

# Survey on Police Human Rights Violations of Sex Workers in Toul Kork Serey Phal Cambodian Women's Development Association (CWDA)

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## I. Introduction

This study was undertaken to investigate, and raise the local authorities and the government's awareness to the current situation of police violations of sex workers human rights in the Toul Kork area. The purpose of this study is to identify possible reasons for such terrible violations occurring against sex workers, and to understand the detrimental effect this has on their lives. Also, and most importantly, identify how local authorities and the government can help to protect sex worker's human rights.

The survey first briefly investigates why women work as sex workers and what factors have forced them into this line of work and given them such few choices. The survey then explores the extent, and nature, of police violations towards sex workers, and whether the violators have been brought to justice. A possible reason for these human rights violations is examined. One major factor explored is the attitude of the police and local authorities towards sex workers; this includes whether sex workers would feel secure in reporting human rights violations to the local authorities, and why they think their human rights are not respected by the police. Sex workers were also asked how they would like the government and local authorities to protect them from police violations. Finally, the study investigates what effect societies negative attitude has on sex workers lives. This includes whether sex workers have received human rights violations from clients and, if they are a managerial girl, their owners. Also examined is how the behavior of the police effects their work.

## II. Methodology

This report is based on the results of 50 surveys administered between the 15 August and the 30 August in Toul Kork and Russey Keo by face-to-face interviews conducted by active members of the Cambodian Prostitution Union (CPU). It is planned that over 100 surveys will be administered, but due to the urgency of the situation, it is necessary to report the results of 50 surveys immediately.

Interviews were conducted in a relatively informal manner. This had the advantage of allowing interviewers to ask respondents to clarify confused responses, and explain reasons for the answers. The disadvantage of this method was in maintaining consistency in interview questions from case to case. The majority of respondents were independent or 'free' girls. It could be argued that our findings are only representative of a particular group of prostitutes, rather than the majority. There is no evidence, however, to suggest that 'managerial' sex workers are more protected from human rights abuses than 'free' girls, or that 'free' girls are under a greater risk of human rights abuses. In fact, it is quite the opposite.

While the sample group is relatively small, it does highlight the main issues, and provides disturbing results that require immediate attention and action from the authorities, and government.

## II. Background

The red light district of Toul Kork, in Phnom Penh is where approximately 300 sex workers primarily operate. They work in this area either within managed brothels, or independently.

There recently has been an increased crack down on prostitution in the area by police, which is ordered by local authorities for the purpose of controlling social order. Under Article 7, of the law on Suppression of the Kidnapping and Trafficking/Sales of Human Persons, and Exploitation of Human Persons, the ownership, and operation of brothels are cited as illegal, however, there is no Cambodian law prohibiting prostitution. In implementing this law, it is not the brothel owners or clients who are arrested, but it is the sex workers who are systematically blamed, targeted and incarcerated. Furthermore, during the arrests, and sex worker's general day-to-day work, there are reports of sex worker's human rights being continuously violated by the police, clients and owners.

They are severely harassed by the police, and are constantly in fear of being arrested; they spend much of their time hiding and running from the police, rather than being able to earn a living. There are also reports that many sex workers are subjected to beatings, extortion, and rape by police officers. The violators of these crimes are rarely brought to justice, or even charged.

At the moment, there is no law protecting sex worker's basic human rights or a designated area where a sex worker can operate freely, and safely. In

fact, quite the opposite is happening. In trying to eradicate sex work, the protection of prostitute's human rights is further threatened. They can be forced to start operating in unsafe environments, such as parks, where it is difficult for their rights to be monitored and protected.

Furthermore, sex workers should have the right to choose their livelihood, or should be presented with more choices to provide for their families. It is against the spirit of the law, and Cambodian culture, that one group is left outside of the protection of the law.

Practical attitudes reflect the stigmatized role of the sex worker in society. They are seen as criminals. Sex workers are highly discriminated against in Cambodia, and these attitudes place them in a vulnerable position, where their rights are easily abused. Trying to eradicate sex work is not possible unless there is a change in Cambodian men sexual behavior, and society attitudes. As a result, there is a desperate and urgent need to recognize, and protect sex workers rights.

