



Arbitration in Cambodia

Annual Meeting & Education Conference of the National Academy of Arbitrators (NAA) in Boston on 7-10 May 2024

Speakers: Ms. SIN Kimsean

Ms. SENG Vuoch Hun

Mr. NHEAN Somunin

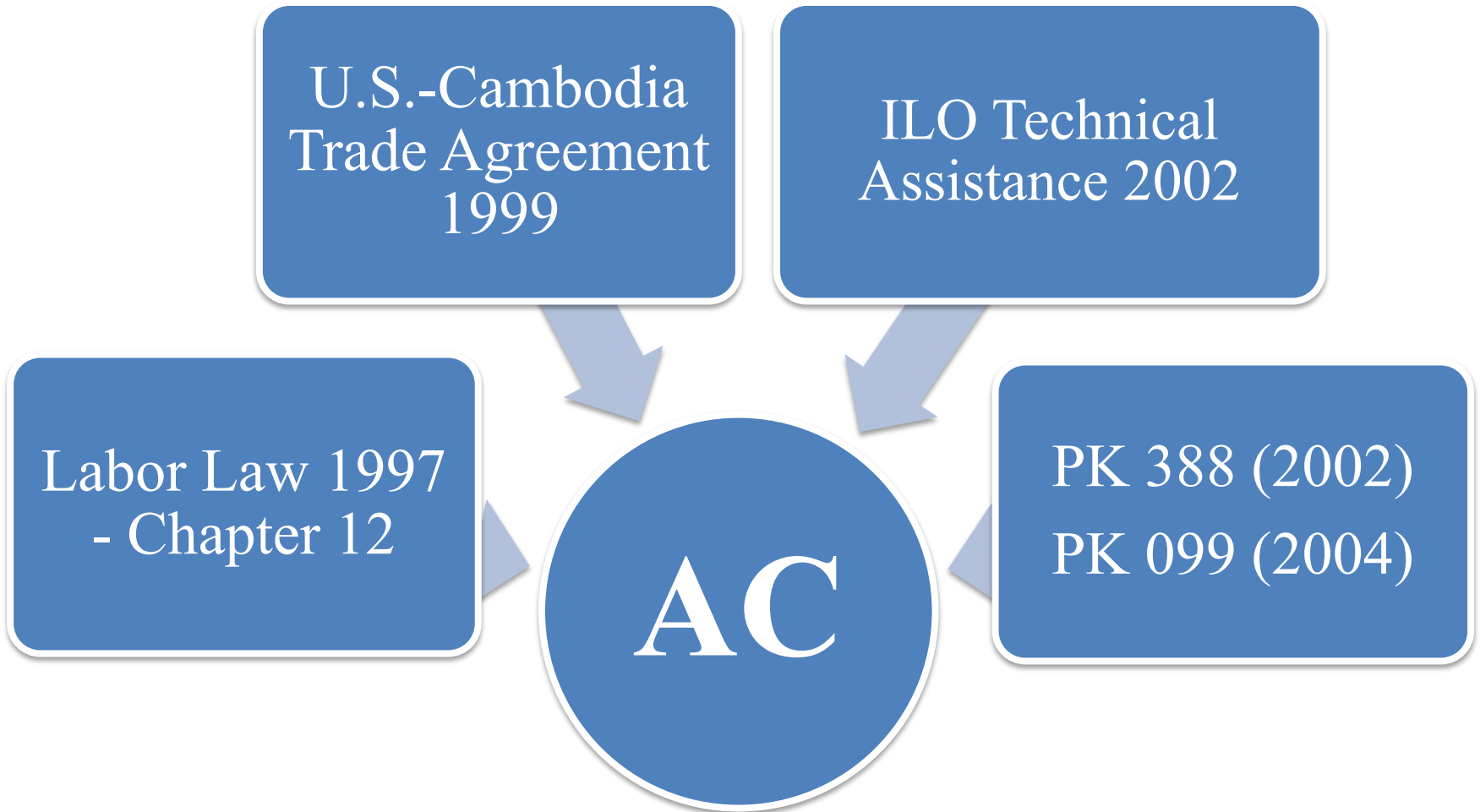


