

#05

UNION VIEW

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→ Boris Naudin



Cambodia: The government and employers complicit in undermining union rights

International pressure has helped improve working conditions in textile factories. But union rights are still being violated with the connivance of the authorities, which have even sentenced some innocent people to prison. The 20,000 women being exploited to sell beer are getting no protection from the government either, but are trying to organise themselves in unions. Union View reports.

Better working conditions: the key to survival in the post-quota era

Cambodia has managed to withstand the shock of textile quota removal, partly thanks to two ILO projects designed to improve working conditions and reduce the scale of labour disputes.

The end, in 2005, of the quota system, which had long regulated a number of countries' textile and clothing exports to the world's biggest markets (primarily the United States and the European Union), was met with great trepidation in Cambodia, where clothing accounts for 80% of all exports. Garment manufacturing is the largest private-sector employer in the country, employing 330,000 workers, mostly young women. Taking into account the remittances they send to their families back in Cambodia's rural areas and the number of indirect jobs generated by the sector (transport, factory construction, meals produced for the workers, etc.), the livelihoods of approximately 1.7 million people depend on this sector. Given the lack of infrastructure in Cambodia and the high "administrative costs" (owed largely to corruption), the prospect of increased competition with the Chinese giant following quota removal was indeed a cause for concern.

Two and a half years after the lifting of the quotas, however, the garment sector continues to thrive in Cambodia, with the number of jobs constantly rising. The key to Cambodia's success is its reputation for respecting international labour standards, placing Cambodia among the countries of choice for buyers anxious to preserve a clean brand image. This respect for international labour standards within factories is a direct consequence of a trade agreement signed in January 1999 between the governments of the United States and Cambodia. The quota system was still in place at the time and the agreement provided Cambodia with the opportunity to increase its textile export quota every year in return for proof that its labour laws and international standards were being duly applied in the sector.

500 criteria to be met

Since the signing of the agreement, the ILO has been publishing two reports a year on Cambodia's compliance

with the criteria laid down, based on factory visits carried out by a team of ILO monitors who check the working conditions against a list of 500 criteria drawn from Cambodia's labour legislation and the labour standards of the ILO. The monitors interview the employers, trade union representatives and workers separately, as well as meeting workers outside the factory to avoid any sway the managers may have over their comments. When irregularities are detected, the company is not quoted in the next report, but given a period of grace during which it can take measures to remedy the situation, failing which its name is published in the following report.

ILO monitoring has been kept in place since the end of the quota system and its contribution to improving working conditions in Cambodia's garment factories is widely recognised. It is not, however, without limitations. It does not, for example, cover violations committed outside the factory gates, even in cases where trade unionists are murdered or assaulted (see pages 4 & 5). Another shortfall, as expressed by Chea Mony, general secretary of the FTUWKC (1), is that: *"monitoring doesn't necessarily improve social dialogue between workers and employers. In more than half of the factories visited by the ILO, our representatives still have great trouble securing a meeting with the managers"*.

The fact that so many different trade unions exist side by side in Cambodia (over 900 in around 300 factories) does nothing to contribute to social dialogue with employers, especially given that many are trade unions in name only. *"There are sometimes seven or eight unions in the same factory,"* underlines Ken Loo, general secretary of the GMAC, the Garment Manufacturers' Association in Cambodia. *You can imagine how difficult it is for the management have to deal with seven unions, especially given that they often have different ideologies."* Another obstacle to social dialogue is communication problems on the shop floor. *"Most of the supervisors are Chinese and the workers are Cambodian."*

"Buyers want more for less"

The globalisation of the garment trade has made things more complicated for Cambodian suppliers. *"The situation is becoming more difficult the world over, explains Ken Loo, general secretary of the GMAC, the Garment Manufacturers' Association in Cambodia. The buyers use international competition to place more demands on their suppliers - more services, better quality, shorter delivery deadlines, lower prices, etc, - and give us nothing in return. They want more for less. It's all the more difficult given that garment manufacturing is generally based in the least developed countries, where there are major problems with infrastructure and corruption, like in Cambodia."*

According to the employers' representative, it is because of the growing difficulties arising from the globalisation of demand that companies are having to resort to short-term employment contracts. *"It's true that some factories try to escape their legal obligations by resorting to short-term contracts, and we condemn this practice. But most of them fulfil all their obligations and are forced to resort to short-term contracts because their orders are not stable, they never know whether they'll be renewed or not the following season."*

Some supervisors don't speak Khmer and have to rely on interpreters, who are often not very good," explains Ken Loo. Many strikes arise out of disputes that escalate because the supervisors and workers don't speak the same language or understand each other's culture. Others are linked to the abusive use of short-term contracts, anti-union conduct, non-payment of bonuses, etc.

