

# **PEOPLE'S TRIBUNAL**

## **LIVING WAGE AS A FUNDAMENTAL RIGHT OF CAMBODIAN GARMENT WORKERS**

**Phnom Penh, Cambodia  
Cambodia-Japan Cooperation Center, in Phnom Penh  
5-8 February 2012**

### **1. General framework**

The Peoples Tribunal on Living Wage as a fundamental right of Cambodian Garment Workers has convened following the petition of Asia Floor Wage Cambodia (AFW-C), as Member of the Asia Floor Wage Alliance (AFWA), and on the behalf of Cambodian Garment Workers, to hear the workers' plea and experts' evidences, and render an informed non-binding opinion and recommendations on the question of decent labor standards in the garment industry of Cambodia. The AFWA was officially formed in 2006, and includes up to 71 organizations, which constitute a network from 17 countries across Asia, Europa and North America to represent garment industry, trade unions, NGOs, consumer groups, and research institutes. The host institution AFW-C consists of organizations of the 9 major garment workers federations, workers confederations, and civil society:

Cambodia Confederation of Trade Unions  
Cambodia Labour Confederation  
Community Legal Education Center  
Cambodia National Confederation  
Cambodia Women Movement Organization  
National Union Alliance Chamber of Cambodia  
Cambodian Confederation Unions  
Cambodia Worker Center for Development  
American Center for International Labor Solidarity

The public hearings were held according to the program detailed in the Annexe 1, in the auditorium of the Cambodia-Japan Cooperation Center, in Phnom Penh, on February 5 and 6, 2012, in front of an international panel of 5 judges (see their profile in Annexe 2): Dr. Gianni Tognoni (Italy), Chair; Professor Gill H. Boehringer (Australia); Mr. Nhean So Munin (Cambodia); Ms. Prok Vanny (Cambodia); Dr. Kek Pung (Cambodia).

Besides the oral testimonies and the experts reports listed in the Annexe 1, the panel took in due consideration the source documents listed in Annexe 3.

## 2. The petition

The questions submitted by the petitioners to the attention of the Peoples' Tribunal are based on the consideration that the universal body of human rights instruments and standards (including Core Conventions of the ILO) only imply rather than assert a positive "right to wage", and seek to assert a "right of living wage", whose denial would directly impact on the realization of the universal and indivisible, individual and collective, rights to life, to equal opportunities, to equal protection of the law, to decent working conditions, to standards of living adequate for the workers and their families. In particular the Peoples' Tribunal is requested to examine and to answer to the following questions:

1. Is there a deficit, and of what magnitude, in decent labour standards in Cambodia's garment industry, with specific considerations of women workers?
2. What are the causes, and the responsibilities, of the wage deficit, which translates into deficit of decent living standards?
3. Could the AFWA platform and its criteria for the definition of living wage be considered a reliable and viable tool to redress the existing situation of massive violations?
4. What are the criteria for, and the implication of, the definition of a living wage as a human right?

## 3. The evidence of data and facts

### 3.1. Working conditions and low wages

The critical importance of the garment industry in the general economic and social scenario of Cambodia is very synthetically summarized in the figures presented in Table 1: approximately 450,000 workers, distributed in more than 500 factories, and constituted for 90-95% of women in their full reproductive age, 18-35 years, contribute to a huge income and specifically to 80% of total export of Cambodia.

**Table 1**

<b>Average annual income per capita (2009):</b>	1,848 USD (2,158 men; 1465 women)
<b>Human development index:</b>	0.593 (Cambodia is 137 <sup>th</sup> among studied countries below Congo and Myanmar)
<b>Human poverty index:</b>	30.4%
<b>Strong indicators of social and economic inequality (WB, 2008):</b>	<ul style="list-style-type: none"><li>• 20% of the population control 50% of wealth;</li><li>• 40% of men, 60% of women with no formal education in the Northern Province, vs. 15% in the Capital (Center for the Economic and Social Rights 2009);</li><li>• Cambodia near to the bottom in terms of public spending as a percentage of the GDP.</li></ul>

The scenarios which have emerged from the presentations (and the information provided during the in-depth questioning by the panel of the Peoples' Tribunal) consistently document a situation of working conditions which cannot be considered acceptable for a society which subscribed to, and enshrined in its Constitution, the principles recognized by international law as the normative framework.

The problems created by the bad environment, humid and hot, noisy, poorly lit, with scarce if any ventilation, the uncontrolled and uninformed use of chemicals, excessive dust, lack of preventative education and little availability of personal protective equipment are dramatically exacerbated by the level of wages which have been shown in detailed presentations, not to be sufficient even for the survival needs of one person. The harmful consequences and complications are inevitable:

- women workers are forced to base their nutrition on food with a totally insufficient caloric content, many hours of overtime work become practically mandatory, thus making much worse the chronic exposure to the harmful environment;
- to minimize the impossible length of transportation (most of the times in very bad conditions in trucks crowded with up to 40-80 people), small rented rooms shared by 4-10 persons, with insufficient access to basic sanitary services, become the rule, thus depriving the women workers even of a minimum of personal privacy and hygiene;
- the low wages become an even heavier burden if the working woman plans to marry or has a family, as should be the free choice and opportunity for her age. Besides the clear economic deficit for the child/children, the restrictions imposed by the working conditions do not allow a normal, and due, mother-child-family relation with obvious consequence on the education, growth of the child(ren) and sexual reproductive health.

The need to seek loans to cope with the basic needs not covered by the low wages cannot but worsen substantially the overall autonomy of life, especially because of the monthly interest rates which are charged (up to 20%, 10 USD for a loan of 50 USD), in the absence of socially oriented loan services.

The situation has become even more unsustainable with the increasingly widespread job insecurity which is implied with the practice of the Fixed Duration Contract (FDC), which not only allows the easier and unjustified dismissal of workers (with the easier selection of those who are more active in the defense of rights to more sustainable working conditions), but imposes a more general restriction in the fruition of basic rights such as maternity leave for pregnant women, to whom not even the 50% of the salary are assured, or the annual leaves FDCs also make hardly applicable the maturation of seniority bonuses, thus levelling even more the wages to their minimum.

