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Cambodia: Investigate fatal shooting by security forces

The shooting dead of one man and gunshot injuries to several others must be urgently investigated, Amnesty International said, after security forces yesterday evening used live ammunition at a protest in Cambodia's capital Phnom Penh.

After dozens of people protested against razor-wire roadblocks around the Kbal Thnal area, which were preventing many from driving home, violent clashes erupted at around 9 p.m. While some of the protestors reportedly threw stones, security forces fired tear-gas canisters and live rounds of ammunition.

Eyewitnesses told Amnesty International that police and military police severely beat dozens of people at the scene, including some who were already lying on the ground. Security forces chased away two local human rights monitors, who were clearly identifiable by their blue observer jackets. According to local human rights groups, at least six people were arrested and detained.

At around 10 p.m., Amnesty International was shown the body of Mao Chan, aged 29, a father of four who had been shot through the head and killed. Students took representatives of the organization to see two injured young people at a private house where they had been taken for their safety. One of them had been shot in her left leg. A local human rights group later drove the pair to hospital. Amnesty International was later shown photographs of several others who had been injured.

Volleys of gunshots were heard throughout the night. At around midnight – as officials from the Office of the UN High Commissioner for Human Rights, the local prosecutor and police came to arrange for Mao Chan's body to be taken away for an autopsy – gunshots were fired nearby. This led human rights workers and terrified residents to run for cover in local shops.

The roadblocks around Kbal Thnal were among dozens set up throughout Phnom Penh ahead of the start of the Cambodia National Rescue Party's planned three-day mass demonstration, to demand an independent investigation into the disputed election of 28 July 2013. Some of the roadblocks have prevented residents from leaving and entering their neighborhoods and created numerous potential flashpoints.

Yesterday afternoon, opposition supporters and local residents tried to remove a razor-wire barricade on Phnom Penh's riverside. Security forces used tear gas or smoke grenades and fired streams of high-pressure water against one protestor, who became mangled in razor-wire and suffered convulsions.

Amnesty International considers that the Cambodian security forces' use of force on 15 September 2013, which led to the death of one man, was excessive and appears to have violated Cambodia's international legal obligations to respect human rights, including the right to life and physical integrity. These rights are protected in Cambodia's Constitution and in the International Covenant on Civil and Political Rights (ICCPR), to which Cambodia is a state party.

International human rights standards stipulate that security forces must as far as possible use non-violent means before resorting to the use of force. If an assembly turns violent, as appeared to have been the case at Kbal Thnal, they should use only such force as is strictly necessary and to the extent required for the performance of their duty. They may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary for defence against an imminent threat of death or serious injury. The intentional lethal use of firearms can only be justified if it is strictly unavoidable in order to protect life.

Amnesty International calls on Cambodia's caretaker government, led by the Cambodian People's Party, to urgently undertake prompt, impartial, transparent and thorough investigations into the use of live ammunition that resulted in the death of Mao Chan. The investigation should be capable of identifying those responsible

for the death of Mao Chan and the shooting of others. Anyone who is identified as responsible for the arbitrary or abusive use of force, should, if there is sufficient admissible evidence, be prosecuted in fair trials. This includes superior officers who knew or should have known that personnel under their command were resorting to unlawful use of force and did not take all measures they could to prevent or suppress such use.

Under Article 2 (3(a)) of the ICCPR, Cambodia has an obligation to provide an “effective remedy” for anyone whose rights under the Convention have been violated. Failure to take effective measures to prevent such acts and provide effective remedies - including investigating and ending these abuses, bringing perpetrators to justice, and compensating victims – violates states parties’ obligations under the ICCPR.

For background, see:

[“Cambodia: Respect the Right to Freedom of Peaceful Assembly”](#), Amnesty International joint public statement, 5 September 2013.

[“The Right to Peaceful Assembly”](#), Amnesty International letter to the *Phnom Penh Post*, 27 August 2013.
<http://www.phnompenhpost.com/analysis-and-op-ed/right-peaceful-assembly>

[“Cambodia: Post-election tension must not lead to violence”](#), Amnesty International press release, 9 August 2013.

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