

STATEMENT

The Garment Manufacturers Association in Cambodia (GMAC) condemns the **Khmer Union Federation of Workers Spirit** led by Mr. Mom Siek for organizing a strike against the procedure of the Labour Law, blocking public roads and instigating a protest that led to violence and destruction of property of Jiun Ye Garment (Cambodia) Co.,Ltd on 20 August 2014. Meanwhile, GMAC also condemns the **other 8 union federations** that led a strike against the legal procedure and blocked the factory gate of FWKK (Cambodia) Limited on 21 August 2014.

GMAC would also like to emphasize that **the union federation of Mom Siek and all the other 8 union federations mentioned above have no legal registration in the respective factories**. This group and their accomplices blocked the factory gate with the use of threat to prevent workers from entering the factory to work. This is a violation of the right of the majority of workers who did not want to join the strike (*Article 331 of the Labour Law*). In addition, most of the requests made by these union federations are demands for better benefits above the law and some other points are what the companies have already duly practiced. Under the law, only the union with the most representative status in the enterprise has the right to ask the employer to negotiate better benefits above the law. (*Article 96 of the Labour Law and Prakas 305*)

The union federation of Mr. Mom Siek and his accomplices provoked a violent protest at Jiun Ye factory, leading to the damage of factory property such as glass door of the office and some other equipments. Article 410 of the Criminal Code stipulates that intentionally destroying, defacing or damaging property belonging to another person shall be punishable by imprisonment from six months to two years and a fine from one million to four million Riels, except where only minor damage has ensued. This offence defined in Article 410 (intentionally causing damage) shall be punishable by imprisonment from two to five years and a fine from four million to ten million Riels if it is committed by several persons acting as perpetrators, co-perpetrators, instigators or accomplices;

GMAC would like to request the authorities and the Royal Government to uphold the spirit of the implementation of the law and punish the perpetrators as Cambodia is a country with the rule of law. The implementation of the law, therefore, is a priority for this country so that the investors have confidence when investing in the country depends on predictability and sustainability of the business as well as the enforcement of the law.

Vietnam is in the final stages of its Free Trade Agreement negotiations with the European Union as well as the Trans-Pacific Partnership agreement with the United States of America. When these agreements are signed, any advantages that Cambodia might enjoy currently will disappear and this will surely affect our competitiveness greatly! We urge all stakeholders to act responsibly to ensure the continued employment of more than 650,000 workers in the garment and footwear industry in Cambodia.

Phnom Penh, 23 August 2014
Secretariat