The evidence of inadequate wages and poor conditions in the garment factories has been comprehensively described to the Tribunal by workers, experts, and in numerous authoritative reports. The extensive casualization of the workforce, achieved by the very strong trend to FDCs, has increased the degree of exploitation and repression of workers rights. We understand that this means that successful and comprehensive reforms and improvements in the workers' workplace situation cannot be realised as long as the FDCs are used excessively. The evidence is that they are used excessively. In some factories these contracts which are supposed to allow for flexibility in cyclical production, have reached 100%; in most factories the FDCs are now 80-90%, including one which was described to as where 40% were on 6 mos TDCs and 50% were on 3 mos contracts.

Despite claims by the GMAC, apparently supported by the RGC, this level of TDCs is not economically necessary. The most authoritative and comprehensive report presented to us (from Yale Law School) demonstrates persuasively that FDCs are used largely for non-economic reasons

e.g. to create a situation where workers have less capacity and willingness to struggle for better wages and conditions. However, the result is negative for the workers, the factories and for the economy of Cambodia. By denying workers the benefits of the UDCs, employers are adding to the problems facing the industry, and have created a work force which is unstable and increasingly antagonistic to the employers and the industry. We have learned that the workers are leaving by the thousands to work for better wages and conditions in Thailand; we have seen the signs on factories advertising for workers who are becoming less willing to work in such conditions; and we have seen recently the development of labour protests and strikes in the industry which have reached impressive dimensions and increasingly wider public visibility.

As the Yale report commented: “The strength of the Cambodian garment industry, the health of the Cambodian economy, and the dignity of Cambodian garment workers all depend on working together to solve the issue” (p. 16).

As one of the experts testified, there are alternatives to the regime of TDCs, and these have been tested successfully in other countries. In those countries he explained, there are win-win situations, but Cambodia seems to have chosen a lose-lose-situation.

Numerous experts, and even the representative of PUMA, have agreed that one of the competitive advantages of Cambodia is its past reputation for harmonious labour relations and stable labour force. But the “widespread use of TDCs threatens the basic integrity of the industry, decreasing the potential for collective bargaining and peaceful industrial relations, and limits the ability of workers to enjoy their basic rights under domestic and international law” (Yale Report, p. 64).

The TDCs have tipped the balance very much against workers and unions. We have heard testimony about the insecurity, fear and stress they bring to the workplace, as well as anti-union and discriminatory practices. This is not helping to maintain a stable work force which is becoming more skilled and more productive. A major productivity barrier in the Cambodian garment industry has been the lack of local supervisory personnel due to lack of training and UDC-based relationships with the factory (see the report of Garment Industry Productivity Center, Measuring Competitiveness and Labour Productivity in Cambodia’s Garment Industry (2005), discussed in Yale Report, p. 46-7) The possible negative effects of this “local supervisory deficit” are many, as foreign supervisors are known (and demonstrated also in Cambodia) to be a source of tensions, misunderstandings, repression, open conflicts.

“The Cambodian garment industry is at a critical crossroads. Cambodia can either reinforce its reputation as a country committed to improving workers' rights or it can implement Labour Law reforms that will damage both workers' rights and the Cambodian garment industry's reputation, as well as jeopardise industrial peace within the garment sector.” (Yale Report, p.77).

We were told that independent unions as well as the “brands” had encouraged the RGC to choose the course of maintaining its reputation by refusing to amend the Labour law to allow further renewals of TDCs beyond 2 years.

Against the above background it is hardly surprising that such phenomena occur, like the well known, highly publicized, but not systematically and independently investigated, “mass fainting” episodes in many factories (mainly during 2011, with a last report in 2012). The Peoples' Tribunal has heard and discussed at length very detailed reports on this specific issue. It is abundantly clear from the scientific (medical, epidemiological, sociological) literature, that the patterns of occasional and repeated appearance of this type of phenomena cannot be attributed with certainty to one or the other specific (biological, environmental, psychological) cause. It is similarly very clear from the same literature that the concurrence and/or the occasional exacerbation of “clusters” of the many harmful variables described above do amply justify the qualification of the phenomena as inevitable “contagious” symptomatic expression (of defence and/or resistance and/of denunciation and/or of

withdrawal from) of a situation of intolerability. In the background, the chronic undernutrition recalled above is one of the key and more widespread consequences of the equation low-wage = low calories (well below the extreme acceptable low caloric intake: the 500 riels soup for lunch documented to the Peoples' Tribunal is the symbolic, but dramatically real, reminder of this "cause of the cause"). It is interesting to recall here the confirmative testimony of the representative of PUMA (see below), who quoted an "internal", though partial, assessment of one of the "mass fainting" episodes in one of their factories.

The problems of the garment workers are made more difficult by the increasing pressure against their freedom of association, in particular the right to join trade unions, as well as the widespread victimisation of union leaders and organisers, indeed any activists striving to protect workers and their rights in the workplace.

There is also increasing pressure against the freedoms to demonstrate and to strike (already restricted by law). For example, we learned that following a recent organised protest for a wage increase at one factory, 118 union leaders and activists were dismissed by their employer, 145 workers were sued in court, and to date at least 100 workers have not been reinstated in their jobs. Since the Tribunal adjourned to complete this verdict, we have learned of the shooting of four workers-2 critically-by police during a demonstration over unfair working conditions at a large factory which supplies shoes to a brand, in Svay Rieng province (Phnom Penh Post, 20 February 2012).

### **3.2 The broader framework of Minimum vs. Living wages**

The rigidity of the Cambodian labour market of the garment industry (certainly not substantially alleviated by the 5 USD increase given as a gift by the Prime Minister at the beginning of 2012) has been thoroughly explored and documented by a report which has focused on:

- the absolute dis-proportion between the yearly revenues and after tax profits of the major Brands active in Cambodia;
- the already existing differences between minimum wages in equally profitable producers;
- the comparison of minimum wages between Vietnam and Cambodia (against the overall development of the markets) demonstrates that wages do not necessarily inhibit increased sourcing by foreign buyers;
- the model success story of the "ethical apparel" in Alta Gracia (Dominican Republic), where an highly participatory approach to the overall management of the "supply chain" has empowered the workers with a "living wage" combined with a favourable market outcome (which would translate for Cambodian workers into a living wage of 274 USD/month!).