"It's difficult to remain patient under such circumstances"

Employers argue that Cambodian trade unions tend to go on strike before negotiating. "This is not entirely true," says Noun Rithy, coordinator of the ILO workers' education project. Some employers refuse to talk to the unions until they are on strike. Once a strike is called, they are quick to negotiate and the dispute is settled. So who is to blame? People in high places don't tend to understand the plight of workers, who have to live in cramped accommodation, sharing with several other people, and with less than a dollar a day for food. It is extremely difficult to remain patient when one works so much and has to live and eat in this way. If the managers had to put up with the same as the workers, they would go on strike immediately."

Many disputes are resolved quite rapidly thanks to another original mechanism, the Arbitration Council, set up as part of an ILO project. It is a tripartite body that fills the role of employment tribunals, which have not yet been introduced in Cambodia. The Council is highly respected for the quality and impartiality of its procedures and rulings. John Ritchottee, chief technical advisor of the labour disputes resolution project: *"According to Cambodian law, when a labour dispute arises, the Ministry of Employment has to send in its own arbitrators. If they fail to resolve the dispute within 15 day, it is sent to the Arbitration Council, which has 15 days to hear the parties and deliver a ruling. The parties have to decide whether the ruling is to be binding or not before the hearing starts. So the proceedings are compulsory, but their outcome is not necessarily binding. 70% of all disputes are settled in this way".* Given that one of the Arbitration Council's missions is to ensure the transparency of its proceedings, the rulings it delivers, and the grounds for them, are published on

Internet. (2)

Since its creation in 2003, the Arbitration Council has made some contribution to improving social dialogue in Cambodia. *"We always advise the parties about good practices in the area of social dialogue and respect for the law, about ways of developing good cooperation and better communication in the workplace, explains one of the arbitrators. When workers go on strike and the employer asks the Arbitration Council to settle it, the workers generally agree, because they are given a chance to appear before a neutral body to try and reach a settlement or obtain a clear decision. Waiting for a ruling from the Arbitration Council also allows workers to find out whether their demands comply with the law."*

(1) Free Trade Union of Workers of the Kingdom of Cambodia, www.ftuwkc.org
(2) See <http://www.arbitrationcouncil.org/>

→ Boris Naudin



Anything but the rule of law!

Despite the much-heralded media show trial of a few former Khmer Rouge leaders in 2008, Cambodia's legal authorities are incompetent and collude with the government. Clear examples were the trial following the assassination of trade unionist Chea Vichea, which resulted in 20-year prison sentences for two innocent people, and other cases linked to murders and violent attacks on trade unionists.

On 22 January 2004, Chea Vichea was shot in cold blood whilst reading his newspaper near a kiosk in the centre of Phnom Penh. As President of the FTUWKC (1), Chea Vichea was one of the most influential trade unionists in Cambodia. He continuously complained about violations of the rights of Cambodian workers and their inability to lead decent lives with the poverty wages they earned. News of the assassination sparked vigorous international and national protests. Chea Mony, his brother, took over the leadership of the FTUWKC and threatened to hold a huge demonstration in the streets of Phnom Penh if the perpetrators were not found and tried quickly.

The authorities were scared by this threat since many people suspected the government or the employers of being behind the murder. So the government wanted to find the criminals quickly to calm the people's anger. A few days later the police announced the arrest of two suspects: Born Samnang and Sok Sam Oeun. Appearing before the media the two men protested their innocence. Born Samnang shouted that his confession had been secured through torture. In March, a judge who dismissed the case for lack of evidence was sacked. On 1st August 2005, the court of Phnom Penh sentenced both men to twenty years in prison based on the confession by Born Samnang. Apart from that forced confession, no evidence linking the two men to the murder was presented at the trial.

The only witness to the murder of Chea Vichea is the owner of the newspaper kiosk where he was shot, Va Sothy, who is currently living in exile for fear of reprisals. She has always maintained that the two arrested men were not the murderers. In a statement before a notary in Bangkok, she explained that she had provided a detailed description of the murderer of Chea Vichea and his accomplice, but that she was too scared of reprisals to cooperate with the police (she saw the murderer again at her kiosk one month after the murder). She complained that the police had repeatedly tried to get her to identify a sketch of a person as being that of the murderer, which she refused to do. Yet that was the sketch that was published in the papers, accompanied by a police statement saying that it had been corroborated by a witness.

Why have these two scapegoats?

On top of the government's reluctance to hold a proper investigation to find the real perpetrators of the crime, why were these two men chosen? It appears that Born Samnang and Sok Sam Oeun were simply in the wrong place at the wrong time. A few weeks before his arrest Born Samnang had had some serious problems at work. "He was a representative for a pharmaceutical company and had made a few business mistakes", explains his mother, Noun Kim Sry. "The company was asking him to reimburse the 5,080 dollars that had been lost through his mistakes. When he came and told me that and when I realised that the company could attack our family if he didn't manage to pay up, I got angry. My husband left me a long time ago and I live alone with five children. To protect my family and avoid having to sell our property, I asked one of my daughters to send the local authorities a



Chea Vichea, the trade unionist assassinated in 2004. The mock trial following the murder ended in the sentencing of two innocent people to 20 years in jail. (→ S.G.)

form stating that I no longer recognised Born Samnang as my son. She came back a bit later and told me that the administration official had compared the photo of my son on that form with the sketch of the murderers of Chea Vichea, which was stuck on their office wall. The faces are very different but I was immediately alarmed. I asked my daughter to go and get the form back but the officials refused to return it".

