



## **FINAL REPORT**

**On**

**Need Assessment**

**“Decent Work Conditions for Workers in Rubber and Banana  
Plantation in Cambodia”**

**Funded by European Union**

**20<sup>st</sup> November 2024**

## ACKNOWLEDGEMENT

For this study on the assessment need called “Decent Work Conditions for Workers in Rubber and Banana Plantations in Cambodia” project, numerous individuals from diverse institutions have made significant contributions to collect both primary and secondary data and analyzing them to derive valid results for the future of the project intervention.

In this regard, we would like to extend our sincere appreciation to the project partners and European Commission in Cambodia granting us the opportunity to conduct this need assessment study. We value your time, openness, and the insightful input provided in the inception report and tool/questionnaire guides for the study.

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## LIST OF ACRONYMS AND ABBREVIATIONS

RCG	Royal Cambodian Government
ILO	International Labour Organization
BHR	Business and Human Rights
UNGPs	United Nation Guiding Principles
LSCW	Legal Support for Children and Women
WW	WeWorld
ADHOC	The Cambodian Human Rights and Development Association
HHS	Household Survey
WB	World Bank
ADB	Asian Development Bank
NSP	National Social Protection Framework
FAO	World Food and Agriculture
NIS	National Institute of Statistics
UNICEF	United Nations International Children Emergency Fund
UN	United Nations
MOP	Ministry of Planning
UNDP	United Nations Development Programmed
MAFF	Ministry of Agriculture, Forestry and Fisheries

# EXECUTIVE SUMMARY

## PROJECT OVERVIEW

The rubber and banana industries are integral to Cambodia's economy, employing thousands of workers, many of whom are women and informal laborers. Despite their economic importance, these sectors are plagued by labor exploitation, inadequate wages, poor working conditions, and a lack of social protection. Conducted by the Cambodian Human Rights and Development Association (ADHOC) in collaboration with various partners, this study aims to assess these challenges and propose actionable recommendations to improve labor conditions.

## Key Findings

**About the Study:** The proposed total sample size of the study is appropriately **100** participants (**60% females at least**) while aiming at 50%-50% of both Banana and Rubber sector. However, for the actual met they study has reached 103 (female=53) aggregated by 75% rubber plantation and 25% banana plantation.

**Economic Dependency and Poor Working Conditions** The study found that 77% of the total (n=103) workers have been in their roles for 1-5 years, indicating their reliance on these jobs for immediate financial well-being. Workers are economically dependent on their employers for not only income but also essential needs such as housing and food. This dependency limits their ability to assert their rights or seek alternative employment. Many workers endure long hours under harsh conditions, with 41% working 9-11 hours per day, and a significant portion of them lacking adequate safety equipment.

**Informal Employment and Vulnerability:** A substantial portion of the workforce operates without formal contracts, leaving them vulnerable to exploitation and denying them access to social protections such as health insurance and pensions. The lack of formalization means workers are often unaware of their rights, and fear of retaliation discourages them from speaking out against abuses. Only 31% of workers feel comfortable reporting unsafe conditions, reflecting a significant gap in the enforcement of workplace safety regulations.

**Child Labor and Forced Labor:** The study highlights the persistence of child labor in these sectors, driven by economic pressures that compel families to involve their children in labor. This practice deprives children of education and perpetuates cycles of poverty. Forced labor practices, particularly linked to debt bondage, remain a critical issue, with workers subjected to harsh conditions and limited freedom.

**Social Protection Gaps:** The study revealed that 70% of workers of the total respondents (n=103) are not registered for social security benefits, leaving them without essential safety nets. This absence exacerbates their financial instability, forcing them to work through illness or injury, which diminishes their health and productivity. Furthermore, 43% of workers expressed fear of job loss, pay cuts, or eviction from employer-provided housing if they reported unsafe conditions or asserted their rights.

**Lack of Awareness and Unionization:** A significant proportion of workers are unaware of labor rights or the existence of trade unions. The study found that 46% of workers had never heard of trade unions, and even when aware, many are hesitant to join due to fears of retaliation. This lack of knowledge and confidence in collective bargaining leaves workers without the support they need to advocate for better conditions.

## POLICY AND LEGAL FRAMEWORK GAP

Cambodia has a strong legal framework to protect workers' rights, including the Cambodian Labor Law and National Social Protection Policy Framework, supported by increased inspections and international collaborations. However, enforcement remains inadequate, especially in the rubber and banana industries where informal employment is common, leaving workers vulnerable to exploitation. Gender protections are insufficient, and issues like wage disparities, low wages, and child labor persist. Comparative analysis with neighboring countries highlights opportunities for Cambodia to strengthen protections against discrimination, improve child labor laws, advance women's rights, and revise wage standards to promote fairer working conditions.

### KEY TAKEAWAYS FROM LEGAL FRAMEWORK COMPARATIVE ANALYSIS

- **Enhanced Protection Against Discrimination and Harassment:** Cambodia should adopt detailed provisions like those in Thailand and Vietnam to explicitly prohibit discrimination and harassment, offering clearer protections for vulnerable groups to better safeguard workers in these industries.
- **Stricter Child Labor Regulations:** Cambodia can strengthen its child labor laws by adopting detailed protections from Laos and Vietnam, ensuring that minors in the rubber and banana industries are shielded from hazardous work and their education is prioritized.
- **Improved Women's Rights Protections:** Cambodia could enhance maternity protections and limit hazardous work for pregnant women by following the models in Thailand and Vietnam, improving the safety and health of female workers.
- **Strengthening Overtime and Holiday Pay Regulations:** Cambodia could adopt tiered overtime pay rates like those in Laos and Vietnam, ensuring fair compensation for night, weekend, or holiday work, and promoting better work-life balance.

## RECOMMENDATIONS

### To the Royal Cambodian Government

1. **Strengthen Labor Law Enforcement:** Increase funding and resources for regular inspections, particularly in the rubber and banana industries. Establish mobile units for rural areas and impose strict penalties for violations.
2. **Expand Labor Rights Education:** Mandate comprehensive labor rights training, integrating it into onboarding and continuous education, especially for vulnerable sectors like agriculture.
3. **Improve Social Protection for Informal Workers:** Extend social protection to informal workers, including health insurance and housing support, reducing dependency on employers.
4. **Enhance Gender Protections:** Implement stronger legal protections for women, address gender-based violence, and ensure equal pay and career advancement opportunities.
5. **Strengthen Labor Inspections:** Increase the number of trained inspectors and ensure regular, comprehensive inspections covering safety, wages, and worker treatment.

### **To Non-Governmental Organizations**

1. **Enhance Worker Education Campaigns:** Develop targeted education campaigns on labor rights, focusing on vulnerable sectors and partnering with local entities to ensure broad reach.
2. **Strengthen Legal Aid Services:** Expand legal assistance programs for affordable representation and advocacy, particularly for informal workers.
3. **Advocate for Policy Reforms:** Push for stronger enforcement of labor laws and advocate for new policies to protect vulnerable workers.
4. **Conduct Research and Monitoring:** Invest in ongoing research and monitoring to inform advocacy, guide program development, and hold employers accountable.

### **To Project Partners/Project Operational Framework**

1. **Integrate Labor Rights Training:** Ensure mandatory labor rights training in all project operations, particularly in vulnerable sectors like rubber and banana plantations.
2. **Foster Local Collaboration:** Engage with local communities and unions to ensure workers' voices are heard and integrated into project planning and implementation.
3. **Ensure Transparent Communication:** Establish clear communication channels for reporting concerns and regularly publish reports on labor conditions and project progress.

### **For Collaboration and Partnership Engagement**

1. **Establish Multi-Stakeholder Platforms:** Create platforms for government, NGOs, unions, and employers to coordinate on improving working conditions.
2. **Strengthen Community Partnerships:** Engage local communities as active partners to ensure interventions are relevant and effective.
3. **Leverage International Resources:** Partner with international organizations for additional resources, expertise, and best practices.
4. **Promote Cross-Sector Partnerships:** Encourage collaborations between public, private, and civil society sectors to develop sustainable labor solutions.
5. **Enhance Communication:** Establish clear communication channels for transparency, regular updates, and maintaining partner commitment.

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## I. Project Partners Background

- **The Cambodian Human Rights and Development Association (ADHOC)** is an independent, non-partisan, non-profit, and non-governmental human rights organization based and active in Cambodia since 1991. In line with its mandate, ADHOC focuses on protecting and promoting human rights, land rights, and women's and children's rights through advocacy actions, community empowerment, and legal aid services for victims. It currently has 86 employees, of which 28 are women. Staff members' academic backgrounds and professional experiences are diverse, including program officers, project officers, M&E officers, technical advisors, and finance specialists. Staff members work in 18 offices across Cambodia.
- **Legal Support for Children and Women (LSCW)** is a non-governmental organization legally registered with the Ministry of Interior of Cambodia since 2002. Over the past 22 years, LSCW has worked to promote Cambodian migrant workers' rights and labor rights through community empowerment, increase access to justice and remedies., LSCW also works to amplify the voices of migrant workers and trafficked persons through a peaceful policy dialogue process with local, provincial, national, and regional authorities. LSCW currently is part of the Government Working Group for the implementation of the MOU between Cambodia and Thailand to combat human trafficking, the National Committee to Counter Trafficking, and regional networks (e.g., Global Alliance Against Trafficking in Women, Migration Forum in Asia, Lawyer Beyond the Borders, and Mekong Migration Network).
- **WeWorld (WW) is an independent Italian organization active in 25 countries**, including Italy, focused on projects concerning Development Cooperation and Humanitarian Aid to guarantee the rights of the most vulnerable communities, especially women and children. WeWorld has been active in Cambodia since 2009 in the areas of human rights, migration, education, and child protection. The activities in Cambodia, carried out in collaboration with local partners, are focused on two main themes a) promoting human rights to prevent unsafe labour migration, protect the labour rights of Cambodian migrants, and reduce their vulnerability to exploitation and trafficking, and b) support primary education and child protection to ensure basic access to education and reduce dropout among vulnerable children. Over the past ten years, WeWorld Cambodia has supported the Cambodian civil society through projects focused on the implementation of the right to work. WeWorld Cambodia has been collaborating with LSCW since 2015, managing projects financed by the EU and BMZ in Cambodia and Thailand, strengthening and supporting civil society organizations, and implementing the rights of workers and migrants.

## II. PROJECT BACKGROUND

### 2.1. Project Introduction

The informal economy in Cambodia is a significant part of the country's labor force, with 88.3% of workers engaged in informal employment<sup>1</sup>. A substantial portion of these workers, more than one-third, engage in agriculture, particularly in rubber and banana plantations. Women make up approximately 47.3% of these informal agricultural workers, who often endure exploitative conditions, including low wages, insufficient protective equipment, excessive working hours, and a lack of social security protections<sup>2</sup>. Over the past decade, the Royal Government of Cambodia has made considerable efforts to improve working conditions across various sectors, including garment and textile manufacturing, agriculture, and construction. These initiatives have led to enhanced living standards, improved livelihoods, increased income generation, and better social protections for workers<sup>3</sup>. Despite these advancements, significant challenges persist for workers in rubber and banana plantations.

The rubber and banana industries (including the plantation) are critical to Cambodia's economy, particularly in provinces like Kampong Thom, Kampong Cham, Tboung Khmom, and Mondulkiri. These industries provide vital employment opportunities but also expose workers to severe risks and exploitation. Human rights violations in these sectors are rampant, including issues related to human trafficking, child labor, forced labor, and gender inequality<sup>4</sup>. In these regards, The Cambodian Human Rights and Development Association (ADHOC), and together with its partners, supported by the European Commission, is leading efforts to address these issues under the project called “Decent Work Conditions for Workers in Rubber and Banana Plantation,” implementing in four provinces including Kampong Cham, Kampong Thom, Tboung Khmom, and Mondulkiri.

The project's primary objectives are to promote decent work conditions and enhance the protection of labor rights for plantation workers. This initiative aligns with Cambodia's national policies and international labor standards, focusing on improving legal frameworks, raising awareness among businesses, and empowering workers and civil society organizations<sup>5</sup>. The initiative focuses on improving working conditions in the rubber and banana industries through a collaborative, multilevel approach. This project integrates the United Nations Guiding Principles on Business and Human Rights (UNGPs) and aims to strengthen existing legal frameworks, such as Cambodia's Labor Law and the International Labour Organization's Guidelines on Decent Work. These measures are crucial for making Cambodia's legal framework more effective and accessible to both enterprises and workers in these sectors<sup>6</sup>. Especially, this project is focused on improving labour standard for Cambodian workers for the decent work conditions which is including the occupational safety and health (OSH)<sup>7</sup>.

### 2.2. Background of the Need Assessment Study

The purpose is to develop targeted interventions, such as capacity-building programs, to enhance both the quality of employment and the overall working environment as well as the report to the donors and relevant stakeholders. This will contribute to sustainable development within Cambodia's agricultural sector by promoting fair labor practices and improving the livelihoods of

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<sup>1</sup> ILO, “Workers in the Cambodian Informal Economy,” 2024.

<sup>2</sup> ILO, “Workers in the Cambodian Informal Economy: Insights into Labour Statistics from the 2019 LFS.”

<sup>3</sup> Development Bank, “2022 Development Effectiveness Review.”

<sup>4</sup> Tith Kongnov, “UNICEF Cambodia Concerned over Child Labour Situation - Khmer Times.”

<sup>5</sup> ILO, Violence and Harassment in the World of Work a Guide on Convention No. 190 and Recommendation No. 206.

<sup>6</sup> UNDP, “Understanding the Paths to Formalization in Cambodia: An Integrated Vision.”

<sup>7</sup> World Bank, “Post-Covid-19 Economic Recovery.”

workers and their communities. For the Scope of the need assessment study, the initial intention was to look at the current situation of the workers in rubber and banana plantations that guided by below objectives.

- Evaluate the existing working conditions in rubber and banana plantations, including wages, hours, occupational safety and health (OSH), legal compliance such as employment contracts, and access to social protections.
- Assess the specific challenges faced by workers, particularly women and marginalized groups in these sectors.
- Determine the skills and knowledge gaps among plantation workers, community-based organizations, trade unions, and labor rights defenders
- Identify the training and resources required to empower these groups to advocate for better working conditions and labor rights.

## 2.3. Methodology of the Study

### 2.3.1. Theoretical Framework

This study is built on three important sets of guidelines and principles that together provide a strong foundation for understanding and improving working conditions in Cambodia's rubber and banana plantations. These are the International Labour Organization's (ILO) guidelines on Decent Work<sup>8</sup>, the United Nations Guiding Principles on Business and Human Rights (UNGP)<sup>9</sup>, and Cambodia's own laws and regulations<sup>10</sup>.

#### 1. International Labour Organization (ILO) Guidelines on Decent Work<sup>11</sup>:

- The ILO's concept of Decent Work is about ensuring that everyone has access to jobs that are not only productive but also fair, safe, and dignified. The framework emphasizes creating jobs, ensuring rights at work, providing social protection, and encouraging social dialogue between workers and employers.
- In this study, we use the Decent Work guidelines as a benchmark to evaluate the current employment conditions in the plantations. The idea is that decent work is not just about economic development, but about human dignity and fairness.

#### 2. United Nations Guiding Principles on Business and Human Rights (UNGP)<sup>12</sup>:

- The UNGP sets out global standards for businesses to respect human rights, emphasizing the responsibility of both governments and companies to protect and respect these rights, and to ensure that victims of abuses have access to justice.
- This framework helps us assess how well businesses in Cambodia's rubber and banana plantations are upholding these human rights. We look at whether companies are respecting the rights of their workers and what steps they are taking to prevent and address any violations.

#### 3. Cambodia's Rule of Law and Regulations:

- Cambodia's legal system, including its labor laws and how they are enforced, forms the third pillar of our framework. Understanding the local legal context is crucial

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<sup>8</sup> ILO, Decent Work Indicators Guidelines for Producers and Users of Statistical and Legal Framework Indicators ILO Manual Second Version.

<sup>9</sup> UNHCR High Commissioner, "The Corporate Responsibility to Respect Human Rights an Interpretive Guide."

<sup>10</sup> "Cambodian Law On Labour."

<sup>11</sup> ILO, "Decent Work Country Programme."

<sup>12</sup> United Nations Working Group, "The Un Working Group on Business and Human Rights."

because it sets the rules for how workers should be treated and what protections they are entitled to. The study analyzed how well these laws align with international standards and identified any gaps that need to be addressed to improve working conditions.