A detailed presentation of the legal framework which does not only support but requires a "living wage" interpretation (as opposed to the strictly contractual and legal minimum wage) of the principles and the prescriptions of the Cambodian Constitution and of the Cambodian Labour Law (as they reflect also the International Covenants on Economic, Social and Cultural Rights) has provided the Peoples' Tribunal with important legal information and definitions of wage which must be related on one side to the right of a decent standard of life, on the other side to the broader obligation of the Government to make its application feasible as part of a political and economic framework which defends and promotes a well planned development of the labour sector.

The overall social, economic, technical feasibility and need for the definition and the implementation of a work policy based on a living wage has been documented and advocated by the

representative of AFWA, on the basis of intensive doctrinal and field research conducted over the last several years by the organization. The broader political and economic context is well summarized in figures reflecting a broad consensus viz-a-viz the data and reports of international agencies and experts in the field: the very tiny fraction represented by the contribution of the labour cost to the retail price of garments in the supply chain (in India 2.8% of the retail price; in other countries of the region it was at similar level) must be seen as an expression of a more general evolution of the indicators of the market labour over the last two decades:

- workers are getting poorer: their annual wage growth is set at 1.9% against an average global economic growth of 3.3%;
- ILO data document an increase of working poor in up to 70% of the countries (550 million, women in the greatest majority), and of workers in vulnerable employment (1.53 billion, up to 50% of world workers);
- a scenario of growing inequality (to quote one by now classical example: the 1% top layer in US economy, increased their growth by 10 times against a bare 22% for a median family);
- in Cambodia, over the past decade inflation has risen more rapidly (about 50%) than wages meaning real wages are actually going backwards.

The technical and political definition of a living wage has been presented and abundantly supported with the analysis of the components of a workers' wage (where food for personal survival in borderline caloric supply could occupy up to 40-60%). The data has been tested and validated in various societal contexts, where the individual components are expected to be variable, and by considering three consumption units per wage.

It has been demonstrated how a policy based on living wage must, and can, be implemented only in a regional Asian perspective (which is the real and unavoidable scenario of the garment industry) and on the basis of the calculation of the "purchasing power parity" (PPP) across highly different countries. The Peoples' Tribunal has been presented with very detailed data on how this approach translates a regionally homogeneous PPP into local currency and minimum wage level, which set e.g. a level of 274 USD for Cambodia. This matter was discussed at length. The overall sustainability of this approach (and its advantages also for the expansion of the regional economies) also has been discussed with respect to the – certainly controversial – positions, and duties, of the Brands.

### **3.3 Women workers and gender rights in Cambodia**

The conditions of women who constitute the greatest majority of the workers in the garment industry must be framed in the general context of women's rights in Cambodia, as they are specifically and well analyzed in a recent report received by the Tribunal (See Annexes 3).

Since 1992, Cambodia has launched concrete policy measures for achieving legal, political and social rights that improve both the conditions and position of women in Cambodian society. These measures are described in the government's reports. However, despite some progress, there is still a long way to go for change – as highlighted by the Concluding Comments of the CEDAW Committee (Concluding Comments) in its review of the 2006 report. Despite some changes, the disparity between men and women is still patently obvious in examining certain indicators such as health, literacy, political participation and access to economic resources. Gender equality remains a challenge in Cambodia.

Concerning specific gender indicators, Cambodia is ranked 113th on the Gender related Development Index list and 91st in Gender Empowerment Measures, according to UNDP's 2009 Human Rights Report. Up to 81% of Cambodian women between 15 and 64 years old participate in economic activities – one of the highest rates in Southeast Asia. However, participation of Cambodian women in the formal economic sector is still limited. Only approximately 17% of Cambodian women are employed and receive remuneration, while 83% of Cambodian women participate in the informal economic sector, which includes self-employment (mainly small-scale farming and household business operations) or family work without remuneration. The literacy rate of employed women is only 69%, compared to 84% for men. This gap strongly influences employment opportunities for women. In addition to the education gap, other factors contribute to depress the economic status of women. These include the lack of experience and enterprise skills, lack of awareness about marketing, their mindset, social discrimination, lack of resources such as credit and lack of production means. Customary roles also influence women' participation in the economic sector in that they are expected to spend most of their time carrying out traditional roles.

On the other hand, women' domestic roles are undervalued. Over 90% of the time spent on household and family care is provided by women. Women between 18 and 60 years old dedicate three more hours to household work per day than men (3.3 hours compared to 0.3 hours). As a result, women have no free time for personal activities or to attend classes that improve their job skills. The responsibilities of being caretakers for their relatives and to do all the housework prevents women from engaging in productive work, community decision-making and planning processes.

The garment factory industry has been seen as a main source of employment for young women from rural areas, who become however internal migrants, far from even the basic family and community support. Despite their absolute numerical majority, they rarely reach leading union positions, because of the low education levels, lack of time, skills and experience, which add to the general discriminatory causes which have been mentioned above, and which are reflected in the attitude of factory owners.

Sexual harassment is another concern for female factory workers. One out of ten female garment factory workers has reported being the victim of sexual harassment at the workplace. The number of vulnerable females is expected to increase due to the global economic crisis that has led to the closure of approximately 70 factories and the loss of more than 51,000 jobs. Although sexual harassment cases arise constantly, to date, not a single victim has filed a complaint in Cambodia's courts. This is because women lack awareness of the laws which supposedly protect them, and there is no proper mechanism in place to help the victims to file a complaint.

As hinted at, and documented by all witnesses and experts, steps toward the recognition and implementation of a living wage strategy in the garment industry would by definition coincide with a very specific and substantial contribution to a concrete, not simply formal, positive change of the gender related inequality in the whole society of Cambodia.

### **3.4 The position of the Brands**

According to the terms of reference of the Peoples' Tribunal, all the major Brands which are presently active in Cambodia as well as the Garment Manufactures Association of Cambodia (GMAC) had been invited not only to follow the hearings, but to give direct evidence on their positions related to the questions raised in the Petition. Unfortunately GMAC Justifies its absence,

with a generic declaration reported in the daily press stating that they could not accept a criminal court biased in favor of unions and workers, the Peoples' Tribunal:

- received only a written statement from H&Ms (however H&M's program were also presented and analyzed for the Peoples' Tribunal by an independent expert), with the title: "H&Ms engagement towards sustainable wages in our supply chain";
- listened to the reports submitted (and discussed at length by the Panel) by the representatives of ADIDAS and PUMA.

