

# **The Longest Strike in Cambodia: How NagaWorld Workers Fight for Livelihood, Dignity and Union Rights (Part 1)**

Saturday 18 February 2023, by [Asian Labour Review](#), [PHALIN Ou Tep](#), [SITHAR Chhim](#) (Date first published: 28 August 2022).

**The year-long struggle is not only about protecting workers from layoffs, but also the rights of workers to have a union and to protest injustice. ALR spoke to two key union leaders leading the fight.**

In what has become the longest labour strike in recent Cambodian history, hundreds of workers have been fighting back against NagaWorld, a casino and hotel resort located at the heart of Phnom Penh, the capital of Cambodia, after the company laid off over a thousand workers in early 2021, most of whom were union members.

Led by a militant Labor Rights Supported Union at NagaWorld, the laid-off workers demanded their jobs back. And, when negotiations failed and legal channels exhausted, the union called for a strike in December 2021 which was met by the arrests of union leaders and striking workers, constant intimidation, and the raiding of the union office. Yet workers staged demonstration after demonstration to this day.

Among those arrested is the union president, Chhim Sithar, a casino worker who stepped up to become the vice president and then president in 2012 after all the previous union leaders were fired in 2009. Under her leadership, the union fought for a living wage, better conditions and protection from sexual harassment at work.

Almost a decade of organising led to a successful two-day strike in January 2020 for higher pay, and Sithar's reinstatement after being fired for her role in organising. Just over a year later, against the company's mass layoff, it again pushed Sithar to the fore as a key leader in the mobilisation.

ALR spoke to Chhim Sithar, as well as Ou Tep Phalin, the president of the Cambodian Food and Service Worker Federation and a key strategist for the NagaWorld union. We discussed the ongoing struggle at NagaWorld, how the union and workers managed to keep their momentum and spirits, their determination to counter the union-busting and the collusion of the company and government, what kind of international solidarity they need and more.

The interview has been edited for clarity and concision, and will be published in two parts due to its length.

**ALR: When I came this morning, there are lot of workers from NagaWorld here (in another location after the union's office was raided last year). Can you share what's happening? What is the purpose of their gathering?**

**Sithar:** After we took eight months of trying to settle this labour dispute, using all the available

labour dispute mechanisms, we could not reach any agreement or solution, so workers decided to go on strike on December 18<sup>th</sup> 2021. It has been six months since workers have gone on strike, but there is still no settlement on this issue. So today, one of the activities that we think can help us find solutions to this dispute is by signing a petition to the prime minister of Cambodia to ask for his intervention to settle this dispute.

**ALR: What are the main demands in this petition? What would you like the Prime Minister to do?**

**Sithar:** The request is to ask for intervention from the Prime Minister to push NagaWorld to accept the union's proposal by reinstating the remaining 175 laid-off workers who rejected the unjust layoffs and demanded going back to work, including all elected union leaders, activists and key members actively involved in the union activities. Their reinstatement is the only real solution to this dispute.

And, for those who are willingness to accept the compensation and severance package from the company, we ask intervention from the Prime Minister to push the company to pay the workers according to the law.

And, drop all the charges against all activists and union leaders that have been charged earlier and were detained for nine weeks.

**ALR: How many workers do you think will sign the petition?**

**Sithar:** We expect at least 500 workers will sign the petition. We have our members who are currently on strike, and members who just returned back to work after they joined a few months of strike and cannot deal with financial hardship, so they decided to go back to work, but they still support the union.

**ALR: The protests started in early 2021, and it has been well over a year. How did you manage to keep the momentum going and return to strikes again and again despite all the arrests?**

**Sithar:** We always follow the steps of democratic unionism. Every step we take, it must inform and be agreed by the members. We have regular meetings with members at the start of the dispute when the company announced the layoff, and we explain to the members why we should not accept this layoff, and the redundancy plan is not fair. Even when we filed complaint to the Ministry of Labour and used all the legal dispute resolution mechanisms, all members were informed and explained (about these actions).

We explain to and ask members to make the decisions whether they choose to go to court or on strike. They had to choose, and we told them about the advantages and disadvantages of each option and they have to make a decision. The union running the campaigns follows a democratic union process. This is the way our members continue to be active in the fight.

**ALR: Were there moments over the last year where it simply became too difficult to continue the struggle?**

**Sithar:** Really only once. It looked like the people, and the whole country decided to stay silent but we spoke up. It looked like it was only us who stood up and picked a fight.

**ALR: We were talking before the interview that there were about 30 or 40 core workers who are very active in the current mobilization.**

**Phalin:** The core group prepares the strategy and mobilizes the small groups. Workers are divided into small groups, and the core group of workers passes the strategy to the small groups after our discussion. The company's tactic is to monitor our social media and communications. So it was hard for us to know who may be a spy, who just joined to listen and do nothing. So they start to divide into smaller groups. One member manages communications with 20 or 25 workers via Telegram, Signal or Facebook messenger to pass information and to mobilize.

