

CAMBODIA IMPRISONED UNION LEADER MUST BE RELEASED

Chhim Sithar, the leader of the Labor Rights Supported Union of Khmer Employees (LRSU) of NagaWorld, has been rearrested for allegedly violating her bail terms, which arise from bogus charges of 'incitement', after returning to Cambodia from Australia. LRSU members have been striking since December 2021 following mass layoffs from the NagaWorld casino. Sithar was arbitrarily arrested and charged with 'incitement to commit a felony' under articles 494 and 495 of the Criminal Code on 4 January 2022. After being released on bail, Sithar has been rearrested for allegedly violating bail conditions that neither she nor her lawyer were informed of.

Under international human rights law and its Constitution, Cambodia has an obligation to respect, protect, and fulfil the human rights of workers and to ensure that they realise their rights to unionise and strike without fear of violent and/or legal repercussion.

It is extremely worrying to see that incitement charges brought against Chhim Sithar have not been dropped and that they appear to have been motivated because of her leadership of the LRSU and their ongoing strike actions against NagaWorld. In addition, her rearrest is greatly concerning as Sithar is accused of allegedly violating bail conditions that she had no way of knowing, because they were not provided to her or her lawyers, despite requests from her lawyers. This indicates that she was rearrested because of her ongoing work, exercising her right to freedom of speech and to freedom of association while in Cambodia and Australia.

Write to the Prime Minister of Cambodia urging him to:

- ensure the immediate and unconditional release of Chhim Sithar
- drop all charges against her
- grant Sithar, leaders and membership of the LRSU, protections afforded them under international human rights law that Cambodia has ratified
- ensure that an objective body undertakes an independent and thorough investigation into the charges brought against her.

Write to:

Prime Minister Hun Sen
Office of the Prime Minister
Jok Dimitrov Boulevard, Phnom Penh,
Cambodia

Twitter: @PeacePalaceKH

Salutation: Your Excellency

And copy:

His Excellency Sovann KE (M)
Ambassador (New York)
Permanent Mission of the Kingdom of Cambodia to the United Nations
327 East, 58 Street
New York, NY 10022
United States of America
Tel: (212) 336-0777 Fax: (212) 759-7672
Email: cambodia@un.int

Additional information

Ms. Chhim Sithar, 34, is the second child of six siblings and has four brothers and one sister. She helps to support her 57-year-old uncle who has leukemia, her 65-year-old mother and her 33-year-old brother. Sithar has a bachelor's degree in Economic Informatics.

Sithar has worked at NagaWorld since 2007 and became the president of LRSU in 2010. On 3 January 2022, Sithar was charged with 'incitement to commit a felony' under articles 494 and 495 of the Criminal Code. Sithar was violently arrested on 4 January 2022, being dragged by her neck and pulled into a car by undercover police while trying to join a strike in Phnom Penh. She spent 72 days in pre-trial detention before being released on bail in March.

Sithar was rearrested on 26 November 2022 after returning to Cambodia from Australia, where she had met with other labour leaders and during which time a Human Rights Watch report was published that featured her speaking out against the Cambodian government's repressive tactics. She was arrested for allegedly violating conditions of her bail, but neither she nor her lawyers were ever made aware of any bail conditions related to travel, despite requesting such information. Sithar had previously travelled to Thailand on two occasions without issue since being granted bail in March 2022 and prior to her trip to Australia. Before being arrested, Sithar told Amnesty International:

"They told me it's not easy to fight against Naga, because they are big and have lots of money. But if no one fights the difficult fights, then how can we hold anyone accountable – and how can we hope to win the other fights?"

*****PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 14 February 2023**