

## Joint Statement

### **Government Must Release NagaWorld Unionists and Respect Labour Rights**

4 January 2022

We the undersigned civil society groups, including union federations, confederations, and associations as well as NGOs, are dismayed by the measures taken by authorities, led by the Phnom Penh Police Commissariat, to detain 9 union leaders and members on the night of December 31, 2021, and to further violently arrest LRSU union leader Chhim Sithar on the afternoon of January 4, 2022. We call for all arrested unionists' immediate and unconditional release.

We support the exercise of the fundamental rights and freedoms of LRSU union members and employees to conduct a peaceful strike. This right is guaranteed under the Constitution, Labour Law, Law on Trade Unions, and based on the union's statutes registered with the Ministry of Labour and Vocational Training as a professional and independent institution to protect the legal rights and interests of workers in the workplace. We are dismayed by the measures taken by authorities, who failed to uphold their roles and obligations to protect strikers who conduct a peaceful strike. Instead, the authorities arrested the union leaders and members, even at night, and improperly accused them of a crime.

We further note that most of those arrested, as well as those participating in the strike are women. Cambodian law, including the CEDAW Convention, entitles these workers to the peaceful exercise of speech, association, and union activity. Women workers make their own decisions about whether to stand up for their labor rights, and to suggest that they are not acting of their own volition is to deny the full agency and equality of women workers.

Among the nine unionists detained on December 31, eight - Chhim Sokun, Sun Sreypich, Hai Sopheap, Ry Sovanndy, Rin Phalla, Eng Sreybo, Sun Sreymom, and Kleang Sobin - were arrested at the union office, while Touch Sereymeas was arrested while leaving the strike site in front of NagaWorld. The arrests of the nine were made after 2,000 members of the Labor Rights Supported Union of Khmer Employees of NagaWorld (LRSU) union conducted a peaceful strike for 13 days in order to demand NagaWorld re-instate 365 union leaders and members who were previously fired.

One day after the arrest, on January 1, 2022, the Phnom Penh Police Commissariat claimed that the arrests were made after the Phnom Penh Municipality announced many times that the strike was illegal and affected social security and public order. They claimed the arrests were made following Articles 494 and 495 of the Criminal Code.

After questioning, six union members and leaders - Chhim Sokhun, Kleang Sobin, Son Sreypich, Ry Sovanndy, Hai Sopheap, and Touch Sereymeas - were sent to Phnom Penh Municipal Court at around 5 p.m. on Sunday, January 2.

On the afternoon of Monday, January 3<sup>rd</sup>, the six were charged with incitement to commit a felony by prosecutor Seng Heang, according to Articles 494 and 495 of the Criminal Code, and three others were also charged – Chhim Sithar, Sok Narith and Sok Kongkea. The six detainees were sent to pre-trial detention at Correctional Centre 2 on Monday evening, while the additional three unionists were arrested on January 4, 2022. If convicted, these nine unionists face between six months and two years in prison.

On Monday afternoon, while the six leaders and members were being questioned, 400 members of the union continued to strike in front of Naga 2, and an additional 17 members were arrested (1 man and 16 women) and sent to the Phnom Penh Police Commissariat. One of the 17 detainees, a 3-month pregnant woman, was later released.

We, the civil society groups, call for authorities to drop all charges, release all detainees, and uphold their role as public servants professionally, with accountability and impartiality, in order to find a solution to this labour dispute. At the same time, we request Phnom Penh Municipal Court to rescind the provisional disposition which declared this strike as illegal, dated 16 December 2021.

Endorsed by:

1. 197 Land Community (Koh Kong)
2. Am Leang Community (Kampong Speu)
3. Andong Trabek Land Community (Svay Rieng)
4. Areng Indigenous Community (Koh Kong)
5. Boeung Pram Community (Battambang)
6. Building and Wood Workers' Trade Union Federation of Cambodia (BWTUC)
7. Cambodia Informal Workers' Association (CIWA)
8. Cambodian Alliance of Trade Unions (CATU)
9. Cambodian Center for Human Rights (CCHR)
10. Cambodian Food and Service Workers' Federation (CFSWF)
11. Cambodian Human Rights Action Coalition (CHRAC)
12. Cambodian Human Rights and Development Association (ADHOC)
13. Cambodian Independent Civil Servants' Association (CICA)
14. Cambodian Informal Employment Reinforcement Association (CIERA)
15. Cambodian Institute for Democracy (CID)
16. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
17. Cambodian Tourism Workers' Union Federation (CTWUF)
18. Cambodian Youth Network (CYN)
19. Center for Alliance of Labor and Human Rights (CENTRAL)
20. Charay Indigenous Community (Ratanakiri)
21. Chi Kha Leu Land Community (Koh Kong)
22. Coalition of Cambodian Apparel Workers' Democratic Union (CCAWDU)
23. Coalition of Cambodian Farmers Community Association (CCFC)
24. Coalition of Free Trade Unions of Women Textile (CFTUWT)
25. Committee for Free and Fair Elections in Cambodia (COMFREL)
26. Community to Protect Nature (Pursat)
27. Dak Por Community (Kampong Speu)
28. Equitable Cambodia (EC)
29. Federation of Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC)
30. Free and Independent Trade Union Federation (FUFU)

