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លីកាដូ



LICADHO

CAMBODIAN LEAGUE FOR THE
PROMOTION AND DEFENSE OF
HUMAN RIGHTS



WOMEN UNITED FOR LABOUR RIGHTS IN CAMBODIA

Six Stories of Resistance

A briefing paper issued in
November 2022



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LICADHO

CAMBODIAN LEAGUE FOR THE PROMOTION
AND DEFENSE OF HUMAN RIGHTS

CAMBODIAN LEAGUE FOR THE PROMOTION AND DEFENSE OF HUMAN RIGHTS (LICADHO)

LICADHO is a national Cambodian human rights organization. Since its establishment in 1992, LICADHO has been at the forefront of efforts to protect civil, political, economic and social rights in Cambodia and to promote respect for them by the Cambodian government and institutions. Building on its past achievements, LICADHO continues to be an advocate for the Cambodian people and a monitor of the government through wide ranging human rights programs from its main office in Phnom Penh and 12 provincial offices.

MONITORING & PROTECTION



PROMOTION & ADVOCACY

Monitoring of State Violations & Women's and Children's Rights:

Monitors investigate human rights violations perpetrated by the state and violations made against women and children. Victims are provided assistance through interventions with local authorities and court officials.

Medical Assistance & Social Work:

A medical team provides assistance to prisoners and prison officials in urban and rural prisons, victims of human rights violations and families in resettlement sites. Social workers conduct needs assessments of victims and their families and provide short-term material and food.

Prison Monitoring:

Researchers monitor urban and rural prisons to assess prison conditions and ensure that pre-trial detainees have access to legal representation.

Paralegal & Legal Representation:

Victims are provided legal advice by a paralegal team and, in key cases, legal representation by human rights lawyers.

Supporting Unions & Grassroots Groups and Networks:

Assistance to unions, grassroots groups and affected communities to provide protection and legal services, and to enhance their capacity to campaign and advocate for human rights.

Public Advocacy & Outreach:

Human rights cases are compiled into a central electronic database, so that accurate information can be easily accessed and analyzed, and produced into periodic public reports (written, audio and visual) or used for other advocacy.

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Strikers are blocked by authorities outside the NagaWorld casino in Phnom Penh in December 2021.

Women labour rights activists are taking on exploitative employers, standing up for fair and safe work conditions and fighting to end gender-based violence at work. They are facing threats and harassment from employers and authorities, while tearing down gender stereotypes and societal expectations as they fight for workers' rights and a future in which all women are free to speak out for the rights of themselves and others.

To mark the 16 Days of Activism against Gender-Based Violence in 2022, LICADHO is sharing stories and recommendations of six women who are on the frontlines of Cambodia's labour rights movement, in celebration of their work and resilience. They are leaders and members of trade unions, federations and associations and together represent factory workers, sex workers, entertainment

workers, casino workers, teachers, tuk tuk drivers, domestic workers and more.

They are united in their commitment to workers' rights, and are all speaking out against sexual harassment and gender-based violence at work. Despite working in diverse sectors, they all report that their members face sexual harassment, with employers and authorities often failing to respond.

The activism of these women often comes at a high price - they have been fired, imprisoned, physically attacked, surveilled and threatened. They have witnessed women activists endure criticism and discouragement due to their gender from communities, colleagues or families. Yet they remain determined to continue their struggles to unite workers and end gender-based violence.



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FLORIAN

WE NEED...
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Strikers gather in Phnom Penh to demand reinstatement of workers laid off by the NagaWorld casino, in January 2022.

SARIN SOVANNY

Worker Organiser in Kampong Speu province with the Cambodian Alliance of Trade Unions (CATU)



Sovanny was laid off from her job at a garment factory in June 2022, and says she was fired alongside more than 180 other workers, all but two of whom were CATU members. The layoffs took place among the factory’s roughly 3,000 total workers.

A year prior, Sovanny became an activist with the trade union federation, which represents workers in the garment, footwear and other manufacturing sectors. Her dismissal from the factory – owned by YTC Corporation and a supplier for brands including Gap, Old Navy and Walmart – was a clear effort to undercut workers’ rights on multiple fronts.

Sovanny’s dismissal came when she and many other laid off workers were about to become entitled to undetermined duration contracts, which offer better job security and benefits than the precarious fixed duration contracts they had been subject to until then.

