

DRAFT DECENT WORK COUNTRY PROGRAMME FOR CAMBODIA

Preface

The ILO has been a partner in Cambodia's economic and democratic recovery since the early 1990s. It supports the efforts of its tripartite constituents – Government, Workers' Organizations and Employers' Organizations – to expand opportunities for good quality employment, to improve the effectiveness of social dialogue between employers and workers, and to improve social protection and equity for all Cambodians in a growing economy.

*The ILO works in Cambodia and around the world to promote **Decent Work** - productive work in conditions of freedom, equity, security and human dignity – in order to reduce poverty and secure social justice. Decent Work comprises four mutually-supporting components:*

- *upholding fundamental **rights** at work, meaning freedom to join representative workers' and employers' associations, freedom to engage in collective bargaining and freedom from child labour, forced labour, and discrimination;*
- *ensuring adequate **livelihoods**, and creating more and better jobs for women and men;*
- *providing social **protection**, including the right to a safe work environment and support to cope with illness, injury, old age, economic crises and other risk factors; and*
- *promoting social **dialogue** at the enterprise level and between employers, workers and government at the national level as a framework for good governance and a means to advance the Decent Work agenda according to national needs.*

The ILO partnership with the Cambodian Government, Workers' Organizations and Employers-Organizations for 2008-2010 will focus on poverty reduction through boosting jobs and livelihoods, on contributing to good governance by strengthening labour institutions and the protection of fundamental rights at work, and on extending basic social protection to some of Cambodia's most vulnerable workers.

I. SITUATION ANALYSIS

Cambodia is moving towards peace and restoration of macroeconomic stability after almost three decades of wars which ended in 1993, having destroyed much of the country's physical and social infrastructure. Cambodia is one of the poorest countries in Asia.

Despite progress in establishing a stable macroeconomic environment and a welcoming investment climate, economic growth remains narrowly based and poverty rates remain very high, with 35 percent of the population living below the poverty line, including 15 percent in extreme poverty. Extensive poverty persists due to insufficient opportunities for productive employment and the limited access to land, markets, social services, and appropriate skills development.

There is no official definition for informal employment in Cambodia but it is believed to be around 85 percent of total employment if agriculture is included. Informal workers are largely employed in the agriculture, forestry, and fishing sectors and in small and micro enterprises. The formal sectors, most significantly the garment manufacturing and tourism industries, are the main engines of growth, with garment manufactures accounting for 85 percent of Cambodia's exports and employing some 350,000 employees, 95 percent of whom are women.

Social attitudes and tradition see women to be of lower status, leaving them with little legal protection. While there has been progress in formulating policies to promote gender equality, serious gaps remain and mainstreaming gender is a major challenge. Women and children are highly vulnerable to trafficking, domestic violence and forced labour.

Concerns remain high about the extent of protection of human rights and freedom of association, the independence and neutrality of Cambodian legal and judicial processes, and

land rights and protection of natural resources especially for rural populations and indigenous tribal groups. Cambodia has ratified the six main international human rights treaties and incorporated them in the Constitution, but implementation has been weak. Corruption in the legal and judicial system, in public and financial management and in public administration has been identified by the Government as an important constraint on turning the recent impressive economic growth (estimated at over 12 percent in mid 2006) into economic opportunities for all.

II. NATIONAL DEVELOPMENT FRAMEWORK AND ILO'S DECENT WORK COUNTRY PROGRAMME IN CAMBODIA

The *Rectangular Strategy for Growth, Employment, Equity and Efficiency* was articulated in July 2004 to set out the new coalition government's development priorities and strategy for meeting the Cambodia Millennium Development Goals (CMDGs) and the National Poverty Reduction Strategy (NPRS)). *Good Governance* was placed at the centre of this strategy, identified as a prerequisite to sustainable development. The *Rectangular Strategy* identifies four fundamental building blocks of economic and social development: 1) Promotion of agriculture sector; 2) Continued rehabilitation and construction of physical infrastructure; 3) Private sector growth and employment development; and 4) Capacity building and human resource development.

The recently launched *National Strategic Development Plan (NSDP) 2006-2010* draws on all government ministries and agencies to implement the Government's Rectangular Strategy and meet the NPRS goals and CMDGs targets for 2010.

The United Nations Development Assistance Framework (UNDAF) for 2006-2010 sets out the commitment by all UN agencies working in Cambodia to support the Government in implementing the Rectangular Strategy, and thereby achieve the CMDGs. The UNDAF builds on a joint analysis of development issues made by the World Bank, ADB and DFID and on an assessment of gender issues in the country (in lieu of a separate Common Country Assessment).

The UN Country Team identified four areas of interventions where the UN can collectively make a difference in enabling the Government and Cambodian society achieve the CMDGs: 1) Good governance and the promotion/protection of human rights; 2) Agriculture and rural poverty; 3) Capacity building and human resources development; and 4) Support for implementing the National Strategic Development Plan

The DWCP provide the basis for ILO's contribution to the Governments Rectangular Strategy and NSDP and the DWCP priorities reflect ILO's commitment to the UNDAF and UN joint programme development. The present DWCP is designed for a period of three years i.e. 2008-2010 to correspond to the NSDP and UNDAF both of which will be in operation until 2010.

