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 16 January 2023

ITUC/LEX/HTUR/zmg/pda/mw

**Written submission on the upcoming consideration of the 2nd report for Cambodia at the CESCR’s 73th session (13 Feb 2023 - 03 Mar 2023)**

**To the Office of the CESCR**

The International Trade Union Confederation (ITUC) welcomes the opportunity to make a written contribution on the human rights situation in Cambodia to inform the works of the CESCR’s 73rd session taking place between 13 February and 3 March 2023.

The scale and seriousness of the human rights violations in Cambodia – including continuing acts of violence against workers, the arrests of trade unionists in connection with their activities as well as the lack of effective and timely investigations in relation to these incidents and the lack of legislative reform to make national law compliant with the international labour standards on the right to form and join trade unions and collective bargaining – are deeply worrying.

We are providing the attached submission with the hope of supporting the development of your Concluding Observations in connection with the consideration of the Cambodia’s 2nd periodic report.

Yours sincerely,



 Owen Tudor

 Deputy General Secretary

**Written submission on the upcoming consideration of the 2nd report for Cambodia at the CESCR’s 73th session (13 Feb 2023 - 03 Mar 2023)**

**ITUC**

**Submitting organisation:**

The International Trade Union Confederation (ITUC) represents 200 million workers in 163 countries and territories and has 332 national affiliates. The ITUC’s primary mission is the promotion and defense of workers’ rights and interests through international cooperation between trade unions, global campaigning, and advocacy within the major global institutions. Its main areas of activity include the following: human and labour rights; economic and social policy; equality and non-discrimination; and international solidarity. The ITUC enjoys General Consultation Status with the UN ECOSOC.

Summary

This briefing describes violations of trade union rights in Cambodia. The situation is deeply worrying. The country retains its reputation for violence against trade unionists and for criminalisation of legitimate trade union activities such as peaceful protests. The Government continues to fail to prevent these violations and to ensure access to justice. Trade unions are weakened by labour laws restricting union membership and obstructing free establishment of trade union organizations. These laws have been under scrutiny from the international supervisory bodies for many years, with no meaningful progress.

Background

Workers in Cambodia do not have access to their trade union rights.

Lack of compliance of Cambodia with freedom of association and collective bargaining standards contained in the ILO Conventions No. 87 and 98 (both ratified by Cambodia in 1999) has been subject to regular monitoring by the ILO monitoring bodies. ILO CEACR issued its observations on law and practice violating ILO Conventions No. 87 almost every year since 2006. There are currently 2 cases under the review by the ILO Committee on Freedom of Association – Case No. 2318[[1]](#footnote-2) – submitted in 2004 and still with the active status – concerning murder of two trade union leaders and continuing repression of trade unionists; and Case No 3121[[2]](#footnote-3) submitted in 2015 (follow-up status), concerning **the refusal to register a trade union at a garment factory; acts of anti–union discrimination following a strike, including dismissals, forced transfers, suppression of benefits and false criminal charges; the use of military force on striking workers; and excessive requirements for the determination and election of union leadership imposed by Section 269 of the Labour Act. Since 2017, the ILO Committee of the Application of Standards (CAS) discussed violations of ILO Convention No. 87 in Cambodia 8 times.**[[3]](#footnote-4)Subsequently, the ILO Direct Contact Mission (DCM) visited the country in 2017. In June 2021 at the 109th Session of the ILC Cambodia’s compliance with the ILO **Convention No.** 87 has been once again discussed by the CAS. The Committee expressed deep concern about lack of progress - **the continuing acts of violence against workers, the arrests of trade unionists in connection with their activities as well as the lack of effective and timely investigations in relation to these incidents**.[[4]](#footnote-5) Another DCM took place in March 2022.[[5]](#footnote-6)

In 2022, the ITUC Rights Index[[6]](#footnote-7) has classified Cambodia in the second to last category “no guarantee of rights” for serious and systematic violation of workers’ rights in law[[7]](#footnote-8) and in practice.[[8]](#footnote-9)

The first review of Cambodia’s compliance with the ICESCR took place in 2009. In relation to the current (second) periodic report of Cambodia and the adoption of the list of issues at the 68th session (9-21 March 2021), the CESCR has requested the Government of Cambodia to provide the following information regarding trade union rights (Article 8 CESCR):

“18. In light of the Committee’s previous recommendations (E/C.12/KHM/CO/1, para. 24), and bearing in mind recent legislative developments, including in relation to the Law on Trade Unions, please provide further information on how the State party ensures in law and in practice that all workers are able to exercise their right to form and join trade unions and their right to strike without undue restrictions and without fearing reprisals. Please indicate the progress made in reviewing the Law on Trade Unions in consultation with social partners, including any amendments made to burdensome trade union registration and reporting requirements, and to categories of workers excluded from joining trade unions. Please provide information on investigations carried out into: (a) cases of dismissal, or discontinuation of short-term or fixed-term contracts, of workers after they have organized or participated in strikes; (b) cases where criminal charges have been brought against trade union leaders or members for their trade union activities; and (c) unresolved cases concerning extrajudicial killings of or violence perpetrated against trade union leaders and members.”