### 2.3.2. Conceptual Framework

The conceptual framework takes these theoretical foundations and turns them into a practical approach for assessing and improving working conditions. It does this by combining key ideas from each of the guidelines:

1. **Decent Work Standards:** We take the core ideas from the ILO's Decent Work guidelines such as fair wages, safe working environments, job security, and social protection—and use them to measure what's happening on the ground in the plantations.
2. **Legal Compliance and Enforcement:** By examining Cambodia's labor laws, we will assess whether companies are following these rules and whether the laws themselves are strong enough to protect workers.
3. **Interrelationships and Synergy:** We also explore how these three areas Decent Work, Human Rights, and Legal Compliance interact with each other. For example, improving legal compliance might also lead to better respect for human rights, creating a positive cycle of improvement.

### 2.3.3. Approaches for Data Collection

The main approaches for data collection are ***inclusive, gender-sensitive, culturally sensitive, participatory and rights-based approach***. Special attention is paid regarding the Code of Conduct, Safeguarding Policy, especially Child Safeguard, Child Protection and Conflict of Interest. Special attention is paid to capturing the perspectives of all community members including target groups, especially the indigenous communities, as such women, girls, men and boys, person with disabilities.

In this need assessment study, both **quantitative**<sup>13</sup> and **qualitative**<sup>14</sup> data/information will be collected through the mixed method, gathered from different range of participants with 100 samples: 50% of which were females' workers.

- **Briefing session and discussion with PROJECT TEAM/project team:** work-plan formulation, design of research (target areas, target groups, sampling), questionnaires for the research or other form of data collection. Also, to identify key issues (success and challenges) to obtain overall views about the project intervention and role.
- **Desk review:** Existing reports, training reports, project reports, and literature of reviews that have been by experts and existing institutions.
- **Participative Mixed-method to Data Collection:**
  - **Rapid Survey:** This method will be used to examine the indicators/high quality of quantitative data from target beneficiaries/youth, students.

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<sup>13</sup> Progress measured in number and percentage against indicators of the project.

<sup>14</sup> Progress measured in narratives and quality against indicators of the project, including unexpected outcome/impact.

### 2.3.4. Data Collection Tools/Interview Guides

Survey matrix and methodology including questionnaire (cover the strategic interventions) will be developed by the consultant team under the discussion with project management and project team for all the designed tools/ questionnaire guide below:

- **Structured questionnaire** for the survey questionnaires. The survey conducted in-person by using real time computer-assisted personal interviewing (CAPI) tools – Kobo Collect App.

**Note:** *All the interviews conducted in Khmer, but the tools are first developed in English for consultation with management team and project team. After the draft tools in English is agreed upon, the team will translate into Khmer language and do the testing and modify the tools. There are at least 2 rounds of testing to finalize the tools.*

### 2.3.5. Data Collection Team

The data collection for the need assessments study was viewed as the most critical part of the entire study and for the future project interventions; likewise, it does not make sense to have unqualified staff to conduct a survey as since the data collected will be questionable reliability. In this context, the accuracy of the data collected will be entitled to receive properly train survey team, for example correct interpretation from technical term of questionnaire into simple language for respondents. Survey teams with varying amounts of skill and expertise will require some training and instruction on local conditions. Data collectors who are completely inexperienced will require a minimum of 8-12 hours of training, while training of experienced personnel is normally completed after 3-4 hours of instruction.

### 2.3.6. Quality of Data Control

There were a number of challenges that are associated with this method of data collection. The more opportunities the data collector has to write down information, the more opportunity there is for error. The collectors may have poor handwriting or may record information in the wrong survey box or missing an important part of the question. To improve accurate analysis, making much of the survey data usable.

- The study mobilized professional staff or guided team members. One to two hours of guiding is recommended, depending on skill level.
- Data checked daily and kept in the field for each study site among team members. When found missing information, the interviewer will go to meet the respondents again to check the missing information.
- At least two attempts will be made to reduce error from an interview (a) self-check by individual interviewer (i.e. during the interview, interviewers are individually examined) and (b) data quality controller or team leader to double check completed questionnaire (following full days of data collection and a few field checks).

### 2.3.7. Data Analysis Approaches

These completed survey questionnaires were coded, and data entered a statistical software package together with checking for errors. The consultant team will use SPSS and/or Excel for data management and statistical analysis: descriptive and comparative. Also, cross tabs procedures were used to analyze data. The team analyzed the study based on triangulation of evidence from different data collection methods and both primary and secondary data sources.

The results of each data collection method were systematically cross-checked with the others to confirm the scope and reliability of the findings.

- The primary data was collected through field work including direct interviews and meetings with target groups. Prior to primary data collection, secondary data collection was done by inquiring management and project team to share their reports/studies/assessments and available sources.
- Also, the field research team had a de-brief session every day after one-day interviews is completed, and after each target work is completed with lead institution. The team then had discussion and verification of the main issues in each village, combined to be the one consolidated report by also highlighting significant difference amongst villages if any.
- After the primary data and secondary data have been collected by the team, those data will be cross-examined based on triangulation of evidence from different data collection methods.
- A summary of findings was written based on the interpretations and analysis of the data. This method will be applied as it is a participatory and systematic way of analysing data.
- Then, a first draft report is made and submitted to the management and project team for verification and validation as a form of internal meeting. In the meeting, comments and feedback was provided by the participants and those will be in cooperated into the final report.
- Throughout the process, the team closely worked with the management and project team by updating the progress and sharing any concerns that are identified in the process.

### **2.3.8. Ethical Considerations**

Throughout the baseline study process, the team strictly follows and respects any type of Child Protection Policy, Safeguards and Code of Conduct of project partners which prevents harassment, sexual exploitation, and abuse; safeguards the rights of beneficiaries the community members (especially children).

- The team operated on principles that are in line with the vision, mission and values and standard of project partners of project and follow its standards when interacting with vulnerable people. Special attention was paid to conducting the survey elements following do-no-harm-principles and the principle of no-one-left behind (such as very poor people in the community, vulnerable women, women headed family, women with disabilities and women experiencing violence or other ethnic female group/nationality) was always kept in mind amongst the consultant team members.
- A research team set up an emergency reporting line so whatever problem that the team encounters during the study can be immediately reported to the lead research manager and then to project management to act.
- All information and data were kept confidential within the team and no information from this research will be disclosed to the other parties to respect project partners and media policies.

## 2.4. Geographical Coverage and Sampling

### 2.4.1. Target Area

The study focuses on Kampong Thom, Kampong Cham, Tboung Khmom, and Mondulhiri because these areas play a vital role in Cambodia's rubber and banana industries. By looking at these regions, the study aims to get a clear picture of the working conditions where these crops are grown.

These provinces were chosen because they represent a mix of different situations. Some areas, like Kampong Cham and Tboung Khmom, are more developed, while Mondulhiri is more remote and less regulated. This diversity helps the study understand how different factors, like access to resources and the enforcement of laws, affect workers' lives.

### 2.4.2. Target Respondents

For this study, a purposive sampling selection is used to identify respondents for eliciting the needed information for the study due to the difficulty of reaching number while dealing with time and budget constraints. The proposed total sample size of the study is appropriately **100 participants (60% females at least)** while aiming at 50%-50% of both Banana and Rubber sector. However, for the actual met they study has reached 103 (female=53) aggregated by 75% rubber plantation and 25% banana plantation.

### 2.4.3. Study Limitation and Constraints

This study faces several challenges that could impact its findings, largely due to time and budget constraints, as well as difficulties in reaching certain groups of workers. These limitations might affect how comprehensive the study can be and the extent to which its results can be generalized.

- During the desk review, it seems that limited relevant scholarly articles were found directly on the topic of the situation of workers in rubber and banana plantations within the given timeframe, likewise, the study would undertake the overall situation of the informality phenomenon through employing comparative review with other sectors and based on the direct observation during the feel study.
- The study has a specific timeframe to complete the study, which means it may not be able to gather as much data as we would like. This could result in a smaller sample size or less detailed information, potentially affecting the depth of our analysis.
- Many workers are in remote areas that are difficult to access due to long distances, poor road conditions, or lack of transportation. This limits the ability of the research team to conduct face-to-face interviews or site visits, leading to possible underrepresentation of these workers in the study.
- In many remote areas, there is little or no phone service, making it challenging to reach workers through phone interviews or to follow up with participants. This can result in gaps in data collection or difficulties in maintaining communication with respondents.
- Workers may fear negative consequences from participating in the study, such as retaliation from their employers or loss of their job. This fear can lead to reluctance to participate, refusal to answer certain questions, or providing responses that are not entirely truthful.

## III. REVIEW OF RELATED LITERATURE

### 3.1. Kingdom's Agricultural Economy Overview

Cambodia's economy relies heavily on agriculture, which significantly contributes to GDP, employment, and export revenues. About 31% of the labor force works in agriculture, making it a primary income source for rural households and crucial for poverty reduction and food security. Key agricultural products include rice, rubber, cassava, corn, and soybeans, with rice being the most critical<sup>15</sup>. In 2021, Cambodia produced 10.9 million metric tons of rice, exporting 5.7 million metric tons<sup>16</sup>. The fisheries sector contributes 8% to the agricultural GDP, and livestock farming comprises 15% of the output, also playing significant roles<sup>17</sup>. The sector faces challenges like climate change, limited infrastructure, and low adoption of modern farming techniques. Despite these, agriculture contributes 22% to Cambodia's GDP<sup>18</sup>; meanwhile, rice exports earned \$2.1 billion, and rubber exports generated \$482 million<sup>19</sup>. The rubber industry, with 436,000 hectares of plantations, produces 600,000 tons annually, exporting 80%, to China and Vietnam<sup>20</sup>. Investments in processing can improve export quality, but sustainability practices and land rights issues must be addressed. The banana industry is growing, with 375,000 tons of fresh bananas exported in 2021, generating \$400 million<sup>21</sup>. Favorable climate and soil conditions boost banana cultivation. Investments in packaging, transportation, and compliance with international standards are necessary to enhance market access<sup>22</sup>.

### 3.2. Kingdom's Informal Economy Overview

The informal economy in Cambodia plays a pivotal role in the country's socio-economic landscape, accounting for a sizable portion of employment and contributing to GDP. According to the ILO's Brief report in 2024, approximately 88.3% of Cambodia's workforce is engaged in informal employment, including sectors such as agriculture, construction, street vending, and small-scale manufacturing<sup>23</sup>. This widespread informality is primarily driven by the lack of formal job opportunities, especially in rural areas, and the need for income generation among low-income households<sup>24</sup>. Several studies have revealed the critical role of the informal sector in poverty alleviation and income generation. For instance, the informal economy acts as a safety net for many Cambodian families, providing them with the means to sustain their livelihoods in the absence of formal employment<sup>25</sup>. The sector is particularly important for women, who often engage in informal activities that allow for flexible working hours and the ability to balance work with family responsibilities<sup>26</sup>. However, the benefits of the informal economy are tempered by significant challenges. Workers in this sector typically lack access to social protection, such as health insurance, pensions, and unemployment benefits, making them vulnerable to economic

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<sup>15</sup> ADB, "Cambodia Agriculture, Natural Resources, and Rural Development Sector Assessment, Strategy, and Road Map."

<sup>16</sup> Development Bank, "Asian Development Outlook (ADO) July 2024: Steady Growth, Slowing Inflation."

<sup>17</sup> FAO, *World Food and Agriculture – Statistical Yearbook 2022*; Development Bank, "Asian Development Outlook (ADO) July 2024: Steady Growth, Slowing Inflation."

<sup>18</sup> Ibid.

<sup>19</sup> NIS, "Cambodia Agricultural Survey 2021 Statistical Release."

<sup>20</sup> Ibid.

<sup>21</sup> MAFF, "Strategic Development Plan for Cambodian Agro-Industries' 2019-2030."

<sup>22</sup> MAFF, "CAMBODIA'S AGRICULTURE INVESTMENT FRAMEWORK Hand-in-Hand Investment Forum."

<sup>23</sup> ILO, "Workers in the Cambodian Informal Economy: Insights into Labour Statistics from the 2019 LFS."

<sup>24</sup> United Nations Cambodia, "Gender Equality Deep-Dive for Cambodia: Common Country Analysis."

<sup>25</sup> ILO, "Workers in the Cambodian Informal Economy: Insights into Labour Statistics from the 2019 LFS."

<sup>26</sup> United Nations Cambodia, "Gender Equality Deep-Dive for Cambodia: Common Country Analysis"; FAO, "2010-11 THE STATE OF FOOD AND AGRICULTURE WOMEN IN AGRICULTURE Closing the Gender Gap for Development."

shocks and health crises<sup>27</sup>. Furthermore, the absence of formal labor contracts often results in poor working conditions, low wages, and limited job security<sup>28</sup>.

In response to these challenges, the Cambodian government has initiated efforts to extend social protection and formalize informal businesses. The National Social Protection Policy Framework 2016-2025 aims to broaden coverage for informal workers, providing them with essential services and protections<sup>29</sup>. Additionally, there are ongoing initiatives to improve labor regulations and create pathways for informal businesses to enter the formal economy, which could enhance access to finance, markets, and legal protections<sup>30</sup>.

### 3.3. Rubber and Banana Sector in Cambodia as an Informal Economy

#### 3.3.1. Rubber Sector

The rubber industry in Cambodia has deep roots dating back to the early 20th century during French colonial rule. However, it was not until the late 1990s and early 2000s that the industry saw significant expansion, driven by the rising global demand for rubber and the Cambodian government's efforts to diversify agriculture and boost economic growth<sup>31</sup>. The government has actively promoted rubber cultivation to increase export revenues and lessen dependence on rice production. Geographically, rubber plantations are located in the northeastern provinces of Kampong Cham, Kampong Thom, Mondulhiri, and Ratanakiri<sup>32</sup>. These areas provide the ideal climatic conditions and soil for rubber cultivation. As of 2020, Cambodia had over 400,000 hectares dedicated to rubber plantations, making it a significant agricultural export<sup>33</sup>. Rubber and banana plantations are integral to Cambodia's informal economy, providing livelihoods for many rural families.

The rubber sector, which spans approximately 436,000 hectares, produces around 600,000 tons annually, with about 80% of the production exported to major markets like China and Vietnam<sup>34</sup>. Many workers in the rubber sector are employed informally, often without formal contracts or access to social protection. This lack of formal employment leaves workers exposed to challenging working conditions, such as long hours and inadequate safety measures. Furthermore, they face financial instability due to fluctuating global rubber prices, which can significantly impact their income<sup>35</sup>. In these respective, smallholder farmers play a crucial role in Cambodia's rubber production, often relying on family labor to manage their plantations. However, these farmers face several challenges, including environmental degradation caused by deforestation and the intensive use of chemicals. Additionally, they encounter difficulties in accessing markets, often having to sell their products through intermediaries who reduce their profit margins. The reliance on middlemen also makes it challenging for these farmers to obtain fair prices for their rubber, further exacerbating their financial vulnerabilities<sup>36</sup>.

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<sup>27</sup> ILO, "Workers in the Cambodian Informal Economy: Insights into Labour Statistics from the 2019 LFS."

<sup>28</sup> Bronh, "The Challenges of Implementing Active Labour Market Policies In Cambodia: Technical Vocational Education And Training, And Public Employment Service."

<sup>29</sup> NSP, "National Social Protection Framework 2016-2025."

<sup>30</sup> Khmer Times, "Informal Sector Development Strategy Unveiled in Cambodia."

<sup>31</sup> ECOSOCC, "Rubber as an Economic Commodity."

<sup>32</sup> Schneider, "What Shall We Do without Our Land? Land Grabs and Resistance in Rural Cambodia."

<sup>33</sup> NIS and MAFF, "Cambodia Agricultural Survey 2020."

<sup>34</sup> Manoj Mathew, "Cambodia's Rubber Exports Rise by 123 Percent-Khmer Times."

<sup>35</sup> Bronh, "The Challenges of Implementing Active Labour Market Policies in Cambodia: Technical Vocational Education and Training, And Public Employment Service."

<sup>36</sup> ADB, "Cambodia Agriculture, Natural Resources, and Rural Development Sector Assessment, Strategy, and Road Map."

### 3.3.2. Banana Sector

The banana industry in Cambodia has experienced substantial growth in recent years, driven by investments from Chinese companies seeking a reliable supply of bananas. The industry is primarily concentrated in the provinces of Kampong Cham, Kampong Thom, and Tboung Khmum, which are known for their fertile soil and adequate water resources, making them ideal for banana cultivation<sup>37</sup>. Cambodia's banana exports have surged significantly, with the majority of the produce being exported to the Chinese market. In 2020, banana exports reached over 300,000 tones, generating substantial revenue for the country<sup>38</sup>. By 2021, these exports increased to 375,000 tones, bringing in \$400 million in revenue<sup>39</sup>. This rapid growth has made the banana industry a crucial component of Cambodia's agricultural sector, providing employment opportunities and contributing to rural development.

