

Special Representative of the United Nations Secretary-General for Human Rights in  
Cambodia

MONITORING OF POLITICAL INTIMIDATION AND VIOLENCE

Report (28 June-5 July 1998)

This second report has been compiled by the Cambodia Office of the United Nations High Commissioner for Human Rights (COHCHR) on behalf of the Special Representative of the Secretary General of the United Nations for Human Rights in Cambodia. It updates the previous report issued on 1 July 1998.

Summary:

Several dozen new allegations of human rights violations related to the electoral process have been received by the Office during the reporting period. They relate to the provinces of Kandal, Takeo, Kampot, Banteay Meanchey, Pursat, Battambang, Svay Rieng, Kompong Thom, Siem Reap and Pailin Municipality. The most serious are the killing of Thong Soy, a Reastr Nyum party activist in Kompong Thom; the beating of a FUNCINPEC member and his wife in Takeo; the beating of a suspected FUNCINPEC supporter in Phnom Penh; the arrest, temporary detention and beating of two Sam Rainsy party activists in Phnom Penh; the illegal arrest and detention by military personnel of a FUNCINPEC party official in Kompong Cham; and the threatened arrest of a FUNCINPEC party candidate by local authorities in Pailin. These cases are described below. The other allegations received relate to instances of intimidation and harassment of party members or voters. All are being verified.

COHCHR staff in Kompong Cham and Prey Veng provinces have received no new complaints of intimidation or violence in these provinces during the reporting period.

Continued investigations into the killing and mutilation of Thong Sophal (around June 16, Kandal) and the killing of Em Iem (June 10, Kompong Cham) have determined a high likelihood of political motives in both cases. In the case of Chan Vichet (June 23, Pursat) preliminary findings have so far found both political and personal aspects. No new information has been collected regarding the killing of five people in Banteay Meanchey during an attack on a group of deminers or in the cases of Phin Phon and Mom Yeng (both on June 14 in Prey Veng province). Further investigation into the killing of Mrs Meas Chanthou (11 June, Kompong Cham) could establish no link to a political motive other than her close relationship with a senior member of the National Electoral Committee. Similarly no political motive has been established in the attack on Ham Pres (June 19; Kompong Cham).

## Full Report:

The following summarizes information currently verified by the COHCHR concerning cases previously reported as well as new cases received by the COHCHR during the reporting period.

### 1. Update on previously reported cases

- Preliminary findings in the investigation of the killing of Mrs Meas Chanthou (June 11, 1998, Tbong Khmum district, Kompong Cham) show no evidence of a political motive other than her close relationship with a senior member of the National Election Committee.
- No new information has been obtained about the murders (June 14, 1998 in Kampong Trabek district, Prey Veng province) of Phin Phon and Mrs Mom Yeng. The investigations are continuing.
- No political motive has been found in the attack on Ham Pres (19 June; Prey Chhor district, Kompong Cham).
- The case of Lim Pheng, arrested on June 4 in Kompong Cham and imprisoned on charges of possession of a weapon, has reached the appeals court. No date has been set for a hearing.

### **EM IEM** (extra-judicial execution)

The investigation into the killing of Em Iem (c.10 June; Tbong Khmum, Kompong Cham) has established convincing evidence of a political motive. On the morning of 10 June 1998, Em Iem left his home on his bicycle to go to the district headquarters of the Sam Rainsy Party where he was working. He was witnessed being arrested by six men including the village chief, commune police and the militia chiefs. He was searched and party documents were seized. He was seen being handcuffed, blindfolded and taken in the direction of a nearby rubber plantation, where his body was found several days later in a shallow grave. The body was exhumed and identified on June 19. It showed damage to the left side of the head, to the back of the neck and to the right hand. Several teeth had been broken, the right jaw was broken and the nose was smashed. Witnesses said that on the night before the murder (June 9) the village chief had invited people to his home where he declared loudly that anyone joining a political party other than the CPP would be killed. The threat was reiterated several days after the murder, during a gift distribution ceremony, when he stated that Sam Rainsy Party members would be killed one after the other.