As of now, no significant progress has been made with regards these well-identified gaps in compliance with the international labour standards. We are providing the following comments with the hope of supporting the development of your Concluding Observations in connection with the consideration of the Cambodia’s 2nd periodic report.

1. Unresolved cases concerning extrajudicial killings or violence perpetrated against trade union leaders and members

Trade union leaders and members in Cambodia continue to experience a pattern of anti-union murders, accompanied by a near-complete impunity of perpetrators. For years we have observed lack of any tangible impact and results from both the national monitoring mechanisms and criminal procedures. Most internationally known cases include murders of Chea Vichea, President of the first independent trade union in Cambodia - Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC), murdered in 2004;[[9]](#footnote-10) Ros Sovannareth, a Steering Committee member of the FTUWKC and the union’s representative at the Trinuggal Komara company, was murdered in 2004;[[10]](#footnote-11) and Hy Vuthy, president of the Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC) at the Suntex garment factory, was murdered in 2007.[[11]](#footnote-12) Murders or Ch. V. and **R.S. have been made subject of the complaint submitted to the ILO Committee of Freedom of Association (CFA) in 2004 (Case no 2318)**[[12]](#footnote-13) **which, after 18 years, still has an active status due to the lack of sufficient action by the Government of Cambodia.**

**In its most recent report published in 2022, the CEACR expressed deep concern** at the lack of progress concerning the investigations in all these cases.[[13]](#footnote-14)

There is no excuse for these cases to remain unsolved after 18 and 15 years respectively with the material and intellectual authors of these crimes still free. We strongly urge the Government to end the impunity and hold all those responsible accountable.

We recall that according to the ILO jurisprudence a climate of violence, such as that surrounding the murder or disappearance of trade union leaders, constitutes a serious obstacle to the exercise of trade union rights. A free and independent trade union movement can only develop in a climate free of violence, threats and pressure, and it is for the Government to guarantee that trade union rights can develop normally.[[14]](#footnote-15) The Government of Cambodia should be called on to finally ensure an independent investigation into murders of trade union leaders, to investigate any irregularities (including alleged torture into initial confession of some of the suspects, intimidation of witnesses and political interference with the judicial process, reported by the international NGOs)[[15]](#footnote-16), to punish the real perpetrators and to immediately address the prevailing climate of impunity and continuing lack of justice for trade union leaders and members in Cambodia.

1. Cases where criminal charges have been brought against trade union leaders or members for their trade union activities

Workers in Cambodia continue to face criminal charges for their legitimate trade union activities. Numerous workers were arrested after a violent crackdown by security forces on protesting workers in Phnom Penh in 2013 and 2014. **Workers were protesting for a liveable minimum wage, which still today remains too low. In return, military police opened fire on protesting garment workers on Veng Sreng Street on 3 January 2014, killing and wounding several.** The violence perpetrated by police against trade unionists reflect the low value that the Government places on the labour of workers and the role of trade unions.

This case has been subject to scrutiny by the ILO monitoring bodies. The authorities either provided information that the trade union leaders that had initially been sentenced to a suspended imprisonment were acquitted of all charges or argued that actions by the police was proportionate,[[16]](#footnote-17) contrary to the independent reports.[[17]](#footnote-18) However, according to information provided by the Cambodian trade unions, the charges for involvement in the national strike between 2013 and 2014 against [V.P.], President of IDEA and [T.S.], President of the Cambodian Farmer Community (CCFC) are still effective. Although on 28 May 2019 Cambodia’s Appeal Court acquitted other six union leaders – [A.T.], [Ch. M.], [Y. S.], [P.Si.], [R.Ch] and [M. N.] – who have been sentenced on 12 December 2018 to 2 years and 6 month each in suspended jail and ordered to pay to pay five million riel (around $1,250) and 30 million riel for damages – it has to be underlined that they have been subject to criminal proceedings for 6 years and had to endure sentencing by the court of first instance. We recall that none should be deprived of their freedom or be subject to penal sanctions for the mere fact of organizing or participating in a peaceful strike, public meetings or processions and that criminal prosecution and conviction to imprisonment of trade union leaders by reason of their trade union activities are not conducive to a harmonious and stable industrial relations climate, as observed by the ILO supervisory bodies.[[18]](#footnote-19)