However, the banana sector, like the rubber industry, is deeply embedded in Cambodia's informal economy. Many laborers on banana plantations work without formal contracts or access to social benefits, leaving them vulnerable to exploitation and precarious working conditions. These workers often face low wages, limited job security, and unstable income, which makes it challenging for them to plan for the future or invest in their well-being<sup>40</sup>. Small-scale banana farmers, who typically rely on traditional farming methods, also encounter significant challenges that limit their income potential. These challenges include income volatility due to fluctuating market prices, adverse weather conditions, and the prevalence of crop diseases such as Panama disease. Furthermore, smallholder farmers often struggle to meet the stringent quality standards required for export markets, which restricts their ability to access more lucrative markets and maximize their earnings<sup>41</sup>.

## 3.4. Human Rights: Expansion of Rubber and Banana Industries

### 3.4.1 Land Acquisition and Its Impact on the Communities

The expansion of rubber and banana plantations in Cambodia has brought significant changes to the lives and livelihood of many local communities. As these industries grow, land that has been traditionally used by families and communities is often acquired for large-scale plantation development<sup>42</sup>. While this expansion is intended to boost economic growth, it sometimes occurs without thorough consultation with the people who live on and rely on these lands<sup>43</sup>. Indigenous communities, in particular, who have deep cultural and livelihood ties to their land, are often the most affected by these changes<sup>44</sup>.

Economic Land Concessions (ELCs) granted by the government to private companies are a key part of this process. These concessions allow companies to develop large plantations, which can contribute to economic progress. However, the way these concessions are granted and implemented can sometimes disrupt the lives of local communities. Families may be asked to leave their homes or give up land that they have farmed for generations, often receiving compensation that may not fully reflect the value of their loss<sup>45</sup>. For many of these communities, the land is more than just a place to live or work; it's a source of food, water, and connection to

<sup>37</sup> World Bank, "Post-Covid-19 Economic Recovery."

<sup>38</sup> FAO, "BANANA: Market Review 2021."

<sup>39</sup> MAFF, "Agriculture, Forestry and Fisheries Cambodia Inter-Censal Agriculture Survey 2019 (CIAS19) Final Report with Technical Support of with a Financial Support Of."

<sup>40</sup> ILO, "Workers in the Cambodian Informal Economy: Insights into Labour Statistics from the 2019 LFS."

<sup>41</sup> World Bank, "Overview: Development News, Research, Data."

<sup>42</sup> Natalie, "A Human Rights Impact Assessment Hoang Anh Gia Lai Economic Land Concessions in Ratanakiri, Cambodia Equitable Cambodia • Inclusive Development International."

<sup>43</sup> Khuon Narim, "Mondulkiri Bunong Community Protest Destruction of Rubber Trees by Environmental Rangers | CamboJA News."

<sup>44</sup> Global Witness, "Rubber Barons."

<sup>45</sup> Neef, Touch, and Chhengthong, "The Politics and Ethics of Land Concessions in Rural Cambodia."

their cultural heritage. When forests are cleared to make way for plantations, it's not just the trees that are lost, it's the herbs used in traditional medicine, the fruits gathered for food, and the spiritual sites that hold meaning for the community<sup>46</sup>.

### 3.4.2. Land Rights Issues

Post-war Cambodia has faced significant challenges in land ownership and land grabbing, issues that have roots in the country's tumultuous history and have been exacerbated by modern economic and political dynamics. The problem of land grabbing has deep roots in the country's recent history. Decades of war and the Khmer Rouge regime (1975–1979) left Cambodia with few records of who owned which land. During the Khmer Rouge period, private property was abolished, and land records were often destroyed (Biddulph, 2014). When peace returned, people came back to their homes, but with no clear proof of ownership, many were left in limbo. Attempts in the 1980s to rebuild Cambodia's land records led to an incomplete and confusing system, making it easy for powerful individuals to claim land that families and communities had lived on for generations<sup>47</sup>.

Cambodia's land laws were still developing, and there were few protections in place, especially for small farmers and Indigenous communities. These groups, who often managed land based on tradition rather than formal documentation, were at a disadvantage in a system that did not recognize their customary rights<sup>48</sup>. This left them vulnerable to losing their land to companies and politically connected elites who could take advantage of the system on the other hand, In Cambodia, weaknesses in law enforcement and land title management create significant challenges, especially for rural and Indigenous communities<sup>49</sup>. Often, these groups struggle to protect their land rights because law enforcement may prioritize big development projects, sometimes influenced by political or economic pressures. In rural areas, limited resources and prolonged delays in handling disputes further add to the difficulties, leaving these communities vulnerable<sup>50</sup>.

Economic land concessions (ELCs), where private companies are granted large areas for development, often result in forced evictions without compensation, disrupting lives and livelihoods. Additionally, Cambodia's slow progress in digitizing land records makes it harder to verify ownership and keep land management transparent, particularly in remote areas where people have limited access to legal help<sup>51</sup>. Unresolved land disputes create economic instability, as families often rely on their land for income and sustenance. Indigenous communities, in particular, risk losing not only their homes but also the cultural ties to their ancestral lands. Without secure land rights, sustainable development is difficult to achieve, as community-driven environmental efforts are hindered, and rural economies struggle to grow<sup>52</sup>.

### 3.4.3. Labour Exploitation and Poor Working Conditions

Labor exploitation is another significant concern in the rubber and banana industries. Workers, including a high percentage of women, often face exploitative conditions characterized by low wages, excessive working hours, and unsafe working environments<sup>53</sup>. The lack of protective

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<sup>46</sup> Schneider, "What Shall We Do without Our Land? Land Grabs and Resistance in Rural Cambodia."

<sup>47</sup> United Nations, "United Nations Declaration on the Rights of Indigenous Peoples United Nations."

<sup>48</sup> Baird, "Indigenous Peoples' and Land: Comparing Communal Land Titling and Its Implications in Cambodia and Laos."

<sup>49</sup> Bugalski and Pred, "Bridges Across Borders Cambodia | A Year in Review."

<sup>50</sup> Open Development Cambodia, "Land Tenure and Land Titling | Open Development Cambodia (ODC)."

<sup>51</sup> Jean Christophe et al., "Cambodian Smallholder Rubber Sector 2000-2021: Trajectories of Change"; Open Development Cambodia, "Land Tenure and Land Titling | Open Development Cambodia (ODC)."

<sup>52</sup> World Bank, "Cambodia: \$93 Million Project to Improve Land Tenure Security for Poor Farmers, Indigenous Communities."

<sup>53</sup> ILO, "Details of Indicators for Labour Exploitation INDICATORS OF DECEPTIVE RECRUITMENT."

equipment and inadequate health and safety measures expose workers to various risks, including injuries and exposure to harmful chemicals<sup>54</sup>. Most of the plantation workers are employed informally without proper contracts or social security benefits. This lack of formal employment makes it difficult for workers to assert their rights or seek redress for abuses<sup>55</sup>. Child labor was also reported in some plantations, further highlighting the severity of labor rights violations in these industries.

Child labor is another critical concern within these industries. Reports indicate that children are employed in some plantations, often working in dangerous conditions that can harm their physical and mental development<sup>56</sup>. These children are tasked with handling hazardous materials, carrying heavy loads, or working long hours, depriving them of their right to education and a safe childhood. The presence of child labor further underscores the severity of labor rights violations in these industries and indicate the urgent need for stronger enforcement of labor laws and regulations<sup>57</sup>.

The exploitation of workers in the rubber and banana industries also has broader social implications. The stress of working in such conditions can have a lasting impact on workers' health and well-being<sup>58</sup>, contributing to cycles of poverty and limiting opportunities for upward mobility<sup>59</sup>. Women workers, who often earn less than their male counterparts and bear additional responsibilities at home, face particularly stark challenges<sup>60</sup>.

## IV. REVIEW OF LEGAL FRAMEWORKS AND POLICIES

### 4.1. Key Relevant Legal Framework and Policies

- **The Constitution of the Kingdom of Cambodia:** The 1993 Constitution is Cambodia's supreme law, incorporating many principles of international human rights. It guarantees freedoms such as expression, assembly, and association, as well as the right to a fair trial. However, these constitutional rights are often undermined by other laws and practices that restrict these freedoms
- **Land Law (2001):** Governs land ownership and use in Cambodia. It ensures secure land tenure for farmers, including those involved in rubber and banana plantations. The law aims to prevent land disputes and promote sustainable land management.
- **Labor Law (1997):** Provides regulations on labor standards, including working conditions, wages, and worker rights. Although primarily focused on formal employment, efforts are underway to extend protections to informal workers in agriculture.
- **Forestry Law (2002):** Regulates the management, harvesting, use, and protection of forest resources. This law impacts rubber plantations, which can lead to deforestation if not managed sustainably.
- **Environmental Protection and Natural Resource Management Law (1996):** Establishes guidelines for environmental protection and sustainable use of natural resources. It aims to minimize the environmental impact of agricultural activities, including rubber and banana plantations.

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<sup>54</sup> Global Witness, "Rubber Barons."

<sup>55</sup> fidh, "The Impact of Rubber Plantations by Socfin-KCD on Indigenous Communities in Bousra, Mondulhiri."

<sup>56</sup> fidh.

<sup>57</sup> ILO, "Workers in the Cambodian Informal Economy: Insights into Labour Statistics from the 2019 LFS."

<sup>58</sup> CamboJA News, "Workers, Including Underage Children, Brave Dangerous Chemicals to Make a Living at Cambodia's Banana Plantations."

<sup>59</sup> Andersen, "Multidimensional Poverty Analysis Cambodia."

<sup>60</sup> ILO, "Workers in the Cambodian Informal Economy," 2024.

- **Policies National Agriculture Sector Development Strategy (2014-2018):** Focuses on improving agricultural productivity, market access, and sustainability. It includes measures to support smallholder farmers and promote high-value crops like rubber and bananas.
- **Rectangular Strategy Phase IV (2018-2023):** A comprehensive policy framework aiming to enhance economic growth, employment, equity, and efficiency. It emphasizes agricultural development, including improving infrastructure, market access, and value addition in the rubber and banana sectors.
- **National Social Protection Policy Framework (2016-2025):** Aims to extend social protection coverage to all workers, including those in the informal sector. It includes health insurance, pensions, and social safety nets, benefiting laborers in rubber and banana plantations.
- **Cambodia Climate Change Strategic Plan (2014-2023):** Addresses the impacts of climate change on agriculture. It promotes climate-resilient farming practices and supports farmers in adapting to changing conditions, crucial for both rubber and banana plantations.
- **Agricultural Extension Policy (2015):** Enhances the delivery of agricultural extension services to farmers. It focuses on transferring knowledge and technology to improve productivity and sustainability in rubber and banana farming.
- **Strategic Framework for Food Security and Nutrition (2014-2018):** Aims to improve food security and nutrition through diversified agricultural production. It includes support for high-value crops and enhancing the livelihoods of smallholder farmers.
- **Cambodia Decent Work Country Programmed (DWCP) 2019-2023:** A joint effort between the Cambodian government and the ILO to enhance labor standards, social protection, occupational safety, and social dialogue.
- **The Law on Associations and Non-Governmental Organizations (LANGO):** LANGO, enacted in 2015, regulates the registration and operation of NGOs in Cambodia. Critics argue that the law imposes restrictive requirements and grants the government excessive control over civil society organizations, limiting their ability to operate freely and independently.

## 4.2. Adoption of ILO's Conventions

- **Convention No. 87 on Freedom of Association and Protection of the Right to Organize:** Ensures workers can form and join trade unions, which is essential for advocating workers' rights and improving labor conditions in informal sectors.
- **Convention No. 98 on the Right to Organize and Collective Bargaining:** Supports the right to collective bargaining, crucial for improving labor conditions in informal employment sectors like agriculture.
- **Convention No. 182 on the Worst Forms of Child Labour:** Aims to eliminate the worst forms of child labor, protecting children from exploitation in informal agricultural work.
- **Convention No. 138 on Minimum Age:** Establishes a minimum age for employment to prevent child labor in informal sectors.
- **Convention No. 29 on Forced Labour:** Prohibits forced or compulsory labor, ensuring decent work in informal agricultural sectors.
- **Convention No. 105 on Abolition of Forced Labour:** Reinforces the elimination of forced labor practices, complementing Convention No. 29.

- **Convention No. 100 on Equal Remuneration:** Promotes equal pay for men and women for work of equal value, ensuring fair wages in both formal and informal sectors.
- **Convention No. 111 on Discrimination (Employment and Occupation):** Aims to eliminate discrimination in employment and occupation, ensuring equal opportunities for all workers, including those in the informal sector.

## V. KEY FINDINGS AND ANALYSIS

In this section, we present the key findings from our study, offering a detailed analysis of the data collected from the target regions. Through careful examination of the working conditions in Cambodia's rubber and banana plantations, we highlight the most significant trends, challenges, and opportunities for improvement. Our analysis delves into the experiences of workers, the implementation of labor standards, and the impact of socio-economic factors, providing insights that inform our recommendations for enhancing labor practices in these sectors.

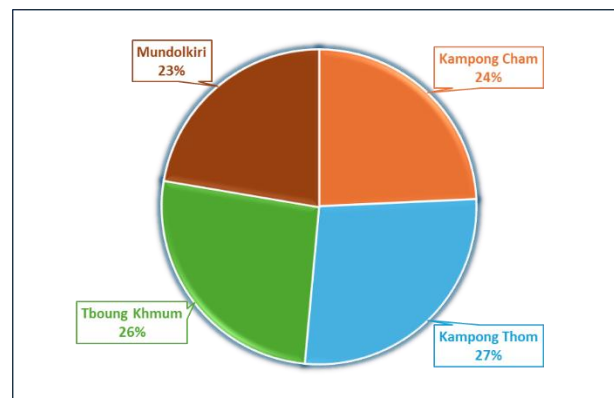
### 5.1. Respondent's Socio-Economic Profiles

This sub-section presented only the socio-economic profile, including the origin of the 4 targeted provinces in Kampong Cham, Kampong Thom, Tboung Khmum, and Monduliri, comprising demographic data, occupations, age, and family assertions of the respondents participating in HHS.

#### 5.1.1. Respondent Socio-Economic Profile

According to [Figure 1](#), the data presents the percentage distribution of respondents across four Cambodian provinces: Kampong Thom leads with the largest share at 27% (n=28, female=15), closely followed by Tbong Khmum, which accounts for 26% (n=27, female=13) of the data. Kampong Cham holds 24% (n=25, female=13), while Monduliri contributes the smallest portion, at 23% (n=23, female=12).

Figure 1: Sample distribution of respondents to the survey



Based on [Table 1](#), the data gives a clear picture of the population's demographic and socio-economic background. Gender was almost evenly split, with 49% (n=50) male and 51% (53%) female. When it comes to marital status, the majority 84% (n=87, female=43) were married, while 14% (n=14, female=9) were single, and a small percentage, 1% (1 male and 1 female) each, were either widowers or widows.

The age breakdown shows that the population was relatively young, with 25% (n=26, female=14) between the ages of 15-24, 32% (n=33, female=16) aged 25-33, and 28% (n=29, female=16) falling within the 34-43 age range. Only 15% (n=15, female=7) were aged 44 years or older. In terms of education, most people 67% (n=69, female=34) had completed primary school, 22% (n=23, female=13) had gone to lower secondary school, and just 6% (n=5, female=5) had finished high school. A small group, 5% (n=5, female=4), had no formal education at all.

Interestingly, 52% (n=54, female=11) of the population identifies as the head of their household, which suggests that a slight majority take on leadership roles at home. Overall, this data paints a picture of a young, mostly married community with a strong focus on primary education.

Table 1: Overall demographic profile of survey respondents

n=103 (female=53)						
Description	Male		Female		Total	
Gender	#	%	#	%	#	%
Male	50	49%	0	0%	50	49%
Female	0	0%	53	51%	53	51%
<b>Target Area</b>						
Kampong Cham	12	12%	13	13%	25	24%
Kampong Thom	13	13%	15	15%	28	27%
Tboung Khmum	14	14%	13	13%	27	26%
Mundolkiri	11	11%	12	12%	23	22%
<b>Marital Status</b>						
Single	5	5%	9	9%	14	14%
Married	44	43%	43	42%	87	84%
Widower	1	1%	0	0%	1	1%
Widower	0	0%	1	1%	1	1%
<b>Age</b>						
15-24 years old	12	12%	14	14%	26	25%
25-33 years old	17	17%	16	16%	33	32%
34-43 years old	13	13%	16	16%	29	28%
44-53 years old	4	4%	3	3%	7	7%
54-65 years old	4	4%	4	4%	8	8%
<b>Education Level</b>						
No schooling	1	1%	4	4%	5	5%
Primary school	35	34%	34	33%	69	67%
Lower secondary school	10	10%	13	13%	23	22%
High School	1	1%	5	5%	6	6%
<b>Household Head</b>						
Yes	43	42%	11	11%	54	52%
No	7	7%	42	41%	49	48%

### 5.1.2. Household Data

The data from Table 2 provides a detailed look at the socio-economic status and household vulnerabilities within a population. A significant portion, 72% (n=74, female=36), of the respondents reported to have no ID\_Poor. However, 11% (n=11, female=7) reported to hold ID\_Poor Level 1, and 17% (n=18, female=10) reported to hold ID\_Poor Level 2.

