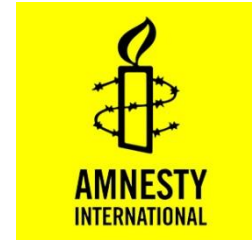




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Analysis of footage shown at the trial of Oeuth Ang for the 10 July 2016 killing of political analyst Kem Ley

23 March 2017, Index: ASA 23/5945/2017

The following is an analysis of the video footage shown at the 1 March 2017 trial of Oeuth Ang for the 10 July 2016 killing of political activist Kem Ley. The footage combines eight videos, including footage from one CCTV camera in the Caltex petrol station where Kem Ley was killed, a series of traffic cameras on the road along which Oeuth Ang fled after the event and footage from mobile phones that was uploaded onto Facebook. The footage was shown as one montage at the trial hearing and was subsequently published by pro-government media outlet Fresh News following the conclusion of the hearing. The footage remains publicly available. It has not been independently verified but neither has its authenticity been challenged. It is available at: <http://www.freshnewsasia.com/index.php/en/48474-video-inside-22313.html>

On 23 March 2017, the verdict of the Phnom Penh Municipal Court found Oeuth Ang guilty on charges of Premeditated Murder, under Article 200 of the Criminal Code, and Unauthorized Holding or Transporting of a Weapon, under Article 490. He was sentenced to life imprisonment.

The following screenshots show incidents in the footage that raise questions and concerns which were not addressed during the trial hearing. These incidents require further investigation. The videos are numbered 1 to 8, with time stamps of each screenshot indicated below taken from the timer at the bottom right of the footage. In the trial proceedings Oeuth Ang stated that he was the person in the video footage shown to the court.

Video #1

-6:13

The footage shown from the Caltex station is from one camera only. As of 1 March 2017, the day of Oeuth Ang's trial, there were four cameras in total within the shop of the Caltex station, at least two of which may have given a better view of the killing than the footage that was shown - one is in the coffee area of the shop (to the right in the screenshots below) facing the table where Kem Ley was sitting, another is over the cashier counter at the opposite side of the shop beside the outer window and facing the coffee area. No footage from these cameras was shown during the hearing. As of 1 March, there were also a total of eight cameras outside the station, two under the awnings of the building near the entrance and six in the courtyard/forecourt, one facing each set of pumps. Footage from none of these cameras was shown during the hearing despite the fact that such footage would have shown Oeuth Ang arriving at and fleeing the scene.

In the two identical screenshots below Oeuth Ang is circled to in red (left) and Kem Ley is circled in blue (right):



-5:54

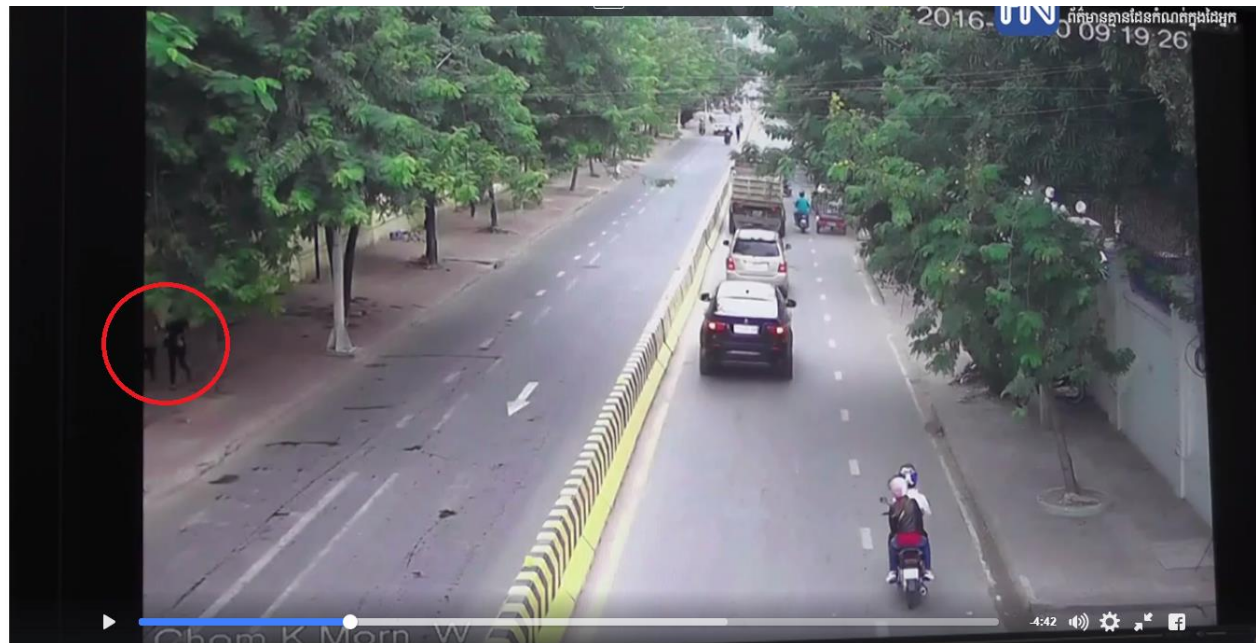
The screenshot below captures the moment when Kem Ley was shot (see red circle showing the gun pointed at Kem Ley's head). The blue arrow points to an individual who is sitting beside Kem Ley at the moment of the killing. During the trial proceedings there was no mention of this individual and no attempts appear to have been made to identify him/her or to include his/her testimony in the case file.



Video #3

-4:42

Two people pass to the bottom left of the screen, running ahead of Oeuth Ang.