We underline that trade unions note new cases of trade union leaders and activists criminally charged for the legitimate trade union activities. According to information we have received:

The workers at **NagaWorld hotel and casino** **complex** in **Cambodia** had been on strike since 18 December 2021 in protest at the unfair dismissal of 365 workers which includes disproportionately members of the Labor Rights Supported Union of Khmer Employees (**LRSU)**. Over 1,000 workers joined the strike, which took the form of peaceful sit-ins outside the company premises. Of no avail, the **LRSU** has made every effort to negotiate a solution with the management.. On 31 December 2021, police raided the LRSU’s office, confiscating union documents, computers and mobile phones. Nine people were arrested. A further seventeen arrests were made on 3 January 2022 followed by three more on 4 January, including the arrest of the **LRSU president**, [**S.Ch**.], who was forcibly dragged from the picket line and into a police car. By February 2022, eight of those arrested remained in detention, namely the **union chair, S.Ch.; union secretary [Ch. S.]; union advisor [S.N.], and union activists [R.S.], [S. S.], [H.S.], [K. S.] and [T.S.].** They were denied pre-trial release and said they did not have enough water and were not allowed to contact their families. They were charged with incitement, which carries a sentence of up to five years in prison. In March 2022, they were finally released from jail on bail.

**S. Ch.** was arrested again on 26 November her way back after attending the 5th World Congress of the ITUC held in Melbourne, Australia. She was alleged of travelling abroad in contravention of her bail conditions and she remains in pre-trial detention at Prey Sar Prison.

****[R. Ch.]**,** **president of the Cambodian Confederation of Unions** (CCU), was arrested at his home in July 2020 after claiming that the demarcation of the border between Cambodia and Vietnam had stripped several farmers of their land. He was charged with “incitement to commit a felony or cause social unrest”. On 18 August 2021 he was sentenced to two years in prison, the maximum sentence for this offence, as well as a fine of two million riels (US$490).

**[S. S.],** president of a local union affiliated to CUMW was detained on 3 April 2020 by police in Kompong Speu Province pursuant to a criminal complaint filed against her by the employer for having posted messages on Facebook related to a labour dispute concerning the unjust dismissal of a number of union members.

It is clear that the Government of Cambodia continues to violate the principles of freedom of association, despite the recommendations of the ILO monitoring bodies. There is no reason that any worker should have been charged in the first place in relation to the peaceful exercise of the right to assemble and associate. That some cases remain pending for several years, keeping these workers under the cloud of potential prison or heavy fines, is unacceptable.

We again recall that criminalization of peaceful labour protests and other legitimate trade union activities is contrary to international labour standards on freedom of association and assembly, contained in the ILO Conventions and in the ICESCR. The Government should be called on to solve these cases without further delay and ensure that legitimate trade union activities are protected, in accordance with the international labour standards.

1. Right to strike

The LTU provides for the right to strike by requiring a secret ballot and notice procedure under article 13. The right to strike is frequently frustrated by means of court injunction, penal sanctions and intervention through the Committee on Strike and Demonstration to pre-empt, disrupt industrial actions and to prosecute trade unionists even though trade unions have exhausted the labour dispute resolution mechanism and observed the strike procedure. Trade unions are forced to accept negotiations and less favourable results led by the Committee on Strike and Demonstrations.

In 2015, 3 court injunctions were issued to break up the strike actions of the trade union at Capitol Bus company followed by subsequent prosecutions of trade unionists of incitement offences when they continued to protest the company.

Similarly, after the court has issued an injunction order on the first day of the strike staged by LRSU at Nagaworld Casino on 18 December 2021, the Phnom Penh administration used the Law on Demonstration to claim that the strike was illegal and deployed excessive police force to disperse the strike. Covid-19 quarantine restrictions under the Law on Management of National Emergencies and The Law on Measures to Prevent the Spread of COVID 19 and other Serious, Dangerous and Contagious Diseases were used to forcibly take about 120 striking unionists to the quarantine center between 21 and 23 February 2022. The OHCHR has noted 4,323 individual instances of arbitrary detention of LRSU members during the strike (A/HRC/51/63[[19]](#footnote-20)).

