

Health, safety and security for Cambodian women beer sellers were substandard in 2009:
Urgent actions are still required by all major brewers (AB/INBEV, Carlsberg, HEINEKEN/
Asia Pacific Breweries, SAB/Miller, Guinness, San Miguel, Bavaria, Asahi, etc.)

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In October 2006, major businesses in the Cambodian beer market came together to found a professional industry organization called "Beer Selling Industry Cambodia" (BSIC). This had followed more than 6 years of alarming press reports on the precarious position of Cambodian beer-selling women, and a growing body of systematic research findings on the workplace health and safety risks, and financial insecurities, faced by women who competed nightly in restaurants and bars to sell their exclusive brands to male customers. Some of the research reports were hand-delivered or faxed to international brewery executives in European corporate headquarters³ (Lubek, 2005; Lubek et al, 2009). The BSIC members were Heineken, Carlsberg (part-owner of the major local brand, Angkor Beer), Asia Pacific Breweries (APB, owned 42% by Heineken, and producing Tiger, ABC and Anchor brands locally) and Guinness (brewed under licence from Diageo by Asia Pacific Breweries), as well as the two major Cambodian breweries, Cambrew Ltd. [with a majority owned by Carlsberg] and Cambodia Breweries Ltd. [CBL, owned 80% by Asia Pacific Breweries], with Attwood Import/Export (exclusive distributors of Heineken, Johnny Walker, Crown Royal and Hennessy) joining later. With Heineken(APB/CBL) related brands estimated to control 50% of the Cambodian market (SOMO, 2010, in press), and a possible declining 33% market share (EIC, 2007) to Angkor (Carlsberg/Cambrew), more than 80% of the market may be accounted for by BSIC brands, with 20% or less to be divided amongst non-BSIC brands.⁴ Not only would BSIC now speak for the industry in dealing with the

3 Refer to <http://www.fairtradebeer.com/FTBresources.html> for a full list of publications and press reports on the topic since 2000, and the research findings by NGOs such as SIRCHESI and CARE.

4 See SOMO (2010, in press) for a more detailed breakdown of industry cross-ownerships, partnerships, franchises, etc. We cite only a preliminary draft version, and findings are subject to further modification. Please consult SOMO, for the completed study. SOMO is the Centre for Research on Multinational Corporations in Amsterdam and its reports examine unsustainable business practices, issues of corporate responsibility, globalization and ethical practices, particularly

government on issues involving sales and import taxes and unfair competition from "contraband" beers (SOMO, 2010, in press), but they also announced to the press at their inception in October, 2006, a Code of Conduct for beer sellers, setting industry standards of health, education, and safety for their "beer promoters" (Beer Selling Industry Cambodia [BSIC], 2006).⁵ No longer would beer sellers be treated as "promotion and advertisement costs", but after 2006, as real workers, with contracts compliant with the Labor Code for Kingdom of Cambodia (1997), and presumably, as workers, entitled to all the benefits accorded to international employees by globalized brewers headquartered in various OECD and ASEAN capitals.

BSIC commissioned the Centre for Advanced Study (CAS)⁶ in Phnom Penh to conduct a baseline survey for 2007, completed in early 2008 (proprietary, still unpublished in 2010), and a further monitoring survey of 2008's progress, released in April, 2009 (Centre for Advanced Study [CAS], 2009), to assess compliance with, and the impact of, the BSIC Code of Conduct. For the 2009 assessment, BSIC engaged Indochina Research in Phnom Penh, which has changed methodology; however, after recent discussions with BSIC (April 2010), there appear to be industry concerns about openly sharing data, patterns of public disclosure and dissemination. Independent inter-disciplinary researchers working with Cambodian NGO SiRCHESI (Siem Reap Citizens for Health Educational and Social Issues), continue to collect, and disseminate on websites (e.g., www.fairtradebeer.com),

concerning Cambodian beer sales.

⁵ For the next two years, it was difficult to find out more information about the BSIC organization. In 2008, a private website about "Beer Sellers in Cambodia" did publish BSIC's constitution, its Code of Conduct in two languages, and a cross section of other information at www.bsicambodia.com. In 2009, BSIC opened its own website at www.bsic.com.kh.

⁶ The Center for Advanced Study (CAS) is a Cambodian NGO, directed by Hean Sokhom, that has done a variety of social surveys. Its website is found at www.cascambodia.org. Dr. Joanna White designed and carried out the intensive BSIC 2008 baseline and 2009 monitoring audits.

annual data on beer-sellers' workplace health and safety (McCourt, 2002, Lubek, 2005, Schuster, 2006, Pagnutti, 2006, Pollock, 2008, Lubek et al, 2009, Lubek, 2009a, b). These studies build upon industry-sponsored surveys by CARE, International (Quinn, 2003; Bury, 2005, Klinker, 2005) and government studies about the health of beer-sellers and other high risk groups for HIV/AIDS (National Centre for HIV/AIDS, Dermatology and Sexually transmitted diseases [NCHADS], 2003)⁷. Earlier "ethical" case studies by van der Putten (2006) and Feilzer & van der Putten (2006) were then also incorporated into the reports about Heineken's specific company behaviours in Cambodia by SOMO (2007, 2009; 2010, in press)⁸. All of the studies, whether industry-sponsored or independent, have confirmed the original unsafe, unhealthy and insecure workplace situations-- some would use the adjective "toxic", given the totality of health risks. These have been brought to the attention of global brewers by the press throughout the decade and by SiRCHESI since 2002, Studies published after BSIC's formation in 2006, show little, or at best limited steps or cosmetic progress made in 2007 and 2008 towards improving general working conditions, with the CAS (2009) study showing some additional encouraging positive results. Accepting some of the negative points also reported in that sponsored audit

7 Beer-sellers have been listed by NCHADS and WHO as "indirect sex workers", women whose primary job is not selling sex, but who, for economic reasons, may be forced to sometimes trade sex for money or gifts. From 1997-2003, Cambodian beer-sellers had HIV sero-positive prevalence rates varying about 21.7%, see also van Merode et al, 2006)

8 While SiRCHESI's data focuses on workplace health, safety and financial security of beersellers, SOMO's reports, using various research sources including SiRCHESI's data, outlines the successes and failures of BSIC and, more specifically, sustainability efforts by Heineken Breweries. SOMO's reports are used in turn by Dutch NGO "VBDO" (the Dutch Association of Investors for Sustainable Development), who actually represent the interests at the AGM (Annual General Meeting) of Heineken shareholders specifically concerned about ethical and sustainable issues. VBDO focuses on generating a more sustainable capital market with multinational corporations, and uses research, visits to Annual General Meetings, and active dialogue with the media. VBDO first raised the issue of Cambodian beer-sellers at the 2006 Heineken AGM, and continues to query the CEO annually.

