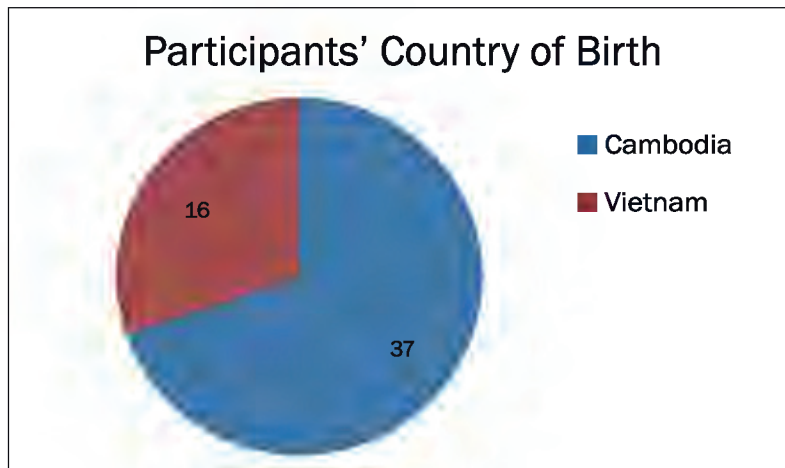


### Country of Birth

37 out of 53 (70%) women were born in Cambodia.

16 out of 53 (30%) were born in Vietnam.

**Figure 3: Participants' Country of Birth**



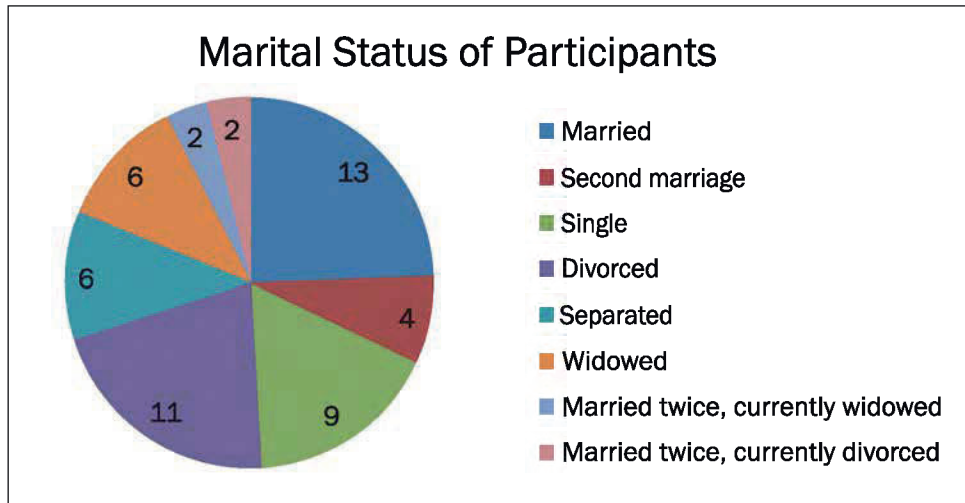
6 of the women who identified themselves as being either partially or fully ethnically Vietnamese (see Ethnic Heritage of Participants) were born in Cambodia.

### Marital Status

17 women (32%) stated that they were currently married.

The remaining 36 women (68%) responded that they did not currently have a partner (i.e., they stated that they were single, divorced, separated or widowed). The figure below depicts this information.

**Figure 4: Marital Status of Participants**

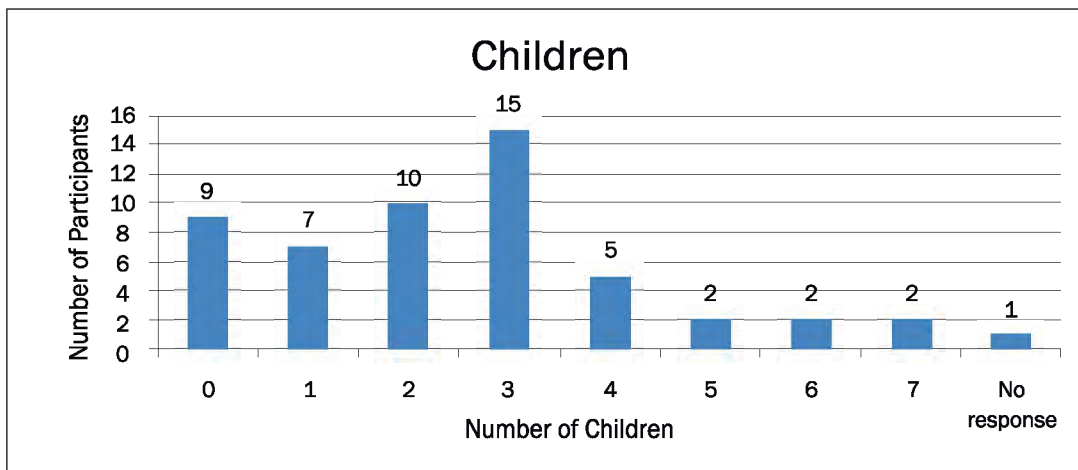


### Children

9 of the 53 women (17%) stated that they did not have any children.

43 women (81%) answered that they had 1 or more children.

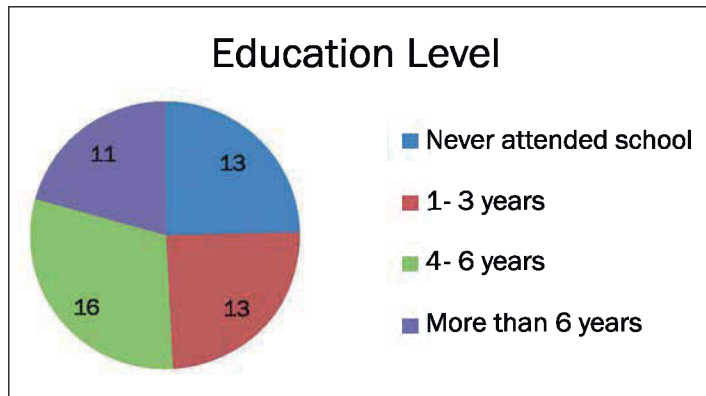
**Figure 5: Children**



### Education Level

13 out of 53 participants (25%) reported having never attended school.  
Another 13 out of 53 (25%) attended school for 3 years or less.  
16 (30%) stated that they attended school for 4 to 6 years.  
11 (21%) attended school for more than 6 years.

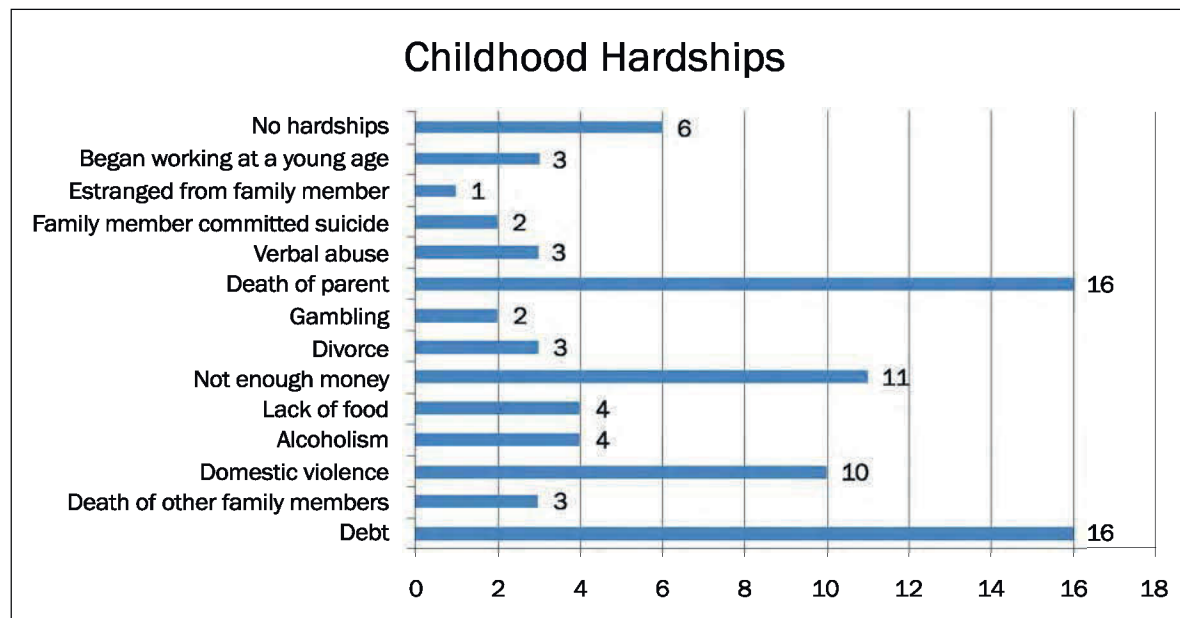
**Figure 6: Education Level**



### Childhood Hardships

The researchers asked each woman about childhood hardships she may have experienced. The following figure reflects the women's responses. Most frequently expressed difficulties included the death of a parent, not enough money, domestic violence and debt.

**Figure 7: Childhood Hardships**



## B. CRIMINAL PROFILES

### Time Served in Prison (As of March 2009)

The researchers asked the participants how long they had been incarcerated at the time of the interviews. The following table reflects the participants' responses, as of March 2009. These time periods include the pre-trial detention period.<sup>12</sup>

**Figure 8: Time Served in Prison**



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<sup>12</sup> Each participant was asked, "How long have you been in prison?" The researchers did not clarify whether the participant included her time in prison while awaiting trial in her response. However, the research team leader was able to confirm that this accounting generally included this pre-trial detention period by referencing the arrest and trial dates of those prisoners for whom we had this supplemental information, i.e., the women who were connected with IJM's casework.

### Sentence Length

14 (26%) of the women are serving sentences of less than 10 years.

19 (36%) of the women are serving sentences of 10 to 14 years.

17 (32%) women are serving sentences ranging from 15 to 28 years.

The average sentence is 11.5 years.

Of the 3 women who did not provide their sentence length, all 3 had, at that time, been in prison for at least 4 years.

**Figure 9: Sentence Length**



## LIFE EXPERIENCES

This section considers the life experiences of those participants who had direct, significant engagement with the CSI and in the exploitation of others.

After reviewing focus group discussion responses, interview notes and any other available information about each research participant, the research team noted that 45 of the 53 participants (85%) were involved in the commercial exploitation of women and children. The 8 remaining women denied any involvement in criminal activity, and after further investigation into the limited available information about their cases, the research team was unable to confirm or deny their claims. This is discussed in more detail in the section below, “Experience with the Public Justice System.”

Of the 45 women who admitted to engaging in the exploitation of others:

- 41 were involved in the commercial sexual exploitation of women or children. One of these women also engaged in the trafficking of children for adoption and is among the 5 women listed below.
- 5 had trafficked children for the purposes of adoption.
  - 4 of these 5 women who had trafficked children for adoption also had direct experience in the CSI. 3 were CSWs, and 1, as mentioned above, also engaged in CSE.
  - The fifth woman who had trafficked children for adoption admitted to having some minimal knowledge of the CSI because of her role as a housecleaner at a CSE establishment. For the purposes of this section, however, her responses are not included because of her minimal involvement in the CSI.

As such, this section considers the life experiences of the 44 women who had direct experience with the CSI and who engaged in the commercial exploitation of others.

The stories these women shared varied greatly in the level of detail, in veracity, and in perspective. Some women willingly shared many details about their life experiences, while others only shared a small portion of their stories. Some communicated an inaccurate or fabricated version of their story, perhaps wishing that the inaccurate version had occurred instead, while others candidly explained what they did and why. These stories are not neat or clean, and they contain many contradictions, mixed feelings, hardship, exploitation, detachment, rationalizations and the like. This made the task of drawing out meaningful conclusions rather complicated.

Readers will also notice that the sections below focus primarily on life experiences having to do with hardship, abuse and trauma. This is likely the result of interview question design, the tendency of these women to gravitate towards discussing their hardships, and the team leader’s particular bias toward exploring how these events affected these women. A better-designed questionnaire focusing on a broader spectrum of life events would yield a far more complete and accurate picture of these and other similarly situated women.

With this said, the following sections explore some of the commonalities that emerged from the data in the areas of financial difficulties, family dysfunction, trauma and abuse, and the manner in



which these women were exposed to CSE. This may begin to paint a picture as to why these women (and possibly others) engaged in the exploitation of others.

