

REPORT
FACT-FINDING-VISIT ON CURRENT LIVING SITUATION AND
PAST EXPERIENCE IN TERM OF TRAFFICKING AND
ABUSES IN MARRIAGE OF YOUNG CAMBODIAN WOMEN IN TAIWAN

03-08 April 2007

SUMMARY

This report reflects a compilation of information, conclusions, and recommendations collected during the Fact-Finding-Visit in Taiwan from April 3rd to 8th, 2007. The visit was organized by the Cambodian Women's Crisis Center (CWCC), and in which five delegates from CWCC and the Gender and Development of Cambodia (GAD/C) participated. To respond to the compelling national and international news on trafficking and abuses in marriages of young Cambodian women in Taiwan, the visit was made

- (1) to investigate the real current living situation and
- (2) to document the past experience in terms of trafficking and abuses through marriages of Cambodian women in Taiwan and
- (3) to hold open discussion with the Ministry of Interior, Ministry of Foreign Affairs, NGOs in Taiwan, and 21 Young Cambodian women living in Taipei, Taichung, and Pingtung provinces.

This report is divided into four major parts. It provides 1) background information, objective and methods of the visit; 2) summarizes the facts followed by case studies drawn from the interviews with trafficked and abused Cambodian women living in Taiwan; 3) analysis and conclusion on current living situation and past experiences concerning trafficking and abuses in marriages of young Cambodian women; and 4) offers some recommendations. The appendix provides lists of delegation members, schedules of the visit, news articles and related nationality laws of both countries.

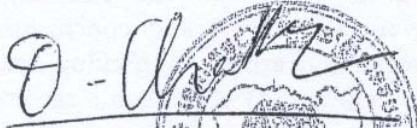

The CWCC and all members of the Cambodian delegation, would like to extend its profound gratitude to 21 young Cambodian women living in Taiwan for their openness in sharing their stories, to Dan Church Aid-Cambodia for the financial support of the visit, to the Cambodian authorities who provided moral support for the visit, and to the Taiwanese authorities (Ministry of Interior, Ministry of Foreign Affairs, the Embassy in Ho Chi Minh City), and NGOs in Taiwan, who believed in the mission of CWCC and helped with issuance of visas, preparation of the meetings, and accommodation for the Cambodian delegates during the period of reference. Special thanks to Cambodian Parliament Member, H. E Son Chhay, for helping with visa request Ms. Hsinyi Luo, Secretary of Minister of Interior for her hard work arranging the visit; Ms. Ai Ling Hsieh, Head of Department of Marriage Registration of the Ministry of Interior for hosting us; Ms. Fran Gau, Executive Director of Women's Rescue Foundation in Taipei, and her staff for issuing us the invitation, great translation and all other arrangements; and Mr. Wang Nai Huay, Chairman of the Committee for Foreign Spouse Immigration and Human Rights Protection, with his lovely family for housing some delegation members during the last two days of the visit. All are really appreciated for making this visit possible and fruitful.

Thanks to staff of CWCC who worked hard to arrange this trip, especially, to Mr. Sean Sok Phay, who invested great effort in arranging logistics and meetings with the Taiwanese authorities, NGOs, and Young Cambodian women in Taiwan. Thanks for Mr. You Pasith and Sean Sok Phay for taking minutes of meetings and discussion, which is the base for this report writing. Thanks also to Ms. Sin Lypao, who traveled back and forth to request visas for the

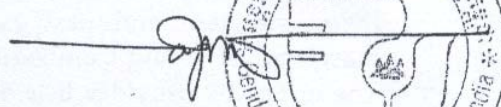
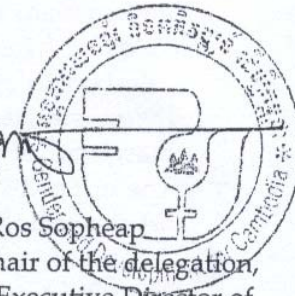
Cambodian delegation at the Embassy of Taiwan in Ho Chi Minh City and Ms. Monica for her Khmer-Chinese translation, which made our communication possible with Taiwanese authorities.

Finally, I wish all readers the very best and I look forward to receiving constructive criticism and recommendations for the improvement of this report. Hopefully, some readers can turn some of the recommendations into actions.

Respectfully Yours,

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I. BACKGROUND INFORMATION, OBJECTIVES AND METHODOLOGIES OF THE FACT-FINDING-VISIT

1. Thousands of Cambodians have been reported as being trafficked within and across national borders, mainly to Thailand and Malaysia for sexual and labor exploitation while some other nationalities such as Vietnamese were trafficked into or transited in Cambodia for other destinations. Last year the Cambodian Government's efforts to combat trafficking were improved. It was upgraded from Tier 3 in 2005 to Tier 2 watch list in 2006 according to the US assessment report. Although the government is making significant efforts to stop it, the level of prosecution, protection of victims and prevention is still limited due to lack of resource, capacity, and other factors.

2. Recently the previously hidden trafficking of and abuses in marriages of young Cambodian women in Taiwan has exploded. The Cambodian Women's Crisis Center (CWCC) received the first case of trafficking of five girls to Taiwan for prostitution and provided legal assistance to one of the victims which were traced back to 2003 and 6 victims in 2005. From late 2006, there were national and foreign media reports, including Raksmeay Kampuchea¹, Cambodian Daily², Taipei Times³, and Radio Free Asia⁴, which highlighted the issue of trafficking and unsafe migration of more than 5000 Cambodian spouses to Taiwan. Many of them ended up being forced into sexual and labor based exploitation and other slavery-like practices. These young women needed to return to Cambodia but were stuck because of fake documents and no financial means to return. The information was a shock to the retired King Norodom Sihanouk who although in a Chinese hospital called for the government to tackle the issue immediately by promising to use his own money for the return tickets of these women. However, the recognition of "One China policy" by the Cambodian government seemed an obstacle to the realization of the King's appeal. It is observed that the government (Ministry of Women's Affairs and the Cambodian National Council for Women) has shown a great concern over the issue, especially, on trafficking. The Taiwanese government, on the contrary, has explicitly denied (ignored) trafficking into Taiwan, but expressed concerns over difficulties of Cambodian spouses. H.E. Lee Yi-Yang, a Secretary of State of the Taiwanese Ministry of Interior, confirmed through his email to H. E Son Chhay, Cambodian National Council member, that there were 5,000 Cambodian women, who married Taiwanese men, were living in Taiwan and were abandoned by their husbands, facing difficulties, and lacking money to return home. Among those are 79 women waiting for citizenship without the legal documents⁵. Therefore, there is some confusion whether these are trafficking or migration issues, an issue which needs urgent assessment to establish the truth and then provide possible assistance to victims.

3. To clarify these compelling reports, CWCC with financial support from DanChurchAid (DCA), organized a Fact- Finding-Visit to Taiwan. There were five participants⁶ joining the visit. They included 2 representatives (Ms. Chanthol Oung and Mr. Sean Sok Phay) from CWCC and three members (Ms. Ros Sopheap, Mr. You Pasith, and Ms. Som Monica) from the Gender and Development for Cambodia (GADC). The visit took place in Taipei, Taichung and Pingtung, from April 3-8, 2007 and coordinated by Ms. Chanthol Oung, Executive Director of CWCC and Chair Woman of the Cambodian NGO-CEDAW Committee.

4. This expedition is the first informal field visit, dedicated to finding facts regarding the current situation of Cambodian women in Taiwan, the current trends of trafficking Cambodian women to Taiwan, and possible collaboration between Taiwanese authorities and NGOs with Cambodian government and NGOs, especially, regarding the repatriation of Cambodian women and the prosecution of perpetrators. Most importantly, this visit was an opportunity for both parties to gain a mutual understanding of each other's expectations and concerns on trafficking

and unsafe migration. It also provided a way to share experiences and ideas in addressing the welfare and safety of Cambodian in Taiwan. Although diplomatic tensions exist between both governments, we hope from this visit that the two governments can put those political differences aside and address this growing issue as a joint effort for the human cause.

5. The report with recommendations was expected to be submitted and distributed to Taiwanese and Cambodian governments, media, and civil society in both countries to start building a cooperative relationship between governments, media and civil societies for making an effective and timely repatriation and provision of assistance to Cambodian women, who need to return to Cambodia and prosecute traffickers.