(CAS,2009), BSIC and Heineken executives (Koh, TaiHong, 2009; Heineken Sustainability Annual Report, 2009) promised to make more progress.

How exactly have the data produced during 2009 (and a small sample for 2010) supported the industry's stated goal to greatly improve the lives of their beer sellers through stricter adherence to the Code of Conduct, training programs, etc?

In April, 2009, a general press release (Lubek, 2009a) and a more detailed background information paper (Lubek, 2009b) summarized SiRCHESI's data from 2004-2008, with additional preliminary data from February, 2009. The current report augments the previous overviews of working conditions of Cambodian women beer sellers, updates the evaluation of their state of health, safety and financial security during 2009, with data samples collected in February, May-June, and August 2009.⁹

The report comments on the seven industry standards stated in the BSIC Code of Conduct, shown in Appendix 1.¹⁰ As well, additional areas not outlined in the Code will be examined, such as the need for free HAART (anti-viral treatments for HIV+ workers), living wages to support families, concern about Fetal Alcohol Syndrome for beer-sellers who drank during pregnancies, and assistance for hostesses who must substitute for beer-sellers who choose not to drink with customers. Some similarities and differences between SiRCHESI's findings and the data made available from industry studies will be discussed¹¹.

9 A sample, N=47, was collected in March, 2010, but is sparingly cited because of small group sizes.

10 i) transparent, written contract; ii) workplace supervisor with grievance procedure; iii) correct logoed brand uniforms, iv) safe transport, v) training about alcohol, gender roles, HIV/AIDS, etc.; vi) zero tolerance for harassment, vii) no sitting with customers and drinking alcohol

11 Methodological note: SiRCHESI's research paradigm groups 38 brands of beer into 4 beer families, according to defined ownership and partnership arrangements. In the "Heineken family", we collect data from sellers of Heineken, and APB and Cambodia Brewery Ltd brands Tiger, ABC, Anchor, Gold Crown, Guinness (licensed), Cheers (APB Thailand) as well as partly owned Kingway and Bintang. As well, Heineken distributor Attwood also markets Hennessy, Corwn Royal and Johnny Walker with sellers who also double as Heineken sellers. Not all the smaller sub-brands have been persuaded to

How well have beer brands done in 2009, according to the 7 BSIC standards and additional criteria?

Standard 1 - Beer sellers get a transparent, written contract, whether casual workers, full-time, or part time employees, and receive a copy of the contract. They receive a fixed monthly base salary and will always be remunerated in accordance with the Cambodian rules and regulations. Incentive systems can be put in place on top of the basic salary but should be set up in such a way that it doesn't lead to unhealthy or unsafe situations. BSIC rejects commission-only work. – (BSIC, 2006).

As of October, 2006, BSIC companies declared their beer sellers' status to be that of a legitimate worker or employee, rather than an "advertising or promotion cost" in their budget lines. These women all fall under the Labor Code for the Kingdom of Cambodia (1997), with its amendments and updates, which outlines working conditions, job health and safety practices, annual "paid leave days" of vacation, paid public Holidays, severance pay upon dismissal, paid maternity leave, and specification in a work contract of the exact remuneration, e.g., salaries and bonuses. We have examined contracts from 2008 and 2009 from Attwood Import/Export (Heineken), Cambodia Breweries Ltd (Tiger Beer) and Cambrew (Carlsberg-Angkor Beer). There is great variance among the contracts of the BSIC collaborators. Each year we request from BSIC a copy of their companies' contracts, and each year (including April, 2010) we are denied this due to "trade secrets among competitors". This code of business secrecy also affects the beersellers themselves. The language, to varying degrees, in their contracts actually threatens

join BSIC to date, but their market share is minimal. For the Carlsberg family, the other major BSIC partner, Cambrew-produced Angkor, Black Panther, Bayon, Klang as well as imported Royal Stout, Holsten, Beer Lao; again, not all smaller brands have been persuaded by the parent company to join BSIC. Among non-BSIC brands are the Anheuser Busch/INBEV brands: Budweiser, Stella Artois, Beck's, Bass, Cass, Corona, Double Deer, 3 Horses, Branik. A fourth group of "Other" beers includes SAB-Miller brands Miller High Life and Vorok, San Miguel, Valor, Love, Jade, Crown Lion, Singha, Leo, Chang, Mittweida, Asahi, etc. (see www.fairtradebeer.com for complete listing).

to fire any beer-sellers who reveal "company secrets" to someone outside the company. Some beer sellers have interpreted this to mean that they will lose their jobs if they show their contracts to any union or human rights advisor or researcher, that they should not answer questions at a health workshop, give a voluntary breathalyzer sample during a workplace health intervention, or discuss their working conditions as a beer-seller.

Contracts do not clearly define conditions for bonuses, omitting the monthly performance bonuses that Heineken and others publicly announce are available.¹²

Some of the contracts "fiddle" with, or amend outright, sections of the Labor Code, redefining the number of "public holidays" and mandatory overtime rates, providing variable-hour work-shifts. Thus SiRCHESI still finds confusion about contracted working conditions (as did CAS, 2009, for their 2008 cohort). Out of 83 Non-BSIC workers and hostesses asked, only 1 person reported signing a contract in 2009; in contrast, 42% (N=48) of BSIC sellers reported signing a contract. Similarly, out of 76 non-BSIC sellers or Hostesses asked, only 1 had received a copy of a contract, while 46% (N=46) of BSIC sellers reported receiving a copy to consult. **Still in 2009, fewer than half of BSIC brand sellers reported signing a contract and having a copy.** The CAS industry study (2009) reported high rates of BSIC workers' reporting possession of a contract (in 2008). At year's end 2008, according to a "training video" available at www.bsic.com.kh there were busy BSIC training days, and here, the video showed, contracts were clearly explained and discussed. The CAS (2009) study was conducted largely in December 2008/January 2009, although

