

January 27, 2008

Joint Statement by Cambodian NGO Coalitions

CHEA VICHEA, BORN SAMNANG & SOK SAM OEUN – JUSTICE DENIED

Four years after the murder of trade union leader Chea Vichea and the wrongful arrests of Born Samnang and Sok Sam Oeun for that crime, Cambodian civil society organizations are deeply disappointed by the lack of justice in this case.

The denial of justice to the family of Chea Vichea, and the continued imprisonment of Born Samnang and Sok Sam Oeun despite overwhelming evidence of their innocence, reflects poorly on the state of rule of law in Cambodia. The longer that this situation continues, the greater the injustice suffered by these individuals, and the greater the damage done to the reputation of Cambodia's justice system.

We appeal once more for the immediate release of Born Samnang and Sok Sam Oeun from prison, which is essential to begin to restore some level of justice in this case.

As of tomorrow, January 28, Born Samnang and Sok Sam Oeun will have spent four years in prison – a total of 1,461 days – since their initial arrests in 2004. They are serving 20-year prison sentences after they were convicted of Chea Vichea's murder in a grossly unfair trial.

No credible evidence has ever been presented against these two men, and nobody believes that they actually committed the murder, yet they have already lost four years of their lives in prison and face spending the next 16 years there. This injustice must end.

Chea Vichea, the president of the Free Trade Union of the Workers of the Kingdom of Cambodia (FTUWKC), was murdered on January 22, 2004.

The prosecution of Born Samnang and Sok Sam Oeun, who were arrested six days after the murder, has attracted widespread criticism for serious irregularities and the lack of evidence against them. Their trial by the Phnom Penh Municipal Court in August 2005, and an Appeal Court hearing which upheld the guilty verdict in April 2007, violated Cambodian legal procedure and international human rights standards. Both courts ignored key evidence, including witness testimony that Born Samnang was 60km away from the crime scene at the time of the murder. The Appeal Court disregarded a written statement by Va Sothy, the prime witness to the murder, that Born Samnang and Sok Sam Oeun were not the killers whom she saw. The Appeal Court also ignored the conclusions of its own prosecutor, who acknowledged that the police investigation into the murder was incomplete and recommended that more investigation be conducted.

Numerous organizations and individuals, including former King Norodom Sihanouk and the family of Chea Vichea, have publicly declared the innocence of Born Samnang and Sok Sam Oeun.

On this day, we express our support for Born Samnang, Sok Sam Oeun and their families and our hope that the two men will be released from prison, to resume their normal lives, as soon as possible.

We also pay tribute to the courage and dedication of Chea Vichea, who gave his life to the struggle to represent the needs of Cambodian workers, and we continue to seek and expect justice to be provided for him and his family.

This statement is endorsed by:

Alliance for Freedom of Expression in Cambodia (AFEC), a coalition of 29 NGO members
Cambodian Committee of Women (CAMBOW), 34 NGO members
Cambodian Human Rights Action Committee (CHRAC), 23 NGO members
Coalition to Address Sexual Exploitation of Children in Cambodia (COSECAM), 22 NGO members
Committee for Free and Fair Elections in Cambodia (COMFREL), 10 NGO members
Housing Rights Task Force (HRTF) secretariat
Neutral and Impartial Committee for Free and Fair Elections in Cambodia (NICFEC), 7 NGO members
Star Kampuchea, 40 NGO members