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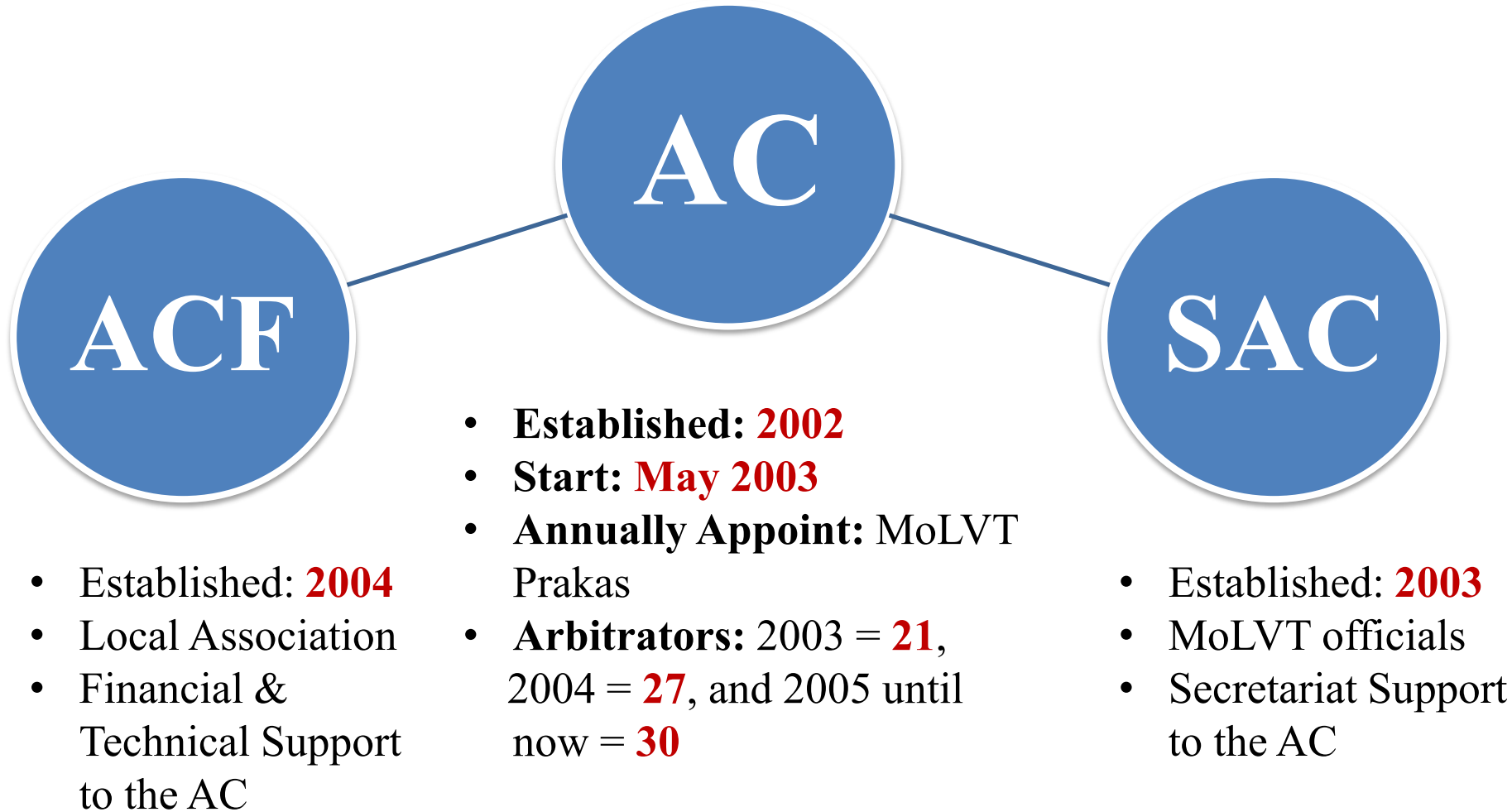
- 1. Overview of the Arbitration Council**
- 2. Labor Disputes Resolution Process**
- 3. Enforcement of Arbitral Award**