¹² For many years, SiRCHESI has suggested to brewers that better accounting of "promised" or "budgeted" bonuses to beer-sellers was needed within their organizations. Headquarters reported these payments, while beer-sellers, in-country, reported never receiving them. A system of transparency, with receipts, may help, with entrenchment of the monthly bonus scheme in the contract.

independent of those training exercises. (Companies scheduled the appointments of the randomly selected sellers and sent them to the research location at their discretion). Probationary workers with less than 6 months experience were excluded from the CAS (2009) study, and probationary workers did not participate in the training exercises. Probationary workers are at risk during their first days and weeks on the job; they are included in SiRCHESI's study (and health workshops, when available). Probationary workers are supposed to have contracts too, under BSIC's Standard 1. The SiRCHESI sample (conducted only in Siem Reap during 2009) may thus reflect, in addition to "regional community differences", a broader population of the BSIC beer sellers, including those probationary workers who move from company to company, seeking better working conditions, salaries, etc.¹³ With less than half of BSIC women (including "probationary workers") having possession of a contract in 2009, it is difficult to evaluate how the contract actually can serve to protect these employees' rights, at the same time as it formulates a respect for company employment policies, Cambodia's Labor Code, and OECD regulations (Lubek, 2009b).

BSIC insists on a system of fixed salaries, with bonuses. In addition, Heineken mentions the 13th month bonus (which actually is paid in two half yearly instalments) and the potential for a \$15 monthly bonus for outlet performance, the latter bonus not defined at all in the contract. SiRCHESI asked 24 BSIC beer-sellers in March, 2010, about their bonuses: (Heineken N=15, Guinness N=1, Carlsberg

13 . The probationary workers (see below in "Health Training"), from their very first day on the job, require preventative health education about overuse of alcohol (many will taste alcohol for the first time at work), the risk of HIV/AIDS, the coercion of their clients, etc

N=8) . There was much confusion about their entitlements, and the contracts have to date not clarified these issues.¹⁴

In April, 2009, Heineken officials, for example, suggested that their salaries ranged from \$60 (probation, without experience) to \$105 (top, for long-serving, experienced sellers). However, Lubek (2009b) showed that in years prior to 2009, this actually put **Heineken and BSIC sellers, more generally, at an earnings disadvantage**, with non-BSIC commission workers earning more. In 2009, all salaries have now actually aggregated around an industry average of \$81.03 monthly, whether the salaried high-selling BSIC sales-workers (\$82.26, N=76), or the less performing non-BSIC commission worker(\$76.00, N=51) while hostesses earned \$84.30 (N=50). It is estimated that 6 popular-selling BSIC brands now collectively account for more than 80% of market share, while employing fewer than half the estimated 4000 Cambodian beer-sellers (SOMO, 2010, in press; EIC, 2007). Still, in a highly competitive market with 38 competing brands using different salary and incentive schemes, it is puzzling to see such industry-wide uniformity in monthly wages, especially when it is not a "living wage".¹⁵

In fact, there has been an almost decade-long pattern of **chronic underpayment** (Lubek, 2009a). **Beer-sellers, no matter what brand or whether they belong to BSIC or not, have never received a "living wage" in Cambodia,**

14 Carlsberg workers, many still on entry-level salaries of \$54, stated their bonus would be \$54. Heineken sellers reported an average of \$27.70 (perhaps reflecting confusion about the semi-annual payment structure). For monthly bonuses, estimates fluctuated from reports of company promises of \$54 (equivalent to 1 month's salary) to \$0. For 10 out of 24 BSIC sellers who responded that they had received a bonus, the mean was \$9.95 .In terms of their actually receiving the promised monthly bonuses, of 24 BSIC respondents, 9 said they "always" received their bonuses, 5 received it some or most of the time, **while 10 (42%) said they had never received any promised monthly bonus.**

15 If the situation were reversed, and BSIC workers were also paid \$7.00 for a case, they would be paid, based on their nightly sales, close to \$17 daily, or more than \$400 monthly (and for Heineken family sellers, closer to \$600).

according to our economic indicators going back to 2002 (e.g., McCourt, 2002). A “living wage” would cover full-time work, and be sufficient for subsistence of a worker and dependents. Overall, between 2004 and 2009, beer-sellers and hostesses averaged \$74.68 monthly income (N=375). During that time, BSIC brand beer-sellers earned \$71.18 (N=187) while non-BSIC sellers earned \$73.57 (N=127) and hostesses \$86.84 (N=60). The mean income in the industry rose significantly over the years, with 2004-6 mean income at \$55.58, 2007-8 at \$75.17, 2009 at \$81.03 (hostesses included).

However, salaries, wages and commissions have not kept up with the expenses of these same women in supporting their families (approximately 3.49 dependents each, N=784). When asked for the total amount needed each month to feed themselves and their dependents, 79 BSIC workers reported in 2009 a mean of \$176.84 while 52 non-BSIC workers reported needing \$216.25, and 70 hostesses reported needing \$239.31. Their overall mean monthly needed in 2009 of \$208.79 (N=201) should be compared to their average earnings of \$81.02, or less than half, about 39%. **"Fifty per cent underpayment"** has been the industry average since 2002, when SiRCHESI began advocating for an immediate doubling of wages, to meet both estimated monthly need and actual calculated expenses, and to put an immediate end to the need for earning additional income from risky after-work encounters. For specific beer brand families in 2009, it was found that Heineken employees received \$82.69 (N=56) monthly from their company while reported needing \$188.98 (43.8%), for themselves and their dependents to subsist. Sellers for their BSIC partners Carlsberg earned \$81.08 (N=20), but needed \$141.00 (57.5%). The Non-BSIC AB-INBEV brands were reported to have paid \$77.78 of the

252.78 (30.8%) needed for subsistence while the Other beer brands paid \$77.21 of \$201.29 needed (38.4%).

