CAMBODIA: MARCH 30, 1997 GRENADE ATTACK

Posted March 29, 2005: A Tragedy of No Importance
Detailed article and investigation on the grenade attack

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Report on FBI's investigation

This is the "report on the FBI's Investigation of the March 30, 1997, Bombing in Cambodia" which was requested in the 1998 Foreign Appropriations Act (Public Law 105-118). The report was delivered to the Senate Foreign Relations Committee on November 24, 1998. Because a US citizen, Ron Abney, was injured in the grenade attack the FBI was obligated to offer to help investigate it. It took the FBI more than one and a half years to release this inconclusive, unsigned report.

At approximately 8:30 am on March 30, 1997, unidentified assailants detonated four grenades during a Khmer National Party (KNP) political protest demonstration led by Sam Rainsy, the KNP party leader. (The KNP is one of three competing political parties in Cambodia, along with Hun Sen's Cambodian People's Party (CPP) and Prince Norodom Ranariddh's FUNCINPEC party.) The demonstration was held in a park opposite the National Assembly in Phnom Penh, Cambodia, and attended by many of the party's supporters. Initial investigation indicated that two unknown subjects escaped on foot after throwing two grenades from behind the KNP supporters. Conflicting reports were also received that individual(s) either on a motorcycle and/or in a white sedan had dropped two additional grenades. A unit of heavily-armed troops in full combat assault uniforms was positioned near the KNP speech platform. According to local media reports, these soldiers made no attempt to apprehend the attackers and prevented KNP supporters from doing so.

Rainsy publicly blamed Second Prime Minister Hun Sen for the attack while Hun Sen's party - the CPP - publicly blamed the Khmer Rouge. Hun Sen later blamed Rainsy for staging the attack against himself.

Cambodian Police reports indicate between 16 and 20 people attending the demonstration were killed and 150 wounded, many seriously. Sam Rainsy, the apparent target of the attack, escaped without injury. Among those killed were two 13-year-old children, a 17-year-old student, Rainsy's bodyguard, a journalist and several female garment workers. A Chinese journalist, who suffered serious abdominal wounds, was among the injured.

During the attack, Ron Abney, an American citizen and Chief of the Delegation of the International Republican Institute (IRI), sustained shrapnel wounds in the leg and was evacuated to Mt Elizabeth Hospital in Singapore for medical treatment. He was subsequently released to the care of his personal physician in Cochran, Georgia, on April 8, 1997.

CPP public statements indicated that there was an [un]usually light police presence, approximately 20 officers, considerably less than present at previous KNP rallies. None of these officers were injured. None of the previous rallies had a military presence, which for the March 30, 1997, rally was confirmed to be a detachment of Hun Sen's bodyguards.

On March 31, 1997, FBIHQ apprised the Terrorism and Violent Crime Section (TVCS), Criminal
Division, Department of Justice, (DOJ), of the information available surrounding the incident and the injury of Mr Abney and an opinion was rendered that, pursuant to Title 18, US Code, Section 2332, which states "it is a federal crime for a terrorist overseas to kill a US national, attempt to murder a US national, conspire to murder a US national, or to engage in physical violence a) with the intent to cause serious bodily injury to a US national or b) with the result that serious bodily injury is caused to a US national," the FBI has jurisdiction to initiate an investigation into this matter.

On April 1, 1997, First Deputy Director of the National Police Chhay Bornlay requested FBI assistance, especially sketch artist assistance, on behalf of FUNCINPEC. FBIHQ discussed this Foreign Police Co-operation request for FBI assistance with the Department of State Office for Counterterrorism and decided that any request for FBI assistance should come from the entire Royal Government of Cambodia (RGC) and not just one of the coalition partners.

On April 4, 1997, the FBI Investigative Case Agent (ICA) interviewed Ron Abney in Mt Elizabeth Hospital regarding the grenade attack. The interview was conducted with the US Embassy Regional Security Officer (RSO). Abney advised that while he did not believe he was the intended target of the attack he would have been an ideal target of opportunity.

On April 9, 1997, The RGC formally requested the assistance of an FBI sketch artist to draw composites provided by eyewitnesses. Also on that day, FBIHQ provided the TVCS a copy of the interview with Ron Abney. Upon review of the interview, the TVCS opined that, pursuant to Title 18, US Code, Section 2332a (Use of Weapons of Mass Destruction), the FBI had jurisdiction to investigate the March 30, 1997, attack.

Based on the FBI's investigative jurisdiction and invitation by the RGC, the FBI sent an agent to Cambodia in furtherance of this investigation. The agent was advised by FBIHQ to work closely with the USDS Regional Security Officer (RSO) in Cambodia. The Cambodian desk officer at the State Department and the US Ambassador to Cambodia were both apprised by the FBI of the FBI's investigative responsibility in this matter.

