



Tom Lantos Human Rights Commission

Labor and Human Rights in Cambodia

Wednesday, September 11, 2019

3:00 – 4:30 a.m.

2200 Rayburn House Office Building

As prepared for delivery

I want to start by thanking my colleagues, and the co-chairs of the Tom Lantos Human Rights Commission, Representatives McGovern and Smith, for co-hosting this important hearing with the Congressional Caucus on Cambodia. I also want to say how well my Republican Co-Chair, Representative Steve Chabot, and I work together to defend democracy in Cambodia.

My district, California's 47th, has the largest Cambodian American population in the country, and so, this is an issue that is important to me and to my constituents.

As we will hear today, the Cambodian government under Prime Minister Hun Sen has been waging a violent war on civil society in Cambodia. Hun Sen's regime has violated international labor standards, civil rights, and political rights. These are all human rights and are all linked together.

Legislative tactics used by the regime to crackdown on political opposition and dissidents are the same tactics used to crack down on Cambodian unions. In 2016, the Hun Sen government passed the Trade Union Law, which governs how unions are formed, operated, and dissolved. Among other things, the law restricts unions' right to organize, weakens collective bargaining rights, and the right to strike is no longer guaranteed but is now limited by elaborate procedural requirements. There are stricter requirements on the registration of unions and strict requirements for prospective union leaders. The law also enacts legal and financial barriers on

unions, and it was passed without modifications as requested by the country's labor unions.

In the last 5 years, political crackdowns have occurred at the same time as crackdowns on unions. The ruling political party is distrustful of labor unions because it claims that unions are a tool of the opposition party, the CNRP, which has been outlawed by the Cambodian Supreme Court.

Therefore, I have introduced the Cambodia Trade Act, along with Representative Chabot, in the House, and Senator Ted Cruz in the Senate. This bipartisan and bicameral legislation would require the Trump Administration to reconsider Cambodia's preferential trade treatment under the General System of Preferences (GSP), which gives exemptions or reductions to tariffs on goods that Cambodia imports to the United States.

Cambodia received the preferential status in 1997 and Cambodia currently exports more than \$180 million a year in goods to the U.S. duty-free under the program.

The European Union, citing human rights violations by Hun Sen's regime, has also begun a process to suspend their own preferential trading status granted to Cambodia.

On February 11, 2019, the European Commission launched a procedure that could lead to suspension of Cambodia from EBA trade preferences. In the announcement the Commission stated: "Following a period of enhanced engagement, including a fact-finding mission to Cambodia in July 2018 and subsequent bilateral meetings at the highest level, the Commission has concluded that there is evidence of serious and systematic violations of core human rights and labour rights in Cambodia, in particular of the rights to political participation as well as of the freedoms of assembly, expression and association. These findings add to the longstanding EU concerns about the lack of workers' rights and disputes linked to economic land concessions in the country."

In 1991, Cambodia signed the Paris Peace Accords, also called the Comprehensive Cambodian Peace Agreements, and it promised full multi-party democracy. However, Cambodia under Hun Sen has destroyed democracy as promised by the agreement, and now the U.S. as a signatory of the agreement needs to step up our involvement.

Trade and economic growth should not come at the price of democracy and freedom. Hun Sen's regime has violated labor and human rights, as well as undermined the nation's path toward democracy by attempts to abolish any political opposition or dissent, and for that, I believe Cambodia should not enjoy preferential trade privileges with the United States.

I look forward to hearing from our witnesses today.

Now, I want to recognize my co-chair of the Cambodia Caucus, Representative Steve Chabot.