



Brussels, 7 December 2022

**Mr Nong Sakal**  
**Ambassador**  
**Royal Embassy of Cambodia**  
**Avenue de Tervuren 264A**  
**1150 Brussels**  
**Belgium**  
**Email: [camemb.bel@mfaic.gov.kh](mailto:camemb.bel@mfaic.gov.kh)**

**Re: Immediate and unconditional release of Chhim Sithar**

Dear Mr Ambassador,

We are writing with regard to the shocking arrest and detention of Chhim Sithar, president of the Labor Rights Supported Union of Khmer Employees of NagaWorld (LRSU) on Saturday, November 26, 2022. Sithar was arrested in Phnom Penh International Airport upon her return from Melbourne, Australia, where she had been attending the 5th World Congress of the International Trade Union Confederation (ITUC). Sithar's arrest was in breach of both Cambodian law and the Royal Government of Cambodia's international labor and human rights obligations. We therefore demand the immediate and unconditional release of Chhim Sithar.

#### **Sithar's arrest in breach of Cambodian law**

We understand that Sithar has been arrested and detained due to a breach of her bail conditions. Neither Sithar nor her lawyers had previously been presented with these conditions, as evidenced by the lack of her thumbprint on Order for Judicial Supervision number 1572, which outlines her bail conditions. This Order, dated March 14, 2022, was not given to Sithar or her lawyers until after her detention on November, 26, 2022.

Sithar's arrest and detention is in breach of the Cambodian criminal procedure code, which clearly states that accused people must be informed of their bail conditions.

#### **Sithar's arrest in breach of international labor and human rights obligations**

Not only is Sithar's arrest in breach of the Royal Government of Cambodia's own criminal code, it is also in breach of the government's obligations to protect and respect the right to freedom of association, arising from its membership of the International Labour Organization (ILO) and its obligations under ILO convention 87, which the government voluntarily ratified in August 1999.

As noted above, Sithar's recent arrest was due to her breaching her bail conditions; bail conditions that were imposed following criminal charges brought against her for exercising fundamental trade union rights. Sithar was arrested in January 2022 after leading a strike of NagaWorld Casino Hotel workers which had begun in December 2021. The strike was in response to NagaWorld's attempts to destroy LRSU under the cover of necessary Covid-19 layoffs. 1,329 workers were targeted for layoffs, of which 1,100 were LRSU leaders, activists, and members. After numerous attempts to negotiate with the company in good faith and find a resolution to the dispute, LRSU launched a strike, following all required legal procedures. At the time of writing, the strike is ongoing, despite workers facing continued violence and harassment from authorities and the company.



NagaWorld's claim that the layoffs were necessary due to the business impact of Covid-19 has also now been shown to be a lie; the company is making a good profit and has started hiring new workers.

All workers have the right to join or form workers organizations of their choosing, and should also have the right to participate in trade union activities abroad. The Royal Government of Cambodia is obligated to protect these rights.

**Release Chhim Sithar and negotiate a win-win solution to the dispute**

We therefore demand the immediate and unconditional release of Chhim Sithar. We also call on the Royal Government of Cambodia to respect freedom of association and negotiate an end to the dispute, meeting LRSU's demands:

- Reinstatement of workers who want to return to work.
- Recognition of LRSU, and NagaCorp entering into good faith negotiations.
- Dropping all criminal charges against union members.

We call upon you to use all the means at your disposal to end this severe breach of international labour and human rights.

EFFAT will share this letter with the Delegation of the European Union to the Kingdom of Cambodia and the European Parliament's Delegation to South-East Asia (ASEAN).

Yours sincerely,

Kristjan Bragason  
EFFAT General Secretary