Government strategy	Rectangular	UN UNDAF	Priorities	ILO Decent Work Priorities
Improved investment	agricultural	Agriculture and rural poverty, to include improved productivity and diversification of agriculture.		Employment and Skill Development Strategies for Productive Employment
Continued rehabilitation and construction of infrastructure				
Private sector growth and employment development				

Good governance, as prerequisite of socio-economic development and social justice	Good governance and the promotion of human rights	Labour Market Governance and Rights
Capacity building and human resource development.	Capacity building and human resources development for the social sectors, including improved access to quality health and education systems.	Social protection enhanced for targeted groups.

III. WORKING WITH SOCIAL PARTNERS

While the Ministry of Labour and Vocational Training (MOLVT) is the focal ministry which ILO works with in Cambodia, it also partners with a number of other ministries in carrying out its mandate, such as Ministry of Commerce(MOC) , Ministry of Women Affairs (MOWA) , Ministry of Rural Development (MRD), the Ministry of Social Affairs and Veterans And Youth rehabilitation (MOSVY), Ministry of Industry , Mines and Energy (MIME) and Ministry of Education, Youth and Sport (MOEYS), Ministry of Public Works and Transport

In Cambodia, the Cambodian Federation of Employers and Business Associations (CAMFEBA) and the national trade union confederations are the social partners that work with the ILO and the Royal Government of Cambodia to ensure that employers' and workers' perspectives and concerns are addressed in all aspects of the ILO's work in the country.

CAMFEBA was inaugurated in July 2000 and has grown to an organization representing 10 key industry/business associations plus 26 individual employer members. These members make up a total of more than 654 individual enterprises in 10 different sectors of activity. The ILO works with CAMFEBA to build and enhance its capacity to represent its members in a variety of tripartite forums and to be an effective advocate for employer interests.

The first trade unions in Cambodia were set up in 1996. Following the enactment of the labour law in 1997 an increasing number of unions and federations have been established. Union membership has grown and trade unions represent workers in a wide range of industries, especially in the garment and tourism industries, construction and increasingly in the informal economy. Around 20 recognized national trade union federations in Cambodia work with the ILO to help build the capacity of their affiliate unions so that they are better equipped to protect and promote the interests of workers and their families.

The development of the DWCP for Cambodia for 2008 – 2010 involved a wide range of consultations with Ministry of Labour and Vocational Training as well as other ministries, CAMFEBA and the Trade Union Federations. The priorities of each of the constituents were taken into consideration when formulating the DWCP.

IV. DECENT WORK PRIORITIES AND OUTCOMES

A. Employment and Skill Development Strategies for Productive Employment

1. *Increased employment opportunities and employability of women and men, youth and people with disabilities particularly in the rural areas*

B. Labour Governance and Rights

1. *Improved rule of law, more effective and effective labour laws, and labour market institutions and practices that comply with international labour standards.*
2. *Government and social partners adopt and implement policies to improve and protect the rights of children, women, migrant workers and indigenous peoples.*

C. Social Protection Enhanced for Targeted Groups

1. *Increased social protection coverage to men and women workers in formal and informal sectors.*

A. EMPLOYMENT AND SKILL DEVELOPMENT STRATEGIES FOR PRODUCTIVE EMPLOYMENT

1. Increased employment opportunities and employability of women and men, youth and people with disabilities particularly in the rural areas.

Policy and strategies for employment creation and employability

The creation of sustainable opportunities for **decent productive employment** is vital for the social and economic development of Cambodia and it is necessary to prioritise employment as a central concern in national economic and social policies. Those most in need of jobs, as a route out of poverty are young people, women (who continue to be disadvantaged by traditional attitudes and poor education), those with disabilities, and people living in rural areas where even basic infrastructure is inadequate. Policies and programmes to increase employment opportunities for these groups and enhance their employability are of utmost importance. The ILO has worked with partners in Cambodia to develop productive employment opportunities for these target groups through two main strategies: developing national policies and strategies; and piloting locally initiated projects.

Further collaboration will continue these two main strategies.

National Strategies

ILO will provide assistance to the development, implementation and necessary capacity building for national strategies in four areas:

- **employment;**
- **training;**
- **micro-and small enterprise development; and**
- **infrastructure development.**

ILO has been working with MOLVT to develop national strategy for employment that incorporates gender equality and addresses the needs of specific groups. Tripartite constituents in Cambodia including Government, CAMFEBA and trade unions, have at two national seminars in October 2005 and May 2007 discussed policies for employment and training and suggested key priorities for action under the National Strategic Development Plan for 2006-2010. Cambodia has ratified ILO Convention 122 on Employment Policy, but has not reported on this since 1999. One key target for collaboration will be Cambodia resuming regular reporting on this Convention. ILO will provide assistance to MOLVT, MOWA and MIME and the social partners to finalise and adopt an employment strategy and implement the national policy priorities that were identified and strengthen capacity of the MOLVT to develop pro-poor employment policies.

