

Statement on the care and protection of children in institutions in Cambodia

On 25 January 2010, Human Rights Watch (HRW) issued a report entitled *Skin on the Wire, the illegal arrest, detention and torture of people who use drugs in Cambodia*. The report documented the situation of drug rehabilitation centres and social welfare centres where people using drugs, some of whom were children, were detained against their will and subjected to cruel and degrading treatment. The report made a number of recommendations to the government, the National Assembly, UN agencies, UN human rights bodies, donors and NGOs.

UNICEF was very concerned about the findings of the HRW report. No child should ever be subjected to physical or emotional violence, and the State has a clear duty to safeguard the wellbeing of children in its care. It is for this reason that UNICEF has taken the allegations of abuse reported by HRW very seriously and has met with them several times in Phnom Penh, Bangkok and New York.

UNICEF has over the last few years provided limited funding through the Ministry of Social Affairs, Veterans and Youth Rehabilitation to one specific centre mentioned in the HRW report, the Youth Rehabilitation Centre (YRC) at Choam Chao in Phnom Penh. This is not a centre for drug rehabilitation, but a temporary welfare facility for children who are at risk, including children who occasionally use drugs. Since 2006, we have supported the YRC as part of a wider strategy on juvenile justice reform. This has included capacity building for social workers and other centre staff, formulation of a case management approach, counselling, family tracing, family assessments and reintegration of children back into the family environment. It has also included support to non-formal education, vocational training, sports and recreation, and improvement of the living environment at the centre. UNICEF has supported the improvement of standards and services at the YRC in anticipation of the adoption of the draft Juvenile Justice Law, which will allow judges and prosecutors to use diversion options for children in conflict with the law and to refer children in need of care and protection to welfare services.

UNICEF felt it was imperative to ensure that the information provided by HRW, if confirmed, was acted upon and those responsible held accountable. We therefore immediately brought the accusations of abuse to the attention of the Ministry of Social Affairs, Veterans and Youth Rehabilitation and asked them to investigate the situation with urgency. At the same time, we carried out our own investigations into the allegations of abuse. We first conducted interviews with reputable national and international NGOs who make regular visits to the YRC. The initial reaction from our partners was that while abuse had occurred at the centre in the past, this had ceased with the reorganization of the centre in 2006. We sent our Senior Child Protection expert for East Asia and the Pacific to look into conditions at the centre, together with UNICEF Cambodia staff, and we also conducted interviews with children who had previously stayed at the centre. As a result of these interviews, we found credible evidence of individual incidents of ill-treatment carried out by older children who had been given responsibility for supervising younger boys and incidents of slapping and hitting by one of temporary staff member on contract. We immediately took up these incidents with the government.

Throughout this period of investigation, UNICEF intensified its advocacy and follow up at the national level through visits to the centre, serious discussions with government ministries, and public calls for an immediate

and thorough review of all rehabilitation centres that accommodate children, including the YRC. We also called for a review of the referral and admission processes for children in need of care and protection to the YRC to ensure that these comply with due process.

In 2009, UNICEF and other UN agencies developed a joint position on addressing drug use in the country and advocated strongly to progressively close drug rehabilitation centres and to replace these centres with community-based drug dependence treatment services. We have also called for the immediate release of all children from drug detention centres and the reintegration of these children back into their families and communities. UNICEF is also working with different partners, including the Office of the High Commissioner for Human Rights, to develop an independent mechanism for the monitoring and inspection of all rehabilitation institutions that accommodate children.

The government has already taken several steps to address these concerns. It has discontinued the practice of youth supervisors at the YRC, dismissed the staff member reported by several children as having used corporal punishment, suspended the acceptance of new referrals to the centre, and is consulting with UNICEF and civil society partners to ensure that there are adequate trained staff to provide for the care and protection of the children. UNICEF will continue to advocate with the government to implement the recommendations that UNICEF has put forward and to hold accountable those responsible for the ill-treatment of children.

UNICEF will continue to support the Royal Government of Cambodia to strengthen child protection systems to better protect vulnerable children and their families. We will therefore continue to support the Ministry of Social Affairs, Veterans and Youth Rehabilitation and other relevant agencies in building a social welfare system and justice system for children that complies with international standards, including improving standards and practice to ensure respect for children's rights and the delivery of quality and accessible services.

UNICEF, as part of the UN System, works to achieve sustainable systemic change to promote and protect the rights of children and women, and thus fully supports the identification of human rights violations. As such, UNICEF continues to welcome the efforts of HRW to uncover gross human rights violations throughout the world, and we shall continue to work with HRW and others to pursue our common objective to promote and protect the rights of women and children.

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