We also asked people how much they **actually had spent**¹⁶ in the previous two months to take care of their families, and in 2009, **the overall mean expense was \$158.05 (N=287) compared to the mean industry income of \$81.02 or 51%.**¹⁷

How can beer sellers make up differences between their full-time wages and their family's needs, especially when wages may meet only 50-60% of expenses? Women who drink alcohol and then have sex with customers, whether to meet this economic pressure or because of customer coercion, are at increased risk of unsafe sex, HIV/AIDS, and STIs. Beer sellers were among the highest HIV/AIDS risk groups in Cambodia with prevalence rates of 21.7% (1995-2003; van Merode et al, 2006; NCHADS, 2003.) Studies by CARE (Klinker, 2005, Bury, 2005) for the industry found 38% of beer-sellers coerced into sexual acts in the workplace itself. Economic insecurity, a continuous pressure from the beer industry's wage structures, mean that half of all beersellers must sell sex part-time, not because they choose this freely, but because they continue to be underpaid. The formula is known to all the beer company executives as well as all Cambodian men and tourist guides entering the restaurant or beer garden or nightclub. Each woman may need an additional

16 This figure, of mean monthly expenses, is lower than the "total amount needed to feed families" each month, which not only includes the actual expenses, but also loan/borrowing charges from families whose expenses exceed their income

17 In a preliminary March, 2010 SiRCHESI sample of 47 beer sellers and hostesses (24 BSIC, 7 non-BSIC, 16 hostesses) we asked for a non-exhaustive expense breakdown by important categories. They reported: food \$41, sent home to family members: \$31, housing \$22, transportation \$11, clothes \$14, medicine \$11. This totals \$130 without education, personal savings, day care, utilities (water, electricity), telephone, offerings and gifts, and loan repayment charges. In 2009, the average BSIC monthly expenses were \$131.17 (N=92) and the average Heineken seller reported \$138.06 (N=69). With mean salary of \$82.69, Heineken sellers meet just 60% of these (partial) expenses

\$50-75 per month to feed their families. The men offer them \$25 for sex. Due to financial necessity in 2009, sex was sold by 69 of 122 beersellers (57%), **including 20 of the 55 from Heineken family brands (36%),** 4/17 from Carlsberg, 7/17 from INBEV and 14/33 from "other brands", as well as 24/57 (42%) by hostesses. On average, these women reported accepting money for sex, on average 2.5 times per month, for a standard price of \$25. Selling sex, on average is earning \$67.50 monthly. The BSIC discrepancy between wages paid and total amount needed to feed their families was $\$176.84 - \$82.26 = \$94.58$ while between concrete monthly expenses and wages was $\$131.17 - 82.28 = \48.89 . **For Heineken sellers in 2009, their expense minus wage shortfall was \$56.00 and they reported selling sex on average 2.0 times per month (range, 1-4 times) for \$50 additional income.** As long as BSIC companies do not pay living wages, occasional sex work to make up the difference is an unwanted necessity of life for half the beer-sellers. The concept of "living wages" was never made an industry concern within the BSIC Code of Conduct or BSIC's founding constitution.

Standard 2 - Sellers will be clearly informed about whom their supervisor is, and that a procedure is in place for them to express any grievances in relation to their work. The procedure includes the use of a database where all grievances must be registered. (BSIC, 2006)

A BSIC-wide grievance procedure was introduced almost two years after the formation of BSIC, in May 2008. By April 2009, BSIC had only taken such action once according to CAS (2009) and that the safety of women in the workplace might be compromised (CAS, 2009). As noted by the BSIC Chairperson, immediate action was required to successfully establish adherence to the grievance procedure so that strategic action towards selective outlets can proceed (Koh, 2009). Data by SiRCHESI, CARE and CAS have shown that women are often forced by clients to

violate BSIC principles, experience violence, harassment and sexual coercion, and are forced to sit and drink hazardous amounts of alcohol with customers. Up to 2008, fewer than 28% of BSIC workers felt they could talk about workplace health and safety risks with their shift supervisor.

Standard 3 - Sellers of BSIC member brands will receive (company) branded uniforms or a clear sash with the brand name so that they are clearly visible and identifiable as workers selling or promoting beer. Sellers who are off-duty shall not wear the uniform. Uniforms should be decent, taking into account the input from the women themselves. – (BSIC, 2006)

Generally, all evaluations by SiRCHESI and CAS were in agreement that progress has been made concerning beer promoters' uniforms during 2008, with Heineken and other BSIC brands among those implementing more conservative uniforms (Lubek, 2009b). This was an early cosmetic change that was rapidly implemented following BSIC's formation.

Standard 4 - The employer of the beer-seller will ensure transport from the venue to his/her home as soon as he/she has finished his/her work in a particular venue, the provinces included. – (BSIC, 2006)

According to BSIC standards, all women should be given safe transport home following work, however, this has not been implemented effectively. During the first two years of BSIC's Code of Conduct being in operation (2007-8) only 60.5% of BSIC workers received safe transportation home following their shift (Lubek, 2009b).

In 2009, across all beer brands, still only 61% of women overall received transportation (23/52 non-BSIC and 57/79 BSIC), with 72% of BSIC workers now receiving safe transportation, but 32.2% (N=19/59) of Heineken family sellers reported not receiving company-provided transportation home from work. In 2009 half of women (N=96/194, 49.5%) reported having been followed home by a customer or someone from the restaurant after their shift. The hostesses, now also

actively increasingly drinking with customers as some beer-sellers refuse to drink, report that only 5% received transportation home from their employer.