#### **A. FIRST ROLE IN CSI**

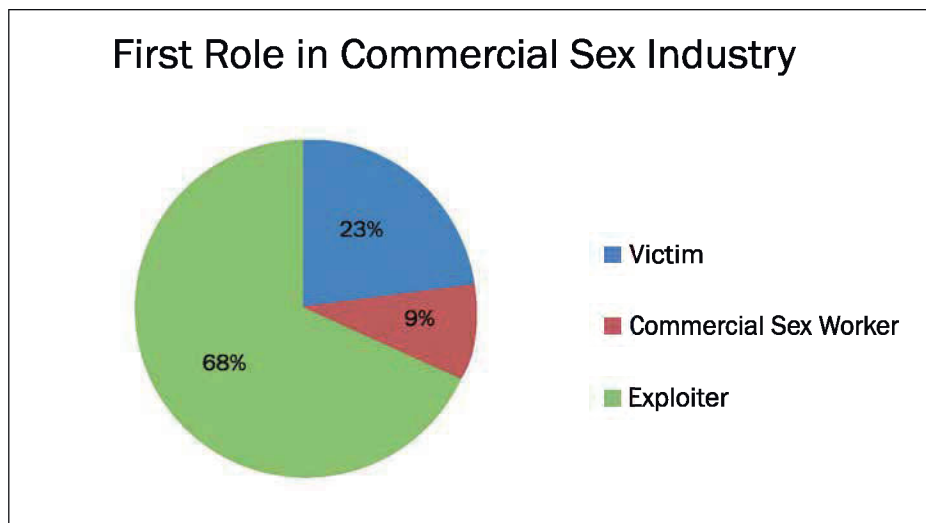
The 44 women involved in the commercial exploitation of others were categorized by the role they played when they had their first direct involvement with the CSI. These categories are: (1) women whose first direct experience with the CSI was as a victim of trafficking; (2) women whose first direct experience with the CSI was as a commercial sex worker; and (3) women whose first direct experience with the CSI was as an exploiter, e.g., trafficker, brothel owner or manager.

**(1) Trafficking Victims (TV):** 10 of the 44 women (23%) had their first direct contact with the CSI as a victim of trafficking. Some were sold into the CSI as virgins. Others were deceived, forced or coerced into working as prostitutes. Of these 10 women, all eventually engaged in the exploitation of others. Seven engaged in the commercial sexual exploitation of other women and children while the remaining 3 women trafficked children for adoption. Other research findings also document this transition of commercial sex workers into managerial or exploitative roles.<sup>13</sup>

**(2) Commercial Sex Worker (CSW):** 4 of the 44 women (9%) first became involved with the CSI as prostitutes. These women were over 18 at the time they entered the CSI and their stories do not indicate that anyone coerced, forced or deceived them into working in the CSI. All 4 of these women eventually engaged in CSE.

**(3) Exploiters:** 30 out of 44 women (68%) first became involved in the CSI as exploiters.

**Figure 10: First Role in Commercial Sex Industry**



While these categories identify the role each woman played when she had her first initial contact with the CSI, each woman generally played several roles within the CSI over the course of her involvement. Some started out as victims of trafficking, subsequently transitioned into working

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<sup>13</sup> UNODC (2006). After repaying their own debts, some commercial sex workers decide to replicate the exploitation they experienced by transitioning into managerial positions and commercially exploiting others.

as CSWs and then engaged in the CSE of others. Others left the CSI after some time and found other types of work, but a change in circumstances (usually financial difficulties brought on by divorce, death, disease or the like) led to their return to the CSI.

Our findings indicate that 32% of the perpetrators interviewed were victims of trafficking and/or CSWs prior to engaging in acts of exploitation against others. This number may be accurate; however, it is possible that some women did not admit to having been victims or CSWs (even if they were) because of the stigma attached to those roles. A study conducted in India with brothel owners and traffickers reported similar percentages in this area. It found that the majority of brothel owners have “themselves been victims of commercial sexual exploitation, who later ‘graduated’ to the position of brothel owners,” and that 37.5% of the traffickers interviewed had previously been victims of CSE or had played other roles in the CSI.<sup>14</sup>

## **B. FINANCIAL HARDSHIPS**

Many of the women mentioned financial hardships in connection with their entrance into the CSI. The list below includes statements that indicate financial difficulty (such as “lack of food” and “parents could not earn enough to support family”) as well as events or circumstances that the women mentioned which led to an increased economic need (such as the death of a parent or spouse, an incurred debt, or illness).

<b>Reported Hardship</b>	<b>Percentage of TV and CSW (14 women)</b>	<b>Percentage of All Exploiters (44 women)</b>
Lack of food	14%	9%
Parents could not earn enough to support family	7%	5%
Family member addicted to gambling	7%	5%
Family member was alcoholic	7%	9%
Debt (own or family’s)	29%	30%
Death of parent	36%	43%
Death of spouse	0%	14%
Parents’ divorce	7%	9%
Own divorce	36%	27%
Illness (own or family member)	7%	18%
Estranged from family member	0%	5%

While the percentage of women who experienced each of these incidents is relatively low, 86% of these women reported having experienced at least one of these hardships. The stories below illustrate how these hardships may have facilitated the transition into the CSI, either for victims or exploiters.

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<sup>14</sup> Nair, P.M. (2004) p. 138, 143

**Story 1:** One woman shared about how her father passed away when she was 14 years old, leaving her, her elderly mother and her two younger siblings without a viable means of support. Her mother was addicted to gambling, and the family became indebted. *“People kept coming to demand their debts and my mother was not able to pay them. Feeling sorry for my mother, I decided to engage in sex work to help her.”* She then began working as a prostitute and eventually began engaging in the CSE of minors.

**Story 2:** *“My family had incurred a huge debt. My father separated from my mother. I had two younger siblings to take care of, and I had to take on the role of the family bread winner. I started out working to sell coffee, but the pay was not sufficient to cover my expenses and earn enough to pay back the debt. I decided to follow my friend to work as a sex worker, after seeing that she made a lot of money and had a lot of jewelry. She coaxed me into selling my virginity, saying that I would get \$500 for it. So I let her take me to do it. I had to stay with the client for 3 days. I cried a lot as it hurt me so much during those first sexual encounters.”* She remained in the CSI as a prostitute. Some years later, she began negotiating the sale of minors for CSE.

**Story 3:** *“I married my husband at the age of 19. My mother-in-law treated me harshly and my husband constantly sided with her. It became too difficult to endure, and I left my husband. I began trying to earn an income by doing manicures, but I could not earn much. I also had borrowed a large amount of money and was in debt. At this time, a woman who was a relative on my husband’s side came back into town. She had been gone for some time. She looked beautiful and sophisticated and had money. She convinced me to come with her to Cambodia to work doing manicure. She paid off the debt that I had accrued and we traveled to Koh Kong together.”* Once they arrived in Koh Kong, she was sold to a brothel and was forced to work as a prostitute. She remained in the CSI as a prostitute and later began negotiating the sale of minors for CSE.

**Story 4:** One woman explained how she let her daughter sell her virginity. *“My daughter, on hearing that she could earn \$300 for selling her virginity, begged me to let her go, saying that my mother had been sick near death and we did not have the money to buy medicines for her. I did not have anyone to help me at the time, since my husband was causing lots of trouble in the house each time he got drunk, exactly like my father used to do to his wife and children. My sister and her husband were also poor and there was no one to take care of my mother except me, and I had to peddle to provide for her. I did not want to let her go, but because my daughter wanted to go, I agreed. We got four more girls who were working in a brothel in my community to go with us. Each of them owed money in the brothel where they worked and could not return the debt so they wanted to leave the place. My daughter was youngest among the girls. When we got to Thailand, my daughter had her virginity ‘khu’-ed for \$300. I don’t know how much the client paid my friend, but I was given \$300. After that, my daughter worked in my friend’s brothel and I cooked and did laundry for the girls in that brothel.”*

**Story 5:** Another woman shared about how she returned to the CSI after leaving for some time. *“My husband and I rented a small house, and my husband worked as a driver. I stayed at home to look after the children. My husband wouldn’t let me engage in sex work again. After some time, due to the pain in his leg, he was not able to drive anymore. We had to sell the car to pay for his medical expenses, rent and our children’s education. But the money didn’t last very long, and I had to return to sex work again. This time, my husband didn’t say anything because we had become totally broke and desperately needed the money to pay for our children’s education, food and rent. When I got back to my previous work, I couldn’t make as much as I used to, so I helped to translate for any girl that would go out with clients, earning a few dollars from them each time. If I didn’t do it, there would be others willing to do that. Since I couldn’t attract clients anymore, I switched to doing the translation to provide for my family.”* She also began to negotiate the sale of minors for CSE.

### C. FAMILY DYSFUNCTION

Difficulties within the family were also frequently mentioned by the women. The chart below summarizes the most frequently mentioned family difficulties.

Reported Family Dysfunction	Percentage of TV and CSW (14 women)	Percentage of All Exploiters (44 women)
Physically abused by parent or family member	14%	9%
Verbally abused by parent or family member	14%	5%
Sexually abused by parent or family member	14%	5%
Observed abuse of other women in family	14%	5%
Physically abused by husband	7%	16%
Marital infidelity	14%	14%
Family member addicted to gambling	7%	5%
Family member was alcoholic	7%	9%
Commercially exploited by family member	14%	5%
Parents' divorce	7%	9%
Own divorce	36%	27%

Again, while the numbers of women having experienced each specific incident are relatively low, 59% of all the women reported to having experienced at least one of these circumstances.

The accounts below explore how some of these incidents of betrayal, abuse and dysfunction perpetuated by family members facilitated these participants' entrance into the CSI. In particular, they illustrate how circumstances of familial abuse or betrayal caused the women to leave their families. In some instances, this may have caused the woman to migrate to another community or country, making her more vulnerable to exploitation by becoming more reliant on less-familiar social networks for finding employment.

**Story 6:** One woman shared about how her father had passed away when she was 12 years old and how she was neglected and beaten by her mother. *"My mother didn't love me. She hired other people to take care of me. When I lived with my mother, she would often beat me and force me to do housework. She told me that I was not her real child and that she had found me on the street."* She had a friend who was a sex worker and who encouraged her to join. Her friend and the brothel owner told her, *"You have problems at home and no money. Your mother doesn't care about you. If you do this work, you will have money, new clothes, and you can buy whatever you want."* She became a prostitute at age 17. She later began to engage in the trafficking of children for adoption into Thailand and Malaysia.

**Story 7:** A young woman decided to travel to Cambodia from Vietnam after her husband began seeing another woman. *"I deeply detest my husband because he got involved with another woman. I couldn't put up with it, so I had to part with him. I decided to travel to Cambodia. While we were traveling, the car stopped at a coffee shop. I was drinking some coffee, but then I suddenly felt sleepy. When I woke up, I was inside a brothel."* She had been drugged and sold to the brothel by the taxi driver. She was subsequently trafficked several more times and sold to several different brothel owners. She was eventually able to pay off the debts accrued her traffickers claimed she had accrued. She moved to another part of town and rented her own apartment. She then began operating a brothel out of her home. She managed other sex workers, and negotiated the sale of virgins and minors for CSE.

**Story 8:** A Vietnamese woman who sold her virginity at the age of 15 described her relationship with her sister and brother-in-law. *“After returning home from selling my virginity, my brother-in-law would always come into my bed and demand to have sex with me. I told my sister, but she did not listen and did not do anything.”* Sometime later, her sister actively participated in furthering her exploitation: *“My sister went to the brothel owner and borrowed money from her. My sister took the borrowed money back home, while I remained there to work.”* She remained in the CSI for over 8 years, subsequently engaging in the sale of minors at the bar where she worked.

#### **D. ABUSE AND TRAUMA**

The women reported the following incidents of abuse and trauma. These accounts give insight into why some of these women may have chosen to exploit others. Particularly for those who began as victims and transitioned into exploitation, these incidents of abuse and trauma at the hands of clients, brothel owners and/or others made transitioning into positions of authority or management within the CSI a far more appealing opportunity compared to continuing on as commercial sex workers.

<b>Reported Incidents of Abuse and Trauma</b>	<b>Percentage of TV and CSW (14 women)</b>	<b>Percentage of All Exploiters (44 women)</b>
Drugged	7%	2%
Contracted HIV in CSI	7%	2%
Repeatedly trafficked	21%	7%
Forced to sell virginity	43%	14%
Physically abused by clients	14%	5%
Physically abused by brothel owner or pimp	14%	5%
Gang raped	21%	7%
Sexually assaulted outside CSI	14%	9%
Physically abused by parent or family member	14%	9%
Physically abused by husband	7%	16%

When considering these events among all the participants who acted as exploiters in the CSI, the percentages appear relatively small. However, 22 of these 44 women reported having experienced at least one of these abusive or traumatic circumstances.

**Story 9:** A Khmer woman whose virginity was sold at the age of 15: *“The woman [trafficker] had relatives in my home town. When she came, she asked if anyone wanted to work as a dish washer. She brought me to a brothel in Poipet. I saw the pimp give her money. After that, they locked me in a room and slapped me because I was crying. The pimp said to me, ‘Why are you crying? Didn’t you know that you were going to be sold to be a sex worker?’ After that, I was taken to a hotel to have sex with a Chinese man. I stayed with him for one week.”* She was subsequently trafficked two more times. After over 10 years as a prostitute, she met a woman who told her about an opportunity to earn money by bringing a child to a childless couple. She subsequently found and sold a young child to the couple and was able to earn \$15.