In terms of household vulnerability, 28% (n=21, female=12) of households include an elderly person. Additionally, 15% (n=11, female=11) of households are headed by widows or women while only a small percentage, 3% (n=2, female=1) of households include orphans or vulnerable children. Furthermore, 12% (n=9, female=5) of respondents identify as poor or homeless. Domestic violence is reported in 7% (n=, female=2) of households. As for the chronic disease

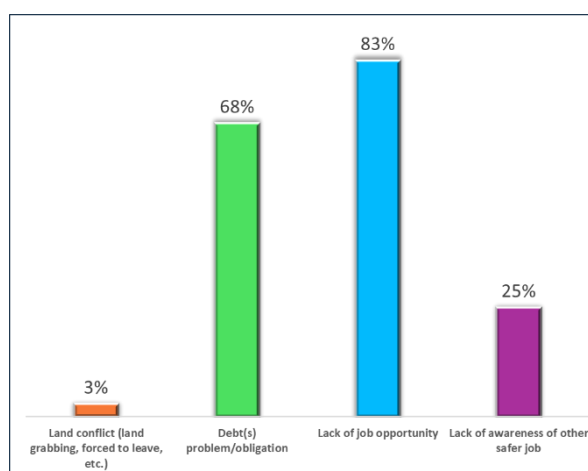
affects 27% (n=20, female=12) of respondents. Lastly, 8% (n=6, female=4) of respondents live with disabilities.

Table 2: Household vulnerability information

Description	Male		Female		Total	
	#	%	#	%	#	%
<b>ID_Poor Info.</b>						
No ID_Poor	38	37%	36	35%	74	72%
ID_Poor Level 1	4	4%	7	7%	11	11%
ID_Poor Level 2	8	8%	10	10%	18	17%
<b>Household vulnerability assessment? (select all that applied)</b>						
Elder Person	9	12%	12	16%	21	28%
Widow/Women household-head	0	0%	11	15%	11	15%
Orphan and Vulnerable Children (OVC)	1	1%	1	1%	2	3%
Poor/Homeless	4	5%	5	7%	9	12%
Domestic Violent	3	4%	2	3%	5	7%
Chronic disease	8	11%	12	16%	20	27%
PLWD	2	3%	4	5%	6	8%

Regarding the reasons (see Figure 2) for working under these conditions, the data showed a variety of factors at play. Only 3% (n=3, female=2) of respondents cited land conflict as a reason for their situation. However, debt reported to be a major issue for 68% (n=70, female=39) of respondents. A lack of job opportunities was the most common reason, affecting 83% (n=85, female=46) of respondents. Finally, 25% (n=26, female=11) of respondents mentioned a lack of awareness of safer job alternatives.

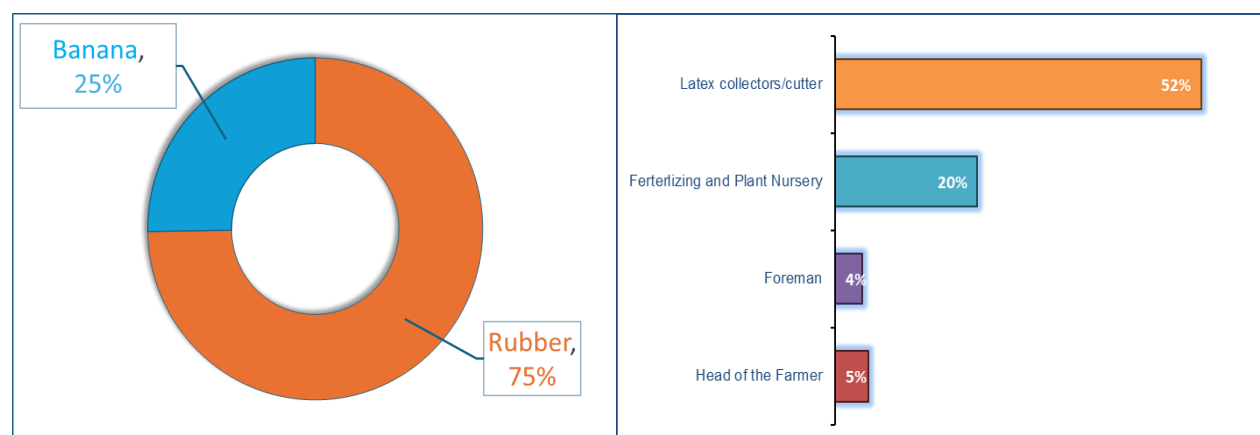
Figure 2: Reason of why the respondents decide to work inside rubber and banana plantation



### 5.1.3. Rubber and Banana Workers Profiling

Figure 3 presented a clear view of how the focus is divided between two sectors: rubber and banana. It showed that a substantial 75% (n=77, female=38) of the attention or data is centered around the rubber sector, while the banana sector accounts for the remaining 25% (n=26, female=15). This means that the rubber sector plays a much larger role, taking up three-quarters of the focus, while the banana sector represents just a quarter. This effectively indicated the dominant presence of the rubber sector in this particular context.

Figure 3: Sample Distribution by sectors and position



As for the specific role amongst the respondents to the survey (see [Figure 3](#) on the right), the majority, 52% (n=54, female=29), engaged in latex collection and cutting, meaning that this is the most prevalent role. Another 20% (n=21, female=11) of the workforce is involved in fertilizing and working in plant nurseries including cultivation and planting as well as taking care of the stock house, making this the second most common task. In contrast, only a small fraction of the workforce holds positions as foremen shared 4% (n=4, all males) of the total number or heads of farmers (5%, n=5, female=1).

Table 3: overall working condition and Living Status of the Respondents

Description	Male	Female	Total
<b>How long has you been working here? (Year)</b>			
1-5 years	38 37%	41 40%	79 77%
6-10 years	5 5%	6 6%	11 11%
11-15 years	4 4%	2 2%	6 6%
16-20 years	1 1%	2 2%	3 3%
21-25 years	1 1%	0 0%	1 1%
More than 25 years	1 1%	2 2%	3 3%
<b>Do you live locally to where you work, or do you travel from another provinces?</b>			
Locally	37 36%	40 39%	77 75%
Travel from another province	13 13%	13 13%	26 25%
<b>Where do you currently live?</b>			
My own home	34 33%	36 35%	70 68%
I am residing inside the plantation	16 16%	17 17%	33 32%
I do not have a place to stay	0 0%	0 0%	0 0%
<b>If residing inside the plantation, how long have you been living here?</b>			
1-5 years	8 24%	11 33%	19 58%
6-10 years	3 9%	1 3%	4 12%
11-15 years	2 6%	3 9%	5 15%
16-20 years	3 9%	1 3%	4 12%
21-25 years	0 0%	1 3%	1 3%

Table 3, the data offers a closer look into the lives and work experiences of a group of individuals. The majority of these individuals 77% (n=79, female=41) have been at their current jobs for just 1-5 years. A small portion of the workforce has stayed longer, with 11% (n=11, female=6) working for 6-10 years, 6% (n=6, female=2) for 11-15 years, and a mere 3% (n=3, female=2) having

committed to more than 25 years in their current positions. This data indicates that long-term tenure is less common within this group, pointing to a dynamic workforce that is either frequently changing jobs or relatively new to this industry.

In terms of where they live, most of the respondents 75% (n=77, female=40) were locals, living near their place of work. However, 25% (n=26, female=13) of the group commutes from another province, indicating a level of mobility and highlighting the draw of job opportunities. When we look at their living situations, 68% (n=70, female=36) live in their own homes. However, 32% (n=33, female=17) reside within the plantation, which could reflect a necessity due to economic reasons to their work. Among those living on the plantation, the majority 58% (n=19, female=11) have been there for 1-5 years, with a smaller group having lived there for longer periods.

Overall, the data provides a snapshot of a workforce that is the main source of income to their jobs, with a strong preference for living close to their place of employment. The similarities between men and women in terms of work experience and living arrangements suggest shared challenges and circumstances, highlighting a community shaped by the demands of their work. This information paints a picture of a group of individuals who are navigating their careers and living situations in ways that are deeply interconnected with their work environment, whether they are staying close to home or making longer commutes for the opportunities available.

## 5.2. Main Findings: Discussion and Analysis

In this section, the study takes a closer look at the key findings from collected data among the respondents, exploring what the data reveals about the lives and experiences of the people that participated in the survey.

### 5.2.1. Poor Working Conditions and Economic Dependency

Many workers in the rubber and banana industries are economically dependent on their employers not just for wages but also for housing, food, and other basic necessities<sup>61</sup>. This dependency increases the fear of losing their jobs, as job loss would mean losing access to these essential resources. This economic dependency makes it even more difficult for workers to assert their rights or seek alternative employment<sup>62</sup>.

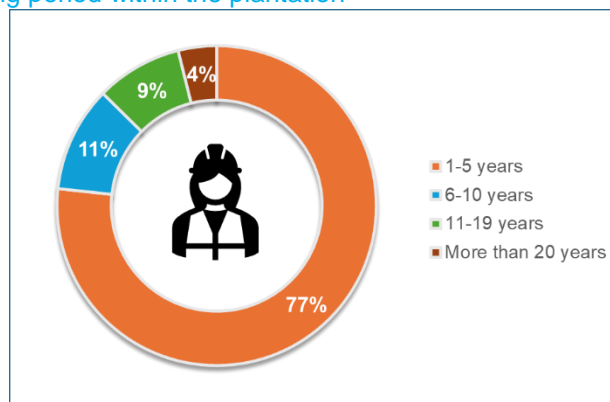
According to the [Figure 4](#), revealed how much these jobs mean to the people working them. A large majority, 77%, have been in their roles for 1-5 years, which expressed that these jobs are crucial for their immediate financial well-being. It seems many have recently taken on these roles, perhaps due to economic pressures or shifts in the job market, making these positions a lifeline in challenging times. For 11% of the workforce, who have been in their jobs for 6-10 years, these roles have become more than just a stopgap, they are now essential for maintaining a stable livelihood. This group has moved beyond the initial uncertainties and found a degree of security and reliability in their work. Meanwhile, 9% of people who have been in their jobs for 11-19 years have built their lives around this work. For them, these jobs are not just a paycheck; they have become a key part of their financial stability and personal identity. Their long-term commitment shows that these roles provide steady support and are central to how they sustain themselves and their families

*“Working inside the rubber plantation is the only option I can earn income to support my family as they depend on me. I do not own any other skill or knowledge to find another job better than this.” A 32-year-old female worker.*

<sup>61</sup> Gironde and Senties Portilla, “From Lagging Behind to Losing Ground: Cambodian and Laotian Household Economy and Large-Scale Land Acquisitions.”

<sup>62</sup> Andersen, “Multidimensional Poverty Analysis Cambodia.”

Figure 4: Year of working period within the plantation



In addition, the physical demands on workers in both rubber and banana plantations are significant. They typically endure long hours under harsh conditions. Rubber tapping involves exposure to chemicals and extreme weather, while banana plantation work often includes handling pesticides and fertilizers without adequate protective gear<sup>63</sup>. These conditions pose serious health risks, including respiratory issues, skin conditions, and other occupational diseases<sup>64</sup>.

“It is hard to work under the hot sun while being forced to work overtimes without payment. I was one being threat by the employer not to pay my wage if I keep refuse to work overtime. So, I must agree to do so even when I am sick.” **A 48-year-old female worker.**

According to Figure 5, The data provides a clear reflection of the challenging conditions many workers face, revealing a significant imbalance between their working hours and the time available for rest. In this regard, a substantial proportion of workers 41% (n=42, female=22) reported to be working 9-11 hours per day, indicating that long workdays are a common experience. An additional 38% (n=39, female=28) found to be working the standard 8-hour day, which, while typical, can still be taxing, especially in physically demanding jobs. However, the most

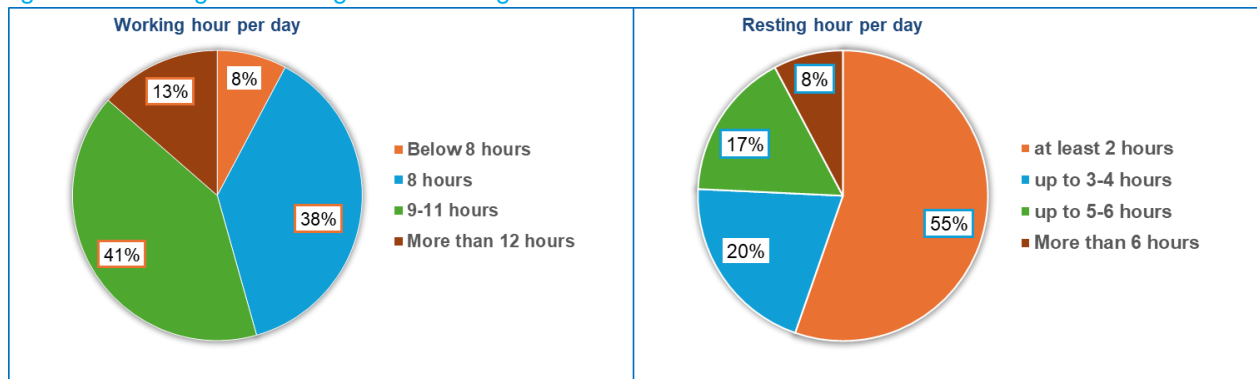
alarming finding is that 14% (n=14, female=6) of workers are enduring more than 12-hour workdays, indicating an intense workload that requires significant physical and mental stamina.

As for the resting hour, more than half 55% (n=57, female=32) reported to getting just 2 hours of rest each day. This is alarmingly low, particularly given the long hours many of them work. Another 20% (n=21, female=9) of workers manage 3-4 hours of rest, which, while slightly better, is still insufficient for proper recovery. Only 17% (n=17, female=9) of workers get 5-6 hours of rest, and a mere 8% (n=8, female=3) were able to rest for more than 6 hours each day. This lack of rest is driven by economic pressures, forcing many workers to rotate between multiple plantations or nearby jobs to maximize their income. The need to keep working, often in multiple locations, leaves little time for adequate rest.

<sup>63</sup> CamboJA News, “Workers, Including Underage Children, Brave Dangerous Chemicals to Make a Living at Cambodia’s Banana Plantations.”

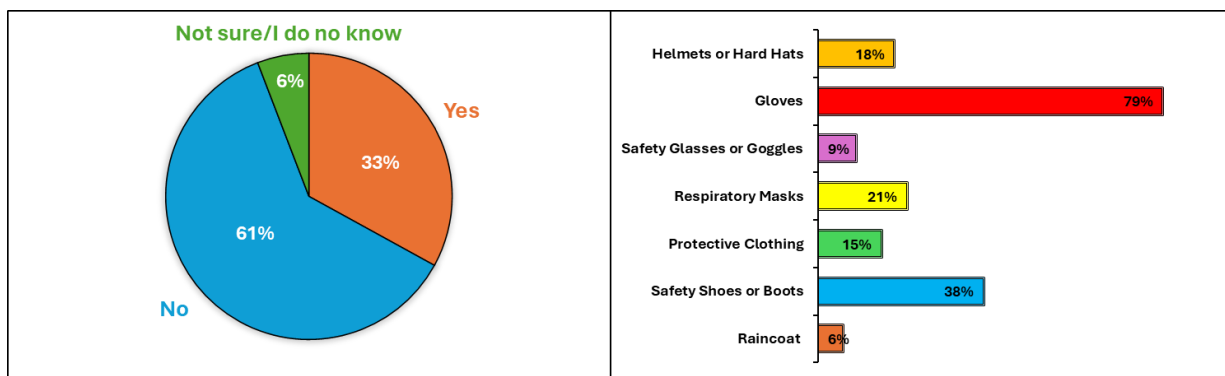
<sup>64</sup> Chandraraj And Liv, “ILO Asia-Pacific Working Paper Series Rural Development and Employment Opportunities in Cambodia: How Can a National Employment Policy Contribute Towards Realization of Decent Work in Rural Areas?”