The ICA initially traveled to Cambodia on April 17, 1997, to meet with the US Ambassador and Embassy officials. The Embassy officials informed the FBI of the Cambodian officials' willingness to assist the FBI in its investigation.

On April 24, 1997, The FBI legal Attaché (Legat) in Bangkok, an FBI sketch artist and the ICA were briefed by Ambassador Kenneth M Quinn. Also, approval was obtained for a second FBI agent to travel to Cambodia to assist in the investigation. The second FBI agent arrived in Cambodia on April 29, 1997.

On April 26, 1997, FBI representatives met with Ambassador Quinn; the RSO; Co-Deputy Prime Minister/Co-Minister of the Interior Sar Kheng (Kheng serves in both capacities for the Cambodian People's Party or CPP); Co-Minister of the Interior You Hockry (FUNCINPEC); General Chhay Bornlay (FUNCINPEC), advisor to You Hockry, and Deputy Director General of the National Police Teng Savon. Translation was provided by General Keo Sopheak, advisor to Sar Kheng. This meeting was primarily an introduction of personnel and an expression of gratitude regarding the FBI's prompt response to the Cambodian's request for investigative assistance. The FBI requested that publicity regarding the FBI be kept to a minimum and informed those present at the meeting that the FBI's instructions were to investigate the injury of a US citizen during a terrorist attack. During this meeting, the FBI was advised that General Teng Savon would command the investigation and the primary FBI contacts would be Keo Sopheak representing the CPP and Chhay Bornlay representing FUNCINPEC.
The FBI proceeded with its investigation in Phnom Penh, in concert with the Cambodian Commission consisting of representatives from both the CPP and FUNCINPEC. During this investigation, every effort was made by the FBI to conduct a criminal investigation in accordance with the FBI's extraterritorial responsibilities and avoid involvement in Cambodia's internal politics. After a week of joint Commission investigative inactivity, numerous leads and eyewitnesses were developed by the FBI ICA. With the concurrence of the US Ambassador and Police Major General Savon, the ICA conducted extensive debriefings of eyewitnesses who offered information to the FBI but refused to cooperate with the Cambodian Police or the Investigation Commission.

In addition to eyewitness testimony, photographic evidence was obtained from an additional witness. After reviewing the photographs related to the incident, and presenting a photospread to witnesses, it was determined that one of the photos contained a subject who appears to be one of the grenade throwers. Efforts were made to fully identify this individual.

After the first week of the investigation, the FBI team briefed the Ambassador of what they felt was insufficient cooperation by the police, including the inability to question members of the military unit guarding the compound of the Second Prime Minister. The Ambassador offered to assist and it was jointly agreed that they would meet with Interior Minister Sar Kheng in an effort to enhance cooperation. On May 2, 1997, the ICA and Ambassador Quinn met with Co-Deputy Prime Minister (CPP) Sar Kheng.

Based on information obtained from witnesses, including Sam Rainsy, it was learned that a longstanding feud exists between former FUNCINPEC Secretary of the Treasury and KNP President, Sam Rainsy, and CPP Second Prime Minister, Hun Sen. Sam Rainsy claimed to have been surveilled on several occasions prior to the March 30, 1997, grenade attack. On March 26, 1997, the KNP requested a legal permit, issued by the Ministry of Interior, to demonstrate. The KNP obtained permission to demonstrate on March 29, 1997. Security was the responsibility of the Phnom Penh Municipal Police Force (PPMPF) and its Commander, Mok Chito, Hun Sen's nephew.

The PPMPF was not represented on the Investigation Commission and its Commander was not made available for interview.

According to Sam Rainsy and retired Secretary of State Kong Korm, 14 previous KNP demonstrations suffered only mild police harassment. Although a small number of police were initially present prior to the rally, police presence was unobserved as the rally began on March 30, 1997. After what appeared to be a prearranged signal ordering a retreat of police officers, four squads of Hun Sen's "Bodyguard Force" (2nd Battalion, 17th Regiment) were deployed, in a linear position along Street 7 on the park's West boundary. A military unit has never been deployed at a civilian political rally in the past according to Sam Rainsy.

On May 9, 1997, the ICA and six police officials interviewed Brigadier General Huy Pised [sic], Major Chhin Savon and another soldier at the Ministry of Interior Police General Staff Headquarters. General Pised is the commanding general of Bodyguard Unit #2 of the 17th Division assigned to protect Second Prime Minister Hun Sen. Major Chhin Savon was the on-scene commander of 15 soldiers from Bodyguard Unit #2 at the March 30, 1997, rally. During the interview, General Pised and Major Savon denied that anyone escaped through the perimeter. Furthermore, they stated "We saw nothing."