The police arrested Born Samnang a few days later. "They beat up my son badly, trying to get him to confess to the murder of Chea Vichea, but he did not even know him. They told him they knew he had some big problems, that I wanted to disown him, that his fiancée was also in prison and that his problems would be sorted out later if he confessed to the crime. As he still refused to do so, they took his hand and placed his right thumbprint at the bottom of a document. I don't know what was written on it, but that was when the press were told that he was the murderer and had admitted it. I'm very sad at my own action. If I hadn't reacted so strongly when he told me about his problem they would never have used his situation for accusing him". But Born Samnang had an alibi: on the day of murder he was celebrating the Chinese New Year with his fiancée 90 kilometres from the crime scene, and a lot of people were with him. Some of the witnesses have since been threatened, however.

Sok Sam Oeun's case is quite similar. He was also celebrating the Chinese New Year on the day of the crime, in Au Bekkaam, 7 kilometres from Phnom Penh. "He had been spending the day drinking and eating with some other people", explains Vorn Thun, his father. "One of those people

is the son of a top official in one of the ruling parties. On 28 January 2004, my son was arrested while he was in Au Bekkaam. They did not tell him why he was being arrested or where they were taking him. Since he wouldn't stop shouting in the police car that he had not done anything, the police hit him with rifle butts and stuck his head in a plastic bag. I think that this powerful person was trying to get rid of my son, whom he owed some money. I only learnt of his arrest on 30 January, when my sister saw him on the television and it was announced that he had killed Chea Vichea. He never confessed to the crime. He is stubborn and would never admit such a thing if he didn't do it. In any case, he didn't

know Born Samnang at all, and they are from different provinces. I begged the people who had been with him on the day of the crime to come forward as witnesses at the trial, but they all refused to do so: they were scared and their first thought was for their own safety".

Fears for the health of the two innocent parties

Those close to Born Samnang and Sok Sam Oeun are very worried: so far Cambodia has ignored national and international pressure to release the two innocent men. But they are both in bad health. "The conditions in the prison

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A trade unionist's courage

Death threats, beatings, dismissal and a blacklist... Trade unionist Chi Simun, of the Bright Sky factory, has faced the whole range of anti-union repression

Chi Simun is lucky to be alive. On the morning of 3 May 2006, the FTUWKC President at the Bright Sky textile factory, was walking home after his night shift when he was attacked outside the factory gates by 7 or 8 people, who hit him hard in the head and shoulders with iron bars and sticks. "I had already received death threats in the past, including from leaders of a rival trade union", he explains. "The thugs said nothing as they hit me, but they wanted to kill me and didn't stop hitting me when I hit the ground and was bleeding heavily. One of them said 'don't leave him alive'. They had a photo of my face, the one on my factory access card. How did they get it? There must have been some connivance from people in the factory. Earlier on, some FTUWKC members had seen some thugs leaving the office of one of the Bright Sky managers, carrying an envelope". In addition to eye and head wounds, Chi Simun needed 15 stitches after the attack. He couldn't go back to work till 12 May. "That day, the workers from the FTUWKC were pleased to see me back and alive, but the leader of the rival trade union greeted me with "aha, the sick pig has come back to work". Chi Simun, who had recognised some of his assailants gave their names and other information to the local police, but no enquiry was opened. Worse still: on 22 May, when leaving his workplace after the night shift, he saw a group of 20 thugs waiting for him outside the factory gates again. He waited inside the factory until daybreak, which was when the thugs left.



→ S.G.

The inter-union rivalry at Bright Sky and the disputes with the management about the excessive use of short-term contracts did not end with the attacks on Chi Simun and other union representatives. On 16 October, the management called in the police to break up a strike organised by the FTUWKC in front of the factory. The police fired in the air and used their truncheons. As the workers were fleeing, a 24 year-old pregnant woman, Muth Savy, was hit by a police bullet and had to be rushed to the hospital, where she lost her baby. Many other workers were also injured by the police that day.

Shortly after those incidents, the management of Bright Sky announced the ending of night-time production, dismissing over 1,800 workers... almost all the members of the FTUWKC. Bright Sky then sent other factories a list of names of the members and leaders of the union with photos. "Since I've been certain I'm on that blacklist everyone has been refusing to recruit me", says Chi Simun. "Sometimes I manage to get a job for a couple of weeks, by using the name of a friend who is not on the blacklist, at some small sub-contracting firm".

The former union delegate is bitter. "I've sacrificed a lot to help other workers and get labour legislation applied. The management offered me a large amount of money for giving up my union work, and some trade unionists accepted such offers, but I have always refused. I'm 27 and have a wife and a 5-year old daughter, but I have no job prospects".