The National Training Board in March 2006 endorsed a National Technical and Vocational Education and Training Development Plan (NTVET), which sets out a twenty five year horizon for development (from 1995 to 2020). ILO will provide technical support in the implementation of the NTVET development plan, and the GMAP (Gender Mainstreaming Action Plan) of MOLVT and MIME, and promote the linking of training to industry and employers' needs, and work towards improved skills recognition through a national qualifications framework.

Taking the governments SME Development Framework as the point of departure, ILO will assist with the development and implementation of national policies and strategies on micro and small enterprise development.

The Ministry of Rural Development and the Ministry of Public Works and Transportation have adopted the ILO's labour-based methods in their ADB and World Bank-funded loans for rural infrastructure development. The country's new Strategic Plan for Rural Roads prepared by the Ministry of Rural Development (MRD) mentions that "The policy of MRD is to use labour-based appropriate technology (LBAT) in the construction and maintenance of rural roads...and gradual phasing out of the involvement of the public sector from rural road works with the progressive development of private sector capacity.

Local level actions and models

Most people in Cambodia live and work in the informal economy, where productivity is low, market access is narrow, and voice in public policy is weak. The ILO's work on poverty and employment in the informal economy has combined policy-level and grassroots efforts, for example reducing the barriers to micro and small enterprises entering the formal economy as well as facilitating access to microfinance. Access to markets can be eased through organizing micro and small enterprise promotion days, business climate surveys and trade fairs. The ILO supports the strengthening of small business groups and associations, and improves access to business development services for women and men entrepreneurs. It enables people with disabilities to earn their own living by improving their access to locally-based informal training and business development assistance.

The ILO will involve local government and social partners in demonstration projects; strengthen organizations representing and providing services to small and micro entrepreneurs, particularly rural women and disabled persons. ILO will help build local authority capacity to undertake area based local economic development linked to integrated rural accessibility planning using local level participatory techniques will be adopted to increase employment and incomes of these vulnerable groups.

The ILO has demonstrated the income-earning potential of labour-based methods for constructing and maintaining rural roads, as well as the poverty reduction effect of integrated rural accessibility planning (IRAP) for improving access to health centres, schools, and markets. In three northwestern provinces, thousands of people have gained jobs and skills by improving and maintaining some 600 km of rural roads and building schools and markets through small scale contractors. The new and improved assets create additional employment and income.

ILO will in the next period focus on assisting the Ministries of Rural Development and Public Works and Transportation to institutionalize participatory planning procedures, train local government bodies in labour-based methods and community-based planning and train small contractors in the rural infrastructure maintenance system so that rural infrastructure is sustained to support local employment and livelihood.

PROGRAMME STRATEGY:

- (a) Assist MOLVT, MOWVA and MIME, and social partners to develop and finalise a gender-responsive employment and training strategy for employment creation and facilitate MOLVT consultations with national and local stakeholders to help implement the strategy. Support the collection and use of labour market information for development of policies.
- (b) Support the development of skills and employability policies/strategies and build capacity to implement strategies to increase employment opportunities for young women and men.
- (c) Improve representation of and service delivery to women and men entrepreneurs, including people with disabilities.
- (d) Assist the Ministries of Rural Development and Public Works and Transportation to institutionalize participatory planning procedures of local infrastructure and labour-based maintenance systems and train local government bodies in labour-based methods and community-based planning.

Performance Indicators	Targets
National employment and training strategy adopted by government and social partners	Cambodia reports on C122 by end of 2009. Government commitment to incorporate the National Employment Strategy into the next NSDP
LMI used more frequently in development of policy, strategies and monitoring	Develop baseline data and a process for collecting data to monitor changing employment figures for women, youth and people with disabilities within the total population.
National Qualification Framework (NQF) adopted and staff trained to implement it. Industry based qualification standards and skills testing system adopted for a number of trades and by some provincial training boards	NQF used as the basis for industry-led qualifications in 2 sectors.
Percentage of persons in gainful employment including percentage of women, youth and persons with disabilities. Communes in use area based local economic development approaches to develop their communities and increase employment opportunities Number of partner organisations including government, incorporate ILO tools for enterprise development and microfinance.	Increase in number and percentage of youth, women and persons with disabilities (within the total population) in gainful employment (subject to availability of data) Improved employability of young people through innovative skills training and job placement programmes
Number of provinces and programmes integrate Labour Based Infrastructure Development (LBT) and Employment Intensive Investment Programme (EIIP) tools, approaches and methodologies into infrastructure development policies, strategies, development projects. Number of workdays created from sustainable road maintenance through LBT and EIIP in 3 provinces.	Ministry of Rural Development and 3 provinces. 100,000 Work-Days through routine maintenance of 60 0km of roads in 3 provinces. 600 km of rural roads developed and maintained through LBT/EIIP methodologies.
Technical Cooperation Projects	
<p><i>Ongoing:</i></p> <ul style="list-style-type: none"> (i) Women Entrepreneurship Development and Gender Equality Project . – Ireland (ii) Expansion of Employment Opportunities for Women –Japan. (iii) Mainstreaming Labour Based Road Maintenance to the National Road Network - ADB <p><i>Pipeline:</i></p> <ul style="list-style-type: none"> (i) <i>Proposal for Creative Industries Programme - MDG/Spanish Funds (approved in principle)</i> (ii) <i>Proposal on Youth Employment and Migration – MDG/Spanish Funds.</i> (iii) <i>Improved Road Maintenance and Asset Management through Community Contracting and Private Sector Partnerships.</i> (iv) <i>Proposal for the Implementation of National Qualification Framework.</i> 	