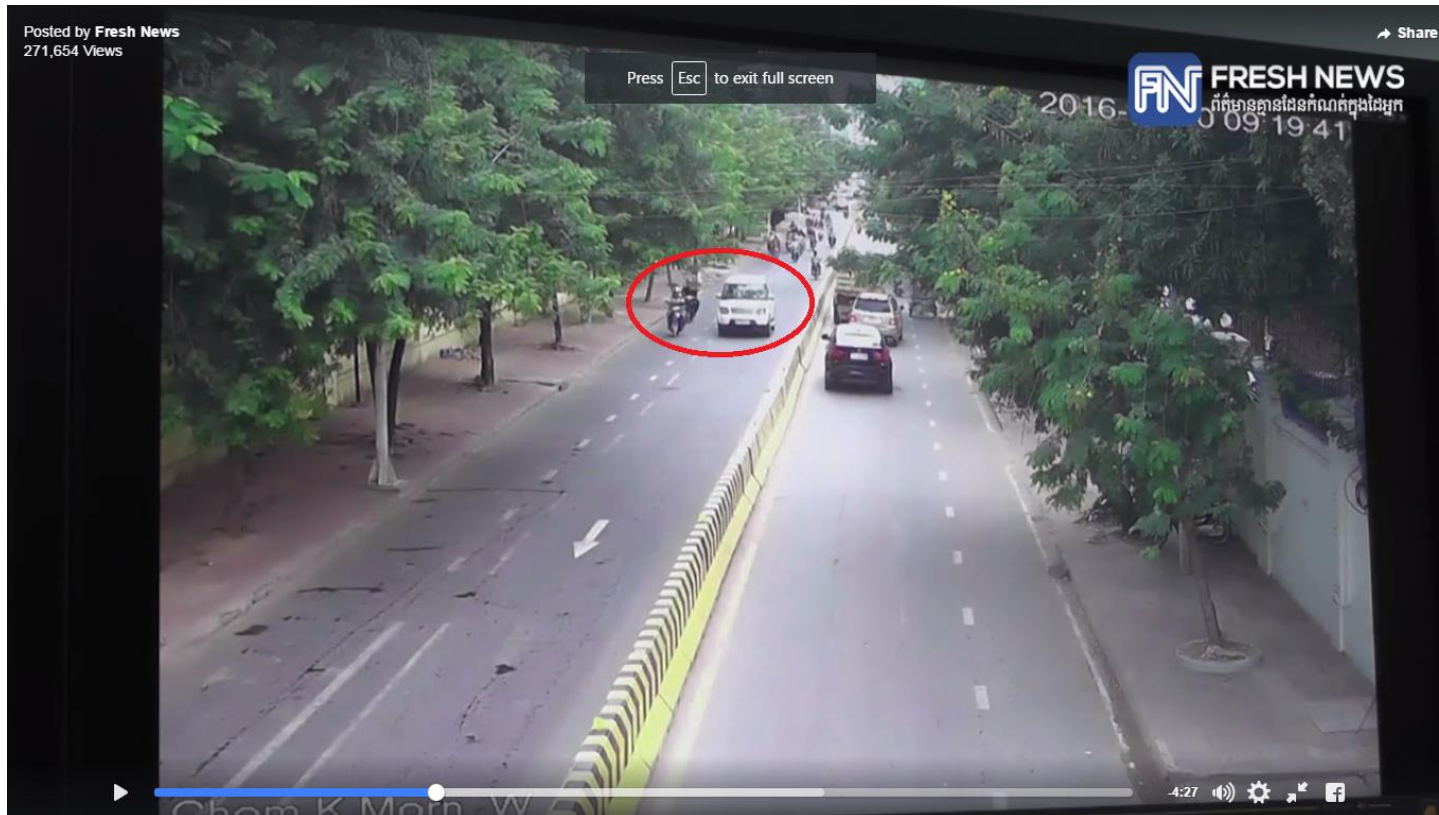
-4:40

A white SUV looms into sight in the background of the video. A man in the middle of the street, standing to the left of the central traffic barrier gets on the back of a passing motorbike.



-4:40 to -4:20

There are three vehicles traveling in the direction that Oeung Ath is running: the white SUV, the motorbike that has collected the man from the middle of the road (Moto A) and a second motorbike with a driver wearing a helmet and a pillion passenger carrying an AK47 (Moto B). In this 20 second sequence, we see Moto A coming from behind the SUV and Moto B to the front of the three vehicles. The SUV and Moto B travel slowly, with Moto B making the slight side to side swerves that occur when a motorbike travels at very slow speeds. Throughout this time, Moto B is parallel to the passenger door of the SUV (assuming that the vehicle is left hand drive) which is significant as we see in a later frame that the passenger window is open and it is possible that Moto B is communicating with the person in the passenger seat of the SUV (who is visible in a later shot).



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4:22



Chom K Merh W 5

-4:14

A man in a white helmet driving a large motorbike (similar to those driven by police) drives in the opposite direction (Moto C), looks over his shoulder, pulls to the right, turns around and drives in the other direction on the wrong side of the road. He is wearing a light coloured shirt (white or light blue) and a white helmet with a stripe running vertically down the back.



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Video #4

-3:33

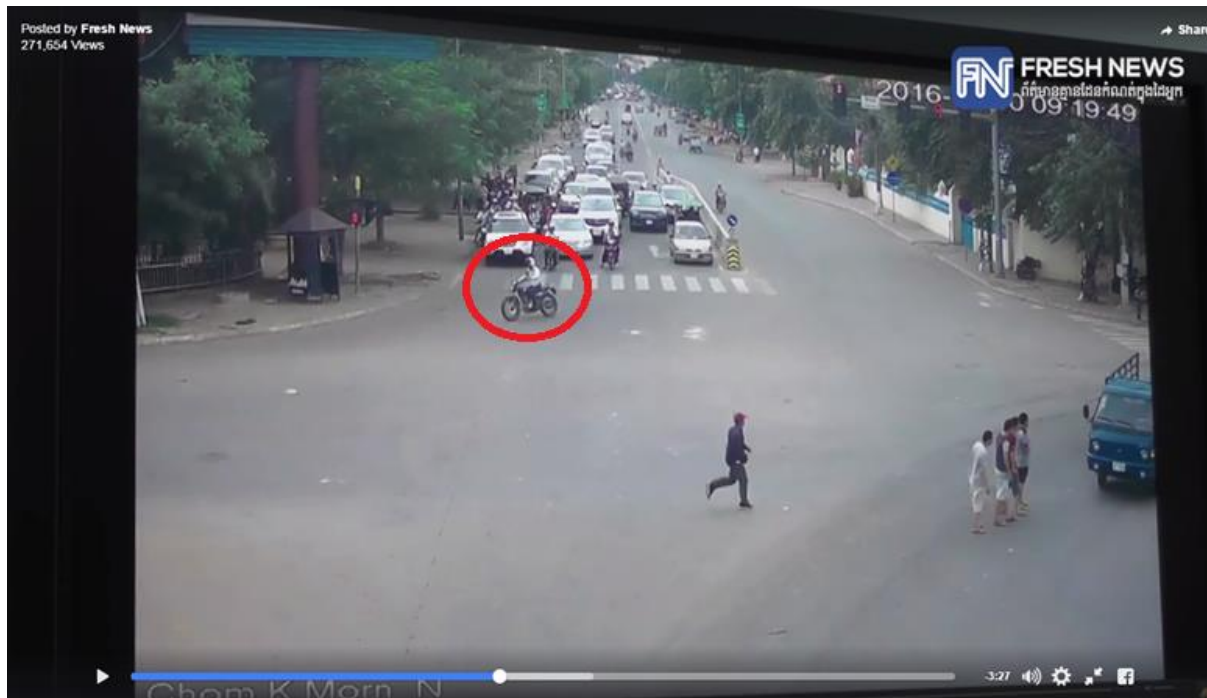
The convoy of two motos and the SUV pass with Oeuth Ang having just ran out of shot to bottom left of the screen. Towards the front, we see that Moto A is a black Honda with passenger with thinning hair, a motorbike helmet sits in the front basket of the vehicle. Behind the SUV is the other motorbike, Moto B, which is also apparently a Honda.