...
have weakened my son”, says Born Samnang’s mother. “He has got very thin and often gets temperatures and migraines. There are ten or twenty people in his cell, the air is unbreathable, and he can only breathe normally when he’s in the room for visitors. He has kept his spirits up, partly because he knows about the national and international campaigns for his release, but his health is deteriorating”.
 The same goes for Sok Sam Oeun: *“He has got stomach pains from the awful food and has lost all feeling below the knees”, says his father. “his cell is roughly 7 metres by 4 and there are always 17 to 30 people in it. Since the cell is so narrow the prisoners can never lie on the floor at the same time, so they have to keep sitting with bended knees, pressed against each other. They take it in turns to stand up so that the others occasionally get the chance to stretch their legs”.*

Two other trade unionists have been shot in cold blood in Cambodia since the murder of Chea Vichea. In May 2004, it was the turn of Ros Sovannareth, President of the FTUWKC at the Trinunggal Komara factory, to be murdered. So far there has been no independent and impartial investigation. And on 24 February 2007 another murder was committed. Hy Vuthy, President of the FTUWKC at the textile factory

Suntex, was going home on his moped in the early morning after his night shift when two helmeted men also on a motorbike shot him with three bullets. They threw his body into a rubbish tip before leaving. Va Sopheak, his wife, arrived at the crime scene a few minutes later. *“He was still breathing faintly, but the police refused to let me take him to hospital although there was an ambulance there. They said my husband was already dead. As I carried on screaming they finally allowed me to take Hy Vuthy to a hospital on a motorbike, but he died on the way”.* The witnesses to the murder have so far refused to speak up for fear of reprisals from the murderers. The widow and her two children have to move house regularly, however, as she has received threats since the murder.

The ITUC has joined the democratic trade unions and civil society organisations in Cambodia and many human rights organisations (including Amnesty International and Human Rights Watch) in calling for the release of the two innocent men imprisoned after the murder of Chea Vichea, and for proper investigations into the murders of Ros Sovannareth and Hy Vuthy. As it is only a few months before the start of the trial of the former members of the Khmer Rouge, the Cambodian justice system finally needs to recover its credibility.

(1) Free Trade Union of Workers of the Kingdom of Cambodia



It was very tough when I was sacked. We had to borrow money from friends to make ends meet. I always thought we would win this battle as we had suffered an injustice. The support from the ITGLWF was vital, both in securing the victory and in keeping up the workers’ spirits during the protests.



**Pin Sophea,
 CCAWDU President
 at River Rich**

25 trade unionists get their jobs back thanks to international solidarity

What made the textile company River Rich change its anti-union attitude to become a model of good industrial relations? It was when the ITGLWF and the main buyer of River Rich got involved...

In October 2006, the workers at the textile factory River Rich decided to set up a trade union, mainly to protect themselves against the practices of the management, which was recruiting up to 80% of its employees on temporary contracts. This very common practice in the textile industry prevents workers from getting seniority bonuses and puts them off defending their rights as they are scared of not being re-recruited six months on. The workers at River Rich wanted to organise a union election and to join the independent union CCAWDU (1). Despite some intimidation, the elections took place, but a few days later the management sacked 30 leaders and members of the union.

Several strikes took place in 2007, mainly to demand the reinstatement of the sacked trade unionists. As is often the case in Cambodia, the management called on the riot police to break the strikes. Since the CCAWDU is affiliated to the ITGLWF (2), it asked for assistance. *“When we are faced with this type of case, we contact the management of the company and, if it fails to provide a satisfactory answer, we contact its customers”,* explains Neil Kearney, General Secretary of the ITGLWF. *“The main customer of River Rich is the Spanish company Inditex, and the second largest is H&M. The ITGLWF has concluded a framework agreement with Inditex. Inditex went with us to Cambodia last January, we met one of its Hong Kong owners and an agreement was reached to reinstate the sacked workers”.*

No business without a good social dialogue
 River Rich unfortunately dragged its feet in implementing the

agreement, and by the end of May it had still not reinstated the sacked trade unionists. Neil Kearney explains the follow-up: *“In June we went back to Cambodia with Inditex and this time the top manager came from Hong Kong to meet us along with the CCAWDU, the management of River Rich and a representative of H&M. After three days’ intensive discussions the managers of River Rich understood that good industrial relations needed to be established if they wanted to keep their customers. We reached an agreement that went much further than the reinstatement of the trade unionists, as we know that such agreements may not last unless a good social dialogue is established in the company”.*

In addition to the immediate reinstatement of all workers wishing to return to their posts, the agreement provides for the payment of their average wage from the date of their dismissal till the end of June 2007. River Rich committed itself to ensuring that no member of the union was subjected to discrimination. The company also agreed to terminate all legal proceedings against the CCAWDU and its members and to convert all the temporary contracts into permanent ones. It also promised to engage in a proper dialogue with the CCAWDU and to cooperate in drawing up a training programme for employers, supervisors and employees on industrial relations and social dialogue. The programme would be run by the ITGLWF with financial support from Inditex. The agreement can be seen as a “win-win” solution for both parties: in return for the management’s undertaking to include respect for workers’ rights in its company policy as a competitive advantage, the CCAWDU has committed itself

to work to establish constructive and stable relations with the management, with a view to increasing productivity and quality (3).