### III.RESULTS

#### 1. Demographic Analysis

The majority of surveys were administered to sex workers in Khan Toul Kork and Khan Russey Keo in Phnom Penh. 84 per cent of respondents were Cambodian, and primarily came to Phnom Penh from Kampong Cham and Prey Veng. 16 per cent of respondents were of Vietnamese origin. The majority of those surveyed were between the age of twenty and thirty (see table 1.1), and 88 per cent of respondents work independently, or as a free girl. Those surveyed who claimed to have a degree of literacy were divided into three groups. 16 respondents had some level of reading ability, but were unable to write. 3 respondents could write, but could not read, and only 6 sex workers were able to both read and write. 50 per cent of sex workers surveyed were illiterate. Furthermore, 70 percent of respondents were married, however, it was difficult to distinguish between those who had a boyfriend and considered themselves married, and those who were actually married. A majority of these women had at least one child.

The length of time that those surveyed have operated as a sex worker in Phnom Penh is outlined in table 1.2. 70 per cent of respondents had no other form of income outside of sex work. Furthermore, of the 30 per cent that had another job, the main occupations included a bargirl, sales girl or massage girl. The majority of those surveyed became a sex worker because they were poor and could not find alternative forms of work; they had limited occupational choices. Included in this category are those who were forced out of their homes due to violence, or they were abandoned by their husbands. 24 per cent of respondents were sold into prostitution.

Table 1.1 & Table 1.2

[\*Unfortunately these tables cannot be reproduced in text postings. Please contact the author directly to receive this – Mod \*]

## 2. Human Rights Violations by Police

Sex workers surveyed were asked if they had ever experienced a human rights violation from the police, and if not, if they know a sex worker who had experienced such a violation. They were also questioned as to the nature of the violation, to explain what exactly happened to them, and how often the violations occur.

72 per cent of respondents said they had experienced a human rights violation from the police. 28 per cent explained that they had not directly experienced a violation from the police, however, all of the respondents in this category stated that they had witnessed human rights violation by a police officer towards a sex worker. Of the 50 sex worker's surveyed, there was no one that had not directly experienced a violation, or had not seen the police violate a sex worker's human rights. 34 sex workers surveyed stated that they had experienced, or witnessed police violations on a weekly basis; 16 respondents said that violations occur monthly. Also, 92 per cent of sex worker's surveyed commented that they had recently noticed an increase in human rights violations by the police. It was difficult to ascertain how long they thought the increase in violations had been occurring, but many commented that they had noticed an increase in police abuses over the past couple of weeks. The majority of those that had not noticed an increase in police violations worked outside Toul Kork; they operate from parks and guesthouses.

Respondents who had directly experienced a violation from the police were asked to explain what happened to them, and the nature of the violation.

All of the sex worker's in this category stated that the police for no other reason than that they work as a sex worker had arrested them. It was typically stated that the police forced their way into the brothel, or rented room where the sex worker operates, and that they were violently taken to the police station. During police arrests, many respondents stated that they were beaten with sticks, their hair was pulled to force them onto motto taxis, and there were also reports of sex worker's being beaten to the head, in many instances by the policeman's gun. One woman explained that during her arrest, the policeman in question threatened her by placing his gun to her head. Furthermore, 4 sex worker's surveyed

stated that during their arrest, they were forced by the police to have sex. When respondents were asked to explain how their human rights were violated while they were detained in the police station, some sex worker's commented that they had been locked in a room, not given food, and forced to do domestic chores, such as, washing the floors and toilets. There were also reports of sex workers being forced to give massages to policemen.

Almost half of the respondents commented that the police have exposed them to extortion; their security was threatened if they did not give the police money. It was found that this occurs both during arrests and on a day-to-day basis. There are consistent reports that sex workers are required to give a percentage of their

weekly earnings to a policeman to deter being arrested and harassed. The majority of respondents stated that the police ask for between US\$10-20 from sex workers to not be arrested.

The majority of respondents surveyed stated that they have been blamed for their occupation, or intimidated by the police. This includes being shouted at, scolded, and continuously watched, and harassed by the police. Sex worker's freedom of movement is violated on a regular basis 9 respondents commented that they have had sex with a policeman for no money.

Respondents were questioned as to whether they reported the police violation to anyone. These findings are slightly ambiguous because both respondents that had directly experienced a human rights violation, and those that had only seen a violation, were asked this question. 26 per cent of respondents said that they had reported the police violation. Of these sex worker's, the majority reported the violation to the Cambodian Prostitution Union (CPU), however, when questioned as to what happened to their complaint, they indicated that they were too scared to take their complaint any higher, or file a complaint to the court. Two respondents stated that they resolved their dispute with the police by reporting the violation to their owner. They indicated that the owner resolved the dispute by giving the police money. It was found that 74 per cent of those surveyed did not report the police violation; this group of respondents was asked to explain why. A prevalent response to this question was that they were afraid or felt threatened. 8 respondents commented that they felt helpless, and that they did not know who to report the violation to; and 4 sex workers stated that if they had reported the violation they would not be able to work, and they can not afford to stop working.