**Story 10:** While still in Vietnam, a young woman met another woman who told her that she could earn a good amount of money selling coffee in Phnom Penh. *“She said that I would be able to earn enough to buy jewelry in only a few months.”* She came to Phnom Penh and began working at a coffee shop. *“After working at a coffee shop for a few months, the owner told me that I had to start servicing clients. I refused. She then locked me inside a room, and did not let me go anywhere. After being locked there for some time, I thought it was over and decided that if I did not do as I was told, I would never be able to get out of there. The other girls advised me to accept the work since I had no other choice. I then agreed, and had my virginity sold.”* She was a prostitute for some time, and then transitioned into exploiting minors.

**Story 11:** A woman who was trafficked and subsequently remained in the CSI as a sex worker recounted her feelings about her work and about an incident of rape: *“Being a sex worker was very hard for me. I once was gang raped. A client wanted for me to meet him somewhere to have sex with him. When I arrived, there were 10 men there. They gang raped me. Since that time, I never go out of the brothel to meet clients. Instead I would only have sex with clients inside the brothel.”* After some time, she was able to leave the CSI. She eventually married. She and her husband were begging for a living when she learned about an opportunity to earn \$150 by trafficking a child for adoption.

**Story 12:** One woman shared about her experience with clients: *“When I worked as a karaoke girl, I met clients who would act violently toward me. They beat me and forced me to have intercourse with them many times. One man took things and threw them at me when I disagreed. Some clients would give me drinks and want to dance. If I disagreed, they would hit my face and use unpleasant words with me.”* She later assisted in trafficking women into the CSI.

**Story 13:** Another woman shared about an incident of gang rape: *“We had an incident of gang rape once. We were asked to have sex outside the brothel by a military police officer. He wanted to hire two girls to have sex at the military camp. We thought that there would be only two military police that were going to have sex with the two of us. After one finished, another one would follow him. They kept coming and coming. In total there were about 50 military police in the military camp. They threatened us not to shout for help, otherwise they would shoot us. Fortunately we escaped after having sex with only a few of them. We did not get any money.”* She was a prostitute for years and contracted HIV. She later engaged in trafficking children for the purpose of adoption.

**Story 14:** A woman who went on to become a brothel owner shared this incident of sexual assault: *“When I was 20, I was sexually assaulted by two men while I was at home alone at my brother’s house. Two men came into the house and forced themselves onto me. They used their hands to gag my mouth and I couldn’t do anything to stop them. I was just a weak young girl against two strong men. I wasn’t married yet and was still a virgin at the time. I recognized the two men because they both frequently came to my house to buy cigarettes and often rowed their boat past our house. I was only able to cry out loudly after both of them finished. Hearing me cry from across the river, both my mother and sister rushed back to see what happened to me. But it was too late because both men had already run away. I dared not let anyone know about that incident for fear I would be the only one to take all the shame. I felt very ashamed for having lost my virginity, thinking that it was all a girl has and I had lost it. After the sexual assault, I wouldn’t dare get married as it would be me alone to take all the blame for allowing that thing to happen to me. I suppose you understand that Vietnamese people have very high regards for a girl’s virginity, so when a girl has lost it, she would bring shame not on herself but on her family as well. Because of that, I left Vietnam to come to Phnom Penh... I always felt very self-conscious about not being able to have a proper wedding ceremony. Each time I saw a wedding car pass by, I would break down and cry, feeling very sorry for myself indeed. Leaving Vietnam to come here to make a living and not being able to have a proper family of my own, I often felt sad and lonely thinking of those in my hometown who lived happily with their husbands while I had strayed far away to eke out a living all by myself.”* She went on to meet a man in Phnom Penh, with whom she lived. They eventually began running a brothel together. She managed several brothels over approximately a 6-year period before she was arrested.<sup>15</sup>

<sup>15</sup> See Appendix D for further discussion on notions of virginity.

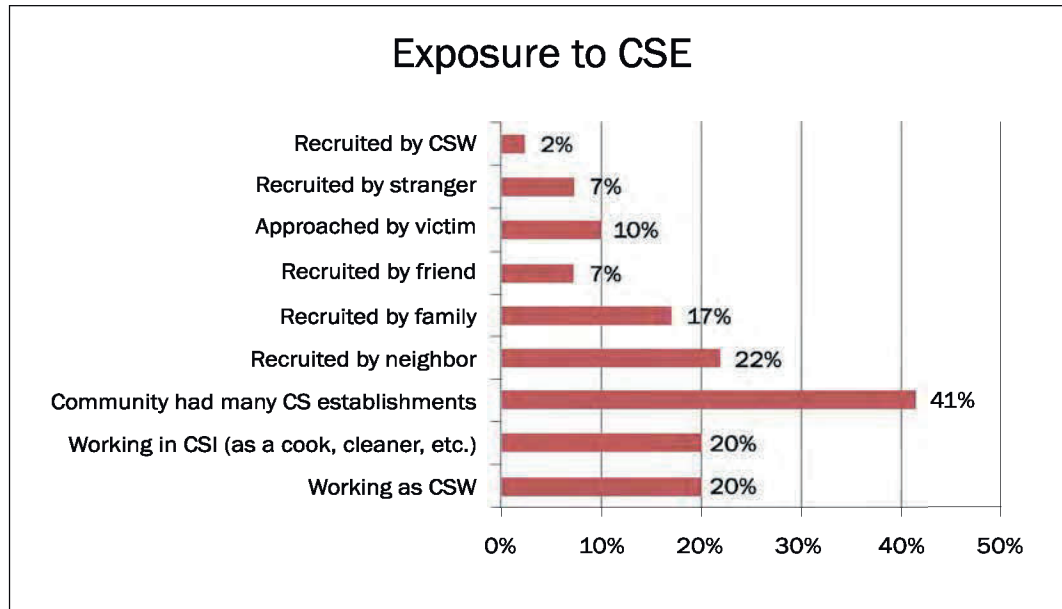


Studies indicate that women who enter into the CSI as victims or as CSWs often share common experiences including marginalization, financial vulnerability, dysfunctional family relationships, and incidents of abuse and trauma.<sup>16</sup> The findings of this IJM research project indicate that the same experiences have an impact on women who enter into the CSI as exploiters.

#### E. EXPOSURE TO CSE

The researchers asked the women how they learned about the opportunity to engage in the CSE of others. The responses of the 41 women who engaged in CSE were included in this section.

**Figure 11: Exposure to CSE**



For example, one woman explained how she was introduced to CSE while working as a cook: “I worked as a cook in Bu Ding [Anarchy building]. The house owner managed sex workers. I saw that she could earn a lot of money. I always talked with my neighbor, and she said, why don’t I also do work like the house owner. So I decided to manage sex workers.”

One woman described her neighborhood in the following manner: “As for my neighbors, nobody would say anything to anybody because almost everyone in the neighborhood had children working as sex workers. There were so many of the families involved in sex work that it had become common to everyone. In the community where I lived, people indulged in drinking, drugs...many social problems occurred in there. Also, people seemed to look down on those who were poor, but with those with money, their regards would be different. They couldn’t care less what those people did as long as they had money.”

<sup>16</sup> Brown, E. (2007) and Derks, A. (1998)

Several women explained how they were recruited by family members:

- “My aunt, who lives at Kilo 6,<sup>17</sup> asked me to help her manage her karaoke bar.”
- “My aunt knew a Vietnamese woman who introduced us to the sex industry. It was after my husband died. I thought that my aunt was highly educated (she could speak English, Chinese, and a little Vietnamese), so I trusted her and went to work with her at her brothel.”
- Another woman stated that her mother used to operate a karaoke bar and that she “continued from her.”

One woman shared about how she was recruited by a friend: “I ran into an old friend. I was with my daughter and we had just returned from selling cakes. She had a very nice car, had lots of gold and Thai currency. I also noticed that she had undergone plastic surgery for her eyes and nose. I recognized her only after she called out to me. She was my childhood friend who used to live next door to us. She told me that selling cakes in here was very difficult and persuaded me to go with her. She said cooking for sex-workers would enable me to earn several thousand baht each month. She told me that she already had a brothel and also talked about my daughter. My daughter was 15 - 16 years old at the time. She said that my daughter could earn \$300 if she ‘kbui’-ed and could save \$100 each month for working as a sex worker. Hearing that, my daughter begged me to let her go.”

These findings indicate that almost all of these women, 93%, learned about the opportunity to exploit others through someone they knew – a family member, a friend, a neighbor, or, in the case of those already involved the CSI in some other capacity, through a co-worker or employer. A study conducted in India with brothel owners supports these findings. Researchers there found that 70% of brothel owners had a close association with brothels before they became brothel owners. 11.4% of the brothel owners interviewed indicated that they had inherited the trade from someone they knew.<sup>18</sup> These findings inform us of the importance that existing relationships play in introducing women into the CSI and into positions of exploitation.

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<sup>17</sup> Kilo 6 is a community located outside of Phnom Penh known for its CS establishments.

<sup>18</sup> Nair, P.M. (2004) p. 124





## COMMERCIAL SEXUAL EXPLOITATION OF OTHERS

The researchers inquired about the roles these women played within the CSI and the methods and strategies they employed. This section contains an analysis of the responses of the 41 women who engaged in the CSE of others.

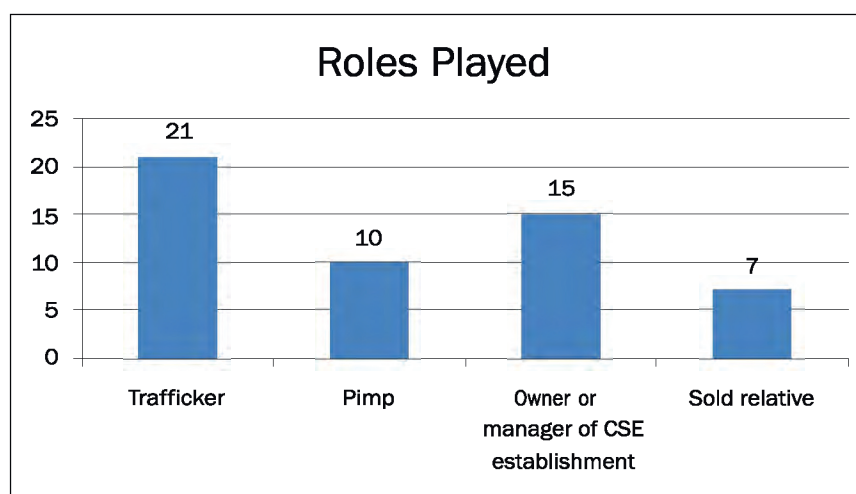
### A. ROLES PLAYED

The women were asked about what role they played in the CSI. Some played more than one role. The responses were categorized into the following four roles: (1) trafficker; (2) pimp; (3) owner or manager of an establishment for CSE; and (4) sold relative for CSE.

The term “trafficker” was used if a woman recruited an underage girl to engage in CSE or negotiated the sale of an underage girl for CSE. The term “pimp” was applied if a woman introduced clients to other sex workers in the same establishment, recruited overage women to work at a CSE establishment (without the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability), or regularly shared in the benefits from the prostitution of another. The label “owner or manager of a CSE establishment” was used when the woman was involved in managing or running an establishment where commercial sex was made available and where the proceeds from the commercial sex act were divided between the sex worker and the establishment owner and/or manager. The label “sold relative” was used when the woman was involved in negotiating the sale of a family member’s virginity or entry into the CSI. Because these definitions are not mutually exclusive (e.g., a woman who sold her relative would also be considered a trafficker), some women will be counted more than once. Furthermore, some women may also be counted more than once if they played more than one role during the course of their lives.

The figure below reflects the roles that these women played.

**Figure 12: Roles Played**



### B. DEGREE OF INVOLVEMENT IN CRIMINAL ACTIVITY

The women were each asked about their level of involvement in the criminal activity at issue. Two categories emerged from the women’s responses: “one-time” and “regular” offenders. One-time offenders are those who admitted to being involved in the exploitation of one victim or

only on one occasion. Regular offenders are those who were involved in the exploitation of more than one woman or child on an ongoing basis. These categories are only as accurate as the women's responses, which, as mentioned previously, may not be entirely true. However, where we had additional background information for any of the participants, we were able to cross-reference their responses for accuracy.

29 women (71%) admitted to regularly engaging in the CSE of women and/or children. 12 women (29%) stated that they only engaged in the CSE of women and/or children on one occasion.

### **C. STRATEGIES AND METHODS OF OPERATION**

The participants were asked about how they conducted their work. Of the various topics discussed with the participants, this subject yielded the least amount of information. While many of the women candidly discussed their life experiences, many were hesitant to honestly explore the details of their criminal behavior, likely due to fear of legal repercussions. As such, this section is brief and provides only an overview, covering only four topics: recruitment strategies, disciplinary measures, division of earnings and evading arrest.

Readers should also note that this information is not likely to reflect the current practices employed in CS establishments. Even over the short time that IJM Cambodia has been operating in Cambodia, it has observed dramatic changes in the strategies and practices employed in the CSI in response to various factors, including policing efforts, shifts in local and international client demands, and international relations, among other factors.

