

The CAMBODIA DAILY

Friday, October 1, 1999

PM's Opponents Revive Grenade Attack

Critics Say Evidence Unclear, Conflicting

By ADAM BLORE
THE CAMBODIA DAILY

Opponents of Prime Minister Hun Sen in Washington have unveiled a new report on 1997's deadly grenade attack, blaming Hun Sen and his bodyguards and implying the US government has covered it up.

Citing a confidential May 1997 government report drafted by Funcinpec officials, preliminary reports from the US Federal Bureau of Investigation and inter-

views conducted here in the last year, staff members for the US Senate Foreign Relations Committee have urged US action and are considering a Senate hearing into the matter.

"With US government acquiescence, [Hun Sen] has succeeded in completely overturning the results of the 1993 UN elections, and gained international recognition of this feat to boot," writes James Doran, a staff member on the Senate Foreign Relations Committee, in a report addressed to the two most powerful senators on the committee.

"Part of this acquiescence has

been the total unwillingness of the US government to confront Hun Sen with its evidence of his involvement in this bloody massacre," Doran concludes.

Documents obtained by The Cambodia Daily and cited in the report reveal new details and provide the clearest picture yet of the investigations into the events surrounding the March 30, 1997 attack on the Sam Rainsy rally, which killed at least 17 and injured more than 125. But the findings are by no means as clear cut as Doran maintains.

Rather, the documents paint a
Continued on page 18



Heng Sinith

Laundry lays out to dry in front of the National Assembly on Thursday—the site of the March 1997 grenade attack killed at least 17 and wounded more than 125. No one has been arrested for the crime.

NATIONAL

Grenade...

CONTINUED FROM PAGE ONE

collective picture confused by political intrigue, with witnesses making statements, then retracting them, and accusations of bribery and intimidation flying back and forth on all sides.

The motives of those pushing the report, and their records as staunch opponents of Hun Sen, may lessen the report's impact in Washington—where policy-makers are debating how much US assistance the Phnom Penh government deserves.

At the very least, however, the new documents suggest a lack of full cooperation on the part of the Cambodian government with US investigators. The FBI gained jurisdiction in the matter because American Ron Abney was injured in the attack. Shortly afterward, Cambodia requested the FBI's assistance in the investigation.

According to a Feb 19 FBI statement responding to questions about the grenade attack by US lawmakers, a key witness was "unavailable" for interview by the FBI, and one of the main suspects in the blast mysteriously escaped from the custody of Funcinpec General Nhek Bun Chhay prior to being interviewed.

The FBI in its statement described some members of Hun Sen's bodyguard unit as uncooperative. In addition, the Funcinpec-led government report describes meetings among FBI investigators to discuss a lack of cooperation by the Cambodian government commission looking into the attack.

The Funcinpec report, which purports to detail the actions of FBI investigators, also quotes numerous witnesses asserting, as others have in the past, that Hun Sen's bodyguards allowed the assassins to enter a restricted-access area adjacent to the prime minister's house after the attack, that soldiers in full battle gear on the scene made no effort to apprehend them, and that victims on the scene were actively prevented by soldiers from pursuing the attackers.

Three key suspects emerge in the reports and confess or are said to confess to various authorities. But one of them disappeared, and two retracted their statements.

Prime Minister Hun Sen has denied the allegations, blaming Sam Rainsy and his supporters for staging the attack for political reasons. And some in Congress and the US State Department who have seen all the evidence say it is simply not strong enough to draw any conclusions.

Mok Chito, a municipal police official on the scene shortly after

the attack, on Thursday questioned the veracity of those who claimed to have witnessed Hun Sen's bodyguards help the attackers escape, noting some later retracted their statements when questioned by the Ministry of Interior.

A handful of government officials and military personnel cited in the report and contacted Thursday also strongly disputed characterizations of their actions made in the documents.

Two high-ranking officials of Hun Sen's private bodyguard forces claimed Thursday that they fully cooperated with the FBI, and that no evidence was found linking them, or their men, to the attacks.

