The Koh Pich Tragedy: One Year on, Questions Remain
About the Cambodian Center for Human Rights
The Cambodian Center for Human Rights ("CCHR") is a non-aligned, independent, non-governmental organization that works to promote and protect democracy and respect for human rights in the Kingdom of Cambodia ("Cambodia"). Our vision is of a non-violent Cambodia in which people enjoy their fundamental human rights, are treated equally, are empowered to participate in democracy and share the benefits of Cambodia’s development. We desire rule of law rather than impunity; strong institutions rather than strong men; and a pluralistic society in which variety is harnessed and celebrated rather than ignored or punished. Our logo – a dove flying in a circle of blue sky – symbolizes Cambodia’s claim for freedom.

About this Report
This report, “The Koh Pich Tragedy: One Year on, Questions Remain” (the “Report”) aims to explore the events of the night of 22 November 2010, when over 350 people died in a deadly crush on Koh Pich Bridge in Phnom Penh, Cambodia, during the 2010 Water Festival. The Report sets out the conflicting accounts of the facts of that night, examines the response of the authorities to the incident, and identifies a number of unanswered questions. This Report does not attempt to provide a definitive version of what happened; rather it raises a number of questions arising from the event, considers the conflicting accounts of that night, and attempts to make some tentative recommendations as to what safeguards could be put in place to ensure there is no repeat of last year’s event in the future.

Acknowledgements
CCHR offers our heartfelt condolences to all the victims of the crush, and to the families of those who tragically died on the night of 22 November 2010. We also wish to extend our appreciation and thanks to the many people who spoke to us after the incident, including victims, family members, police, and those involved in the emergency response, such as doctors at the various hospitals. CCHR would also like to thank The Phnom Penh Post for granting us permission to use their photographs of the tragedy and the immediate aftermath within the Report.

Queries and Feedback
Should you have any questions or require any further information about the Report, or if you would like to give any feedback, please email CCHR at info@cchrcambodia.org.

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Khan Chamkar Mon, Phnom Penh, Kingdom of Cambodia
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## Definitions and Acronyms

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<td>AFIRE</td>
<td>Australian Firefighters International Relief and Education</td>
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<td>AFP</td>
<td>Agence France-Presse</td>
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<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>Cambodia</td>
<td>Kingdom of Cambodia</td>
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<td>CCHR</td>
<td>Cambodian Center for Human Rights</td>
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<td>CCP</td>
<td>Cambodian People’s Party</td>
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<tr>
<td>Civil Code</td>
<td>The Civil Code of the Kingdom of Cambodia, 2007</td>
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<tr>
<td>CTN</td>
<td>Cambodian Television Network</td>
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<tr>
<td>DPA</td>
<td>Deutsche Presse-Agentur</td>
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<tr>
<td>HE</td>
<td>His/Her Excellency</td>
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<td>HRP</td>
<td>Human Rights Party</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>OCIC</td>
<td>Overseas Cambodian Investment Corporation</td>
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<tr>
<td>Penal Code</td>
<td>The Penal Code of the Kingdom of Cambodia, 2009</td>
</tr>
<tr>
<td>Report</td>
<td>This report, entitled “The Koh Pich Tragedy: One Year on, Questions Remain”</td>
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<tr>
<td>RGC</td>
<td>Royal Government of Cambodia</td>
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<tr>
<td>SRP</td>
<td>Sam Rainsy Party</td>
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<tr>
<td>UNTAC</td>
<td>United Nations Transitional Authority in Cambodia</td>
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<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
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<td>VOA</td>
<td>Voice of America</td>
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Executive Summary

The centuries old Water Festival, Bon Om Touk, is the biggest party of the year in Cambodia. It causes the bustling city of Phnom Penh to swell by more than two or three million people; both international and national visitors flock to the capital for the festivities and the boat races, and to give thanks for the end of the rainy season.

During the Water Festival in 2010, however, tragedy struck on Monday 22 November, when a crowd of people packed onto the narrow Koh Pich footbridge, which connects Phnom Penh to Koh Pich (“Diamond Island”). The large numbers of people became unable to move and were caught in a crush; this ultimately led to the deaths of over 350 people, with a similar number being injured. Cambodia’s Prime Minister, Hun Sen, labeled the disaster as the greatest tragedy to befall the country since the Khmer Rouge.\(^1\)

The Royal Government of Cambodia’s (“RGC”) investigation into the crush found that it was an accident, and ultimately, no one would be blamed, made to resign or be prosecuted.\(^2\) The RGC presented its findings at a press conference just one week after the event. However, nearly a year on from the tragedy, questions remain: What caused the panic and crush on the bridge? What health and safety measures were in place for the festival, and particularly surrounding the bridge? Were people electrocuted? Was the emergency response adequate? Have any new measures been implemented for future festivals to ensure there is no recurrence of this tragic event?

\(^1\) *The Cambodia Daily*, 24 November 2010, “Still unclear where buck stops in deadly stampede scandal”.
\(^2\) The Phnom Penh City Hall website ([www.phnompenh.gov.kh](http://www.phnompenh.gov.kh)), 30 November 2010, “22nd November 2010 incident Is an Accidental Hazard”.