**Recruitment Strategies.** The way the participants met the women they exploited ranged from using active recruitment strategies to merely responding to an opportunity that came their way. For example, some of the more aggressive or active recruitment strategies mentioned included these two accounts:

One woman who was involved in trafficking a young woman to Malaysia for CSE described how she recruited the young woman: *“All nine girls, including my own daughter, had been working in bars for some time and none of them were virgins. I went to see their parents, who lived in the same neighborhood with me, to get their consent. All these girls’ parents agreed to let their daughters go because they were all very poor. After working for only one month in Malaysia, each was able to send back enough money to their parents for them to build concrete houses.”* She continued, describing the parents: *“Since their parents had been poor all their lives, when they heard that they would receive \$1,000, the temptation was too great to resist.”* Her recruiting strategies did not include deception, but rather appealed to the parents’ desire for money.

Another woman explained how she found prostitutes for her karaoke bar which she operated in Thailand, near the border of Cambodia. This woman’s recruitment strategies involved assisting women who were in precarious circumstances (in detention in a foreign country) and bribing police. *“I always helped Khmer people who came into Thailand. Sometimes workers or prostitutes would be detained by the police because they did not have an ID card or their papers had expired. I would talk with the Thai police and tell them they were my workers. The police would then release them. I would later send the police officer a small gift.”* A young woman she helped in this way subsequently came to work at her karaoke bar.

In contrast, other women indicated that they did not actively seek out women to exploit, but that others approached them with CSE opportunities. For example, one woman explained how she moved to a neighborhood with many brothels and opened a coffee shop and restaurant. After

about 5 or 6 years living and running her business in that area, she was approached by some neighborhood prostitutes who were looking for a manager to support them and provide them with food, water and a place to live. Similarly, another woman who managed prostitutes for some time was approached by her neighbor, a karaoke bar owner and mother of 8 children, who wanted her to arrange the sale of her daughter's virginity. To the extent that these accounts are truthful, these opportunities to earn money through the CSE of others presented themselves to these women and were not the result of an active recruitment strategy. These opportunities likely arose because others in the neighborhood were aware that these women were affiliated with or directly working in the CSI and knew that they would likely be able to help them.

**Disciplinary Measures.** The women were asked about what they did if any of the prostituted women were hesitant about providing sexual services or if any of the women misbehaved. None of the women admitted to employing violence, forcing women to take drugs or using otherwise overtly coercive tactics in running or managing their CS establishment. Perhaps in some circumstances, this was true, and such measures were unnecessary. For example, several women described their relationship with those they managed in a positive manner:

*"It [use of disciplinary measures] was not necessary because the women who worked with me did it voluntarily. I never threatened or beat the girls."*

*"None of the girls working in my brothel used drugs since they all wanted to make as much money as possible. As for me, I never had any conflicts with them. All of them liked to stay and work for me and they were very affectionate towards me. Since I charged them only 3,000 riel [approximately USD\$0.75] per client and provided free meals for them, they wanted me to be their owner and treated me very well."*

Most of the women who had been trafficked into the CSI or had been sex workers recounted having been disciplined or threatened, but none mentioned that they themselves employed such tactics when they exploited others.

**Division of Earnings.** The researchers asked the women about how the income from CSE was divided. The women mentioned various division schemes. Some had a standard fee for room and board, and whatever the sex worker earned beyond this was hers to keep. For example, one woman explained: *"The client gave the money directly to the girl after they had intercourse. She gave me 10,000 riel per day [approximately USD\$2.50] for renting a room from me."* Another woman explained that she took \$5 per day for the room and food fee.

Alternatively, others described another scheme which was to apportion each client's payment. One woman described it as follows: *"I charged 3000 riel [approximately USD\$0.75] for each time the girls serviced their clients. With that 3000 riel, I covered for their meals, utilities and payment to the police. It didn't matter to me how much the girls made from servicing their clients each time, it might be \$10 or \$20 but the rate that I charged them would still be the same, 3000 riel. I didn't make them pay for the utilities or take half of their wages as other brothel owners."* Others described a split of all money earned. One woman explained that the sex workers she managed needed to split their earnings 3 ways: to the guesthouse owner who, on receiving an interested client, contacted the manager; to the manager; and to the sex worker. Another woman explained that she received half of the all the sex workers' income, *"because I paid for the house fee, water and food for them."*

**Evading Arrest.** The women were asked about whether the police were aware of their work and what they did to avoid detection and/or be arrested. As discussed in more detail in the

“Experience with the Public Justice System” section, the women recounted many incidents of police involvement and corruption.

For example, one woman described her routine of paying police officers: *“There were nearly 30 policemen who would ride their motorcycles around town and take money from brothels owners each day. I gave 2000 riel [approximately USD\$0.50] to each policeman, so I would have to spend more than \$10 per day.”* Similarly, another woman recounted her relationship with police: *“My difficulties are with the police. If we don’t give them money, they would close the business. They collect 10,000 to 20,000 riel [approximately USD\$2.50 to \$5.00] for each motorbike parked in front. Usually, they collected money for 4 to 5 motorbikes.”* Another woman who operated a brothel explained how she avoided having to pay: *“The local police knew that I was running a brothel, seeing me sitting in the front of the place calling out to clients all the time. However, I didn’t have to give them any money because I was able to make acquaintances with one policeman there. But I think the brothel next to mine had to give money to those policemen every month, but I didn’t know how much.”*

Several women also explained that they avoided arrests by receiving tip-offs concerning impending brothel raids and planned arrests. These tip offs would generally come from police officers on the brothel’s payroll or otherwise involved in the operations of the brothel. One woman stated that she had avoided being arrested two prior times because she knew in advance that police were planning to raid brothels in the area. Another woman described having police officers inform them that they should close their brothels for a few days to avoid being arrested. Studies conducted in other regions have documented the tactics employed by brothel owners to evade arrest.<sup>19</sup>

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<sup>19</sup> For example, researchers in India conducted interviews with brothel owners, traffickers, and others. When speaking with the brothels owners, researchers inquired about whether and how the brothel owners avoid arrest. Among the one-third who try to avoid arrests, 53.4% said that they do so by bribing law enforcement officials. In addition, 17.6% revealed that they use political connections to avoid getting arrested. Nair, P.M. (2004) p.133

## PERCEPTIONS AND FEELINGS ABOUT COMMERCIAL SEX INDUSTRY

This section explores the participants' general feelings and perceptions about the CSI as well as their specific feelings about what they did and the role they played in the CSI. The responses of all 44 participants who provided information about their involvement in CSE and/or CSI are included below.

### A. GENERAL FEELINGS AND PERCEPTIONS ABOUT THE CSI

**“How much do you agree?” Statements.** The researchers read the participants a number of statements. Each participant was then asked to respond with their percentage level of agreement to the statement and provide an explanation. The response rates to these questions were relatively low, possibly due to time constraints. Therefore, these responses were not analyzed for frequency. Instead, a sampling of the range of responses is provided below. The parenthesis following each statement explains who (in generic and anonymous terms) made the statement.

#### Statement 1: Working as commercial sex worker is a good job for a woman.

Level of Agreement	Explanation
0%	<p><i>How can working as a sex worker be considered good? People get involved in the sex trade because they are separated from their husbands or because they are in debt. (Prostitute who negotiated sale of minors)</i></p> <p><i>It requires the sale of the body. (Karaoke bar manager)</i></p> <p><i>If that is what they [sex workers] chose to do and they enjoy it, then we should consider it bad. But if they had to do it due to their difficult circumstances, we should feel sorry for them instead. (Brothel owner)</i></p> <p><i>From time to time, I would come across a person who would incite me into engaging in sex work, saying, “Why don’t you become a sex worker? It is so much easier than selling noodles.” But I always said no to that. I think that engaging in sex work is 100% bad because it is not acceptable to society, and it will cause you to contract a disease. (Karaoke bar manager)</i></p> <p><i>It is bad because it will land you in prison. The money you make will not last long. (Trafficking victim who later became a brothel manager)</i></p> <p><i>I think having to work as a sex worker is so pitiful. I used to see girls detained in brothels and it was worse than being in prison. (Trafficker of minors into CSE)</i></p>
20%	<i>It will affect their lives negatively when they contract a disease. (Brothel owner)</i>
30%	<i>Because of poverty and the need to support their families, some girls decide to work as sex workers. (Brothel manager)</i>
40%	<i>Working as a sex worker is terribly miserable. For those who like to enjoy themselves, sex work is good to them, but as for me, I engage in this work to support my family, so it is 60% bad. If you happened to borrow money from the owner and you didn’t work to repay the debt to them, they would beat you until you returned it. (Trafficking victim who later negotiated sale of minors)</i>
50%	<i>If we have no job, and no one lends us money, it is necessary. (Brothel manager)</i>

Level of Agreement	Explanation
100%	<i>I don't think it can be considered as bad when you have to work to support yourself. If you need to support yourself, you have sick children who need to be treated and fed, it is not bad. But society thinks it is bad. But for me, I don't think it is bad. (Trafficking victim who later negotiated sale of minors)</i>
No % provided	<i>Engaging in sex work has always been condemned by society, but if people took time to look into the situation of those who engage in it, they would understand why we had to do it. (Trafficking victim who later negotiated sale of minors)</i>

**Statement 2: Acting as the person who introduces sex workers to the client is a good job for women.**

Level of Agreement	Explanation
0%	<i>Even though girls ask us for help, it's illegal. We, the introducer, are not good. (Karaoke bar manager)</i>  <i>Regardless of whether these people did this because of their situations or because of their love for money, this kind of work is absolutely not good for women. (Brothel owner)</i>
10%	<i>Introducing girls to clients is a job that is hated by society. (Trafficking victim who later negotiated sale of a minor)</i>
20%	<i>In my opinion, it is bad work. (Brothel manager)</i>  <i>Intermediaries take advantage of us. The intermediary sold me 2 or 3 times. (Trafficking victim who later trafficked children for adoption)</i>
40%	<i>It's not good, but if we have no other way, we have to do it. (Brothel manager)</i>  <i>I think that people who introduce sex workers to clients are also very bad. Sometimes when my regular clients wanted to have a change, I would get my friends to go in my place. I also acted as a translator for the other sex workers. (Trafficking victim who later negotiated sale of minors)</i>
50%	<i>If they [the sex workers] agree, we are not luring them. It is up to them whether they want to do the work. We do not force them. (Recruiter for beer garden)</i>
60%	<i>Introducing girls to clients is good because it helps them find jobs. But it is not good because it destroys a woman's honor. (Karaoke bar owner who negotiated sale of minors)</i>
100%	<i>I only helped to translate for sex workers, which cannot be considered bad. If I know English and can use it to help someone, why would I not use it? If I didn't, someone else would have. (Trafficking victim who later negotiated sale of minors)</i>
No % provided	<i>Just as there is nothing wrong with a person engaging in sex work, there is also nothing wrong with a person introducing sex workers to clients. Only the brothel owners should be charged with a crime because they make the sex workers divide their wages by half. (Trafficking victim who later negotiated sale of minors)</i>  <i>For those involved in introducing clients to sex workers, it was due to their being in a lot of trouble themselves that led them into this kind of work. It is terribly weary and embarrassing to do this kind of work. (Prostitute who negotiated sale of minors)</i>



**Statement 3: A daughter should be willing to sell her virginity to support her family.**

Level of Agreement	Explanation
0%	<p><i>I don't think it is right for a minor to sell her virginity. Girls should get married when they are adults and it is the parents' responsibility to feed their children. (Trafficking victim who later negotiated sale of minors)</i></p> <p><i>It was completely against my will to have my virginity "khui"-ed. It was due to our difficult situation, and I had no other choices. It is never a daughter's responsibility to sell her virginity to provide for her parents. As in my case, actually, I should have been married and had a family instead of selling my virginity, but it was due to the difficult situation of our family that I had to. No woman would want to engage in this kind of work since it isn't good at all for them. (Trafficking victim who later negotiated sale of minors)</i></p> <p><i>I would rather engage in the sex work myself to provide for my children instead of making them engage in it to provide for me. I'm absolutely against it. (Prostitute who negotiated sale of minors)</i></p> <p><i>Parents should take care to provide for their children and not make them sell their virginity. Parents should give up their interests for their children. (Brothel owner)</i></p> <p><i>You only have your virginity once. (Karaoke bar owner)</i></p> <p><i>"My daughter is very pious to me, her mother. She loves me and her grandmother very much. Seeing that I didn't have the money to buy medicines for my mother when she was ill, she sacrificed herself by having her virginity 'khui'-ed. Being her mother, it hurt me a lot when I had to send my daughter to have her virginity 'khui'-ed. Although I am not educated, that doesn't mean that I was unfeeling to what my daughter, who came out of my womb, had to endure. However, we had no other choice and had to let her engage in such work. We were faced with a terribly difficult situation." (Sold daughter's virginity and subsequently trafficked young women to work in sex industry in Malaysia)</i></p> <p><i>I used to see families who loved money and sold their daughter's virginity. I did not do this. My daughter had already lost her virginity to her husband before she started this work. (Restaurant/brothel manager who prostituted daughter and other women)</i></p>
10%	<p><i>They should not allow daughters to sell their virginity because it will destroy their future. (Prostitute who became brothel manager)</i></p>
50%	<p><i>I think that it is not good if the girl loses her virginity with her boyfriend, but if she is willing to sell her virginity for a client, she could get money to support her family. (Negotiated the virginity sale of minors, including her own daughter)</i></p> <p><i>If the living conditions of her family were dire, then it would be all right for her to do that. (Prostituted her 16-year-old daughter)</i></p>



