

KINGDOM OF CAMBODIA

The victims of the 30 March grenade attack: an update

In the aftermath of the grenade attack on the peaceful, authorised demonstration by Khmer Nation Party (KNP) supporters in Phnom Penh on 30 March 1997, Amnesty International has collated information on the dead and injured, and on the circumstances surrounding the incident. It is estimated that there were between 150 and 170 people at the demonstration, of whom between 70% and 80% were injured or killed. All available information, including video and audio recordings from that day, photographs and witness testimony show that the intention of those who threw the grenades at the demonstrators was to cause maximum harm to as many people as possible. It appears that the main target of the attack was the leader of the KNP, Sam Rainsy, but that those responsible for the attack also intended to kill and injure anyone else who attended the demonstration.¹

The demonstration was called by the leadership of the KNP, to demand a reorganization of Cambodia's judicial system. Under Cambodian law, official permission is required for such events, and this had been obtained by the KNP from the Minister of Interior. At about 7.40 am on Sunday 30 March, between 150 and 170 demonstrators left the headquarters of the KNP and assembled opposite the National Assembly building in Phnom Penh. Sam Rainsy was at the front of the crowd, surrounded by Cambodian journalists and his bodyguards. At about 8.20 am, the demonstration was attacked by individuals who threw a total of four grenades.

The grenades

¹ An account of the demonstration and the grenade attack can be found in Amnesty International *Kingdom of Cambodia: Grenade attack on peaceful demonstration* AI Index: ASA 23/05/97, 31 March 1997.

The grenades used in the attack probably contained about a pound of explosive each. Phnom Penh police were reported as saying that they had found pins from three grenades, and that all three were made in the USA, bore a 22 character serial number and had apparently been made in November 1973.² Amnesty International does not have information on whether the other unaccounted for grenade was of the same type. Audio cassette recordings of the incident obtained by Amnesty International record four explosions, confirming eye-witness reports received at the time. The explosions took place over a 13 second period, the second one exploding four seconds after the first, followed immediately by the third, while the final grenade exploded eight seconds later. Military experts consulted by Amnesty International confirmed that the fourth grenade could have been thrown after the previous three had exploded - a normal grenade will take two to five seconds to explode. Whoever threw the fourth grenade could have waited until the third had exploded before throwing it into the crowd. According to reports received, this is what happened - the fourth grenade was thrown by one individual after the previous three had exploded. It apparently exploded towards the back of the crowd of demonstrators, and some people who had fled from the first blasts were caught by the final one. At least one of the grenades exploded underneath a fruit-vendor's stall, creating even larger amounts of shrapnel which caused many injuries.

The soldiers

² See "Police Discover Components from 3 Grenades" *The Cambodia Daily*, 2 April 1997.

Eye witness accounts at the time of the attack stated that a group of heavily armed soldiers stood about 200 metres away from the demonstrators. Several eye witnesses reported that, after the first grenades were thrown, two men were seen running away from the crowd, and were allowed to pass through the line of soldiers and get away. Amnesty International has also received reports that the individual who threw the fourth grenade escaped by running away, through the line of soldiers. Some people present at the demonstration reported that they believed the soldiers were members of Second Prime Minister Hun Sen's personal bodyguard. There has been no confirmation of this from the office of the Second Prime Minister. In an interview with a local newspaper on 11 April 1997 co-Minister of Interior Sar Kheng suggested that the soldiers had yet to be interviewed in the course of the investigation into the attack, but that there was an appeal for any witnesses to come forward.³

The victims

There remains confusion over the exact number of fatalities. Amnesty International believes that at least 16 people died as a result of the grenade attacks. Some died at the scene, some were declared dead on arrival at hospitals in the city and others died from their injuries later in hospital. The names of the dead listed below are collated from a variety of sources. Several of those killed were young people, both students and garment factory workers, while others were KNP staff members. Many were women.

	Name	Sex	Age	Occupation
1	Chanty Pheakdey	f	13	Schoolgirl
2	Chea Nang	m	27	Unknown
3	Chet Duong Daravuth	m		A member of the KNP steering committee, he also worked as a journalist, most recently on <i>Neak Proyuth</i> (The Fighter). He had recently received permission to start a new newspaper.
4	Han Mony	m	33	A bodyguard of Sam Rainsy, and member of the KNP security staff.
5	Nam Thi	m	42	Unknown

³ See "Sar Kheng: grenades and elections" *Phnom Penh Post*, April 18 - May 1, 1997.

6	Ros Kea	m	13	Schoolboy
7	Sam Sarin	m	51	KNP member and worker
8	Sok Kheng	f	20	Student
9	Yoeun Yorn	m	22	Student
10	Yong Sok Noeuv	f	19	Worker at a garment factory
11	Yos Seam	f	36	Worker at a garment factory
12	Yong Srey	f	22	Worker at a garment factory

Although at present Amnesty International only has the names of 12 of the dead, the organization has received credible evidence of at least four more deaths, and the actual total may be higher still. In the immediate aftermath of the attack, victims were taken to a number of hospitals and clinics in the city, while the bodies of some of the people who died at the scene may have been removed by friends or relatives.

A report in a local newspaper states that one woman claims to have witnessed a soldier shoot a man who was trying to help injured victims, while another man claims that he was threatened by a soldier that he would be shot if he did not drop an injured woman he was carrying on his motorcycle.⁴ Amnesty International has not been able to verify these claims independently.

