

JOINT STATEMENT

Immediately Release Imprisoned Union Leader Chhim Sithar

28 November 2022

We, the undersigned, call on the Cambodian government to stop being afraid of Chhim Sithar's strength and bravery. We call for her immediate and unconditional release from prison and an end to the judicial harassment of the union's leader and members.

Sithar, the recently re-elected president of the Labor Rights Supported Union of Khmer Employees of NagaWorld (LRSU), was arrested at immigration at the Phnom Penh airport on Saturday morning, as she was returning from the International Trade Union Confederation World Conference in Australia.

LRSU members have been on strike for nearly a year. The government's response has been to beat, arrest, sexually harass and assault strikers. This latest arrest is an unacceptable continuation of this failed policy of repression.

Sithar was previously violently arrested in January this year, on baseless charges of incitement over her union's strike action. She was bailed in March, and arrested on Saturday on the accusation that she violated bail conditions that allegedly prohibited her from leaving the country.

Neither Sithar nor her lawyers were informed of any bail conditions. Her lawyers' request to view her case file, which would have contained such bail conditions, was never granted, in violation of the Code of Criminal Procedure. Sithar was allowed by Cambodian immigration to leave the country earlier this month.

If authorities expected Sithar to comply with any bail conditions, they should have informed her of them. Punishing people for failing to follow secret and undisclosed rules is an injustice and inconsistent with basic principles of the rule of law.

"An independent, neutral and just court would promote and protect Sithar with the law," said Khun Tharo, program coordinator at CENTRAL. "The arrest of a prominent labour activist is a serious violation of human and labour rights, as the charge from the court has no legal basis."

Sithar has been returned to pre-trial detention in Correctional Centre 2, where she is subject to horrendous and extremely overcrowded prison conditions. She faces up to two years in prison if convicted. At least nine other LRSU leaders and members – who were previously imprisoned alongside Sithar earlier this year – also continue to face criminal charges, while new spurious criminal cases are being brought forward against other LRSU strikers.

The government must stop treating Sithar, alongside other LRSU members and union members and leaders across the garment, hospitality, and informal sectors, as if they are enemies of the state. They represent legitimate interests of workers, who are calling on employers and companies to respect the law and their rights. The government should be celebrating them, not imprisoning them.

“We call on the Cambodian government to stop mislabeling and treating the LRSU strike as an illegal protest,” said Kleang Soben, general secretary of LRSU. “It is, and always has been, a legitimate strike by workers objecting to NagaWorld’s violation of Cambodia’s Labour Law.”

We call for the immediate release of Chhim Sithar, and for all charges to be dropped against her and her fellow LRSU leaders and members. The LRSU strike must be resolved in accordance with the Labour Law, and authorities must stop treating unionists as criminals for undertaking their legitimate and selfless work to defend the rights of others.

For more information, please contact:

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- Khun Tharo, Program Coordinator of Center for Alliance of Labour and Human Rights (CENTRAL), 093 556 671

This joint statement is endorsed by:

1. 197 Land Community (Koh Kong)
2. Alliance for Conflict Transformation (ACT)
3. Am Leang Community (Kampong Speu)
4. Andong Trabek Land Community (Svay Rieng)
5. Areng Indigenous Community (Koh Kong)
6. Boeung Pram Community (Battambang)
7. Building and Wood Workers Trade Union Federation of Cambodia (BWTUC)
8. Cambodian Alliance of Trade Unions (CATU)
9. Cambodian Center for Human Rights (CCHR)
10. Cambodian Food and Service Workers’ Federation (CFSWF)
11. Center for Alliance of Labor and Human Rights (CENTRAL)
12. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
13. Cambodian Institute for Democracy (CID)
14. Cambodia’s Independent Civil Servants Association (CICA)
15. Cambodian Informal Economy Workers Association (CIWA-CLC)
16. Cambodian Human Rights and Development Association (ADHOC)
17. Cambodian Human Rights Action Coalition (CHRAC)
18. Cambodian Tourism Workers Union Federation (CTWUF)
19. Chi Kha Kraom Land Community (Koh Kong)
20. Chi Kha Leu Land Community (Koh Kong)
21. Coalition of Cambodian Farmers Community Association (CCFC)
22. Coalition of Free Trade Union of The Women’s Textile (CFTUWT)
23. Community to Protect Nature (Pursat)
24. Cambodian Youth Network (CYN)
25. Dak Por Community (Kampong Speu)
26. Equitable Cambodia (EC)
27. Gender and Development for Cambodia (GADC)

28. Free Independent Trade Union Federation (FUPI)
29. Independent Democracy of Informal Economy Association (IDEA)
30. Independent Trade Union Federation (INTUFE)
31. Indigenous Community in Prame Commune (Preah Vihear)
32. Khmer Thavrak
33. Klahaan
34. Kleang Toek 78 Community (Siem Reap)
35. Koh Sralao Fishery Community (Koh Kong)
36. Kouy Indigenous Community (Preah Vihear)
37. Labour Right Supported Union Khmer Employee of Nagaworld (L.R.S.U)
38. Land Community (Pailin)
39. Lor Peang Community (Kampong Chhnang)
40. Mean Chey Land Community (Svay Rieng)
41. Ou Damdaek Community (Kampong Thom)
42. Ou Vor Preng Community (Battambang)
43. Peam Ros Community (Kampong Speu)
44. Peace Bridges Organization (PBO)
45. Phnom Krom Community (Siem Reap)
46. Phnom Tor Toeung Community (Kampot)
47. Phum Sela Khmer Land Community (Banteay Meanchey)
48. Ponlok Khmer (PKH)
49. Prek Ksach Land Community (Koh Kong)
50. Prey Chher Pech Changvar Laor Chhert Community (Kampong Chhnang)
51. Prey Lang Community (Kampong Thom)
52. Prey Peay Land Community (Kampot)
53. Rattanak Rokha Forestry Community (Oddar Meanchey)
54. Reaksmei Sameakki Community (Kampong Speu)
55. Samaki Romeas Haek Community (Svay Rieng)
56. Samaki Chek Meas Community (Svay Rieng)
57. SILAKA
58. Sahmakum Teang Tnaut (STT)
59. Sre Ampel Water Fall Tourism Forestry Community (Kampong Chhnang)
60. Sre Prang Community (Tbong Khmum)
61. Steung Khsach Sor Forestry Resource (Kampong Chhnang)
62. Ta Ni Land Community (Siem Reap)
63. Ta Noun Land Community (Koh Kong)
64. The Cambodian NGO Committee on CEDAW (NGO-CEDAW)
65. Thmar Da Community (Pursat)
66. Tonlung Community (Tbong Khmum)
67. Trapeang Chour Community (Kampong Speu)
68. Youth Resources Development Program (YRDP)
69. Solidarity House (SH)