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Figure 1: The crush on Koh Pich Bridge on 22 November 2010

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The purpose of this Report is to discuss these and other questions that remain unanswered, and to examine the tragic events that unfolded on the bridge. With the speed of the RGC’s investigation, and its apparent reluctance to look into some of the issues surrounding the crush, this Report aims to discuss some of the details that have not previously been addressed. In addition, there are reports that the RGC took steps to actively suppress the publication of information about the crush (see Chapter 7.1); this Report also therefore hopes to raise the public’s awareness of the potential dangers associated with large-scale events that are not properly managed.

It must be stressed that this Report is not an attempt to provide definitive answers to the questions that remain about what occurred that night; it is merely written to raise the questions and discuss the issues arising from the crush and the days immediately following it, as well as the manner in which the tragedy was dealt with by the RGC.

Chapter One (The Tragic Events on the Night of 22 November 2010) of this Report sets out a brief summary of the events of the night of 22 November 2010. This Chapter also serves as an overview to the remaining Chapters, which compare and contrast the official Committee’s findings, media coverage of the crush, and the information gathered from interviews conducted by CCHR with various affected parties.

Chapter Two (Background and Methodology) briefly examines the historical background of the Water Festival and its significance as the biggest annual event in Cambodia, with festivities centered around Phnom Penh, and describes the bridge where the tragedy occurred. There is also a description of the methodologies and sources used to prepare this Report.

Chapter Three (Events leading up to the Water Festival) details the buildup to the 2010 festival, which promised to be the biggest Water Festival on record, and looks at the various health and safety measures that were supposed to be in place during the event. This Chapter particularly discusses the security planned at the main event areas, including Koh Pich.

Chapter Four (Unanswered Questions) discusses a number of theories surrounding the tragedy, particularly relating to how the disaster unfolded and what contributed to it. There are also specific questions concerning what caused the panic on the bridge, including the fact that the bridge was supposed to have operated a one-way system, but this was not enforced on the night. There are also reports that there was a barrier at both ends of the bridge, which seems to have contributed to people’s inability to leave the area, and could therefore have increased the number of casualties. Both of these points show a failing in the security procedures by the authorities, and a lack of appreciation that such tragedies can occur. There is also uncertainty surrounding the number of deaths, as the numbers reported varied wildly in the week after the incident. This in particular seems inexplicable, as it should be possible to accurately identify how many people were involved in the incident.

Chapter Five (Causes of Death) sets out the different causes of death that were reported after the tragedy, and how these have changed over time. Hospitals reported that the primary causes of death were asphyxiation, drowning and internal bleeding. However, witnesses of the event and those injured that night have repeatedly said that some people were electrocuted, possibly due to

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3 The Phnom Penh Post, 22 December 2010, “Koh Pich footage crackdown”.
the lighting on the bridge. Particularly concerning are the comments from a doctor that CCHR spoke to who said that doctors within his hospital saw many people who had been electrocuted. However, shortly after this was made public, a Military General came to speak to the hospital management, and the doctors were told not to mention death by electrocution. The RGC has repeatedly denied that anyone died of electrocution.

Chapter Six (Compensation) discusses the amount of compensation offered to the families of those who died and were injured in the crush: a huge amount of money was generously donated by the public, various companies and RGC bodies, showing how much the tragedy affected the Cambodian public. However, the newspaper reports on the donations are confusing. In addition, from the people CCHR spoke to, not all of the victims had received all of the amounts pledged at the time they were interviewed (although our investigation was carried out soon after the event, so it is possible that these families received the money at a later date). CCHR has not done a comprehensive assessment of the amounts of compensation and what was received by each family. However, CCHR recommends that the RGC should oversee a review of the situation in order to confirm whether the compensation was correctly allocated.

Chapter Seven (RGC’s Response) details the RGC’s reaction to the crush, and the various comments that were made in the days and weeks following the tragedy. It details the reactions of officials at different levels of authority, ranging from the governor of Phnom Penh to Prime Minister Hun Sen. The RGC seemed to immediately deny responsibility for the crush, but reactions were mixed and confused, including contradictory death tolls, the apparent acceptance of blame and the later rejection of all responsibility. This Chapter also outlines comments made in the press about the emergency response to the crush; these show a somewhat conflicting account of the adequacy of the emergency response and the actions of the police officers on the night. Comments suggest that the emergency response was adequate in the circumstances - once the scale and seriousness of the incident was realized. However, it is clear that at the very least, more thorough procedures need to be put in place and in-depth plans need to be implemented to avoid similar situations occurring in the future.

The RGC set up a number of Committees to investigate the crush and coordinate the response to it, including a Main Committee, and three sub-committees looking into certain aspects of the crush; these are discussed in Chapter Eight (RGC Committees). The makeup of the RGC Committees was heavily criticized, as they predominately comprised RGC officials or those involved in the incident (such as the hospitals and the developer of Koh Pich). The conclusions of the Committees were also reported just a week after the tragedy. This Chapter also discusses the ultimate responsibility taken for the crush (or lack thereof) and the comments made about the resignation of RGC ministers: despite Prime Minister Hun Sen admitting that the incident was the RGC’s responsibility, no resignations were made, and Hun Sen said that no one would be held personally responsible for the incident.