"Our forces were kept there to provide security to the prime minister's residence which is situated 400 meters from the incident site," said Him Bun Heang, assistant to General Huy Pised, commander of Hun Sen's bodyguard forces. Officers on the scene "led bodyguards to find out what had happened. Then they were accused of organizing the attack. I conclude that the [opposition party] intentionally wants to destroy my honor and the CPP party."

Nhieu Kanharith, a government spokesman, said: "Men from the Sam Rainsy Party are putting the blame on Hun Sen's bodyguards. But it has taken two years, and the FBI has not shown any [final] report. Behind the accusations there is no strong support for them."

The Doran report appears designed to influence US-Cambodian relations, and it comes at a time when a lot is at stake.

Avowed opponents of Hun Sen because of his communist past, those pushing the report have been trying to kill legislation that would inch the US closer toward fully recognizing the current coalition government.

The Doran report's release comes at a time when the US State Department and some in Congress are actively pushing to allow the restoration of direct aid to Cambodia if reforms continue—a policy that would bring with it investment, easier access to funds from international lending institutions, and a whole host of other benefits that could significantly impact the country's struggling economy.

One member of Congress who has persistently pushed for information into the attack, Congressman Dana Rohrabacher of the House International Relations Committee, in an interview earlier this month at his Washington office called Hun Sen a "little gangster." The longtime foe of Hun Sen said he would never support restoring direct aid to Cambodia as long as

he is in power.

Rohrabacher's staffers Wednesday e-mailed Doran's report to numerous media outlets, in what appeared to be an anti-Hun Sen public relations barrage.

Some in Washington dismissed the repeated accusations of Rohrabacher and his allies, and said the group is marginalized because they have lost credibility.

"I think a lot of people believe Hun Sen was involved in the grenade blast and it makes a lot of sense," said one Senate Democratic staffer. "But you can't condemn a person based on a charge, and there are a lot of possibilities."

"The evidence attributing the crime to any particular individual or group of individuals was never particularly compelling to warrant a charge. And having an opinion is different than having sufficient evidence to indict."

FBI officials in Washington declined earlier this month to discuss their investigation, while key agents involved did not return phone calls seeking comment. US State Department officials dismissed assertions that they had muzzled FBI investigators to protect state-to-state relations with Cambodia. They said the investigation was an FBI matter that was still in progress, and that they had nothing to do with it.

But Doran is equally adamant in his report, which is supplemented by two trips to Cambodia in December 1998 and July 1999.

"Two and one-half years after this attack, the FBI still has not identified a suspect in this case," Doran writes in his report. "While this may not be unusual, the FBI also refuses, both in its report and in briefings to Congress, to analyze any of its findings or suggest where findings might be leading."

Proponents of the cover up theory believe the State Department is killing the findings because it might force the US to sever relations with Hun Sen. One senior State Department official noted that Washington would have "enormous difficulty ending its dealings with Hun Sen, given a lack of viable political alternatives if you want to get something done in Cambodia," according to The Washington Post article about the classified, initial FBI report.

Attack Presaged Factional Fighting

Although two years have passed, the legacy of the grenade attack is still being felt in Cambodia.

It happened on a Sunday morning between 8:20 and 8:30 am, as opposition party leader Sam Rainsy finished speaking to about 200 people gathered to protest the condition of Cambodia's court system,

condemning it as politicized and dominated by the CPP.

At the time, Rainsy's security chief was in police custody and a court case loomed charging him with murdering Hun Sen's brother-in-law.

The explosions came in rapid succession. At least one grenade landed within 10 meters of Rainsy, killing one of his bodyguards.

Sam Rainsy has claimed he had just stepped off a stool, and that someone said, "We missed the target."

There were four blasts, according to the FBI and witnesses interviewed at the time. They ripped off arms and legs, and left scores of people bleeding on Sothearos Boulevard outside the National Assembly. In the minutes that followed, victims lay dying, moaning for help.

Despite the presence of an armed force at the protest, at least two assailants fled the scene amid the chaos, according to the FBI. A unit of heavily-armed troops that were part of Hun Sen's private security detachment in full combat assault uniforms was positioned on the perimeter of the gathering, but made no attempt to apprehend the attackers, the FBI report states, citing media reports.