Level of Agreement	Explanation
<b>100%</b>	<p><i>Daughter should be willing to sell their virginity. They should willingly support their family if they are poor and facing a difficult situation. (Brothel manager)</i></p> <p><i>If the girl's family is destitute, and doesn't have a man to help her, the daughter should be willing to sell her virginity. (Prostitute who negotiated sale of a minor's virginity)</i></p> <p><i>If the family is lacking, the daughter should abandon her virginity. (Prostitute and trafficker)</i></p> <p><i>If the family is rich, it is not suitable for the daughter to do this. However, if the family does not have enough money, the daughter should do this for the sake of the family. (Trafficker of minor to Thailand)</i></p>
<b>No % provided</b>	<p><i>It is only due to their destitute situations, having no money to solve their problems and meet their family expenses that drove them to do this. It is normal for a girl to do this. (Trafficking victim who became brothel manager)</i></p> <p><i>It is difficult to say, since I did this. I think that we should not do this, but there are no other alternatives. There is only this way. (Had her virginity sold as a minor. She later trafficked children for adoption)</i></p>

**Statement 4: It is a good thing for a daughter to be a sex worker to support her family.**

Level of Agreement	Explanation
<b>0%</b>	<p><i>If it's a daughter's responsibility to pay her duty to her parents, she shouldn't engage in sex work but should engage in something else. It is not acceptable to me because a woman should engage in other work and not in sex work. (Trafficking victim who later negotiated sale of minors)</i></p> <p><i>No parents in their right mind would want to send their children into sex work. I don't know about others, but for myself, even if I had to die, I would sacrifice my own life for my children until they have completed their education and not send them into this sex work. (Brothel manager)</i></p> <p><i>I don't agree. My daughter did this because we were destitute. She chose to do it of her own mind. (Restaurant/brothel manager who prostituted daughter and other women)</i></p> <p><i>Engaging in sex work was very bad for me, but it enabled me to make money to support my family. But it was a terrible thing to work as a sex worker. I lost my value and self esteem and have no future. (Trafficking victim who later negotiated sale of minors)</i></p>
<b>10%</b>	<i>Doing this work destroys the family's honor. (Brothel manager)</i>
<b>50%</b>	<p><i>The work is not good, but it is good for the family. (Karaoke bar manager)</i></p> <p><i>If a girl works to support her family, it is not bad. But it is bad if she is working to support a man. (Karaoke bar manager)</i></p>
<b>80%</b>	<i>If the girl has already lost her virginity, she should be a sex worker to support her family. (Prostituted minor granddaughter and others)</i>
<b>100%</b>	<i>I think that it is good because we can earn money to support the family. (Trafficker)</i>

**Feelings about Prostitution.** The following are some of the women's opinions about prostitution as they were expressed at some point during their interviews. They reflect a full range of opinions, spoken by a full range of players in the CSI.

*Being a sex worker was very hard for me. I was once gang raped by 10 people. Since that time, I never left the brothel to meet with a client, but always had sex with clients inside the brothel.*

*There has never been anyone living a good life engaging in sex work. There wouldn't be anything left for them after they had been in this work for a long time.*

*I tell you, working as a sex worker is not easy. It's terribly weary and painful.*

*The initial reason I became a sex worker was due to my being deceived and sold into a brothel. No one would want to engage in this work, knowing the police would constantly be after them. Besides that, it is not easy working as a sex worker...you just get pain and hurt for the money you earn from servicing a client.*

*I think this work is very miserable. There is no joy at all taking money from a client.*

*Although you might make a lot of money from this work, your body will be badly abused and trampled by the clients.*

*How could working as a sex worker be considered good? People get involved in the sex trade because they are separated from their husbands or because they are in debt.*

*As for me, engaging in sex work is better than getting married, even though it would cause me to feel shame with my husband's family and neighbors. This is because my husband abused me and treated me poorly, taking all of my money and gambling it away. However, I still acknowledge that sex work is bad.*

*We work hard, with our blood and sweat, but we get a bad reputation.*

*In my opinion, women should not work as sex workers at all, even if they don't have anything to eat.*

*I feel that it is much better for me to be in this prison than in a brothel. It might be difficult for me in this prison, but since I don't have to engage in sex work, I feel that my life is purer, more comfortable, not feeling the pain and hurt that my body used to experience when I was still working in a brothel. Yes, it's absolutely better being in here than in a brothel.*

*It is a good business. It is a good job to earn money by our own strength. I thought that sex work was easy work.*

*Working as a sex worker brought me shame. No one in my family engaged in this work. It brought me much pain, but I had no other choices.*

*I knew that working in the sex trade would cause people to look down on me, but I wanted to support myself after my parents had died.*

## Exploring Motivations

### Why do women engage in the commercial sexual exploitation of others?

During the focus group discussion sessions, the participants were asked to speculate about why some women engaged in the commercial sexual exploitation of others. The table below lists the most frequent responses.

Reason	Quote
<b>Poverty</b>	<i>Their families were destitute and they needed a way to earn money.</i> <i>We all agree that it was due to poverty that landed people in such a situation.</i> <i>No money to support children.</i>
<b>Lack of other job options</b>	<i>It is because women and girls could not engage in hard and heavy works so they had to end up in this kind of work.</i> <i>They are jobless, or they don't know that it is illegal to sell their daughter.</i>
<b>Easy way to earn money</b>	<i>Because it is an easy way to earn money.</i>
<b>Greed</b>	<i>The mother's girl needs money because she needs to support her young husband or her gambling habit.</i> <i>It was due to their greed for money, wanting to have a lot of it that drove them into engaging in trafficking in human beings.</i>
<b>Wanted to help someone else</b>	<i>The girl depended on them to help her, and some people thought that will get tips if they help the girls find a job.</i> <i>Girl depends on them to help her find a job; they help them because of pity.</i>

## B. SPECIFIC FEELINGS ABOUT WHAT THEY DID IN THE CSI

**Why did you do it?** The women were asked about why they did what they did. Some women provided candid responses. Others refused to admit their involvement, despite there being evidence of their involvement. The table below categorizes frequently expressed reasons, along with the actual statements the women provided. These explanations shed some light on why these women decided to do what they did and explore the ways some of these women may have rationalized their exploitive behavior to themselves.

Reason	Quotes
<b>The girl or her parents begged me to help.</b>	<i>The girl begged me to do it. She said, "Auntie, please help me find a job."</i> <i>The girl said to me, "Aunt, I don't have money to pay for my meals and rent. Can you please find me some way to earn a lot of money? I would do anything that could get money."</i> <i>My [15-year-old] daughter begged me to allow her to work as a sex worker.</i> <i>Their parents willingly sold them [their daughters], and pleaded with me to help them.</i>

Reason	Quotes
<b>The girl volunteered to do this work herself.</b>	<p><i>Her [the victim's] heart wants to do so [engage in sex work] I did not force them, but they agreed to do so by themselves.</i></p> <p><i>The girls volunteered by themselves.</i></p> <p><i>I didn't do anything to encourage them [the women]. They volunteered themselves.</i></p> <p><i>The pimp never deceives girls, only girls deceive the pimp.</i></p> <p><i>My mother did not want me to do this kind of business [run a karaoke bar]. She was afraid of sins. But I told her it was not a sin because the girls volunteered by themselves.</i></p>
<b>I was destitute.</b>	<p><i>I did not want to meet with the pimp and allow her to prostitute my daughters. But there was something pushing me to do this when I thought about our destitute condition.</i></p> <p><i>I agreed to let my daughter engage in sex work because there was no one who would help us financially.</i></p> <p><i>It was due to the difficult situation of our family that I let my daughter engage in sex work. No one in her right mind would want her daughter to do that. I admit that I did take money from her.</i></p> <p><i>My daughter is very pious. She loves me and her grandmother very much. Seeing that I didn't have money to buy medicines for my mother, she sacrificed herself by having her virginity "khui"-ed.</i></p> <p><i>I speak out from my heart that I knew this was no good. But because we were destitute, we couldn't do anything besides this.</i></p> <p><i>Because my family was lacking and the brothel owner always talked about money with me and my daughter, we finally agreed to have my [underage] daughter work in the brothel.</i></p> <p><i>Managing sex workers was not easy. It was because I was destitute that I did it.</i></p>
<b>I could not earn a viable income another way.</b>	<p><i>Another thing was that I was illiterate and very poor, having no other way to make a living that could be a bit easier or that would enable me to earn more than selling bread.</i></p> <p><i>If a girl engaging in sex work was lucky enough to have somebody provide for her, her life could be a bit more comfortable than for others. While she is still able, she would have plenty of clients seeking her services. But when her time is over, nobody would bother to take her out. That's the life of a girl working in bars. When you're still in demand, a client could give you as much as a thousand dollars. But when your time is over, no one cares for you.</i></p>

Reason	Quotes
I was enticed by the money.	<p><i>Although I was aware that it was illegal to traffic girls to Malaysia for sex work, I kept doing it because there was a lot of money involved. Engaging in this trafficking work enabled me to make much more money than selling goods.</i></p> <p><i>There were two young men who worked for the boss. They frequently gave me money and brought food to my house. They always appeared very sophisticated and rich, with a lot of jewelry on their body. They told me their job was to transport sex workers to Malaysia. They wanted me to help contact girls for them. Therefore, when those two young men offered to give me that much money, it incited my greediness, and I did not hesitate.</i></p> <p><i>A childhood friend came by my house. She had a very nice car and had lots of gold and Thai currency. She had undergone plastic surgery and had become beautiful. She told me that I could earn a lot of money working as a cook in a brothel. She also told me that my daughter could earn a lot by selling her virginity and by working as a sex worker. My daughter begged me to allow her to work. She was 15 or 16 at the time.</i></p>
I saw others doing the same to earn money.	<p><i>When I lived at Bu Ding [Anarchy Building], one of my neighbors managed sex workers. I saw that she could earn much money. I thought, "why don't I do this work also," since it is an easy job. I decided to manage sex workers.</i></p> <p><i>I saw that my aunt did this business [running a karaoke bar], and did not have any problems, and made money easily. So I also decided to do this.</i></p> <p><i>Later, my family and I rented house at Bu Ding. Because of our low standard of living, my family and I decided together that we should manage the girls [sex workers]. We decided this because we thought that it was common work in this area.</i></p>
It seemed like an easy way to make money.	<i>I thought it was easy work, just requiring me to sit at home and collect money.</i>
I was helping poor people earn money.	<p><i>In my opinion, this work helped many poor people.</i></p> <p><i>I helped to translate for other girls so that they could earn money from servicing clients.</i></p> <p><i>I did it because she needed help earning more money. I had pity on her. She begged me three times.</i></p> <p><i>This work was helpful to poor people. I had many witnesses that said that the sex industry was very helpful for poor people because it is easy to earn a lot of money. Some girls were very clever – they would save their money to support their family in their hometown. But some girls used their money to support their young boyfriend. Furthermore, some girl's parents used to borrow my money. They were grateful that I helped their daughter because it could help their family build a house and start a new career.</i></p>
I was abused, so I also abused others.	<i>If it were not for that woman who deceived and sold me into a brothel, I would have never engaged in this work. The previous person started the work, leaving the burden to the next person to carry on.</i>
It was my daughter's duty to do this.	<i>My daughter had to engage in sex work to pay her duty to her parents.</i>

Reason	Quotes
<p><b>The girl had already lost her virginity.</b></p>	<p><i>My husband did not agree to let our daughter [age 16] engage in sex work. I told him that since she had already lost her virginity to her boyfriend, we might as well let her do it. She [her daughter] told me that she was sorry for losing her virginity to her boyfriend, and that she wanted to do something [earn money for family by engaging in sex work] to pay her daughterly duty to her mother.</i></p> <p><i>We got four more girls in my community [to come with her to Thailand], but these girls had already lost their virginity.</i></p>



## EXPERIENCE WITH THE PUBLIC JUSTICE SYSTEM

One of the main objectives of the research was to learn about the prisoners' experiences with the public justice system. We suspected that perpetrators, like victims, experienced difficulty and injustice in the public justice system. In a recent study entitled *Finding Justice, Legal Aid for Victims of Human Trafficking in Cambodia*, researchers identified several major problem areas in the quality of representation provided to victims of trafficking in Cambodia. These problems included the limited availability of attorneys, heavy caseloads, inadequate preparation for trials and insufficient training. The report also found that "corruption [and] confusion among judges and prosecutors without experience on trafficking issues...continue to be obstacles that prevent victims of trafficking from obtaining justice in the courts."<sup>20</sup> We suspected that these shortcomings in the justice system also negatively impacted the quality of representation that defendants in trafficking cases received. Our research findings, as summarized below, confirmed our suspicions that the perpetrators, like victims, failed to receive adequate legal representation and were ill-treated at various stages in the public justice system. The sections below summarize the participants' experiences with police, lawyers, judges and the prison officials. All 53 of the participants' responses were included in this section.