The penultimate Chapter, Chapter Nine (Liability and Negligence) sets out a brief summary of the provisions in Cambodian law that could establish liability for a tragedy such as that which occurred at Koh Pich. There have been recent reports about a proposed draft law on disaster management, which may be relevant for any future events that may occur. There are also recently enacted provisions set out in the Civil Code of the Kingdom of Cambodia, 2007 (the “Civil Code”), regarding
negligence and the compensation that should be awarded for non-economic loss and wrongful death, as well as the Penal Code of the Kingdom of Cambodia, 2009 (the “Penal Code”), relating to possible criminal liabilities. Neither of these were in force at the time of the crush. While CCHR welcomes these new provisions, we are concerned that no one was held responsible for the Koh Pich tragedy under the provisions that were in force at the time; if the RGC and authorities did not apply these provisions, it seems unlikely that the new provisions will be utilized in the event of a future tragedy. CCHR believes that the mechanisms set out in the law should be followed to ensure that the rule of law is adhered to and the victims of the tragedy are properly compensated. Creating laws is not enough to create a fair legal system; instead, there must be a change in the attitudes of those in power to be willing to accept meaningful responsibility and ensure accountability for such tragic events.

The Report concludes with Chapter Ten (Conclusions and Recommendations), which summarizes the various alleged causes of the crush, as well as the efficiency of the RGC in responding to such a national tragedy. A number of recommendations are suggested; chief among them is a call on the RGC and the Phnom Penh Municipality Authorities to ensure adequate safety measures are in place for future events, to ensure there is no recurrence of the Koh Pich tragedy.
1. The Tragic Events of the Night of 22 November 2010

1.1 Introduction
This Chapter sets out a brief summary of the events of 22 November 2010, outlining the tragedy that unfolded on the bridge and the chaos that followed. This serves as an overview to the following Chapters, which set out more details of that night, and highlight areas where information is still unclear or questions remain unanswered. They also compare and contrast the official Committee’s findings, media coverage of the crush, and the information gathered from interviews conducted by CCHR.

Note that the media and news reports have labeled the tragedy as a “stampede”. A stampede is defined as a wild headlong rush or flight of frightened animals or people, or a mass movement of people at a common impulse. In such cases, people can fall or be pushed over, and can sometimes die as other people walk over them while trying to flee. However, CCHR considers that the incident on Koh Pich Bridge is more accurately classified as a “crush”: a crowd of people pressing against one another. Although the people on the bridge appear to have been panicked by something, and may well have pushed to try to escape the bridge, in fact, there was nowhere for anyone to go. There was no “wild headlong rush” and no “flight”. Instead, people were trapped together in a confined area and were pressing against each other to the point where they were unable to move. This Report therefore uses the term crush, although when quoting from other sources, the term stampede is sometimes used.

1.2 The timeline of the tragedy
Koh Pich was one of nine entertainment spots for the 2010 Water Festival, which was hosting a number of goods stalls, arts performances and concerts. The last boat race had ended early on the evening of 22 November, the final night of the Water Festival, and it appears that many thousands of people were trying to cross Koh Pich Bridge to attend a free concert on Koh Pich.

Despite the one-way system that reportedly should have been in place, it seems that in fact, people were walking in both directions over the bridge. It also appears that there were well below the number of security guards and police who were reportedly set to be on duty around the bridge, who might have been able to assist if any incident had broken out, as it in fact did.

The bridge became overcrowded. At some stage, people began to panic, and to push in all directions in order to try to get out (Chapter 4.2 discusses the causes of the panic). It seems that as a result, people became stuck and unable to move. People also fell over and were trampled upon. There are reports that at the worst point of the tragedy, people were piled on the floor up to eight people deep, as people fell on top of those who had already fallen or died.

Because of the large numbers of people who were in Phnom Penh for the festival, the city’s hospitals and emergency response teams were unable to deal with the large numbers of casualties quickly. It

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4 www.merriam-webster.com
seems that the dead and injured were taken to eight different hospitals, with the large number of dead being piled up in make-shift mortuaries, and the injured being treated in corridors as the hospitals quickly became full to capacity (see Chapter 7). One doctor said that bodies of the dead were kept on the floor.

Prime Minister Hun Sen said that the injured would receive free treatment and if they were critical and could not be treated in the country, the RGC would pay for them to get treatment in Vietnam or Thailand (although CCHR has been unable to confirm whether this in fact took place). Of the witnesses that CCHR spoke to, doctors from the Cambodian-Russian Friendship hospital stated that they did not charge the families of the dead or injured for any hospital care, both on the night of the incident and if they required further assistance. In addition, a large number of national and international agencies attempted to assist in the aftermath of the tragedy. However, by that stage, over 350 people had already died (see Chapter 5; Chapter 4.3 also discusses the number of deaths).

In response to the incident, the RGC, King-Father Norodom Sihanouk, his wife and King Sihamoni, amongst others, offered financial compensation to the families of the dead (to pay for funeral costs, among other things). In addition, foreign governments, international agencies, and the Cambodian people, pledged millions of dollars to the families (see Chapter 6). The RGC has built a stupa to commemorate the dead at the foot of the bridge. On 7 November 2011, Phnom Penh Municipality inaugurated two new bridges linking Koh Pich to the mainland and which lie parallel to Koh Pich Bridge.