Standard 5- All members of BSIC will offer a standard and comprehensive training package as part of the orientation training of BPs. This training shall include; how to deal with difficult customers, alcohol and drug use, workplace harassment, relationships between men and women, gender roles and responsibilities, healthcare options, sexual and reproductive health, contraceptive methods, and HIV/AIDS and STI education and prevention. – (BSIC,2006)

In 2003, Heineken was the first international beer company in Cambodia to attempt to improve the dangerous health situation of beer-selling women through its creation of a “Selling Beer Safely” health and safety education program, as well as sponsorship of 3 excellent research surveys on workplace conditions, all in partnership with CARE International (Lubek, 2009b). Initially, in 2003-4, training was rigorous with a 3-day intensive health education program; but by 2008 and 2009, training seems to have diminished with few beer promotion women reporting receiving such a thorough health and safety program, and if they receive training, it is not often timely—i.e., before work begins. SiRCHESI’s data from 2009 shows that of 90 BSIC beer sellers, 7 (7.8%) received health training before they started and an additional 6 (6.7%) received it on the first day Thus only 14.4% received it in a timely, potentially effective manner. **49% received it within the next 6 months, while 37% had training in the next 18 months** or not at all. The results were less effective for 85 non-BSIC beer sellers, with 8% receiving timely instruction, 35% delayed, and 57% received very late or no training. Only those learning about the risks of alcohol, alcohol on pregnancy, HIV/AIDS, STIs **before** they interact with customers, given the high rates of forced selling of sex, have a chance of avoiding harm. ANY COMPANY THAT DENIES SUCH TRAINING TO PROBATIONARY BEER-SELLERS, OR THOSE NOT PROVIDING IN A TIMELY MANNER, MAY

KNOWLINGLY BE CONTRIBUTING TO A POTENTIALLY TOXIC AND HARMFUL WORKPLACE. According to CAS (2009), new employees were not trained right away; training was given only to the employees who had successfully completed the probationary work period (at least four months).

SiRCHESI found that the quality and quantity of training is open to question; many beer sellers receive only a short 1-2 hour safety and health workshop in the workplace which is not a sufficient amount of time to cover all areas of health concerns thoroughly. This is in disagreement with the results of the CAS study where 90% of the total respondents reported that training had changed their behaviour, with 97% of respondents reported having received training in sexual harassment, and 99% reported having received training in refusing alcohol from customers (CAS, 2009). The CAS study looked at those who had been employed for at least 6 months, and 63% of BSIC trainees may have completed their training, some at the end of the year. Despite the variance between the SiRCHESI and CAS results in the amount of training received, both studies demonstrate that training is not provided in a timely manner and given the perilous work conditions, training following a probationary period of 4-6 months may be futile in preventing dangerous behaviour. Without training before or on the first day of employment, the women are unable to engage in risk-prevention and harm reduction and are more susceptible to the toxic conditions of their workplace including the long term effects of alcohol consumption (cirrhosis, liver failure, and if pregnant –Fetal Alcohol Syndrome) and the increased rates of HIV/AIDS and STIs that are associated with unprotected sex (WHO, 2009). It is vital that BSIC amends the training protocol so that every employee will receive **intensive, thorough and effective training in a timely manner** so that proper prevention strategies can be instilled effectively. SiRCHESI

and other NGOs continue to expend their own funds and staff resources on training beer sellers, both working for BSIC and non-BSIC brands, as well as the Hostesses, N=107, who are joining and replacing beer sellers in nightly drinking with customers in restaurants; 12% received timely training; 37% delayed; 41%, late or no training.

Standard 6 - BSIC declares a zero-tolerance approach with respect to abuse and sexual harassment of BPs. All BSIC members will develop and implement an anti-sexual harassment policy for company staff as a part of personnel contracts and code of conducts...- (BSIC, 2006)

When asked whether they felt safe in their workplaces, BSIC sellers responded 71% positively, compared to 53% for non-BISC and 52% for Hostesses. But further questions uncovers additional threats to health and safety. With this job comes a continuous health jeopardization due to combinations of often nightly alcohol overuse-, exchanging unprotected sex for money, and the nightly exposure to physical and verbal abuse and sexual harassment. Overall, in 2009, 14.5% of the women in the BSIC family (N=77) are still being touched sexually against their will, compared to 8% non-BSIC (N=50) and 16% hostesses (N=50). In addition, 9% (N=77) of BSIC sellers still reported that they had been coerced to having sex against their will in the workplace, with 6% non-BSIC (N=50) and 10% for hostesses (N=50). Overall, 3.8% of BSIC sellers have themselves been physically hurt while at work (compared to 11.3% non-BSIC and 8.3% hostesses). As well, a further 28% of BSIC, 30% of non-BSIC and 26% of hostesses affirmed that they have been intimidated or threatened at work.

Besides physical harassment, the women also face emotional harassment in which they are continuously being demeaned in the workplace. This has led beer sellers to have a negative outlook on their enjoyment of their job and its effect on their self-esteem, social reputation and sense of empowerment. SiRCHESI data collected in 2009 shows that most of the sellers and hostesses felt looked down

upon by others because they served alcohol (84% non-BSIC, 92% BSIC, and 79% hostesses). Across all three groups, only 16.5% of BSIC women (and 2% non-BSIC and 5% hostesses) felt that the job gave them good self esteem and self image, while 93.5% of the BSIC women (100% non-BSIC, and 95.1% of hostesses) said that the job did not give them a good social reputation in the town in which they lived. Finally, when asked if their job empowered them making them feel independent and strong, 96.2% of BSIC and of Non-BSIC and 100% Hostesses said "no". Compared to this negative self-image of the beer-seller and the entertainment industry, the CAS (2009) data reported that only 1.8% of women in 2008 were unhappy with their work conditions; when further asked to name three changes to improve their working conditions, approximately 27% of respondents reported being completely satisfied (CAS, 2009). While the CAS survey reports that the addition of the BSIC shoulder patch and the presence of the Code of Conduct by BSIC has improved the working conditions of beer promotion women, SiRCHESE's data depicts a much less optimistic situation in which the women have low job satisfaction, low self-esteem, and feel unsafe and vulnerable to threats and intimidation within an unhealthy, and at times dangerous, workplace.

