

EXTERNAL (for general distribution)

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UA 43/95 Possible Extrajudicial Execution/Fear for Safety 20 February 1995

CAMBODIA Neth Thong, aged 40, farmer, member of Funcinpec - killed
Mov Ving, aged 28, Funcinpec militiaman - killed

and fear for the safety of their relatives

Relatives of two men recently killed by members of the Cambodian security forces are now in fear for their own safety. Some are sleeping every night in a local Buddhist wat (temple) for protection.

At about 3.15pm on 5 February 1995, Neth Thong and Mov Ving were detained at gunpoint by about 30 members of the Royal Cambodian Armed Forces (RCAF), the district militia and the police, as the two men were playing volleyball at O'Kroubou village, Mong Commune, Mong Russei district, Battambang province.

No reasons were given and no arrest warrant was produced. Amongst the armed group were the head of the militia from a nearby commune, the district military chief and the district police officer.

The two men were taken to Kach Char village, approximately two kilometres away.

While held there, some of their relatives asked for their release. The district military chief told them that he had been ordered to arrest the men by the district chief and to send them to the district office for questioning.

When the relatives persisted, one of the armed group threatened them, saying "If you ask for their release, I will kill you also". The relatives were then pushed away.

Some of the relatives raised the matter with other local officials. A district police captain told them he would resolve the matter once the men were brought to the district office. At about 4pm the sound of gunfire was heard by many villagers.

On 6 February, villagers and relatives went to the area from which the sound of shooting had come and at around 10am found the bodies of Neth Thong and Mov Ving. Neth Thong had five bullet wounds, two in the head, two in the chest and one in the abdomen, believed to have been fired from an AK-47. Mov Ving had been shot four times, twice in the head and twice in the chest, probably with an M-16. Both men were handcuffed and there were marks on their bodies which indicated that they had been severely beaten prior to being shot. A wooden stick 80 centimetres long was found lying across the bodies.

Relatives of the two men now fear for their own personal safety. At the funeral of Neth Thong and Mov Ving, members of the local authorities asked some of the relatives "Why are you having a funeral for Khmer Rouge?".

Local authorities seem unwilling to investigate these killings on the grounds that the two men were alleged to be members of the outlawed *Partie of Democratic Kampuchea* (PDK or Khmer Rouge). A police report on the incident claims that Neth Thong and Mov Ving were PDK members, but it is believed that the report was written by one of the 30 armed men. The villagers and relatives insist that the men did not belong to the Khmer Rouge but were members of the legal, Royalist Funcinpec party. Relatives believe that the two men may have been killed for personal reasons, by people in positions of authority within the province of Battambang who are using the political situation as a smoke screen for illegal acts.

BACKGROUND INFORMATION

In 1993, under a United Nations-sponsored peace accord, 90 per cent of Cambodia's electorate voted in democratic elections, following over 20 years of civil war, violent revolution and foreign occupation. The PDK, which had signed the Paris Peace Accord in 1991, had withdrawn from the elections and continued waging a guerilla war against the newly elected coalition government of Funcinpec (National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia) and the CPP (Cambodian People's Party) The PDK continue to exercise effective control over parts of the Cambodian countryside, including parts of Battambang province, which was the scene of a major offensive in 1994.

In July 1994 the Cambodian National Assembly voted to outlaw the PDK but instituted a six month amnesty which allowed members of the PDK to give themselves up without fear of prosecution until 15 January 1995. By that date 2,000 members of the PDK were reported to have surrendered to the government. It is feared that now the deadline has passed, members of local authorities may take the law into their own hands regarding the capture and treatment of suspected or alleged members of the PDK. It is also feared that people may be accused of being members of the PDK as a means of settling old scores or as a way of extorting money from victims' relatives. The annual dry season battles between the National Army of Democratic Kampuchea (NADK, the army of the PDK) and the RCAF are also ongoing.

RECOMMENDED ACTION: Please send telegrams, faxes and airmail letters in French, English or your own language:

- expressing concern at the killings of Neth Thong and Mov Ving;
- calling on the Royal Cambodian Government to investigate the killings promptly and fairly, and to bring those responsible to justice;
- calling on the Royal Cambodian Government to take steps to ensure the safety of the relatives of Neth Thong and Mov Ving.

APPEALS TO

Samdech Krompreah Norodom Ranariddh
 First Prime Minister
 Office of the Council of Ministers
 Phnom Penh, Cambodia

Telegrams: HRH Norodom Ranariddh, Phnom Penh, Cambodia
Salutation: Your Royal Highness

His Excellency Hun Sen
 Second Prime Minister
 Office of the Council of Ministers
 Phnom Penh, Cambodia

Telegrams: HRH Hun Sen, Phnom Penh, Cambodia
Salutation: Your Excellency

His Excellency Sar Kheng
 Minister of Interior and National Security
 Office of the Council of Ministers
 Phnom Penh, Cambodia

Telegrams: HE Sar Kheng, Phnom Penh, Cambodia
Faxes: + 855 232 6144 (c/o Ministry of Foreign Affairs)

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Cambodia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office if sending appeals after 6 April 1995.