In the immediate aftermath of the crush, the RGC set up a number of Committees to investigate the crush, including a Main Committee, and three sub-committees looking into certain aspects of the crush, such as the causes of the incident, and the identities of the dead (see Chapter 8). The results of the Committees were announced on 29 November, just a week after the incident. The Main Committee confirmed the government’s position that the incident was triggered by mass panic

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6 Xinhua, 29 November 2010, “Compensation to bury the responsibility?”
7 The Cambodia Daily, 8 November 2011, “New Koh Pich Bridges to Prevent Future Tragedy”.
8 The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November 2010 incident Is an Accidental Hazard”.

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related to the swaying of the bridge leading to the island: “There is no sign of terrorism or that criminals arranged this in advance. We can say that it was caused by a stampede.” CCHR has not been able to locate an official report of the Committees’ findings, other than the details of the press conference published on the Phnom Penh City Hall website.

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9 The Phnom Penh Post, 29 November 2010, “Tragedy ‘joint mistake’”.


2. Background and Methodology

2.1 The Water Festival

The Water Festival, or Bon Om Touk, is the largest and most exuberant festival in Cambodia, when several million people, or up to 20-25% of the country’s population, are crammed into a few kilometers of the capital Phnom Penh. The festival takes place over three days in October or November, depending on when the full moon of the Buddhist calendar month of Kadeuk falls. In 2010, the Water Festival took place between 20 and 22 November.

Details about the background and history of the Water Festival are set out in Annex I. The festival has a long history within Cambodia, going back to the Angkor Kings in the 12th century. It is seen as a source of pride for Cambodians, and is one of the festivals that has been reintroduced as part of the traditional heritage that was targeted for destruction under the Khmer Rouge.

The festival is also known as the “Festival of the Reversing Current”: during the rainy season – June to September – the Mekong reverses its course and flows “upstream” to the Tonle Sap Lake. The Water Festival falls on or around the time when the Mekong reverts to its normal down-stream direction at the end of the rainy season.

The Water Festival is celebrated throughout the Kingdom of Cambodia, although the center of the festivities is in the capital, Phnom Penh. The festival has also become synonymous with the boat races, with boats from around the country, and others sponsored by government departments taking part. The races that take place over the three days of the festival, which has earned the nickname of “The Festival of Boat Races”. In the evenings, the festivities continue with carnival rides, traditional music performances, and concerts at a number of sites throughout the city.

2.2 Koh Pich and the Bridge

Koh Pich (“Diamond Island”) is a long spit of land close to the Royal Palace. It used to host a slum community, but in recent years, the poor were evicted to make way for high-rise and commercial developments. In 2006, the area was handed over to a company controlled by a tycoon reportedly connected to Prime Minister Hun Sen, known as OCIC, Overseas Cambodian Investment Corporation.

Koh Pich Bridge, which links Phnom Penh to the island, was built between 2009 and 2010, and had only opened just in time for the festival. As it was new, there were no signs of damage at the time of the crush. The bridge is a standard suspension bridge: two arches at either end, with cables supporting the span. The Main Committee that reported on the causes of the incident (see Chapter

10 Bangkok Post, 28 November 2010, “Cambodian stampede had air of inevitability”.
11 Asia Adventures, Special Events, Cambodia, “Cambodia Water Festival”.
12 Carnifest, “Festival of the Reversing Current – Cambodian Water festival (Bon Om Tuk)”. 
13 World of Festivals, 11 November 2010, “Cambodian Water Festival: Bon Om Tuk”.
14 Associated Press, 23 November 2010, “At least 378 Die in Stampede at Cambodian Festival”.
15 Associated Press, 23 November 2010, “At least 378 Die in Stampede at Cambodian Festival”.
8) stated after the tragedy that the bridge “is 101 m long, 7.16 m high, 723.16 m², 8.20 m high, with normal loading capacity of 280 tons which could reach its highest 600 to 700 tons”.16

It was reported on the night of the tragedy that the bridge operated a one-way system, leading people from the island to the city, while a second bridge, 200 meters to the south, was for people trying to get onto the island.17

2.3 Methodology
In the course of preparing this examination into the events of 22 November 2010, CCHR conducted interviews with over 100 people. These interviews were conducted at the end of 2010 and the early months of 2011 in the immediate aftermath of the tragedy, when the facts and events were fresh within the witnesses’ minds. These people fell into a number of groups affected by the crush – victims directly involved in the incident (78), victims’ families (16), and other witnesses, such as policemen and medical staff at hospitals (9). These interviews offer reactions to what happened on the bridge and what was witnessed, as well as insight into the aftermath of the tragedy.

CCHR also conducted extensive research in documenting and compiling media coverage of the event, both preceding and following the Water Festival. The Report uses a number of national media sources that reported on the crush, including The Phnom Penh Post, The Cambodia Daily, Radio Free Asia and Voice of America. In addition, the Report looked at the international media coverage of the crush, using sources such as the BBC, Reuters, Associated Press, The Guardian and The New York Times.

The website of Phnom Penh City Hall was also used as a source of information about the festival, donors, and the security measures which were in place for the Water Festival. This website also included the only information that CCHR has been able to find that was published about the Committees’ findings into the tragedy.