1. Anti-trade union discriminations

Union members are routinely targeted and overrepresented in terminations of Fixed Duration Contracts and in redundancies, in many cases they are over policed to build cases for underperformance or misconduct, as grounds for termination. Lengthy delays in issuing union registration and receiving certificates by authorities, allows employers time to identify and playout their tactics. Not only are complaints of harassment and discrimination against union members not investigated or not forwarded by the conciliators for arbitration, but few sanctions are brought against employers who have violated the law.

The government has systematically failed to apply legal provisions on protection of trade union officer bearers and shop stewards from discriminatory dismissals – Article 77 of the Labour Law, Article 43 and 67 of the LTU – as well as provisions governing the settlement of collective labour disputes under Article 302 of the Labour Law. Large number of anti-trade union dismissals have been misconstrued as individual labour disputes without allowing the trade unionists access to reinstatement and legal remedies. It is typical that while the MoLVT delayed registration of trade union application such as at Elite (Cambodia) Factory within the required 30 days, all the elected leaders and founding members were fired by the employer for minor reasons. The MoLVT failed to forward the case to arbitration and voided the registration request upon their terminations. The delay, the targeted firing of union leaders and the subsequent voiding of the application appear to be coordinated.

5. Lack of legislative reform

For many years, the ILO CEACR and the CAS have raised concerns with regard to several aspects of the Law on Trade Unions (LTU) and other laws. In December 2019, several amendments to the LTU were enacted. However, they still fail to bring the law into compliance with the international labour standards. Moreover, trade unions report that the Government did not meaningfully engage with them and refused to consider the union’s proposed amendments, which would have ensured compliance with the Convention.

Some of the most relevant issues in Cambodian legislation are:

* Domestic workers, workers in the informal economy and others not organized on an enterprise model still cannot in practice form and join unions;
* Teachers who are civil servants are not covered by the LTU but rather the regressive Law on Associations and Non- Governmental Organizations so called (LANGO) which effectively deny their right to collective bargaining and to strike for occupational interests;
* The law still grants excessive financial control by the authorities, including unlimited audits, which infringes the right of workers to administer their organizations;
* The eligibility criteria for electing trade union leaders, including those related to residency and literacy, deny the right to elect trade union representatives in full freedom;
* The law still provides broad grounds to request the dissolution of a union, rather than leaving that matter to the union’s statutes;
* The law limits the rights of minority unions to bargain on behalf of their own members, which is not conducive to the promotion of collective bargaining and affects the right to join unions of own choosing.

Regarding unions denied ability to represent members, one of the most concerning developments is the arbitrary refusal of the Ministry of Labour and Vocational Training (MOLVT) to allow upper-level trade unions to represent their members in collective disputes in a bid to contain industrial disputes at the enterprise level and undermining the upper level trade unions they have freely chosen to join.

In one case, in April 2020, a collective labour dispute conciliation was being carried out at the Siem Reap Labour Department and included leaders of the local union with the most representative status, as well as the president of the federation and the vice- president of the confederation. During the conciliation, the Chief of the Disputes Office declared that leaders of federations and confederations were not allowed to speak during the meeting and threatened to dismiss them if they did not comply. They were told, erroneously, that they could not participate because unions with most representative status could not have anyone represent them. It is a serious violation of the right to freedom of association to deny a local union the support of upper-level unions to which it is affiliated. Again, this is no aberration, as other unions have reported that they have been prohibited from representing the interests of their members in collective disputes, which is guaranteed in the law for MRS and MRS unions so long as in the latter case the dispute does not arise out of the collective agreement.

Registration of trade unions

The law continues to create barriers to the establishment of trade union organizations – including requirements for submission of detailed, formalistic information (including of addresses for keeping of financial books and records, affidavits guaranteeing provision of bank account details within 45 days of receipt of registration, minutes of the election establishing the union and name lists of members - according to Article 12 of the Law on Trade Unions – as well as submission of photos and personal information of leaders and declarations of literacy– according to Prakas 249/16 on Registration of Trade Unions and Employer Associations. The law also contains sanctions for organizing or joining a trade union that has not been successfully registered and accords administrative authorities’ power to unilaterally dissolve, suspend or de-register trade union organizations. Accordingly, workers in Cambodia cannot freely access their right to form and join trade unions.