6. During the visit, the Cambodian delegation had various focused group discussions, individual meetings, and interviews. The first focus group was with representatives⁷ of the Ministry of Interior (Ms. Ai Ling Hsieh and Ms. Hsinyi Luo), Deputy Head of Department of National Immigration of Taiwan (Ms. Lee Ling Fong), Ministry of Foreign Affairs, the Parliamentary Office of Taiwanese government (Ms. Hsiao Ching Liu), Taiwanese Police High Commissioner Secretariat, and Taiwanese NGOs (Ms. Fran Gau, Ms. Justine Wang, Mr. Wang Nai Huay and Venerable Young Pheng). There were about 20 participants in the meeting and it was chaired by Ms. Ai Ling Hsieh, Head of Department of Marriage Registration for the Ministry of Interior in the Meeting Hall of the Ministry of Interior. Later on, the Cambodian delegation also had other two focus group discussions with Cambodian women in Taipei and Pingtung. These women are living in Taipei, Taichung, Pingtung and their surrounding provinces. Both groups composed of 21 young Cambodian women. Among them, 19 are married and living with their Taiwanese husbands and 2 trafficked victims. Mr. Ni Rong Chhun, Head of Department of Social Affairs of and representative of the Mayor of Pingtung province, participated in a focused group discussion in Pingtung. Furthermore, each woman was separately interviewed so that she felt free to talk. Lastly, we met Dr. Li Kung Hsieh, Head of the police Academy Educator at the house of Mr. Huay in Taipei. Discussion and meetings were facilitated by a translator which led to informative and fruitful discussion. As a follow up, the two delegation members from CWCC visited the family of a married woman at her village when she came to visit her family in Kampong Cham right after our visit to Taiwan.

Cambodian delegation in a meeting with Taiwanese authorities and NGOs in Taipei



II. FINDINGS AND CASE STUDIES

A. Current Situation of Trafficking and Migration to Taiwan

7. Based on the information from the four-day fact finding mission and other secondary sources of information, the Taiwanese Ministry of Interior confirmed that there were 5219 of Cambodian spouses living in Taiwan including who got citizenship and stay status till January 1st of 2007. Among them 2119^s women had applied for and become Taiwanese Citizens. Unfortunately, most of them were accepted with fake documents. Once they are reported to the authorities, the ministry can within 5 years withdraw approval. 79⁹ women who applied are waiting for the certification approval which was suspended last April by the Taiwanese government due to the lack of real legal documents. Some women have received real documents but they are marked with “People Republic of China use only” because of a One-China-Policy.

8. **Taiwanese authorities at the national and local level completely refused to recognize information about trafficking** in young Cambodian women to Taiwan, but expressed concerns over implications of fake documents which put women in difficulties.

9. **There are two groups of Cambodian women living in Taiwan.** Women who are trafficked for sexual and labor exploitation and others who are married with Taiwanese men. However, both categories of women came to Taiwan through marriages with fake documents.

10. **Trafficking to Taiwan does exist, but not all women documented are trafficked.** Although, Taiwanese authorities refuse to acknowledge the trafficking of young Cambodian women for sexual and labor exploitation to Taiwan, trafficking Cambodian women does exist. However, the number of trafficked women is undocumented. Two among 21 women told us that they were trafficked for labor exploitation. Both of them came to Taiwan through fake marriages and were sold to a Pizza and Poultry Shop. One reported she was forced to work with another Cambodian woman in a Pizza Restaurant for 19 hours a day, beaten up by her traffickers and the owner of the restaurant when she did not understand the language, and was not paid. She was lucky that she escaped. She was assisted by a Taiwanese man who later fell in love with her, they live together and wish to marry now. She asked whether CWCC could help her get a legal marriage with this man because she came to Taiwan by fake marriage with her trafficker. Another woman who was trafficked and sold to a Poultry Shop told of similar slavery-like working conditions. CWCC helped her to return to Cambodia in April. Furthermore, most of the 21 women confirmed that they used to meet young Cambodian girls who were trafficked to Taiwan for prostitution, some were unhappy with their jobs but others looked okay. However, they do not know where those women are in prostitution. Similarly, the Ministry of Women’s Affairs of Cambodia received a complaint that there was a Cambodian woman married to a Taiwanese man, being confined in a house on a mountain. She was forced to serve many clients each day. All income was taken by her husband who pimped for her. CWCC also helped repatriate 6 Cambodian trafficked victims back to Cambodia in 2005. A Taiwanese official recognizes the existence of trafficking of mainland Chinese women for prostitution in Taiwan and deportation of these women back to China.

11. **Majority of documented women have real marriages** but with fake documents. Among 21 women, 19 of them are married and, except one, have had children, most are living happily and harmoniously with their husbands.

12. **Unhappy marriage.** Unfortunately, some women who married husbands of their own generation, find themselves supporting drunkards, gamblers, and drug users and were also facing abuses, isolation, and even forced to support entire families.

13. **The abuses include physical and mental abuse, economic and cultural pressure, confinement and restriction of freedom.** These abuses include battery, blame for not delivering a male child, being forced out of the home after giving birth to children, being put in isolation and not being allowed to contact friends in Taiwan and family in Cambodia, overworked, forced poverty, dominating and abusive parents-in-law, and cultural clashes such as serving parents-in-law as a slave, and being forced to use ash to wash the kitchen supplies rather than detergent and being blamed when utensils were not well cleaned.

14. **Happy marriages.** Generally, women who married disabled husbands and elderly are living happily. Usually, these young women married men more than 10 years older than them. We witnessed many such couples who seem very happy and care for each other. For instance, two husbands married young Cambodian women 20 years younger and were very kind and cared for their wives. One reported that he would cry if his wife disappeared. While the other man was struggling to get citizenship for his wife. Another young Cambodian woman, married to a lame husband, was accompanied by her husband and his parents to meet the delegation to inquire about the legality of her documents. Their children were crying and could not talk to the delegates but her friends told us that she was the luckiest. She delivered two sons and the parents-in-law and husband love her very much.

15. **Brokers target Kampong Cham province** (Kg. Cham). Three districts famous for having beautiful girls with fair skin became the target place for recruitment of the brides. These districts are Krouch Chmar, Stungtrang, and Svay Tiep. All 21 women, except 2, are from Kg. Cham. The two are from Kandal and Svay Rieng provinces.

16. **Young girls are targeted brides.** These women are generally poorer and their age rank is normally between 17– 20 years when they got married.

17. **The leftover in Taiwan became popular bridegrooms for young Cambodian women.** The husbands commonly are much senior, disabled, and some are drunkards, gamblers or/and drug addicted persons.

B. Pushing and Pulling Factors Contributed to Trafficking and Unsafe Migration of Cambodian Young Women To Taiwan

18. **Poverty, domestic violence, and hope for better life are pushing women to marry and migrate to Taiwan.** All women revealed that they married and came to Taiwan in hope that they would have a better life and be able to support their Cambodian families because most were either living in extreme poverty or poverty and domestic violence. Most of them are farm workers or farmers who depend on the sky (natural rain). They are uneducated, have no skills, and have no experience in employment or businesses. A girl said that her family was living near-famine so she decided to marry with a stranger even when they could not understand each other's language. Few other women cannot pay for the medical bills for their sick parents. A beautiful young woman related her story, she was so shocked, almost ran away from the wedding when she first saw her disabled groom. But she managed herself under control by remembering she needed some financial support to rescue her hospitalized and her mother who had a chronic disease. She got 1,000USD from her marriage. The lack of information about exploitative marriages and trafficking in Taiwan and the failure of issuing the certifications of marriage and nationality renunciation puts women at high risk of exploitation.

19. **Gender disparity in Taiwan creates the demand for foreign brides.** Taiwan society prefers sons. As a result it creates a great surplus of men and an insufficiency of marriageable women. Due to a demand for brides in Taiwan which the local market cannot supply, men seek brides from China, Vietnam and Cambodia. The Taiwanese government recognizes the need for having foreign brides for Taiwanese men by providing some services for foreign spouse. Parents and even grooms blame their wives or downgrade the wife's value when she does not deliver a son. One woman said her value was degraded to half value or half human. The government can play an important role in addressing this misperception.

C. Networks of Trafficking and Migration to Taiwan

20. Recruiting companies for foreign spouses were once legal but now marriage brokers are illegal in Taiwan since the government considers marriage as voluntary and therefore there is no need for recruiting agency involvement with marriage arrangements.

21. However, unregistered marriage companies are still freely operating between Taiwan, Vietnam, and Cambodia. The Cambodian agents are responsible for recruitment, marriage preparation, and obtaining both documents for visa processing in Vietnam. They move freely especially to the villages of Krouch Chhmar, Svay Tiep, and Stungrang in Kampong Cham province to conduct arrangements marriages to Taiwanese. Whereas Vietnamese and Taiwanese agents ensure the matching of the women with Taiwanese men, obtaining visa, getting the bridegroom to marry in Cambodia, and arranging trips for women who were married to Taiwanese.

22. The bride sees her husband for a few hours on the wedding day. The wedding ceremony and party always take place in Thmarda restaurant in Phnom Penh. Some women were shocked to see the older or disabled groom. Usually the wedding ceremony and party were kept secret from the other villagers and only direct family members and brokers participate.

23. Each groom pays approximately USD\$10,000 to \$20,000 for marrying their bride to the broker/trafficker. However, only a small portion is given to the family, between \$300 and \$1,000. While it is a small amount, it does help alleviate difficulties the difficulties of families living in poverty or facing emergencies. The remainder goes to brokers/traffickers and their networks.