16 The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November 2010 incident Is an Accidental Hazard”.

17 The Guardian, 23 November 2010, “Cambodia stampede: ‘I was in the middle. Everyone was falling’”. 
3. Events leading up to the 2010 Water Festival

For any festival, in particular one as large as the Water Festival, it is important that the correct procedures and mechanisms are in place to ensure the safety of the people who attend. In past years, a number of fatalities have occurred, the majority of which were the result of boats capsizing in strong currents. However, with the number of people attending the festival increasing every year, there is growing demand for heightened security measures in order to ensure the public’s safety and maintain public order. This Chapter commences by briefly detailing incidents that have occurred over the last number of years, and how the RGC has responded to these. It will then look at the planning and organization of the 2010 Water Festival.

3.1 Incidents at previous Water Festivals

In previous years, there have been a number of incidents which have resulted in the deaths of both nationals and internationals at the Water Festival. Most of these involved rowers taking part in the boat races, or boats having problems in the strong currents of the river (further details of these incidents are contained in Annex II). In 2010, on the first day of the Water Festival, an 8-year-old boy who was trying to collect bottles and empty cans that had been discarded at the Tonle Sap River’s edge drowned.18

There is one report that during the Water Festival in 1994, 11 people were killed in a similar incident to the Koh Pich tragedy (i.e. a human crush) at the Royal Palace.19 However, CCHR has been unable to find more details about this event, or how it occurred. If this did happen, it raises concerns about the city’s preparations for the 2010 Water Festival, as the authorities should have been all the more aware that such incidents could occur.

3.2 Expected numbers for the 2010 Festival

Numbers at the Water Festival have been gradually increasing since its reintroduction in 1990, with reports before the 2010 festival anticipating that it would attract record numbers of people, with between 2 million to 5 million people expected to be in Phnom Penh.20 Chea Kean, Deputy Secretary of the National Committee for Organizing National and International Festivals, estimated before the tragedy that approximately a million more Cambodians and foreign tourists had descended on Phnom Penh for the 2010 Water Festival compared to previous years.21 It was widely proclaimed that it would be the biggest Water Festival to date, with more boats than in previous years. Phnom Penh Deputy Municipal Governor Pa Socheatvong said that he expected about three million people to visit the city during the festival “because we have good roads and good security”.22 In addition,

18 The Phnom Penh Post, 22 November 2010, “Boy Drowns during festival”.
19 The Phnom Penh Post, 29 November 2010, “Tragedy ‘joint mistake’”.
20 Various newspaper articles were quoting different figures: 2 million (BBC, 30 November 2010, ‘Cambodia declares day of mourning for stampede dead’); 3 million (The Cambodia Daily, 24 November 2010, “Avoidable Disaster Exposes Failure of Festival Planning”); 4 million (The Phnom Penh Post, 29 November 2010, “Tragedy a ‘joint mistake’”); 5 million (Voice of America (VOA), 19 November 2010, “5 Million Expected for This Year’s Water Festival”).
21 The Cambodia Daily, 22 November 2010, “Briefing: Crowds at Races Appear Greater, Official Claims”.
22 The Cambodia Daily, 13-14 November 2010, “Preparations continue for Water Festival”.

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the Capital Hall of Phnom Penh issued an appeal on 15 November for donations to help fund the Water Festival. In total, nearly US$60,000 was donated from a number of companies and government departments.23

Similarly, the Committees that investigated the causes of the crush (see Chapter 8) stated that “there are about 4 million people during the festival this year and on the 22 November, the number of people is much more than that on the first and second [days], and the crowded areas were in front of [the] Royal Palace, Riverside, Hun Sen and Independent Monument Garden, especially at Koh Pich.”24

3.3 Planning for the Water Festival 2010

On the 18 November 2010, Phnom Penh Capital Hall announced that “The “Water, Illuminated Floats, Moon and Auk Ambuk Festival” will be held for three days from 20 to 22 November 2010 along Tonle Sap River in front of [the] Royal Palace, and in total there are 420 boats and 27,732 oarsmen participating in the racing event including 42 boats, 2,582 oarsmen, from Phnom Penh Capital City”.25

On the 15 November, the Phnom Penh Capital Hall, in collaboration with private companies and the RGC, announced that they had organized nine entertainment sites for concerts, arts performances, business booths and playgrounds for children, with live broadcasting from all radio stations and television channels. The nine sites included “Goods stalls, arts performance and concerts at Diamond Center (Koh Pich).”26 (as shown on the map below, Koh Pich is located in the bottom right hand corner in blue):