Figure 5: Working and resting hours amongst the workers



When asked about the safety equipment (see Figure 6), The data light on a troubling issue with workplace safety, as a significant 61% (n=63, female=32) of workers report that their employer does not provide the necessary safety equipment. This lack of protection puts many workers at risk, potentially leading to more accidents and health problems. One worker shared their concern, saying, *“We’re expected to do the job without the right gear. It feels like our safety isn’t a priority.”* On a more positive note, 33% (n=34, female=17) of workers do have access to the safety equipment they need, thanks to their employers. However, it’s concerning that such many workers are still left unprotected. Additionally, 6% (n=6, female=4) of workers aren’t sure whether they have the necessary safety gear, which points to a gap in communication or awareness about workplace safety and more comprehensive trainings for workers as well as well-being and health matter to ensure that all workers are properly protected on the job.

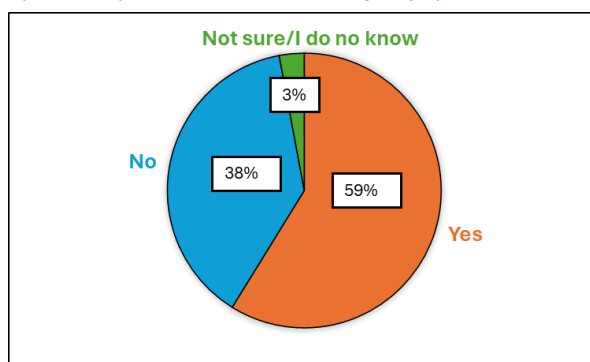
Figure 6: Safety equipment aggregated by respondents



About the type of receiving safety equipment, the data reveals significant disparities in the provision of safety equipment to workers, highlighting areas of concern in workplace protection. While 79% (n=27, female=13) out of total respondents (n=34 out of 103) of workers receive gloves, essential for protecting against cuts and exposure to harmful substances, other critical safety gear is much less commonly provided. Only 21% (n=7, female=4) are equipped with masks to guard against respiratory hazards, and just 18% (n=6, female=4) received safety helmet that crucial for preventing head injuries. In this regards, protective clothing is provided to only 15% (n=5, female=3) of workers, leaving many exposed to harmful materials or conditions, and 38% (n=13, female=5) received safety shoes or boots, essential for preventing foot injuries and snake bite. Most concerning is that only 9% (n=3, female=2) of workers are provided with goggles, leaving the majority without proper eye protection, and finally followed by 6% of workers receive raincoat. This data points to a significant gap in safety provisions, with gloves being the only widely distributed item.

Surprisingly, the data also found impractical practices from the employers in relation to the provision of safety equipment. When asked, “*Have you ever gotten pay reduction for receiving the safety equipment?*” (see Figure 7) The findings show a concerning issue where 59% (n=20, female=14) of the total 34 workers reported experiencing a reduction in their pay after receiving safety equipment. This practice pointing out that for a significant portion of the workforce, obtaining essential protective gear comes at a financial cost, which could discourage workers from prioritizing their own safety. On the other hand, 38% (n=13, female=3) of workers indicated that they have not faced any pay reduction for receiving safety equipment, meaning that these workers can prioritize their safety without financial penalty, showing a more supportive workplace environment. Additionally, 3% (n=3, female=2) of workers are unsure whether their pay has been affected by receiving safety equipment, indicating a need for greater transparency and clarity regarding wage policies.

Figure 7: Wage Deduction upon the provision of the safety equipment



In conclusion, the significant challenges faced by workers in the rubber and banana industries, where economic dependency on employers for basic necessities severely limits their ability to assert their rights or seek alternative employment. The reliance on these jobs for financial stability is evident, with most workers having been in their roles for 1-5 years. However, this comes at the cost of enduring long working hours often without sufficient rest leading to significant physical and mental strain. In another matter, the inadequacy of safety provisions further exacerbates these challenges, with a majority of workers lacking necessary protective equipment, putting them at risk of injury and health issues

#### 5.4.2. Employment and Vulnerability

A substantial portion of workers in Cambodia's rubber and banana industries are employed informally, meaning they do not have formal contracts or social protections as stated in the Labour Law 1997. According to the International Labour Organization (ILO), about 88.3% of the country's total employment is informal, which includes these sectors<sup>65</sup>. This lack of formal employment agreements leaves workers vulnerable to exploitation and poor working conditions. Moreover, Employers may use intimidation and threats of retaliation to maintain control over their workers.

According to Figure 8, the finding analysis paints a concerning picture of the employment situation for many workers, showing a significant lack of formal job security. The most alarming finding is that the majority of workers 63% (n=65, female=30) do not have any type of employment contract, leaving them highly vulnerable to exploitation. Without a formal agreement, these workers lack the legal protections and job security that a contract would provide.

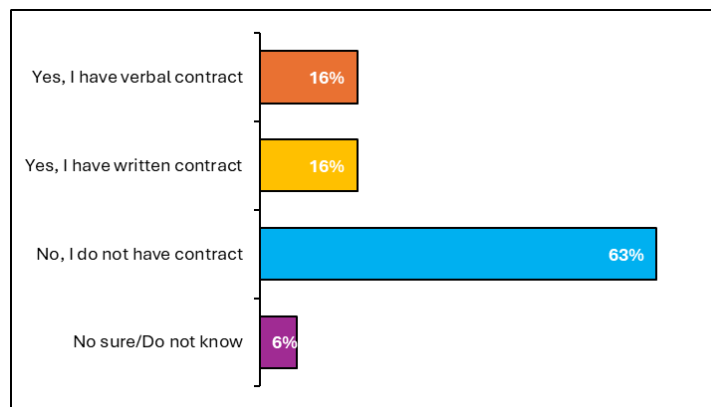
<sup>65</sup> ILO, “Workers in the Cambodian Informal Economy,” 2024.

“Without a contract, I feel like I’m always on shaky ground. There’s nothing to guarantee my rights.” A 29-year-old Male worker.

A smaller portion of workers reported having a verbal contract (16%, n=16, female=10) which offers some form of agreement but is much less secure and difficult to enforce legally. This means that workers in this group may still face significant uncertainty and risk, as verbal agreements can easily be disputed or changed without documentation. An even smaller

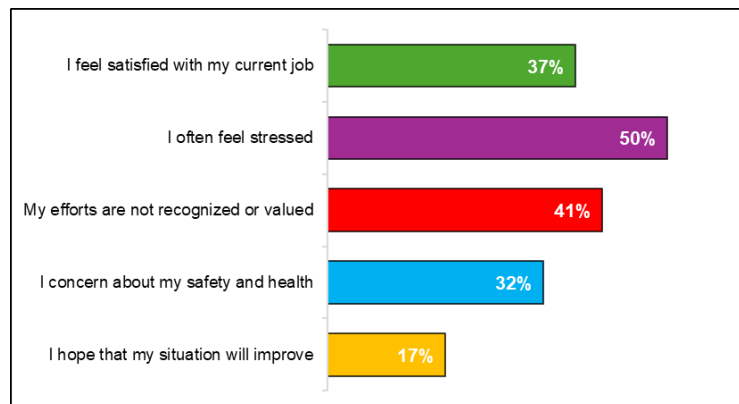
group of workers has a written contract(16%, n=16, female=10), which provides the strongest level of job security and clarity regarding employment terms, however, as a matter of face written contract does not have any different affect for the workers to certain extend given the working environment. Additionally, there is a small percentage of workers who are unsure or unaware of their contract (6%, n=6) status, which points to a lack of communication and transparency from employers. This uncertainty only adds to the insecurity that many workers face.

Figure 8: Do you have employment contract?



In another perspective, the fear of job loss is a powerful tool that employers can use to suppress complaints and discourage workers from seeking better conditions or organizing their rights. Workers who speak out against poor conditions (refusing to work overtime or ask for the term of contract employment) or attempt to organize (group bargaining) can face immediate dismissal or other forms of retaliation, further entrenching their vulnerability.

Figure 9: How do you feel about your working situation?



Based on Figure 9, The key sentiments among workers, revealing significant stress, with 50% (n=52, female=26) of workers often feeling overwhelmed by their job demands. Additionally, 40% (n=42, female=29) feel that their efforts go unrecognized, contributing to feelings of underappreciation and dissatisfaction. 32% (n=33, female=20) of workers are concerned about their safety and health, indicating a need for better protection in the workplace. Despite these

challenges, 37% (n=38, female=16) of workers report feeling satisfied with their current job, finding some fulfillment in aspects like job stability or a supportive environment, however, this sentiment was only matter during the time high season as noted by expression of a better income. However, only 17% (n=18, female=10) express hope that their situation will improve. The majority of the workers experienced hardship and difficulty in seeking decent working conditions and often pressurized the employers (see Table 4).

Table 4: Working situation faced by Workers

Description	Male		Female		Total	
	#	%	#	%	#	%
<b>Can you choose not to work overtime?</b>						
Yes	11	11%	9	9%	20	19%
No	26	25%	32	31%	58	56%
Not sure/I do not know	13	13%	12	12%	25	24%
<b>Are there any consequences for refusing overtime work?</b>						
Yes	25	43%	27	47%	52	90%
No	1	2%	1	2%	2	3%
Not sure/I do not know	1	2%	3	5%	4	7%
<b>Experience faced by workers that refusing to work overtimes</b>						
A lot of work but low wages	15	29%	20	38%	35	67%
Risk of Payment deduction	10	19%	30	58%	40	77%
Risk of being Laid-off	23	44%	15	29%	38	73%
Blaming for uncompleted the tasks	12	23%	13	25%	25	48%
Must work upon request	25	48%	25	48%	50	96%

Many workers remain unaware that they are being exploited by their employers, particularly through unpaid overtime and harsh treatment. Despite putting in long hours beyond their standard workday, these workers often do not receive the compensation they are entitled to, leaving them financially disadvantaged. This lack of awareness about their rights makes workers vulnerable to exploitation, as they often accept these conditions without question.

In addition to unpaid overtime, bad treatment from employers, especially verbal abuse, is a common issue that many workers endure without recognizing its severity. *“My boss yells at us all the time. I just thought that is how it is everywhere,”* another worker explained, this showed how normalized this abusive behavior has become in some workplaces. Moreover, the combination of overwork and verbal abuse takes a significant toll on workers' mental health and well-being. The lack of awareness about these rights and the normalization of such mistreatment prevents workers from advocating for themselves, allowing employers to continue these exploitative practices unchecked.

The absence of formal contracts and the informal nature of employment leave workers without legal recourse in cases of unfair treatment, exploitation, or wrongful termination. Informal workers typically lack access to legal support and are often unaware of their rights. According to the National Institute of Statistics, only about 10% of Cambodian workers are covered by any form of social protection, meaning the vast majority have little ability to challenge unjust practices or seek redress for grievances<sup>66</sup>. This lack of legal resources reinforces the power imbalance between employers and workers.

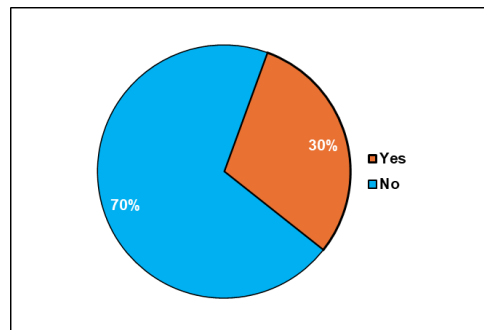
<sup>66</sup> NIS, “Report on the Cambodian Labour Force Survey 2019.”

### 5.4.3. Lack of Social Protection

Informal workers in these industries do not have access to social protections such as health insurance (National Social Security Fund, NSSF), pensions, or unemployment benefits<sup>67</sup>. This lack of safety nets leaves workers unprotected in case of illness, injury, or job loss, further exacerbating their financial instability<sup>68</sup>. The absence of benefits like health care and sick leave also increases their vulnerability. According to the National Institute of Statistics, only about 10% of Cambodian workers are covered by any form of social protection<sup>69</sup>. This exclusion from social security systems means that workers have to rely on their limited personal savings or family support during emergencies, which is often insufficient. The lack of social protection also limits their ability to access credit or invest in productive activities, hindering their economic advancement<sup>70</sup>.

The lack of social protection among workers is a critical issue that leaves many vulnerable to a range of risks and hardships. Social protection, including access to healthcare, unemployment benefits, and retirement pensions, is essential for safeguarding workers against economic instability and unforeseen events. However, as the data shows (see [Figure 10](#)), a staggering 70% (n=72, female=39) of workers are not registered for social security benefits, leaving them without these crucial safety nets. One worker expressed their concern, saying, *“If I get sick or injured, I’m on my own. There’s no help, and I can’t afford to miss a day’s work.”* This absence of social protection means that when workers face illness, injury, or job loss, they often have no financial support to fall back on, leading to severe economic hardship.

Figure 10: Are you registered for social security benefits?



In conclusion, the lack of social protection for workers in the rubber and banana industries is a profound issue that leaves them vulnerable to numerous risks, including illness, injury, and job loss. With 70% of workers not registered for social security benefits, they are left without essential safety nets such as health insurance, pensions, or unemployment benefits, which are crucial for safeguarding against economic instability. The exclusion from social protection systems severely limits workers' ability to recover from setbacks, access credit, or invest in their future, further hindering their economic advancement. This situation perpetuates a cycle of poverty and insecurity, making it difficult for workers to improve their circumstances.

<sup>67</sup> Lay Samean, “Oxfam Holds Informal Economy Worker Protection Forum | Phnom Penh Post.”

<sup>68</sup> Gironde and Senties Portilla, “From Lagging Behind to Losing Ground: Cambodian and Laotian Household Economy and Large-Scale Land Acquisitions.”

<sup>69</sup> NIS, “National Institute of Statistics Ministry of Planning.”

<sup>70</sup> NSP, “National Social Protection Framework 2016-2025.”

#### 5.4.4. Low Wages, but overworked

Workers in Cambodia's rubber and banana industries frequently receive wages that fall below the subsistence level, making it difficult to meet basic needs such as food, housing, healthcare, and education<sup>71</sup>. Many workers in these sectors earn less than the national minimum wage, which is already low by international standards. This insufficient compensation traps workers in a cycle of poverty and prevents them from improving their living conditions<sup>72</sup>. In another perspective, wage theft is also a pervasive issue, with common practices including unpaid overtime, arbitrary deductions, and delayed payments. Workers are often required to work beyond their scheduled hours without proper compensation, violating labor laws and exploiting their time and effort<sup>73</sup>. Employers frequently make unjustified deductions from wages for minor infractions, equipment costs, or housing fees, significantly reducing the already meager take-home pay. Additionally, delays in wage payments can span weeks or even months, leaving workers without the necessary funds to support themselves and their families, causing financial stress and instability<sup>74</sup>.

The findings (see Table 5) reveal a problematic dynamic in the rubber and banana industries, where workers are consistently overworked yet underpaid. Despite being required to work long hours often exceeding the standard workday many workers receive only minimal compensation, insufficient to cover their basic needs. This disparity between the demands of the job and the financial rewards leaves workers in a precarious situation, struggling to make ends meet while enduring exhausting work schedules. The issue is further compounded by the lack of proper compensation for overtime. Many workers report that they are either not paid for additional hours worked or are expected to work beyond their scheduled hours without any corresponding increase in wages.

Table 5: Working conditions aggregated by respondents

Description	Male		Female		Total	
<b>How many hours do you work per day?</b>	#	%	#	%	#	%
Below 8 hours	6	6%	2	2%	8	8%
8 hours	16	16%	23	22%	39	38%
9-11 hours	20	19%	22	21%	42	41%
More than 12 hours	8	8%	6	6%	14	14%
<b>How much you get to rest per day during working hour?</b>						
at least 2 hours	25	24%	32	31%	57	55%
up to 3-4 hours	12	12%	9	9%	21	20%
up to 5-6 hours	8	8%	9	9%	17	17%
More than 6 hours	5	5%	3	3%	8	8%
<b>Can you choose not to work overtime?</b>	#	%	#	%	#	%
Yes	11	11%	9	9%	20	19%
No	26	25%	32	31%	58	56%
Not sure/I do not know	13	13%	12	12%	25	24%
<b>Are there any consequences for refusing overtime work?</b>						
Yes	25	43%	27	47%	52	90%
No	1	2%	1	2%	2	3%
Not sure/I do not know	1	2%	3	5%	4	7%

These issues of low wages and wage theft are well-documented in various reports and studies. For instance, the International Labour Organization (ILO) has documented cases where workers in these industries were paid below the legal minimum wage, indicating systemic violations of labor rights (ILO, 2020). Local NGOs and labor unions frequently receive complaints from workers

<sup>71</sup> ILO, Violence and Harassment in the World of Work a Guide on Convention No. 190 and Recommendation No. 206.

