

# BWI Resolutions

Adopted by BWI World Congress in Durban South Africa  
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## 06. Restore the Rights to Freedom of Association in Cambodia

Submitted by: **BWTUC Cambodia**

**Alarmed by** the passage of Trade Union Law in Cambodia and its associated regulation (prakas) and annexes that pose an imminent danger of diminishing rights to freedom of association and collective bargaining in Cambodia.

**Noting that** the law contains articles that categorically endanger the existence of independent trade unions in Cambodia by restricting the rights of trade unions to conduct collective bargaining, represent their members in collective labor disputes and arbitrarily allowing relevant parties, employers association and courts to interfere in trade union affairs, including dissolving the trade union. The regulation process stipulated in the Act applies only to enterprise workers in the formal sector, creating barriers to organizing contracted and sub-contracted construction workers as union members.

**Stressing that** the law serves as a political device of the ruling party to maintain its grip on control by dispossessing citizens of their civil and political rights. This is strongly reflected by Article 20, which prohibits workers with criminal convictions occupying union leadership positions, restricting many workers who have taken strike action deemed illegal.

**Calls upon** the Cambodian Government to suspend the enforcement of the Trade Union Law while pursuing further consultation with all trade unions in Cambodia.

**Strongly urge** the Cambodian Government to implement the recommendations of the 2016 ILO Direct Mission, underpinned by the hearing and dialogue with trade unions, to create an intimidation-free and violence-free climate for all workers – including informal workers and civil servants – to exercise their rights to freedom of association. The Cambodian Government must restore fair industrial relations by protecting the rights of all unions to represent their members in dispute resolution and collective bargaining.

**Strongly demand** the Cambodian Government to drop all criminal charges against trade union leaders exercising their legitimate rights to assembly demanding better working condition.



**Therefore it is resolved** that the BWI will continue to promote freedom of association, assembly and expression in Cambodia, in conjunction with the principle of the trade union as a pillar of society striving toward a democratic country that protects the human rights of its citizen including their political rights to freedom of association and assembly.

SIGNATURE:



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