B. LABOUR GOVERNANCE AND RIGHTS

1. Improved rule of law, more effective labour laws, and labour market institutions and practices that comply with international labour standards.

The need for **better governance** is at the core of Cambodia's development strategy and is also the first priority of the UNDAF. The ILO's role in this commitment is to promote good governance in the world of work and ensure that labour laws and practices are in line with its "*Fundamental Principles and Rights at Work*". The ILO seeks to promote genuine representation and effective social dialogue among workers, employers and government, strengthen workplace and national mechanisms to ensure compliance with national labour laws and facilitate industrial peace by pre-empting and resolving industrial disputes,

Promoting Industrial peace through revision of laws and strengthened institutions.

The MOLVT, representatives of the workers and employers organisations have requested ILO assistance to amend and update the labour code, to deal with issues that have been the focus of industrial strife and frequent labour disputes, and also to address the country's expanding industrial base and growing formal sector. ILO will provide policy advice and technical assistance in drafting of the revised labour code, and facilitate a tripartite consultation process to ensure that the changes in the labour legislation reflect the views and experiences of the employers' and workers' and can be implemented successfully.

As new industries have grown, so has concern about labour disputes involving protests, strikes and lock-outs. Although Cambodia has ratified ILO Conventions 87 and 98, the exercise and enjoyment of freedom of association and the rights to organize and bargain collectively as set out in the conventions, have not been fully recognized and protected. Social dialogue at the enterprise and national level continues to be hampered by limited protection of trade union rights and only a gradually emerging understanding of trade union responsibilities and good management practices. Trade unions and many employers in Cambodia lack skills in collective bargaining and negotiations. Bipartite cooperation between unions and employers lacks confidence and trust. Promoting respect for the fundamental principles and rights at work including the right to life of trade unionists will be an important area of work of this DWCP.

The ILO works with employers and trade unions to reduce labour disputes and resolve them constructively. One lesson is that educating employers and workers about the labour law and the legal provisions for resolving disputes in itself serves to relieve tensions. Another lesson is that independent and tripartite institutions are needed to help resolve disputes. The ILO's *Labour Dispute Resolution Project* has directly supported the creation of an independent tripartite **Labour Arbitration Council** to help settle collective labour disputes. Since its creation May 2003, the Council has become a landmark in the development of good industrial relations and statutory decision-making bodies of all kinds.

Currently the Labour Arbitration Council functions relatively well in serving the needs of employers and workers in terms of resolving industrial disputes. However, there is a need to improve government conciliation and mediation services to relieve the burden on arbitration; and the capacity of the social partners' to engage in collective bargaining constructively if the entire industrial relations system is to function harmoniously. A focus of the DWCP will be training of workers' and employers' representatives to ensure that grievance procedures are more widely adopted and collective bargaining is more widely practiced at the enterprise level and upgrading the skills of government conciliators to ensure that grievances and disputes are settled before they are referred to arbitration.

Compliance and competitiveness

The Cambodian Government, garment manufacturers and labour unions have proven that their strategy to win and retain export markets by demonstrating **compliance with national labour law and international labour standards** can be successful. The ILO's *Better Factories Cambodia* project has helped establish a credible, transparent and independent monitoring system of all export garment exporting factories by providing information to international buyers about the observance of core labour standards and Cambodian labour law. The Cambodian Ministry of Commerce requires all factories with export licenses to register themselves for independent monitoring by the ILO project. A World Bank survey of international buyers has cited compliance with labour standards in Cambodia as the most important element in their decision to source their product from Cambodia and attributed this to the independent monitoring system developed and implemented by the *Better Factories Cambodia* (BFC) project. Predictions of a drastic fall in exports and employment post Multi Fibre Agreement (MFA), has not occurred and there is a need to sustain the initiatives.