“I think it was the intention of the company to fire me as well because I was an activist in the factory for an independent union”

“It is really risky for those workers who work under two years, the company can fire them anytime,” she said. “I think it was the intention of the company to fire me as well because I was an activist in the factory for an independent union that defends workers’ rights and addresses problems.”

Being laid off has only made Sovanny more determined to demand respect for workers’ rights. While she reports her income has fallen since losing her job, she is now dedicating more time to working with CATU, organising workers and sharing knowledge on labour rights and social protections.

Sovanny is also fighting against abusive bosses who exploit their positions to perpetrate sexual harassment with impunity. In one case, a supervisor at the YTC factory repeatedly harassed women workers, and the federation supported workers to complain to the employer and then file complaints all the way to Cambodia’s Arbitration Council, Ministry of Labour and Vocational Training and through the legal system. Yet Sovanny reflects with frustration that each of these institutions failed workers, with the supervisor retaining his position to this day. “There was no justice for the women,” she said.

But Sovanny has not been silenced. She demands the government end all kinds of harassment, that employers respect the rights of unions and the law, and that brands such as Gap, Old Navy and Walmart take responsibility to ensure that workers are not unjustly dismissed. To other unionists, she asks they remain united in their struggle: “Please keep working to defend workers’ rights, so members’ and workers’ rights are not violated”.

SOK SREYLEAP

Campaign Officer with Women's Network for Unity (WNU)



“Stop punishing or arresting sex workers, because it is their right ... It is their choice of work and the use of their bodies.”

Sex workers are also often unsafe while going to work. They are frequently arrested simply for being in public or on false accusations of theft. “They are just sitting on a public bench but they still get arrested,” Sreyleap said.

WNU provides some of the only real support available to entertainment and sex workers. They run a 24-hour emergency hotline, train members to be self-dependent and document information to file official complaints and create a safe space at their centre Mondol Somchot, where workers can share their experiences and struggles. “We share what we have, we share food, we are very close like a family,” she says.

Discrimination by healthcare providers is one of the most serious issues affecting members. Transgender sex workers and men who have sex with men have frequently faced such overwhelming discrimination that they no longer feel safe seeking life-saving care. “The disease became more serious because it was not being treated,” Sreyleap said. These challenges were heightened during Covid-19 lockdowns, when some members living with HIV were unable to access essential life extending medicine.

Sreyleap is calling on the Cambodian government to stop criminalising sex workers and recognise sex work as work. The government must remove laws that affect sex workers’ rights, including provisions of the Law on Suppression of Human Trafficking and Sexual Exploitation which prohibit soliciting in public and procuring prostitution. These provisions fuel unsafe work conditions and are routinely abused by authorities to commit violence against and arrest sex workers. Sreyleap is calling for the law to be amended to better protect sex workers’ rights and autonomy. “Stop punishing or arresting sex workers, because it is their right,” Sreyleap says. “It is their choice of work and the use of their bodies.”

She also requests that the government provides comprehensive and free public services in a fair manner. For the public, Sreyleap’s message is clear: “Give value to sex workers. Sex workers are people also, and must receive all human rights.”

Entertainment and sex workers face unsafe work conditions in Cambodia. Sreyleap is fighting to change that and to ensure that they can work under safe conditions free from discrimination, harassment and abuse.

Sreyleap works with WNU to represent entertainment and sex workers and advocate for sex work to be recognised as work. She leads outreach and coordinates support for members, particularly when they face rights abuses.

Violence, harassment and discrimination against sex workers are commonly perpetrated by authorities, family members, customers, healthcare providers, neighbours and others. Sreyleap reports that physical violence is most common, but her members also often face sexual violence, including gang rape. “Customers think that sex workers will not complain because there is a lot of discrimination against them,” Sreyleap said.

Authorities have also disrupted WNU’s community outreach meetings, by standing and listening to their discussions about topics such as reproductive health. Despite harassment and monitoring by male authorities, organisers like Sreyleap continue to stand together and fight for their rights.