Standard 7 - The industry body acknowledges the risk that many beer-sellers may be pressured to drink beer in order to support their sales or to please the customer. It is the policy of the BSIC that during working hours, beer sellers should not sit or drink with consumers... - (BSIC, 2006)

Despite the industry code banning drinking while in the workplace, beer promotion women continue to drink heavily in 2009, **on average 1.45 L** of beer each shift. According to health and safety guidelines in the USA. gradually being adapted elsewhere, and now figuring on the www.enjoyheinekenresponsibly.com sites, advice to women about amounts of alcohol consumption are moving away from the "two drinks daily" norm to a more stringent US guideline of 1 glass daily, up to 5

times weekly. At many of the Heineken websites world-wide, at various paragraphs on the same page, both 1 and 2 glasses are recommended for women. There is even an awkward and vague phrasing, e.g., in English or French, suggesting "one, maximum two glasses of beer daily (and zero if pregnant)". IT IS NOT SCIENTIFICALLY NOR MEDICALLY ADVISABLE TO SIMPLY TRANSLATE WESTERN EUROPEAN AND NORTH AMERICAN ALCOHOL ABSORPTION NORMS INTO THE KHMER LANGUAGE AND PUT UP ON A WEBSITE THE SAME ADVICE, WHEN CAMBODIAN WOMEN ARE 30% SMALLER IN BODY SIZE AND ABSORB ALOCHOL LESS WELL.¹⁸

If Heineken (and other beer industry websites) now are suggesting that drinking more than one standard drink (250 mL of beer) daily is unsafe for women, then urgent action must be taken for the **Cambodian beer-selling women, who continue to consume about 6 standard drinks each shift**. Has BSIC's ban on workplace drinking, posted in October, 2006 had any effect of the drinking of the BSIC brand beer-sellers, or of major brand family Heineken? Or on any other group of beer-sellers?

In 2004-6, prior to BSIC, beer-sellers selling the BSIC brands (N=86) drank 0.99 litres of beer (4 standard drinks) nightly, 27 days per month. During the period 2007-8, after BSIC was formed, BSIC sellers drank 1.23 litres (N=144). In 2009, they drank 1.11 litres. Overall, there was no statistical difference over the years-- drinking remained constant. Heineken brand beer sellers consumed 0.95 litres (2004-6, N=70), 1.3 (2007-8, N=116) and 1.14 (2009, N=70). The industry as a whole (including hostesses) drank 1.26 (N=202, 2004-6), 1.56 litres (N=306, 2007-8) and 1.48 (N=306, 2009).

18 Centres for Disease Control and Prevention, see: <http://www.cdc.gov/alcohol/faqs.htm>

In 2009, BSIC employees drank significantly less ($M= 1.11$ litres , $SD = 0.97$ or 4.6 standard drinks, ($N=92$) than their non-BSIC counterparts ($M=1.56$ litres, $SD = 1.03$ or 6.24 standard drinks, $N=90$). While this difference is statistically significant, it should be pointed out that **both groups are drinking harmful and hazardous amounts of alcohol nightly, well beyond recommended safe or responsible levels for small, Cambodian women** (Lubek, 2009b) .

Comparing across all beer companies in 2009, AB-Inbev's sellers drank the most ($M = 2.00$, $SD = 1.29$, $N=28$) and beer promotion women from Carlsberg drank the least ($M = 1.03$, $SD = 0.93$, $N=22$), with hostesses ($M=1.7$, $SD=1.30$, $N=123$) having in 2009 the second highest consumption level, followed by the group of "other brands" ($M=1.35$, $SD=0.83$, $N=63$) and Heineken ($M=1.14$, $SD=0.98$, $N=70$).

Although routinely pressured to drink by customers, a small number of women are able to abstain from drinking (consuming no alcohol on 2 consecutive nights). In 2004-6, 4.4% ($N=137$) of beer-sellers abstained, in 2007-8 it was 0.33% ($N=300$) and in 2009, 1.0% ($N=303$)-- the numbers are too small for company breakdowns. SiRCHESI's samples of blood alcohol concentration (BAC) of women in the workplace in 2009, showed that overall, the beer sellers and hostesses ($N=167$) had an average BAC level of 0.041 g/100ml, which is just under the commonly accepted benchmark of impairment (0.05). SiRCHESI will, in a future report, relate these acute alcohol use scores to chronic alcoholism indicators such as the AUDIT scale, in work in progress. According to the CAS report for 2008, 90% of respondents were aware that they are not authorized to sit and drink alcohol with customers during working hours, but the majority still do so. 90% of respondents in the monitoring survey reported that they are pressured to drink in the workplace by

customers and to a lesser extent by outlet owners. Furthermore, 85% of the women who reported that they are pressured to drink by customers also reported that the customers attempt to force them to drink. Overall, 21% of the women reported drinking while at work and it was estimated that the majority of these respondents drank at least two standard drinks on their last shift. Also, out of those women who drink in the workplace, 84.8% feel drunk at some point (CAS, 2009). These figures are quite at variance with the restaurant observations of nightly drinking, almost no abstention, and the drinking of closer to 5 or 6 standard drinks nightly.

Clearly the efforts of BSIC to inhibit drinking in the workplace have not been effective and the women continue to drink at a level that is dangerous and harmful with the potential to cause organ damage (cirrhosis and liver failure), cognitive impairment, mental illness and social problems (WHO, 2009). But the problems reach across generations. SiRCHEI has begun to interview women who drank during pregnancy and to seek screening for their children for Fetal Alcohol Syndrome. Given the fact that few of the beer sellers abstain from drinking nightly, that many beer sellers do not receive timely preventative health education from their companies, that up to 33% have children, and that they drink not 1 or 2 standard drinks but 5 or 6, we think BSIC and all the Cambodian brewers should set up clinics to test the children of current and past beer sellers who may have drunk unknowingly on the job and who now has a child with Fetal Alcohol Spectrum Disorder requiring long-term medical and pedagogical follow-up.

Many of the brewers operating in Cambodia place warning labels on their brands for other markets about not drinking during pregnancy, but not for the product sold locally. Health warnings are usually not added to packaging unless legislation compels it. It would be a step forward for BSIC to use similar health

messages in Cambodia on their packaging as in their home and major export markets. Miller High Life's bottles (SAB-Miller) sold in Cambodia have the US health warning label; the cans do not). The health risks from alcohol are further potentiated if women become inebriated drinking with their customers in the workplace and then maintain less consistent condom usage (from 95% when sober to 82% when inebriated), for those who are forced to sell sex after work (Lubek, 2009b). It is essential that more action be taken to end all workplace drinking and that those outlets and/or distributors who drag their heels or who continue to go against BSIC or company policy face revocation of brand sales. Furthermore, the beer companies should be made aware that each time one of its beer sellers follows the no-drinking policy, it is likely that a restaurant-employed hostess will have to drink with the customer. In 2009, the hostesses drank an average of 1.7 L per shift or 6.8 standard drinks and only 1/122 was able to completely abstain from drinking. These women need to receive the same alcohol and health education as other employees working in the alcohol-selling outlet. The Code of Conduct, as it positively impacts on BSIC sellers and more abstain in the future, will have the opposite effect on the hostesses, who will end up drinking increasing amounts with the customers, without being able to get up to attend to other tables. **The industry has a moral obligation to educate and protect these hostesses** from any harmful effects of their products.

