

B CASES PENDING AT THE CLOSE OF 1957

I. In October 1955 and in a further letter in March 1956, the Commission informed the Royal Government of a petition which alleged that the Provincial Guard of KHUM BANEAV, srok CHHUK, KAMPOT, had taken into custody six persons who were members of the Pracheachon Party and ex-members of the KRF. It was alleged that two of these persons, MAM-OURN and LENG-KHEM, were shot by the military.

After an investigation the Commission team reported that there was evidence that some ex-KRF members had been arrested and two of these persons shot; it was not possible to find conclusive proof of the fate of MAM-OURN although there was evidence that he had been taken into custody and while his companions had been released he had not been. He was no longer in detention and remained untraced.

The Commission suggested that the Royal Government might wish to institute a more thorough investigation. In November 1956 the Commission was informed that the Royal Government was collecting information on the case and would communicate again with the Commission. Since that time no further information has been received from the Royal Government.

II. Cases Pending From previous Years

A. Cases Closed during 1957.

(i) During the course of its investigations in December 1954, Fixed Team Kampot learned of the detention of five ex-members of the KRF and brought the matter to the attention of the Commission, which enquired of the Royal Government in September 1955, whether the men had been brought to trial and, if so, what the verdict had been. In November 1956 the Royal Government stated that of the five only DUONG-CHIN was eventually prosecuted and that on March 30, 1955, he had been sentenced for murder under the common law. After further enquiries concerning the circumstances in which the crime was committed, the Commission decided that the case did not come within the terms of the Cease-Fire Agreement, and that no further action was necessary.

(ii) A petition dated May 24, 1955 from the inhabitants of the Khum of Ansachambak, Srok of Krakor, Province of Pursat stated that 36 ex-members of the KRF had been imprisoned without trial since November 1954. Following an enquiry from the Commission, the Royal Government stated that these 36 persons had been sentenced for forming an association of malefactors, offences against the King and the spreading of false news, and that these were infringement of the common law perpetrated after the date of the Cease-Fire Agreement. In view of the information furnished by the Royal Government, the Commission decided to close the case.

(iii) In November 1956 the Royal Government informed the Commission that out of the list of persons recommended for pardon by the Commission in February 1956, five persons were unknown to the Royal Government (see para. 2, chapter III of Fifth Interim Report). The information available to the Commission on these five cases (SAM SUON, LEOUNG CHAM, MAK LANG, YU ROEUN and SAMRETH TIM) was forwarded to the Royal Government to assist in tracing these persons. In September 1957 the Royal Government informed the Commission that the five persons named had never been prosecuted.