Video #5

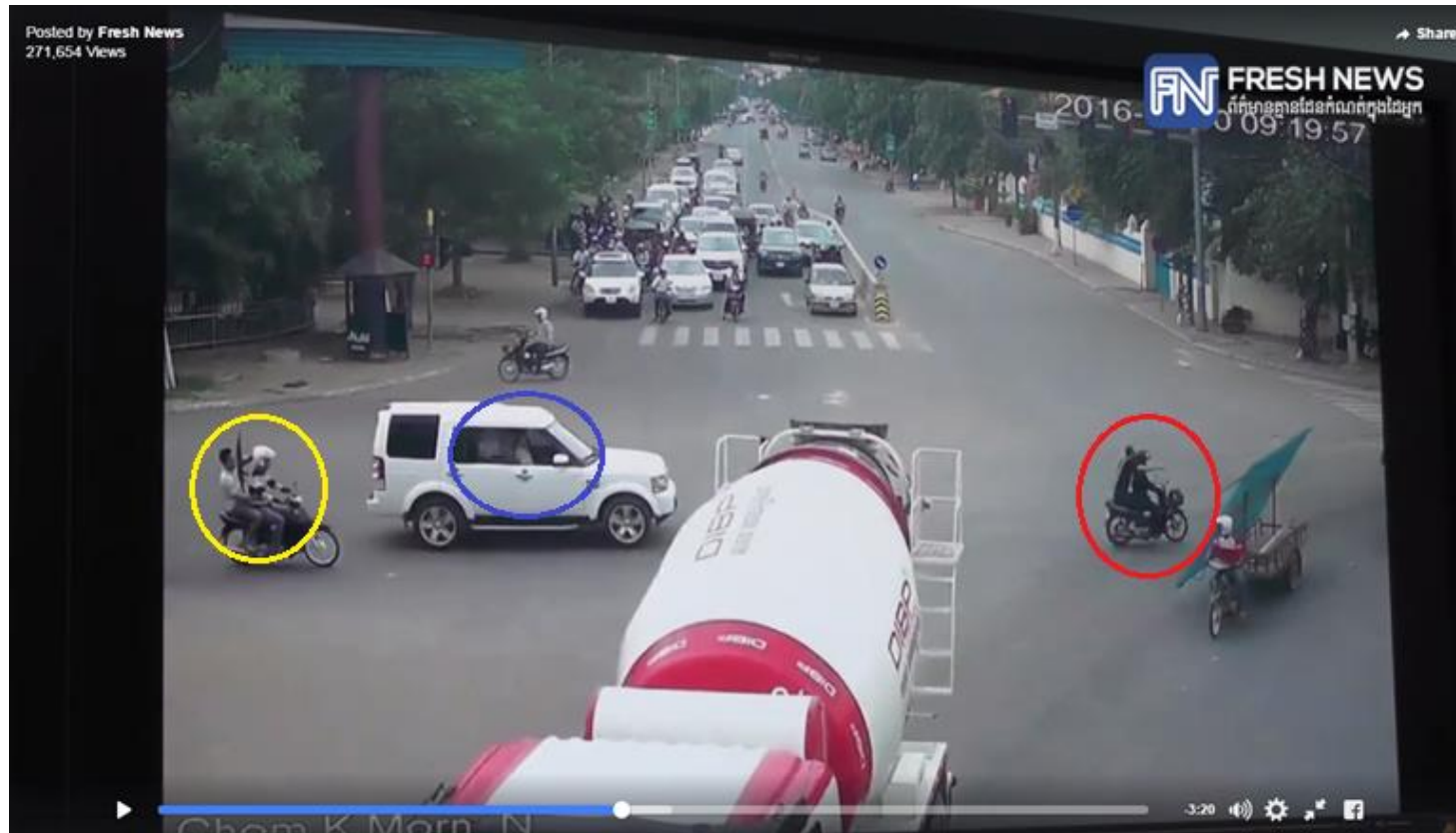
-3:27

As Oeuth Ang runs across the junction of Mao Tse Tung and Norodom Boulevards (the camera is facing north along Norodom Boulevard with Oeuth Ang running left to right, moving from west to east), the motorbike that passed him going in the other direction in Video #3 and turned around – Moto C – passes here, traveling south along Norodom Boulevard and turning right to head west on Mao Tse Tung Boulevard (before it turns around and comes back).