Beyond the obviously expected differences, both Brands documented the stage of development of their plan to face the challenge represented by the wage issue, the well recognized deficits of the standards of working conditions, the exclusively internal provisions activated to monitor and audit the compliance of the suppliers with legal requirements and with quality of working conditions. While the generally accepted framework is that of self-regulated and self-accountable codes of conduct, it was recognized that a real transparency of their concrete action (and not simply in the proposals and the "pilot" initiatives) could assume credibility, and had the potential for progress, to a substantial dialogue with the concerned parties, specifically AFWA and Cambodian workers, based on the mandatory principle of shared decisions in all what has to do with respect on human rights.

### **3.5 Towards a comprehensive understanding of the concept, and the practices, of living wage**

The overall evidence made available to the Peoples' Tribunal may be summarized as follow. The original and authoritative documents which address explicitly the issues related to the question raised by the Petitioners in front of the Peoples' Tribunal are the ILO Constitution and the Declaration of Philadelphia. It is however clear that the ILO Convention on minimum wage, suggesting a necessary coincidence with the more universalistic concept of "minimum living wage" was somehow diluted into a legal dimension, where wage is defined as an outcome of the two principles: need of a worker and the constraints of the general economic development and wage level of the country. Like most conventions of the ILO it was framed within a nation state framework with states implementing it through national laws. In Asian countries, and possibly in all developing countries as this convention was translated into national laws, it was seen as a tool of developmental policy. With growing focus on poverty alleviation as a universal focus and concern of international institutions, the minimum wage determination in most countries was linked to eliminating extreme poverty. It actually became framed as a poverty level wage. In most Asian countries as is also evident in Cambodia from various studies, this was also related to the structural change taking place in their economy, as the rural population shifted to an industrializing world. Moreover,, in a global economy model where growth is equated solely with profits and disconnected from rise in poverty, minimum wages have stagnated and declined to poverty level wages. This is especially true of developing countries where growth is equated with the level of foreign investment and disconnected from the growth in poverty.

The constraints of a national economy should not operate in wage determination of an export industry. Global garment production takes place with near poverty level wages, and yet garment prices are not determined by poverty level wages.

The absence of a consensus and of a legally recognized common definition of living wage, cannot be used as a pretext to ignore the plentiful evidences submitted to the Tribunal originating from



various sources and context (see Annexe 3), which support the possibility, and in fact the need, of a comprehensive definition which has the real life of peoples and populations as the reference category for (a) definition(s) which are “measurable” at least as reliably and comprehensively as economic market variable.

Specifically all the reports point directly, and with very concrete reference, to the necessary switch of focus from a contracts based approach which has individual countries as partners and scenarios of application, to an approach which take seriously the challenges posed to “universal” rights by “global” macro and microeconomics actors and powers. The garment workers scenarios presented by AFWA for Cambodia, and the advantages of a regional strategies, appear to be promising and propositve indications and concrete instruments in this direction.

#### **4. Human Rights, the Living Wage and Working Conditions: the Legal Context**

Workers cannot enjoy the human rights they are guaranteed under national and international standards if they are paid wages which do not fulfill their basic needs.

We accept that workers must, therefore, be paid a living wage. Further, we accept the position put forward by the AFW coalition: a living wage is a human right. It is *implied* in the other human rights; it should now be accepted *expressly* as a human right.

Evidence presented to the tribunal is clear and overwhelming: Cambodian garment workers are not paid a living wage.

We are persuaded that the failure to pay a living wage violates both national and international standards. First let us consider the Cambodian Constitution and Cambodian Labor Law.

##### **4.1 Constitution**

**Art. 31 (1):** “The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, the covenants and conventions related to human rights, women’s and children’s rights”

**Art. 31 (2):** “Every Khmer Citizen shall be equal before the law, enjoy the same rights, freedom and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth, or other status.”

**Art. 31 (3):** “The exercise of personal rights and freedom by an individual shall not adversely affect the rights and freedom of others. The exercise of such rights and freedom shall be in accordance with law.”

**Art. 32:** “Every Khmer citizen shall have the right to life, personal freedom and security.”

**Art. 35 (1):** “Khmer citizens of either sex shall be given the right to participate actively in the political, economic, social and cultural life of the nation.”

**Art. 38 (2):** “The law shall protect the life, honor and dignity of the citizens”

**Art. 46 (2):** “A woman shall not lose her job because of pregnancy. Women shall have the right to take maternity leave with full pay and with no loss of seniority or other social benefits.”

**Art. 46 (3):** “The state and society shall provide opportunities to women, especially to those living in rural areas without adequate support, so they can get employment, medical care, and send their children to school, and to have decent living conditions.”

**Art. 47 (1):** “Parents shall have the right to take care of and educate their children to become good citizens”.

**Art. 48(1):** “The state shall protect the rights of children as stipulated in the convention on children, in particular the right to life, education, protection during wartime and from economic or sexual exploitation.

**Art. 48(2):** “The state shall protect children from acts that are injurious to their education opportunities, health and welfare”.

**Art. 51(1):** “The Kingdom of Cambodia adopts a policy of Liberal democracy and Pluralism”

**Art. 56(1):** “The kingdom of Cambodia shall adopt market economy system. The preparation and process of this economic system shall be determined by law.”  
(see labor law below)

It is, of course, the constitutional council which has the authority to interpret the constitution and laws (Art. 117). Nevertheless, we believe that it is the clear intention of the framers, as specifically expressed in Art. 51 (1), was the establishment of a participatory democracy in the classical sense: a liberal democracy.

Such a democracy requires an active citizenry, therefore the constitutional provisions above provide guarantees that an active citizenry, living with dignity, will be able to participate in the social, political and economic life of the country.

From this we can deduce that it is intended that conditions which deprive workers of the capacity to actively engage in the social, political and economic life of the country are not to be tolerated.

Thus, a non-living wage, which fails to provide for even the basic needs of a citizen to live in dignity, can be seen as a violation of the spirit of a liberal democratic society, and therefore of the Constitution.

## **4.2 Labor Law**

**Art. 104:** “The wage must be at least equal to the guaranteed minimum wage; that is, it must ensure every worker of a decent standard of living compatible with human dignity.”

