

fidh

International Federation
for Human Rights

Fédération Internationale des
Ligues des Droits de l'Homme

Federación Internacional
de Derechos Humanos

Международная Федерация
за права человека

الفدرالية الدولية لحقوق الإنسان



Mr. Van Sou Ieng

Chairman

Garment Manufacturers Association in Cambodia (GMAC)

No. 175 Jawahar Nehru Blvd (Street 215)

Phnom Penh, Kingdom of Cambodia

Tel: (855) 23-301 181 | Fax: (855) 23-882 860

Paris, 17th January, 2014

Re: Urging garment manufacturers to respect workers' rights

Dear Mr. Van Sou Ieng,

The International Federation for Human Rights (FIDH) is an international non-governmental organization (NGO), with 178 national human rights member organizations throughout the world. Our primary and mutual goal is to promote respect for the rights enumerated in the Universal Declaration of Human Rights.

FIDH and its member organizations in Cambodia, the Cambodian Human Rights and Development Association (ADHOC) and the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) are alarmed over the authorities' recent crackdown and use of lethal force on striking garment workers in Phnom Penh.¹

GMAC condoned the attacks on striking workers and retaliated against trade unions and striking workers

We are very disturbed by statements reportedly made by you and other GMAC representatives that condoned the authorities' use of lethal force against striking workers. On January 5, GMAC Secretary-General Ken Loo said that military police were in the right to open fire on protesters.² Although Mr. Loo issued a follow-up statement on January 9 stating that GMAC does not support violence to end industrial disputes and that his previous comments were taken out of context, he continued to stand behind the use of live ammunition against protesters.³

Employers also filed lawsuits against trade unions over the recent strikes and retaliated against workers for participating in the strike. Garment factories in Svay Rieng Province's Manhattan Special Economic Zone have fired or suspended at least 50 workers and are pursuing legal action against others for participating in a strike to demand an increase in the minimum wage at the end of December.

Workers' rights to freedom of association and the right to strike

FIDH strongly condemns the authorities' use of violence to repress workers' legitimate right to strike and the employers' retaliatory actions against striking workers and their trade unions. The

¹ [See, FIDH: Denunciation of Government Deadly Crackdown on Phnom Penh Demonstration, 9 January 2014](#)

² Cambodia Daily, GMAC Defends Use of Force Against Striking Workers, 6 January 2014

³ Cambodia Daily, GMAC Doesn't Support Violence to End Industrial Disputes, January 9, 2014

Cambodian Constitution, the 1997 Labor Law, the International Covenant on Economic, Social and Cultural Rights, and ILO Conventions 87 and 98, which Cambodia ratified, all guarantee the right of freedom of association and the right to strike without threat or intimidation.

Corporate responsibility to respect human rights

FIDH asserts to that GMAC members have a responsibility to respect human rights in their activities, especially with respect to workers' rights. The UN Guiding Principles on Business and Human Rights, endorsed by the UN Human Rights Council, state that “*business enterprises should respect human rights, [...] address adverse human rights impacts with which they are involved and [...] avoid causing or contributing to adverse human rights impacts through their own activities.*”

FIDH calls on GMAC to comply with its responsibility to respect human rights and to refrain from actions and threats that could fuel human rights violations perpetrated by State agents in the current context.

Workers need to meet minimum living standards

Garment manufacturing is Cambodia's biggest foreign currency earner, a major employer and a vital source of income for many families. Given the key role that GMAC plays in the Cambodian garment sector, we urge you to refrain from taking any position that could infringe on workers' rights. Furthermore, we call upon GMAC to acknowledge its human rights responsibilities by participating in negotiations between the government and trade unions and using its position to help workers obtain an adequate standard of living as recognized in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights.

In sum, FIDH, ADHOC and LICADHO urge you to:

- refrain from supporting in any way violent repression or any other retaliatory measures against striking workers;
- ask GMAC affiliates to withdraw damage lawsuits filed against trade unions involved in the strikes;
- ask for the reinstatement of the suspended workers;
- address the dire economic conditions of the garment workers in Cambodia by engaging in

meaningful negotiations with trade unions and by addressing workers' demands, including the need for an adequate wage that guarantees workers' access to an adequate standard of living.

Respect for labor rights, including the right to freedom of assembly, are necessary conditions to build mature and lasting industrial relations, to ensure respect for international human rights standards, and to ensure the long-term prosperity of the garment industry in Cambodia. FIDH, LICADHO, and ADHOC strongly believe that these conditions are achievable.

We look forward to your response.

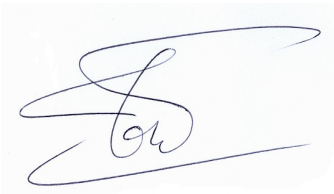
Sincerely,



Karim Lahidji

President

International Federation for Human Rights (FIDH)



Thun Saray

President

Cambodian Human Rights and Development Association (ADHOC)



Naly Pilorge

Director

Cambodian League for the Promotion and Defense of Human Rights (LICADHO)

cc.

Samdach Akak Moha Sena Padey Techo Hun Sen, Prime Minister of the Kingdom of Cambodia

H.E. Sun Chanthol, Senior Minister, Minister for Commerce

H.E. Ith Sam Heng, Minister for Labour and Vocational Training