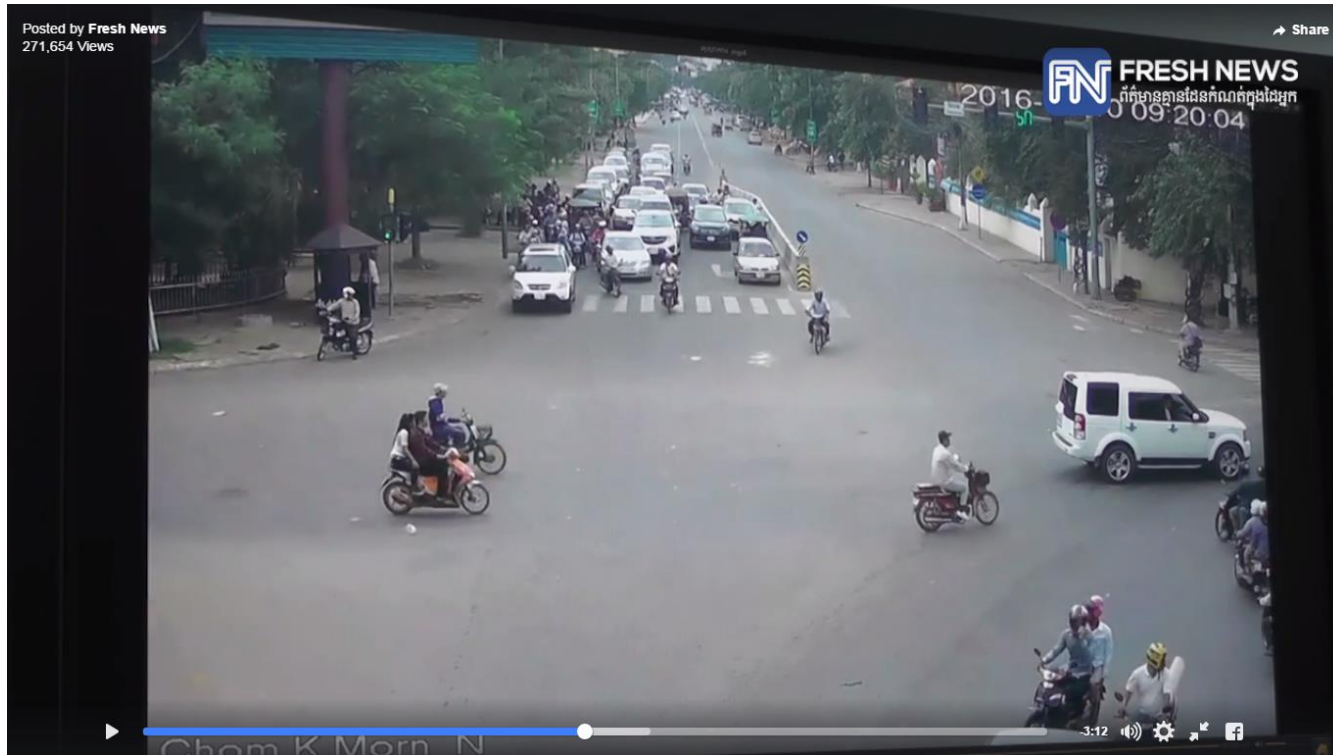
-3:20

To the right, a man on the back of Moto A is pointing in the direction that Oeuth Ang ran (red circle). Behind the white SUV with passenger window down (blue circle) and behind again, Moto B with the pillion passenger holding what is clearly an AK47 (yellow circle).



-3:15

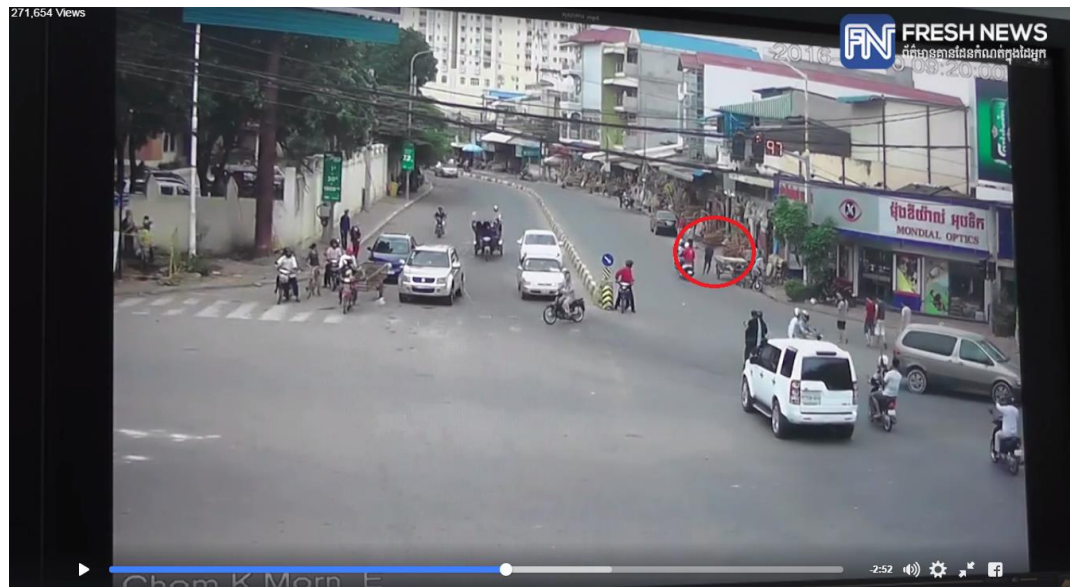
The SUV comes to a halt and appears to begin make a left turn after already having missed the left turn to travel north on Norodom Boulevard. However, it then seems to change its mind, returning to its original course, traveling east into Mao Tse Tung going towards AEON Mall in the same direction that Oeuth Ang has already ran.



Video #6

-2:52 to -2:16

A few things happen here at once in this sequence so its helpful to isolate each of the different vehicles and follow them separately. Having run through the intersection, Oeuth Ang turns right and seems to go to enter a shop. The convoy is 20-30 metres back with Moto A in front. Oeuth Ang briefly goes out of shot (possibly entering the shop) and emerges from the shop as Moto A draws level. Oeuth Ang appears to point his gun at Moto A as the pillion passenger dismounts. Moto A continues in the direction he was going, traveling along the road ahead of Oeuth Ang who continues to run towards AEON Mall. The passenger – who we see now is wearing a long scarf or krama that is billowing behind him – appears to move back in the direction that he came from, looking in the direction of the SUV and Moto B. As Oeuth Ang continues to run, the passenger decides to follow on foot, alternating between running and walking, occasionally pointing towards him and looking back in the direction of the SUV. Oeuth Ang looks over his shoulder at least once in the direction of the passenger. As the sequence ends, the pillion passenger has slowed to a halt while Oeuth Ang has continued running. Moto A has continued without the passenger, following the road to the left at the top of the screen and out of shot at -2:33.