Relief for the workers

Of the 30 leaders and members of the CCAWDU sacked in 2006, 25 got their jobs back in June (the 5 others had found other jobs in the meantime or decided to return to their families in rural regions). One of them is Pin Sophea, the 28-year old CCAWDU President at River Rich. Getting back his job and wage arrears was a huge relief for this father of two children: *“It was very tough when I was sacked. My wife works, but we still had to borrow money from friends to make ends meet. I always thought we would win this battle as we had suffered an injustice. I did my best to encourage the other workers, but it was not easy as some got disheartened during the dispute. The support from the ITGLWF was vital, both in securing the victory and in keeping up the workers’ spirits during the protests. I received 690 dollars’ back pay when I went back to work. I have managed to pay back everyone who lent me money and I have 50 dollars left over”*.

Pin Sophea is happy that he managed to resist the temptation to accept a large bribe during the conflict. *“The management offered me 6,000 dollars to give up my protest. That is a huge sum for an ordinary Cambodian worker (my wage was around 100 dollars a month including overtime), but I refused it as it was not a fair income. My family was pushing me to accept the offer but it would not have been fair to my fellow workers: it was because they had elected me to that position that I had received the offer. I’m very happy that things have turned out the way they have. All the reinstated workers have been welcomed back, including by the manager. The employers’ attitude has changed since signing that agreement: now they talk to the union reps and*

consult us more regularly”.

The victory helped the CCAWDU recruit 1,100 new members at River Rich. *“We will now try to get a similar agreement with two sister companies of River Rich in which CCAWDU is organising the workers, states Neil Kearney. There is a good chance that we will succeed, since the management of River Rich now appreciates the attitude of the trade unionists who have been re-recruited, although one of the reasons why they were taking time reinstating them was that they saw them as troublemakers. They have been watching closely and one of the top managers in Hong Kong told me that the union president was one of the best clothes pressers he had ever seen in the company”*.

The River Rich case is not the only achievement for workers based on cooperation between the ITGLWF and Inditex. The framework agreement also led to the reinstatement of workers in two factories in Bangladesh (15 trade unionists in one case, and 750 workers in another) and in a factory in Peru (90 workers reinstated). *“I was asked recently what we really gain from all our work in supporting trade unions”, concluded Neil Kearney. “I quoted the example of River Rich: on the morning that the agreement was signed I was there when the trade unionists were told they were to be reinstated. They were very happy to be taken on again. I asked one of them if he knew how much back pay he would be getting. He didn’t know yet, so we looked at the list together and when he saw it was around 1,100 dollars, I saw his face light up! The River Rich case is very encouraging: the workers have been reinstated, have not lost their wages and the union has been strengthened as it has doubled its members”*.

(1) Coalition of Cambodian Apparel Workers’ Democratic Unions
 (2) International Textile, Garment and Leather Workers’ Federation, www.itglwf.org
 (3) The text of the agreement can be downloaded here:
<http://itglwf.org/DisplayDocument.aspx?idarticle=15317&langue=2>

→ Boris Naudin



20,000 women exploited to boost beer sales

Over 20,000 women in Cambodia are paid to dress in the colours of one beer brand or another to draw in customers and encourage them to drink. Sexual harassed, insulted and assaulted by inebriated customers, some are now looking to trade unions for defence.



APHEDA organises role plays for training the "beer girls" to defend themselves better (this shot was taken in the ILO office). (→ S.G.)

It is a common sight in Cambodia's bars, restaurants and karaoke to see young women going from table to table dressed in sexy uniforms advertising the beer they are promoting. How much they earn depends on how much they sell. Most of these "beer girls", chosen for their looks, are under 35. They are most often forced to sit and drink with the customers, having to put up with the harassment that follows or risk seeing their sales and consequently their income fall, losing their job, or being assaulted by unsatisfied customers.

"The women promoting beer brands are all too often beaten, shot, sexually harassed and even raped by customers," says Kong Athit, general secretary of the CLC (Cambodian Labour Confederation). *It happens either in the workplace or on the way home. Some of the customers are wealthy or well-connected, which means they can generally act with impunity.* On 26 April 2006, the abuse reached its worse, with an attempted murder: Kruey May, aged 23, was seriously injured when two military officers shot at her for taking too long to bring the ice for their drinks. Even when sober, many Cambodian police and military officers have very little respect

for human rights. When under the influence, they lose all control. *"One of my friends was confronted with a similar case just a few weeks ago,"* explains Mem, a member of a beer girls' association affiliated to the CLC. *One of the customers demanded that she sit by his side all the time. When she refused, he took out his gun and fired at the floor. The manager intervened to calm the customer down and my friend was transferred to another establishment."*

APHEDA, the humanitarian overseas aid agency of the Australian union ACTU, is very active in Cambodia. One of its projects is to provide beer girls with training and education on a whole range of health and safety issues, such as alcohol and drug dependency, HIV, sexual harassment, etc. Stories and role-play are used to get the message across during the training sessions. The project is being supported by the ILO. As Barbara Fitzgerald, the APHEDA coordinator in Cambodia, explains: *"There are very few beer girls who do not drink on the job. Some may only drink two beers a day, but most of them drink as many as six 600cl bottles. You can imagine the impact so much alcohol must have on the health of women*



I would like to quit my job as a beer girl and start up my own business, but not until the union at the company I work for, Tiger, is stronger. I used to work in textiles, but the factory didn't pay our wages for two months. It was also a difficult job, but at least I didn't have to drink beer and put up with sexual harassment from the customers.