ILO will continue to improve the monitoring and training methods and services developed and adopted by the BFC programme, and provide technical assistance in capacity building of local stakeholders. ILO will also facilitate the transitioning of the BFC project into an independent entity by 2010 as agreed by the programme partners and will document this process and the lessons learned for potential replication of the model in the international arena. An independent BFC programme is expected to help to maintain the competitiveness of Cambodian garment industries and translate the international garment buyer's principles of "Corporate Social Responsibility" into practice.

PROGRAMME STRATEGY:	
<p>(a) Advise the Technical Working Group on labour law review and the Prime Minister's 8th Working Group on Labour and Industrial Relations, facilitate tripartite discussions, offer amendments for discussion based on international best practice and consistency with international labour standards. .</p> <p>(b) Provide technical support and capacity building of conciliation and mediation services capable of handling disputes more effectively; and strengthen the infrastructure of the Arbitration Council Foundation and enabling it to become self-sustaining.</p> <p>(c) Implement the sustainability strategy agreed with the Cambodian government, employers organisation, trade unions and international buyers and build local capacity to transfer responsibilities under the Better Factories Cambodia programme to local stakeholders for monitoring and improving working condition in Cambodian garment exporting factories.</p> <p>(d) Support and advise employers organisations and trade unions to increase membership to build capacity to foster industrial peace through mature collective bargaining and social dialogue.</p> <p>(e) (ILS & Rule of Law) Workshops and meetings to collect information on the application of Conventions and put it into the required report format. Translate ILO Conventions and Recommendations into Khmer for subsequent submission to the National Assembly. Regarding impunity, a direct contacts mission will visit Cambodia in 2008 and may require follow-up.</p>	
Performance Indicators	Targets
Labour laws and regulations amended or adopted based on tripartite consensus	3 number of laws amended /adopted
Arbitration Council/Foundation sustained as an independent, credible and effective dispute resolution body	increased number of cases resolved by AC
Number of enterprises adopt high quality collective bargaining agreements	CBA's increased by 10
Local tripartite institution/s takes over monitoring role of BFC project	Well functioning local institution established with buyers presenting over 50% of the export volume using its services.
Working conditions in Cambodian factories are	

improved through monitoring and documenting compliance with national labour laws and International standards through remedial training.	Average compliance levels recorded by summary synthesis reports in 2007 are maintained or improved.
Capacity of TU's and Employers organisations to serve constituents is improved through better management and democratic practices.	Progress toward a joint council of Trade Unions
Improved capacity of the Ministry of Labour to report on ratified Conventions and to submit newly adopted Conventions and Recommendations to the National Assembly.	1) All reports due by 1 September 2009 submitted to the ILO; 2) 80 Conventions and Recommendations translated and submitted to the National Assembly
Technical Cooperation Projects	
Ongoing : (i) Workers' Education Project - funded by Norway (ii) Labour Dispute Resolution Project - funded by US DOL, NZAID, USAID (iii) Better Factories Cambodia Project funded by AFD, USAID, NZAID, GOVT, GMAC, TU and by the IFC /World Bank.	

2. Government and social partners adopt and implement policies to improve and protect the rights of children, women, migrant workers, and indigenous peoples

Elimination of Child Labour

One of the most fundamental of human rights is the right to childhood. Children in many communities in Cambodia are vulnerable to the worst forms of child labour and trafficking due to severe poverty and lack of education. These children need to be withdrawn from work and provided with education – including support for reintegrating in schools. Children at risk of trafficking and child labour and their families need information and options for protecting the children and for investing in their futures.

Cambodia has committed itself to reducing the number of working children from 16.5% in 1999 to 8% in 2015 under the CMDGs. The ILO's technical assistance and advocacy helped the Government ratify the international labour conventions on the elimination of child labour, and translate these commitments into law through *Prakas* on hazardous child labour and on light work permitted for children below the legal minimum age. ILO programmes in Cambodia has also resulted in the rehabilitation or prevention from the Worst Forms of Child Labour of over 16,000 children in the fishing industry, salt fields, child domestic workers, rubber plantations, brick making and child porters. This has been done through the provision of education and non-educational services, such as non- formal or basic literacy education, vocational and skills training and referrals to the formal education system, income generation for families, tracking targeted children, provision of shelter or other support services, community mobilization, awareness raising, alternative livelihoods and involving beneficiaries in area-based development projects.. The programme has also worked very closely with employers' and workers' organisations in the country mobilizing them and building up their capacity for the elimination of child labour.

Draft national plans of action to combat trafficking and sexual exploitation and the worst forms of child labour have been completed and national capacity to coordinate policy and programme implementation, needs further strengthening. Equally important is the mobilization of line Ministries, workers' and employers' organizations and civil society to support the implementation of national policies. .

The ILO will continue to provide policy advisory services and technical assistance to the government so that national plans of action on child labour and child trafficking are implemented; help make national and provincial level coordinating mechanisms operational; advocate for safe migration as a means to prevent trafficking. It will support the Government efforts towards achieving the Child Labour goals contained in its MDG and in its Rectangular Strategy. At the same time, the ILO will also support the government in achieving the ILO goal of eliminating the Worst Forms of Child Labour in the country by 2016.

