

KINGDOM OF CAMBODIA

Chea Vichea



Chea Vichea - courtesy ICFTU

Chea Vichea, human rights defender and President of Cambodia's Free Trade Union of Workers was assassinated at around 9:00 am on 22 January 2004 on a crowded Phnom Penh Street. Two men on a Honda motorbike drew up to a newspaper stall where Chea Vichea, as he did every morning, was reading the day's news. One of the men got off the bike and fired three shots at point-blank range. Chea Vichea died immediately.

At the time he had a two-year-old daughter and his wife was seven months pregnant – she is now living in exile with their two young children.

His murder provoked unprecedented international and domestic condemnation. It was widely believed that the killing was politically motivated – robbery didn't appear to be reason as his cell phone and motorbike were left untouched. His high profile role as an advocate for worker and trade union rights, particularly in Cambodia's growing garment industry, as well as his political affiliation to the opposition Sam Rainsy Party (SRP), made him a particular target. He had received numerous death threats throughout his working life, and on at least one occasion went into hiding.

Human rights defender and trade union activist

At the time of his death, Chea Vichea, 36 years old, was a prominent and internationally respected trade union leader. He was well known as a champion for workers' rights in the growing and economically vital Cambodian garment industry. Chea Vichea was born in Kandal province and studied agriculture in the former Soviet Union before returning to Cambodia on graduation in 1995. He was a founding member, together with Sam Rainsy, of the Khmer Nation Party in 1995, renamed the

Sam Rainsy Party (SRP) in 1998. In early 1997 he helped to create the Free Trade Union of Workers of the Kingdom of Cambodia, together with Sam Rainsy.

The KNP supported garment factory workers in a series of strikes in 1997 for improved pay and conditions. Many of the workers took part in a peaceful demonstration organized by the KNP outside the National Assembly in Phnom Penh on 30 March 1997 to protest about deficiencies of the judicial system. Four grenades were thrown into the crowd resulting in at least 16 deaths and over 100 injured, including Chea Vichea who suffered a head injury.

Chea Vichea was elected President of the Free Trade Union of Workers, one of Cambodia's largest independent trade unions, in 1999 and again in 2001 and 2003 at the expiry of each two-year term of office. Following his election he resigned from official positions in the SRP, to concentrate on trade union work. During his presidency he strongly advocated improvements in working conditions, particularly for garment factory workers, such as wage increases, reduced working hours, and protection of workers' representatives against intimidation and dismissal by factory owners. He had also been appointed as a member of the International Labour Organization (ILO) "Projects Advisory Committee" set up as part of a Trade Agreement on Textile and Apparel, between Cambodia and the United States.

The investigation

The investigation into Chea Vichea's death has been characterized by political pressure and interference, with the use of intimidation, threats and torture by the police of suspects, witnesses, and others connected to the case. More than one year later two suspects – Born Samnang and Sok Sam Oeun - remain in custody awaiting trial. They have alleged that they initially confessed to the killing after being tortured during police interrogation. They later publicly proclaimed their innocence and investigations by local NGOs, concerned at the torture allegations, revealed that the accused, both petty criminals, had alibis. Eyewitnesses disagreed that the suspects resembled the actual killer. Serious irregularities in the judicial process - including reassignment of the investigating judge in the case after he ordered that the case be dismissed due to lack of evidence – has meant that the two have not yet faced trial.

Amnesty International concerns

Chea Vichea's murder and the ensuing investigation are emblematic of much that is wrong in Cambodia's long struggle for human rights – including respect for the rule of law and the basic rights of workers. On 22 January 2005, one year to the day of his killing, many Cambodia's mourned his death, no nearer to knowing the truth about who was responsible. His name has been added to a long list of hundreds of political killings for which no-one has been brought to justice during the last 15 years. Cambodia's failure to tackle an entrenched climate of impunity, and ensure that those responsible for serious human rights violations are punished in accordance with international standards, is all too apparent. The weak functioning of the justice system has once again come under the spotlight, with Cambodia not meeting benchmarks for fundamental judicial reforms set by the international community and donors. Since his death trade unionists and workers have reportedly felt intimidated and reluctant to openly protest for their rights. The right to form trade unions, to strike, and to demonstrate are under threat and not sufficiently protected by the authorities.

Write to:

Hun Sen
Prime Minister
Office of the Prime Minister
Phnom Penh
Kingdom of Cambodia

Fax: + 855 23 360666

Salutation: Your Excellency

Sar Kheng
Deputy Prime Minister and Co-Minister of Interior
Ministry of Interior
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Salutation: Your Excellency

Om Yentieng
President of the Cambodian Human Rights Committee
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Salutation: Your Excellency

Send copies of letters to the Cambodian Embassy in your country

Calling for:

- ▶ an immediate and impartial investigation into the murder of trade unionist Chea Vichea that meets international standards of fairness
- ▶ an independent investigation into irregularities in the arrest of two suspects for the killing of Chea Vichea – including alleged torture into initial confession, intimidation of witnesses and political interference with the judicial process
- ▶ the authorities to immediately and concretely address the prevailing climate of impunity and continuing lack of justice for people in Cambodia – both victims and perpetrator
- ▶ the authorities to ensure that the right to freedom of association, in particular the right to form trade unions and join them, is protected and that employers who deny this right are sanctioned in accordance with Cambodian law.