<sup>72</sup> Hlm Khortieih, "Workers of Vietnamese-Owned Hoang Anh Gia Lai Still Suffer Years After Plantation Closes | CamboJA News."

<sup>73</sup> ILO, "Workers in the Cambodian Informal Economy," 2024.

<sup>74</sup> ILO.

about delayed payments and unexplained deductions, underscoring the widespread nature of these abuses.

#### 5.4.5. Child Labour

Despite efforts to eliminate child labor and forced labor, these issues persist in some areas of the rubber and banana industries. Economic necessity often drives families to involve children in labor, while forced labor practices are reported in regions where workers have few alternatives for employment. The ILO reports that around 19% of children aged 5-17 in Cambodia are involved in child labor, with many working in agriculture<sup>75</sup>. Child labor is particularly prevalent on smallholder farms, where children help with planting, harvesting, and processing tasks. These children often miss out on education, limiting their future opportunities and perpetuating the cycle of poverty. Forced labor, often linked to debt bondage and coercion, remains a critical issue, with workers subjected to harsh conditions and limited freedom.

The findings indicate a concerning trend of child labor in the rubber and banana industries, closely linked to the living conditions of the workers. Many workers reside within the plantations, often due to the economic pressures and the nature of their employment, which necessitates close proximity to their work. This arrangement, while offering some convenience in terms of access to employment, has significant and detrimental implications for the children of these workers. In this regard, living within the plantation compounds often means that children are exposed to the harsh realities of plantation work from a very young age. With limited resources and opportunities for childcare, parents frequently bring their children into the fields, inadvertently dragging them into labor.

One worker highlighted the harsh reality of this situation, stating, *“We don’t have anyone to leave the children with, so they end up coming with us to work. They help out where they can, but I worry about their future.”* The analysis (direct observation) also reveals that the plantation living conditions contribute to a cycle of poverty and limited opportunity, where children grow up within the confines of the plantation, with few prospects for education or personal development. This environment not only deprives children of their right to education but also places them at risk of physical and psychological harm, as they are exposed to the same harsh working conditions as adults.

Child labor remains a significant concern in Cambodia, particularly within its agricultural sectors, including rubber and banana plantations. UNICEF Cambodia has highlighted the urgency of addressing this issue, pointing out that a substantial proportion of children in the country are engaged in labor, often under hazardous conditions<sup>76</sup>. According to the Cambodia Socio-Economic Survey, approximately 17% of children aged 5 to 17 are involved in work, with a significant majority employed<sup>77</sup>. The involvement of children in labor-intensive sectors like rubber plantations is particularly troubling. These children are often exposed to dangerous working conditions that threaten their physical and emotional well-being. This situation is compounded by the economic necessity faced by many families, leading to a cycle where children are pulled into labor to support household incomes.

Cambodia's commitment to international labor standards, such as the International Labour Organization's (ILO) Minimum Age Convention and the Worst Forms of Child Labour Convention<sup>78</sup>, suggests a framework for addressing these issues. However, the practical

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<sup>75</sup> ILO, “Workers in the Cambodian Informal Economy,” 2024.

<sup>76</sup> Tith Kongnov, “UNICEF Cambodia Concerned over Child Labour Situation - Khmer Times.”

<sup>77</sup> NIS-MoP, “KINGDOM OF CAMBODIA Nation Religion King Report of Cambodia Socio-Economic Survey 2021 National Institute of Statistics Ministry of Planning.”

<sup>78</sup> FAO, “Child Labour in the Banana Industry | World Banana Forum | Food and Agriculture Organization of the United Nations.”

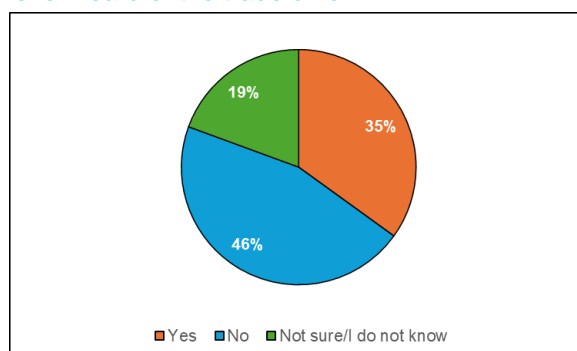
implementation of these conventions remains a challenge, particularly in rural and economically disadvantaged areas. UNICEF has emphasized the need for increased investment in essential services and education as a means of building resilience among families and reducing the economic pressures that drive child labor<sup>79</sup>. Further complicating the issue is the role of family labor in agriculture, where children often work alongside their parents. This dynamic not only deprives children of educational opportunities but also perpetuates cycles of poverty and limited future prospects. The long-term consequences of child labor are profound, affecting not only the individual child's development and future opportunities but also the broader socio-economic fabric of the country<sup>80</sup>.

In conclusion, the persistence of child labor in the rubber and banana industries remains a significant and deeply concerning issue, closely tied to the living conditions and economic pressures faced by workers. Despite national and international efforts to eliminate child labor, economic necessity drives many families to involve their children in labor, particularly in rural and economically disadvantaged areas where opportunities are limited.

#### 5.4.6. Rights to Trade Union

According to Figure 11, many workers are unaware of the existence and importance of trade unions, which are vital for advocating workers' rights, improving working conditions, and negotiating fair wages. Only 35% (n=36, female=16) of workers are familiar with trade unions, meaning that most of the workforce may not know about the essential support these organizations can provide. Even more troubling is that 46% (n=47, female=30) of workers have never heard of trade unions. This lack of knowledge leaves them vulnerable, unable to seek help for workplace issues, fight against unfair treatment, or negotiate for better pay and conditions. Without understanding the power of collective bargaining, these workers miss out on the potential for positive change in their work lives. Additionally, 19% (n=20, female=7) of workers are unsure if they have heard of trade unions, reflecting a significant gap in communication and education (revealing a total of 55% never heard of trade union). As one worker expressed, *"I've heard the term, but I don't really know what a union does or how it could help me."*

Figure 11: Have you ever heard of the trade union?



(see Figure 12) Only 12% (n=12, female=4) of workers know that a trade union exists in their workplace, indicating that these unions might be poorly represented or not effectively communicated to the workforce. A significant 65% (n=67, female=37) of workers reported that there is no trade union in their

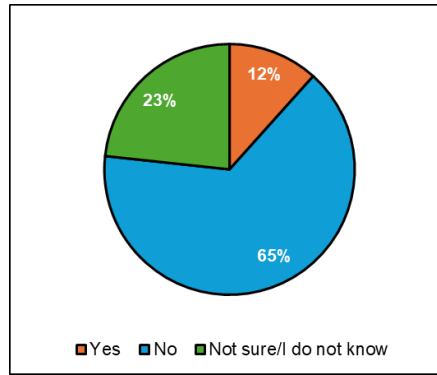
"The company does not want to have any group trade union or worker group as they think the group can cost chaos to their business." A 45-year-old male worker.

<sup>79</sup> unicef, "An Analysis of the Situation of Children and Adolescents in Cambodia 2023."

<sup>80</sup> FAO, "Child Labour in the Banana Industry | World Banana Forum | Food and Agriculture Organization of the United Nations."

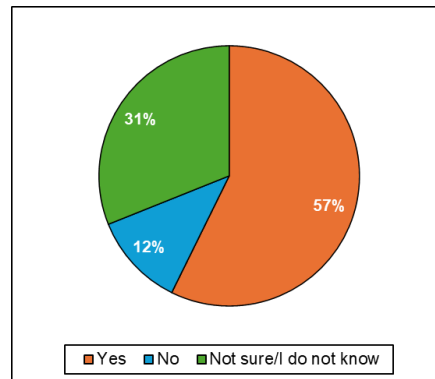
workplace, leaving the majority without the support they need to address grievances, secure fair treatment, or improve their working conditions. Additionally, 23% (n=24, female=12) of workers are unsure whether a trade union exists in their workplace. This uncertainty suggests that even when unions are present, their influence may be minimal, and workers may not know how to access their support.

Figure 12: Is there any trade union within your workplace?



However, when asked “if there is a trade union, would you like to be a part of?”. The data show that (see Figure 13) a strong 57% (n=59, female=32) of workers expressed that they would be willing to become members, showing a clear desire for collective representation and the benefits that a union could bring, such as better working conditions, fair treatment, and the ability to negotiate wages. However, 12% (n=12, female 4) of workers said they would not want to join a trade union. Additionally, 31% (n=32, female=19) of workers are unsure or do not know whether they would want to join a trade union.

Figure 13: If there is a trade union, would you like to be a part of?

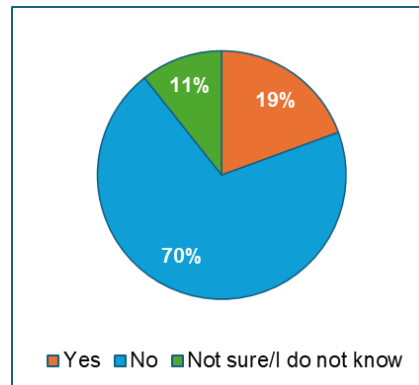


#### 5.4.7. Awareness of the Labour Rights and Legal Support

According to Figure 14, the data shows a concerning reality about workers' awareness of labor rights law, revealing significant gaps that could impact their well-being and security in the workplace. A striking 70% (n=72, female=39) of workers have never heard of labor rights law, showing that most of the workforce may be unaware of the protections they are legally entitled to. This lack of knowledge leaves them vulnerable to exploitation, as they may not understand the standards employers are required to uphold or the rights, they should be able to exercise. One worker noted, *“I didn't even know there were laws that could protect me at work. We just try to get by the best we can.”* This sentiment reflects a widespread lack of awareness that could prevent workers from standing up for themselves in situations where they are being treated unfairly.

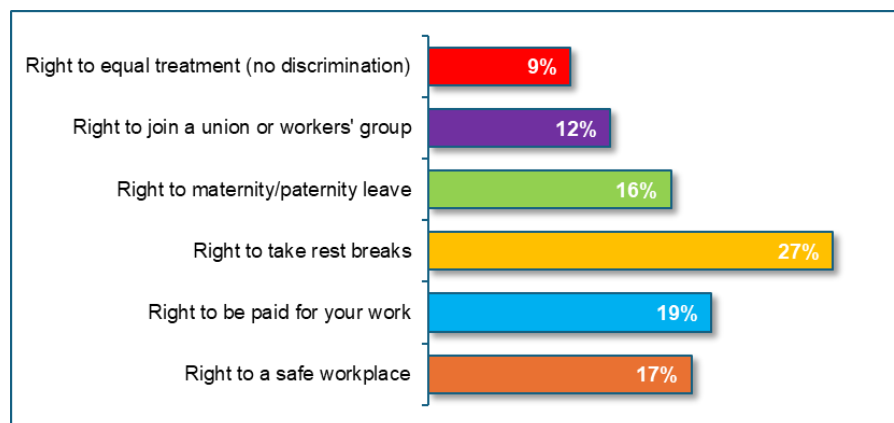
On the other hand, 19% (n=20, female=12) of workers are aware of labor rights law, meaning they are in a better position to try to have some level of fair treatment and improve their working conditions, however, they often being forced to fall back, and their voice does not effectively respect for most the time due to lack of legal access as what have learned were mostly being regulated inside the plantation such internal regulations or job descriptions. Additionally, 11% (n=11, female=2) of workers are unsure or do not know if they have heard of labor rights law. Even among those who may have some awareness, there is confusion about what labor rights law entails and how it applies to their daily work life. This lack of clarity can prevent workers from fully exercising their rights and seeking the protection they need.

Figure 14: Have you ever heard of labour rights law?



When asked about “Can you share with us what were the topic have heard of?” (see Figure 15), the most recognized right among the 19% (n=20) responded “Yes”, known by 27% (n=20, female=12) of workers, is the "Right to take rest breaks." This suggests that many workers understand the importance of taking breaks during their workday, which is essential for maintaining their health and well-being. Following closely, about 16% (n=12, female=9) of workers are aware of their "Right to be paid for their work" and 17% (n=13, female=8) the "Right to a safe workplace." Additionally, around 16% (n=12, female=7) of workers know about their "Right to maternity/paternity leave" and 12% (n=9, female 7) the "Right to join a union or workers' group." These rights are crucial for supporting family life and empowering workers to come together and advocate for better conditions. However, the "Right to equal treatment (no discrimination)" is the least understood, with fewer than 10% (n=7, female=4) of workers aware of it.

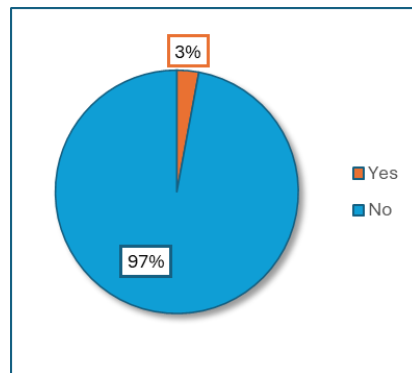
Figure 15: Can you share with us what kind of topic of labour rights law?



This uneven awareness points to a critical need for more comprehensive and accessible education on labor rights. Workers must be fully informed about the full range of their rights, not just the ones that are more commonly known. The goal should be to ensure that every worker feels confident and supported in standing up for their rights, ultimately leading to a more just and inclusive work environment.

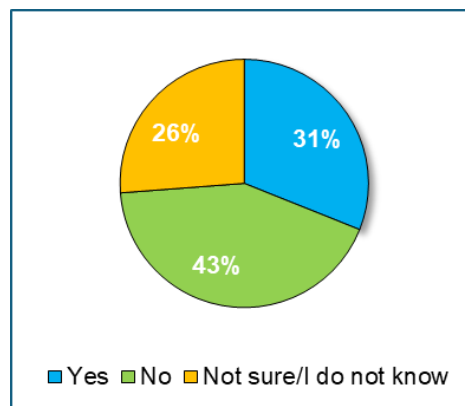
The findings (see Figure 16) showed a critical issue of inadequate education and awareness among workers regarding their labor rights, with a staggering 97% (n=100, female=53) of workers reporting that they have never received proper training or information sessions on this topic. This significant gap in knowledge leaves many workers vulnerable to exploitation and unaware of the protections available to them under the law.

Figure 16: Have you ever received any training or information session on labour rights?



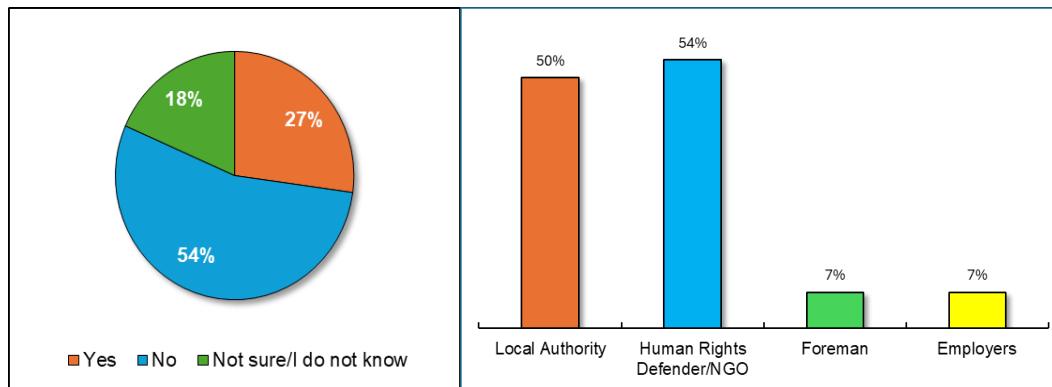
(see Figure 17) This lack of education is further reflected in workers' hesitancy to speak up about unsafe conditions in their workplaces. When asked, “Do you feel comfortable speaking up if you see something unsafe at work?”, only 31% (n=32, female=15) of workers felt comfortable doing so, and even among them, there was notable hesitancy. Many workers who initially responded positively shared that they had previously faced backlash from their employers for raising concerns. This meant a deep-rooted fear of retaliation, which is corroborated by the 43% (n=44, female=25) of workers who said they do not feel comfortable speaking up. These workers cited serious risks such as pay cuts, layoffs, or even eviction from company-provided housing as potential consequences for voicing their concerns or attempting to exercise their rights. As one worker put it, *“Speaking up can cost you your job or your home. It’s just not worth the risk.”* Moreover, 18% (n=18, female 14) of workers responded that they were unsure or did not know whether they felt comfortable speaking up.

Figure 17: Do you feel comfortable speaking up if you see something unsafe at work?



