

# Cambodian activists found innocent over toxic dumping protests

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Charges were dropped against two Cambodian human rights activists, Kim Sen and Meas Minear, on July 21. They had been arrested during a protest last December 19 and 20 against the dumping of toxic waste by a Taiwanese plastics company.

The two activists were charged with robbery and damage to property, and accused by local authorities of inciting violence amongst protestors. A court dismissed the charges due to lack of evidence.

Angry residents had taken to the streets following the discovery that waste dumped by the Taiwanese firm Formosa Plastics Corporation near the southern port of Sihanoukville contained dangerous levels of mercury and possibly dioxins.

The two activists from the Cambodian League for the Promotion and Defense of Human Rights were among 14 others detained by police, including one child. The two were imprisoned for one month then released on bail. No warrants were ever issued for the arrests.

A 15-year-old youth revealed that police had assaulted those arrested. "They threatened to kill me if I did not sign the confession. They beat and kicked me till I bled," he said. At least one protestor had been shackled while in custody.

Formosa Plastic dumped the toxic waste last November near a national park. Local people were told it was "construction waste". Many carted the material away in sacks to use at home for cement mix and building material. The plastic bags, in which it was wrapped, were used for housing, fencing and even sleeping mats.

One man died and many people complained of vomiting, diarrhea and nausea. When it was discovered that the waste could be toxic, many people threw the materials into the streets, adding to the danger of contaminating the water supply. Local schools were

closed and as many as 10,000 residents fled the area in panic. Some were killed in car crashes as they raced to leave the vicinity.

Protests erupted soon after. Angry residents complained they had not been warned of the dangers. During the fracas, the residence of Sihanoukville deputy governor Khim Bo was ransacked and his luxury car damaged. A local shipping company office and the port authority were gutted by fire. According to rumours, Khim Bo pressured authorities to arrest the activists and may have appointed the presiding court officials to ensure their convictions.

Port workers were also affected. Pich Sovann, who helped unload and clean the vessel holding the waste, is thought to have died as a result of handling the toxic material. Initially he was diagnosed with appendicitis and pancreatitis.

A report published by the US-based Human Rights Watch earlier this year pointed out that the death of Pich Sovann and others had not been fully investigated. "Autopsies are rarely conducted in Cambodia, and the country does not have the technical equipment or expertise to identify toxins in blood or other body samples. The health system is generally poor and misdiagnosis common."

Cambodian authorities had approved the waste dumping and, at the time, it was not illegal to import hazardous material. To try to counter widespread suspicions of top level bribery, the government suspended around 100 officials from duty and laid charges against three more for authorising the imported waste—the national customs director, the customs pricing officer and a senior Camcontrol official.

But while the government was quick to arrest protestors, the officials and the management of Formosa Plastics Corporation were dealt with lightly.

The two Taiwanese businessmen responsible for the imported waste were able to leave the country. They were found guilty "in absentia" and sentenced to five years jail and to pay \$500,000 million in compensation to the government.

The Formosa Plastics Group is the largest manufacturer of polyvinyl chloride (PCV) in the world, with total assets worth \$US20 billion. According to an article in *AsiaWeek* in February, its major shareholder Chairman Wang Yung-ching and his family are worth an estimated \$4.9 billion.

So far the company has refused to pay damages to the government or compensation to the families of those who became ill or died. A Cambodian businessman, who helped the Taiwanese company, was sentenced to seven months in jail. Others received suspended sentences or fines.

Following the public outrage, the Cambodian government ordered Formosa Plastics Corporation to remove the waste and to send it to Taiwan where it has remained in a Taiwanese harbour. No company has been found to move the material elsewhere for disposal.

Increasingly, corporations are using poorer nations as dumping grounds, paying small contractors with little expertise or protective equipment to handle and transport the dangerous or toxic material. In the Cambodian case, government officials, or perhaps the government, turned a blind eye, and those who suffered were the port workers and local villagers.



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