88 per cent of respondents said that if they were arrested or injured by the police, they would not report the violation to other policemen, or to the local authorities; this included the village, commune or district chief. The respondents were asked to explain why. The general attitude among sex workers was that the police and local authorities do not pay attention, or care what happens to them, so why should they report the violation. Respondents also commented that the authorities and the police cooperate together, and that there was no distinction between the two institutions. Furthermore, respondents also stated that they were afraid to go to the police because of their low social status as a sex worker, and their lack of recognition by the police. For example, one woman stated: "Police hate sex worker's; I'm afraid if I go to police, the police will do same thing to me because I am a sex worker."

"80 per cent of respondents said that they felt threatened by the police. Many sex workers surveyed stated that they were afraid of police violence, and that they would be arrested, and consequently, would not be able to work. Some respondents explained that they were scared that the police would publicly

expose their identity by calling a television crew, or a newspaper to take their picture. Sex workers interviewed were found to be generally angry at the police harassment, abuse and human rights violations towards sex workers.

### 3. Attitudes of Police and Local Authorities

In order to understand the reasons for police violations toward sex workers, the attitudes of the police and local authorities was investigated as one possible explanation. Respondents were questioned as to whether they thought the police have the correct attitude towards them, and why they thought the police violated their human rights. Furthermore, they were asked to comment on the attitude of the local authorities, and explain if, and how, they would like the local authorities, and the government to protect them.

100 per cent of those surveyed stated that they believed the police had a bad attitude toward sex workers. Respondents indicated four major reasons why they thought the police violated their human rights; this included a police attitude that sex workers were illegal, and against Khmer culture; that the police hold the power, and sex workers are vulnerable and easy targets for abuse; that the police are corrupt and want money from sex workers; and a majority of sex workers surveyed stated that 'this is the police role.' Many respondents stated more than one of these categories to explain reasons why they thought the police had a bad attitude towards sex workers.

In respect of the local authorities, 100 per cent of respondents claimed that they do not believe the local authorities support them. A typical attitude amongst sex workers surveyed was that the local authorities do not recognize sex workers human rights, that they are viewed by the local authorities as a group of women who transmit the AIDS disease, and are looked down on as social outcasts. It was also commonly stated that the local authorities do not support sex workers in allowing them to make money. In general, respondents indicated that they did not feel protected, or supported by the authorities, and that they believed the authorities had a negative attitude toward sex workers.

100 per cent of sex worker's surveyed claimed that they require the assistance of the local authorities and the government to protect them from police human rights violations. All of those responding to this question, gave a variety of reasons of how they would like to be supported by these institutions; there were, however, some common themes. Most respondents explained that they wanted law to be enforced that protected their human rights, and that pressure should be placed on the police to stop the arrests. Also, commonly stated was that the government should recognize the work performed by sex workers, and allocate a place in which sex workers are able to operate safely, and legally. One women represented the majority response in saying: "Sex worker's have same right as other people, even though (we are) looked down on by society for destroying culture." Many sex workers have surveyed also wanted the police to be held accountable for their actions. For example, respondents explained that they would like to see the police respect sex worker's human rights, and those policemen that violated them to be

punished. Also, many claimed that the government and local authorities should put more pressure on the police, and owners to stop corruption and the exploitation of sex workers.

In summary, all of those responding to these questions wanted the government and local authorities to take action to protect sex workers human rights from police human rights violations.

#### 4. Working Conditions

To examine the working conditions of sex workers, respondents were asked if they had experienced a human rights violation from their owner, or a client. However, as only 6 women surveyed were 'managerial' girls, the findings raises some concerning issues, and an insight into the problem of human rights violations by owners, rather than extensive findings. Of the 6 'managerial' girls surveyed, half claimed to have experienced a human rights violation from an owner. These violations included: no money for their work, that they were beaten, forced to work long hours, and it was also claimed that they were not allowed to leave the brothel; they had no freedom. Disturbingly, one woman explained that she had been tortured by receiving electric shocks from the owner.