The study also accessed further to access their legal support by asking “Do you know where to seek support if your labour right being violated?” (see Figure 18) Only 27% (n=28, female=10) of workers know where to seek help, which means that just a small portion of the workforce feels confident enough to act when they face unfair treatment. However, they keep mentioning that most of their complaints have no solution or feedback even though they know where to seek support. Even more concerning is that 54% (n=56, female=29) of workers admitted they don't know where to go for support if their rights are violated. Without a clear path to help, these workers may feel trapped and powerless in the face of unfair labor practices. Additionally, 18% (n=19, female=14) of workers are unsure if they know where to seek help, reflecting a deeper issue of uncertainty.

Figure 18: Legal support and Seeking support entities



When asked “Where do you normally go to?” (see Figure 18) reveals that workers primarily seek support from external sources when facing labor rights violations. A significant 54% (n=14, female=2) of workers turn to Human Rights Defenders or NGOs, reflecting strong trust in these organizations to advocate for their rights and provide necessary assistance. Additionally, 50% (n=15, female 9) of workers rely on local authorities to address their concerns, indicating a preference for government bodies as a source of support, however, the complaint was mostly silence afterward. In contrast, very few workers seek help from within their workplace, with only 7% approaching their foreman and another 7% turning to their employers.

## VI. LEGAL FRAMEWORKS AND POLICIES GAP ANALYSIS

### 6.1. Finding A Gap Analysis and Implications

**Labor Rights Education and Awareness:** One of the most glaring issues is the lack of education and awareness about labor rights. Although Cambodia has established legal frameworks, including national labor laws and International Labour Organization (ILO) conventions, these policies don't ensure that workers are informed about their rights. Shockingly, 97% (n=100) of workers reported that they have never received any formal training or information sessions on labor rights. Without this essential education, workers may not even recognize when their rights are being violated, making it almost impossible for them to stand up against exploitation.

**Protection Against Retaliation:** Another major concern is the lack of effective protection against retaliation. While there are laws in place that are supposed to protect workers from unfair dismissal or other forms of retaliation, these laws are often not enforced, especially in low-wage and informal sectors. The data shows that 43% (n=44) of workers are too afraid to report unsafe conditions because they fear pay cuts, losing their jobs, or even eviction from employer-provided housing. This fear silences workers, allowing unsafe and unfair practices to continue unchecked.

The current system fails to provide a safe environment where workers can voice their concerns without fear of retribution, which undermines the very purpose of these protections.

**Workplace Safety and Reporting Mechanisms:** Workplace safety is another area where the current policies fall short. Although regulations exist, they are not effectively communicated or enforced, and there are no strong provisions for workers to report unsafe conditions anonymously. Only 31% (n=32) of workers feel comfortable reporting such conditions, mainly because they fear retaliation and because the reporting mechanisms in place are not effective. This gap means that many workers are left to endure dangerous working conditions, knowing that speaking up could cost them their jobs or more. The lack of anonymous reporting options only makes the situation worse, as it discourages workers from coming forward to report hazards.

**Social Protection and Support Systems:** The social protection systems in place are also inadequate, especially for informal workers who make up a large part of the workforce in sectors like rubber and banana industries. While there are some social protections, such as unemployment benefits and healthcare, these are limited and poorly enforced. Many workers fear that if they assert their rights or report violations, they could lose not only their jobs but also their employer-provided housing and other essential support. This dependency on employers for basic needs like housing creates a situation where workers are trapped, unable to speak out against injustices without risking their livelihood.

**Unionization and Collective Bargaining:** Lastly, while the right to unionize is legally protected, the reality is that there are significant barriers to forming and joining unions, especially in rural and informal sectors. The analysis shows that the lack of confidence among workers in reporting unsafe conditions, coupled with the widespread fear of retaliation, is partly due to the weakness of unions. Without strong unions, workers lack the collective power they need to advocate for better working conditions and to protect their rights. The barriers to union formation leave workers isolated and powerless, particularly in sectors where labor rights violations are most common.

## 6.2. Reviewing of Current Legal Policy and Framework Analysis

(See

[Table 6](#)) The analysis of Cambodia's legal and policy frameworks reveals both strengths and significant gaps in protecting workers' rights, particularly in high-risk sectors like agriculture. On the positive side, Cambodia has established a comprehensive legal framework, including the Cambodian Labor Law and the National Social Protection Policy Framework, which aim to safeguard workers' rights, provide social safety nets, and ensure compliance with labor standards. Increased labor inspections and collaborative programs with international organizations further enhance these efforts. Additionally, Cambodia's ratification of ILO conventions on child labor and forced labor underscores its commitment to international labor standards.

However, significant gaps remain that undermine the effectiveness of these frameworks. Enforcement of labor laws is inadequate due to resource limitations, leading to unchecked violations. The prevalence of informal employment, particularly in sectors like rubber and banana industries, leaves many workers without formal contracts, making them vulnerable to exploitation and excluded from legal protections. Informal workers also face difficulties accessing legal recourse, trapping them in cycles of abuse. Gender protections are insufficient, with issues like wage disparities, gender-based violence, and harassment being inadequately addressed. Low wages and wage theft are persistent problems, further exacerbating poverty among workers. Finally, despite legal prohibitions, child labor and forced labor continue to be significant issues, driven by economic necessity and coercion.

In summary, while Cambodia has made strides in establishing a legal framework to protect workers' rights, significant gaps in enforcement, inclusivity, and specific protections highlight the need for stronger policies and better implementation to effectively safeguard all workers, particularly the most vulnerable.

Table 6: Summary of Legal Effectiveness and Implications

<b>Legal and Policy Framework Analysis: Positive and Effectiveness</b>		
<b>No.</b>	<b>Framework</b>	<b>Description</b>
1	Legal Framework for Worker Protection	The Cambodian Labor Law provides a comprehensive structure to safeguard workers' rights, including regulations on working hours, minimum wages, occupational safety, and health standards. These laws mandate employers to adhere to labor standards and offer legal recourse for workers in case of violations.
2	National Social Protection Policy Framework	This framework aims to extend social protection coverage to all workers, including those in the informal sector. It includes health insurance, pensions, and other social safety nets, which are crucial for improving the welfare and security of workers.
3	Labor Inspections	The increase in labor inspections, particularly in high-risk sectors like agriculture, helps monitor compliance with labor laws. The Ministry of Labor and Vocational Training (MLVT) has established specialized units to conduct these inspections .
4	Collaborative Programs	The Cambodian government collaborates with international organizations and NGOs to implement training programs, awareness campaigns, and initiatives aimed at improving working conditions and preventing labor rights abuses. Such collaborations bring in expertise, resources, and global best practices that can significantly enhance local efforts.
5	ILO Conventions	Cambodia's ratification of ILO conventions on child labor and forced labor demonstrates a commitment to international labor standards. These conventions require Cambodia to implement measures to eliminate child labor and forced labor practice.
<b>Legal and Policy Framework Analysis: Gaps and Implications</b>		
1	Enforcement Issues	Despite a comprehensive legal framework, enforcement of labor laws remains inadequate. The MLVT often lacks sufficient resources and personnel to conduct regular and thorough inspections.
2	Prevalence of Informal Employment	A significant gap in existing policies is their limited applicability to informal workers, who constitute the majority of the labor force in the rubber and banana industries. These workers often lack formal contracts, making them more vulnerable to

		exploitation and abuse. Without formal recognition, these workers are excluded from many legal protections and benefits.
<b>3</b>	Lack of Legal Recourse	Informal workers have limited access to legal recourse. The absence of formal contracts makes it difficult for them to prove employment relationships and seek redress for labor rights violations, effectively trapping them in a cycle of exploitation.
<b>4</b>	Insufficient Gender-Specific Protections	While general labor laws exist, there are insufficient specific protections and enforcement mechanisms to address gender-based discrimination and harassment in the workplace. Women continue to face wage disparities and limited access to training and career advancement opportunities. Gender-based violence and harassment in the workplace remain underreported and inadequately addressed
<b>5</b>	Low Wages	Existing wage policies and enforcement mechanisms do not adequately address issues of low wages and wage theft. Workers frequently receive compensation below subsistence levels, and practices such as unpaid overtime and arbitrary deductions are common. This exacerbates poverty and reduces workers' ability to improve their living conditions.
<b>6</b>	Child Labor and Forced Labor	Despite legal prohibitions, child labor and forced labor remain entrenched in some areas. Economic necessity drives families to involve children in labor, while forced labor practices persist due to debt bondage and coercion.

### 6.3. Comparative Analysis of Policy and Legal frameworks Between

A comparative analysis of the policy and legal frameworks related to labor rights and worker protections in Cambodia, Thailand, Laos, and Vietnam. By examining the similarities and differences between these three countries, we aim to identify best practices, as well as gaps and challenges that could inform improvements in Cambodia's own framework. (See [Table 7](#))

Table 7 : Policy comparative analysis

	Cambodia	Thailand	Laos	Vietnam
Discrimination	<u>Universal Declaration of Human Rights (UDHR) 1948</u>	<u>The Labour Protection Act B.E. 2541</u>	<u>Labour Law of Lao People's Democratic Republic</u>	<u>Labour Code</u>
Harassment		<i>Section 15</i>	<i>Article 3</i>	<i>Article 3 Section 8</i>
Sexual Assault	<ul style="list-style-type: none"> <li>- Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment</li> <li>- Everyone, without any discrimination, has the right to equal pay for equal work</li> <li>- Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection</li> <li>- Everyone has the right to form and join trade unions for the protection of his interests</li> </ul>	<ul style="list-style-type: none"> <li>- An employer shall treat male and female Employees equally in employment unless the description or nature of work prevents such treatment</li> </ul> <p><i>Section 17</i></p> <p>An Employer, a chief, a supervisor, or a work inspector shall be prohibited from committing sexual abuse, harassment or nuisance against an employee</p>	<p><i>Article 3</i></p> <p>(2) Labor shall ensure mutual benefits among workers and employers without discrimination on the basis of race, sex, religion, political opinion and socio-economic status</p> <p><i>Article 45</i></p> <p>All workers shall be entitled to receive equal salaries or wages for work of equal quantity, quality, and value, without any discrimination as to nationality, or ethnic origin, sex, age, religious, believe in, social-economic status</p>	<p>Any distinction, exclusion or preference made on the basis of race, color, national extraction or social origin, ethnicity, sex, age, pregnancy status, marital status, religion, belief, political opinion, disability, family responsibilities, or on the basis of HIV status, or due to forming, joining and undertaking activities of a trade union or workers' organization at the enterprise level that affects equality of opportunity in employment or occupation</p> <p><i>Article 3 Section 9</i></p> <p>Any behavior of a sexual nature by any person towards another person at a workplace that is not wanted or accepted by the latter person</p>

	<p><u>Cambodian Constitution 1993</u></p> <p><i>Article 36</i></p> <ul style="list-style-type: none"> <li>- Khmer citizens of either sex shall enjoy the right to choose any employment according to their ability and to the needs of the society</li> <li>- Khmer citizens of either sex shall receive equal pay for equal work</li> <li>- Khmer citizens of either sex shall have the right to form and to be a member of trade unions</li> </ul> <p><i>Article 45</i></p> <ul style="list-style-type: none"> <li>- All forms of discrimination against women shall be abolished. The exploitation of women in employment shall be prohibited</li> </ul>			<p><i>Article 5 Section 1(a)</i></p> <p>To work; to freely choose their work, workplace and occupation; to freely participate in vocational training and to improve their occupational qualifications; and to be free from discrimination, forced labour and sexual harassment at the workplace</p> <p><i>Article 8 Sections 1-4 and 7</i></p> <p>Prohibited Acts in the Labour Sector</p> <ul style="list-style-type: none"> <li>- Discriminating at work</li> <li>- Maltreating a worker or exacting forced labor</li> <li>- Committing sexual harassment at the workplace</li> <li>- Taking advantage of an apprenticeship or internship to profiteer from or exploit labour or to induce or compel an apprentice or intern to carry out an illegal activity</li> <li>- Employing minor workers illegally</li> </ul>
Minimum Age	<p><u>ILO</u></p> <p>Admission to work - 15 years</p>	<p><i>Section 44</i></p> <ul style="list-style-type: none"> <li>- An Employer shall not employ a child under fifteen years of age as an Employee</li> </ul>	<p><i>Article 41</i></p> <p>An employer may employ young workers between 14 and 18 years of age provided that they do not work for more than eight</p>	<p><u>Labour Code</u></p> <p><i>Article 3 Section 1</i></p> <ul style="list-style-type: none"> <li>- Minimum age of a worker is 15 years of age</li> </ul>

	<p>Hazardous work - 18 years (16 under certain strict conditions)</p>	<p><i>Section 46</i></p> <ul style="list-style-type: none"> <li>- An Employer shall provide a rest period for a young worker of not less than one consecutive hour after the Employee has worked for not more than four hours; and during the period of such four hours, the young worker shall have rest periods as fixed by the Employer</li> </ul>	<p>hours per day. The young workers shall not be employed to perform arduous work or work which is damaging to their health, including:</p> <ul style="list-style-type: none"> <li>- All mining and quarrying work</li> <li>- Work involving chemicals or explosives and poisonous substances</li> <li>- Overtime work</li> <li>- working in noisy environment</li> <li>- working in the environment involving alcoholic and gamble</li> <li>- Work at night in all branches of industry from 10 p.m. to 5 a.m. the next morning</li> </ul>	<p><i>Article 143 Section 1</i></p> <p>A minor is a worker less than 18 years of age</p> <p><i>Article 144 Sections 1-4</i></p> <ul style="list-style-type: none"> <li>- A minor worker may only perform work suitable to their health in order to ensure their physical, intellectual and personality development</li> <li>- Employers employing minor workers are responsible for taking care of their work, health, and study during their employment</li> <li>- When employing a minor worker, the employer must have the consent of their father, mother or guardian, and must establish an individual monitoring book that records the full name, date of birth, assigned work and results of periodic health check-up of the minor worker, which shall be presented upon request by authorized authorities</li> <li>- Employers must create opportunities for minor workers to attend school and vocational education and to participate in training to improve their vocational skills</li> </ul> <p><i>Article 146 Section 1</i></p>
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Women	<p><u>Cambodian Constitution 1993</u></p> <p><i>Article 46</i></p> <p>- A woman shall not lose her job because of pregnancy. Women shall have the right to take maternity leave with full pay and with no loss of seniority or other social benefits</p> <p>- The state and society shall provide opportunities to women, especially to those living in rural areas without adequate social support, so they can get employment, medical care, send their children</p>	<p><i>Section 38</i></p> <p>An employer shall be prohibited to require a female Employee to perform any of the following work:</p> <ol style="list-style-type: none"> <li>1. Mining or construction work to be performed underground, underwater, in a cave, in a tunnel or mountain shaft, except where the conditions of work are not harmful to health or body of the Employee</li> <li>2. Working on a scaffold of ten meters or more above the ground</li> <li>3. Producing or transporting of explosive or inflammable materials, except where the conditions of work are not</li> </ol>	<p><i>Article 38</i></p> <p>Women during pregnancy or take care of infant shall not work on the following duties:</p> <ul style="list-style-type: none"> <li>- Life or carrying heavy loads</li> <li>- Work which entails standing continuously for long periods</li> </ul> <p>An employer shall not employ pregnant women or women with a child under one year of age to work overtime, or on a day of weekly rest or at night</p> <p><i>Article 39</i></p>	<p><i>Article 135 Section 1</i></p> <p>- To ensure equal rights for female and male workers, implement measures to ensure gender equality and prevent sexual harassment at the workplace</p> <p><i>Article 137 Section 1(a-b)</i></p> <p>Employers shall not require workers to perform night work or overtime work or to go on long-distance work trips in the following circumstances:</p> <ul style="list-style-type: none"> <li>- The worker has reached the seventh month of pregnancy or the sixth month of pregnancy when working in mountainous, remote, border and island areas</li> </ul>