### **CHAN VICHET** (Killing)

Chan Vichet, 40, was shot dead at his home on the evening of June 23, 1998 in Kbal Chhoeu Pok village, Kya commune, Kandieng district of Pursat province. Two unidentified men armed with AK-47 rifles came to his house, at about 9:30 PM, while he was asleep. They called his name and he was shot twice in the chest when he opened the door. He died instantly. Police authorities have stated that the murder was a retaliation for "black magic" attributed to Vichet. Two

suspects have been identified by district police and one has been arrested. He is being detained in the provincial jail, accused of having hired a soldier for 20,000 riels to kill Chan Vichet. The suspect claimed innocence when interviewed by COHCHR staff and said he had signed a confession prepared by and read to him by the police because he is illiterate. However, he could not remember the details of his confession. The other suspect is a soldier, who police have identified but say is in hiding. Both FUNCINPEC and CPP local offices have stated that Vichet was one of their members. Chan Vichet was a former captain in the royalist armed resistance. He returned from the border camps and had been making a living farming and fishing. In 1993 he campaigned for the FUNCINPEC party. On 14 April 1998 he enrolled as an electoral observer for that party. On 22 June, the day before the killing, he joined an offering ceremony presided over by Prince Ranariddh at the Khleang Moeung sanctuary. These findings indicate a possible political motive although the possibility of a personal dispute cannot be ruled out.

### **THONG SOPHAL** (Torture and killing)

The badly mutilated body of FUNCINPEC commune electoral observer Thong Sophal, 45, was found on the evening of June 27 1998, some 2.5 kilometers south of Yeay Hin village in Mouk Kampoul district, Kandal province. Thong Sophal had been missing since the evening of June 16 when he left his home. Examination of the body revealed his eyes were missing, the left side of his face had been smashed, the back of his head had caved in as the result of a blow from a hard square object, his left ear had been cut off, his back displayed a large black mark, all the fingers of both hands had been cut off, and the legs from mid-thigh to the feet including the toes were stripped of skin and flesh down to the bone. The district police inspector, who arrived at the scene while COHCHR staff were present, suggested the death was a suicide and pointed to a small vial found nearby containing an unidentified fluid. Thong Sophal was married and had seven children. According to fellow villagers and relatives he had no known problems with his neighbours or others and was a respected member of his community.

Thong Sophal had been the chief of his village in the early eighties before resigning and returning to ordinary life. Party colleagues confirmed that he had been a FUNCINPEC supporter for several years. In November 1996, CPP membership cards were issued to him and to his wife. In April 1998 his wife and son participated in a gift distribution by CPP officials. She thumb-printed a party membership application for her husband, herself and her son. Their CPP party cards were however confiscated by the village chief the following month, apparently after Thong Sophal attended a ceremony at which the FUNCINPEC party in the village erected its signboard. On June 5 Thong Sophal enrolled as a FUNCINPEC electoral observer. Two days prior to his disappearance he was reportedly summoned to the village office. Following that meeting Thong Sophal looked distressed and confided that he was "sad and worried". The evidence so far collected about Thong Sophal's political activities, the attitude of the police and local authorities, and the circumstances of his going missing suggest a political motive for his killing.

## 2. New cases which are under investigation:

### **THONG SOI** (Killing)

Thong Soi (also known as Som Soi) a farmer and deputy commune representative for the Reastr Niyum Party, was shot dead on or around June 24 in Santuk District of Kompong Thom province as he was returning from his rice field. The attacker's face was covered with charcoal and by a krama, apparently to prevent recognition. Local police authorities have told the Office that the victim had been involved in numerous disagreements with other villagers. There are also indications of a conflict between Thong Soi and two local village officials. He stated to relatives and friends that was concerned for his safety in the days prior to his killing, and particularly so after someone stole his pig, cut it in two and left the head close to his house – which was interpreted by Thong Soi as a warning. Party colleagues said that two weeks prior to his death, he had sought permission from the officials to erect a Reastr Niyum Party signboard, but permission was refused. He did not erect the signboard. Several days before he was killed he confided to several sources that he was concerned that he might be killed by a named local official.