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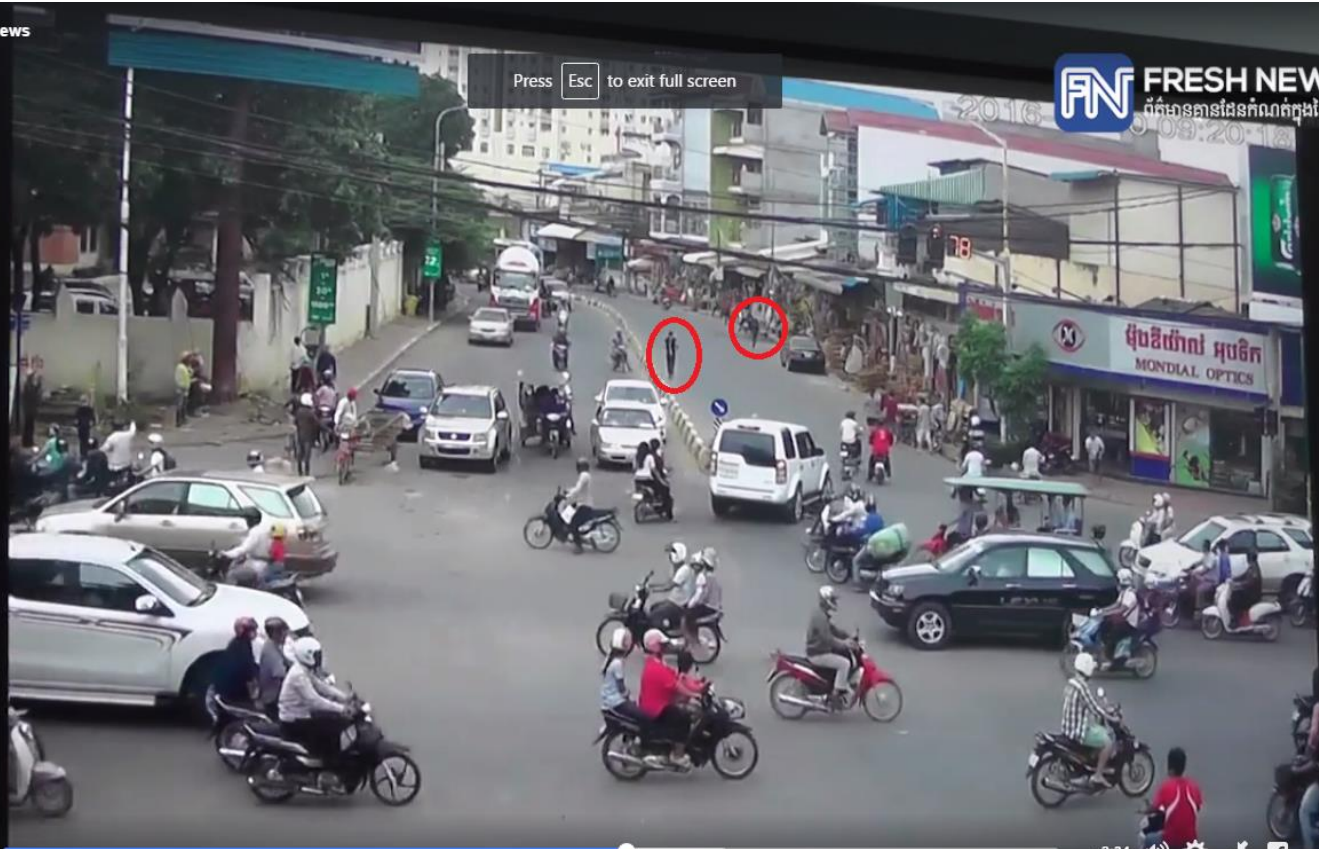
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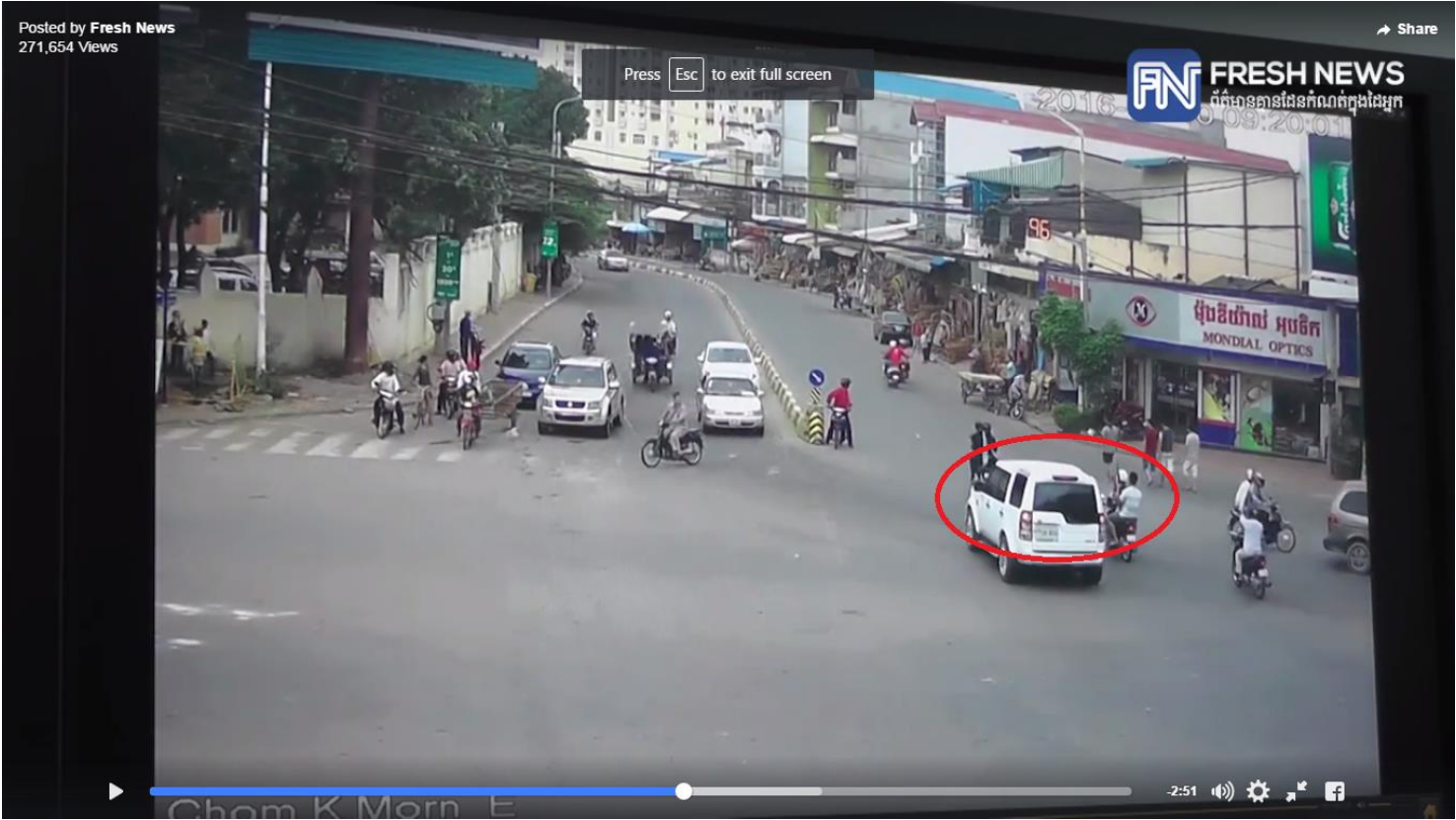
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-2:34