Trafficking of children and women

In the absence of job opportunities in Cambodia, people are forced to look for work in neighbouring countries. Most of these migrants use irregular means to migrate as the cost of regular migration is very high. Most migrants work in poorly paid jobs without legal or social protection. Women and children, bear the brunt of irregular migration as they are most vulnerable to exploitation and abuse.

ILO experience demonstrates the value of promoting regular forms of labour migration through cooperation between sending and receiving countries, based on sound labour migration policies, respect for migrant workers' rights and effective legal frameworks. This helps provide additional employment opportunities for Cambodians in neighbouring countries while working to ensure that their rights are protected. A well-managed **labour migration policy** is not only a means of reducing exploitation but also an important employment promotion tool.

Realizing the complexity in labour migration management, the MOLVT issued an official notification in January 2007 creating the **Labour Migration Taskforce** headed by the General Department of Labour to be responsible for coordinating the implementation of the activities relating to labour migration in collaboration with the ILO and the donor agencies. The ILO together with other agencies such as IOM and UNIFEM will assist the government in developing and implementing a labour migration policy.

Promotion of rights and respect for indigenous peoples

Indigenous peoples in Cambodia are unaware of their rights (such as those under the Land Law of 2001) and are under-represented in national, provincial and local decision-making bodies. Lack of recognition by authorities and the private sector threatens to erode their land rights and jeopardize their culture and means of livelihood. Poverty levels are consequently very high.

ILO will continue to support the Cambodian government to improve legislation and protection of the rights of indigenous peoples, including greater consultation and their inclusion in decision-making, and support capacity building for their representative institutions, and strengthens rights advocacy and legal protection mechanisms as well as extend awareness-raising training on rights and representation.

Promotion of women workers' rights and gender equality

Gender equality is a fundamental human and workers' rights and an essential condition for achieving decent work for women and men. Although more and more women are working outside the home, gender remains an important source of labour market discrimination, and women compared to men continue to be disadvantaged and vulnerable to exploitation and in need of organization, representation and social protection. Despite the increasing participation of women and the fact that they constitute most of the new members, apart from the garment sector, women are still under-represented in unions¹, and they are seriously under-represented in trade union leadership.

¹ Promoting Gender Equality: A Resource Kit for Trade Unions, ILO, 2001

ILO will continue to support the Cambodian government and social partners for the inclusion of gender perspective in all trade union policies and programmes to promote the rights of women workers and gender equality.

PROGRAMME STRATEGY:	
<p>(a) Continue to provide policy advisory services and technical assistance to the government and social partners so that national plans of action on child labour and child trafficking are implemented; help make national and provincial level coordinating mechanisms operational;</p> <p>(b) Promote safe migration as a means to prevent trafficking of women and children through a well managed labour migration policy and regulation framework.</p> <p>(c) Support Cambodian government policy to create more opportunities for consultation and participation of disabled persons and indigenous peoples in the policy and legislative process concerning them;</p> <p>(d) Promote gender equality in trade unions and at work</p>	
Performance Indicators	Targets
<p><i>National Plan of Action on Child Labour adopted and implemented</i></p> <p>Number of provinces incorporate elimination of Child Labour into their Plan of Action and implement programmes to prevent child labour and withdraw children from exploitative work.</p> <p>Incidence of child labour reduced</p>	<p>7 provinces</p> <p>Child labour reduced to 10.6 % nationally</p>
<p>National policy and regulatory framework on labour migration endorsed</p> <p>- <i>Improved Labour migration management and expanded knowledge base;</i> - <i>Effective bilateral and sub-regional consultations</i> - <i>Increased recruitment through formal channels</i></p>	<p>20 percent increase in regular migration (compared to 2007 figures)</p>
<p>Initiatives undertaken by concerned agencies vis-à-vis legislative and policy to support the indigenous people's entitlement to landownership.</p> <p>Number of indigenous communities have obtained deeds to land.</p>	<p>10 number of initiatives/community registration</p> <p>3 communities/ 3 land titles</p>
<p>Initiatives undertaken by concerned agencies to protect women worker's rights and promote gender equality at work</p>	<p>5 initiatives</p>
Technical Cooperation Projects	
<p><i>Ongoing :</i></p> <p>(i) Time Bound Programme to Support to Cambodian National Plan of Action on the Elimination of the Worst Forms of Child Labour – funded by USDOL.</p> <p>(ii) Mekong Sub regional Project to Combat Trafficking in Children and Women at Risk – funded by DFID –SEA..</p> <p>(iii) Support to Indigenous and Tribal Peoples - funded by DANIDA</p> <p>(iv) ILO/JAPAN Management of Cross Border of Movement of Labour in SEA</p> <p>(v) ILO/JAPAN Expansion of Employment Opportunities for Women (EEOW) Cambodia</p>	