KLEANG SOBEN

General Secretary of the Labor Rights Supported Union of Khmer Employees of NagaWorld (LRSU)



Soben spent more than two months in prison after authorities raided the LRSU office in December 2021, arresting her and other union leaders. Yet the arrests failed to quash the daily protests by LRSU members striking for the NagaWorld casino to re-instate fired workers. While Soben has been bailed, charges still hang over LRSU leaders and members and new spurious criminal cases continue to be brought forward.

Soben had been working at the casino for 18 years when she and the entire union leadership was laid off in 2021. Yet Soben remains unwavering in her dedication to protecting the rights of workers at NagaWorld.

Conditions have quickly deteriorated without the union on the casino floor, with workers reporting slashes to their pay bonuses and holidays. “They lost so many things that were previously requested by the union,” Soben said. Meanwhile, LRSU members demonstrating in the streets have been beaten, threatened, followed, arrested and sexually harassed by male authorities. “When they went

“When they went out to advocate, they were subjected to severe violence by the male authorities, who kicked those women as if they were not even human.”

out to advocate, they were subjected to severe violence by the male authorities, who kicked those women as if they were not even human,” Soben said. In one instance, violence by authorities caused a woman to miscarry.

Soben’s frustration is tangible. While the Cambodian government claims to be leading efforts to end all forms of violence against women, its own officers are perpetrating violence against women strikers in broad daylight with impunity.

Soben also witnessed sexual harassment and gender-based violence within NagaWorld, where customers often touch workers or unleash their anger over losing money on dealers, while NagaWorld sides with customers. “We always continued requesting and urging the company, very often, [to protect] the wellbeing of staff,” said Soben. “But there was never a response from the company.”

Soben has also had to overcome pressure to step back from her union leadership. “Our families say ‘Oh you are a woman, do not be so concerned about social issues, you should stay home and cook food,’” she said. Over 80% of LRSU’s roughly 2,000 members are women, yet they are still discouraged from taking top spots. “Some men who work with us think women should not do so much as union leaders, we should be working as assistants.”

Despite unyielding harassment, LRSU stands strong with women like Soben in the vanguard. She calls on others to join in demanding NagaWorld to allow independent unions and protect workers’ welfare, and demanding the Cambodian government to stop siding with abusive and exploitative employers. She calls on others to stand with her: “I want my fellow workers to be brave to use our rights. When we work, we only sell our labour, not our freedom”.

OUK CHHAYAVY

President of the Cambodian Independent Teachers' Association (CITA)



Chhayavy was violently pushed from her motorbike after visiting unionist and CITA founder Rong Chhun in prison in 2020. She knew it was a targeted attack. The secondary school teacher from Kandal was elected president of CITA in 2016 and has faced relentless threats since joining the association more than 20 years ago.

As the head of Cambodia's largest independent teachers' association, Chhayavy has been on the frontlines against the government's intimidation of teachers. She has actively opposed the authorities' intimidation, firing and even jailing of teachers who join association activities, speak out for labour rights or have links to the dissolved opposition party, the Cambodia National Rescue Party (CNRP).

Despite this, Chhayavy perseveres, striving to ensure her members can teach in Cambodia's schools without being sexually harassed, intimidated or discriminated

against due to politics. "I have to be brave to contribute to support women, particularly women teachers who have faced abuses, including sexual harassment," she shared, recalling a case in which CITA successfully supported a complaint against a school principal who sexually harassed a teacher. "I would like all teachers to have rights to live, to dignity and enough salary, so they can teach all children well."

"Whatever I have decided, even if it is a 1,000 or 10,000 times of threats and intimidation against me, I will still struggle until the end."

Chhayavy has seen first-hand the need for more women on the front lines of activism, and the importance of support – especially from husbands – in ensuring women are able to stand up for their rights. While over half of Cambodia's teachers are women, women make up about 30% of CITA's more than 10,000 members. "Their families restrict their rights. Their husbands say it is because it is unsafe for their wife to travel around, there is no one to cook food for them, and there is no one to care for children," Chhayavy said.

Chhayavy is monitored by authorities who wait outside her home and follow her. She has received death threats, been offered bribes to stop her activism, and her own daughter was sexually harassed by authorities during protests to free unjustly detained activists. But she remains strong: "Whatever I have decided, even if it is a 1,000 or 10,000 times of threats and intimidation against me, I will still struggle until the end".

She continues to struggle to demand the Cambodian government allow open political discussions in schools. She calls on all teachers to speak out: "We should be brave to participate to restore our nation for real democracy".