	<p>to school, and have decent living conditions</p> <p><i>Article 182 and 183</i></p> <p>- Women shall be entitled to a maternity leave of ninety days. After the maternity leave and during the first two months after returning to work, they are only expected to perform light work. During maternity leave, women are entitled to half of their wage.</p>	<p>harmful to health or body of the Employee</p> <p>4. Any other work as prescribed in the Ministerial Regulations</p> <p><i>Section 39</i></p> <p>An employer shall be prohibited to require a female Employee who is pregnant to perform any of the following work:</p> <ol style="list-style-type: none"> <li>1. Work involving vibrating machinery or engine</li> <li>2. Work of driving or going on a vehicle</li> <li>3. Work of lifting, carrying on the back, carrying on shoulder, carrying with a pole across shoulder, carrying on a head, pulling or pushing of loads in excess of fifteen kilograms</li> <li>4. Work on a boat; or</li> <li>5. Any other work as prescribed in the Ministerial Regulations</li> </ol> <p><i>Section 41</i></p> <p>A female Employee who is pregnant shall be entitled to maternity leave of not more than ninety days for each pregnancy</p> <p><i>Section 43</i></p>	<p>- Before and after confinement, women workers shall be entitled to at least 90 days maternity leave with their normal pay from their employers or from the social security fund, if contributions have been fully paid to this fund. Such period of 90-day maternity leave shall include post-maternity leave of at least 42 days</p> <p>- In the event of illness resulting from confinement, which is certified by a physician, the workers concerned shall be allowed to take a supplementary leave of at least 30 days at 50% of their normal pay</p> <p><i>Article 40</i></p> <p>Women workers shall, on giving birth to a child, be entitled to a benefit equivalent to at least 60% of the minimum wage established by the government, to be paid by the employer or by the social security fund, if contributions have been fully paid. Where they give birth or two or more children at the same time, the said</p>	<p>- The worker is caring for a child less than 12 months old</p> <p><i>Article 137 Section 3</i></p> <p>The employer shall not dismiss a worker or unilaterally terminate the employment contract of a worker due to the worker's marriage, pregnancy, parental leave, or caring for a child less than 12 months old</p> <p><i>Article 139 Section 1</i></p> <p>Female workers shall be entitled to 6 months of prenatal and postnatal leave. Pre-natal leave shall not exceed 2 months.</p>
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		An Employee shall not terminate the employment of a female employee on the grounds of her pregnancy	benefit shall be increased by 50%	
Wages	<p><u>Cambodian Labour Law 1997</u></p> <p><i>Article 104</i></p> <p>Wage must be equal to the guaranteed minimum wage - Every worker to have a decent standard of living compatible with human dignity</p> <p><i>Article 107</i></p> <p>Minimum wage established without distinction among professions or jobs and set by a Ministerial Order of the Ministry in charge of Labor</p> <p>For probationary worker - \$202.00 per month</p> <p>For regular employee - \$204.00 per month</p>	<p>Average 363.00 THB per day (\$9.92USD)</p> <ul style="list-style-type: none"> <li>• Around \$198.4 per month / 5 day work week</li> <li>• Around \$238.08 per month / 6 day work week</li> </ul>	LAK 1,600,000 Per Month (\$74.96 USD)	<p><i>Article 90 Section 3</i></p> <p>- The minimum wage is the minimum amount of remuneration to be paid to a worker performing the simplest work in normal working conditions in order to ensure the minimum living standard of the worker and their family, in accordance with the socio-economic development conditions</p> <p>VND 4.96 million for Zone I (\$195.12 USD)</p> <p>VND 4.41 million for Zone II (\$173.49 USD)</p> <p>VND 3.86 million for Zone III (\$151.85 USD)</p> <p>VND 3.45 million for Zone IV (\$135.72 USD)</p>
Hours	<u>Cambodian Constitution</u>	<i>Section 23</i>	<i>Article 16</i>	<i>Article 105 Section 1</i>

	<p><i>Article 137</i></p> <p>Cannot exceed eight hours a day or 48 hours per week</p> <p><u>ILO</u></p> <p>Maximum standard of working time of 48 hours per week and eight hours per day</p>	<p>- Each day shall not exceed eight hours per day. Where the working hours of any day are less than eight hours, the Employer and the employee may agree to make up the remaining hours in other normal working days, but not exceed nine hours per day and the total working hours per week shall not exceed nine hours per day and the total working hours per week shall not exceed forty-eight hours</p> <p>- Except for the work which may be harmful to health and safety of the employees as prescribed in the Ministerial Regulations for which the normal working hours shall not exceed seven hours per day and the total working hours per week shall not exceed forty-two hours</p>	<p>The hours of work in a labour unit shall be six days per week, but not exceeding eight hours per day or 48 hours per week, irrespective of the form of salary or wage paid. Hours of work must not exceed six hours per day or 36 hours per week in respect of workers whose occupation involves:</p> <ul style="list-style-type: none"> <li>- Direct exposure to radiation or to contagious disease</li> <li>- Direct exposure to gas or smoke having an adverse effect on health</li> <li>- Direct exposure to dangerous chemicals, in particular to explosives</li> <li>- Work in pits, or in underground tunnels, underwater or at heights</li> <li>- work in an abnormally hot or cold environment</li> <li>- Direct use of constantly vibrating machinery</li> </ul>	<p>- Normal working hours shall not exceed 8 hours in one day and 48 hours per week</p> <p><i>Article 109 Section 1</i></p> <p>A worker who performs work within normal working hours with a duration for 6 hours or more per day shall be given a rest break of at least 30 consecutive minutes during the work period, and of at least 45 consecutive minutes during night work</p> <p><i>Article 110</i></p> <p>A worker who performs shift work is entitled to a break of at least 12 hours before commencing another shift</p> <p><i>Article 111 Section 1</i></p> <p>Each week, a worker is entitled to a break of at least 24 consecutive hours</p>
Overtime / Holiday Pay	<p><u>Cambodian Constitution</u></p> <p><i>Article 139</i></p> <p>- If workers are required to work overtime for exceptional and urgent jobs, the overtime hours</p>	<p><i>Section 27</i></p> <p>- On a Working Day, an Employer shall arrange a rest period during work for an Employee of not less than one hour per day after the Employee has been working</p>	<p><i>Article 18</i></p> <p>Overtime shall not exceed 45 hours per month except in exceptional situations such as a natural disaster or an unexpected event of a kind that would cause great damage to the labor unit</p>	<p><i>Article 107 Section 1</i></p> <p>Overtime is the duration of work that the worker performs at any time outside of the normal working hours as stipulated in the law, a collective bargaining</p>

	<p>shall be paid at a rate of 50% higher than normal hours</p> <p>- If the overtime hours are worked at night the interval from 22:00 pm to 05:00 am or during weekly time off, the rate of increase shall be 100%</p> <p><i>Article 146</i></p> <p>- Prohibited from using the same worker for more than six days per week</p> <p><i>Article 166</i></p> <p>- Weekly time off shall last for a minimum of twenty-four consecutive hours and shall, in principle, be given on Sunday</p> <p>- All workers are entitled to paid annual leave at the rate of one and a half workdays per month of continuous service. The length of paid leave increases according to the seniority of workers at the rate of one day</p>	<p>for not more than five consecutive hours</p> <p><i>Section 28</i></p> <p>- An Employer shall provide a weekly holiday of not less than one day per week for an Employee and the interval between weekly holidays shall be not more than six days the Employer and the Employee may agree in advance to fix any day as weekly holiday</p> <p><i>Section 33</i></p> <p>An Employee is entitled to sick leave as long as he or she is actually sick. For sick leave of three days or more, the Employer may require the Employee to produce a certificate from a first class physical or an official medical establishment</p>	<p><i>Article 19</i></p> <p>Workers shall have the right to one full day of weekly rest, which may be Sunday or any other day agreed upon between the workers and their employer</p> <p><i>Article 20</i></p> <p>Upon presentation of a medical certificate, workers remunerated on a monthly basis shall be entitled to sick leave with full pay for up to 30 days per year</p> <p><i>Article 21</i></p> <p>Workers employed under an indefinite period or for a period of one year or more who have worked for one full year shall be entitled to 15 days of annual leave</p> <p><i>Article 48</i></p> <p>Overtime shall be calculated as follows:</p> <p>- Overtime worked in the daytime on a regular working day shall be paid for on the basis of 150 per cent of normal hourly</p>	<p>agreement or internal work regulations</p> <p><i>Article 107 Section 2(b)</i></p> <p>Overtime working hours cannot exceed 50% of the normal working hours in one day</p> <p><i>Article 112 Section 1(a-e)</i></p> <p>Workers are entitled to fully paid days off on the following public holidays and New Year Holidays:</p> <p>- New Year Holiday according to the Gregorian Calendar</p> <p>- Lunar New Year Holidays: 05 days</p> <p>- Victory Day</p> <p>- International Labour Day</p> <p>- National Day</p> <p>- Commemorative Celebration of the Hung Kings</p> <p><i>Article 113 Section 1(a-c)</i></p> <p>Any worker who has been working for an employer for a full 12 months shall be entitled to annual leave with full pay as stipulated in the employment contract as follows:</p>
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	<p>per three years of service</p> <p><i>Article 170</i></p> <p>Given for the Khmer New year. In every case of the paid annual leave exceeding fifteen days, employers have the right to grant the remaining days-off at another time of the year</p> <p><i>Article 169 &amp; 171</i></p> <p>The employer has the right to grant his worker special leave during an event affecting the worker's immediate family (up to a maximum of seven days during any event directly affecting the worker's immediate family)</p>		<p>remuneration for each hour thus worked</p> <ul style="list-style-type: none"> <li>- Overtime worked at night on a regular working day shall be paid for on the basis of 200 per cent of normal hourly remuneration for each hour thus worked</li> <li>- Overtime worked on a day of weekly rest or on an official holiday shall be paid for on the basis of 250 percent of normal hourly remuneration for each hour thus worked in the daytime</li> <li>- Overtime worked at night of weekly rest or on an official holiday shall be paid for on the basis of 300 per cent of normal hourly remuneration for each hour thus worked in the daytime</li> </ul>	<ul style="list-style-type: none"> <li>- 12 working days for workers with regular working conditions</li> <li>- 14 working days. For workers who are minor workers or workers with disabilities or who perform heavy, harmful or hazardous work or occupations</li> <li>- 16 working days for workers who perform extremely heavy, harmful or hazardous work or occupations</li> </ul>
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## VII. RECOMMENDATION

### 7.1. To the Royal Cambodian Government

- 1. Strengthen Enforcement of Labor Laws:** The Royal Cambodian Government should prioritize the enhancement of labor law enforcement across all sectors, particularly in the rubber and banana industries. This can be achieved by increasing funding and resources for the Ministry of Labor and Vocational Training (MLVT) to conduct regular and thorough inspections. Establishing mobile inspection units could also help reach remote and rural areas where labor violations are more likely to occur. Additionally, implementing strict penalties for employees who violate labor laws will deter non-compliance and protect workers' rights.
- 2. Expand Labor Rights Education and Awareness Programs:** The government should mandate comprehensive labor rights education and awareness programs for all workers, particularly in vulnerable sectors like agriculture. These programs should be integrated into the onboarding process for new employees and include ongoing training to keep workers informed of their rights. Collaboration with NGOs, trade unions, and local authorities will be essential to ensure that these programs reach a wide audience, including informal workers who are often excluded from such initiatives.
- 3. Improve Social Protection Systems for Informal Workers:** The government needs to extend social protection coverage to include informal workers, who make up a significant portion of the workforce in sectors like rubber and banana plantations. This could involve creating a separate social protection scheme tailored to the needs of informal workers, including health insurance, unemployment benefits, and access to housing support. Additionally, separating housing provisions from employment contracts will reduce workers' dependency on employers for basic needs, empowering them to assert their rights without fear of losing their homes.
- 4. Enhance Gender-Specific Protections and Address Gender-Based Violence:** The Royal Cambodian Government should implement stronger legal protections and support systems for female workers, particularly in addressing gender-based violence and harassment in the workplace. This can include the establishment of specialized units within labor inspections focused on gender-related issues, mandatory training for employers and workers on preventing and addressing harassment and providing safe reporting channels for women. Additionally, enforcing equal pay for equal work and ensuring that women have access to the same training and career advancement opportunities as men will help reduce gender disparities in the workforce.
- 5. Strengthen Labor Inspections:** To ensure effective enforcement of labor laws and to protect workers' rights, the government should strengthen labor inspection systems. This includes increasing the number of trained inspectors, particularly in high-risk sectors like agriculture, and enhancing their capacity to conduct thorough and unannounced inspections. The government should also ensure that labor inspections are conducted regularly and comprehensively, covering not only safety standards but also issues like wage violations, working hours, and worker treatment. Strengthening the inspection regime will help identify and address labor rights violations more effectively and deter employers from exploiting workers.

## 7.2. To Non-Governmental Organization

1. **Enhance Worker Education and Awareness Campaigns:** NGOs should focus on developing and implementing comprehensive education and awareness campaigns that inform workers about their labor rights, available resources, and how to seek help when needed. These campaigns should be tailored to reach workers in vulnerable sectors like the rubber and banana industries, using accessible formats and languages. By partnering with local communities, unions, and government agencies, NGOs can ensure that these programs are widely disseminated and effectively empower workers to understand and exercise their rights.
2. **Strengthen Legal Aid and Support Services:** Providing legal aid and support services is crucial for helping workers navigate complex legal systems and seek redress for labor rights violations. NGOs should expand their legal assistance programs to offer more accessible and affordable services, including legal representation, counseling, and advocacy for workers facing exploitation, discrimination, or unfair treatment. These services should also focus on helping informal workers, who are often excluded from formal legal protections to access justice.
3. **Advocate for Policy Reforms:** NGOs should continue to advocate for policy reforms that address the gaps in Cambodia's labor laws and protections. This includes pushing for stronger enforcement of existing laws, advocating for new policies that better protect vulnerable workers, and engaging with policymakers to ensure that worker voices are heard in the legislative process. NGOs can also collaborate with international organizations to bring attention to labor issues in Cambodia and apply pressure for necessary reforms.
4. **Conduct Research and Monitoring:** NGOs should invest in ongoing research and monitoring of labor conditions in sectors like the rubber and banana industries to identify trends, challenges, and areas where interventions are needed. This research can provide valuable data to inform advocacy efforts, guide program development, and ensure that interventions are responsive to the needs of workers. Monitoring labor conditions also helps hold employers and the government accountable for upholding labor standards and provides evidence to support calls for reform.

## 7.3. To Project Partners/Project Operational Framework

1. **Integrate Comprehensive Labor Rights Training:** Project partners should ensure that comprehensive labor rights training is integrated into all project operations, especially in sectors like rubber and banana plantations where workers are highly vulnerable. This training should be mandatory for all workers and include information on their rights, how to report violations, and the resources available to them.
2. **Foster Collaboration with Local Communities and Unions:** Project partners should prioritize collaboration with local communities and worker unions to ensure that the voices of workers are heard, and their needs are met. This involves engaging with community leaders, union representatives, and workers themselves to gather input on project planning and implementation. By fostering these collaborations, partners can build trust with workers and ensure that projects are carried out in a way that benefits both the workers and the broader community.
3. **Ensure Transparent Communication and Reporting:** Transparency is key to maintaining trust and accountability in project operations. Project partners should establish clear communication channels that allow workers to report concerns or violations without fear of retaliation. Additionally, partners should regularly publish reports on labor conditions, project

progress, and any issues encountered, ensuring that all stakeholders are informed and can hold the project accountable for its commitments.

## 7.4. Collaboration and Partnership Engagement

1. **Establish Multi-Stakeholder Platforms:** Creating multi-stakeholder platforms that bring together representatives from government agencies, NGOs, unions, employers, and workers can facilitate open dialogue and coordinated action. These platforms should be designed to address specific labor issues, share best practices, and develop joint strategies for improving working conditions. Regular meetings and workshops can help ensure that all stakeholders are aligned and actively contributing to the shared goals of the partnership.
2. **Strengthen Partnerships with Local Communities:** Engaging local communities as active partners in labor rights initiatives is essential for ensuring that interventions are relevant and effective. Collaboration with community leaders, local organizations, and workers themselves can provide valuable insights into the unique challenges faced by workers in different regions. This localized approach can help tailor solutions to the specific needs of communities and build trust and ownership among workers.
3. **Leverage International Expertise and Resources:** Collaboration with international organizations and donors can provide access to additional resources, expertise, and global best practices that can be adapted to the local context. By partnering with international labor organizations, development agencies, and NGOs, local initiatives can benefit from technical assistance, funding, and advocacy support, enhancing their impact and sustainability. This also allows for the sharing of successful models from other countries that can be replicated or adapted in Cambodia.
4. **Promote Cross-Sector Partnerships:** Encouraging cross-sector partnerships between public, private, and civil society organizations can lead to more innovative and sustainable solutions to labor challenges. For example, partnerships between businesses and NGOs can lead to the development of corporate social responsibility (CSR) programs that improve labor conditions. Similarly, collaboration between government and private sector actors can drive policy reforms that are informed by practical on-the-ground experiences.
5. **Enhance Communication and Information Sharing:** Effective communication and information sharing are key to successful collaboration. Establishing clear communication channels among partners can help prevent misunderstandings, align efforts, and ensure that all parties are aware of progress and challenges. This could include regular reporting, joint publications, and the use of digital platforms for real-time updates. Transparency and accountability in these communications are critical for maintaining trust and ensuring that all partners remain committed to the goals of the collaboration.

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