A note of caution: When considering these women's responses and any appropriate measures that should be taken to address these challenges within the public justice system, it is important to remember that these experiences cover a broad time span. The responses of 36 prisoners (68%) reflect experiences from a minimum of 4 to 11 years ago.<sup>21</sup> Over these intervening years, there have been changes, both positive and negative, in the justice system. Therefore, these experiences and any responsive efforts to strengthen the public justice system must be considered with the dated nature of these responses in mind.

### A. EXPERIENCES WITH POLICE OFFICERS

#### **General Impressions about Police Officers**

During focus group discussions, the prisoners were asked to engage in a word association activity in which they were asked to share their initial reactions or thoughts when hearing the following five words: "police," "lawyer," "judge," "trial" and "prison." The list below summarizes the range of responses when they were asked about the word "police."

*Injustice.*

*The police are not good.*

*The police are not good because they arbitrarily carry out arrests without clear evidence.*

*Police officers are not fair.*

*The police must perform their responsibilities.*

*Disgusting people.*

*There are both good and bad police officers.*

*Some police officers cheated me.*

*I know that the police are carrying out their duties when they make their arrests, but they did so without any evidence.*

*I was deceived by police officers.*

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<sup>20</sup> Diokno, M. (2008)

<sup>21</sup> See Figure 8.



### **Arrest and Detention**

During individual interview sessions, the researchers asked about each woman's specific experience with the police at the time of their arrest. These research questions were aimed at learning how these women were treated by the police and the positive and negative practices police officers employed during arrests and subsequent interviews. In addition, these questions also aimed at assessing what types of perpetrators had eluded arrest and how they did so.

***Who was arrested? Who was not arrested?*** When asked about the fate of any other individuals involved in their crime, 37 of the 53 women (70%) reported that one or more individuals were also arrested. 12 of the 53 women (23%) made no mention of any others involved in their crime. 11 of the 53 women (21%) stated that at least one or more individuals involved in the same criminal act were *not* arrested. Some of the reasons that these women provided for these individuals not being arrested were as follows:

- Co-perpetrator was a police officer or was related to a police officer.
- Co-perpetrator paid police officers a bribe to avoid arrest.
- Co-perpetrator eluded arrest by hiding, including one perpetrator who went into hiding after receiving a tip from a police officer, who was the perpetrator's son-in-law.
- Co-perpetrator was a person of influence.

***Who was released after arrest?*** Of those who reported that at least one co-perpetrator was arrested (37 women), 18 (49%) reported that one or more of these individuals were subsequently released without being charged or tried. The women provided the following reasons why these perpetrators were released:

- Co-perpetrator paid police a bribe to release him or her (mentioned 12 times, ranging in amounts from \$600 up to \$3,500).
- Co-perpetrator was related to a person of influence, including a military official and a major.
- Interviewed perpetrator informed the police that co-perpetrator was not involved in crime.
- Reason for release unknown.

***Were you provided with a translator?*** The Cambodian Criminal Procedure Code requires police officers to conduct interviews with perpetrators following their arrest. Police officers must create a written report of these interviews, which they must make available to the perpetrator to review prior to asking them to sign and/or thumbprint the interview report. If the perpetrator does not understand Khmer, the police are required to provide her with a translator, both to translate during the questioning and to translate the completed interview report. When asked about the interview process, 4 women indicated that they were not able to understand the interview questions because they did not speak Khmer and were not given translators during the interviews. Two of the women explained their experiences as follows:

*The police accused me of being the boss, but I could not understand all that they said to me and there was no one to help translate for me. However, I did not accept their accusation. I did not know what they wrote in the report. All I knew was that they accused me of being the boss.*

*Then the police asked me if I was a mama san or not and I said no. I only answered the questions that I could understand. I didn't know Khmer much, just only a few words and they didn't have a translator to assist me. I told them over and over that I was not a mama san but only a sex worker as the others. I couldn't say anything much due to my limited knowledge of the Khmer language.*

### **Police Misconduct and Corruption**

Several women stated that they were treated kindly by police officers. One woman stated that the police treated her kindly because she was pregnant. Another indicated that the police felt sympathy towards her and treated her well. Another stated that she was treated well because she confessed to her involvement in CSE. However, an overwhelming number of women reported various incidents of abuse or misconduct perpetrated by the police at the time of their arrest or shortly following. The women reported that police officers physically abused them, confiscated their personal possessions, and, most frequently, asked for payment in exchange for preferential treatment. In addition, the women also shared about ongoing police abuses.

**Accounts of Physical Abuse.** 13% admitted to observing the police physically abuse another perpetrator or of being physically abused themselves.

*When I did not respond to the police officer's questions, he hit me in the face. He asked me to pay \$300 for my release, but I did not have any money.*

*One of the officers hit me 5 times in the face, kicked my thighs 4 times, took my 2 cell phones, and 2 of my rings.*

*The two men [her co-perpetrators] were beaten severely by the police officer.*

*The police officer asked me if I was involved in drug trafficking to Malaysia. I said I was not. He then started beating me and tried to force me to tell the truth. I didn't know anything to tell him, so he kept beating me, nearly to death. He threatened to charge me with human trafficking if I did not admit my involvement.*

*I was not beaten, but the police beat [her accomplice]. They hit her in her face and chest. She was bleeding from her ear.*

**Theft of Personal Possessions.** 19% of the women reported that their personal possessions were confiscated and never returned.

*The police confiscated all of my money, jewelry, and my phone. When my sister arrived, they asked her for \$500. My sister did not have the money.*

*The police arrested me and brought me to police station and took my property: 2 necklaces, 4 rings, diamond earrings and gold earrings, \$1000 and 2 SIM cards from Malaysia and Thailand.*

*The police in Koh Kong took my necklace, bracelet, and money when they arrested me. The police from Phnom Penh had an argument with them [police officers from Koh Kong] about my jewelry because they did not get it. The police from Phnom Penh then decided to bring all of us to Phnom Penh.*

*If robbers rob us, we can file a complaint with the police. But if the police rob us, who can we complain to?*

***Request for and/or acceptance of payments in exchange for promise of favorable treatment.*** 26% of the perpetrators reported that police asked for or accepted payment in exchange for a promise of favorable treatment.

*Police asked me for \$3000. I agreed to give them \$1000 but they did not agree. They said \$1000 was not enough to share with the court.*

*The police asked me for \$50. But my husband could not find money for them, so I was sent to Prey Sar [prison].*

*Police asked me for \$20 to “correct” the police report.*

*Police asked me for \$3000. They said if I had this amount, they would release me. I asked them if I could give them \$2500 instead.*

*Police asked for \$600 from my husband. The police also asked me for \$1800. I told the police I did not have that kind of money, so they did not release me.*

*Then they told me to give them \$400, but I gave them only \$200. They said they would rewrite the report but they did not do that. The report was still the same when I appeared in court. They took my money and spent it all away.*

In addition to these acts of misconduct, the following was also reported:

- 1 woman reported that she was asked to clean the police station in exchange for a promise of favorable treatment.
- 9% reported that police officers regularly visited their CS establishment to collect bribes.
- 4% reported that police officers regularly visited their CS establishment to enjoy free sexual services.
- 1 woman reported that a police officer was directly involved in the day-to-day operations of her CS establishment.

## **B. EXPERIENCES WITH DEFENSE LAWYERS**

### **General Impressions**

During the focus group discussion, the prisoners were asked to provide their initial responses to the word “lawyer.” The list below summarizes the range of responses:

*Injustice.*

*No money, no justice.*

*Without money, they are no help.*

*They took my money, but they deceived me.*

*Good person.*

*Defender.*

*The lawyers are not fair.*

*No money means no fairness.*

*They took my money but did nothing to help me.*

In addition, the groups were asked about who plays the most essential role in assisting perpetrators through the criminal justice system. After some discussion, one of the groups concluded by saying the following: “We think that the lawyers are the most helpful people in the system to

*help us with our trials. But they don't perform their duty well without money because money is the most important thing to them. Yes, lawyers are the most important people in the legal system because they are there to defend the offenders."*

### **Legal Representation**

#### ***Did you have a lawyer?***

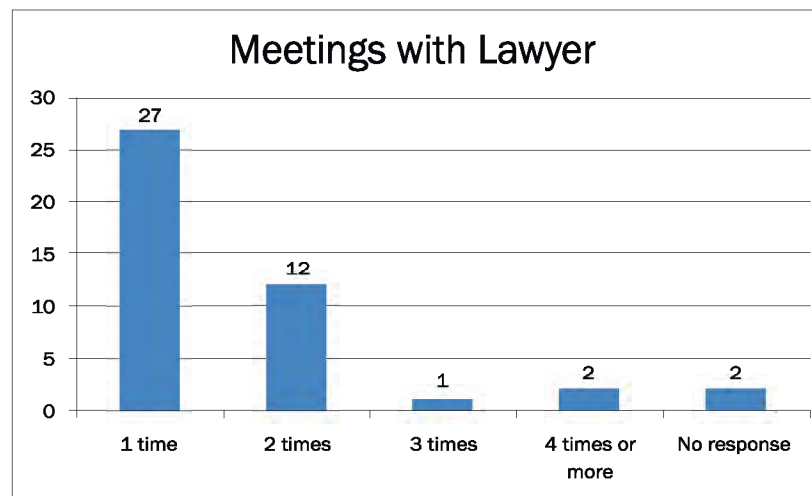
44 out of 53 women (83%) indicated that they had a lawyer representing them in their case. 6 out of 53 women (11%) stated that they did not have a lawyer. 3 women did not provide a response to this question.

***Did you pay your lawyer for his/her help?*** Of the 44 women who had a lawyer represent them, 16 (36%) stated that they paid their lawyer. 26 women (54%) were not able to or otherwise did not pay their lawyer. 2 women who stated that they had lawyers did not provide a response to this question.

***How much did you pay your lawyer?*** Of those who paid their lawyers, the amount paid ranged from \$25 up to \$20,000. One prisoner stated that she had paid her lawyer \$3900 with the plan that some portion of that payment would be passed along to the trial judge as a bribe. Two women reported paying each of their lawyers a large sum (one paid \$2000 and another paid \$1100), but neither were represented by that lawyer on the day of their trial.

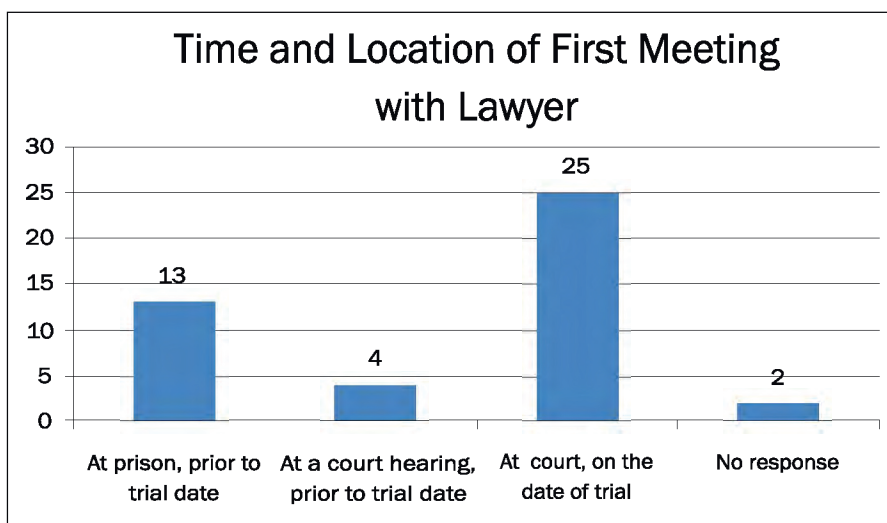
***If you had a lawyer, how many times did you meet with him/her?*** 27 women (61%) who had a lawyer only met their lawyer one time. 89% of the participants met with their lawyer two times or fewer.

**Figure 13: Meetings with Lawyer**



**When did you first meet with your lawyer?** 13 participants (30%) met with their lawyer while they were at prison. 25 participants (57%) met their lawyer for the first time at their trial.

**Figure 14: Time and Location of First Meeting with Lawyer**



**Did your lawyer appear on the day of your trial to represent you?** 42 of the 44 women who had lawyers (96%) stated that their lawyers were present on the day of their trial to represent them. 2 of the 44 women reported that the lawyer they had hired did not appear on the day of their trial, but that another lawyer appeared instead to represent them.