24. Lack of prosecution of traffickers. It seems that no traffickers of Cambodian women have been prosecuted, although both countries have laws making perpetrators responsible for the crimes they committed. Traffickers can be prosecuted and face up to three years of imprisonment by a number of Taiwanese laws, including laws against slavery and exploiting children in prostitution although it does not have comprehensive anti-trafficking legislation and up to 20 years of imprisonment by Cambodian Law on Suppression and Kidnapping of Human Persons. However, the enforcement is weak. So far only one trafficker was forced to pay \$2,000 as compensation to a victim who received legal assistance from CWCC to challenge her trafficker.

25. Cambodia and Taiwan are classified in Tier 2 and Tier 3 watch list respectively by the US government for not being fully compliant with the Minimum Standards for the elimination of trafficking in 2007. Compared to 2006, both Cambodian and Taiwanese government have not made any substantive improvement in the efforts of combating trafficking in 2007. Both countries are still classified in the same Tiers.

Focus Group discussion with Mr. Rong Chhun and Cambodian women in Pingtung

D. Comparison of Expectations and Reality

26. There was concern over the number of Cambodian women moving to Taiwan for the ultimate goal of a better life and financial support for their Cambodia family. Expectations for trafficked women became worse while some married women's expectation is slightly achieved.

27. **Expectation of trafficked women is miserable forever.** All trafficked victims, who CWCC helped in repatriation back to Cambodia considered their experience a nightmare and will be miserable forever after being forced into sexual and labor slavery-like-practices. It was fortunate that they could escape and be repatriated to Cambodia, but it was a tragedy for those stories of other Cambodian girls sold to restaurants or the girl confined on the mountain to serve men. All returnees came back to Cambodia with terrible memories and without any money for the family as expected.



28. **Expectations of married women is slightly better.** Many of women recognized that their expectations are partially met in term of economic factor. However, it is just for their own families in Taiwan, not really for the Cambodian family. Some women in this group had no saving to send home, some could send a very little money to their parents. For instance, a woman said that she could send about \$50 per year to support her family in Cambodia. The money she sent was from her daily savings from buying food and she had to hide it in her underwear. A few women could reasonably send money back to Cambodia to build a new house in their village, have their house fixed, support their siblings in schools, or even send \$ 50-\$100 monthly for family support.

29. **Extortion creates tension.** Many have the capacity to visit their family every few years. However, they are very upset and angry with local police who extorted the money from them during their visit to Cambodia. If they did not pay, they were feared for their security and feared that their passport could be confiscated. As the result, some husbands dare not come, reducing visits of their wives and children or completely banning them from visiting the wife's family. This adds another issue of depression for women who are unable to visit her family as often as wished.

30. **A number of women complained that their expectations were not met at all and conditions were worse.** A woman told us with tears that her living condition was worse than when she lived in Cambodia. She lives in poverty and with abuse. She lacked money to support her family and therefore often borrowed money from friends to feed her children

and the whole family. She was working very hard for about thirteen hours a day. Her husband often beat her for money to drink and gamble. He forced her to work to make money to feed him and his family. In addition, she was suppressed by her mother-in-law, who was unhappy with her because she had no son for the family.

31. Silence to prevent parents from worrying. Most women whether or not their economic expectation was met experienced abuses such as domestic violence, isolation, and restriction of freedom as described in para. 13. Some women revealed that they had never complained to or informed their families in Cambodia to keep their parents and relatives from worrying. But some women argued that they should not raise the subject of abuses because it is common place with all of them and also happens in Cambodia. They observed that many Cambodian women including their mothers were beaten up by their husbands. Even if they were married to Cambodian men, they could be also abused. Only unusual issues should be raised to the delegation. This group of women tried to stop the women from talking about abuse in their homes.

32. Silence is double jeopardized. Not sharing problems with families in Cambodia ends up with making the family unhappy. During a visit to the village, the mother who received \$50 a year did not know the real situation of her daughter and thought her well-off. Her new happy life might be a way of forgetting the family. However, she was happy enough with her daughter's new life even if she was not supported. Silence encourages further influx of women to Taiwan where they are at risk of being trapped into trafficking or abusive marriages.

E. Most Women Not Wish to Repatriate For the Sake of their Children

33. It is not true that most women plan to return home but have no money. Although most Cambodian spouses reported either abuse or economic hardship, they do not want to return to Cambodia for a variety of reasons. They can not leave their children nor take them back to Cambodia. On the average, each woman has two children from their Taiwanese husband. They consider Taiwan a better place for their children's growth and future since the government has a reliable social welfare system, education, and protection. Such services and support do not exist in Cambodia. If they bring them back, the children will share the same difficulties and poverty as they did. Some women confessed that economic and employment opportunity is better than in Cambodia and what they need is citizenship which would provide them equal rights and protection such as the right to be free from abuse and discrimination, access to welfare and employment, owning property, divorce and division of joint property and child custody rights.

34. Trafficked women want to come back. In general, trafficked victims are eager to return home but have no money to return. One woman, however, who was trafficked and sold to a Pizza Restaurant, later found a man she loved and didn't want to return.

35. Forced repatriation. We discovered that a few women were forced to return home without children and with little money. For instance a woman who was married to an already married Taiwanese man who used his brother's name to marry and process the visa for the wife to migrate to Taiwan. Her husband always denied bringing her to authority for extension of her stay permit. After she had two children, she learned the truth when her brother-in-law wanted to complain to authority about falsifying. The man's wife and her brother-in-law put pressure on her to return home with some money or choose to be arrested with her current husband. She was very frightened of being arrested. She returned to Cambodia without her children and with some money back to Cambodia. In Cambodia, she

opened a small restaurant for her livelihood. Her husband visits her from time to time since he loves her. Another woman, **Ms. O.L.Chh**, forced out of home by her husband and mother-in-law with 1,000USD compensation, found another man whom she liked. But she could not stay in Taiwan beyond the permitted period and marry with the man she loves since she came to Taiwan by marrying to her first husband. She was asked to return to Cambodia or face legal consequence. She may choose to return home without any right to claim support from her husband or child custody rights over her two children. Generally, forced repatriation is inflicted by women themselves with mental pressure from family of husband as indicated by the cases mentioned above. In addition, women do not get any protection or benefit after divorce.

F. Fake Documents and One-China-Policy is Detrimental to Women's Wish to Acquiring Taiwanese Citizenship

36. Fake documents are the main obstacles for women in obtaining citizenship. The requirements to become a Taiwanese includes living in Taiwan for three consecutive years, providing proof of financial support, complete a health examination, pass a language test, submit certificate of renunciation of nationality and related documents based on Law on Nationality of Taiwan. These difficult requirements discourage many Cambodian women who are married with Taiwanese men and living in Taiwan. However, one of the main obstacles is fake documents or/and unavailability of required documents. Now, there are at least 79 Cambodian applicants that are stranded from receiving citizenship because of unavailability of or/and fake documents. These documents refer to certificates of marriage and nationality renunciation, verification of marriage certificates, and the passport stamped with “for Entry the People Republic of China only (PRC Only)”. Since none of the delegates was an expert on authenticity, we could not conclude whether these documents were falsified or not. But most of documents are in doubt because the signatures of the certification authority are inconsistent. For instance, Some Certificates of Renunciation of Nationality signed by Co-Minister of Interiors (H.E.Sar Kheng and Samdech Norodom Sereyvuth) and some by General Director of the National Police (H.E Hok Long Dy), but titled as the Minister of Interior. Whereas certification of the marriage certificate was signed by different officials from the Ministry of Foreign Affairs. The official include Mr. Ros Kong and Mr. Keo Viseth, who are consulate staff of the Ministry of Foreign Affairs; Mr. Haem Sa Em and Mr. Lim Kem Khuon, Consulate General for Ho Chi Minh city; and Mr. Touch Keo Mary, diplomatic advisor for Hanoi city on the marriage certificate. Last year, six young Cambodian women with faked marriage certificates provided by traffickers were repatriated by cooperative effort from Taiwanese government, CWCC and NGOs in Taiwan. CWCC took these certificates to where they were issued learning that the commune or district chiefs who signed them had left their positions at least one year earlier before the certificates were issued. In addition, these certificates used the old form that had been replaced several years ago. CWCC suspected the traffickers and its syndicates were involved with falsifying certificates. Concerning this issue, Taiwanese government told newspapers in Taiwan that the main issue was the fake marriage certificate rather than certification of nationality renunciation. If the marriage certificates are faked, the Consulate General for Ho Chi Minh City could not issue the certificate of renunciation of nationality for women. Regardless of the issue of marriage certificates or nationality renunciation certificates, the women are still stuck lacking legal documentation.

37. Freedom of movement, traveling and settlement, and return to their country is a Constitutional right. Passports, marked “PRC entry only”, plus the failure to issue the required documents for women so they can return to their country is illegal. It violates paragraph 1 of Article 40 of the Cambodian Constitution, which guarantees freedom of movement, that a citizen has the right to move near or far and anywhere they wish and

paragraph 2 of the same article, states "Citizen has the right to travel and settle abroad and to return to the country". Furthermore, it violated article 18 of the Law on Nationality, which stipulates that, "Any person who has Khmer nationality and who is at least 18 years old, may request without coercion to renounce his/her Khmer nationality, and if upon such person has got another nationality."