During the same sequence (-2:52 to -2:16) we see that the SUV had stopped because of traffic. Moto B enters the shot still traveling roughly abreast of the SUV. Moto B veers right, stopping outside the Mondial Optics shop on the corner. The passenger carrying the AK47 dismounts, he jogs a short distance to the entrance of Mondial Optics and pauses briefly at the shop front, looking into the street. He walks towards the SUV, still carrying the AK47, and gets into the backseat. Moto B travels along in the same direction without his passenger and points occasionally. The SUV follows but has not traveled far before the montage switches to footage from another camera.



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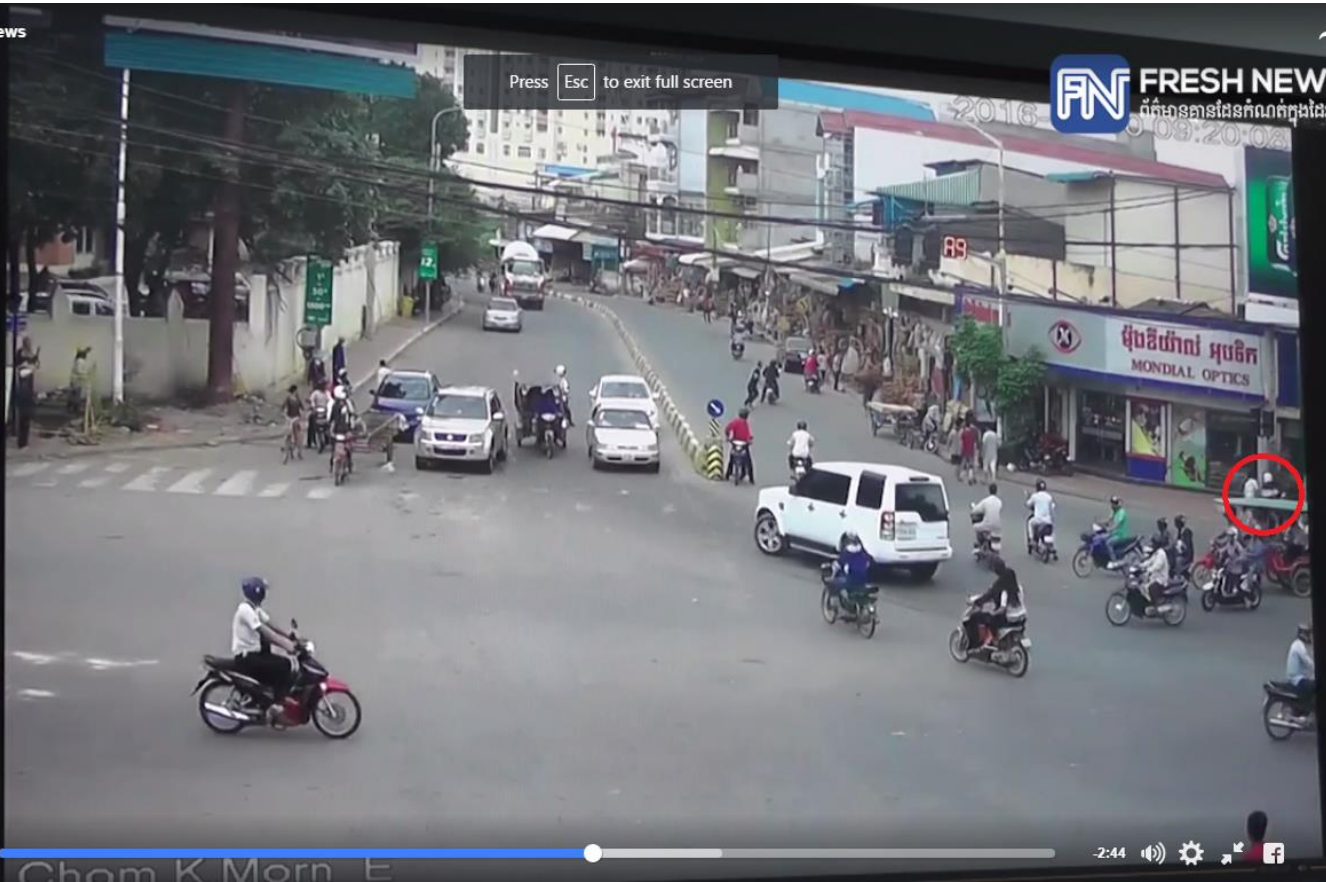
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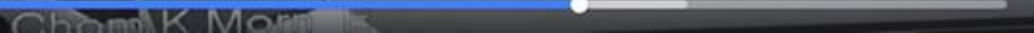
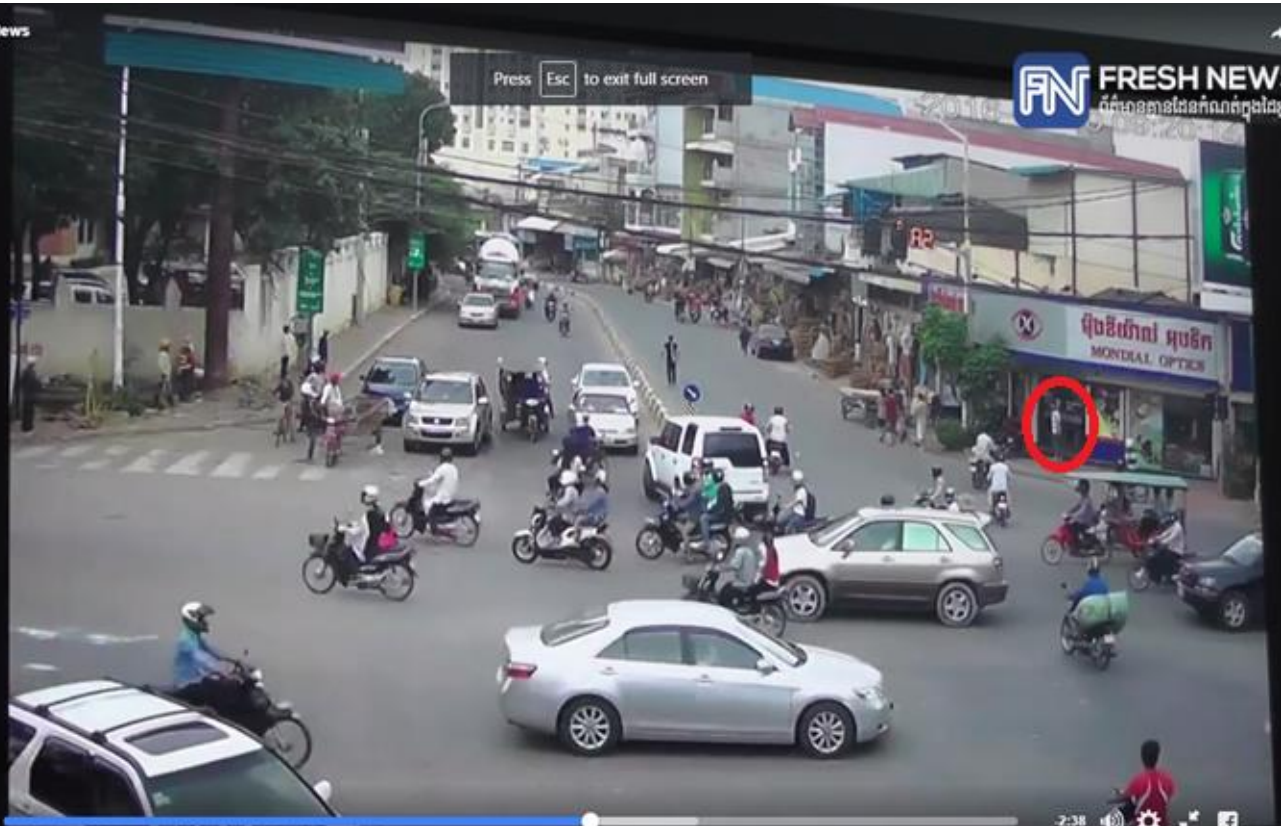
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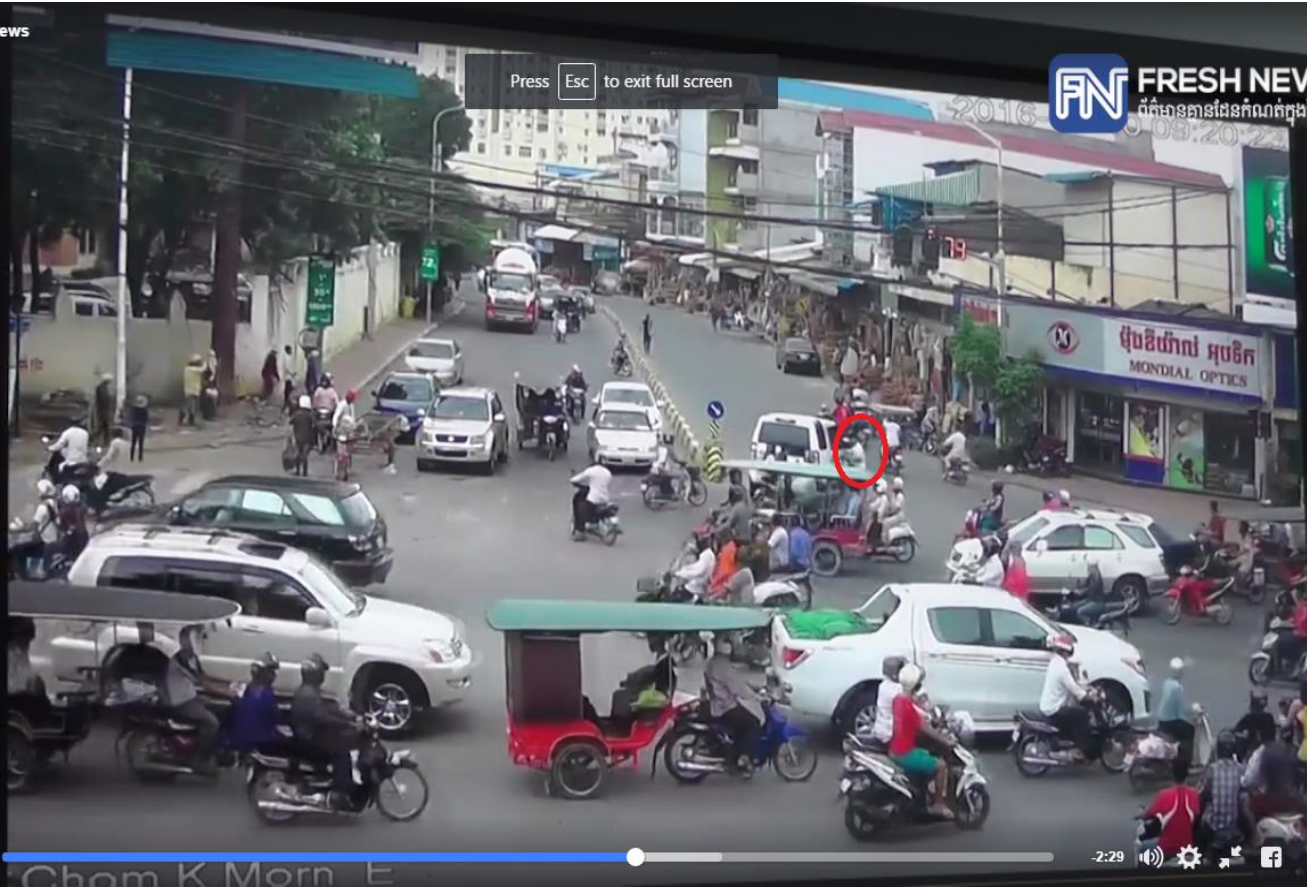
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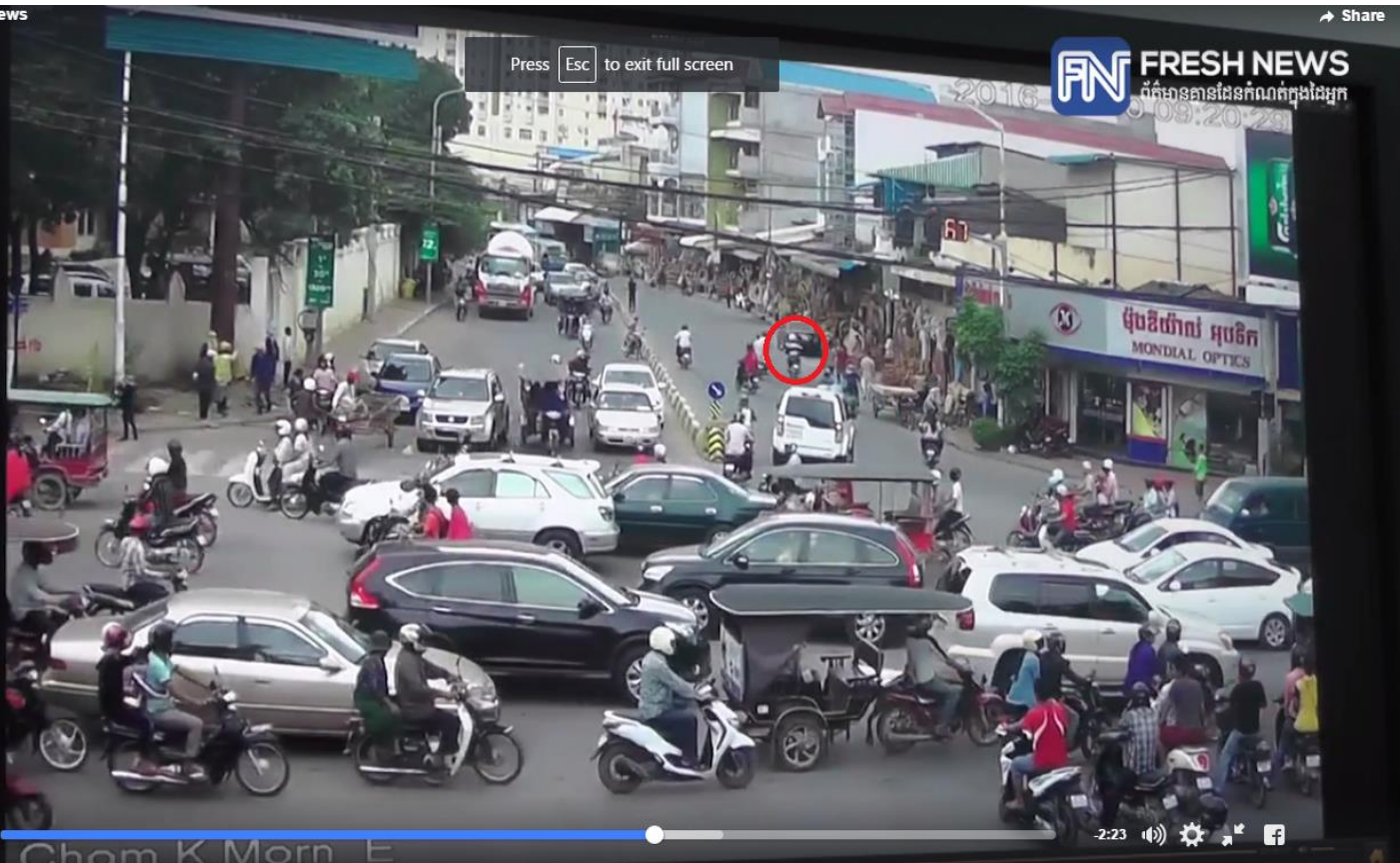
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Video #7