This provision, along with Art. 38(2) of the constitution (see above), refer to the human dignity of workers and citizens. Workers who are paid wages which do not cover their basic needs cannot live with dignity. Human dignity requires the opportunity to live free of chronic stress which arises from the fear of not being able to meet the cost of maintaining a decent standard of living for self and family.

Human dignity requires a level of wages that enables a worker to have adequate and nutritious food, and shelter. Human dignity also requires sufficient money to allow for some savings to cover costs of such contingencies as sickness, childbirth and the education for Cambodia's future citizens.

It can be concluded, that a living wage is implied. Without a living wage which meets basic human needs a worker cannot be the active, participating citizen in the liberal democracy which the framers of the Constitution intended.

To have a "decent standard of living" allows one to live in dignity, and to have the necessary physical and mental autonomy to be an active participant in a liberal democracy.

This requires that a worker's wage must fulfill the basic human needs. With those needs fulfilled, the worker can move into the public sphere and participate fully in the life of Cambodian society.

### **4.3 International Standards**

As we have seen above, Article 31 of the Cambodian Constitution recognizes the applicability to its citizens of the universal standards relating to human rights, and women's and children specific rights, as established in a number of internationally agreed documents.

Again, we believe that they mandate a living wage, at least by logical implication.

The basic document for considering the rights of people is the Universal Declaration of Human Rights. According to Art. 23(1) "Everyone has the right o work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment" while (2) provides protection against discrimination, and (3) states that "Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worth of human dignity..."

Further, Art. 24 provides "the right to rest and leisure, including reasonable limitations of working hours and periodic holidays with pay.

In addition, and more generally, Art. 25 states that "Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care..."

Other more general provisions provide rights to education (Art. 26) and the right to participate in the cultural life of the community (Art. 27).

A worker cannot enjoy these rights if paid less than a living wage.

Further support for the living wage and decent work conditions can be found in the International Covenant on Economic, Social, and Cultural rights. Article 7 recognizes the right of everyone to the enjoyment of "just and favorable conditions of work which ensure, in particular:

(a) Remuneration which provides all workers, as a minimum, with:  
(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work.

(ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;

(b) Safe and healthy working conditions;

(c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;

(d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay as well as remuneration for public holidays.

Art. 6 provides a right to work, “which includes the right of everyone to the opportunity to gain his living by work which he freely chooses.” Art. 11 adopts the UDHR right referred to above “the right of everyone to an adequate standard of living” for self and family. This includes “adequate food, clothing, housing” and importantly, a right to “continuous improvement of living conditions.” Art. 12 recognizes the right of everyone to “the enjoyment of the highest attainable standard of physical and mental health.”

All of these rights must be recognized if Cambodian garment workers are to have decent working conditions. And they are reliant on workers having a living wage, without which all rights are put in jeopardy.

The International Convention on Civil and Political Rights also provides rights to workers which are relevant to the living wage and decent conditions of work.

**Art. 22(1)** provides a right to freedom of association, including trade unions. A living wage and decent working conditions are only likely to result through the collective bargaining which trade unions presuppose.

**Art. 23 (1):** “The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.” Section 2 provides “The right of men and women of marriageable age to marry and form a family shall be recognized.” Without a living wage, workers generally find it impossible to take advantage of these rights.

**Art. 25** provides rights to political participation. A worker who does not earn a living wage and who works in poor conditions is very unlikely to be able to fully participate as a citizen in the political community.

**Art. 26** provides for equal protection of the law and non-discrimination. Workers in the garment industry do not have protection of the law as do other sections of society. While others are able to rely on the law to protect their rights – civil, political, social, economic and cultural – the evidence presented to the Tribunal demonstrates, that garment workers suffer a “deficit” in legal protection.

In an industry where 90% of workers are women, and where they generally occupy the lowest levels of wages and skills it is appropriate to pay particular attention to their situation. Thus we refer to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Art. 2 requires the state not only to condemn discrimination against women in all its forms but “to pursue by all appropriate means and without delay a policy of eliminating discrimination against women”. Art. 2(f) is of particular relevance to the garment industry, seeking the abolition of “all existing laws, regulations, customs and practices which continue discrimination against women”.

Art.3 requires that the state take action “to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on the basis of equality with men.”

Art. 11 is specifically aimed at the employment sector, listing six rights including, perhaps most relevant to the evidence we received about conditions in the garment industry, the right “to protection of health and safety... including the safeguarding of the function of reproduction.” It also grants rights to equal employment remuneration opportunities, and social security (family benefits are included in Art. 13(a)). Art 11 also lists 6 positive measures which can aid in eliminating discrimination at work.

It is clear that the provisions of universally accepted rights of humans, referred to above, have a purpose: to protect the human dignity of workers and their families. They are consistent with, and reinforce, the provisions of the Cambodian Constitution and Labor Law discussed above. Together, they seek to ensure the conditions in which workers, as citizens, can actively participate in the liberal democratic life of the political, social, and economic spheres of human life. That is, the suite of provisions endeavor to ensure that Cambodian workers are guaranteed the right to human dignity.

It is only a living wage and decent work conditions that provide the foundation of human dignity. That is why we believe there is a *right* to a living wage and much improved working conditions in the garment factories of Cambodia.

It is probably also useful to mention here the Declaration of the Right to Development (General Assembly resolution 41/28, 1986). The declaration was the formalization of a resolution by the U.N. Commission Human Rights (CHR res. 4(XXXIII) 1977). Although somewhat ambiguous and even in parts controversial the declaration is helpful here as it makes explicit the participatory principle which we have argued is the essence of human dignity based on a living wage.

Art. 1 of the declaration states that “the right to development is an inalienable human right by virtue of which every person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized”.

According to Art. 2(1) the human person is the central subject of development and should be the active participant and beneficiary of the right to development.” While Art. 2(3) declares: “states have the right and duty to formulate appropriate national development policies that aim at the constant improvement of the well being of the entire population and of all individuals on the basis of their active, free and meaningful participating in development in the fair distribution of the benefits resulting there from”.

Article 8(2) provides that “states should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights”.

It has been suggested to the Tribunal that the provision in the Labor Code, Article 104, is only a general principle and does not require the payment of a living wage. This view, supported by reference to Article 107 (dealing with the criteria for establishing the guaranteed minimum wage), should be rejected in our opinion.