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23 The Phnom Penh City Hall website ([www.phnompenh.gov.kh](http://www.phnompenh.gov.kh)), 19 November 2010, “Donations to capital Hall for Royal Water Festival 2010”.
25 The Phnom Penh City Hall website ([www.phnompenh.gov.kh](http://www.phnompenh.gov.kh)), 17 November 2010 “Announcement on Water Festival Preparation”.
26 The Phnom Penh City Hall website ([www.phnompenh.gov.kh](http://www.phnompenh.gov.kh)), 15 November 2010, “9 Entertainment Sites Organized During Water Festival 2010”. The other sites were: (i) Goods stalls and concert by Bayon TV and Radio Station at Samdech Hun Sen Park; (ii) Goods stalls and concert by ‘Hout Trako Publicity Company’ and ‘PSI Organization’ in front of Wat Botom Vatey garden; (iii) Goods stalls and concert by ‘LAS Vision Company’ inside the complex of Night Market, (iv) Goods stalls and concert by Apsara TV and Radio Station at Democratic Corner; (v) Goods stalls and concert by Bodyguard Headquarter at Arey Ksat Ferry Dock; (vi) Goods stalls and concert by SEA [South East Asia] TV and Radio Station at Phreah Meru Square (In front of The National Museum); (vii) Public awareness platform of National Authority for Combating Drugs at Wat Phnom area; and (viii) Arts performance by Ministry of Culture and Fine Arts in the Eastern bank of Chroy Chanva Bridge.
In relation to the security at the events, on the 4 November 2010, a meeting was held at Phnom Penh Capital Hall to prepare for the upcoming Water Festival. The meeting was chaired by His Excellency ("HE") Kep Chuktema, the Governor of Phnom Penh Capital City, with participation from relevant departments (such as the Phnom Penh Capital Commissioners Police, and Phnom Penh Gendarmerie Commander). The Governor laid down strategies for providing security and preserving public order for the three day event. Details of these strategies were not available on the City Hall website.

On 16 November 2010, a second meeting on strengthening security and public order for the festival was held at the Phnom Penh Capital Hall. In order to ensure that the security, safety and public order was maintained, Kep Chuktema laid down the following plan:

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27 The Phnom Penh City Hall website (www.phnompenh.gov.kh), 4 November 2010, "Phnom Penh Braces for Water Festival".
i. “to research and prevent in time all kinds of plots, terrorist and criminal activities, and other mobs which may affect the ceremony.

ii. to strictly control all kinds of targets by utilizing expert measures to ensure the operation of preventing and mastering in pre-emptively and in time deal with the actual situation.

iii. to administratively control and research for all kinds of weapons and explosive devices in the area of ceremony.

iv. to preserve public order and arrangement and roads around, arrange vehicle parking lots and protect around the area of ceremony.”

The Phnom Penh Capital Hall website also stated at the beginning of the festival that in order to strengthen security during the festival: “tens of thousands of security guards are being deployed by all relevant competent authorities”. In addition, Touch Naroth, Phnom Penh Chief of Police, stated that security would include plainclothes policemen on the lookout for “all illegal activities, such as [bag] snatching, pick pocketing, robbery, theft and gangsterism... During the festival, we’ll tighten security measures for high-ranking leaders and Cambodians around the country, because we’re afraid offenders will take this opportunity to act illegally”.

Police and military police would also be deployed across six security stations: Koh Pich, Chroy Changvar Bridge, Wat Ounalom, Wat Botum, the Royal Gardens by the National Museum and the Independence Monument.

After the event, the announcement of the Main Committee into the causes of the incident stated: “This festival was prepared with hard efforts and vigilance. The National Festival Committee set up many committees one month prior to the festival such as [the] committee to save patients and drowning persons. All competent authorities laid out clear plans for protection with about 10 thousand guards which divided into zone A, B and C. It should be noted that Koh Pich is in zone A, a high security zone due to the bridge condition.”

Newspaper reports also stated that the master plan for event security “called for the deployment of roughly 9,000 municipal and military police. The officers were assigned to set zones; 2,838 officers were assigned to monitor Zone A, which included Koh Pich”. Susi Tan of the OCIC also insisted that the firm was properly prepared for the festival crowds.

On the morning of 22 November 2010, before the events on Koh Pich Bridge, Kep Chuktema paid a visit to supervise the work of all institutions stationed throughout the city in charge of security,
safety and public order. During this visit, Kep Chuktema expressed his “thankful gratitude to all local authorities who paid very close and cooperative attention to the security and order”.

It is evident that the preparations for the Water Festival were focused on either injuries in the water, or preventing petty criminal activity. From the published information CCHR has been able to identify, there do not appear to have been detailed or specific measures relating to crowd management and control (other than a reference to “preserve public order and arrangements” on the Phnom Penh City Hall website), or the possible risks associated with the large number of visitors to the city.

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35 The Phnom Penh City Hall website (www.phnompenh.gov.kh), 22 November 2010, “H.E. Governor of Phnom Penh’s Supervision Activities during the 3 days festival”.
4. Unanswered Questions

A number of questions remain as to how the disaster unfolded and what contributed to it. This Chapter identifies some discrepancies in the general facts of the night of the 22 November, and lists questions that remain unanswered. There are also specific questions around what caused the panic on the bridge, and the number of dead.

An example of the uncertainty over the facts relates to the number of people involved: news articles reported that between 7,000 to 8,000 people were on the bridge at the time, while others estimated the amount to be 5,000. The Main Committee that investigated the causes of the incident stated that: “there were 7,000 to 8,000 people on the bridge, which is 10 to 12 person per meter squared” (it is generally accepted that people will start to feel uncomfortable and a crush may occur when there are more than six people per meter squared).

In addition, one witness stated that two days before the crush, he noticed street vendors blocking the way on the bridge. This was not generally reported on the night of the incident, although one of the witnesses that CCHR spoke to said that he did see a motorbike on the bridge just before the incident.