Sales

Overall, in 2009, the beer sellers (N=160) sold an average of 13.16 litres of beer per shift ($SD = 26.93$), or an estimated 4263.84 litres sold per year. With 0.66 litre bottles of premium beers selling at \$2.50 in the restaurants, the retail outlet sales are, per beer seller, \$16,000. The annual average wage is about \$1000, or

6% of sales-- as an industry average.¹⁹ The selling staff at BSIC has greatly increased sales since 2006, while non-BSIC sales remain flat. But none of the health and safety measures have been as successful in "taking off".

Based on nightly sales²⁰, Heineken beer promotion women sold on average an estimated 7789 litres of beer with retail sales value at the outlet of \$30,378 yearly, followed by 3771 litres worth \$14,707 to Carlsberg, 1665 litres worth \$6495 to AB/Inbev, and 1312 litres worth \$5117 sold by women working for "other" brands. **BUT NO MATTER HOW MUCH THEY SELL, AND HOW MUCH VALUE THEY ADD TO THE COMPANY, THEIR WAGES ARE "FIXED" AND ALL WOMEN MAKE APPROXIMATELY \$1000 ANNUALLY, ABOUT HALF OF WHAT THEY NEED TO MAKE ENDS MEET. Although they are the biggest sellers nightly, Heineken beer sellers are paid the smallest share of sales generated in the Cambodian industry: a miserly 3.3%.** We have examined fee structures for "beer promoters" and restaurant sales staff in a number of other nearby countries where these same products are sold and the remuneration for the sales work is always considerably higher (Schuster, 2006).

While these figures represent corporate profitability and a large return to shareholders, it is coming at the expense of the beer promotion women's health. Overall, beer sellers are still consuming 1.45 litres of beer each shift, which can be

19 After the introduction of BSIC in 2006, beer sales increased in 2007-2008 ($M = 16.37$ L, $SD = 24.56$, $N=229$) compared to 2004-2006 ($M = 11.17$ L, $SD = 11.05$, $N=204$). By 2009, BSIC beer sales ($M = 21.09$ L, $SD = 35.27$, $N=84$) were significantly higher than non-BSIC sales ($M = 4.39$ L, $SD = 3.53$, $N=76$), $F(1,587)=91.972$, $p=.000$. Beer sales of non-BSIC brands in 2009 did not change significantly from 2004-2006 ($M = 5.76$ L, $SD = 5.32$, $N=116$) and 2007-2008 ($M = 4.61$ L, $SD = 3.53$, $N=90$).

Similarly, the amount sold by BSIC beer sellers in 2009 has not changed significantly compared to 2004-2006 ($M = 18.31$ L, $SD = 2.15$, $N=88$) and 2007-2008 ($M = 23.98$ L, $SD = 1.71$, $N=139$).

20 Heineken beer sellers sold significantly more alcohol in 2009 ($M = 24.04$ L, $SD = 39.75$, $N=64$), $F(3,581)=35.423$, $p=.000$, than those for other companies. Carlsberg beer sellers sold the second highest amount of alcohol ($M = 11.64$ L, $SD = 8.48$, $N=20$), followed by AB/Inbev beer sellers ($M = 5.14$ L, $SD = 4.59$, $N=24$) and beer saleswomen for other brands ($M = 4.05$ L, $SD = 2.90$, $N=52$).

interpreted as drinking 12.1 % of the alcohol that they sell. Given that their drinks are paid by the customers, the women's drinking increase beers sales by 12.1% overall (and corporate profits)

Although many of the women receive a fixed salary, when asked to explain their reasons for drinking, 78.57% (N=56) maintain that they are fearful that they will lose sales if they refuse to consume alcoholic beverages. A further 18.18% (N=55) report that they drink because of pressure from employers, while 36.35% (N=55) drink because of pressure from customers. The perceived need to drink out of financial necessity or customer/employer pressure is also related to the lack of transparent contracts. Without a clear understanding of how their contract outlines possible reasons for dismissal, and their own rights to insist that customers not harass them as they go about their sales-business, it may be expected that the women will continue to succumb to pressure from customers and outlet owners to consume alcohol out of fear of termination or financial loss. Furthermore, while the Code of Conduct has implemented a no drinking policy, **almost all BSIC and non-BSIC women continued to drink in 2009, large, harmful and hazardous quantities-- not 1.5 glasses of beer, but 1.5 litres, every night, 27 nights monthly.**

HIV/AIDS Policy

HIV/AIDS was the leading cause of death among Heineken's employees in Africa in 2000, leading Heineken to include the provision of antiretroviral drugs to all employees and their dependants in 2001 and thereafter. By 2006, Heineken's best practice workplace HIV/AIDS program was declared a success and today includes

education, voluntary counselling, testing and treatment for all employees and their dependents. Heineken considers itself as a leading company in the global fight against HIV/AIDS and has been proposed as a model of corporate responsibility to be emulated worldwide (Heineken International, 2009). According to the 2002 Heineken HIV/AIDS policy, Heineken will accept a supplementary role in the organization of health care when the national government cannot fill their public health duties (Rijckborst, 2002). The director of Heineken Health Affairs, Dr. Stefaan van der Borght discussed the importance of the policy in the Heineken 2009 Sponsor Profile, "We felt there was a need – the well-being and survival of our employees in Africa was at stake – and if we were going to do it, we were going to do it properly." However, Heineken seems to have little interest in the well being and survival of its Cambodian employees, who live constantly today in fear of becoming infected: 62.9% of women (N=210) in 2009 said they were in constant fear that they will contract AIDS.

