

# Assassination of a union leader

## CultureBREAKDOWN

EZRA

**C**hea Vichea was the leader of the Free Trade Union of Workers of the Kingdom of Cambodia, seeking higher wages and improved conditions for garment workers. Frequently harassed, at times beaten, he worked on despite death threats and the attempted intimidation. On January 22, 2004 he was shot in the head and chest in the morning while reading a newspaper by two men driving by on a motorcycle.

A few days after Vichea's assassination, Cambodian police arrested two men and charged them with the murder. Born Samnang initially admitted to the killing but then publicly retracted, claiming to have been tortured into confessing. Witnesses placed Born Samnang in a different part of the country at the time of the murder. The second suspect, Sok Sam Oeun, denied any involvement and had alibis placing him with friends at the time.

The criminal investigation was done by Phnom Penh's Tuol Kork district police and plagued by irregularities. Officers focused on threatening and rounding up those who provided alibis for the suspects, while witnesses were intimidated. Eventually on December 31, 2008, supreme court judge Dith Monty dismissed the conviction, and the two were provisionally released.

*Who Killed Chea Vichea?*, which captures the story as it unfolds, recently screened at the Foreign Correspondents' Club of Thailand. Director Bradley Cox, who had interviewed Chea Vichea about his labour union activism, was on the scene moments after the murder, and followed the subsequent trial and conducted his own investigation. Jim Pollard, FCCT board member, called it one of the best documentaries ever made on Cambodia. Public screenings of the film have been banned in Cambodia.

Cox previously made the documentary *Cambodia: Anatomy of an Election*, was a co-founder of Bhutan's first film school, has worked as a screenwriter and director in Los Angeles and has won numerous film festival awards. While filming the army crackdown on the red-shirt protests on May 19, Cox was shot in the leg at the same time that Italian photographer Fabio Polenghi was shot and killed. He took video of Polenghi as he was being carried away.

We talked with Bradley Cox about Chea Vichea, reaction to the film and broader problems in Cambodia.

**Is 'Who Killed Chea Vichea?' about the assassination of one individual or as much about broader issues in Cambodia?**

The movie is primarily an investigation into the murder of Chea Vichea and about the two men convicted for the crime. But I use the case to highlight a much bigger problem, that of the unchecked corruption and impunity that continues to plague Cambodia. Although



Assassinated Cambodian union leader Chea Vichea.



Cambodian union leader Chea Vichea in 2003.

there are plenty of movies about Cambodia, almost all of them focus on the past and the Khmer Rouge era. This film focuses on the present, Cambodia as it is now.

**You knew Chea Vichea before his death. What was he like as an individual?**

I think the term "hero" is one of the most overused words in the English language but Chea Vichea was the real deal. He had a dangerous job and was beaten, arrested and threatened many times. Yet he refused to be intimidated and continued his work despite the risks. And in the end, he was killed for it.

**The extraordinary aspect of the film is that it follows developments before and after the murder; viewers can watch the events unfold. But what brought you to Cambodia initially?**

I first met Vichea when he received a death threat just before the 2003 national election. According to police, it came from a high-ranking official in the government and they were powerless to intervene. My videotaped interview



Bradley Cox, director of 'Who Killed Chea Vichea?'

with Vichea was his last. Six months later to the day, he was assassinated. I arrived at the murder scene only minutes after it happened and followed the case closely, filming the funeral, the arrests of the two men and their conviction in court. I also conducted my own investigation into the case, something the police never bothered to do. The results, as seen in the movie, show quite clearly the two men are innocent.

**What reasons did the Cambodian government give for banning the film?**

The government has given a litany of reasons, or should I say excuses, for not allowing the movie to be shown in Cambodia. Among them, it was not approved by the Ministry of Culture. It was also called an "illegal import" and, according to the Ministry of Interior, it was an incitement of the public. In addition, the Press and Quick Response Unit vowed to stop any future screenings wherever they are held. I should add that no government official has yet seen the movie. The real message here is that

the authorities will censor anyone and any film that criticises the government.

**In the media there seems to have been as many stories about the banning of your film as about the film itself. Did the government's stance backfire in giving it more publicity?**

Prime Minister Hun Sen does not respond well to criticism. In the past, UN peace envoys who publicly decried Cambodia's human rights abuses have been told they are no longer welcome in the kingdom. NGOs have been threatened with expulsion. More recently, journalists are threatened, arrested and jailed for articles critical of the government. The Minister of Information Khieu Kanarith was quoted as saying, "It might have been that the documentary intends to accuse the government of murder." It may be one of the few true statements he's ever made.

**Have some of Chea Vichea's union goals, like raising the minimum wage of garment factory workers, since been achieved?**

Although there have been small increases in salaries over the last few years, they have been outstripped by cost of living increases. Discontent among workers has been increasing and there are now plans afoot to mount big strikes sometime in the next month.

**Has anyone else stepped into the void left by his murder—or was it successful in creating fear among potential activists?**

Fear has always been present among labour organisations in Cambodia trying to increase wages or improve working conditions. But the bar was raised substantially when Vichea was killed. In fact, two other organisers from Vichea's union were killed subsequently to him. And all were done in the same way, by two men on a motorcycle. Many organisers are harassed, threatened and fired by their employers. This is a direct violation of the law but the law seldom matters when dealing with the police and the courts. What matters is who has the money and power. The workers have neither so it is always an uphill battle.

**Born Samnang and Sok Sam Oeun, initially arrested for and convicted of Chea's murder, have been released from prison, and rights groups have said they were framed. Do you think those responsible for his murder will ever be held to account?**

Born Samnang and Sok Sam Oeun have been released but only provisionally. In other words, if the court decides, they could be sent back to prison. So although I'm happy that they are free, the case continues to hang over their heads. They deserve to have the charges officially dropped, but it could be months or years before this happens. Why? Because this case has been an embarrassment to the Cambodian government since the beginning. The police frame-up of the two men was

inept and the trial was a mockery of justice. I think the last thing the government wants is more headlines on this case. For this reason, I doubt there will be any more arrests or, for that matter, any real investigation.

**Cambodia relies a lot on foreign aid and investment. Are these improving the country, or will corruption and mismanagement continue to hinder development?**

International donors gave \$1.1 billion [34.4 billion baht] in aid to Cambodia this past year. According to Carol Rodley, the US ambassador to Cambodia, the country loses about \$500 million a year to corruption. That's a quarter of the national budget. One has to wonder who's getting all that money. Top government officials give speeches about cracking down on corruption, but that's for the benefit of donor countries with deep pockets. The truth is that the government is a kleptocracy and no one wants to kill the golden goose. For things to improve, there needs to be political will, and there is none.