**How did you feel about your lawyer? Did he/she do a good job?** The following are some of the responses the participants provided when asked about their lawyers and the quality of representation they believe they received:

- *Yes, he was good. He did not just want money. He explained to me how to talk in court.*
- *Yes, the lawyer did a good job and tried to help me.*
- *Yes, he did a good job. He explained to us that if we did not commit the crime, we just have to tell the truth.*
- *Not really. She read the file but did not interview me.*
- *No, I met him for the first time at the court and met with him for 5 minutes only.*
- *No. He only asked a few questions and said only a few words on my behalf. He was not helpful to me at all because I did not give him any money.*
- *No, he said he wanted to help me but couldn't because I could not pay him.*
- *He was not present on the day of my trial. I had no one to defend me. Another lawyer was there, but he did not do anything to defend me.*
- *I didn't have the money and couldn't speak the language then to hire a lawyer. Also, no lawyers would be bothered with me when they knew that I didn't have any money. There was only the court attorney but I couldn't understand what they were saying.*
- *The lawyer didn't bother to meet me to explain to me the process of the trial, letting me wait for the trial to receive the sentence set by the court.*
- *Lawyers in Cambodia are only good to you if you have money for them, if not, don't expect it. They would only assist you for your money. If you don't have it, they wouldn't be bothered with you.*

## Summary of Findings

Our findings indicate that the majority of these women received poor legal representation. 6 participants (11%) did not have a lawyer to represent them at any stage of their proceedings. Of those who did have a lawyer (44 participants), 89% met with their lawyer **2 times or fewer**. 57% of the women met their lawyer for the first time at their trial. This means that for at least 57% of the women, their lawyer had not interviewed them or spoken to them prior to trial. In addition, 2 other women who had met with their lawyer prior to trial had another lawyer they had never met or spoken to represent them at trial when their own lawyer failed to appear.

Responses from those interviewed described additional instances of poor legal representation, including the failure to conduct pre-trial interviews with clients, the failure to discuss case strategies with clients, the failure to answer clients' questions and the failure to prepare clients for trial. As the quotes above indicate, these women did not understand the court process and failed to be informed by the key individual responsible for assisting them. Given the seriousness of the charged offenses, and the high sentences these women faced, and in fact, received (ranging from 5 to 28 years, with the average length being 11.5 years), this minimal level of representation is alarming. Furthermore, the frequent reference that the participants made to the lawyer's level of effort being proportional to the amount of compensation he/she received (or did not receive) is disconcerting.

### C. EXPERIENCES WITH JUDGES AND COURTS

#### General Impressions about Judges

During the focus group discussion, the research team also asked the prisoners to provide their initial responses to the word "judge." The list below summarizes the range of responses:

*Wrongly sentenced.*

*Unjust.*

*Took money but did not release me.*

*Without money, cannot be released.*

*If you have money, you will not be convicted.*

*Unfair.*

*Took \$2,000, but did not release me.*

*My family paid them \$3,000 to reduce my sentence.*

*The court did not demand any money from me.*

*I did not have the money the judge demanded, so I was sentenced.*

### General Impressions about Trials

The research team also asked the prisoners to provide their initial responses to the word “trial.” The list below summarizes the range of responses:

*No fairness.*

*Tried without mercy.*

*Tried without thorough investigation to find out whether the suspect really committed the crime.*

*No investigation.*

*In Vietnam, they [court officials] would properly investigate the crime. They would not receive bribes and would provide fair trials.*

*No concern for the offenders.*

*No justice.*

*Sentenced without evidence.*

***What happened at your trial? How would you describe your trial?*** The following were some common descriptions the women provided when asked to describe their trial.

Fair	8%
Unfair	60%
Because there was no money, there was no justice	15%
Tried without evidence	6%
Trial process was corrupt	4%
Did not understand what happened at trial	6%
No comment	19%

The following quotes further illustrate some of the women’s feelings about their trial experience:

- *Trial was unjust. The trial was conducted without any evidence or witnesses.*
- *I didn’t get an opportunity to complain or say anything. During the trial, they read the police statement and charged me with threatening and forcing girls to have sex with clients, and of drugging the girls. I told them that I never coerced the girls or forced them to use drugs.*
- *I tried to complain to them but they did not allow me to speak. It was not fair.*
- *The court accused me of trafficking my niece. I did not see them present any evidence during my trial.*
- *I think the trial process here is not fair at all because they are only after money. They [court officials] not only fail to act according to the law, but also bully the offenders.*



***If you needed a translator, were you provided with one? Did the translator do a good job?***

12 women indicated that they needed a translator at trial. Only 6 were provided with translators. Some quotes from those who were not provided with translators:

- *I didn't have a chance to say much, only a few words. Besides, I couldn't speak Khmer well, and could only understand some of what was said while the judge was announcing my verdict.*
- *I tell you, from the very beginning until the end, I couldn't understand anything at all because no one said anything or told me what offences that I committed. And due to my not being able to speak Khmer, nobody bothered to ask me a question.*
- *Mr. X was my translator because I couldn't speak Khmer then. Since I didn't have the money to give to him, Mr. X didn't translate very well for me.*
- *I didn't understand what they were saying or what the court was reading from the report submitted by the police.*

**Corruption of Judges**

23% of the participants reported that they had been asked to provide payment to a judge or did in fact provide payment to a judge in exchange for a promise of favorable treatment. The following quotes reveal the amounts being requested and give insight into how perpetrators view the public justice system.

- *The judge asked me to pay \$5200 for my release. My brother refused to pay the amount, so the judge did not even reduce the sentence.*
- *During the break at trial, the court demanded \$3000 from me. However, the judges did not speak directly to me. Rather, they sent the clerk to come talk to me. How could they expect us to be able to comply with such a sudden demand on such short notice? My son had already given someone \$2000. Therefore we did not have any more money to meet the demand of the court then. And because we could not comply with the court's demand, they put me in prison.*
- *At trial, I gave \$200 to the people who worked in the court to help me. They took my money but nobody helped me.*
- *We went to court for trial three times. Each time we arrived for trial, the judge would delay the case. He kept delaying the case because they wanted us to give them money. They asked each of us to pay \$1300. We did not pay it.*

**D. VALIDITY OF CONVICTIONS**

8 of the 53 participants (15%) insisted throughout their interviews that they were not involved in the commercial exploitation of others nor affiliated in any way with the CSI. The researchers could not confirm or deny their assertions. These accounts, however, provide some valuable insight. They could serve as accurate accounts of wrongly convicted women or as alternative accounts, fabricated by women who refuse to admit their criminal conduct. Either way, these stories warrant inclusion and provide food for thought.

**Story 15:** One woman recounted how she was arrested and charged with trafficking: *"I adopted this girl [the victim], but she ran away. She was gone for about a year. She ran into trouble and became a prostitute. She came back and filed charges against me, accusing me of forcing her to become a prostitute. I was arrested and charged with trafficking. I complained to the court about these charges, but they did not allow me to speak. It was not fair. The court was not seeking justice, but money."* She continued, *"At the beginning, the girl accused me, but then she told the court I was not involved with this crime. At trial, the girl told the court that the person involved was someone named X [another individual]. But they still sentenced me."*



**Story 16:** Another woman shared about how she was arrested and charged for trafficking women to Malaysia. She alleges that she was only sending goods to her husband in Malaysia when she was arrested. *“I suppose the police must have made a mistake in this case because I didn't know anything about this at all. I think the police were after the man that transports goods to Malaysia and it was a mistake that the police arrested me as well. I've told you the whole truth and did not lie to you. I was never involved in taking girls to Malaysia to sell them.”* She was sentenced to 12 years in prison.

**Story 17:** Another woman shared about how she was trafficked from Vietnam into Cambodia and forced to service clients in a brothel. She was also forced to cook, clean the brothel, and take care of the owners' children. The owner told her that she needed to do these things because she was older (29 years old at the time), and did not get as many clients as the other, younger women at the brothel. Within a month and a half of her arrival, police had conducted an operation at the brothel and detained her, along with other sex workers and one of the owners. She recounted the events surrounding her arrest and detention: *“On the day of the arrest, the owner [a woman] made me put on her nice clothes. This was after she learned from her son-in-law [a police officer] that the police were planning to raid her brothel. She and her daughters left the brothel before the police arrived, but the owner's husband was still there and was arrested along with me. While at the police station, the owner's husband knelt down before me and begged me not to tell the police that he was the owner. Because the police were filming the interview, and I was embarrassed, I told the police that I was only a cook and not a sex worker. This is what the owner's husband told me to tell the police. I later learned that the brothel owner and her son-in-law bribed the police to get her husband released, and I was charged as the brothel owner. I came to realize that, due to my simple-mindedness and ignorance, and my lack of familiarity with the Cambodian language and Cambodia, the owner was able to convince the police to shift the blame to me.”* She was tried as the brothel owner and was sentenced to 10 years in prison.

**Story 18:** Another woman recounted how she was arrested and convicted of trafficking her two minor daughters for CSE. She told researchers she was traveling to Cambodia from Vietnam with her two daughters for a short visit with her sister who lived in Cambodia. At the border, she got into a shared taxi with a driver who spoke Vietnamese. She observed that the other occupants of the vehicle were likely sex workers. When the vehicle arrived in at a bus station in Phnom Penh, police officers accosted the passengers and driver, and all were taken to the police station. All the occupants were arrested and detained. Over several days, the other occupants of the vehicle and the driver secured their release by paying the police officers. This woman, however, was not able to obtain the \$500 police officers requested for her release. She said that she didn't understand what she was charged with since she did not speak Khmer and was not provided with a translator. She then recounted her trial: *“Although we paid the translator \$500, and promised him another \$1,500, neither he nor the lawyer was present on the day of my trial. I had no one to defend me. The court asked my children whether I sold them. They told the court, ‘No, she did not try to sell us.’ But the court found me guilty, even though there was no evidence at all.”* She was sentenced to 15 years.

**Story 19:** Another woman recounted the following: *“I was never involved in sex industry. I was charged in human trafficking because of a woman named X. One time, I went to eat rice soup at a store near my house and I met X. She was staying at the store because she didn't have money to go back to Phnom Penh and was looking for her relatives who lived nearby, but they did not come to meet her. She asked me if she could sleep at my house for a night. I allowed her sleep at my house. She left my home in the morning, and I did not see her again until many months later. A policeman in my village called me to the police station. X was there also. The police asked me if I knew her. I didn't remember her, but she reminded me that she stayed at my house. At that time, I did not know she was involved in trafficking. Police officers then took me to Phnom Penh with her, and charged me for being involved in a trafficking crime.”* She was sentenced to 15 years for cross-border trafficking.

## **E. EXPERIENCES IN PRISON**

### **General Impressions about the Prisons**

The researchers also asked for women's general feedback about prisons. The list below summarizes the range of responses provided during the focus group discussions:

*If we have money, it is easy to live.*

*Narrow space to sleep, with only 50 cm per person, and 40 to 70 people in each room.*

*It is difficult to speak out.*

*It is difficult to eat and sleep.*

*Terrible food.*

*Lack of medicine.*

*Lack of water.*

*Separated from family and children.*

*It is exactly like the world outside, if you have money, you'll have everything.*

*Too crowded.*

*It's very difficult for us in here.*

*Insufficient supplies.*

*Infrequent visitors.*

During private interviews, the researchers also inquired about prison conditions and how the women felt about being in prison. Common sentiments the women shared were feelings of sadness, depression, boredom and a wish to have their sentences commuted. Many of the Vietnamese prisoners expressed hopes that they could be transferred to a Vietnamese prison, or be released to return to Vietnam to be with their families. The women also shared about not having sufficient medical care, food, water and sleeping space. These statements are supported and further explored in other reports on Cambodian prisons.<sup>22</sup> Since the researchers did not delve into these subjects, and since these subjects are well-explored and documented in other reports, this report will not repeat similar findings here.

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<sup>22</sup> For detailed information about conditions in Cambodia's prisons, see LICADHO (2008) and LICADHO (2007).

## **F. REFLECTIONS AND RECOMMENDATIONS**

### **Reflections on Cambodia's Public Justice System**

The following are some statements about Cambodia's public justice system.