38. Not issuing documents to women who married Taiwanese is discrimination. The failure to issue documents to most women has cast a great doubt from Taiwanese on the role of one China policy which led to the suppression of and discrimination against Cambodian women who married to Taiwanese. In practice, the government issues the required documents for Cambodian Women who married another nationality regardless Asian, American, European, Australian or African. However, some Cambodian delegates argued that it might be the issue of dual citizenship provided by the Cambodian Law, which leaves Cambodian a free choice of their nationality. Therefore, there is no need for the government to certify renunciation. If Taiwanese recognizes the need for foreign brides, it should waive such requirement especially when the laws of both countries are in conflict. Cambodian nationality law requires that a citizen can get certificates of nationality renunciation only after a Cambodian has gotten another nationality, whereas, the Taiwanese Law on Nationality requires that, "foreigners shall revoke their original nationality prior to applying for the Taiwanese nationality". In this case, waiving of such documents should be applicable to Cambodian women when the government does not issue the required documents It is beyond the women's responsibility.

39. The main cause for falsifying documents is unavailability of real documents from competent authorities and their expensiveness.

40. Document is so expensive. A small number of women got documents through their broker's arrangement, and whether real document or not, they paid about 10,000USD for those documents.

41. Young Cambodian woman becomes football in a political match. Taiwanese Ministry of Foreign Affairs and an NGO's director raised that the Prime Minister, Samdech Hun Sen, of Cambodian adopted a sub-decree prohibiting Cambodian from marrying Taiwanese because of one China policy. Therefore, Taipei Economic and Cultural Representatives' Office in Phnom Penh closed since July 27. However, the delegates cannot get any document to confirm the decision. This need to be cleared by Cambodian government. If it is true, marriage is an individual right which shall not be affected by political and foreign affairs decision. Furthermore, Cambodian government has to protect the best interest of Cambodians residing abroad in accordance with Article 33 of the Constitution, which stipulated that, "Khmer citizens residing abroad enjoy the protection of the State". Therefore, women's best interest and future should not be politicized.

G. Implications of Not Having Citizenship on Women's Rights

42. Basic human rights and benefits for Cambodian Spouse are reduced when they do not have Taiwanese nationality. Permanent residents in Taiwan enjoy much fewer rights and legal protections under the Nationality Law. Cambodian women complained of many issues - they have to be accompanied by husbands to go to hospital or to register their children to attend school; inaccessibility for certain jobs; not able to receive some welfare benefits; no rights to own joint property or to buy property; hardship after divorce, forced to leave Taiwan after divorcing, forced to remain in violent relationships, unable to remarry with a non-violent man, etc., Some Cambodian women in Pingtung feared to request a motor cycle or car driver license. This causes difficulties for these Cambodian women since they have to breathe through their husbands' noses. Several women, whom we met, were

abandoned and forced to return to Cambodia without children, financial support, or division of their joint property.

H. Progressive Solution from Taiwanese Government

43. **A progressive solution was made by Taiwanese government.** Recently, the issue of legal documents was temporarily settled by the Taiwanese government. The Ministry of Interior amended the Procedural Code to waive requirements for certificates of marriage and renunciation of Cambodian citizenship for Cambodian women, who entered into Taiwan before March 28, 2007. The amendment was linked to Article 9 of the Nationality Law, which allowed waiving some requirements for applicants, who cannot control the situation, to become Taiwanese. Article 9 states that, “An alien who is naturalized in accordance with the provisions of Articles 3 to 7 shall submit a certificate to prove the loss of his (her) original nationality. However, this does not include cases in which responsibility for failing to obtain a certificate does not rest with the person and that the reason for failure has been verified by the Ministry of Foreign Affairs.” But the solution is obviously only temporary because the Cambodian women who married and moved to Taiwan after March 28 still need to prove the certifications. A permanent solution should be developed by either waiving such requirements for all Cambodian spouses by the Taiwanese government or issuing required certificates for women by Cambodian government as the Law on Nationality provided.

Cambodian women married to Taiwanese men protest outside the Ministry of Foreign Affairs in Taipei yesterday. The group accused the ministry of discriminating against Cambodians trying to obtain Taiwanese citizenship. PHOTO; CHENG HSUEH-YUNG, TAIPEI TIMES, dated March 4, 2007.



44. **Obtaining citizenship is expensive.** Lacking legal documentation is not the only challenge women face in obtaining citizenship. Some women complained that even if the certificate is waived they still face other obstacles. The Taiwanese government requires a financial statement indicating an amount of more than 11348 USD (at least 380160 NTD) which poor families cannot meet. In addition, some women challenged that the requirement

for possessing sufficient property or skill, which enables her/him to be self-reliant and living without worry (Article 3 of The Taiwanese Law on Nationality) was instrumental to continue putting women in abusive situations. In some cases a woman's passport and residency was allowed to expire because her husband did not want her to visit her family which puts her in restricted situation. Many husbands who want to continue restricting their wives would not pay for them to get citizenship which would provide women equal rights in access to divorce and all kinds of social and legal protection. In this case, she cannot pay by herself. So waiving the certification has not completely addressed the issue of citizenship for women to live with dignity and protection unless the issue of suppression by husband and his family was eliminated as well and special assistance to such women is offered.

45. Lack of monitoring on marriage to Taiwanese. Even though thousands of foreign spouses, mainly from China, Vietnam, Cambodia, and Japan legally moved to Taiwan, there is no specific mechanism to monitor the situation of the spouses. Such mechanism could be useful for conducting random checks and investigating cases of trafficking and domestic violence. They might also be useful in giving orientations to women to ease cultural shock, ease integration into Taiwanese community, and eliminate other difficulties.

I. Assistance from Cambodian Monk and Community in Taiwan

46. Although the Taiwanese government has been trying to help foreign spouses by issuing a guide book and hotline for assistance, most Cambodian women are not aware of it or do not utilizing it. Instead of seeking assistance from Taiwanese government's services, they call other Cambodian friends, who came from the same hometown or met after arrival Taiwan, for assistance and advice.

47. Women are not organized for addressing common issues. Also, there is not a Cambodian NGO working for the protection and promotion for the rights of Cambodian women married or trafficked to Taiwanese. However, some victims of trafficking contacted police, who referred them to Taiwanese NGO services and were ultimately assisted by CWCC in repatriation, legal assistance and reintegration into their communities.



48. A monk studying in Taipei, Venerable Young Pheng from the Cambodian Monk for the Association of Buddhist Students for Moral Development of the Cambodian Society in Taipei, provides limited assistance and advice to Cambodian women. Sometimes, women also use the Pagoda as a meeting place for socializing or as a refuge to escape from depression and violence. One woman said that she stayed in Pagoda for several days to escape from domestic violence. But this often creates tension between the abusive husbands, in-laws, and the monk, and it results in more domestic violence for the women. The

husbands and their relatives were jealous because the women were with the monk. Sometimes, women are beaten up for going to the Pagoda and their freedom of movement is taken away. The jealousy might put the monk's safety and reputation in danger since there was a rumor that the monk had relationships with many women. In addition, from time to time a few women were seen playing cards in the Pagoda. This created a questionable image about the monk and pagoda. Venerable Pheng and another woman confirmed that they asked the women not to play cards, but these women replied that they played cards for reducing stress. The monk confessed that he dare not put a lot of pressure on women who play cards because he saw they were already stressed from their home life. Police searches of the Pagoda was also feared. Therefore, professional services for women are needed and the monk can be a part of the program since he is committed and has strong compassion to help these women.

J. Case studies of trafficking and migration in Taiwan

49. **Trafficking for Forced Labor-** **Ms. Chh.H.L** is 29 years old. She came to Taiwan in April 2005 through fake marriage. Her hometown is in **Ksach Kandal district, Kandal province**. Upon arrival in Taipei, **Ms. Chh.H.L** was forced to work in the Pizza restaurant in Taipei, where she met another young Cambodian girl who was trafficked and forced to work there as well. **Ms. Chh.H.L** and her Cambodian friend were forced to work 19 hours a day, from 7:00am till 2:00am for a salary of about 200 Taiwanese Yuan (\$6.5USD) per month. However, she never received her salary because her Taiwanese boss told her that it was sent to her family in Cambodia. Her family in Cambodia informed her they never received money from Taiwan. Working in the Pizza restaurant was daunting because they could not speak Chinese. Her boss often got furious with her and her friend because of the language barrier. Her boss called the Taiwanese traffickers to "educate" her and her friend; they were beaten and left with bruised eyes, then forced to sign on a paper revealing that each of them owed the Taiwanese traffickers 7,000USD. **Ms. Chh.H.L** later escaped from this pizza restaurant. Fortunately, she met a compassionate Taiwanese man whom she is now living with. They both want to be married, but cannot because the marriage needs to be started in Cambodia. She requested that the CWCC help her obtain a legal marriage certificate so that she can live with the Taiwanese man whom she loves.

