

CLEC- C.CAWDU-CFSWF-IDEA-LICADHO

Civil Society Welcomes Release of Thach Saveth

March 2, 2011 (Phnom Penh) – We, the undersigned civil society organizations, commend the Supreme Court’s decision today to release Thach Saveth, who was wrongly convicted of murdering union leader Ros Sovannareth in 2004.

The Supreme Court overturned Thach Saveth’s conviction and ordered him released on bail pending a reinvestigation of the case. Thach Saveth was originally convicted in February 2005 and sentenced to 15 years in prison. His conviction was then upheld by the appeal court in February 2009.

The decision is long overdue, as Thach Saveth’s initial trial and appeal were blatantly flawed. The lower courts relied solely on written evidence prepared by the police, and failed to conduct interviews with supposed eyewitnesses to the murder. The prosecution’s witnesses never actually testified in court, meaning they could not be cross-examined by defense lawyers. One witness attempted to testify at the appeal hearing, but the judge refused to allow it. Meanwhile, multiple defense witnesses testified that Thach Saveth was not even in Phnom Penh on the day of the murder. This did not convince the lower courts.

“This courageous decision by the Supreme Court brings us one step closer to finding justice for the murder of Ros Sovannareth,” said LICADHO Director, Naly Pilorge.

This represents the second time in recent years that the Supreme Court has overturned the conviction of individuals implicated in the killing of union leaders. In December 2008, Born Samnang and Sok Sam Oeun – who were convicted of killing union leader Chea Vichea -- also saw their verdicts overturned. They were released on bail pending a full reinvestigation of their case. It is widely believed that the defendants in both cases were framed.

The similarities between the two union murder cases were disturbing. Thach Saveth, for example was arrested by the same Toul Kork district police officers who framed Born Samnang and Sok Sam Oeun for the murder of Chea Vichea. The lower courts also relied solely on police reports in the Chea Vichea case, and failed to conduct an independent investigation.

We also hope the Supreme Court findings in both union cases will serve as an inspiration to lower courts to conduct careful, thorough and detailed factual investigations.

“We hope that today’s Supreme Court decision will be a signal to the authorities to undertake legitimate investigations into crimes against union leaders,” said Moeun Tola, CLEC Head of Labor Program.

“Convicting a scapegoat does not serve the interests of justice. To the contrary, it actually increases the impact of the original crime – another innocent person suffers, while the perpetrator walks free.”

Finally, we renew our call for the Cambodian courts to conduct an independent and credible investigation on the 2004 murder of union leader Ros Sovannareth.

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