31. Independent Democratic of Informal Economy Association (IDEA)
32. Independent Trade Union Federation (INTUFE)
33. Indigenous Community in Prame Commune (Preah Vihear)
34. Khmer Kampuchea Krom for Human Rights and Development Association (KKKHRDA)
35. Klaing Toek 78 Community (Siem Reap)
36. Koh Sralao Fishery Community (Koh Kong)
37. Kouy Indigenous Community (Preah Vihear)
38. Land Community (Pailin)
39. Ou Damdaek Community (Kampong Thom)
40. Peace Bridges Organization (PBO)
41. Phnom Kroam Community (Siem Reap)
42. Phnom Tnaut Community (Kampot)
43. Phum Sela Khmer Land Community (Banteay Meanchey)
44. Prey Chher Pech Changvar Laor Chher Community (Kampong Chhnang)
45. Prey Lang Community (Kampong Thom)
46. Prey Peay Fishery Community (Kampot)
47. Samaki Chek Meas Community (Svay Rieng)
48. Samakum Teang Tnaut (STT)
49. Solidarity House (SH)
50. Sre Ampel Water Fall Tourism Forestry Community (Kampong Chhnang)
51. Sre Prang Community (Tboung Khmum)
52. Steung Khsach Sor Forestry Resource (Kampong Chhnang)
53. Ta Ni Land Community (Siemreap)
54. The Cambodia Confederation of Unions (CCU)
55. Tonlung Community (Tboung Khmum)
56. Transparency International (TI)
57. Workers' Solidarity Strength Independent Union (WSSIU)
58. Youth Resource Development Program (YRDP)
59. Klahaan
60. Gender and Development for Cambodia (GADC)
61. The Cambodian NGO Committee on CEDAW (NGO-CEDAW)
62. Chongkom 1 community (Tbong Khmum)
63. Knorng Kroper Lech community (Tbong Khmum)
64. Grassroots farmer community (Tbong Khmum)
65. Yerng Knhom community (Tbong Khmum)
66. Chongkom Kandal community (Tbong Khmum)
67. Kompres community (Tbong Khmum)
68. Tropiang Pring community (Tbong Khmum)
69. Brolos community (Tbong Khmum)
70. Broma Robrom community (Kratie)

71. Sombok community (Kratie)
72. Women network for Tropiang Pring community (Tbong Khmum)
73. Romeas Haek rural women network (Svay Rieng)
74. Chek Meas community network (Svay Rieng)
75. Women network for Meanchey community (Svay Rieng)
76. Dok Por women community (Takeo)
77. Chok Chey women community (Takeo)
78. Women united for Spean Ches community (Preah Sihanouk)
79. 843 Women movement alliance (Koh Kong)
80. Rural youth farmer alliance (Koh Kong)
81. Preah Vihear youth farmer group (Preah Vihear)
82. Tombe Meanchey youth network (Tbong Khmum)
83. Kompong Ompil conservation forest community (Svay Rieng)
84. Sithprosre community (Prey Veng)
85. Chong Ompil land community (Prey Veng)
86. Seang Kveang community (Prey Veng)
87. Chrey Lerng farmer community (Prey Veng)
88. Phom Khnom community (Kandal)
89. Thmar Thom Andoung Tuek Praek Trabek Community (Preah Sihanouk)
90. Ou Kampuchea Community (Preah Sihanouk)
91. Kbal Hong Tuek Communtiy (Preah Sihanouk)
92. Praek Traeng Community (Preah Sihanouk)
93. Pongrouk Community (Kampot)
94. Veal Veng Community (Kampot)
95. Ang Svay Farmer Community (Kampot)
96. Rural Farmer Land Community (Koh Kong)
97. 843 Land Community (Koh Kong)
98. 766 Land Community (Koh Kong)
99. Nea Pisey Rural Land Community (Koh Kong)
100. Chambak Trang Farmer Community (Kampong Speu)
101. Odom Sre Kpos forest land community (Kompong Speu)
102. Human right promotion land community (Kandal)
103. Trey Sla community (Kandal)
104. Totol community (Kandal)
105. Ompov Prey community (Kandal)
106. Kotarear community (Takeo)
107. Samaki community (Takeo)
108. Phum Kandal Community (Takeo)
109. Trapeang Krasang Community (Takeo)
110. Kanlaeng Khla Community (Takeo)
111. Sambo Community (Preah Vihear)
112. Russei Srok Community (Preah Vihear)

113. Chouk Chey Community (Preah Vihear)
114. Kalorth Community (Preah Vihear)
115. Ou Romdoul Land Community (Preah Vihear)
116. Phnom Ke Samaki Community (Preah Vihear)
117. Bos Community (Preah Vihear)
118. Tasou Meanrith Community (Preah Vihear)
119. Trapeang Rolous Community (Prey Veng)