C. SOCIAL PROTECTION ENHANCED FOR TARGETED GROUPS

1. *Increased social protection coverage to men and women workers in formal and informal sectors*

Institutional capacity for extension of social security

Cambodia has already promulgated the social security law for private-sector workers in 2002 and plans to introduce a contributory social security scheme for civil servants instead of the present direct payments of social security benefits to civil servants. Further development of a legislative base for social security is necessary since there are no regulations for implementing social security for private-sector workers, no social security law for civil servants, nor any health insurance laws. There are two community based health insurance schemes which are presently expanding, which need eventually to be linked to future national schemes to ensure its sustainability. The ILO has assisted the MOLVT through ILO regular budget activities and ILO/Korea Programme in drafting legislation and designing the management and administrative structures for the establishment of an employment injury insurance scheme planned to start early in 2008.

It was further requested by the. MOLVT, MOSVY and MOPH, to assist in the development of social security schemes including draft legislation, financial studies and support in the implementation of such schemes, especially health insurance schemes, which has been done in collaboration with other relevant international agencies, such as WHO and GTZ. Capacity building of the government staff is a prerequisite for the implementation of the new schemes.

Safety and health at work especially in the informal sector

The Cambodian national Occupational Safety and Health (OSH) system is weak in terms of legislation, inspection, advocacy and training. National OSH capacities need to be strengthened through the effective planning and development of a national OSH programme.

Hazardous work in the informal economy is very difficult to address through laws and inspections alone. But workers and employers in small construction sites have learned to **improve safety and health** in their workplaces through participatory training workshops using the *Work Improvement in Small Construction Sites (WISCON) programme*. Geared to very small worksites, this training helps workers and employers come up with their own proposals for practical safety and health improvement measures which use only low-cost locally-available materials. And more than 200 home workers in the informal economy were trained under the *Work Improvement for Safe Homes (WISH) programme*. In both cases, outreach has been successful because of the focus on training local trainers and using simple, action-oriented checklists and good example photo sheets. Referring to these achievements, national policy workshops were held to discuss the workable ways to expand the coverage.

Existing Cambodian good OSH practices will be used as a practical means to expand OSH protection. A broader programme of action could be supported as part of a national social security and protection project.

Protection against HIV-AIDS

The HIV prevalence in Cambodia is the highest in Asia and despite recent declines in prevalence among high risk groups, it remains higher than in neighbouring countries. The worst-affected population category of 15-49 year-olds is also the working and economically-active segment of society.

The ILO works with the government, workers and employers to reduce levels of HIV-risk behaviour by workers in the formal and informal economy, counters discrimination against people living with HIV, and promotes confidential testing and counselling, treatment, and information services on HIV-AIDS. The ILO's ***HIV-AIDS workplace education programme*** generated HIV workplace policies, conducted surveys on risk behaviour and changes in attitudes and knowledge as well as trained trainers to promote HIV awareness at the workplace and held seminars for employers and workers. It also supported the development of national policy and enterprise-level interventions to prevent the spread of HIV and to prevent discrimination in formal enterprises. (This included the Implementing Guidelines (Prakas) "On the Creation of the HIV/AIDS Committee in Enterprises and Establishments and Managing HIV/AIDS in the Workplace" and two trade union policies.) There have been requests from the social partners as well as the government to continue with the work that this project initiated and ensure the prevention of the spread of HIV and discrimination against those living with HIV and AIDS.

PROGRAMME STRATEGY:	
<p>(a) Provide technical assistance and policy advice to government and social partners on the legislative framework for the establishment of social security schemes; and enhancing capacities of government officials for future implementation of the schemes;</p> <p>(b) Provide technical assistance in finalizing and implementing national OSH programmes in consultation with social partners and based on ILO Global OSH strategy and promotional framework convention; and strengthen national OSH capacities</p> <p>(c) Strengthen the capacity of the tripartite constituents to implement existing policies and strategies to prevent discrimination against people living with HIV, particularly implementation of <i>Prakas#86</i> on the creation of HIV/AIDS Working Groups or HIV/AIDS Committees.</p>	
Performance Indicators	Targets
<p>Employment injury insurance scheme established for private formal –sector workers</p> <p>Feasibility study on the introduction of health insurance for formal-sector workers conducted and the plans for the implementation of health insurance drafted.</p>	<p>50 % of formal sector workers in Phnom Penh working for enterprises with more than 10 workers covered by employment injury insurance scheme.</p> <p>Feasibility study carried out and the plans for the implementation drafted.</p>
<p>Tripartite agreement on National OSH programme</p> <p><i>Number of informal economy workplaces with improved OSH measures</i></p>	<p>National OSH Programme launched</p> <p>100 workplaces</p>
<p>Labour inspection model is developed to enforce compliance of <i>Prakas #086</i>, which specifies the creation of HIV/AIDS Working Groups or HIV/AIDS Committees in enterprises of eight workers and more.</p> <p>As inputs into the new labour inspection model, the following will be achieved:</p> <ul style="list-style-type: none"> • Study completed on regional/international approaches to labour inspection and HIV; • Inspection manual is developed; <p>Training for all DOSH and Labour Inspectors on inspection manual carried out.</p> <p>A system to store and manage information</p>	<p>The inspection model will be in place and fully functioning by third quarter of 2008 and include roles for members of the Tripartite Coordination Committee (TCC);</p> <p>Study completed by end 2008;</p> <p>Inspection manual developed first quarter 2009;</p> <p>Training of DOSH and labour inspectors carried out second quarter 2009.</p> <p>System storage and management in place by first quarter of</p>