In 2022, the **Cambodian** authorities continued to delay union registration for arbitrary reasons or for extremely minor technical errors. In one case, a union submitted its application to the Ministry of Labour on 25 December 2020 and included all ten types of documents required by law. In February 2021, local union leaders were called by the ministry for the first time to correct spelling mistakes on the cover letter and in the profile of union leaders. Over two months later, on 7 May 2021, local union leaders were called a second time to correct the size of the photos of the union leaders from (3x4) to (4x6) and resubmit them once again. As of 2022, the union was still not registered, after having expended considerable time and resources to submit the application. (ITUC index 2022). This case is not an aberration, as others have reported similar efforts by the authorities to deny union registration over issues that have nothing to do with ascertaining whether workers have expressed their intent to be represented by a union.

The formalities prescribed by law for the establishment of a trade union should not be such (or applied in such a manner) as to delay or prevent the free establishment of trade union organizations. Any delay caused by authorities in registering a trade union constitutes an infringement of Article 2 of Convention No. 87.[[20]](#footnote-21)

The Government of Cambodia should be called on to ensure that workers can register their organizations without prior authorisation and are not restricted by excessively detailed provisions which discourage establishment of such organizations.

Workers excluded from FOA

The law continues to exclude various categories of workers from their right to form and join trade unions or to hold a trade union office. Workers in informal economy, civil servants (including teachers and judges) and domestic workers cannot form and join trade unions since they are not covered by Labour Law. The LTU applies only to categories of workers covered by Labour Law (Section 3 and 10 of LTU). Further, workers below 18 years of age cannot hold a trade union office and migrant workers’ right to hold a trade union office is restricted by the requirement of being literate in Khmer, have a permanent residence in Cambodia and have been working in Cambodia for a minimum of 2 years (Section 20 of Trade Union Law).

Each of these restrictions is incompliant with the international labour standards contained in ILO Conventions Nos. 87 and 98, which accord the right to form and join trade unions and the right to be covered by collective bargaining, to each of the above mentioned categories of workers.[[21]](#footnote-22)

The Government of Cambodia should be called on to ensure that workers, including informal workers, civil servants and domestic workers, young workers admitted to the labour market and migrant workers can exercise their trade union rights.

In addition to the lack of sufficient legislative action in relation to the well-identified gaps in compliance with the international labour standards, the Government of Cambodia adopted new laws that contradict these standards.

In the context of addressing the COVID-19 pandemic, the Government passed a number of emergency laws and decrees that restricted the exercise of freedom of association and assembly. On 10 April 2020, the Law on the Management of the Nation in Emergencies was enacted, granting the Government broad powers to ban meetings and gatherings; to survey telecommunications; to mobilize the military; to ban or restricting news media that may harm “national security” and other measures that are “suitable and necessary”. Infractions are punishable by heavy imprisonment terms and fines. In March 2021, another law, the Law on Measures to Prevent the Spread of Covid-19 and other Serious, Dangerous and Contagious Diseases, also included bans on gatherings and unspecified “administrative and other measures that are necessary to respond and prevent the spread of COVID-19”. Such vague provisions allow for abuses by the authorities by arbitrarily targeting people and organizations protesting government policies.

**Conclusions**

The scale and seriousness of the human rights violations in Cambodia are deeply worrying. We deplore the continuing acts of violence against workers, the arrests of trade unionists in connection with their activities as well as the lack of effective and timely investigations in relation to these incidents and the lack of legislative reform to make national law compliant with the international labour standards on the right to form and join trade unions and collective bargaining.

The Government of Cambodia should be called on to:

* investigate all allegations of violent repression of trade union activity and detention of trade union leaders;
* take all necessary measures to expedite the investigations into the murders of trade union leaders Chea Vichea and Ros Sovannareth (in 2004) and Hy Vuthy (in 2007) and ensure that the perpetrators of the crimes are brought to justice;
* undertake all necessary efforts to settle the legal proceedings against trade unionists in connection with the incidents during the January 2014 demonstrations, ensure that no criminal charges or sanctions are imposed in relation to the peaceful exercise of trade union activities and drop all criminal charges for those trade unionists charged in connection with the January 2014 demonstrations;
* take all necessary measures to stop arbitrary arrest, detention and prosecution of trade unionists for undertaking legitimate trade union activity;
* ensure that acts of anti-union discrimination are swiftly investigated and that, if verified, adequate remedies and dissuasive sanctions are applied;
* amend the Law on Trade Unions, in consultation with the social partners, to ensure compliance with the international labour standards on trade union rights;
* ensure that workers are able to register trade unions through a simple, objective and transparent process;
* allow the formation of employers’ and workers’ organizations by sector or profession;
* ensure that teachers, domestic workers and civil servants, young workers and migrant workers have access to trade union rights;
* repeal the literacy requirement in sections 20, 21 and 38 of the LTU; repeal paragraph 2 of section 28 of the LTU on the automatic dissolution of workers’ organizations in case of complete closure of an enterprise or establishment and repeal section 29 of the LTU on the dissolution of employers’ and workers’ organizations initiated by members of those organizations.
1. [**Case No 2318 (Cambodia)** - Complaint date: 22-JAN-04](https://www.ilo.org/dyn/normlex/en/f?p=1000:50001:0::NO:50001:P50001_COMPLAINT_FILE_ID:2897572) [↑](#footnote-ref-2)
2. [**Case No 3121 (Cambodia)** - Complaint date: 27-FEB-15](https://www.ilo.org/dyn/normlex/en/f?p=1000:50001:0::NO:50001:P50001_COMPLAINT_FILE_ID:3240014) [↑](#footnote-ref-3)
3. <https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3330983> [↑](#footnote-ref-4)
4. <https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4111528,103055> [↑](#footnote-ref-5)
5. <https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_845705.pdf> [↑](#footnote-ref-6)
6. <https://www.globalrightsindex.org/en/2022/countries/khm> [↑](#footnote-ref-7)
7. <https://survey.ituc-csi.org/Cambodia.html?lang=en#tabs-2> [↑](#footnote-ref-8)
8. <https://survey.ituc-csi.org/Cambodia.html?lang=en#tabs-3> [↑](#footnote-ref-9)
9. On 22 January 2004 Chea Vichea, president of the first independent trade union in Cambodia - Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC) established in 1997, was shot dead by two men on a motorbike. He had recently been dismissed by the INSM Garment Factory (located in the Chum Chao District of Phnom Penh) as a reprisal for helping to establish a trade union at the company. He had received numerous death threats throughout his working life. [↑](#footnote-ref-10)
10. On 7 May 2004 **Ros Sovannareth**, a Steering Committee member of the Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC) and the union’s representative at the Trinuggal Komara factory in Phnom Penh, who was shot dead by two men on a motorbike. [↑](#footnote-ref-11)
11. On 24 February 2007, Hy Vuthy, president of the Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC) at the Suntex garment factory, was shot dead while riding his motorbike home after finishing his night shift at the factory, located in Phnom Penh's Dangkao districut. The murder, less than two kilometers from the factory, was reportedly carried out by two men on a motorbike. According to preliminary investigations by local organizations, the 36-year-old union leader had received telephone death threats approximately three months ago. Hy Vuthy was killed shortly after successfully negotiating a one-day holiday for Suntex workers for the Khmer New Year. The Suntex factory is owned by the Singapore-based Ocean Sky group, which reports that they produce for export, mainly to the United States for US-based brands and retailers. [↑](#footnote-ref-12)
12. CAS case no. 2311: <https://www.ilo.org/dyn/normlex/en/f?p=1000:50001:::NO>::: [↑](#footnote-ref-13)
13. Observation (CEACR) - adopted 2021, published 110th ILC session (2022), [*Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)*](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312232:NO) - ***Cambodia*** (Ratification: 1999); available at: <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P13100_COUNTRY_ID:4122256,103055> [↑](#footnote-ref-14)
14. 2018 ILO CFA Digest, paras 86-90; available at: <https://www.ilo.org/dyn/normlex/en/f?p=1000:70001:::NO> [↑](#footnote-ref-15)
15. See eg: <https://www.amnesty.org/es/wp-content/uploads/2021/08/asa230012005en.pdf> [↑](#footnote-ref-16)
16. See information provided to CEACR: Observation (CEACR) - adopted 2021, published 110th ILC session (2022), [*Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)*](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312232:NO) - ***Cambodia*** (Ratification: 1999); available at: <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P13100_COUNTRY_ID:4122256,103055> [↑](#footnote-ref-17)
17. See eg. <https://www.hrw.org/news/2014/01/08/cambodia-detainees-crackdown-denied-rights>; <https://www.icj.org/cambodia-detention-of-labour-activists-unjustified/> [↑](#footnote-ref-18)
18. 2018 ILO CFA Digest, paras 155-156. [↑](#footnote-ref-19)
19. https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/463/02/PDF/G2246302.pdf?OpenElement [↑](#footnote-ref-20)
20. 2018 ILO FOA Digest, paras 424 and 427. [↑](#footnote-ref-21)
21. 2018 ILO FoA Digest. [↑](#footnote-ref-22)