On May 11, 1997, the ICA and Legat Bangkok interviewed Sam Rainsy in Bangkok, Thailand. After FBI representatives informed Rainsy that public disclosure of this meeting would jeopardize the FBI's investigation, Rainsy consented not to reveal the convocation of the interview. In his account of the
events on March 30, 1997, Rainsy noted the unusual presence of military forces and a lack of regular police forces. This arrangement was counter to the RGC deployment during his 14 previous demonstrations in Phnom Penh. On May 14, 1997, the FBI reinterviewed Rainsy in Cambodia in conjunction with the RGC investigators. No additional investigative information was gathered as a result of this interview.

On the evening of May 14, 1997, the FBI representative briefed Ambassador Quinn on the status and findings of the investigation. Investigation to date failed to develop evidence that the United States was the primary target of the March 30, 1997, attack. The FBI suggested the following recommendations be provided to the RGC investigative commission:

1. That the FBI's sketch artist and one FBI agent return to the United States.
2. That the local media be advised that the US inquiry regarding Abney is completed but that it is classified "Secret" and only releasable by the US Department of Justice in conjunction with the US Department of State.
3. That an FBI agent remain in Cambodia to assist the RGC investigation in an overt advisory capacity to the Commanding General of the Police investigative commission.
4. That the FBI provide the Commanding General written investigative leads which need to be completed to resolve the investigation.
5. That the investigative commission regularly submit their investigative reports to the FBI representative.
6. That the Co-Deputy Prime Ministers submit a formal letter requesting the above-outlined FBI investigative assistance.
7. That no statement be made to the Cambodian media regarding the FBI representative.
8. That if the Cambodian Police fail to initiate or accomplish the FBI's recommended investigatory steps within "a reasonable period of time," then the police should provide a statement as to cause.
9. That the status of the investigation be re-addressed with the investigative commission within 14 working days. If no significant progress was made by that time, then the presence of the FBI representative would be terminated after 30 working days.
10. That the commission immediately use the composite sketches provided by the FBI by publishing them and presenting them to all potential subjects and witnesses.

Ambassador Quinn approved the 10 recommendations. In addition, Co-Minister of the Interior Sar Kheng and Sam Rainsy both concurred with the FBI's role as outlined in the third recommendation.

On May 16, 1997, in accordance with the first recommendations, the FBI's sketch artist and one FBI agent returned to the United States.

On May 17, 1997, Sar Kheng met with Ambassador Quinn and conveyed the sentiment that the composite sketches should be held back from publication because the investigation into the identity of the persons depicted was on-going.

On May 22, 1997, Rainsy asked the ICA for a copy of the investigative report. Rainsy was informed that the ICA could not accede to Rainsy's request. Rainsy expressed unhappiness and some anger at the fact that he would not be given a copy of any FBI reports on this investigation. Rainsy became even more agitated when the ICA informed Rainsy that there were genuine questions about the allegations and motives of the grenade throwers. Rainsy then suggested that the FBI agent should be careful because he might become a target for violence. Rainsy also predicted that another violent incident might occur in the near future.
On May 27, 1997, Sam Rainsy conducted a press conference in which he linked the FBI's investigation to a "Preliminary Report" which Rainsy claimed pointed to Second Prime Minister Hun Sen as the culprit of the March 30, 1997, attack. Rainsy also claimed to have a RGC "confidential report", given to him by First Prime Minister Norodom Ranariddh, substantiating Rainsy's claim of Hun Sen's culpability.

During the FBI's presence in Cambodia, 56 interviews were conducted by the FBI. Twenty-nine interviews were with the joint FBI-Cambodian coalition, six interviews with only the FUNCINPEC police present, and 21 interviews were conducted privately with US Embassy personnel present. All the interviews were conducted with the Ambassador's knowledge. Some of the witnesses interviewed spoke English. For those interviews which required a translator, translations were provided by either FUNCINPEC General Bornlay, CPP General Keo Sopheak, or one of two US Embassy personnel. Seven of the private interviews of witnesses were translated by Rainsy. The two Embassy translators provided translations for 24 of the interviews that were conducted with the Cambodian officials. The FBI's sketch artist produced nine sketches while in the company of the investigative commission. Three of the sketches (one of each suspect), were provided to the Cambodians. On May 29, 1997, the sketches were published in the Cambodian media.