on enterprise compliance to <i>Prakas</i> #086 will be in place	20009 ;
Number of enterprises inspected	300 workplaces monitored by end of 2009;
Number of enterprises where HIV/AIDS Working Groups or HIV/AIDS Committees have been established	200 workplaces with HIV/AIDS Working Groups or HIV/AIDS Committees by end 2009
Technical Cooperation Projects	
Ongoing: None	

V. MANAGEMENT AND IMPLEMENTATION FRAMEWORK

As a framework to support and assist the Government of Cambodia in its development objectives, the achievements of the outcomes of the DWCP requires at a very minimum *coordination*; effective cooperation; commitment and full participation of ILO constituents: Trade Unions, Employers' Organizations, and Government officials at national and local levels. They need to support and promote the decent work approach and actions in fora and platforms where they are active.

In addition to being beneficiaries of programmes the ILO constituents will be implementing partners in all priority areas, and will participate in governance mechanisms such as Project Advisory Committees.

Institutional capacity-building of the ILO partners for project implementation and research, will also be extended through partnerships on specific work items with NGOs, human rights organizations, and local research institutions.

Gender, Social dialogue and tripartism will be mainstreamed across all interventions and programmes.

It is recognized that the programme priorities and technical support outlined above represent joint commitments of the Cambodian partners and the ILO and that the ILO is not a funding agency. The ILO will work in collaboration with the MOLVT, other government ministries, the workers and employers organisations to mobilize resources from financial partners for the implementation of actions outlined in the DWCP. Some of the indicators mentioned above, presently receive financial resources and in-kind support from the Government, the trade unions, and the Employers' Organization.

All technical cooperation projects include agreements with the Government and social partners on their role in project steering committees and set time tables and allocate funds for appropriate mid-term reviews and evaluations and will influence future policy, advocacy and project formulation in the country and throughout the ILO's global work.

The Governance structure of the ILO entails reporting on both the implementation of the DWCP as well as an assessment of its impact. ILO commitments for the DWCP in Cambodia will be monitored as part of the ILO's biannual programming and budgeting process. **Semi annual tripartite consultations will also contribute to this process.**

The ILO is also increasingly assessed on its efforts and contribution towards the national development initiatives and activities with other UN agencies under a common development framework. Some of the activities in the DWCP are carried out jointly with other UN agencies, and substantial partnerships are maintained with UNDP, UNICEF, the Office of the UN High Commissioner for Human Rights, UNAIDS, WHO, UNIFEM, OIM and the World Bank. The ILO commitments to the UNDAF is measured by its own contributions as well as it's joint commitments in support of UN-wide goals and is subject to annual review and reporting to the government.

Abbreviations

ADB – Asian Development Bank.

AFD

CAMFEBA - Cambodian Federation of Employers and Business Associations

CBA - Collective Bargaining Agreements

CMDGs - Cambodia Millennium Development Goals

DANIDA – Danish Development Agency.

DFID – Department for International Development (UK).

DWCP - Decent Work Country Programme.

EIIP - Employment Intensive Investment Programme.

LBT - Labour Based Infrastructure Development.

IFC - International Financial Co operation.

IOM – International Organisation for Migration.

OSH - Occupational Safety and Health.

ILO - International Labour Organisation.

IRAP - Integrated rural accessibility planning.

MFA - Multi Fibre Agreement.

MOC – Ministry of Commerce.

MIME – Ministry of Industry , Mines and Energy.

MOLVT - Ministry of Labour and Vocational Training.

MOSVY - Ministry of Social Affairs and Veterans And Youth rehabilitation.

MOWA – Ministry of Women Affairs.

MOEYS – Ministry of Education, Youth and Sports.

NIS - National Institute of Statistics.

NPRS - National Poverty Reduction Strategy.

NSDP - National Strategic Development Plan.

NTVET National Technical and Vocational Education and Training Development Plan,

RGC - Royal Government of Cambodia.

SME - Small and Medium Enterprises.

UNAIDS – The UN Programme on HIV/AIDS

UNDAF - United Nations Development Assistance Framework

UNDP - United Nations Development Programme

UNICEF – United Nation Children’s Fund

UNIFEM – United Nations Women’s Fund

USDOL – United States Department of Labour

WHO – World Health Organisation

WISCON - *Work Improvement in Small Construction Sites*

WISH *Work Improvement for Safe Homes programme*