50. **A Fact behind Trafficking to Taiwan-** **Ms. P.S** is 23 years old. She is currently living in Taiwan. Her hometown is in **Svay Tiep district, Kampong Cham province**. Her husband bought her from Cambodia for a total amount of 270.000 Taiwanese Yuan (8,000USD) through marriage agency. From this amount of money, her family in **Kampong Cham** received only 300USD. All leftover money went to the traffickers. Her marriage certificate and nationality abandonment certificate are fake documents. Currently, she does not hold Taiwanese nationality. **Ms. P.S** hinted that without Taiwanese nationality, she lost all freedom and basic human rights. She could not bring her children to hospital when they got sick and when her mother-in-law and husband beat her, she dare not report it to police or local authority because she was afraid of being deported back to Cambodia and forced to leave her children in Taiwan. She suggested that the CWCC negotiate with the Taiwanese government to issue Taiwanese nationality for all the 5,200 young Cambodian women in Taiwan.

51. **Domestic violence, breadwinner, and for the sake of children-** **Ms. P.S.H** cried in a meeting with the Cambodian delegate while sharing her difficulties living with a Taiwanese husband in Taiwan. Her hometown is in **Kampong Cham province**. Her husband is a peasant in Taiwan. He is usually at home. He often asks for money from **Ms. P.S.H** to buy wine. All the money she has is from her work at a factory in Taiwan which she must use to

support the whole family including her two children. Comparing her life in Taiwan she cried and told the delegate that it is even worse than when she lived in Cambodia. She is often beaten up by her husband when he is drunk. She would like to return to Cambodia; however, there is no social support system in Cambodia and little chance for employment; she decided to continue living this miserable life for the future of her two children. Her husband told her that he bought her from Cambodia and that he could do whatever he wanted with her. He often threatened her with arrest by Taiwanese police because she has no identity card and no Taiwanese nationality. Her husband did not take her to extend her resident permit or to apply for citizenship as a way to control her. In addition, her Cambodian passport expired more than a year.

52. Domestic violence and house servant- Ms. O.L.Chh is 30 years old. Her hometown is in **Kampong Cham province**. Her story is not different from other young Cambodian women there. Due to the poverty and near-famine condition of her family, she decided to come to Taiwan through marriage in the hope of earning money to send back to the family in Cambodia. She has had two children with her Taiwanese husband; however, she had no happiness. Her Taiwanese mother-in-law did not give her freedom, but often treated her as a house servant by serving everyone in the house. Furthermore, one day in February 2007, she went to a party with other young Cambodian women until 11:00pm. Her husband called her several times, but she did not answer the phone because she had not heard the ring tone. When she returned home, her husband beat her in front of her mother-in-law. She asked her mother-in-law to intervene, but her mother-in-law replied simply that she did not see her son beat her. **Ms. O.L.Chh** told her mother-in-law that it was a sin if a person lied or seeing a person who was being beaten up did not help. Her mother-in-law became furious and expelled her from the house with 1,000 USD during the night. She is now living in a rented house in Taipei and has met a man who loves her.

53. Not her generation- Ms. S.N is currently living in Taipei. Her hometown is **Steungtrang district, Kampong Cham province**. She decided to come to Taiwan through marriage due to the fact that her father was a heavy drinker and gambler. Her father often beat everyone in the house. One day, she was almost killed because her father threw an axe at her when she was intervening in an argument between her father and mother. Having said this, she started to cry and continued to inform the delegate that she decided to come to Taiwan because she could not live in such a family. Fortunately, she found a kind-hearted man, although he was over 25 years older than her.

III. ANALYSIS AND CONCLUSIONS

54. It is clear that some Cambodian women have been trafficked to Taiwan for prostitution, forced labor, or other forms of slavery-like-practices. CWCC uncovered two cases among 21 women of trafficking for labor during the visit. A victim is now living with a Cambodian family in Pingtung under the observation of Taiwanese police. She was repatriated with assistance from CWCC on 26 April, 2007. Another woman was living with her boyfriend and dare not report to police because she was afraid of forced repatriation and punishment.

55. Although there are young Cambodian women living happily and harmoniously in Taiwan through marriage, many more live in misery due to physical abuse, poverty, hard-working, and restrictions on personal freedom and oppression from their husband and parents-in-law.

56. There are extensive trafficking networks in Cambodia, Vietnam, and Taiwan

economically exploiting young Cambodian women, their families, and Taiwanese men. Taiwanese men pay more than 20,000USD to marry/buy Cambodian woman, but the woman and her family in Cambodia receive less than 1000 USD. Some women receive only 300 USD. In addition, a family also spends about 10,000USD obtaining different certificates for applying for Taiwanese nationality most of which proved to be false documents.

57. Thousands of Young Cambodian women do not have Taiwanese nationality, creating opportunities for further exploitation at the hands of trafficking networks. Moreover, these women are vulnerable to basic rights violations from their Taiwanese husbands and parents-in-laws. Young Cambodian women have their freedom restricted, are locked in the house, and prevented from making phone calls to their families in Cambodia.

58. While some people view the Cambodian women in question as victims of trafficking, the Taiwanese government viewed them as immigrants with fake documents. Their fake documents do not constitute proof of trafficking in the eyes of Taiwanese authorities, even though the documents are clearly false. Furthermore, the signatures on the Cambodian women's fake nationality renunciation certificates had the signatures of multiple Cambodian officials, suggesting a sophisticated document forgery ring.

59. The gulf between Cambodian and Taiwanese nationality requirements and both governments' ongoing politicization of migrants women are at the heart of many of the difficulties Cambodian women face in Taiwan. Because the women possess false documents when they leave Cambodia, neither government will recognize their nationality nor their desire to change the procedure in order to secure Taiwanese nationality and thus access for employment, healthcare, education, and other human rights. Effectively, trafficking renders them legally stateless and makes them vulnerable to abuse not only at the hands of traffickers but also at the hands of the government. As one Taiwanese government official stated relations between Cambodian and Taiwan are influenced by both countries' relations with the People's Republic of China. Cambodia had official recognition of The People's Republic of China, and in the process, Cambodian women trafficked to Taiwan have been politicized and treated as objects, making them vulnerable victims within a larger political battle. Because the difference in the two countries' citizenship laws are out of the control of individual Cambodian women, there is a suggestion that Taiwan should consider making an exception to its nationality renunciation requirements especially for Cambodian women.

60. As a sign of progress, the Taiwanese government has altered its policy of nationality provision and has offered Taiwanese nationality to young Cambodian women entering Taiwan before March 31, 2007 and had fulfilled other requirements rather than legal documents. This helps young Cambodian women who could not obtain legal documents from the Cambodian authorities and reduces their vulnerability. However, Taiwan still requires that these women hold a substantial sum from 9,000 to 12,000USD in a bank account in order to obtain a Taiwanese citizenship/identity card which is the true prerequisite for accessing social services. Thus, huge obstacles still exist for abused, trafficked, and poor Cambodian women seeking Taiwanese nationality, and the only difference is that those obstacles have changed from being legal to financial. Taiwan must still work to meet its international human rights obligations to trafficked Cambodian women residing on the island.

61. Cambodian and Taiwanese governments do not have a formal diplomatic relation with each other since Cambodian government adopted the policy of "One China". Therefore, the decision of not giving certification on marriage certificates and citizenship renunciation may be a political decision of the Cambodian government. Cambodia is not the only country to

make such a decisions, other countries such as Japan and Vietnam, do not release documents for its citizen who marry Taiwanese thus enforcing the One China policy. However, Japanese government issues letter indicating that it cannot issue certification for Japanese spouse for “One China Policy”, whereas Vietnam issues certificates and allowed the opening of a Taiwanese Consulate in Vietnam. Young Cambodian women should not be put in the middle of political football game of different governments. They should be treated at least on the humanitarian ground.

IV. Recommendations

With reference to above analysis and conclusions, the delegation’s recommends as follows:

Royal Government of Cambodia

62. Cambodian Office Against Trafficking and Protection of Minors from Sexual Exploitation should increase and broaden its mission to include Taiwan and other countries to ensure the prosecution of traffickers and its networks who are trafficking women abroad.

63. Cambodian authorities should treat Cambodian-Taiwanese-marriages equally to those between Cambodian-other national- marriage.

64. Sub-decree on the Procedure and Condition for Renouncing Khmer Nationality, which set forth in article 18 of the Cambodian Nationality Law, should be adopted to avoid exploitation of any Cambodian who wants to abandon their Khmer nationality. Renunciations of Cambodian citizenship must be certified by a specific dignitary person, not by various officials, as trafficked women’s documents show.

65. Cambodian authorities shall also be prepared and willing to work closely with Taiwanese authorities on matters of combating trafficking and changes in citizenship, since Cambodian nationality law mandates that a person renouncing their Cambodian citizenship must first have secured citizenship in another country;

66. Ministry of Foreign Affairs should issue verification on marriage certificates to women through its Consulate Office in Ho Chi Minh or Hanoi City when there is no Taipei Economic and Cultural Representatives’ Office in Phnom Penh.

