Joint Statement

Unions and civil society organizations express dismay at the National Assembly’s failure to publicly release the draft law on the National Social Security Fund prior to its approval

We, the undersigned, including representatives of unions, federations, associations and civil society organizations working to promote labor rights jobs and human rights, express our dismay and regret that on October 8, 2019, the National Assembly has proceeded with the approval of the draft National Social Security Fund (NSSF) law, without prior public release of the draft law, and without undertaking a process of meaningful consultation with relevant civil society, unions, associations and federations.

As reported via multiple media sources, on August 2, 2019, the Plenary Session of the Office of Councils of Ministers approved the contents of the draft law and submitted it to the National Assembly. In response to this development, on September 18, 2019, we the undersigned submitted a joint letter to Samdech Akka Moha Ponhea Chakrei Heng Samrin, President of the National Assembly of the Kingdom of Cambodia, with the following requests:

1. Publicly release the Draft Law on the National Social Security Fund
2. Undertake a process of meaningful consultation with stakeholders across all relevant sectors

Regrettably, at the time of writing, we still have not received the draft law, nor has there been a process of meaningful consultation. Despite this, on October 1, 2019, the General Secretariat of the National Assembly issued a public announcement that commencing October 4, the National Assembly would open the 3rd session of the sixth mandate, and that during this session the draft NSSF law, among others, was to be reviewed and subject to a vote. The session was to be presided over by Samdech Akka Moha Ponhea Chakrei Heng Samrin, President of the National Assembly.

On the afternoon of October 7, we met with H.E. Mrs. Lork Kheng, Chairwoman of the Commission on Public Health, Social Work, Veterans, Youth Rehabilitation, Labor Vocational Training, and Women's Affairs, along with her working group, in order to discuss the legislative process in relation to the draft law. On that occasion, we again jointly requested both the immediate public release of the draft law, and the opportunity to provide input on its contents via a meaningful consultation process. Neither of these requests were accepted, with the reason given that the draft law had already been included in the agenda ahead of the plenary meeting of the National Assembly for discussion and approval on October 8, and was therefore no longer open for public review or input.

The United Nations Human Rights Council recently recommended that the Royal Government of Cambodia works to uphold the rule of law by ensuring greater transparency in the legislative process. We reiterate this recommendation and request the public release of this and all future draft laws so as to enhance social accountability and transparency, and to encourage civic engagement and public debate among citizens and their representatives. Finally, and most urgently, we encourage a delay in the legislative process in order to provide space for meaningful consultation with all relevant parties, including workers and representatives who work directly with those populations who will be affected by this law.

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