*If you have money, you can get out of here. If you don't have it, you will remain here forever.*

*The victim said she wanted \$5000 in damages from me. I said, oh my gosh, if I had that kind of money and if I were a trafficker, I would have been out of here a long time ago and not stuck in a prison like this.*

*If I were in Vietnam, the court would have made a thorough investigation and released me after concluding that I was wrongfully accused.*

*It is so sickening living here in Cambodia because it is not fair. In Vietnam, they would not accuse us wrongly, and would not blatantly demand money from us like in here. In Cambodia, if you are a mama san and sold a van full of girls, you would be able to secure your release if you had money.*

*I think fairness in court in Cambodia is not as in Vietnam. When they arrest a person [in Cambodia], all they focus on is the offender's money. They do not implement the law as in Vietnam; here, they arrest people without evidence. In Vietnam, when they arrest a person, it would be based on clear evidence. But here, the laws are implemented according to the dollars. You get commutation if you have money, and if you don't have money, forget it.*

*You know, in the country of Cambodia, if you have money, you can get out. But if you don't have it, forget it and stay where you are because nobody would be bothered to do anything for you. They are after your money only.*

*Generally speaking, if you had thousands of dollars, they would quickly summon you to court to have your sentence commuted and you would be released immediately. So, if I had about \$2000 during my trial day, I would have been able to go home a long time ago and would not be here today.*

*I wish that there would be a change in the legal system in Phnom Penh so that the prisoners could enjoy fairness here. You know, I think that is true, this country has no fairness at all, arresting people so arbitrarily to take money from them.*

*I feel that justice is only for the rich. There is no justice for the poor.*

### **Prisoner Recommendations for Improving Cambodia's Public Justice System**

During the focus group discussions, the prisoners were asked for their recommendations to improve the public justice system. They responded as follows:

<b>For</b>	<b>Recommendation</b>
<b>Police</b>	<i>Police officers should conduct interviews, find evidence, and investigate very carefully before arresting someone.</i> <i>We would like to request the police to make a thorough investigation and implement the law well. They should not make arrests without evidence.</i>
<b>Lawyers</b>	<i>Lawyers should help defend their clients, and be good people, and not take their client's money.</i> <i>We think that the lawyers should help defend the suspects in every possible way and should not have too high a regard for money. Lawyers should defend their clients with truth and fairness, not be too brief in their presentation but present the court with all the necessary details.</i>
<b>Judges</b>	<i>Judges should review the evidence and find justice.</i> <i>Prior to sentencing an offender, the judge should make a thorough investigation from the lowest level to the highest level in the community to find out if the offenders really committed the crimes they are charged with. It's not fair to judge a person by just listening to only one side and not the other side as well.</i>

## PRELIMINARY RECOMMENDATIONS

This research provided a great deal of insight into the lives, experiences, and perspectives of these incarcerated women who were convicted for trafficking or CSE related crimes. We hope that these findings will inform IJM Cambodia's ongoing efforts, as well as the efforts of our various partner agencies, to meaningfully contribute to the reduction of the CSE of women and children and to help transform Cambodia's public justice system.

### **Preliminary Recommendations**

The following recommendations are broad and are intended to serve as a starting place to consider how to effectively respond to the findings of this research.

1. Organizations with prevention programs working to assist women and children at risk of trafficking and exploitation in the CSI should consider how to provide assistance regardless of the entry point into the CSI. Many prevention programs focus on providing assistance to those who are at risk of entering into the CSI as trafficking victims, with less attention given to those who are at risk of entering into the CSI as exploiters.
2. Women in the CSI who are not complicit in the trafficking or exploitation of others should have access to government and non-government services whenever possible and should not be prevented access by those working for or in support of the public justice system. These services may include education, health care, drug treatment, job skill training and legal support.
3. It is inevitable that during the course of legitimate and lawful investigations of suspected incidents of human trafficking and sexual exploitation of victims in the CSI, police and others (social affairs officials, local government officials, international and national service providers) will frequently come into contact with CSWs who are not victims. In these situations, police and others should follow the same minimum standards of protection of rights that are afforded to victims under the August 2009 MoSAVY (Ministry of Social Affairs, Veterans and Youth Rehabilitation) Prakas on Implementation of the Policy on Protection of the Rights of Victims of Human Trafficking. The identification and protection of victims and the support of basic health care and other services for CSWs are not mutually exclusive initiatives. Rather, it is essential that they be mutually supportive.
4. Police officers, judicial officers, and prison officials should act in compliance with existing laws and procedures so that the public justice system functions to respect and protect the human rights of all persons, including victims and those charged with committing crimes. Efforts should be made to eradicate corruption and abuse at all levels, including the prosecution of officials found to be complicit in such actions. The judicial process should be more transparent, and all convictions should be based upon legally sufficient evidence.
5. Organizations providing support to public justice officials should continue to train and assist judges and prosecutors to handle cases in a professional and competent manner. Additional resources should be committed to train and equip lawyers who represent victims and lawyers who represent persons charged with committing crimes.

6. Organizations and private law firms providing direct legal assistance to persons charged with committing crimes should work to improve their representation of indigent defendants.
7. In recognition of the fact that numerous victims and perpetrators of trafficking related crimes speak a language other than Khmer, support should be made available for translation during the investigation and prosecution of the cases. At present, there is no official translation service for the support of police, social affairs officials or judicial officers both pre-trial and in trial.
8. The needs of female inmates differ in many respects from those of their male counterparts. Because female inmates must overcome unique social, emotional and physical challenges that impede their ability to integrate smoothly back into society, organizations working with Cambodia's prison populations should continue to work alongside the Department of Prisons to develop and implement rehabilitation programs specifically designed with those differences in mind, so as to effectively address the needs of female inmates and identify factors which may impede their ability to succeed post release.
9. Organizations and government should develop policies and strategies that recognize and support the fundamental importance of the family unit. The breakdown of the family unit places women and children at greater risk of entry into the CSI, either as victims or exploiters. Such policies and strategies should be equally aimed at Cambodian nationals and ethnic minorities.

## APPENDICES

### APPENDIX A: RESEARCH TEAM AND TRANSLATOR BIOGRAPHIES

**Naomi L. Svensson** was the research team leader and author. She is a lawyer from the United States, licensed to practice in the state of California. She served first as a Legal Fellow and then as the Legal Program Coordinator for IJM Cambodia from January 2008 to July 2009.

**Heang Sophal** was a researcher for this project. Prior to joining the research team, she conducted several research projects in the areas of archeology and sociology. She received a Bachelor of Arts in Archeology from the Royal University of Fine Arts in Phnom Penh, Cambodia. She has worked as a journalist and editor for several magazines in Cambodia.

**Ly Kim Ang** was a researcher for this project. She participated in several research projects prior to joining the research team. These projects involved both human trafficking and the commercial sexual exploitation of women and children. In 2004, Kim Ang conducted research on migration and trafficking of women and children for sexual exploitation in Cambodia.<sup>23</sup> She has a great deal of knowledge about the Vietnamese commercial sex industry in Cambodia.

**Nal Sithy** was a researcher for this project. Prior to joining the research team, Sithy conducted a research project with ethnic minorities in Rattanakiri, examining the issues of gender and trafficking. She is currently employed with Chab Dai Coalition, which connects over 40 organizations working against human trafficking and exploitation in Cambodia. She recently received a Master of Arts in Sociology and Anthropology from the Royal University of Phnom Penh.

**Sok Lyna** provided translation from Vietnamese into English and assisted in data analysis. She has been recognized as a translator by the Cambodian judiciary since 2001. She is fluent in Vietnamese, English and Khmer. She has provided oral and written translation for various organizations, including research projects focusing on Vietnamese communities in Cambodia. She has worked previously with several organizations focusing on the commercial sexual exploitation of women and children. She also works to help adopted children reconnect with their birth families both in Cambodia and in Vietnam.

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<sup>23</sup> Brown, E. (2007)

## **APPENDIX B: ETHICAL GUIDELINES**

The researchers followed these ethical guidelines while conducting this project.<sup>24</sup>

1. **Obtain voluntary participation and informed consent.** The researchers will candidly communicate their identity and clearly explain the purpose of the study. The researchers will inform the participants that they are participating in a study, inform them of the intended end result of the study and will obtain their informed consent.
2. **Do no harm to the participant.** The research should never injure the people being studied. This could include forcing participants to reveal information that would endanger them, cause them severe embarrassment or result in psychological trauma. The researchers will aim to ask questions and obtain information in a manner that communicates respect and compassion. Should the participant become upset or emotional, the researcher will stop asking questions and tend to the immediate needs of the participant and will resume only when and if the participant wishes to resume. To the extent possible, the researcher will provide emotional support and/or will be accompanied by a social worker available to provide counseling.
3. **Protect confidentiality.** The researcher will explain to participants that the information to be obtained in the course of the research will not be traceable to any individual participant. As soon as possible, all names and other identifying characteristics will be removed from research materials to protect the participant's identity. However, the researcher will create a master identification file linking numbers with names to permit correction of missing or contradictory information.
4. **Response to discovery of abuse or misbehavior.** Where researchers learn about abuse occurring in the prisons, perpetrated either by other prisoners or by prison officials, researchers will report such incidents to the relevant prison officials.
5. **Distribute publication/research findings.** Following the finalization of research findings, plans will be made to give interested parties and partner organizations the results of the research project.

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<sup>24</sup> Ethical guidelines were informed by Rubin, A. and Babbie, E. (2004) and Hilton, A. (2008).



## **APPENDIX C: INFORMED CONSENT AGREEMENT**<sup>25</sup>

**Introduction:** Hello, my name is \_\_\_\_\_, and I am a contract researcher. I am here with a small team of researchers. We are here to talk to female prisoners like you to get information about your life and experiences so that we can help women in Cambodia and help to improve Cambodia's public justice system. We want to learn about your life and how you ended up here in prison so that we can help other women stay out of prison. We also want to learn about your experience in the justice system so we can help to protect the rights of all defendants. We think it is important to understand your life, your experiences, your opinions and your needs. This information will help us plan ways to help you, other prisoners, women in communities as well as improve Cambodia's public justice system.

### **Methods and Procedures:**

**Focus Group Discussion Procedures:** We would like to spend some time talking and listening to your opinions in this group discussion time today. Our meeting today will take a little over one hour. I have some questions listed here that I would like you to answer and discuss together.

**One-on-One Interview Discussion Procedures:** I would like to spend some time talking with you and listening to your opinions and experiences. Our meeting today will take about one hour. I have some questions listed here that I would like for you to answer.

**Confidentiality:** Your name and identity will be kept private. No information about your identity will be shared with anyone else. If you agree to participate, no one will know who told me the things that you share. Your identity and name will be kept confidential. We may use some of the things you share with us to put into a report so that other people can learn about women in prison. But no one will know it was you who said those things and your identity will be protected.

**What will happen to this information?** We will listen to the stories and experiences of female prisoners here in CC2. When we have met with every one, we will collect all the information, add this information together, and write a report about the things the female prisoners have said. We will share this information with other people and organizations who want to help women in prison and women in communities who are at risk of going to prison.

Nothing you say will lead to any further criminal charges or affect your legal case in any way. We only want to learn from you and hear about your experiences so that we can help other women who are facing circumstances similar to what you may have faced.

**Risks:** Some of the topics we may talk about are very personal and might be difficult to answer. I will ask you questions about how you ended up in prison and about your personal background. Discussing some of these personal topics may cause you to feel sadness, anger, anxiety or other difficult feelings.

**Ability to say no:** If you do not want to answer a question, you do not have to answer it. As we noted above, some of the questions may be personal or remind you of difficult things in the past. You can tell me that you want to move on to another question or end the interview. However, I hope that you can help us by answering the questions and sharing your opinions so we can find out what you and other female prisoners have experienced and feel. Hearing your voice, your opinions and your story is very important to us.

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<sup>25</sup> This consent agreement is modeled after the guidelines used by the researchers in Hilton, A. (2008).



**Understanding & Consent:**

Do you have any questions about anything I have just said? \_\_\_\_\_

Do you agree to participate in this discussion and interview today? \_\_\_\_\_

If you agree to participate in this research, write your name: \_\_\_\_\_

#### **APPENDIX D: RESEARCH FINDINGS ON NOTIONS OF VIRGINITY**

The women were also asked about their families' thoughts and feelings about virginity. The overwhelming response indicated a strong belief that daughters should preserve their virginity until marriage. 75% of the respondents stated that their parents thought it was important for their daughter to preserve her virginity until marriage. These strong feelings reveal a connection between a woman's "purity" and her perceived value. This connection may indicate why a woman would foresee limited prospects for marriage if she has lost her virginity prior to marriage, whether through an incident of sexual assault or as a result of her entry into the CSI.

**The following quotes illustrate some of the ideas surrounding virginity.<sup>26</sup>**

*My mom advised me to be careful and to preserve the reputation of my family.*

*The people in Vietnam have very high regards for a girl's virtue. If she loses it [her virginity] before her wedding, it would be very difficult for her to get married.*

*I preserved my virginity until marriage, so as not to shame my parents.*

*My parents were very strict with their children and would not allow us to indulge in anything they considered inappropriate.*

*I told my mother to go back to Vietnam and to allow me to stay in Phnom Penh. In Vietnam, when a girl loses her virginity, it would also mean that her life had lost its value. So I wanted to remain there to continue working as a prostitute so as to be able to provide for my mother.*

*After I was sexually assaulted, I wouldn't dare get married, as it would be me alone who would take all the blame for allowing that thing to happen to me. I suppose you understand that Vietnamese people have high regard for a girl's virginity. So when a girl loses it, she would bring shame not only on herself but also on her family. I felt very ashamed for having lost my virginity, thinking that it was all a girl has and I had lost it.*

*She said she didn't want to remain in the ong-ka [NGO] for training because she had already lost her virginity and had been in sex work for some time. She didn't want to remain in the ong-ka to learn any vocational skills. She said that she would love to undergo skills training if she had not lost her virginity, but since she had lost it and had been involved in sex work, she would rather get back to it.*

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<sup>26</sup> For further discussion about virginity and the stigma attached to loss of virginity, see Brown, E. (2007).

## **APPENDIX E: BIBLIOGRAPHY AND USEFUL RESOURCES**

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