**ALR: Do you meet in person often or do you mainly communicate online?**

**Phalin:** Both. It depends. Some strategy needs to be clear and have a common understanding, so we have to call a physical meeting. If just mobilizing and passing information, such as delaying the strike or suspending the strike for one or two days, we communicate online.

**ALR: Have there been major differences in terms of strategy or tactics among the core group of workers? I guess there must be some differences over time.**

**Sithar:** It is normal for any discussion that there are agreements and disagreements. Eventually, we still can find the most agreed points that we have discussed. When it comes to disagreements, we choose the majority voice and those who disagree must follow the majority.

**ALR: Going back on the strikes and protests in the past year, how much do you think the strikes and protests disrupted the operation of the casino and hotel? Were you able to shut down part of the casino and hotel operations? Was management able to replace workers and continue operations?**

**Sithar:** I think we did pretty well in the beginning. We gave them a lot of pressure. Even though the company had prepared short-term contract dealers since 2019 living wage campaign in 2019 (as replacement), eventually those workers wanted to join the union because they had been treated very unfairly in the workplace.

At the beginning, we hit quite hard on the company business. But because of the company was not fully operating yet - only 70% operating (due to the pandemic), we disrupted 50% of the company's operations. They could continue the gaming tables at around 20-30% capacity. The number of customers was becoming lower. Sadly, after that, less than 3 weeks of the strike, there came to the most challenging point where we were all arrested.

**Phalin:** I heard from members that after they checked back in to work, they told us about overload job among the workers. It seemed the company needed more people working in the casino, but they tried to put the pressure on the workers to manage many jobs in the casino. At one point, workers managed four to six tables, which is triple of their normal workload. So this is the complaint from workers.

During the covid-19, the labour market in Cambodia was very tight so people found it hard to find work. People had no choice, and they chose this job to support the family. This is an opportunity for the employers to exploit workers in a hard situation like Covid-19.

**ALR: So how is the situation now with the casino?**

**Phalin:** We know that Naga 3 (there are currently Naga 1 and 2 casino and hotel as part of a resort complex) is under construction. So they need more workers. The reason that the employer did the mass layoff of the union members and all the worker representatives is to undermine the union and worker representatives in NagaWorld, while they plan to build the Naga 3 and need more people to work.

**ALR: Can you talk about the tactics they have been using to attack the union?**

**Sithar:** The union fights very hard about the working conditions, sexual harassment and violence against women workers and more importantly, for a living wage.

For the collective bargaining process, the union is trying to apply for most representative status at the Ministry of Labor in order to be registered and legalized to negotiate on the collective bargaining agreement. So this is something that the company fears about the union, having a stronger agreement to protect workers' benefits. And that would attract a lot of workers to join the union in the future when they have Naga 3 open with the plan of hiring around 1,500 workers.

In their redundancy plan which targets union, they want to get rid of union with a very concrete plan, supported by Ministry of Labor and government. We cannot use any legal dispute resolution mechanism in Cambodia. The Ministry of Labor just follows what the company says and confuses the workers, saying this layoff is legal and agreed by Ministry of Labor.

They have used the state-controlled media to scare workers by labelling us as a color revolution, relating us to the opposition party, and using all kinds of threats. Our members are also being targeted by the communal leaders. They meet our members at home and tell their parents do not allow your children to join the strike because this is the color revolution and illegal.

We knew in advance that the leaders might be arrested if after a few weeks there is no sign of agreement, and the number of workers participating in the strike is still strong. There's also a plan from other hotel workers to join the strike. That's why they decided to arrest the leader.

Currently, they need a lot of workers because they know they cannot ask workers to work overload like this every day. One day, workers will stand up again. We also have a plan to mobilize workers to fight again. They announced plans to hire new workers, but not for positions in the department where workers are being laid off. But in the actual interviews, workers are interviewed for positions in the department that our members are being laid off. This is one tactic.

Others tactics are that the company uses internal transfer to transfer workers between departments, and they change the job titles. One of our strong members in the slot machine department, they change the job title and said they don't need it anymore, so they get rid of all of them. But actually, the work of the slot department is given to other departments.

**ALR: So replacing unionized workers with I guess non-unionized workers?**

**Sithar:** Yes, and supported by the Cambodia government. The government newly amended labor laws relating to labor contract, which allows the company to use maximum four years of short term contracts for workers. And they are classified as interns, as trainees at the company's executive training academy program. They will be contracted under the intern, short-term contract, but their jobs are exactly the same as the permanent and long service workers. So they earn money, like all other workers but their contract is a short term, intern contract.

**ALR: So for those under the intern contract, do they still get paid? But much less?**

**Sithar:** Yes, but they are paid less and are not entitled to benefits such as maternity leave benefit, tips and other benefits. They are very vulnerable, and at risk of being fired. The company only need to give a one-day notice if they don't want the worker to work anymore.

**ALR: How long do you think the intern contract will last? Is the company hoping that the intern contract will become the standard contract, or will they use it for a while and give**

**them a regular contract?**

**Sithar:** I think they will permanently use the intern contracts because the Cambodian government is supporting all employers and capitalists to use that. They already amended the law and made it legal already. So the employers will constantly use that, because they can threaten workers from joining the unions because they can easily terminate contracts, they can pay less, and they're not responsible for paying a lot of worker benefits.