The injured

Some of the victims of the attack on 30 March sustained very serious injuries. Medical care in Cambodia is not free and many of those injured lack the means to pay for the care that they need. Amnesty International has received credible reports from different sources that there were significant delays in providing some of the injured with the treatment they needed, apparently because of their presumed political affiliations. The organization has therefore decided not to name any of the injured, but rather to try to present an overall picture of the situation and to provide case details on some individuals, without publishing their names. This is necessary for the safety of those involved. A very few of the more seriously injured victims were evacuated to neighbouring countries

⁴ See "Witness Claims Officer Shot Man During Attack" *The Cambodia Daily*, 4 April 1997.

by their employers but the majority remain in Cambodia, whether the care available is adequate or not.

Journalists who were gathered around Sam Rainsy at the front of the crowd, taking pictures and recording the speeches sustained serious shrapnel and blast injuries. In addition to the journalist Chet Duong Daravuth who was killed, Amnesty International has information on 22 journalists who received injuries, many of them serious. Common injuries sustained were complicated lower limb fractures and shrapnel wounds to the legs, groin, abdomen and head. Three journalists were evacuated to neighbouring countries for treatment. The others remain in Cambodia. Two weeks after the attack, several journalists remained in hospital.

A large number of the demonstrators at the rally on 30 March were garment factory workers. In recent months, a fledgling labour movement has developed in Cambodia, concentrated in the garment industry. Workers have staged a series of strikes, many of which have resulted in improved pay and conditions. The KNP had a very visible presence at many of these strikes, and a significant number of garment factory workers - most of whom are women - attend KNP demonstrations. In addition to the garment factory workers known to have died, Amnesty International is aware of a number who sustained severe wounds, including complicated lower limb fractures, and serious intestinal and spinal injuries. Students and young people were also among the

injured and dead. Some of those injured have received disfiguring facial wounds.

The majority of these people are very poor, and most of them are not able to afford the level of medical care which would improve their lives, or in some cases make the difference between being able to work again and being economically dependent upon relatives for the rest of their lives. Amnesty International does not wish to name these individuals, for their own safety, but provides below a number of case studies to illustrate the severity of the problems facing the victims and their families in the aftermath of the 30 March grenade attack.

<p><i>A woman in her thirties, married with 5 young children attended the demonstration. Her job in a factory provided the primary income to the family as her husband has a disability. She sustained severe shrapnel wounds and is now paraplegic. Her intestinal injuries were so severe that she had to have a colostomy. She will require medical equipment and treatment for the rest of her life. The economic future for the family is very uncertain.</i></p>	<p><i>A young boy who comes from a northwestern province had been living in Phnom Penh in a temple. He was in the area of the demonstration when the grenades exploded on 30 March and received shrapnel injuries to the abdomen causing serious damage to major organs including the stomach, liver and bowel, and other shrapnel wounds to the genital area. He will require long term care, in particular for his intestinal injuries.</i></p>
<p><i>A teenage girl received shrapnel wounds to the head, neck and thighs, and a major wound to one arm which has damaged the elbow. It is likely that plastic surgery will be necessary for the leg wounds and long term care to rehabilitate her arm. Permanent disability cannot be ruled out.</i></p>	<p><i>A teenage boy received shrapnel injuries to the lower legs and thighs. Very deep wounds sustained to the ankles. He needs medicine and care, and may require reconstructive surgery. Permanent disability is possible</i></p>

The cases above illustrate the individual human tragedies behind the statistics: the majority of the people who attended the KNP demonstration on 30 March 1997 were not politicians or journalists, but ordinary Cambodian workers and students. Like their compatriots working in the media and for political parties, they also sustained serious injuries. Their lives have been shattered by the grenade attack on a peaceful, authorised demonstration. Many face a difficult and uncertain future, solely for exercising their fundamental human rights to freedom of expression and association.

The rights of the Cambodian people

The Constitution of the Kingdom of Cambodia, promulgated in 1993 contains important articles guaranteeing the rights of the people. Cambodia is a state party to all the major international human rights covenants and treaties, and also includes human rights guarantees in its own most important legal document, the constitution. Of particular relevance are articles 41 and 38 which state that :

“The law shall protect the life, honour and dignity of the people” (Article 38)
and “The Khmer people are entitled to freedom of expression...and freedom of assembly.” (Article 41)

Time for justice

In the process of exercising their rights under Article 41 of the Constitution, the demonstrators at the KNP rally on 30 March paid a heavy price. Once more, political violence returned to the streets of Phnom Penh. Once again, government officials are condemning such acts, but showing few signs of concerted action to identify and prosecute those responsible. In a document published on 31 March, Amnesty International drew attention to the fact that previous attacks on peaceful political gatherings have been condemned by all sides and yet the perpetrators have never been brought to justice. More than 18 months after grenade attacks on supporters of one wing of the Buddhist Liberal Democratic Party, no one has been brought to justice for the attack and the results of any police investigation into the incident have never been made public.

If Article 38 of the Constitution is to have any relevance to the Cambodian people, it is essential that people who violate the life, honour and dignity of the people are brought to justice for their actions. Impunity for perpetrators is the most serious human rights problem Cambodia faces. Without full investigations into attacks of this kind, and serious impartial prosecutions of those found to be responsible, the cycle of violence in the country will continue. Elections are due in Cambodia in 1998: people must feel confident that the government will protect their rights to freedom of association and expression with security, if they are to have confidence in the political process. It is time for the Royal Government of Cambodia to demonstrate its commitment to protecting the human rights of everyone in Cambodia. A full investigation into the grenade attack on the peaceful demonstrators on 30 March, with the results made public and those found to be responsible brought before a court and given a fair trial would demonstrate such a commitment, both to all Cambodians and to the international community.