

Prime Minister Hun Sen
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Royal Government of the Kingdom of Cambodia
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Arrest of Rong Chhun, President of the Cambodian Confederation of Unions

Dear Prime Minister

I write on behalf of the Australian union movement to condemn the recent arrest of Rong Chhun, President of the Cambodian Confederation of Unions (CCU). CCU is an affiliate of the International Trade Union Confederation (ITUC), to which the Australian Council of Trade Unions (ACTU) is also affiliated. Rong Chhun is the ex-President of the Cambodian Independent Teachers' Association (CITA), the current chair of the ITUC Cambodian Council, and one of the most outspoken unionists in Cambodia.

On Friday 31 July 2020, Rong Chhun was arrested at his home, after the Cambodia Border Committee called on authorities to take action against the union leader for his comments following a visit to the Cambodia-Vietnam border on 20 July. Rong Chhun has been charged under article 495 of the criminal code with inciting social unrest and is now being held in pre-trial detention. The charge – which could see him sentenced for up to two years in prison – is a clear violation of the right to freedom of expression.

We note with concern that Rong Chhun's arrest took place against the background of his recent trade union activities, including campaigning for the release of four members of CITA who were arrested and detained by the authorities for making comments on public health issues and holding online classes for students during school closures, and for urging the government to make improvements on human rights and democracy before the Everything But Arms trade preference is due to be withdrawn.

Rong Chhun's case is just the latest example of increasing repression and violations of human and trade union rights in Cambodia. The Cambodia Fundamental Freedoms Monitor noted in their report from April 2019-March 2020¹ that the Royal Government of Cambodia regularly utilised the country's laws to impinge on the fundamental freedoms of association, expression, and assembly, in violation of international human rights law.

The most recent report² by the UN Special Rapporteur on the situation of human rights in Cambodia noted the suppression of political rights and made a number of recommendations that have not yet been implemented. In particular, we urge your government to immediately take steps to:

- e) Allow civil society organisations to undertake activities at the subnational level without

¹<https://cchrcambodia.org/admin/media/report/report/english/Fourth%20Annual%20Report%20of%20the%20Cambodia%20Fundamental%20Freedoms%20Monitor%202019-.pdf>

²<https://cambodia.ohchr.org/sites/default/files/Annual-reports/2019%20Report%20of%20the%20Special%20Rapporteur%20on%20the%20situation%20of%20human%20rights%20in%20Cambodia.pdf>

harassment and surveillance or any undue restrictions;

f) Allow peaceful demonstrations in compliance with the Law on Peaceful Demonstration and its implementing guidelines and stop the excessive use of force when policing assemblies;

g) Launch a participatory process, including consultation with civil society organisations, to review and amend, as necessary, the Law on Political Parties, the Law on Associations and Non-Governmental Organisations, the Trade Union Law and the Telecommunications Law to bring them into line with international human rights standards.

We are alarmed that the Cambodian government appears to be using the COVID-19 crisis to further restrict human rights and dissent. In April, your government used the COVID-19 pandemic to adopt a draconian state of emergency law that gives authorities broad and unfettered powers to restrict freedom of expression, peaceful assembly, and freedom of association. In addition, we are deeply concerned that the draft Public Order Law announced on 15 June will further curtail human rights. The proposed law includes provisions dictating how people should present themselves publicly that would let Cambodian police fine people deemed to be dressed inappropriately. This law could put women at further risk of sexual discrimination, harassment and violence; in particular women working in the entertainment and hospitality industries could be discriminated against.

We urge your government to immediately release and drop all charges against Rong Chhun and the other trade unionists detained for exercising their right to free expression. We call on your government to immediately fulfil its obligations to uphold the principles in ILO Convention 87 concerning Freedom of Association and Protection of the Right to Organise and international human rights treaties, and immediately implement the recommendations of the UN Special Rapporteur. The ACTU will continue to stand in solidarity with Cambodian unionists and will closely monitor the human rights situation in Cambodia.

Yours sincerely



Michele O'Neil

President

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