67. The price for certifying work shall be specified as a reasonable amount to avoid economic exploitation of the Young Cambodian women, because women have paid up to 2000 USD for traffickers to handle just a marriage certificate.

68. Investigation on producing fake documents should be done immediately to prevent further trafficking of women to abroad through marriage.

69. Government should place more attention and effort in creating skills, job and business opportunities, and market access for young women in order to reduce the vulnerability of being trafficked.

70. Due to the lack of a diplomatic office to facilitate issues between the two countries, the Government should mandate either the Ministry of Women’s Affairs (MOWA) or the Cambodian National Council for Women to be a focal point for administering certification of marriage and renunciation of nationality certificates; they should also provide pre-departure orientation on trafficking, living styles, Chinese culture, legal rights to women, and provide necessary protection to Young Cambodian women who marry Taiwanese men.

71. Government host visit of Taiwanese police, working on trafficking, to come up with a joint work plan for combating common concerns, which is trafficking and exploitation of Cambodian women.

72. Suggesting that Cambodian State's media raise awareness among the Young Cambodian women to take into serious consideration before making a final decision to get married with the Taiwanese men.

73. Cambodian residing abroad and their interest are assisted and protected according to the Constitution. Even China, who is a conflicting party of Taiwan, recently allowed the opening of Taiwanese Consulate in China for the economical and political interest of Chinese. Vietnamese and Japanese governments have had relationships with Taiwan for the best interest of their nationals. Hopefully, Cambodian government could do the same while "One China policy" is still enforced.

Taiwanese Government

74. Since Taiwan is a demanding country for foreign spouses, the government should reconsider requirements for the nationality renunciation certificate for all women regardless the date of entering Taiwan due to both countries have different nationality laws. It also should lower the financial requirement so that poor women can get equal protection. This is beyond the control of the trafficked and the married women, and as such an exception for Cambodian women should be in order,

75. Arrival orientation on living styles, Taiwanese culture and basic rule and laws and system should be provided to women,

76. Taiwanese should help married non-citizens to access to vital social services, such as health care, education and legal recourse through a broader information dissemination;

77. Taiwanese authorities should work with Cambodian government and Cambodian and Taiwanese NGOs to establish and supervise a hotline for Cambodian women, staffed by a Cambodian female counselor. Currently, the only counselor for these women is a Cambodian monk who originally traveled to Taiwan to study, but was asked to assist the trafficked women and the abused women. Some husbands became angry and jealous and threatened the safety of the monk. Thus, his work can be dangerous; a hotline staffed by Cambodian women would be a welcome addition to the pool of resources available to women in general.

78. As part of meeting its human rights obligation, the Taiwanese government shall enhance its ability to monitor and receive complaints from trafficked women and prosecution of traffickers,

79. Although Taiwanese immigration has a record of Cambodian women entering the country (regardless of the validity of their documents) for marriage, these women often disappear after entry. Therefore, the Taiwanese government should perform random checks to follow up on the fates of Cambodian women who enter the country for marriage. Many other countries do this as part of their requirements for establishing citizenship.

80. Taiwanese government shall ensure voluntary and safe repatriation by issuing residency permit and granting citizenship to the victim of trafficking and the abused women if they chose to stay. Otherwise, it can be dangerous for victims who are sent back since the

traffickers and its syndicates are mingled around the villages. A woman, whose husband could not pay all (still owed 1,000 USD) to a broker/trafficker for arranging their marriage, was confined by a trafficker on her trip to visit Cambodia. She was released only after her husband paid.

81. Taiwanese government shall provide equal protection and benefit such as being free from abuse, divorce, division of joint property, child custody rights, child support and alimony in dissolving marriage. The separation of marriage is an individual affair as Taiwanese government also agreed.

82. Taiwanese government should increase efforts ensuring gender balance and eliminating patriarchal system of male preference to avoid surplus of Taiwanese men which has led to the influx of foreign spouse and trafficking of women into Taiwan for sexual exploitation.

83. Taiwan should seriously investigate trafficking of Cambodian women into Taiwan and recognize the definition of trafficking, defined by the UN Protocol on Trafficking.

Cambodian, Vietnamese and Taiwanese government's joint cooperation

84. Although in the past there have been diplomatic tensions between both governments, we hope from this visit the two governments can put those differences aside and in a joint effort, focus on addressing this growing issue. It is a good sign that the Taiwanese government has approached the Cambodian government for an open discussion and that some Ministries of the Cambodian government have agreed to participate.

85. Cambodian, Taiwanese and Vietnamese authorities should work together to investigate and prosecute suspected traffickers who are operating in these three countries and assist victims rather than pointing the fingers to each other for different political interest.

86. At the moment, because Cambodia has no Office for Cultural and Economic Relation, permission should be granted for Cambodian-Taiwanese NGOs advocating and empowerment for women's rights or Taiwanese-Cambodian business association to play leading roles in facilitating and arranging papers for any young Cambodian women seeking to marry a Taiwanese. At the same time, both governments should have monitoring and protecting roles in these cases.

NGOs in Cambodia

87. Cambodian NGO should make a video documentary of the situation of Cambodian women trafficked and married to Taiwan. It is useful for educating and raising awareness about fate of these women in Cambodia and elsewhere.

88. NGOs should act as a bridge between Cambodian and Taiwanese government in repatriation of women, prosecution of traffickers, and provision of assistance to victims while these countries do not have diplomatic relations.

89. NGOs should continue provide shelter, skill training, reintegration, legal assistance, education, and other social services.

90. CWCC facilitates a training program, organized by the Academic Police of Taiwan, to Cambodian NGOs and an exchange visit of Taiwanese NGO's delegation to Cambodia on this issue.

91. NGOs should continue working closely with Taiwanese NGOs and government in assisting victims and other actions in stopping trafficking.

NGOs in Taiwan

92. A professional and thorough research on trafficking of Cambodian women needs to be done as soon as possible.

93. Continue monitoring the cases of trafficking and exploitation of Cambodian women, providing legal assistance and social services, helping them to have access to government services, and preparation voluntary repatriation.

94. Advocate for the respect of human rights of trafficked victims and abused foreign spouse who are non-citizens.

Appendix

A. List of Cambodian delegates

1. Ms. Oung Chanthol, Executive Director of Cambodian Women's Crisis Center (CWCC) and chair woman of the Cambodian CEDAW Committee (NGO-CEDAW)
2. Mr. Sean Sok Phay, Assistant to Executive Director of CWCC
3. Ms. Ros Sopheap, Executive Director of Gender and Development for Cambodia (GADC)
4. Mr. You Pasith, member of GAD/C
5. Ms. Sam Monnika, member of GAD/C

B. List of Taiwanese delegates from government and NGOs

1. Ms. Ai Ling Hsieh, Head of Department of Marriage Registration for the Ministry of Interior
2. Ms. Hsinyi Luo, Secretary of Minister of Interior
3. Ms. Lee Ling Fong, Deputy Head of Department of National Immigration of Taiwan
4. Ms. Hsiao Ching Liu, Assistant of Parliamentary Office Hsiao BI KHIM
5. A representative from the Ministry of Foreign Affairs in charge of passport control
6. A representative from the Taiwanese Police High Commissioner Secretariat
7. Mr. Ni Rong Chhun, Head of Department of Social Affairs of Pingtung province
8. Dr. Li Kung Hsieh, Head of Police Academy Educator
9. Ms. Fran Gau, Executive Director of Women's Rescue Foundation in Taipei
10. Ms. Justine Wang, Program Staff in charge of trafficking of Garden of Hope Foundation
11. Mr. Wang Nai Huay, Chairman of the Committee for Foreign Spouse Immigration and Human Rights Protection
12. Venerable Young Pheng, Cambodian Monk for the Association of Buddhist Students for Moral Development of the Cambodian Society in Taipei

C. Schedule of the facts finding visit to Taiwan April 4-8, 2007

Day 1 (Wednesday, 4th of April 2007)

Morning Traveled to Taipei, Taiwan

Afternoon Discussing with hosting NGO on work plan

Day 2 (Thursday, 5th of April 2007)

Morning Focus Group Discussion with representatives of relevant ministries, Parliament, and NGOs at the Ministry of Interior
Afternoon Travel to Pingtung province

Day 3 (Friday, 6th of April 2007 Friday, 6th of April 2007)

Morning Focus Group Discussion with Cambodian women, family members, husbands, and representative of Pingtung Mayor

Interview women

Afternoon Return to Taipei

Evening Meeting with Head of Police Academy in Taipei and Venerable Young Pheng

Day 4 (Saturday, 7th of April 2007)

Morning Rest

Afternoon and Evening Focus Group Discussion with Cambodian Women and monk in the Khmer Pagoda in Taipei

Interview women

Day 5 (Saturday, 8th of April 2007)

Return to Cambodia

D. Cambodian Related Laws

Constitution of the Kingdom of Cambodia, 1993, at the website:

<http://www.constitution.org/cons/cambodia.htm>

Law on Nationality of Cambodia, 1996, at the website:

http://www.bigpond.com.kh/Council_of_Jurists/Immigratn/imm003g.htm

F. Taiwanese Related Law

Nationality Law, at the website: <http://english.taipei.gov.tw/slhr/index.jsp?recordid=5159>

G. News Articles

Cambodian Bride in Taiwan Face Beating, Other Abuse

2006.12.02 by RFA



Gift-bearers stand in line at a traditional Cambodian wedding in Phnom Penh. Photo: AFP/Philippe Lopez

TAIPEI—Cambodian women who move to Taiwan as brides in arranged marriages often suffer beatings, social isolation, and abuse, according to Khmer women here and a Cambodian Buddhist monk who works to help them.