In order to understand the meaning of the law we must ask "what is the purpose which the law is

intended for?"It is the general principles of the constitution with which the law must be consistent. In the case of Article 104, it is perfectly consistent with the general principles of the constitution (and the suite of international norms). Workers must be remunerated to a level which provides them with human dignity. That requires a wage that meets their basic needs: a living wage.

Nothing in Article 107 can be read to derogate from the Constitution or Article 104, both of which clearly and expressly seek to ensure that Cambodian workers shall live with dignity, without which their very essence as human beings will be lost.

#### **4.4 Law and Dynamics of Development**

In the case of Cambodian garment workers implementation of human rights will be very difficult to achieve if we think in ordinary terms: human rights as the responsibility of the State.

The power and economic advantage rests largely in the hands of large buyers or 'Brands'. Therefore a mechanism must be found whereby the right to a living wage and decent working conditions can be extracted from those with the economic power to provide them.

The AFW campaign presents such an opportunity. The government should consider supporting the concept of a living wage. And the 'Brands', for the sake of their reputation as responsible stakeholders in the Asian Garment sector, should be encouraged to support the concept of a living wage.

The evidence presented before the tribunal indicates that a living wage can be afforded, and that such a wage policy would not make Cambodia uncompetitive. Indeed, it would likely lead to a more competitive industry as worker productivity would no doubt rise, and labor peace and stability in the local industry would make Cambodia a more attractive base for sourcing garments. It would also be likely to ensure a better labor supply in an industry with a tightening labor market.

The ILO Convention and the ILO Declaration on Social Justice for Fair Globalization (2008) require states to ensure a minimum living wage is provided to workers and for workers to share the fruits of economic growth and the fruits of their labour.

With regard to the TNCs conduct in relation to human rights, the Tribunal has identified various levels of liability. With their behaviour, as manifested in the situations examined by this Tribunal, directly and through the supply chain, the Brands of garment industries are causing significant violation of human rights.

TNCs are not persons governed by international law, such as States and a number of other public law entities, but they can be holders of international rights and duties, in the same way as natural persons, as evidenced to proceedings before the International Criminal Court (ICC) and can file complaints before various international organizations.

**Based on the above findings and considerations, this Peoples' Tribunal**

**CONCLUDES:**

1. The situation of workers in the Cambodian garment supply chain presents severe deficits which correspond to a systematic violation of their fundamental right to a decent human life.
2. The living wage concept and concrete propositions as set forth in the present report (and spelled out in their specific constituents in the report of the Sri Lanka Peoples' Tribunal). The living wage must include at least what is adequate to sustain a family; an 8 hour day; a sufficient caloric intake for a working adult; the capacity of assuring basic educational and health needs for the children. As a human right, this must be enforced in Cambodia; also as a powerful instrument to contribute to the overall compliance of the Cambodian governing institutions, as well as of those who have decisional responsibilities in the garment industry supply chain with the principles set out in the Cambodian Constitution and Labor Law.
3. Considerable evidence has been presented to the Tribunal by garment workers and experts which demonstrates that the legislated minimum wage of US\$61, even when supplemented by the Prime Minister's recently announced allowance of US\$5, is far below a living wage. Mr. Ken Loo, Secretary-general of the Garment Manufacturing Association in Cambodia claims that the average worker is making about US\$100 a month. (The Cambodia Daily, 9 February 2012). But even this wage-if he is correct-is an inadequate amount, far below what a garment worker requires for a basic existence. And especially so as it is based on excessive overtime which, in many cases, is illegal. From the evidence received, we believe that *during this transitional period* until an AFW can be negotiated, Cambodian garment workers ought to receive a living wage- meeting the standards we have discussed in the text above-in the range of US\$185-200.
4. Because of its comprehensiveness and urgency, the implementation of the living wage concept cannot be postponed, to wait for univocal and rigid definitions: it must be concretely experimented in the real contexts of work and life, in Cambodia and at the regional level. Because of its central relevance, it is recommended that the garment industry supply chain could be considered an urgent priority.
5. The trend towards casualisation of the garment industry labour force which is represented by an increasing use of Fixed Duration Contracts, especially for periods of less than a year, has apparently been favoured by the Royal Government of Cambodia and the employers generally. However, a long and comprehensive expert report on the widespread use of FDCs demonstrates that the trend is a danger to the workers, to the industry and in the longer term to the employers. It threatens the very economy of the country. There are other specific ways of dealing with the need for temporary workers, for seasonal workers, and flexibility in the labour force without excessive use of FDCs. Other competitor countries have done this, and Cambodia can also. The rewards will be better industrial relations and, therefore, more stable and peaceful working relations. It also offers an opportunity to increase the skills and experience of garment workers, thus the potential for more quickly increasing productivity.

6. All the public and private actors who have been identified in this report as having decisional roles, must be considered directly responsible and accountable for the commission of violations of human rights, as described and qualified in this report (especially in view of the impunity they have benefited from), as well as for any delay and/or refusal to redress such violations.
7. It is not in the power, and it is even less the role of a Peoples' Tribunal to pronounce legal verdicts of condemnation or punishment. But by exposing, giving voice, qualifying the hows and whys of the violations of the rights of the garment workers, our aim is to provide knowledge and reasons, which could be instrumental in helping their efforts and struggles to have their rights fully recognized.

## **RECOMMENDS:**

### **To the Royal Government of Cambodia and to the Brands**

- The Asian Floor Wage is a regional living wage calculated on the basis of widely accepted and legitimate norms, and the Brands have the capacity to ensure that suppliers pay garment workers such a living wage. It is the joint responsibility of the RGC and the Brands to ensure that the living wage, as calculated by the Asian Floor Wage Alliance, documented in their literature, and proposed to the Tribunal, is adopted as quickly as possible.