Thim Sokha, president of the beer girls' union at Tiger Beer.

who barely weigh 50 kilos, especially considering that they don't eat much while drinking. They gradually develop an alcohol dependency."

Terrified by the customers

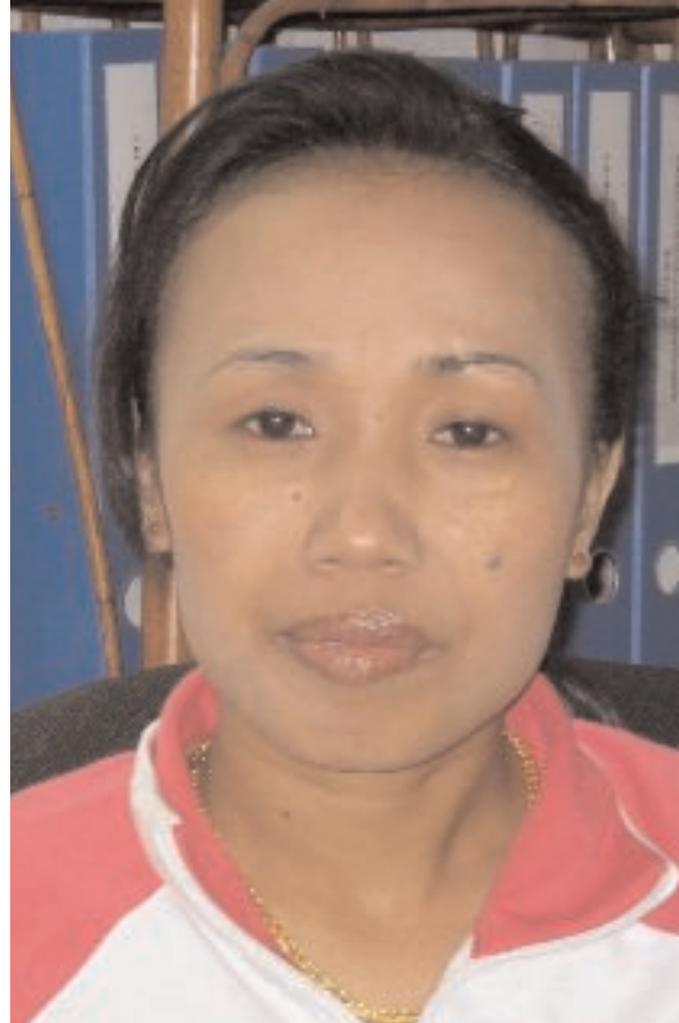
Some beer girls earn a fixed wage and receive a bonus based on the number of beers sold, whilst others work on a commission-only basis, like Mem, who represents the Chinese beer brand Kingway in a karaoke bar: *"I don't receive a fixed wage, it all depends on how many beers I manage to sell. I receive 9.5 dollars for every crate of beer. If I drink two bottles a day with the customers, I can earn around 100 dollars a month if I work every day (there is no paid leave). I come from a very poor rural area. I had never drunk alcohol before coming to Phnom Penh and doing this job. I found it very difficult to drink beer at first. Now, the hardest thing is putting up with the difficult customers touching me. Some of them force me to sit with them. I daren't refuse, because they might not come back again, and I'd risk my job, as the manager would accuse me of not attending to his customers properly. Some customers terrify me with their demands. One of them recently insisted that I should leave with him. I locked myself into a small room at the back of the karaoke bar. He tried to force the door but eventually gave up and left. Later, when I was making my way home, a colleague called me to say that the man had come back and was demanding to see me. I'm afraid he'll come back again. I'd like to be able to call a trade union representative to come and help me if he does."*

The CLC has managed to organise 70 beer girls working for Tiger Beer, but the company was none too happy to hear about the union. *"They scolded me for having convinced the others to join,"* explains Thim Sokha, president of the union of beer girls working for Tiger. *Tiger's managers repeatedly told me that my trade union work was going to ruin my living. They also transferred me from popular establishments with plenty of customers to small bars with little custom. My earnings have fallen as a result. I used to earn between 100 and 110 dollars. Now I only earn 50 dollars a month if I work from 5pm to 9.30pm or 60 dollars if I work from 5 till 11.30pm. Like all the others, I have to sell a certain number of beers, depending on the popularity of the place. If we don't fulfil the quota set for three months in a row, we are transferred to another establishment. I have to sell at least 32 crates of 24 bottles every month. If I sell more, I receive a 5 dollar bonus for every extra crate. Most of us struggle to fulfil our quotas, even when we agree to drink with the customers."*