### **HOUNG SARUN** (illegal arrest and detention)

Houng Sarun, a FUNCINPEC district official responsible for security was arrested by four soldiers from Military Region Two in Thnal Toteung, Tbong Khmum district of Kompong Cham on the afternoon of 25 June 1998. He was returning from a political rally presided over by Prince Ranariddh when he was arrested, just after crossing the Mekong river into Tbong Khmum district. The soldiers were waiting for him on the side of the road. They followed him and chased him into a local guest house where they searched him. A grenade and seven empty bullet casings were found in his bag. He was then taken to a private house where he was kept for about thirty minutes, then to a military base. Out of fear for his safety, COHCHR staff intervened with the provincial police to ensure that he was not harmed and to secure his release from military custody (military personnel have no authority to arrest or detain anyone). Upon insistence by the provincial police commissioner he was eventually transferred to the Second Military Region headquarters on the following morning and from there to the provincial police commissariat in the afternoon. Houn Sarun was a district policeman affiliated with the FUNCINPEC party. He had stopped working in this capacity in July 1997 but maintained his political loyalty and had continued to work at the O Reang Euv district office of the FUNCINPEC party. In an interview with the COHCHR at the provincial commissariat, he stated that he could hardly realize why he was still alive. He explained that the grenade was for the security of his party office and that the casings were those of seven bullets fired at his party office signboard days earlier. He stated that he had signed a confession extracted from him by the soldiers out of fear of being tortured or executed. He was charged with illegal possession of weapons, detained and will be tried.

## BEATING AND ILLEGAL DETENTION OF OPPOSITION PARTY MEMBERS OR SUSPECTED SUPPORTERS BY VILLAGE 14 AND 15, AUTHORITIES, PHNOM PENH

1) On 30 June 1998, at the corner road to Village 15 and Sothearos Avenue in Phnom Penh a moto-taxi driver who had been waiting for clients was witnessed being arrested by three armed men dressed in army fatigues, and severely beaten before being marched and continuously beaten to the local village office. The victim had been wearing a cap bearing the FUNCINPEC party logo.

2) On 28 June, at 3:00 am, two Sam Rainsy party activists from Takeo province were looking for the house of a relative in Village 15, in Phnom Penh's Tonle Bassac quarter, when they were arrested by a group of armed militiamen from the village. The militiamen began to beat them without giving any reason. They then searched them and found several SRP membership cards, a camera and a notebook which they confiscated. They accused them of being spies for the SRP. They were taken to the office of Village 15 where they were beaten again. One of them sustained head injuries which required medical attention. They were released in the morning of July 5, following intervention of COHCHR staff accompanied by HE Ung Ty, advisor to CPP Chairman and National Assembly President HE Chea Sim.

This is the seventh instance documented by the COHCHR of illegal arrest, detention and intimidation or ill-treatment by the authorities of this neighborhood since May and the sixth in the past three weeks (see previous report). On 6 July, these violations were brought by the COHCHR to the attention of the Phnom Penh municipality Deputy Mayor for action.

## BEATING AND INTIMIDATION OF A FUNCINPEC MEMBER AND HIS WIFE (names withheld)

A married couple living in Samrong district of Takeo province, returned to their home on the evening of June 21, 1998 to find three men waiting for them, one armed with an AK gun. The husband was jabbed with the gun, grabbed and his hands were tied behind his back. His wife resisted but one of the assailants placed the gun next to her ear and fired a shot skywards. She ran into the house, but was followed by one of the men, dressed in military uniform, who demanded two damlangs of gold. After she replied she did not have two damlangs of gold, he hit her in the face. Then he asked her which party she belonged to and admonished her for having allowed a FUNCINPEC signboard to be placed at the head of a path leading from the road to their house. She was then struck in the face with a gun butt. Meanwhile, the other two men also demanded gold from the husband and threatened to kill him. He answered that he only had five chi of gold and a cow. The men refused both. They then took him down to a creek behind the house where they were joined by the third man. Further threats were made

and they struck him on the head with the gun butt before leaving. The attackers refused the gold they were offered and nothing else was taken. The motives of the attackers are not fully clear, but the evidence suggest that the attack was politically-inspired but made to look like a robbery attempt.

#### RADIO CALL FOR THE ARREST OF A FUNCINPEC RESERVE CANDIDATE

On 29 June 1998, a local radio station in Pailin municipality broadcast a report calling for the arrest of Sou Kim. According to the official list of National Assembly candidates published by the National Election Candidate, Sou Kim is a FUNCINPEC second reserve candidate for the seat of Pailin municipality. He is a former Democratic Kampuchea (Khmer Rouge) officer from Samlaut who defected to the Government in 1996 and later joined the FUNCINPEC party.

#### OTHER SIGNIFICANT FINDINGS

COHCHR staff in Kompong Cham and Prey Veng provinces received no complaints of intimidation or violence during the period of 28 June-5 July in these two provinces from either political parties, non-governmental organizations, local authorities or other sources.

A cumulative list of allegations of intimidation and violence received since mid-May 1998 is appended. This list is being revised and updated on an ongoing basis as new information is received and allegations are corroborated, confirmed, or disproven. Cases which have been removed from list are no longer under investigation.