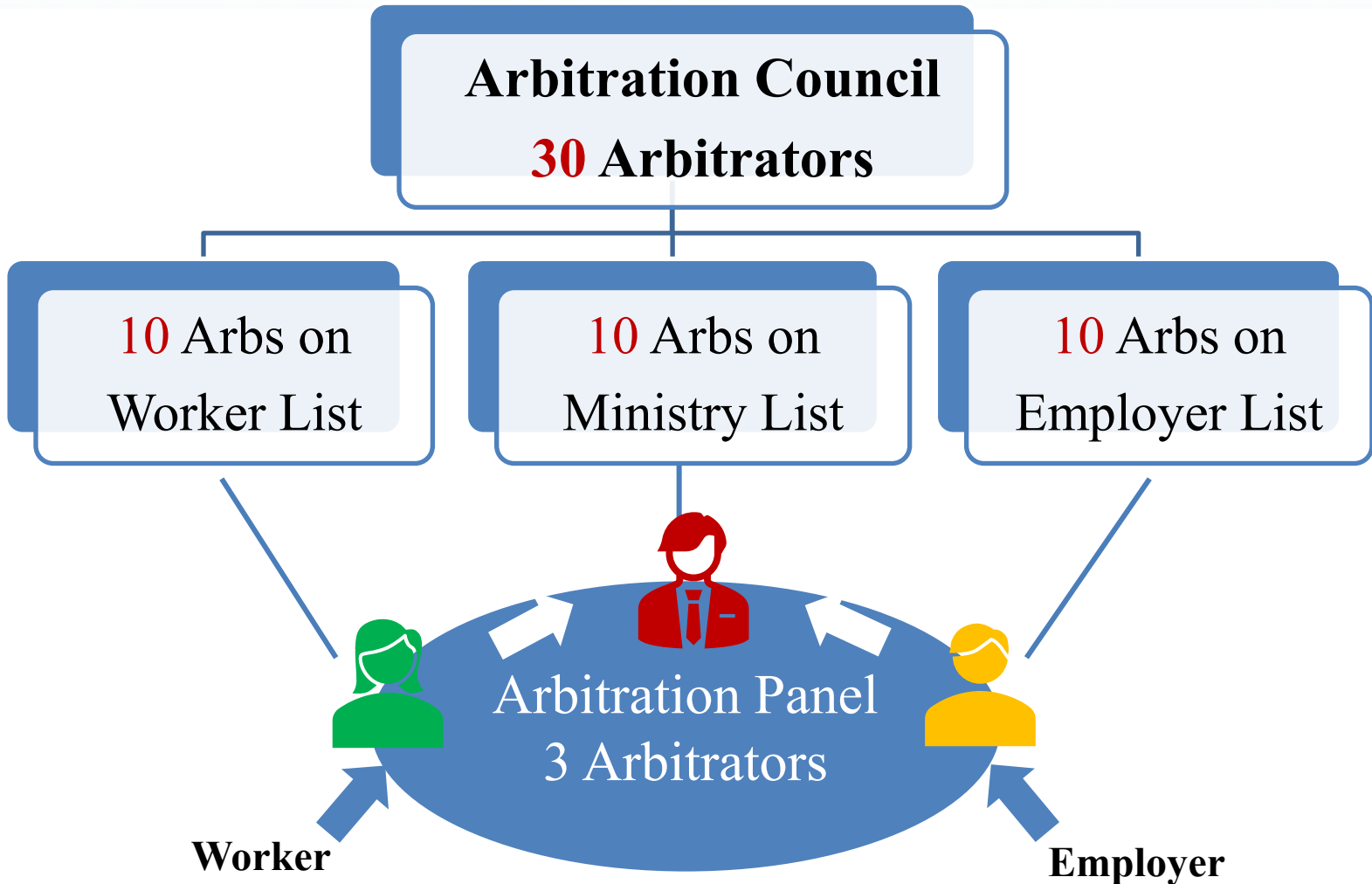
1. OVERVIEW OF THE ARBITRATION COUNCIL



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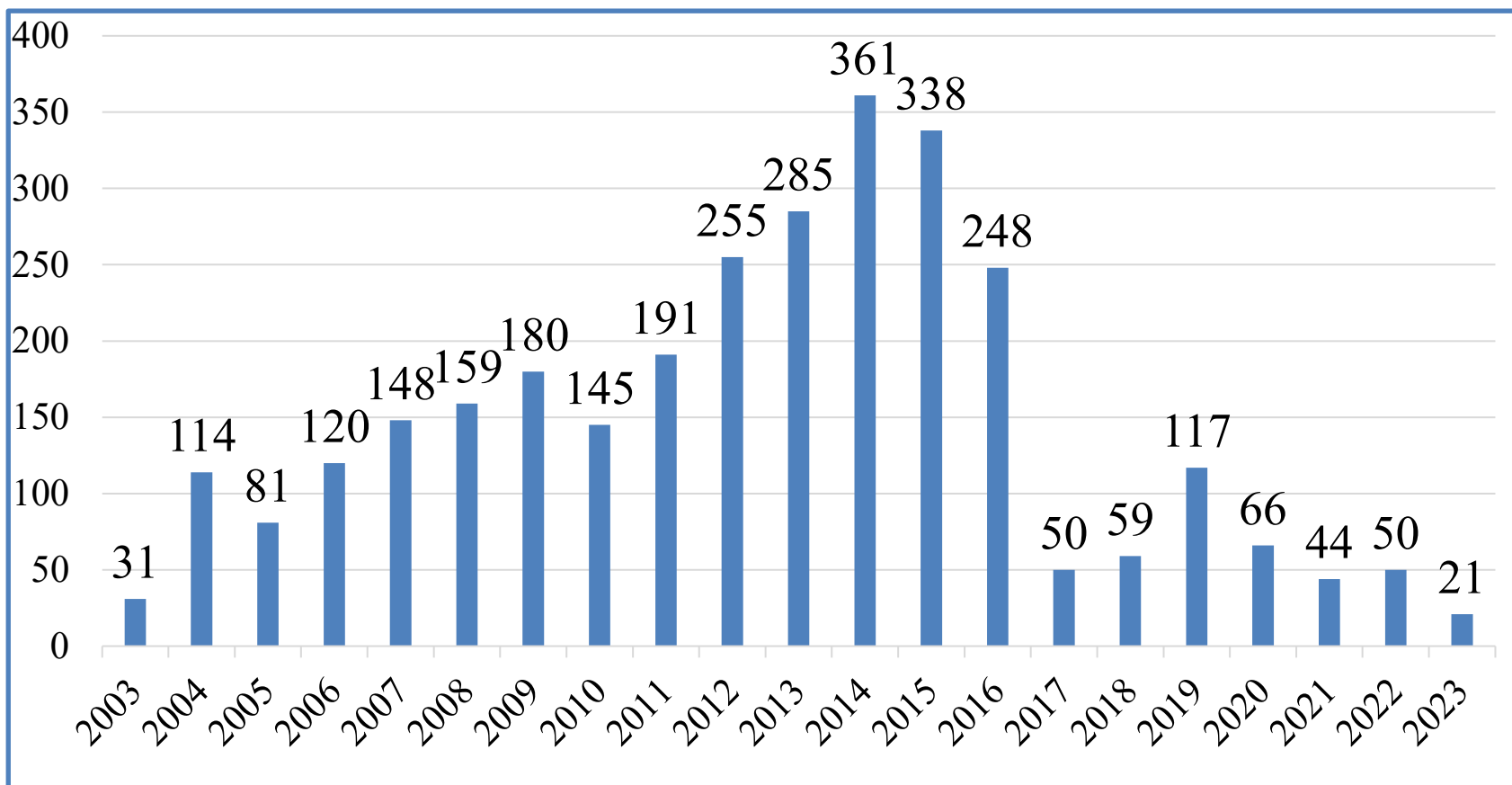
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Outcome of AC work from 2003-2023

- AC handled **3,063** cases (covering over **1.19** million workers and hundreds of enterprises)
- Resolution Success Rate is **75.24%**
- Arbitral Awards issued for **2122** cases; settlement agreements reached for **942** cases
- AC has **15** working days to handle a dispute case (extendable based consent of both parties). Average length of dispute resolution by AC is **21** working days.
- **No backlog** (all registered cases are timely resolved or closed)
- With funding from Development Partners, Brands and government, AC provides **free of charge services** to parties