On June 19, 1997, Legat Bangkok met with Ambassador Quinn, Co-Ministers of the Interior Sar Kheng and You Hockry and Ok Serei Sopheak, advisor and Director of Cabinet to Sar Kheng. Legat Bangkok advised that the FBI was interested in obtaining any reports or results of the investigation generated by the investigative commission and any information about a suspected grenade-thrower identified as "Brazil." Cambodian press reports identified "Brazil" as a participant in the March 30, 1997, attack who was apprehended by Royal Cambodian Armed Forces (RCAF) Deputy Chief of Staff Lt General Nhek [sic] Bun Chhay (FUNCINPEC) on June 1, 1997, and held in General Bun Chhay's custody. "Brazil" is believed to be identical to FBI subject #2. Sar Kheng and You Hockry denied having any specific information on "Brazil." In follow-up meetings on June 23 and June 24, 1997, Sar Kheng would not approve a request for a joint FBI-RGC interview of "Brazil."

On June 20, 1997, Legat Bangkok met with Sar Kheng, You Hockry and the investigative commission. Legat Bangkok received two investigative reports on the March 30, 1997, attack, in Khmer, prepared by the commission. Legat Bangkok forwarded these reports to FBIHQ for translation. Both Ministers stressed that all information generated from the investigation should be kept from the Cambodian press. Minister Hockry noted that the commission had received some information by telephone about the March 30, 1997, attack since the publication of the composite sketches. Minister Hockry advised that he would write a report based upon his notes from the phone calls to the commission and to himself and provide the report to the FBI. Hockry mentioned that "Brazil" had not been arrested by General Bun Chhay and that, contrary to press reports, "Brazil" had made no admissions of involvement in the March 30, 1997, attack.

Between July 4 and July 6, a coup led by CPP Prime Minister Hun Sen's military forces overthrew the reigning government in Cambodia. Fighting continued for the following weeks as Hun Sen's forces fought FUNCINPEC's forces. Several US citizens were held up in hotels and residences throughout Phnom Penh, although no Americans appear to have been the intended target of any violence.

Unconfirmed reports from Cambodia indicate that "Brazil" escaped during the early July 1997 coup. His present whereabouts are unknown to the FBI.

On July 14, 1997, the ICA received from Legat Bangkok a 4 x 6 obtained from Phnom Penh RSO that was purported to be "Brazil." The ICA's review of the photo and comparison with a previously obtained photo on FBI subject #2, whom six witnesses identified as one of the grenade-throwers, revealed that the individuals in the two photos demonstrated no similarities of physical resemblance.
On June 4, 1998, Legat Bangkok met in the US Embassy Bangkok with Saumara Rainsy (her name is Tiouloung Saumura) and two witnesses who claimed to have information on the March 30, 1997 attack - Chhay Vee and Chom Bon Theun (aka Chum Bun Thoeun). According to Chom Bon Theun, CPP party leader Heng Bon Hiang approached Chom Bon Theun in mid-March 1997 and asked Chom Bon Theun to assist in a plot to launch a grenade attack on the March 30 rally/demonstration. Chom Bon Theun advised Legat Bangkok that he (Theun) helped Hiang recruit the suspect "Brazil" and personally recruited Chhay Vee. Chom Bon Theun also noted that six or seven months after the March 30 attack, he saw Brazil's corpse near a military base in Tang Kasang.

During the June 4, 1998 interviews Saumara claimed that Chhay Vee had admitted to throwing one of the grenades at the rally. Chhay Vee admitted to being recruited by Chom Bon Theun to throw grenades at the March 30 demonstration in return for payment. Chhay Vee also stated in the interview that Chom Bon Theun knew Sam Rainsy personally. Both Chhay Vee and Chom Bon Theun informed Legat Bangkok that they voluntarily decided to confess their involvement to Sam Rainsy, possibly in return for money.

On November 13, 1998, Legat Bangkok and RSO Phil Whitney, with the assistance of Khmer language translator Yarong Van, reinterviewed Chhay Vee and Chom Bon Theun. Both subjects advised that their previous statements were false and that neither had anything to do with the March 30 attack. Chom Bon Theun stated that Sam Rainsy Party official Eng Chhay Eang provided him and Chhay Vee with the story of their guilt. Eang wrote a script for Chom Bon Theun to memorize which was roughly the same story Theun provided to Legat Bangkok on June 4. Chom Bon Theun advised that Eang offered to him and Chhay Vee $15,000 each in return for telling the false story about their participation in the attack to the UNCHR, FBI and others.

All investigative findings are complete. The FBI has presented its investigative findings to the Department of Justice for a prosecutive opinion.

Next document: FBI answers questions from the chair of the US Senate Committee on Foreign Relations

http://www.garella.com/rich/grenfbi.htm