The officers on the scene were members of a detachment of Hun Sen's bodyguards, according to the FBI. None were injured. None of the previous rallies had a military presence, according to the FBI.

"After what appeared to be a pre-arranged signal, police officers retreated...and four squads of Hun Sen's 'Bodyguard Force' deployed in linear position," Doran writes, citing a description given to the FBI by Sam Rainsy.

To this day, the suspects have not been apprehended, and no one has ever been charged.

In the end, at least 17 were killed, including two 13-year-old children, a 17-year-old student, a journalist and several female garment workers, according to the FBI. At least 125 were wounded.

Regardless of who was responsible, the passage of time has shown that the grenade attack was a watershed event in recent Cambodian history. It was the worst act of political terrorism since the Khmer Rouge were ousted from power in 1979, and it reintroduced force into Cambodia's political equation for the first time since the 1991 Paris Peace Accords ended a dozen years of civil war.

Soon the steady exchange of vitriolic words between the two ruling parties were supplemented with gun battles in the streets. Within four months, the coalition government had fractured and the country

Continued on page 19

NATIONAL

Grenade...

CONTINUED FROM PAGE 18
exploded in violence, followed by prolonged low-intensity civil war.

Injured American Led To US Investigation

Ron Abney was moving toward the front of the crowd to shake Sam Rainsy's hand. The US citizen heard the explosion, then felt shrapnel strike his leg. Abney was evacuated to Mount Elizabeth Hospital in Singapore for treatment for wounds to his thigh and leg.

Abney's injuries got the attention of the FBI. Although the law-enforcement agency usually confines its investigations to crimes within US borders, a US law allows them to investigate when a "terrorist" overseas conspires to murder or to seriously injure a US national.

Within days, first Funcinpec and then the CPP requested FBI assistance in the investigation. From his hospital bed in Singapore, Abney told what he had seen to FBI agent Tom Nicoletti. "We're going to get the guys that did this," Abney remembers Nicoletti telling him.

Investigators stepped into a situation already muddied by the political tensions prevalent at the time, with accusations flying back and forth between political parties.

Within a day of the attack, witnesses were accusing the assassins of disappearing into the compound at Wat Botum, which abuts the restricted-access area adjacent to Hun Sen's city residence. Others approached human rights groups alleging that armed soldiers on the scene aided two attackers escaping.

"The soldiers and the attackers knew each other," one Funcinpec member present at the rally told *The Daily* at the time, asking not to be identified because he feared for his safety. "The soldiers knew the attack was going to happen. They didn't come to help afterwards. They just pointed their guns at the demonstrators."

The FBI sent in sketch artists to interview witnesses and produced pictures of two suspects.

Although the results of an initial investigation blaming Hun Sen and his bodyguards were leaked to *The Washington Post*, it remains classified. Staffers in Washington who have seen it are prohibited by law to talk about it.

However, after demands from some in the US Congress, a second FBI report was released in November 1998. It was "much abridged and slightly updated," and soon deemed "inadequate" by Republican lawmakers, according to Doran's report. That report draws no conclusions, relying heavily on Sam Rainsy and media reports. It



Kay Johnson

Yung Sokhov, shown above shortly after the grenade attack, was a garment worker. She lay bleeding for an hour after the attack and died in the hospital. The explosions killed at least 17 others, and injured more than 125.

mentions few interviews from Phnom Penh detailing what people on the scene actually saw.

According to *The Washington Post*, the first report "tentatively pinned responsibility for the blasts, and subsequent interference, on personal bodyguard forces employed by Hun Sen."

Abney, who at the time was the chief of the delegation of the International Republican Institute, claims some time after *The Washington Post* story Tom Nicoletti stopped returning his phone calls. When he finally reached him, Nicoletti told him, "This report has gotten me in so much trouble. I have been transferred three times." Nicoletti, according to Abney, told him that he believed Hun Sen's bodyguards were responsible, but said he had been taken off the case.

Nicoletti is posted at an FBI field office in Los Angeles. He did not return several messages left with his secretary earlier this month. Calls to a second agent assigned to the case also were not returned.