There was also confusion over where the injured were taken and in which hospitals the victims were located. It seems that the local health system quickly became overwhelmed by the large number of patients. Calmette was the main hospital involved, and many other hospitals referred patients with more serious injuries to that hospital. Newspaper reports said that there were four main hospitals involved, or eight medical centers. In the days after the crush, staff from CCHR visited and spoke to victims from three hospitals around the city: Calmette Hospital, Cambodian-Russian Friendship Hospital and Kossamac Hospital.

4.1 The bridge

We set out below some specific concerns in relation to the bridge:

i. One-Way system

As set out above, the bridge was supposed to operate a one-way system so that people were traveling in one direction, with a second bridge allowing people to travel in the opposite direction. However, it appears that on the night in question, the second bridge was closed, or that the

36 BBC, 29 November 2010, “Cambodia PM says no one responsible for stampede”.
37 Associated Press, 8 December 2010, “Cambodia reopens bridge where stampede killed 353”.
38 The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November 2010 incident Is an Accidental Hazard”.
40 New Mandala, 1 December 2010, “An observer remembers the haunting problem at the bridge, a day before the tragic water festival”.
41 Bloomberg, 23 November 2010, “Cambodia Investigates After Stampede Leaves 347 dead”.
42 Deutsche Presse-Agentur (DPA), 23 November 2010, “Survivors of Cambodian bridge crush describe narrow escapes”.
43 Bangkok Post, 28 November 2010, “Cambodia stampede had air of inevitability”.

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organizers did not enforce the traffic directions.\textsuperscript{44} Two Singaporean businessmen, who organized a sound and light show for the festival, said that authorities had closed the second bridge, forcing tens of thousands of people to use a single bridge.\textsuperscript{45} There were also reports that concerts had just ended at both ends of the bridge, leading to increased amounts of traffic from both directions.\textsuperscript{46}

Susi Tan of the OCIC said that the firm’s security team noticed that most visitors were choosing to leave by the northern bridge, and tried to funnel them to the two other bridges. However, she said “the crowd had other ideas”. The 20 security guards deployed to stop them failed to do so: “We put up barriers and we tried to block the crowd... with a crowd like that, even if you use 100 guards, it would not be enough”.\textsuperscript{47}

Of the witnesses CCHR interviewed who were involved in the incident, 90% (70 people) said that people were crossing the bridge in both directions. Most said they did not know there were two bridges and that the Koh Pich Bridge should have only been used for one-way traffic. However, some said they were aware of the system, but as other people were walking in both directions, they used the bridge as a short cut. A police officer from Phnom Penh that CCHR interviewed said that before the event, police had been assigned to stand at various places in order to enforce the traffic directions and stop motorbikes entering the bridge. However, he said that at the time of the incident, few police officers were standing on guard, and those that were, allowed people to travel in both directions.

\textbf{ii. Use of Barriers}

There were limited reports in the media about barriers being used on the bridge to stop motorcycles crossing. For example, a vendor near the bridge that night, said barriers were in place to prevent people from walking onto the road, which meant those exiting the bridge were unable to move away quickly: “The rest backed up behind them.”\textsuperscript{48}

Of the people CCHR interviewed who were involved in the disaster, 54% (42 people) said that barriers were in use at the bridge (while 39%, or 30 people, said they did not know if barriers were used). Those that said barriers were present said they hindered people being able to move away from the scene, and caused people to fall over, increasing the chaos. A police officer from Phnom Penh that CCHR interviewed also said that there were not enough police officers in the area, and instead, a barrier had been left at the entrance. A man from Kandal said that the chains were the size of his wrist. A man from Takeo said: “the barriers and chains were put at both sides of the bridge. I think they were supposed to ban motorcycles from entering, but I could see a motorbike on the bridge and it caused people to fall down. At that time, lots of young people fell over the chains.”

It seems clear that the use of barriers on the bridge would have contributed to the scale of the disaster, and indeed to the causes of it. For example, it is likely that the barriers would have meant that people were unable to move away from the crush, could have contributed to the concentration of people on the bridge, and prevented people from being able to ease the pressure at the center of

\textsuperscript{44} Asian Human Rights Commission, 24 November 2010, “Cambodia’s Bon Om Touk Stampede Preventable”.
\textsuperscript{45} Associated Press, 23 November 2010, “At least 378 Die in Stampede at Cambodian Festival”.
\textsuperscript{46} The Financial Times, 23 November 2010, “Survivors tell of Cambodia stampede ordeal”.
\textsuperscript{47} The Cambodia Daily, 24 November 2010, “Still unclear where buck stops in deadly stampede scandal”.
\textsuperscript{48} DPA, 23 November 2010, “Survivors of Cambodian bridge crush describe narrow escapes”. 
the bridge. The barriers are also likely to have been a significant – if not the main – factor in causing people to fall over and be trampled upon.

Both the lack of enforcement of the one-way system, and the barriers on the bridge are likely to have contributed to the scale of the tragedy. These factors also show that the authorities did not appreciate either that such events could take place, or how they could be prevented.

