Cambodia’s Supreme Court Declares Two scapegoats of Union Leader’s Murder Not Guilty

September 25, 2013 - We, the undersigned organisations, welcome the long overdue decision made by the Supreme Court this afternoon to free Born Samnang and Sok Sam Oeun and drop all charges against them.

Born Samnang and Sok Sam Oeun were framed as scapegoats for the 2004 killing of unionist Chea Vichea. Despite the absence of any credible evidence, the two were sentenced to 20 years for his murder in a show trial at the lower court in 2005. They were bailed in December 2008 by the Supreme Court, in a decision which ordered a re-investigation into the killing amid extensive evidence of their innocence.

They were re-arrested on December 27, 2012 after the Appeals Court shockingly upheld their original verdict, and sent back to prison to serve the remainder of their sentence. The appeal hearing of 2012 offered no new evidence of Sok Sam Oeun and Born Samnang’s guilt and systemically dismissed and ignored evidence and testimonies supporting the pair’s evidence.

In total, they spent more than five years in prison.

The judges today cited lack of credible evidence as the reason for dropping the charge and freeing the men. While this decision is most welcome, the judge explicitly forbade the pair from seeking financial reparations for the five years the pair spent in prison and the eight years spent wrongfully charged with a crime they never committed.

‘Born Samnang and Sok Sam Ouen were deprived of their freedom and separated from their families for years, and have had this wrongful conviction over their heads since 2005. The two should be allowed to obtain reparations for this gross injustice’, said LICADHO director Naly Pilorge.

The January 22, 2004 murder of Chea Vichea, Cambodia’s best-know union leader in broad daylight in the middle of Phnom Penh attracted widespread condemnation and demands for his killers to be caught. Within a week, the police had arrested Born Samnang and Sok Sam Oeun after an investigation rife with improprieties.

‘We are very happy with today’s result, but this should not be the end. It should be the opportunity to properly look into one of the most tragic deaths in Cambodia’s recent history. A fresh investigation should be re-opened not only to provide justice to Vichea’s relatives, but also to combat rampant impunity in the kingdom’, said Moeun Tola, head of the Labor Program at CLEC.

Cambodian Domestic Worker Network (CDWN)
Cambodian Food and Service Worker Federation (CFSWF)
Cambodia’s Independent Civil-Servants Association (CICA)
Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
Cambodian Youth Network (CYN)
Coalition of Cambodian Farmer Community (CCFC)
Community Legal Education Centre (CLEC)
Community Peace-Building Network (CPN)
Independent Democracy of Informal Economy Association (IDEA)

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