Venerable Yong Pheng, founder of the Khmer Culture Buddhist Center in Taiwan, said his group provides interpreting for abuse victims in cooperation with Taiwan's Ministry of the Interior.

"The majority of problems involve women being beaten by their husbands and having nobody to help file complaints with the police," Yong Pheng told Radio of Free Asia's Khmer service. Some beatings are severe and result in mental distress, he added.

Yong Theng said he was once brought by police to speak to two Cambodian women in a psychiatric hospital and found them "singing noisily and banging doors and windows."

"And when they slept, they did not sleep on the bed but underneath the bed...They told me they dreamed about being killed, beaten, and that they saw ghosts in their dreams and that they shouted out for help."

My family was poor, and I heard that other people who came to Taiwan could help their families...[My husband] brought me to work in the house. He didn't marry me to be his wife. He brought me here just to produce children for him.

Anna, 23, a Khmer woman in Taiwan

The women became "excited and happy" when he spoke to them in Khmer and when they saw his Buddhist robes, Yong Theng said. "They said that they wanted to become nuns and stay with me at my center."

Social isolation, enforced by Taiwanese husbands and in-laws, increases the misery of Cambodian victims of domestic abuse, Yong Theng added.

"[Many of these women] are not allowed to talk on the phone with other Cambodian women," Yong Theng said. "Some who want to visit their friends are not allowed into their friends' homes if husbands or relatives are there."

Poverty in their own country drives Cambodian women to look for foreign husbands, a Cambodian woman living in Taiwan said.

Poverty drives marriage abroad

"My family was poor, and I heard that other people who came to Taiwan could help their families," the 23-year-old woman, who asked to be identified as Anna, said. "So I decided to go to Taiwan in the hope that at least I would have some money to help my parents."

Following what she called an "artificial wedding," Anna said, she and her husband were happy for the first three months of their marriage. Then, she said, her husband began to drink and find fault with her. He also beat her and destroyed household items, she said.

"He brought me to work in the house," Anna said her husband told her. "He didn't marry me to be his wife. He brought me here just to produce children for him."

And when they slept, they did not sleep on the bed but underneath the bed.

Venerable Yong Theng

A Cambodian woman called Y Sayhon, who came to Taiwan in 2001, said she too suffered beatings by her husband. "He banned me from making friends with other Cambodians," she said. "When I beg him to allow me to go out with friends, he gets angry, because he doesn't want me to have friends. He fears that I may run away or divorce him."

Speaking with RFA's Cantonese service, Taiwan Ministry of the Interior officials who asked not to be named said the Ministry has published books on preventing home violence in the Chinese, English, Indonesian, Thai, and Vietnamese languages.

The Ministry has also published a "guide" in the Cambodian language, Khmer, for foreign spouses living in Taiwan, they said.

Not all are trafficked

A precise count of the Cambodian women brought to Taiwan as brides is "hard to come by," said Wenchi Yu Perkins, director of the Anti-Trafficking and Human Rights Program of

the Washington-based Vital Voices Global Partnership.
These women should not necessarily be classed as trafficking victims, though, she said.

“A lot of them find they are marrying Chinese husbands who are completely different [from what they have been led to expect],” Perkins said. “For example, their educational background might be different, their social/economic status might be different, and everything might be different.”

It is when such women are held in harsh circumstances against their will that they become victims, Perkins said. “It’s force, fraud, or coercion that defines whether something is trafficking or not.”

Taipei Time, Sunday, Mar 04, 2007, Page 2

Women's group accuses MOFA of discrimination

RECOGNITION: Just like Japanese, Cambodians cannot obtain Taiwanese citizenship without abandoning their citizenship by birth, which their country will not allow By Loa Iok-sin
STAFF REPORTER



Cambodian women married to Taiwanese men protest outside the Ministry of Foreign Affairs in Taipei yesterday. The group accused the ministry of discriminating against Cambodians trying to obtain Taiwanese citizenship. PHOTO; CHENG HSUEH-YUNG, TAIPEI TIMES

A group of Cambodian women who are married to Taiwanese yesterday accused the Ministry of Foreign Affairs (MOFA) of discrimination against them on the issue of obtaining Taiwanese citizenship.

Approximately 2,800 Cambodian women who are married to Taiwanese men are not able to become Taiwanese citizens despite having families and years of residency in Taiwan, the Transnational Sisters' Association, an organization that aims to protect foreign spouses' rights, said.

The Nationality Law (國籍法) requires that foreign nationals submit a certificate of renunciation of nationality (CRN) issued by their country of origin before they can obtain Taiwanese citizenship.

However, the task is impossible for Cambodians.

"Cambodia doesn't recognize Taiwan and its government refuses to issue such certificates to Cambodians who wish to obtain Taiwanese citizenship," Shawn Wu (吳俊雄), secretary-general of the group, told the press conference.

In some cases when certificates were issued, they were rejected by the ministry because of the remark "valid only for the People's Republic of China on the documents," Wu said. "How do we

live and work here [in Taiwan] without a national identity card?"

"I'm afraid that I cannot come back if I go back to Cambodia to visit," said I Say Hun, a Cambodian woman who has been married to her Taiwanese husband for six years.

Cambodia is not the only country that refuses to issue CRNs to national wishing to become Taiwanese citizens.

Japan is another such country, also because of its one-China policy.

"But they have found a way around it," Wu said, adding that "the ministry cannot discriminate against Cambodians."

However, MOFA rebutted the accusation.

"It's really the marriage certificates rather than CRNs that cause the problem," MOFA deputy spokeswoman Phoebe Yeh (~~~~) said during a telephone interview with the *Taipei Times*.

Yeh explained that most Cambodian nationals who applied for Taiwanese citizenship had fake marriage certificates.

"With fake marriage certificates, the Cambodian government couldn't issue them CRNs and Taiwan couldn't grant them citizenship," she said.

In fact, MOFA granted them residency during a period of time regardless of the authenticity of their documents, Yeh said. "But granting citizenship is a whole other issue."

Yeh admitted that Japan also adheres to the one-China policy and wouldn't issue CRNs to its nationals wishing to obtain Taiwanese citizenship.

"But the situation is different," she said.

"First of all, Japanese who married Taiwanese all had authentic marriage certificates, certified by their government," she said.

"Second, the Japanese government would issue written documents to its national requesting CRNs stating that they [the Japanese government] cannot do so because of such and such reason," Yeh said. This story has been viewed 843 times.

Taipei Time

Foreigners decry citizenship law

NATIONALITY LAW: New requirements, including language tests, are too stringent and reduce the chances that foreigners will obtain citizenship, protesters said yesterday

By Mo Yan-chih STAFF REPORTER Thursday, Jul 07, 2005, Page 3



A foreign resident grimaces while holding a sign with questions from the citizenship exam at a demonstration outside the Executive Yuan yesterday. The protesters called on the government to postpone the implementation of amendments to the Nationality Law, which they said are too stringent and reduce the chances of foreign spouses obtaining Taiwanese citizenship. PHOTO: LIU HSIN-TEH, TAIPEI TIMES

Around 25 foreign spouses from Kaohsiung and Panting yesterday protested an amendment to the Nationality Law (國籍法), which requires applicants to take both a Chinese-language exam and a comprehensive exam, saying the tests will reduce their chances of obtaining citizenship.

Permanent residents in Taiwan enjoy much fewer rights and legal protections under the Nationality Law. The requirement to pass the test, which is harsh for Southeast Asian foreign spouses who are usually too busy taking care of their families to learn, will reduce the chances of them becoming Taiwan citizens and enjoying equal rights," said Chen Hsue-li (陳雪麗), director at the Transnational Sister Association.

The Ministry of the Interior's amendment to the Nationality Law, which was passed by the legislature last month, requires applicants to pass a Chinese-language test and a comprehensive test covering social and legal issues, in addition to other requirements, to acquire Taiwan citizenship.

The other requirements include providing proof of financial support, completing a health examination, and living in Taiwan for five consecutive years, spending at least 183 days here in each of those years.