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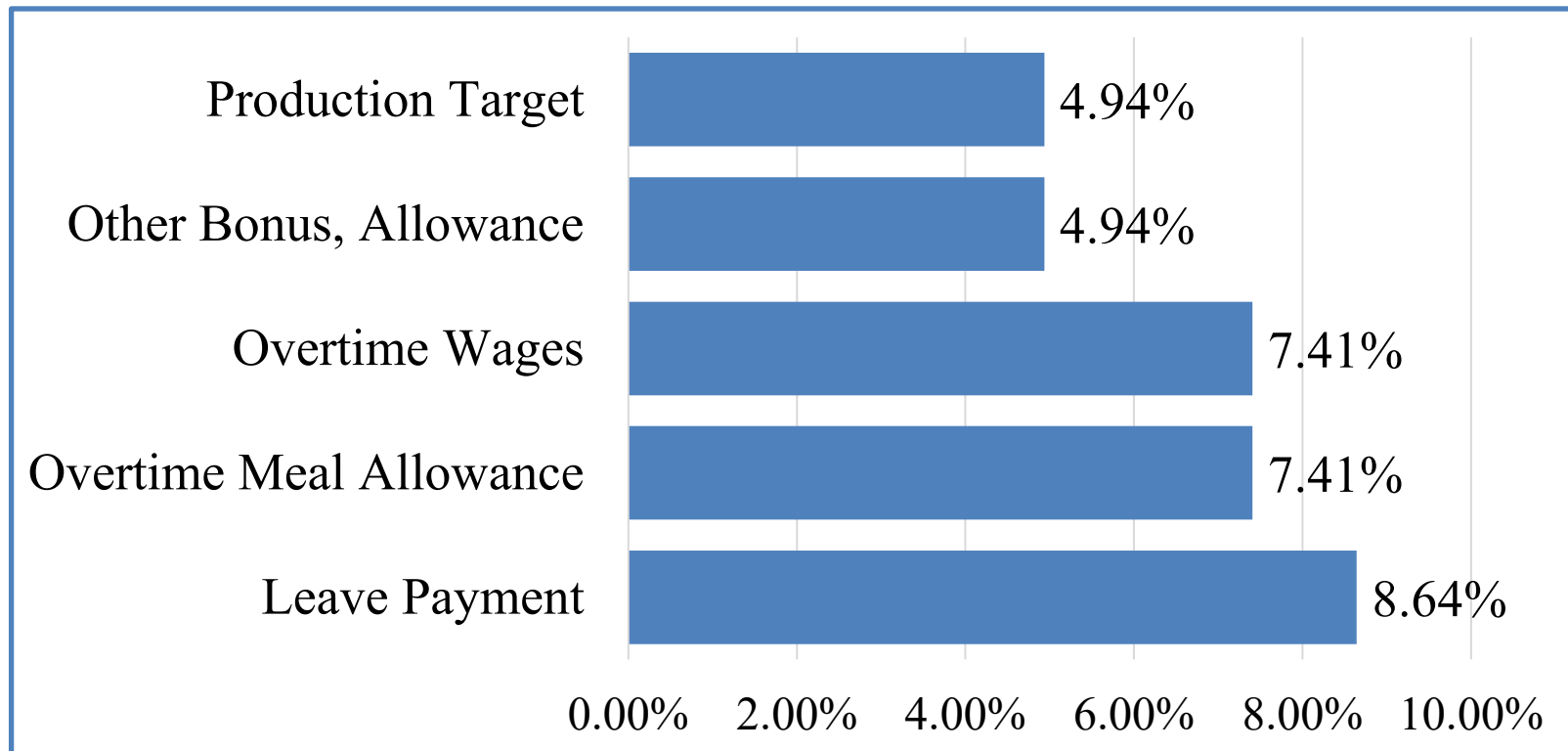
Registered Case Trend at AC from 2003-2023



