

AMNESTY INTERNATIONAL

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Cambodia: Three years of injustice

Three years ago Born Samnang, 26, and Sok Sam Oeun, 39, were arrested, suspected of murdering trade union leader Chea Vichea. After a deeply flawed criminal investigation and a trial that fell far short of international fair trial standards the two men were later found guilty of the murder and sentenced to 20 years' imprisonment, despite the lack of any credible evidence against them.

Amnesty International believes that the true perpetrators of the murder of Chea Vichea remain at large. Since the execution style murder, the organisation has campaigned for justice in this case, which at every level has underlined the lack of rule of law and the prevailing culture of impunity in Cambodia.

The unresolved high-profile murder and the continued injustice against Born Samnang and Sok Sam Oeun is casting further doubt over the credibility of the Cambodian government's long-standing pledges for legal and judicial reform. Amnesty International believes that such reform is crucial for any real improvements of the human rights situation in the country.

The two men's appeal was scheduled to be heard in the Court of Appeal on 6 October 2006, but the hearing was called off at the last minute, as one of the judges did not appear. No new date has been set. Meanwhile, the two men remain imprisoned.

Amnesty International continues to call for Born Samnang and Sok Sam Oeun to be released and their names to be cleared unless there is sufficient evidence to bring charges against them. If so, they should be given a prompt retrial which complies with international standards.

Amnesty International repeats its calls on the Cambodian authorities to ensure that an urgent impartial and effective investigation into the murder of Chea Vichea be launched so that those responsible are brought to justice.

The organization also urges the authorities to conduct a thorough, independent investigation into the conduct of the case, including into allegations of police brutality during the initial interrogation of the two men and intimidation of witnesses. Political interference with the judicial process was also reported, for example the first investigating judge decided to dismiss the case for lack of evidence against the suspects in March 2004, admitting that he had been subject to political pressure. The judge was then immediately removed from his position at the Phnom Penh Court.

Background

Chea Vichea, President of Free Trade Union of Workers, was murdered on 22 January 2004 after receiving a series of death threats. He was shot dead at point blank range in a contract-style killing while reading a newspaper at a newsstand near the Lanka Pagoda in central Phnom Penh. Witnessed by

several bystanders, the unmasked killer fled the scene on a motorbike driven by an accomplice.

At the time of his death, Chea Vichea, around 36 years old, was a well-known and respected trade union leader who championed workers' rights in Cambodia's burgeoning garment industry. He was a founding member of the main opposition Khmer Nation Party (KNP) in 1995, renamed the Sam Rainsy Party (SRP) in 1998.

Chea Vichea was elected President of the Free Trade Union of Workers, one of Cambodia's largest trade unions, in 1999, when he resigned from official positions within the SRP. He successfully stood for re-election twice and served as the president for five years. He dedicated his presidency to advocating for workers' rights, such as a living wage, reasonable limitations on working hours, and protection for workers' representatives.

Further reading: ***Cambodia: The murder of trade unionist Chea Vichea: Still No Justice, Amnesty International***, AI Index: ASA 23/008/2006, 1 August 2006,
<http://web.amnesty.org/library/Index/ENGASA230082006?open&of=ENG-KHM>