50 per cent of respondents claimed to have been violated by a client. Most violations by a client took the form of threatening, and scolding, the sex worker. For example, women surveyed explained that some clients would shoot a gun to threaten them, and would search their room for money, or something of value, to steal. Some sex worker's claimed that they have had money or valuables stolen from their room by clients. Respondents also claimed that clients threatened to burn their room. 50 percent of those respondents that stated that they had received a human rights violation from a client claimed that they were not paid for their services; they had sex for no money. It was also found that some clients would not agree to wear a condom, and that the sex worker was powerless to force him to. 60 per cent of sex worker's stated that violations from clients occurred every month, and 20 per cent claimed they would occur every week.

Finally, 100 percent of sex worker's surveyed claimed that the behavior of the police affected their working conditions. For example, respondents stated that they had little time to make money because they were continuously hiding, and trying to escape, from the police. Consequently, many sex workers explained that they had less food for themselves and their families, and were more open to illnesses and sickness.

Furthermore, some women claimed that the police arrests forced them to borrow money, and placed them in debt.

#### IV. Analysis: Impact of attitudes on human rights violations of sex workers.

It is evident from the findings that the abuse of sex worker's human rights by the police is extensive. Why do the police violate sex worker's human rights? The simplest answer to this question is because they can.

However, human rights abuses occur not just because the police are powerful. They occur because society holds negative, discriminative attitudes towards sex workers. This places them in vulnerable, powerless positions, which denies them of the protection of their rights. For example, the findings illustrate that a majority of respondents believed that the police violated their human rights because they were against “Khmer culture.” Other reasons were cited, such as corruption, but corruption is only one type of human rights abuse exercised against sex workers, and prevalent throughout Cambodia; the important question is: why are sex workers targeted in such an extensive way by the police?

The findings illustrate that sex worker’s human rights are further weakened by the attitude of the local authorities. 88 per cent of respondents explained that they would not report a violation to other policemen, or the local authorities. It was found that the disregard the local authorities have for them is one of the main reasons they would not report a violation. Also, to reinforce this point, a majority of sex worker’s surveyed claimed that they do not feel supported by the local authorities because the authorities look down on them, and treat them as social outcasts. Evidently, sex workers are not only placed in abusive positions, but they have no avenue in which to protect their human rights. This is primarily due to the stigmatized role sex workers have amongst the police and local authorities.

A negative attitude towards sex workers is not only reserved for the police and local authorities; it is prevalent throughout society. For example, 50 percent of sex worker’s have received human rights abuses from a client, or from their owner, and for many, on a regular basis. Clients and owners would not abuse sex workers human rights if they did not hold derogative attitudes towards them, and did not think they could get away with it.

What are the effects on society of sex worker’s human rights not being protected? Many of the women surveyed have dependents, and children to support. These people will be directly affected by the continuous arrests, and abuse of sex workers. Also, at the moment, sex workers are powerless. If sex workers had rights, and were protected by the law, they would be able to refuse clients, and have the power to protect themselves against STDs and HIV/AIDs. If this occurs, then those infected with HIV infections would decrease, and women would feel safer in society.

## V. Conclusion

It is evident from these findings that the police continuously subjects sex workers to human rights violations. These violations take the form of arrests, harassment, beatings, extortion and rape. The results in this report indicate that the negative attitudes of the police, local authorities and society at large, is one factor that places women in a vulnerable situation, and allows human rights abuses of sex workers to occur, and to be ignored.



As the findings in this report are the result of a small sample, they primarily raise some key issues to be investigated further. Importantly, there is a need to investigate why there are negative attitudes towards sex workers in society; what sexual codes, and values in society produce negative attitudes towards a particular group of women? It is clear from these findings, however, that immediate attention, and action is required to change attitudes in society, starting with the police and local authorities, and to protect sex workers human rights.

## VI. Recommendations

CWDA recommends:

- Steps should be taken to end the police arrests, harassment and violence of sex workers in Toul Kork.
- Proper training be given to police officers on human rights, especially women's rights.
- That brothel owners, and clients be arrested and persecuted for human rights violations of sex workers.
- Disciplinary and/or criminal proceedings against officials, including police, who use their authority improperly and violate sex worker's human rights
- Full recognition of sex worker's right
- Steps should be taken by the government and local authorities to ensure education, and training for men on women's rights, and the importance of an equitable society.
- The inclusion of an Article to provide protection to victims of human rights violations in The Trafficking Law.

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