Frowned upon by society

Beer girls have a poor reputation in Cambodia. They are seen as sex workers, as dishonourable women. *"We want to help them shake this reputation by giving them a chance to express themselves in the media,"* says Kong Athit. *They haven't found the courage to speak out yet, but if they were given an opportunity to talk about their problems and the exploitation they have to face, a chance to explain how they feel about the situation, they would be given more respect. No one does this job for fun. They are driven by poverty and a sense of sacrifice, by the need to support their families, as there are very few other jobs for women in Cambodia, aside from those in the textile sector where the competition for jobs is very tough."*

Several reports written by the NGO Care regarding the abuse suffered by beer girls have been given wide media coverage.



Thim Sokha, chair of the union of "beer girls" advertising the Tiger brand, was transferred to a job in a less favourable location. (→ S.G.)

In June 2006, the press also covered the launch by ITUC President Sharan Burrow of an international campaign to denounce these abuses. The ensuing outcry led the Cambodian beer industry to adopt a Code of Conduct (1) in October 2006. The Code establishes that beer girls should be given training on how to refuse invitations to sit and drink with customers without insulting them, declares a zero-tolerance approach to sexual harassment, and stipulates that employers must provide the women with transport home after work, etc. *"Most of the recommendations made by Care are reflected in the Code of Conduct,"* underlines Barbara Fitzgerald. *"The problem is that the Code only exists in English! During a recent training course, we asked 21 beer promoters if they had heard of the Code of Conduct. Only six answered "yes", they had heard of it, but were not aware of its content, as they only speak Khmer."* Some breweries, such as Tiger and Angkor Beer, have introduced new uniforms that are more in keeping with Cambodian culture. Others have retained the sexy uniforms.

The only way to ensure that these women are able to work with dignity and without sexual harassment would undoubtedly be to demand that the brewers employ them as waitresses with a decent fixed wage, a salary that does not depend on the number of beers sold, given that customers will always buy more from those who tolerate the harassment. A way must be found of imposing this rule in all the drinking establishments, karaoke bars and restaurants of Cambodia, as establishments applying the rule alongside others that do not are sure to lose custom...

(1) Available in English at <http://www.fairtradebeer.com/reportfiles/breweries/codeofconduct25oct2006.pdf>
Note: For more information on this subject consult: <http://www.ethicalbeer.com/>, <http://www.beergirls.org>, <http://www.fairtradebeer.com>

A trade union project awakens parents' consciousness

Over 1.5 million children aged under 14 are forced to work. As many as 250,000 are employed in the worst forms of child labour (brick making, prostitution, mines...). Cooperation between ILO-IPEC and Cambodian unions has demonstrated that sending children to school is possible.



→ Boris ILO

In 2006, 1.7 million tourists visited Cambodia, 20% more than the previous year (1). Almost half of them stayed in the Siem Reap region, near the temples of Angkor. This spectacular growth has led to a boom in the construction of hotels and other buildings linked to tourism. Thousands of people migrate from other parts of Cambodia to find work in the region, either in construction itself or in associated sectors (brick making, transport of building materials, etc.) "They come with their children, most of whom are also employed in construction, explains Thol Norm, head of the CUF (2) in the Siem Reap province. One of the reasons for this is the parents' lack of education. They have rarely received any education themselves and do not see the use of going to school. Migrant workers also tend to change jobs often, which reduces their children's chances of receiving a normal education, especially given that the schools are often far from where they work."

In 2006, the CUF, backed by the ILO's International Programme on the Elimination of Child Labour (IPEC), embarked on a campaign to raise awareness about the use of child labour by construction firms in the province of Siem Reap. "We contacted the companies to check out the possibility of setting up trade unions and raising parents'

awareness about child labour, explains Thol Norm. We organised small workshops about the dangers of such work, one of the worst forms of child labour: cuts, injuries, ... We asked the parents why their children didn't go to school. A frequent response was that they couldn't afford the school supplies. Our project helps by providing them with some school materials, and the WFP (3) offers breakfast to children who go to school. IPEC has also helped the authorities to build four teaching establishments to bring former child labourers up to the level needed to join regular school. Teachers from the region volunteer to come and teach in these centres in return for the payment of their travel expenses."

Gaining trust and establishing a dialogue

Thol Norm admits that the early stages were difficult: "When we first make contact with them, both the parents and children are very wary; some are even afraid and refuse to talk to us. So our teams go back to their workplaces every day, sometimes with small gifts (such as sweets), to gain their trust. Little by little, a dialogue is established. Since the start of the project, on 1 July 2006, we have managed to convince 150 children to leave work in the construction

sector and go to school. We could have convinced more, but were limited by our budget.”

Given that employers' cooperation is vital to the success of this type of project, the CUF avoids asking that they be sanctioned, even though they are exploiting children. *“Once we have raised their awareness, it seems that the employers we contact soon realise it's unacceptable to make children work. Some have even included a clause in their employment contracts stating that the people they hire must enrol their children in school,”* underlines Thol Norm.

