

[English translation of Aug 10, 2006 Khmer language document written by Mrs. Va Sothy]

Kingdom of Cambodia
Nation Religion King

Statement on the killing of Mr. Chea Vichea

I am Va Sothy, a Cambodian national, a former vender of newspapers in Phnom Penh at a newsstand next to the fence of Langka pagoda on the west side. I am currently staying in Thailand.

I would like to provide the following statement on the events relating to the murder of Mr. Chea Vichea:

On 22 January 2004 at around 8:00am, I and Mr. Chea Vichea were sitting reading newspapers at my newsstand. At this time, two men on a light black (or black mixed with grey colour) motorbike (Wave model) appeared and stopped their motorbike in front of my newsstand. The man sitting on the back of the motorbike walked towards my newsstand. The other man who was driving continued to drive slowly to the north, looking at me for a while, and then drove away. The man who came to my newsstand read some newspapers there for about twenty minutes (20mn), but did not buy anything or speak a word. Because the man did not buy anything and just stood still, looking around him as though he were assessing the situation carefully, I started to watch his actions. I noticed that the man often looked at me and at Mr. Chea Vichea, but I did not pay too much attention to him and I continued reading my paper. Suddenly, the man walked to place himself in front of me and facing towards Chea Vichea. Immediately, I heard three loud gunshots fired very close to me, and Mr. Chea Vichea began to fall to the ground. I saw a black pistol in the hand of the man who was standing in front of me and who shot Chea Vichea from very close range, within touching distance, and then he put the gun into his trouser pocket and calmly walked away in a normal manner from south to north.

I would like to provide the following description of the murderer and the murderer's motorbike driver:

1. The murderer who shot Chea Vichea was a man approximately over 160cm in height, aged between 27 and 30 years old, with straight black hair parted on the side, thick black eyebrows, his nose was not sharp, his lower lip did not droop, his ears looked small, his eyes were black mixed with brown, his eye lashes were straight, he had no sideburns. His skin was medium dark. He was wearing a white long-sleeved shirt buttoned at the cuff. His shirt was not tucked into his trousers and his shirt had a normal collar. The murderer looked respectable and well-educated and like a skilled professional. He looked wary at all times and patient.

2. The man who drove the motorbike was about 25 years old. His skin complexion was similar to the murderer, and he had black hair with a side parting. He seemed wary and energetic.

Immediately after the murder of Chea Vichea, I used my phone to call an ambulance for help. A few minutes later, some police from the Commune, District and Municipality and other authorities arrived at the scene, at almost the same time. I helped to lift the body of Chea Vichea and got a Koh Santepheap newspaper to put as a cushion under his head. I then took his phone from his shirt pocket to call his relatives to tell them about the incident. The police snatched the

phone from my hand and told me it was none of my business. At the same time I heard the police talking among themselves that their superior ordered them to take the body from the scene of the incident as quickly as possible. The police also asked many questions about the killing. The police searched the body of Chea Vichea, checked his wounds and took all his belongings. The body was put onto a police pick-up truck by the police, while Chea Vichea's relatives struggled unsuccessfully to take the body back. The police took the body away in their truck. Chea Vichea had one bullet wound in the head, one in the chest and one in the left wrist. In this chaotic situation, the police asked me to go to District office to testify, but I refused to go because I feared that I would be killed for being a witness. The ambulance arrived only after the police truck loaded with Chea Vichea's body left. A group of police got me to thumbprint on a written record without reading it to me.

I would like to emphasise that because the murder happened at my newspaper stand, and I thought it might be connected to high-ranking government officials, I provided the police with false information such as about the type of the motorbike used by the murderer. I said that it was a dark brown Dream 100, and I said that I did not remember the face of the murderer. I was visited often by police, who asked me many questions about the murder, such as on the incident day the police from Commune and District came to my house to question me again. The same police came to my house the next day to question me again and I provided them with my same answers, and this time the police came with a file of documents with a colour photo (size 4x6) and a sketch of a person's face. The police asked me if I knew the person in the picture and whether the murderer had the same face as the person in the picture. I told the police that I did not know and I did not remember. Later on, a group of police came to my house again, this time with a sketch artist. The artist asked me many questions about the identity of the murderer and I said that I did not remember the murderer. I did not provide the police the correct information because I felt that, if I told them the truth, my life would be in danger and I would be killed to destroy the evidence. After a few days, the sketch shown to me by the police was published in many newspapers, and they wrote that the picture was based on the explanation of one witness. Since no-one except me and Mr. Chea Vichea had been present on the incident day, I decided to telephone to Mr. Heng Pov, whose phone number I had got from one of his police who visited me following the incident. I asked him why the newspapers published the sketch of the murderer's face and said it came from one witness, because I was the only person who witnessed the murder? Mr. Heng Pov told me 'I already arrested the murderers last night. You stay quiet and answer as you're told, and tell others that these two people are the murderers of Chea Vichea.' Later on, TV and newspapers publicised the faces of the two persons, Mr. Sok Sam Oeun and Mr. Born Samnang, and said that they are the killers of Mr. Chea Vichea. I understood that the fake murderers had been created, because I could clearly remember the faces of the murderers and they were not the same as the pictures publicized. I would emphasise here that, after the authorities arrested Sok Sam Oeun and Born Samnang, the police stopped coming to question me. However, I noticed that the police were watching my daily activities all the time.

About one month later, the real murderer who killed Chea Vichea came to my newsstand and looked at some newspapers. He came on a big black *A-Ch'kai* motorbike [Khmer term for a large, low-riding motorbike such as a Honda Rebel] and he asked me "What newspapers are out today?" I turned to face the questioner and was astonished and frightened to see that he was the murderer who shot Chea Vichea. The murderer stared into my face and then went to his motorbike and drove away without buying anything.

Regarding summonses from the Municipal Court to request me to testify, I never attended to give testimony because I thought that if I testify I will die.

The conviction of Born Samnang and Sok Sam Oeun is very unjust and unacceptable to all people in the world, especially for a country that declares itself to uphold democracy and rule of law. Born Samnang and Sok Sam Oeun were sentenced to 20 years in prison by the Cambodian court instead of the real murderers.

Given that the fake murderers are in prison and the real murderers go unpunished, and that the judicial system cannot be trusted, I will be killed if I continue to live in Cambodia and I will never have an opportunity to tell the truth to the nation and international community about the murder of Mr. Chea Vichea and the arrest of the innocent men instead of the real murderers. I, therefore, decided to leave Cambodia with great sadness and regret and to seek asylum from the United Nations in Thailand.

Lastly, I would like to appeal to the Royal Government of Cambodia, all competent institutions, especially the judicial system, as well as national and international organizations, to consider this matter closely and according to the law. Please, release the two prisoners Born Samnang and Sok Sam Oeun and let them be free to live their normal lives because they are not the real murderers.

I hope that my appeal will help to provide justice to the victims and to my country in the future.

Bangkok, dated 10 August 2006
Signature and thumbprint
Va Sothy

[Document is notarized by a Thai lawyer, certifying that it was signed in his presence by Va Sothy.]