SOVANN VARY

District Leader and Chief of the Women’s Committee with the Independent Democratic Association of Informal Economy (IDEA)



“When my members or I have problems, like traffic accidents, it is very difficult. No government, [ride-hailing] apps or companies come to our aid.”

Her commitment has not shielded her from discrimination, particularly from the many male tuk tuk drivers who think women do not have a place in the sector. Women currently make up about 16% of IDEA’s roughly 18,000 members, with Vary reporting significant disparities within some sectors. “For women, I want them to be supported and valued by people in society, because when they see us as women tuk tuk drivers, they do not value us,” she shared.

One of Vary’s greatest challenges is abusive customers, particularly at night. She has faced unwanted sexual advances and touching by customers, who often direct drivers to quiet streets or force them to drive around endlessly. Solidarity with other women drivers gives Vary strength; she leads a Telegram group of women drivers to enhance their safety, allowing members to support and advise each other while they work.

On top of her work and leadership role, Vary is raising an 11-year-old daughter. As a single mother, her daughter often accompanies Vary in the tuk tuk while she works. While not an easy solution, she feels it is safer than leaving her daughter alone in their rental room.

Informal economy workers currently have limited access to Cambodia’s National Social Security Fund, cutting them off from basic social protections such as health insurance, support for occupational injury or accidents and a pension fund. Vary is calling on the government to provide full protection to informal economy workers, as ride-hailing apps provide no such protections or support while still taking hefty commissions. Vary calls on other women workers to join her in the struggle: “I want them to stand up and demand their rights, to be brave to stand up to all obstacles”.

To stop customers harassing her, Vary has installed strong metal bars between the driver’s seat and the passenger seat in her tuk tuk. As a woman driver in a male-dominated sector, Vary overcame challenges to rise to the top of her local union leadership.

After becoming a tuk tuk driver in 2018, Vary joined IDEA, an association of informal economy workers spanning tuk tuk drivers, street vendors, etchais or trash pickers and others. She first joined IDEA out of a sense of necessity, having experienced the risks that come with working on the streets. “When my members or I have problems, like traffic accidents, it is very difficult,” she said. “No government, [ride-hailing] apps or companies come to our aid.”

Vary has since become a key source of support for other members who work in the capital’s Chamkarmon district. Whether a tuk tuk is broken down or involved in an accident, a street seller is forcibly displaced by authorities, or a driver is sexually harassed by customers, Vary coordinates support.

MAK KAK

Member of the Association of Domestic Workers (ADW)



“Working as domestic workers, we face problems such as emotional and physical violence. Sometimes we are overworked, for long hours.”

“Working as domestic workers, we face problems such as emotional and physical violence. Sometimes we are overworked, for long hours,” she shared, noting that some members have no choice but to work for up to 13 hours each day without weekends or holidays. Domestic workers are explicitly excluded from nearly all of the protections offered by Cambodia’s Labour Law, and very few have access to protections under the National Social Security Fund.

The risks posed by abusive bosses or exploitative conditions are severe for domestic workers like Kak, many of whom live at their workplaces. Kak notes the important role ADW plays for domestic workers when they face violence at work. “We cannot protest or do anything back, so we need support from the association,” she said. As ADW members are spread across different workplaces and are rarely able to meet in person, social media has become increasingly key to organising and coordinating support.

As a widow with three children, Kak’s greatest challenge is earning enough to support her family. She is calling on all employers to recognise the value and needs of domestic workers by providing good salaries.

Kak demands that domestic workers are given the explicit legal protections that other workers already have. She is also demanding employers end violence: “Stop all forms of violence against domestic workers – emotional, sexual and physical violence”.

Kak took on her first job as a domestic worker after moving from her hometown in Takeo province to Phnom Penh roughly nine years ago. “They would yell and blame me every day,” she recalls of her first employer. “That is emotional violence.”

Kak soon moved to another company that provided more acceptable working conditions, and about three years ago she joined ADW, an association that represents domestic workers in Cambodia and abroad. Feeling increasingly confident to respond to rights violations, Kak has begun speaking out for better protections for all domestic workers.



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Stop discrimination
against women
workers

An LRSU striker calls for an end to discrimination against women workers in Phnom Penh in August 2022.