-2:07

The remaining footage is taken from mobile phone cameras. In the first, a police motorbike hoves into view as Oeuth Ang is running along the opposite side of the road. This would appear to be Moto C as the shirt (white/light blue) and helmet (white with vertical stripe at the back) are the same and the motorbike itself also appears to be similar. We see that the motorbike has the word "Police" emblazoned on its side. It slows down and Oeuth Ang appears to get on the back only to change his mind, dismount and continue on foot.



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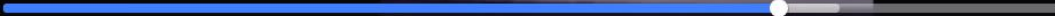


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-1:40



Video #8

-1:36

A man in a white shirt chases Oeuth Ang on foot.



As Oeuth Ang drops his gun, a man wearing a striped white and black/navy sweater passes in the opposite direction on a motorbike. He dismounts and as Oeuth Ang is being arrested he kicks him four or five times, punching him at least once. He is at the centre of the mob violence that appears to be building momentum. A motorbike traveling north pulls a 90 degree turn at the end of the traffic barrier and is facing across the street (see -1:16). This would appear to be Moto C, a larger police motorbike with a driver in a light shirt and helmet with a vertical stripe at the back. Oeuth Ang gets on the back of this motorbike. A man in a police uniform pats down Oeuth Ang and sits on the motorbike behind him. The motorbike eventually drives away with the driver and two passengers, Oeuth Ang and the uniformed police officer, on board.



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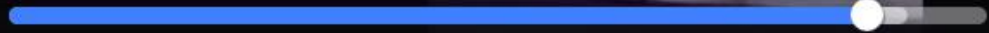




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The man in black and white who kicked Oeuth Ang a number of times and punched him at least once seems to be the same man who was driving Moto B, the bike with the pillion passenger carrying the AK47. The sweater is distinctive, with large white and dark stripes on the torso and sleeves and the helmet is white. The motorbikes also appear to be the same model – a black Honda.

