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Cambodia: Key step for justice with acquittal of men scapegoated in trade unionist's murder

The acquittal and imminent release of two men wrongly convicted for the killing of a trade union leader is a major step towards justice in Cambodia, Amnesty International said.

Following a grossly unfair trial, Born Samnang, 32, and Sok Sam Oeun, 45, were sentenced to 20 years in prison in 2005 after being convicted of the murder of trade union leader Chea Vichea the year before. They are due to be released on 26 September after a Supreme Court decision to acquit them of the charges.

“Born Samnang and Sok Sam Oeun were nothing but scapegoats, framed by the Cambodian authorities over the killing of trade union leader Chea Vichea. The question that remains now is: when will his real killers be brought to justice?” said Isabelle Arradon, Asia-Pacific Deputy Director at Amnesty International.

The Supreme Court judge who issued the decision to release the men said there was a lack of clear evidence against them, that the accused had credible alibis for when the crime was committed and that one of them had allegedly been coerced by police into confessing to the crime, among other reasons.

Chea Vichea, a leading advocate for workers' rights in Cambodia, was shot dead at a newspaper stand in Phnom Penh, following a series of death threats against him.

Born Samnang said that police beat and coerced him into making a confession which formed the principal evidence on which the pair were then convicted.

Police officers later also threatened and detained those providing alibis for the two suspects, and intimidated other witnesses.

“It is now time to re-focus the investigation into the killing of Chea Vichea. It is shocking that an influential human rights defender can be killed with impunity,” said Isabelle Arradon.

The Supreme Court also decided not to grant compensation to the two men.

“We urge the Cambodian authorities to ensure that these two men can effectively access their right to remedy in accordance with international law. They are both entitled to reparations for what they have suffered for so many years,” said Isabelle Arradon.

Cambodia is legally obliged, under the International Covenant on Civil and Political Rights (ICCPR), to which it is a state party, to ensure that anyone whose rights or freedoms under the Covenant are violated have an effective remedy.

Born Samnang and Sok Sam Oeun were the victims of an unfair trial and were arbitrarily deprived of their liberty, in clear violation of the ICCPR.