in 2002, Heineken rejected SiRCHESI's suggestion that daily ARVT could be made available in Phnom Penh for its HIV+ beer sellers, with the assistance of Doctors without Borders/ Medecins sans Frontieres (Lubek, 2009b). Although, Heineken maintained that the rejection would be temporary, and treatment in Cambodia would commence once the African program had been declared successful, the only progress was an announcement (December, 2003) that the male engineers at the Cambodian Breweries Ltd were henceforth eligible for HAART from their company. In 2009, neither Heineken nor any BSIC partners has yet to offer HAART to any of the beer promotion women in Cambodia. According to the Heineken HIV/AIDS policy, governments that are unable to provide ARVT will be assisted. The beer sellers in Cambodia are largely unable to receive Government

ARVT programs due to lack of daily organized transportation; a workplace clinic setting, as in Africa, would be most efficient. And of course, once in an HAART program, they would have to cease drinking alcohol.²¹ The brewers have known for over a decade that beer-sellers were one of the highest risk groups for HIV/AIDS in Cambodia, because of the systematic necessity every month to make up their insufficient salaries by having paid sex with at least 2 customers, usually those with whom they had been drinking heavily.²² With 20% of the workplace infected by 2003, brewers stood by and watched as women "stopped showing up for work".²³ The list of over 80 Siem Reap beer-sellers who died (mean age 25) since 2002 is available at www.beergirls.org. In Africa, lives are being saved.

The Cambodian beer promotion women, now legitimate workers, still don't seem to be able to get international health care coverage of the companies they work so hard to enrich-- perhaps there was a clause missing in the contract?

Hostesses

The hostesses are women who are employed by the same restaurants where beer-sellers operate, but do not actually sell or promote beer; rather they are responsible for greeting and entertaining customers, usually by sitting at the table and drinking all night with a customer. When a beer-seller refuses to sit with a

21 Heineken has refused to be compliant with its own policy. The policy consists of the provision of anti-retroviral therapy as well as a prevention and health support program (includes protection/prevention measures, management of sexually transmitted diseases, counselling, voluntary HIV tests, and measure for prevention of vertical transmission from mother to child). Furthermore, in addition to the prevention and healthy support program, the policy stipulates that additional programs will be developed locally for groups with an increased risk of infection such as "promotion girls" (Rijckborst, 2002).

22 An anthropologist observing this long-standing situation would probably label it a modern version of "enslavement" or "trafficking", where a safe exit is almost impossible for the woman selling the beer.

23 This year, two of the BSIC companies offer "transportation" to the clinic for those requiring daily medications or VCCT testing. The beer sellers became infected while working for the company, so now the company feels obligated to drive them to someone else's clinic where they must negotiate with health infrastructures in one of the world's most corrupt countries just how they can get free HAART and stay alive

customer (because of company regulations) or is busy with other customers at other tables, or must take the company van home, a hostess is chosen to come to the table. In 2009, SiRCHESI interviewed 119 hostesses. In 2009, out of 58 hostesses questioned, 50% reported that they accepted money for sex, on average 2.4 times per month (range 1-5), not unlike the underpaid beer-sellers. Only 5% of hostesses report receiving restaurant-provided transportation home following their shift, only 1 of 54 had a contract, and of 107 hostesses, just 12% had received health and safety in a timely manner. We have described above their shared workplace harassments in comparison to beer sellers in terms of drinking heavily on the job, being sexually touched against their will, coerced into workplace sex, etc. The hostesses need to receive the same alcohol and health education that is provided to other employees, including those of breweries. Since the fate of the hostesses is linked to the success of BSIC and progress made by beer-sellers, the beer industry should also take the hostesses under its protective wing of corporate responsibility.

Conclusions about Cambodian Progress with a "To-Do" list for the Future

- 1) Fix the salaries, provide a "living wage"-- the risky sex work will go away.
- 2) Provide free HAART through the beer companies themselves.
- 3) Provide timely "first day" training for **all beer sellers and hostesses**.
- 4) When beer-sellers sell 6 times more product than the competitors, that should be reflected in their remuneration
- 5) Contracts are "secret" to beer sellers; make them more transparent
- 6) Bring contracts better in line with the Labour Code
- 7) Have "security partners" for the beersellers-- perhaps men in beer company shirts who walk around with the beersellers and assure their safety

8) Suggest on websites and publicity campaigns that smaller Cambodian women drink much less than 1 glass of beer daily; perhaps a half glass. Why not provide "women's portion cans"-- half size cans, as Red Bull and others now do.

9) Fetal Alcohol paediatric clinics should be set up for children of Beer sellers

10) Alcohol withdrawal programs/detox to help beer sellers stop drinking

APPENDIX 1 : The 7 BSIC standards involve:

1. Employment Status - BPs [Beer Promoters] must have a transparent, written contract, be they casual workers, full-time, or part time employees. The BPs will receive a copy of the contract. BPs will receive a fixed monthly base salary and will always be remunerated in accordance with the Cambodian rules and regulations. – (BSIC, 2006).
2. Organization of work - BPs will be clearly informed on whom their supervisor is, and that a procedure is in place for them to express any grievances in relation to their work. The procedure includes the use of a database where all grievances must be registered - (BSIC, 2006)
3. Uniform - BPs who sell BSIC member brands will receive (company) branded uniforms or a clear sash with the brand name so that BPs are clearly visible and identifiable as workers selling or promoting beer. BPs who are off-duty shall not wear the uniform. Uniforms should be decent, taking into account the input from the BPs themselves. – (BSIC, 2006)
4. Transport - The employer of the BP will ensure transport from the venue to the home of the BP as soon as the BP has finished his/her work in a particular venue, the provinces included. – (BSIC, 2006)
5. Training and Information - All members of the BSIC will offer a standard and comprehensive training package as part of the orientation training of BPs. This training shall include; how to deal with difficult customers, alcohol and drug use, workplace harassment, relationships between men and women, gender roles and responsibilities, healthcare options, sexual and reproductive health, contraceptive methods, and HIV/AIDS and STI education and prevention. – (BSIC,2006)
6. Harassment - The BSIC declares a zero-tolerance approach with respect to abuse and sexual harassment of BPs. All BSIC members will develop and implement an anti-sexual harassment policy for company staff as a part of personnel contracts and code of conducts... - (BSIC, 2006)
7. **Alcohol** - The industry body acknowledges the risk that many BPs may be pressured to drink beer in order to support their sales or to please the customer. It is the policy of the BSIC that during working hours, BPs should not sit or drink with consumers... – (BSIC, 2006)

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