Another CUF project backed by IPEC is producing good results in the fight against child labour. The project is targeted at the salt works and fisheries in the provinces of Kampot and Kep. Like in Siem Reap, the driving force of the project is dialogue and the conviction of the trade union activists. *“We have members in the salt works and fisheries, but some of them were not conscious of the issues surrounding child labour, and many expected the children to work with them,”* admits Kom Soy Samon, the head of the CUF in these two provinces. *This is very dangerous work for children. In the salt works, for example, they have to use heavy tools and carry large blocks of salt, ... An adult worker earns about \$1.50 a day, and the children between 70 cents and a dollar. We try to make the parents understand that if they send their children to school, they will lose this income for a few years but at the end of the day the children will be*

able to earn much more, because they'll be better educated, and the whole family will benefit. We have to establish a dialogue and talk to them at length if we want to convince them, because many have never been to school themselves, and see no other future for their children than doing the same kind of job as they do, a job that doesn't really require any schooling.”

According to the CUF's estimates, the project has saved 269 children from working in these sectors. Some parents need a financial incentive to convince them. *“Our project offers the poorest families \$50, on condition that they use the money to fund an income generating activity (the purchase of fishing lines, opening of a shop, etc.),* explains Kom Soy Samon. *We also asked our members to find a small space in the village where the children could be given catch-up classes if they haven't been to school for a long time. Three of our local members have enough of an educational background to be able to give the children these classes. We sent them for teacher training and they now spend their free time giving catch-up classes in exchange for a small salary (\$30 a month) to supplement their normal income. In the case of older children, it's difficult for them to integrate within a traditional primary school but, with the support of IPEC, we are able to help them prepare for occupational training courses in government-run centres.”*

(1) Ministry of Tourism statistics
(2) Cambodia Union Federation
(3) World Food Programme of the UN

→ S.G.



Fighting the prejudice against women trade unionists

Cambodia's women workers show little confidence in other women when electing trade union leaders. Six federations are working to overturn this paradox.

Over 90% of the workers in Cambodia's garment factories are women. It is they who form most of the company unions in the sector, and yet women remain very few and far between in the unions' leadership structures, even at company level. To overturn this paradox, as well as to provide women workers with a forum to discuss the problems specific to them, six trade union federations (1) have come together to form the Cambodia Women's Movement Organization (CWMO).

"One of the main reasons behind the under-representation of women in leadership structures is the fact that the women themselves don't support each other, underlines Chorn Sokha, a CWMO liaison officer. They have no confidence in women as trade union leaders. Some women have everything it takes to become a good leader, but the idea that a woman's place is in the home still dominates Cambodian society. The women themselves think that if they vote for a female trade union leader and she gets married or falls pregnant, she'll drop her union position, so it's better to vote for a man."

Backed by ACILS (2) and ILO-Actrav, the CMWO is fighting these prejudices by distributing information about the role of women in trade unions. The idea is to convince workers of the need for female leaders so they can tackle the abuses specific to women more effectively. *"It would seem that the most serious forms of abuse are rare, says Chorn Sokha. Recently, nonetheless, a worker at the ASD garment company was accused of having stolen something from the factory. The security guards took her to a separate room and forced her to strip to prove that she hadn't taken anything. We want to help women to denounce such practices, to give them training about sensitive issues such as sexual harassment and explain to them as of when a certain type of conduct can be considered harassment. We live in a very conservative society and women dare not speak out against the numerous cases of fondling, for example. We also have to raise awareness among male trade union leaders, because they often fail to take reports of fondling seriously if the abuse does not go any further."*

The female members of the different federations brought together within the CMWO also want to break the taboo surrounding the abuse suffered by women workers on their way home, late in the evening, after a long day's work. *"Women workers are not safe when they go home at night. A worker from the Bright Sky factory, for example, was assaulted and raped by a group of strangers shortly after receiving threats from a factory manager regarding her trade union activities. We only get to know about a small minority of the rapes that take place because Cambodian women are reticent to talk about such things for fear about their future and their reputation."*

(1) Cambodian Federation of Independent Trade Unions (CFITU); Cambodian Labour Union Federation (CLUF); Cambodian Tourism and Service Workers Federation (CTSWF); Democratic Independent Solidarity Union Federation (DISUF); National Independent Federation Textile Union of Cambodia (NIFTUC); Cambodian Construction Trade Union Federation.

(2) Cambodia Women's Movement Organization

(3) American Center for International Labor Solidarity

Publisher responsible in law:
Guy Ryder, General Secretary

ITUC

5 Bld du Roi Albert II, Bte 1, 1210-Brussels, Belgium
Tel: +32 2 2240211, Fax: +32 2 2015815
E-Mail: press@ituc-csi.org • Web Site: <http://www.ituc-csi.org>

Report: Samuel Grumiau

Photos: Boris Budin & Samuel Grumiau

Editor in Chief: Natacha David

Layout: Vicente Cepedal

→ Boris Naudin