**ALR: We were walking around the area where NagaWorld is located. It is so easy to see all the government departments, national assembly, election committee are next to NagaWorld. It just shows its closeness to power. What is the relationship between the government and NagaWorld? Why is it able to build a casino next to the national government buildings?**

**Phalin:** A few years ago, there was a leak of a letter to nominate the NagaWorld owner as the advisor to the Prime Minister Hun Sen. We knew this company have a tight relationship to sons of the Prime Minister. We can see it clearly from our strike. All the government bodies, the courts, the police, the Ministry of Labor, the Ministry of Health, they use the Covid law to stop us from the strike. All these departments and government bodies just came out, not standing behind the company, but standing in front of the company to protect them and their interests.

And one reason is that this company is important to the government because this company contributes a lot to the economy. This was very clear in the court injunction order against the strike. One of the reasons they state that this company is very important to the Cambodian economic growth. It shows there are a lot of ties there.

**ALR: With many of the workers and unionists at NagaWorld being arrested, where do things stand now? Has any case been dropped?**

**Sithar:** Yes, some cases have been dropped, such as union leaders like Ath Thorn and Yang Sophorn and a few others. But there are more cases, like our cases, are still ongoing.

**ALR: So what has been the impact on leaders being arrested? How are you feeling with all these arrests?**

**Sithar:** For me personally, first of all, I just want to say that I don't want to be arrested. I don't want to stay in jail. It is not a happy place. It is a bad place with bad conditions. But when it comes to justice, the freedom of association, freedom of workers, the rights of workers, the freedom of the unions, we have to be there. It is not easy, it is challenging, but it's not that hard that we cannot survive.

I spent 9 months in prison. It was worth fighting for, to exchange short time period or even years in prison. They can put me and leaders in the prison. If we fight, we can win the fight to protect thousands and millions of workers rights in Cambodia - it is worth fighting for. But if it fails, then to me, it is still okay. Because I just cannot live and stay silent about the injustice, about the greedy employers, about the heartless employers to let workers be treated terribly from customers and they pay them just poverty wages.

I cannot just work eight hours a day and go back home, go to sleep, and wake up another day to work another eight hours again and do nothing for this society. It is the same thing for me, whether I stay outside the prison or stay in my home in this kind of the situation. It is the same.

**ALR: Were you expecting the arrests when you started the strikes and protests?**

**Sithar:** I'm not surprised, because we had already expected.

**ALR: When you came out of the prison, did you continue to be harassed by police?**

**Sithar:** Yes, they keep on threatening us with re-arrest. Especially after the elections, we were already warned that if we don't stop the protests, stop demanding reinstatement, and not accept the compensation then we'd be re-arrested. I was prepared for that.

**ALR: How did they warn you?**

**Sithar:** They gave a message through our former colleagues who gave up and took the severance package.

**ALR: I guess you don't feel safe because they could re-arrest you anytime?**

**Sithar:** No, I don't feel safe. We are being tracked by them, everywhere, anywhere I go. Whoever I meet there's always a follower following us.

**ALR: Do they make it obvious? They want to let you know that they're following you?**

**Sithar:** Yes. Not only me, a lot of the members and the key leaders and the active members in the strike.

**ALR: I suppose you don't think the legal system is fair, even though you can have lawyers defending you, you don't think you'll have a fair trial.**

**Sithar:** We know we are not going to have a fair trial or a reliable court, but so what? We stop organizing? We stop fighting for our rights? We live in a country with a lot of injustice, no freedom and working with no dignity. So what? Do we wait until the court is reliable until a fair trial? No, it's not going to happen without a fight from working people like us.

**ALR: The fight has been going on for so long. How did you manage all the stress and pressure on you personally?**

**Sithar:** I like to stay with positive people. I like to listen to positive speeches, and mostly when union leaders are speaking. I would like to listen to local union leaders speaking about their fight and this encourages me. I keep following fights in other countries, in Hong Kong, Myanmar. Also, around two years ago, I followed the Buddhist monks who teach us real Buddhist teachings about how to live in this kind of situation. I can get a lot of ideas and feel stronger by following these teachings.

**ALR: How is everyone else's spirits? Are the other core organizers who are engaging in this fight, are they feeling positive or challenging?**

**Phalin:** Sometimes I think they have a little bit of pressure. For them, they are ready, but the problem is about pressure from the parents, husbands and brothers or sisters, the family. That's why we organize meditation trips and allow them to bring their families to go with us on the trips. I think the meditation is good for the union activists, at least when we are really stressed, we can have positive energy and positive mindset. This is what the leaders must have keep in mind. Also, as women we can having sharing with each other. At least we have a space to talk and share, they can cry if they feel the pressure, this is a safe space. We just listen, and let them have the platform to release the emotions, because we are human, we need a safe space to talk and encourage each other.

Read [Part 2](#) of the interview

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