"Everybody knows there's a cover up," Abney asserted. "The FBI knew that if what they said in the first report was true they would have some problems with Hun Sen."

The Republican lawmakers wrote to the FBI and demanded answers to 20 questions. And now they have inserted legislation into a spending bill currently being considered in Congress demanding another update from the FBI.

The FBI's answers, provided in February to three members of the House Foreign Relations Committee, and the chairman of its Senate counterpart, along with the second report, provide new details.

One of the suspects, identified later by a code name "Brazil," apparently was taken into custody by Nhiek Bun Chhay in June 1997, according to the FBI documents. It

is unclear why the suspect was in the custody of Nhiek Bun Chhay. Efforts to reach Nhiek Bun Chhay on Thursday were unsuccessful. But CPP officials have claimed that is evidence that Brazil was a member of Funcinpec. Funcinpec has said he was a CPP operative.

When the Ministry of Interior ordered that Brazil be made available for an interview to the FBI, investigators were told that he had escaped, according to the FBI.

According to Doran, Nhiek Bun Chhay told him last December that Brazil was hired by Hun Sen's bodyguard forces to participate in the attack, and that he worked with two men to plan the attack which was the third attempt to kill Sam Rainsy. Brazil named the two as Chhay Vee and Chom Bon Theun.

On July 4, 1998, FBI agents met with Sam Rainsy's wife, Tioulong Saumura, and she brought along Chhay Vee and Chom Bon Theun. Chom Bon Theun claimed that Him Bun Heang, of Hun Sen's bodyguard unit, approached him in mid-March 1997 and asked him to assist in a plot to launch the grenade attack.

He claimed he helped Him Bun Heang recruit Brazil and personally recruited Chhay Vee, according to the second declassified FBI report.

Chhay Vee admitted being recruited to throw the grenades in return for payment. The two told the same story to UN human rights officials and others.

Him Bun Heang vehemently denied the charges Thursday, and said he may prepare a lawsuit against those who "defamed me and my reputation and the prime minister's reputation."

"It is not true that I am involved in the grenade attack," he said. "I am a soldier whose duty is to provide safety for people, not to kill people. The opposition party has dropped the charge on me in order

to defame my reputation as well as my unit which provides security to the CPP. I cooperated with the FBI three times already to help find the attackers.

"As a commander of troops, I have plenty of troops under my command. There is no need to hire anyone if I wish to attack."

On Nov 13, 1998, both Chhay Vee and Chom Bon Theun retracted their previous statements and said that neither of them had anything to do with the grenade attack. They said they had been provided with their story by a Sam Rainsy party official, and were each offered \$15,000 in return for telling the story.

Doran claims in his report that the FBI failed to mention relevant points in its report, and he alleges the two suspects were intimidated into retracting their statement.

Chhay Vee and Chom Bon Theun retracted their statements after being taken into police custody, Doran notes. At least one remains in T3 prison today, Heng Bon Hiang said.

In addition, Doran notes, the interview in which the two withdrew their statements was conducted in the private home of Hun Sen adviser Om Yentieng, according to the answers to questions from the FBI submitted to members of Congress.

"It is absolutely astonishing that the FBI would ignore the fact that the suspects had been in the custody of Hun Sen's police, allow the interview to take place in the presence of an adviser to Hun Sen, and omit this critical information from the report," Doran writes.

Some say those seeking enough evidence to prove Hun Sen's forces were responsible may never be satisfied.

"You have to look at the big picture," US Ambassador Kent Wiedemann said this week. "It's very partisan on the Cambodian side. Sam Rainsy says the FBI report shows Hun Sen is guilty. But that's simply not the case. I believe very strongly it does not make any conclusions to who's guilty. We keep telling the FBI to continue working. Whatever report the FBI may issue is not going to deliver any smoking guns. That's not making some people very happy."

Several government officials said the FBI's unwillingness to blame forces loyal to Hun Sen proves he is innocent.

"The FBI is quite clever and has expertise, especially psychological skill," Huy Pised, commander of Hun Sen's bodyguard forces, said Thursday. "They questioned me and my soldiers from the top to the grass roots, but they could not find any traces to accuse me of being involved."