



Statement of Clarification

On 4 June 2024, the Center for Alliance of Labor and Human Rights (CENTRAL), Coalition of Cambodian Apparel Workers Democratic Union (C.CAWDU) and Cambodian Alliance of Trade Union (CATU) published a joint report online, titled *Barriers to Representation: Freedom of Association in Cambodia – an assessment of Better Factories Cambodia’s FOA compliance monitoring*. In light of public reaction as well as local, international and social media attention to the report and subsequent responses to it, we would like to issue the following clarifications:

- 1) In this report, CENTRAL sought to highlight how the BFC’s assessment of Freedom of Association can be improved to create a safer and more respectful environment for all Cambodian trade unions to operate, which in turn facilitates industrial relations and greater productivity. Our intention was to raise awareness for changes in compliance monitoring that would lead to more accurate, usable data for all workers in negotiations to improve their working conditions and exercise their rights. Many of the workers and unions that CENTRAL partners with have experienced restrictions in their ability to associate freely. The report attempts to detail the lived experiences of the union leaders and workers who participated in our study and show that what happens on the ground is not always captured in BFC’s public compliance data - for various methodological, institutional, and logistical reasons, as well as the intrinsic nature of social audits.
- 2) Methodologically, this report had a very narrow scope with a small sample size that was meant to be viewed as illustrative - and not necessarily representative of all Cambodian garment workers. In December 2022, three Focus Group Discussions with union leaders from CATU and C. CAWDU, with a total of 78 union representatives (including 39 women) from 24 factory-level unions at 22 factories were held. In June 2023, a follow-up survey was conducted with 1 representative from 14 of the 24 participating unions from December (six unions

had dissolved by that time due to factory closures, and the remaining four either did not have compliance reports available or were not registered with BFC). The survey questions consisted of the 25 anti-union discrimination, union-busting, collective bargaining, and right to strike questions taken from the Freedom of Association BFC's Compliance Assessment Tool (CAT).

As underscored in the methods section of the full report, we recognize that our limited sample size does not represent the lived experiences of all workers and unions in Cambodia. As mentioned in the Executive Summary and Conclusion, this report was meant to be a starting point in a research series on union rights and working conditions in Cambodia, and the intention was not for this to be a conclusive report on the conditions in all factories or for all workers. The report states on page 21 that "the limited sample size does not allow us to extrapolate across the industry." We have fully acknowledged that our sample is not necessarily representative of Cambodia's entire garment sector.

- 3) We would like to reiterate that we feel it is clear that the report was never intended as an attack on any party or institution nor was it intended to damage Cambodia's reputation. Its main objective was to evaluate one component of the Better Factories Cambodia program's compliance monitoring. BFC is a wide-ranging program whose work covers far more than its Transparency Portal and data. Its advisory services play an important role in improving working conditions at factories and provides a collaborative setting to address non-compliance issues as they arise. While the report highlights discrepancies between documented freedom of association violation cases that received considerable media coverage, and the fact that they were not reflected in BFC's public data, it also acknowledges that "[i]n its early days, BFC, and the public disclosure of individual factory compliance, played a crucial role in raising awareness about working conditions in Cambodia's garment and footwear industries and encouraging positive change." Furthermore, we note within the report that "[b]y virtue of being produced by an ILO program, BFC compliance reports are considered reputable, internationally recognized assessments, possessing the kind of legitimacy with buyers and adjudicating bodies that evidence presented by unions and workers themselves may lack." The role BFC has played in improving labor rights compliance in Cambodia's garment, footwear and travel goods industry is undeniable. Brands, workers, and employers alike depend on its existence to be able to conduct business responsibly and support their livelihoods. Our report recommendations simply raise awareness for further action to ensure that the public data is fully representative of all workers' lived experiences.

- 4) As the author of the report, CENTRAL will consult with CATU and C.CAWDU, who facilitated the data collection, to address any forthcoming questions or concerns from unions, partners, Better Factories Cambodia, and other relevant stakeholders regarding its findings and recommendations. We are available for, and welcome any form of dialogue to ensure clarity and prevent further misunderstandings arising from the publication.

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