### **To the Royal Government of Cambodia**

- Further develop both the international and national legal frameworks as to clearly specify the “right to a minimum living wage”, with precise standards and methods of wage calculation. The work need take into account local, as well as individual household, contexts. The minimum living wage should clearly identify food costs to be no-more than 50% of the overall wage package. The overall wage should be determined by the actual number of certified/accepted dependent members of workers household, with the provisions of Art. 45, 46, 47, 58 of constitution in mind, as well as clear verification means for determining dependent household members.
- Regarding the debate on the use of short term contracts, FDCs, the provisions of the 1997 Labour Law have been authoritatively interpreted by the Arbitration Council, and since 2003 have been consistently held to mean that there cannot be renewal after two years, therefore the RGC should accept this position. No amendment is necessary. Measures should be taken by the RPG to ensure that the trend toward increasing casualization of the work force in the garment industry is reversed, and that FDCs should in general be converted to UDCs, and that FDCs should not be extended beyond the two years as per current law. They also should provide for situations such as temporary contract termination for a short period (e.g. less than one month) in order to ensure that benefits such as seniority may be retained.



- The RGC should take urgent steps to ensure that trade unions are able to freely organize, represent workers, and bargain collectively with Cambodian suppliers without harassment, intimidation or victimization.
- RGC should set up pilot project on housing for the most vulnerable workers; those who fall victim to FDC practices as well as those discriminated against in lawful unionization activities. This should be brought about in collaboration with ILO/BFC and other donors and NGOs.
- The government should launch comprehensive independent investigations into mass fainting in order to establish firm foundations for determining the responsibility. Appropriate measures for prevention also need to be enacted in order to ensure the safety of garment workers and help repair the reputation of the Cambodian garment industry in the perspective of the international community.
- Utilize the opportunity presented by the global garment industry placing increasing importance and investment in suppliers from China and the South East Asian Region. The RGC should advance the arguments for a living wage at regional and national levels through a collective approach with other governments in order to address the global supply chain which sees real wages declining. In particular, SEA member states should be encouraged to discuss the establishment of a regional floor wage within the context of the ASEAN framework.

### **To Trade Unions, Federations and Labor NGOs**

- Unions and Federations should adopt the living wage concept as part of their bargaining strategy and as a political goal.
- Unions and Federations need to increase the proportion of women garment workers holding positions within their leadership and representative roles.
- Unions and Federations should be united in their efforts to build their collective bargaining power, as well as their efforts to build confidence of employers and buyers whilst negotiating CBA.
- Unions and Federations should place greater emphasis on the importance of pressurizing buyers for decent labor standards and wage increases. They appreciate the existence of global supply chains in relation to the garment industry which places not only employers but also brands in a position to deal with the demands of a higher wage. Unions should work collaboratively, but without corruption, with employers and factory management to pressurize the buyers into sharing their profits. This will result in mutual benefits for both employees and employers and improve both working conditions and productivity.

- Unions and Federations need to be trained and equipped with the necessary tools to preserve evidence of any abuses or violations of the law, especially in cases of pregnant female workers and union discrimination, so that it may be effectively used in adjudication and/or arbitration processes for collective dispute resolution.
- Unions and Labor Right NGOs and ILO should look for ways to provide low interest rates (micro-credit schemes), and easy access to short term loans in order to meet workers needs.
- Unions should adopt a system of worker representatives of health and safety aspects, and the establishment of safety committees in all garment industry workplaces.

### **To Multinational Corporations ('Brands') as well as other International Actors**

- Mechanisms for monitoring compliance, as well as reviewing wage standards, should be adequately funded for pro-active operations in order to assist the activities of the LAC and RGC.
- They should move beyond “good intentions” and recognize and prioritize the need for human rights in the workplace in their pricing and procurement policies.
- Go beyond codes of conduct and other “standards” and commit to the application of a mandatory living wage at all levels and sectors of the supply chain.

### **To the United Nations, other interested parties, consumers**

- A visit to Cambodia to verify the compliance of the garment industry with the rights included in the respective areas of competence, should be assured at their earliest convenience by the UN Special Rapporteurs on:
  - Business and Human Rights (living wage)
  - Freedom of Expression
  - Freedom of Association
- The ILO should adopt the living wage as a key element in its work to promote “decent work” and “better factories”, and prioritize the promotion of the living wage concept in the global supply chain of the garment industry and other low wage industries.
- Women’s Groups should advocate locally, regionally, internationally for the better protection of the rights of women workers in the garment industry. They should lobby the UN committees of CEDAW and the ICESCR.
- Consumers should support the global efforts of trade unions and other labour organizations and NGOs, such as Clean Clothes Campaign, to pressure Multinational Corporations ('Brands') to adopt ethical rules and practices, as well as the living wage in their supply chain.

## Annexe 1

### Final Program of the hearing

**Day One**  
**5 Feb 2012**

<b>Description</b>	<b>Name of speaker</b>
Introduction of Petition	
Workers Case 1	Ms. Heap Kimhour
Workers Case 2	Ms. Gnuon Chheng Hour and Mr. Hang Kimseak
Workers Case 3	Ms. Suon Sokhunthea
Workers Case 4	Mr. Ek Sopheakdev
Expert 1: Cambodia economic overview and garment industry	Mr. Kem Ley
Expert 2: Cambodia Labour law pertaining to Garment Industry	Mr. Reim Bora
Expert 3: Mass Fainting	Mr. Bent Gehrt
Summing up of workers' cases	Ms Lim Thida Ms Heng Bon

**Day Two**  
**6 Feb 2012**

Summing Up of Expert Evidence	Mr. David Welsh
Expert 3: The Fair Trade Center's view on H&M's purchasing practices and the brand's possibility of supporting LW	Mr. Christopher Riddselius
Expert 5: AFW is doable	Ms. Anannya Bhattacharjee
Stakeholder Adidas	Mr. Harry Normansyah
Stakeholder: Puma	Mr. Edel Anit
Summing Up	Mr. Ashim Roy

## Annexe 2

### Profile of the Members of the Panel

#### **Dr. Gianni Tognoni**

Since 1979, Gianni is Secretary General of Permanent People's Tribunal. He is the currently the Head of the Laboratory of Clinical Pharmacology and Coordinator of the Department of Cardiovascular Research for the Istituto Mario Negri in Italy. Dr. Tognoni is also the Director for the Consorzio Mario Negri Sud, an Italian non-profit organization for biomedical and pharmacological research. He holds a Doctorate degree in Philosophy and Medicine. He has also acted as the editor for several books and of more than 500 articles in major pharmacological and medical journals.