According to Chen, many foreign spouses who have lived in Taiwan for about four to five years and started to apply for citizenship have been forced to postpone their applications until the new amendment takes effect in October.

"There was no such requirement when they came here. When the government was talking about adding the test into the law, their voices were not heard in the deliberations. Now that the law is taking effect, those spouses risk failing the test and never getting citizenship," she said.

Before handing the petition to the Executive Yuan, the advocates showed some sample questions from the future test. These varied from questions about regulations in the Constitution, to naming the author of the national anthem, to issues about the health care system, to recycling regulations.

They silenced the foreigners and even university professors present who tried to answer them.

The foreign spouses and their supporters called on the government to offer a compromise, such as language courses for foreign spouses to pass the test more easily, as well as granting more rights to permanent residents.

"Chinese is a difficult language to learn. Besides, taking care of children and other housework takes so much time that we don't have much time for ourselves, let alone going to courses to prepare for the test," said one foreign spouse surnamed Wang, who came from Vietnam seven years ago.

Although Wang already has her citizenship, she said she had come to support other foreign spouses and to urge the government not to make things difficult for them.

Also attending the protest to show support was Eric Moon, an American who has lived in Taiwan for eight years. Moon said Taiwan's immigration policy should be more

encouraging.

"There are not too many foreigners living here, so I think it would be beneficial for Taiwan to have a more diverse population," he said.

Moon said he had considered applying for Taiwanese citizenship, but gave up, knowing that he would have to give up his US citizenship.

With most foreigners from Western countries unwilling to give up their original citizenship, the pressure to pass the tests to become a Taiwanese citizen will be felt mainly by foreign spouses from Southeast Asia.

Of the 1,465 foreigners who obtained citizenship in 2003, 93 percent were foreign brides, mainly from Vietnam, Cambodia, Indonesia, the Philippines, Myanmar and Thailand.

Vol. 11, No. 492, Friday, 26.1.2007

Posted on *January 26th, 2007.*

Taiwanese Ministry of Interior Tells Cambodian Assembly that More Than 5,000 Khmer Women in Taiwan Face Difficulties

"The Taiwanese Ministry of Interior told the Khmer National Assembly that more than 5,000 Cambodian women, who are married to Taiwanese men, face difficulties because they are abandoned by their husbands. The difficulties of those women exist because of Mr. Hun Sen's government, which maintains a One-China policy

"Mr. Lee Yi-Yang, a Secretary of State of the Taiwanese Ministry of Interior, wrote on 9 January 2007 to Mr. Son Chhay, the chairperson of the Fifth Commission [Commission on Foreign Affairs, International Co-operation, Propaganda and Information] of the National Assembly, saying that at present, more than 5,000 Khmer women, who are married to Taiwanese men and are living in Taiwan, are abandoned by their husbands, face difficulties, and have no money to return home.

"On 22 January Mr. Son Chhay wrote to Mr. Hor Namhong, a Deputy Prime Minister and the Minister of Foreign Affairs and International Cooperation, about the situation of the women. Mr. Son Chhay stated in the letter, 'I have recently received an e-mail from an official of the Taiwanese Ministry of Interior, telling me about the Khmer women who are married to Taiwanese men and are living with difficulties on the island. The official of the Taiwanese Ministry of Interior asked the Commission of the Cambodian National Assembly to help to seek ways to solve the problems of the Khmer women, most of whom are poor and abandoned by their husbands. Living in difficult situations, those Khmer women asked for social welfare assistance from the Taiwanese authorities, but their request was rejected due to reasons of national security. The reason being that Taiwan does not have official diplomatic relations with the Kingdom of Cambodia for solving national issues.'

"The letter continued that to seek solutions for the problems of these Khmer women, the Taiwanese official asked for policy suggestions from Khmer officials, or as an alternative he asked that Khmer officials could contact different organizations in Ho Chi Minh City (Prey Nokor), Vietnam, which are experienced in such work. The chairperson of the Fifth Commission of the National Assembly asked the Khmer Ministry of Foreign Affairs to

provide policy suggestions, or agree to a meeting any time to discuss possible solutions for the problem of these Khmer women.

“Mr. Son Chhay said, ‘More than 5,000 Khmer women, who married Taiwanese men, were just used as tools of passion for a short time and then abandoned. Those Khmer women are living by themselves, and it is difficult for them to find jobs, so some of them forced themselves to take Taiwanese nationality in order to get any social welfare money from the Taiwanese government.’

“The letter of the official of the Taiwanese Ministry of Interior presents the difficulties of their authorities when trying to help those Khmer women, because Taiwan does not have an office for solving such issues, as Cambodia applies a One-China policy.

“Mr. Son Chhay said, ‘Vietnam also supports a One-China policy like other countries, but it has a [Taiwanese] cultural office or a trade office for handling visas for traders and to solve other issues of people from both countries.’

“Before the bloodshed coup on 5-6 July 1997, Cambodia had a Taiwanese cultural office in Phnom Penh. After the coup, Mr. Hun Sen’s government closed the Taiwanese office, causing difficulties up to today.

“Mr. Son Chhay, stated, ‘We are worried about these Khmer citizens, because according to the constitution, Khmer citizens everywhere are to be assisted by the state. The case of more than 5,000 Khmer citizens in Taiwan is difficult to solve, because the two counties do not have offices to contact each other. Therefore, when the Taiwanese authorities need to clarify information in some documents which are forged, there is no way. How to punish the Taiwanese men who deceived Khmer women into being used for passion for a short time, we don’t know from whom to get any clarification. But the Government of Cambodia should pay attention and should try to solve this problem properly.’

“Mr. Son Chhay appeals to the Khmer government to take responsibility for the fate of more than 5,000 Khmer women because they are Khmer citizens, but now they face difficulties in Taiwan.

“Last year, Khmer monks living in Taiwan created an association in order to help protect the more than 5,000 Khmer women. However, the association could not help them in legal terms but only with charity for a short time.” *Sralanh Khmer, Vol.3, #315, 26.1.2007*

Cambodia's "One China Policy" is detrimental to abused Cambodian women stranded in Taiwan

Tuesday, January 30, 2007

Retired King Offers To Repatriate Cambodian Women

Tuesday, January 30, 2007 By **John Maloy THE CAMBODIA DAILY**

Retired King Norodom Sihanouk has offered to pay for Cambodian women who have been left homeless in foreign countries or are working as prostitutes abroad to be repatriated to Cambodia. In a statement emailed to media outlets Saturday, the retired King wrote that there are Cambodian women living in Taiwan, South Korea, Malaysia, Thailand and southern Vietnam who all need to be brought home. "Taiwanese 'Gentlemen' have brought Khmer women to be their 'spouses.' Today, these Khmer women have been thrown into the

streets by these very arrogant and contemptuous false Husbands," Norodom Sihanouk wrote from Beijing. "With the very high permission of our Great Leader, our Consul(?) in Taipei could send them back to Phnom Penh at my expense (economy class air travel)," Norodom Sihanouk said, adding that there are women in similar circumstances in South Korea. Norodom Sihanouk also offered to pay for women working as prostitutes in Malaysia, Thailand and southern Vietnam to be brought home. At least 79 Cambodian spouses living in Taiwan are currently in legal limbo, partly because their official Cambodian documents bear the words "PRC use only," referring to the People's Republic of China, according to an email from a Taiwanese official to SRP lawmaker Son Chhay earlier this month. Cambodia has followed a strict One China policy for years, and refuses to accept Taiwan as an independent country. Hsinyi Luo, secretary to Taiwanese Interior Minister Lee Yi-yang, wrote to Son Chhay on Jan 9 stating that it is currently difficult to resolve bureaucratic problems concerning Cambodians in Taiwan, as Taiwanese and Cambodian officials have such little contact. Son Chhay sent a letter to the retired King on Monday asking for his approval for Taiwan to reestablish its Economic and Cultural Office in Phnom Penh, according to a copy of the letter. Foreign Affairs Ministry Secretary of State Long Visalo said he was too busy to speak with a reporter. (*Additional reporting by Douglas Gillison*)

¹ Raksmeay Kampuchea, *More than 2000 Cambodian women married and live in Taiwan*, dated 4 April 2007

² Cambodian Daily, *Retired King Offers To Repatriate Cambodian Women*, Tuesday, January 30, 2007

³ Taipei Time, *Women's group accuses MOFA of discrimination*, dated March 04, 2007, Page 2

⁴ Radio Free Asia, *Cambodian Bride in Taiwan Face Beating, Other Abuse*, dated December 2, 2006.

⁵ An e-mail from Mr. Lee Yi-Yang, a Secretary of State of the Taiwanese Ministry of Interior, addressed to a Cambodian national assembly member, H.E Son Chhay, dated 9 January 2007

⁶ See the Appendix A: List of Cambodian delegates

⁷ See Appendix B: List of Taiwanese delegates from government and NGOs

⁸ Email from Ms. Hsinyi Luo, Secretary to the Minister of the Interior Lee Yi-yang, addressed to H.E Son Chhay, dated January 9, 2007.

⁹ ibid