

**Kingdom of Cambodia  
Nation Religion King**

The Ministry of Labour and Vocational Training  
No.: .....**099**..... KKBV/PrK

Phnom Penh, 11 May 2006

**Prakas (Ministerial Degree)**

**on**

**the Appointment of the Arbitration Council**

The Ministry of Labour and Vocational Training of the Kingdom of Cambodia,

- Seeing the Constitution of the Kingdom of Cambodia,
- Seeing Preah Reach Krom No. NS/RKM/0704/001 dated 13 July 2004 promulgating the additional provision to constitution law directed at ensuring the normal functioning of national institutions,
- Seeing Preah Reach Kret No. NS/RKT/0704/124 dated 15 July 2004 on the formation of the Royal Government of Cambodia;
- Seeing Preah Reach Krom No. 02/NS/94 dated 20 July 1994 promulgating the Law on the organization and functioning of the Council of Ministers,
- Seeing Preah Reach Krom No. CS/RKM/0397/01 dated 13 March 1997 promulgating the Labour Law,
- Seeing Preah Reach Krom No. CS/RKM/0105/003 dated 17 January 2005, promulgating the Law on organization and functioning of the Ministry of Labour and Vocational Training,
- Seeing Anukret (Sub-degree) No. 52/ANKR/BK dated 1 April 2005 on the organization and functioning of the Ministry Labour and Vocational Training,
- Seeing Prakas No. 141 SKBY dated 07 June 2002 on the establishment of the Ministry's Project Advisory Committee for labour dispute resolution in Cambodia,
- Seeing Prakas No. 099 dated 21 April 2004 on the Appointment of the Arbitration Council,
- Seeing Prakas No. 103 SKBY dated 21 April 2004 on the Appointment of the Arbitration Council,
- Seeing Prakas No. 265 SKBY dated 13 July 2004 on the Appointment of the Arbitration Council,
- Seeing Prakas No. 513 KKBV dated 19 April 2005 on the Appointment of the Arbitration Council,
- Seeing the letter dated 4 April 2006 from the CTA of LDRP, requesting the appointment of members of the Arbitration Council.

**Decides**

Art. 1 Appointing the Arbitration Council with the following composition as below:

## **I. Members nominated by the Ministry of Labour and Vocational Training**

1. Mr. Ang Eng Thong
2. Mr. Kim-Yeat Dararith
3. Mr. Kong Phallack
4. Mr. Koy Neam
5. Mr. Men Nimmith
6. Mr. Nhean So Munin
7. Mr. Pen Bunchhea
8. Mr. Run Saray
9. Mr. Sok Mathoeung
10. Mr. Tan Try

## **II. Members nominated by the Employer Associations**

1. Ms. Chhiv Phyum
2. Mr. Hem H. Naryth
3. Mr. Ing Sothy
4. Mr. Kao Thach
5. Mr. Kol Vathana
6. Mr. Ly Tayseng
7. Mr. Mar Samborana
8. Mr. Ouk Ry
9. Ms. Seng Vuoch Hun
10. Ms. You Suonty

## **III. Members nominated by the Labour Unions (Union Federations)**

1. Ms. Ann Vireak
2. Mr. An Nan
3. Mr. Huon Chundy
4. Mr. Liv Sovanna
5. Ms. Sin Kim Sean
6. Mr. Song Vansinn
7. Mr. Suong Sophal
8. Mr. Tuon Siphann
9. Mr. Ven Pov
10. Mr. Vong Vanna

Art. 2 Referring to Article 312 of Labour Law, the Arbitration Council has the following tasks:

The Arbitration Council has no mandate to examine issues other than those specified in the non-conciliation report or matters, which arise from events subsequent to the report, that are the direct consequence of the current dispute.

The Arbitration Council legally decides on disputes concerning the interpretation and enforcement of laws or regulation or of a collective agreement. The Council's decisions are in equity for all other disputes.

The Arbitration Council has broad powers to investigate the economic situation of the enterprises and the social situation of the workers involved in the disputes.

The Council has the power to make all inquiries into the enterprises or the professional organisations, as well as the power to require the parties to present any document or economic, accounting, statistical, financial, or administrative information that would be useful in accomplishing its mission. The Council may also solicit the assistance of experts.

Members of the Arbitration Council must keep the professional confidentiality regarding information and documents provided to them for examination, and of any facts that come to their attention while carrying out their mission.

All sessions of the Arbitration Council shall be held behind closed doors.

Art. 3 Arbitral proceedings, jurisdiction, Arbitral Award should be carried out in accordance with provisions of the Prakas No. 099 dated 21 April 2004 together with the Procedural Rules, which form the annex to this Prakas No. 099.

Art. 4 Members of the Arbitration Council are appointed for one-year term starting from 01 May 2006.

Art. 5 This Prakas shall enter into effect on the date of the signature.

The Minister

Signature and seal  
Nhep Bunchin

CC:  
(Not translated)