

**Fact Sheet: CINTRI Rubbish Collectors’ Protest****Timeline:** February 2014**Snapshot:** The recent rubbish collectors’ protests and subsequent negotiations with CINTRI demonstrated restraint on behalf of the Royal Government of Cambodia (the “RGC”), and highlighted how, with dialogue and compromise between all parties, collective strike action can be resolved peacefully in the Kingdom of Cambodia (“Cambodia”).**Introduction**

In a context of increasing protests and strikes by workers demanding living wages and better working conditions, this factsheet provides an overview of the recent rubbish collectors’ protests and subsequent negotiations with garbage collection company CINTRI. The strike for an increased minimum wage and improved working conditions went ahead in spite of the RGC’s current ban on all demonstrations, assemblies and marches, and remained peaceful, despite heavy military police presence. The protests were partially successful in that, during negotiations, a compromise was made and CINTRI conceded to certain demands, signaling the end of the strikes.

This factsheet is written by the Cambodian Center for Human Rights (“CCHR”), a non-aligned, independent, non-governmental organization that works to promote and protect democracy and respect for human rights – primarily civil and political rights – throughout Cambodia.

**Case Background**

On 2 February 2014, more than 1,000 of the 1,400 workers employed by CINTRI, went on strike to demand increased salaries and improved working conditions. During negotiations, workers presented nine demands, which included a minimum wage of \$150 for rubbish collectors, health bonuses, and overtime for work carried out on Sundays and national holidays. CINTRI, a branch of the Canadian firm CINTREC, has held the monopoly on the collection and disposal of rubbish in Phnom Penh since 2002, after signing a 49-year agreement with the RGC. Prior to the strikes, rubbish collectors were earning \$65 a month, repairmen and drivers \$110 and nighttime garbage truck drivers \$120 a month. No workers had enjoyed a pay rise in ten years.

In response to workers’ requests and initial negotiations with union leaders and company representatives, CINTRI claimed that paying the rubbish collectors more than \$80 a month would have a ruinous effect on the company. Negotiations fell apart and union leaders promptly rejected the \$15 pay rise that was offered by CINTRI on 4 February 2014. Involved in representing the workers during negotiations was Mom Sarorn, president of the Trade Union Federation for Increasing Khmer Employees Lifestyles (“TUFIKEL”). Workers were pressured into accepting a compromise after they were publically threatened both by CINTRI Deputy Director Seng Chamrouen and Phnom Penh Deputy Governor Khoung Sreng, who said that the authorities would take action if the protest continued.

On 5 February 2014, events came to a head. Military police, riot police and civilian security were deployed to the peaceful CINTRI workers’ protest at 9am. Despite the excessive police presence, the protest remained nonviolent. At 2pm, after hours of negotiations, workers agreed to accept a pay increase of \$20 to \$25, depending on their job description, to come into effect in March;

rubbish collectors will receive an increase from \$65 to \$90, and nighttime garbage truck drivers from \$120 to \$140 a month. Other concessions made by CINTRI include no longer docking workers’ pay for uniforms and an agreement to build a 24-hour health clinic for workers. Although workers at CINTRI have accepted the terms of the deal and have returned to work, many remain dissatisfied with what they perceive to be an insufficient wage increase, and have expressed willingness to strike again in the future to ensure their objectives are met.

### **Freedom of Association and Collective Bargaining**

The rights to freedom of association and collective bargaining are protected under Cambodian law. Article 36 of the Constitution of the Kingdom of Cambodia (the “Constitution”) provides that Khmer citizens shall have the right to “*form and be members of trade unions,*” while Article 37 guarantees the right to strike and engage in non-violent demonstrations. Furthermore, Chapter V of the Labor Law protects the right to establish collective labor agreements to determine working conditions and relations between employers and employees, including guarantees against social risks.

Additionally, Article 31 of the Constitution states that Cambodia shall recognize and respect the Universal Declaration of Human Rights (“UDHR”) and the covenants and conventions related to human rights, thereby incorporating the UDHR and the International Covenant on Civil and Political Rights (“ICCPR”) into domestic law. Article 20 of the UDHR states that “*everyone has the right to freedom of peaceful assembly and association,*” while Article 23 specifies that “*everyone has the right to form and to join trade unions for the protection of his interests.*” Article 22 of the ICCPR, ratified by the RGC in 1992, also provides for the universal right to freedom of association and union membership. Providing further protection are the International Labour Organization’s (the “ILO”) 1948 Freedom of Association and Protection of the Right to Organize Convention and 1949 Right to Organize and Collective Bargaining Convention, ratified by the RGC in 1999, which create legally binding obligations for the RGC.

### **Conclusion**

The rubbish workers’ protests that took place early this month remained peaceful throughout, despite breaching the RGC’s indefinite blanket [ban on assembly](#) in Cambodia. While the restraint by the authorities in this instance is positive, the verbal threats made by CINTRI and the authorities which pressured workers into accepting a deal, indicates that freedom of association, union rights and collective bargaining rights are not being sufficiently protected in Cambodia.

CCHR urges employers and the RGC to respect freedom of association and union rights to ensure collective strike action is resolved peacefully. In particular, employers must conduct good faith bargaining with unions. Moreover, the Ministry of Labor and Vocational Training should provide support to unions in order to settle individual and collective labor disputes. CCHR believes this case clearly demonstrates that when all stakeholders work together, engage in dialogue and are willing to compromise, collective bargaining can produce a favorable outcome for all.

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