#### **Professor Gill H. Boehringer**

Professor Boehringer is Former Dean of Macquarie Law School, Macquarie University, Sydney, Australia, and Former Director of the Center for the Critical and Historical Study of the Common Law. He is now Honorary Associate, Macquarie Law School. He is the co-editor of a monograph: Critique of Law and the author of several chapters in books. Prof Boehringer has published over two hundred articles on a wide range of subjects including worker health and safety; human rights; crime, policing and prisons; law, state and ideology; lawyers and the rule of law; mental health issues. He is presently a member of the Editorial Committee, Alternative Law Journal (Australia) and former member of the Editorial Boards of the Australian Journal of Law and Society and the Alternative Criminology Journal (Australia), and an Editorial Consultant to the international journal, Contemporary Crises. His present research interests include: corporate fraud and the failure of state regulatory agencies in the contemporary Philippines; law as an instrument of “soft power”; imperialism and the Philippine American War; terrorism and corporate violence; and contemporary capitalism, the state and the power of corporations.

#### **Mr. Nhean So Munin**

Mr. Munin is Arbitrator on Arbitration Council (AC). He has been the National Legal Advisor/Land Law Expert for East-West Management Institute, and the Legal Consultant for land law dissemination and legislative drafting projects of UNICEF, GTZ-LMAP, DANIDA-NRLMP, ADB-EWMI and EWMI-DRL-ECOSORN-USAID. Mr. Munin also has been Local Consultant on good governance (D&D/DFGG) projects of GTZARDP and World Bank-MoI-AC/MoLVT, and served as legal trainer and interpreter for USF-CLEC. Mr. Munin has worked in Marketing and been Sales Manager/ Supervisor for various private companies. He completed Master of Arts in Governance and Development from the Institute of Development Studies, University of Sussex, UK and been Visiting Legal Research Scholar at the University of Michigan Law School, USA. He completed Bachelor of Law from the National Institute of Management, Phnom Penh, and Bachelor of Arts in Geography from Royal University of Phnom Penh. He is fluent in three languages -- Khmer, English, and Thai.

#### **Ms. Prok Vanny**

Ms. Prok Vanny is a Freelance consultant on Gender and Social Development issues. In this capacity she has worked with the ILO on Gender training and Danida/DFID/NZAID for CSPPM and NRMLP from January to March 2010. Previously she had acted as Cambodia's National Coordinator for UNIFEM CEDAW South East Asian Program from 2006 – 2009 where she successfully helped with engaging the government into ratifying the Optional Protocol to CEDAW. She has also in the past held senior roles in gender with other esteemed organizations such as PACT,

Oxfam, UNDP/CARERE and Khemara.

Her involvement with Human Rights began during the UNTAC period when she became a senior Human Rights trainer. She has been an active participant in encouraging peace in the region and contributing to gender related research. She holds a position on the board of directors for many national NGOs including, Star Kampuche, KWWA, NAPA, DKA, and Nun and law Woman Association. She holds a Masters degree in Political Science and International relations, from University of Phnom Penh.

**Dr. Kek Pung**

Dr. Kek Pung has worked as the President of the Cambodian League for the Promotion and Defense of Human Rights (LICAHDO) after founding it in 1992, seeing it grow into 12 offices and employing 125 staff in Cambodia. She gained notoriety during organizing the first meetings between Prince Sihanouk and at the time president of the opposition coalition Hun Sen during the later 1980, that leads to the signing of the Paris Peace Agreements on 23 October 1991. Since then she has been recognized as key figure on Human Rights related issues and Chair of the Cambodian Working Group for the establishment of regional (ASEAN) human rights mechanisms since 2000.

She has an express concern in Women's Rights, founding and chairing the Cambodian Committee for Women in 2000 (CAMBOW) a local network of 32 NGOs engaged in advancing the women's causes, and has working as the Chair of the NGO-CEDAW Network of 72 NGOs from September 2009 to June 2011. She was also a consultant for UNIFEM for CEDAW South East Asia Program on 2004.

She is medical doctor graduated from France.

## Annexe 3

### The Source Documents and technical reports made available to the Peoples' Tribunal in support of the oral witness and experts presentation

#### 1. National and international normative documents

- Cambodian Constitution
- Cambodian Labour Law
- International UN, ILO, WHO Convention, Treaties, Declaration

#### 2. Sources document

- Petition sent to the Peoples' Tribunal by AFWA and AFW-C
- Verdict of Peoples' Tribunal, Sri Lanka, 27-28 March 2011

#### 3. Source documents related to the case witnessess

Available at the People Tribunal Secretariat AFW-C

#### 4. Other Cambodian Source Document

- Prakas N<sup>0</sup>305, *The representativeness of professional organizations of workers at Enterprise*, Nov 11.
- *Draft of Trade Union Law*, 2011
- *Memorandum of Understanding on Improving industrial Relation in the Garment Industry in Cambodia*, Sept 2010
- *The Delusion of Progress: Cambodia's Legilative Assault on Freedom of Expression*, Cambodian League for the Promotion and Defense of Human Rights (LICADHO) Report, October 2011

#### 5. Technical Reports

- *Justice Higgins and the Harvester Judgement*, P. G. Macarthy, in *Social Policy in Australia*
- *First Sythesesis Report on the Working Conditions Situation in Cambodia's Garment Sector*
- *Human Rights In Cambodia: The charrade of Justice*, LICADHO Report December 2007
- *The Impact of the Economic Downturn on Households on Communities in Cambodia*, Cambodian Economic Association, May 2010
- *Cambodia Context Analysis for CNV International. Draft Report*, Roger Henke, Serey Phal Kien, July 2010
- *Implementation of the convention on the Elimination of All forms of Discrimination Against Women in Cambodia 2010*, NGO-CEDAW and CAMBOW, March 2011
- *Tearing Apart at the Seam, How Widespread Use of Fixed-Duration Contracts Threatens Cambodian Workers and the Cambodian Garment Industries*, Allard K. Lowenstein

- International Human Right Clinic, April 2011
- *Twenty sixth Synthesis report on Working Conditions in Cambodia's Garment Sector*, ILO and Better Factories Cambodia, April 2011
  - *How fair are wage practices along the Supply Chain? Global assesment in 2010-11*, Daniel Vaughan-Whitehead, October 2011
  - *Building Unions in Cambodia. History, Challenges, Strategies*, Vesna Nuon and Melissa Serrano, Friedrich Ebert Stiftung, Singapore, 2010.