

## **Rights groups condemn convictions in Cambodian union leader's murder**

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The trial of two men convicted of murdering a Cambodian union leader was politically manipulated and proves the country cannot establish a credible genocide tribunal to try former Khmer Rouge leaders, human rights groups said Tuesday.

No forensic evidence was presented and no eyewitnesses testified in person during the trial of Born Samnang, 24, and Sok Sam Oeun, 37, who were each sentenced to 20 years in jail on Monday for the murder of Chea Vichea.

"This was another test of the Cambodian judiciary, in which once again it failed miserably," Sara Colm, a representative of the New York-based Human Rights Watch, said, calling the state of Cambodian justice "appalling."

"A trial such as this \_ whose outcome appears to have been determined by politics, not law \_ does not bode well for the Khmer Rouge tribunal, which is to be held within the Cambodian court system," she said.

Chea Vichea, the head of the Free Trade Union of Workers, was gunned down at a roadside newsstand in Phnom Penh on Jan. 22, 2004. He was an outspoken critic of government corruption and human rights abuses and sought better working conditions and wages for garment workers, earning the enmity of some business and political figures.

In his verdict, Judge Kong Saet said police presented "appropriate evidence in their investigation."

But the defendants testified that they were nowhere near the crime scene when the murder was committed and that police had concocted the case against them using coerced confessions.

Phnom Penh Municipal Court erupted into pandemonium when the verdict was read, with the defendants and their supporters shouting that the proceedings had been unfair.

The verdict "shows incompetence, politicization, that interferes with the judicial system," said Naly Pilorge, director of the Cambodian human right group Licadho.

It would be "impossible to get an independent and impartial court" to carry out the much bigger task of a Khmer Rouge genocide trial, she said.

Cambodia and the United Nations have agreed to hold a joint tribunal for the surviving leaders of the Khmer Rouge, who are widely held responsible for the deaths of an estimated 1.7 million people when they held power in the late 1970s

Even though foreign judges and prosecutors will work alongside their Cambodian counterparts, critics have long voiced skepticism about holding the tribunal within Cambodia's present court system, which is weak, corrupt and susceptible to political influence.

Government and Interior Ministry spokesmen were unavailable for comment Tuesday, while Om Yentieng, Prime Minister Hun Sen's senior adviser who also heads the government's human rights committee, could not be contacted.

Heng Pov, the capital's police chief, declined to comment when reached by phone.