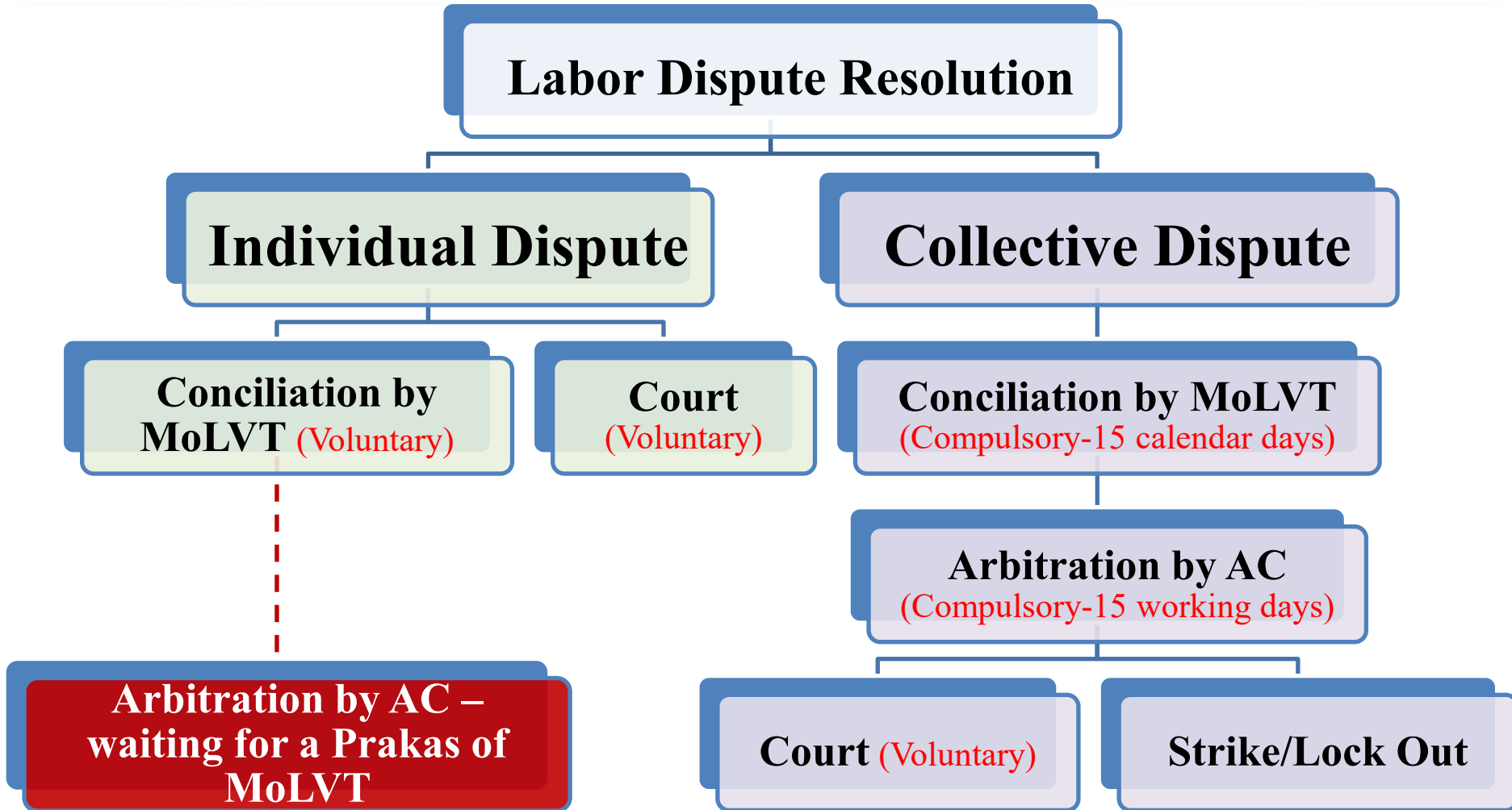


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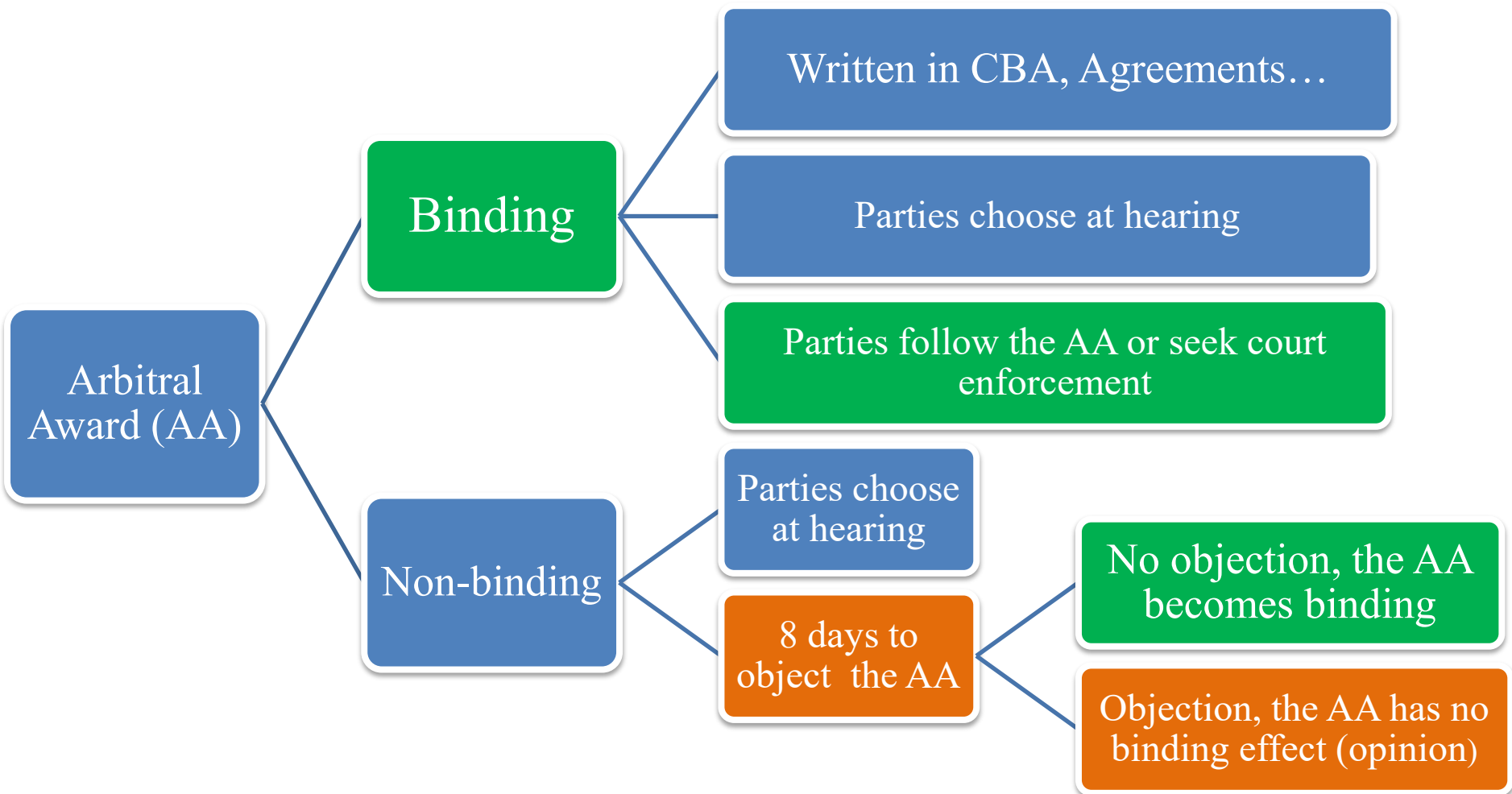
Top Five Types of Issues Resolved at the AC in 2023



2. LABOR DISPUTE RESOLUTION PROCESS



3. ENFORCEMENT OF ARBITRAL AWARD





3. ENFORCEMENT OF ARBITRAL AWARD

- If one party **does not comply** with a **binding AA**, the other party can file for **enforcement** of the AA to the **competent court** based on provision of the Code of Civil Procedure (Art. 350 (h))

3. ENFORCEMENT OF ARBITRAL AWARD

The court can set aside a binding AA if:

- the party was **not properly involved** in the selection of arbitrators or was **not given proper notice** of the arbitral proceedings or was unfairly prevented from making a full presentation of his/her case;
- there was **non-compliance** with procedures set forth in the **Labor Law** or **Prakas 099** in connection with issuance of the award; or
- the AC issued an award which **was outside** the AC's power or jurisdiction under the **Labor Law and Prakas 099**.

THANK YOU

QUESTION & ANSWER





THANK YOU

Arbitration Council Website Information:



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