Samdech Akka Moha Sena Padey Techo Hun Sen
Prime Minister of the Kingdom of Cambodia
Cabinet of the Prime Minister, Council of Ministers
Phnom Penh, Kingdom of Cambodia

17 January 2014

Dear Samdech Akka Moha Sena Padey Techo Hun Sen, Prime Minister of Cambodia,

We, the undersigned global brands and global unions, write to communicate to you our grave concern at the killing and wounding of workers and bystanders by security forces on 2 and 3 January 2014.

The use of deadly force against protesting workers will not result in long-term industrial peace and jeopardizes Cambodia's position as a stable sourcing location for international brands. We strongly support the United Nation's request that the Royal Government of Cambodia launch a prompt and thorough investigation into the events of 2 and 3 January 2014. The investigation should ensure full accountability of any members of security forces found to have used disproportionate and excessive force and to take measures to prevent the repetition of such acts.

We urge the Government to immediately engage employers and unions to negotiate a resolution to this crisis and to lay the foundation for credible and regular dialogue between workers, employers and government.

A constructive path forward for the industry must address issues that have been the root cause of current and past conflicts as follows:

1. **Rights of detainees**. The government must respect the rights of the 23 detained trade union leaders and workers as detailed by the U.N.'s Office of the High Commissioner for Human Rights. Failure to take such actions constitutes serious interference with civil rights in general and trade union rights in particular.

2. **Respect for the right to freedom of association**. Legal action against organizations for their legitimate union activity violates ILO Convention 87, Protection of the Right to Organize, which Cambodia has ratified. It states that "no one should be deprived of their freedom or be subject to penal sanctions for the mere fact of organizing or participating in a peaceful strike." International law sets strict parameters for the respect of trade union rights and the Government must be in compliance with these. Violence and destruction of property are not legitimate tools of industrial action, and punitive measures should be taken against the individuals who commit those acts. However, legal action against unions participating in the wage strike violates this core labour rights standard, and is counterproductive to re-establishing social dialogue in the garment industry.

3. **Trade union law**. The introduction of a legal framework that is consistent with ILO Conventions 87 and 98 as the foundation for effective industrial relations is long overdue. We urge the

government to re-start an inclusive process that clarifies the legal responsibilities of both employers and workers to contribute to good industrial relations.

4. **New wage-setting process**. The government needs to honor previous commitments to institute a methodologically sound and inclusive process for determining the minimum wage. This new process should find prompt agreement on a new minimum wage and include a regular review mechanism to underpin more stable industrial relations.

The Government should accept technical assistance from the ILO to establish an effective wage-setting mechanism and to develop and implement a trade union law.

The global garment industry is changing rapidly, and industrial peace is required to rebuild our confidence in the Cambodian garment industry.

We respectfully request that Samdech meet with senior representatives of the undersigned in the week of 3 February 2014 to discuss how we can help you achieve the above-mentioned goals.

Please accept, Samdech, the assurance of our highest consideration.

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Global Director, Social and Environmental Affairs
Adidas Group

Andrew Moore,
Chief Merchandising Officer
Asda

Helga Ying
VP, External Engagement & Social Responsibility
American Eagle Outfitters, Inc.

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