4.2 What caused panic to set in?

Although the facts of the night of 22 November are unclear, it seems certain that the people on the bridge panicked for some reason. There have been a number of theories as to why people panicked, and what led to the concern of those on the bridge that night. For example, Information Minister Khieu Kanharith said that the crush began when the people became “scared of something”.49

We set out some possible explanations below, based on what was reported in the media, and the information gathered from our interviews of witnesses. However, it seems likely that the panic was the result of a number of different factors, and also that we will never know the true sequence of events. In addition, when the number of people within a confined area increases to over six per meter squared, people become uncomfortable and try to escape. The panic and resulting crush could simply be due to the fact that there were too many people within the small area of the bridge.

i. The Bridge was collapsing

Newspaper reports, quoting RGC spokesmen, said that a number of the visitors to Phnom Penh were from the countryside, and were not used to the swaying sensation of the suspension bridge. Therefore, one explanation for the panic was that rumors spread that the bridge was collapsing.

Shortly after the crush, the RGC explanation of the cause, as reported on state television, Bayon TV, was that the “crush was due to the suspension bridge, and the fact that people from the provinces were not aware that such bridges sway”.50 Similarly, a military police investigator, Sawannara Chendamirie, said it appeared that the panic began when some people began shouting that the bridge was collapsing.51

Of the people CCHR interviewed who were on the bridge that night, 31% (24 people) said that the panic started when rumors circulated that the bridge was collapsing (the same number of people said they did not know what had caused the panic). An additional 17% (13 people) said that the cause was a mixture of the rumors, and gangster involvement (see below): some suggested that young children were starting the rumors for fun.

The Phnom Penh Post reported that Prum Sokha, Secretary of State at the Ministry of Interior, chair of the Sub-Committee to Investigate the Cause of the Disaster, said when the results of the

50 VOA, 24 November 2010, “Unstable bridge blamed for deadly Cambodian stampede”.

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government investigation were announced that people started panicking after rumors spread through the crowd that the bridge was about to collapse.\textsuperscript{52}

\textbf{ii. Electrocutation and use of water cannons}

There were reports that a number of people were afraid when they noticed that some of the lights on the bridge began to spark and people received shocks from the bridge. Thinking they were being electrocuted, people surged forward and tried to escape. For example, one survivor, said, “At first we were frightened of an electric wire. After that I fell and people ran over me. People were stepping on me.”\textsuperscript{53} Reuters also reported that a scare was set off when several people were electrocuted from an unknown source.\textsuperscript{54}

In addition, it is alleged that the police tried to stop and calm people by spraying them with water cannons. For example, CNN reported that police sparked the crush by firing a water cannon at pedestrians to get them to move off the bridge.\textsuperscript{55} This may have caused further panic, and possibly led to more electrocutions.

The reports of electrocution are discussed in more detail below, in relation to the causes of death (see Chapter 5.2). However, it is important to note that any electrocutions that may have occurred, even if they did not lead to any deaths, or even rumors about possible electrocutions, even if none actually took place, may have contributed to the causes of the panic itself.

\textbf{iii. Fainting}

As a result of so many people being so tightly packed together on the bridge, a number of people began to faint. This also caused panic, and people started to push and try to exit the bridge as quickly as possible. For example, a soft drink vendor said that trouble began when about 10 people fell unconscious in the press of the crowd. It was also noted that Information Minister Khieu Kanharith gave a similar account of the cause.\textsuperscript{56}

\textbf{iv. Fight between gangsters}

There were some reports that rumors spread of a fight that had broken out between two rival gangs.\textsuperscript{57} There were also some reports that pick-pockets, possibly coordinated by the gangs, were operating on the bridge. Of the people CCHR interviewed who were on the bridge that night, 10\% (8 people) said that the panic started due to the involvement of gangsters. An additional 17\% (13 people) said that the cause was a mixture of gangster involvement and rumors that the bridge was collapsing.

\textsuperscript{52} The Phnom Penh Post, 29 November 2010, “Tragedy ‘joint mistake’”.
\textsuperscript{53} The New York Times, 22 November 2010, “Stampede in Cambodia Leaves Hundreds Dead”.
\textsuperscript{54} Reuters, 22 November 2010, “At least 180 dead after stampede in Cambodia”; The Christian Science Monitor, 22 November 2010, “Cambodia Water Festival turns tragic with deadly stampede”.
\textsuperscript{55} The Christian Science Monitor, 22 November 2010, “Cambodia Water Festival turns tragic with deadly stampede”.
\textsuperscript{56} The Phnom Penh Post, 23 November 2010 “Hundreds die in Cambodia festival stampede”.
\textsuperscript{57} Xinhua, 23 November 2010, “Cambodia’s dead number rises to 375 in water festival stampede.”
4.3 Number of deaths
There have been a large number of conflicting reports regarding the death toll, and the numbers changed widely in the weeks following the incident. We set out in Annex III a summary of the different numbers reported in the media to illustrate this confusion (this is not an exhaustive list, but shows examples of the numbers reported on each day). A number of newspapers commented on the confusion:

- **The Associated Press** reported that Information Minister Khieu Kanharith said “the official death toll was 351 dead with 395 injured. But casualty figures have been a matter of confusion, with officials saying Tuesday [23 November] that at least 755 people were hurt before walking that number back. The Ministry of Social Welfare, for instance, is now citing two death tolls: one, based on data collected from hospitals in the capital, that is similar to the official figure, and another — 456 — based on reports collected from provincial officials.”

- **The Cambodia Daily** stated that death counts released by other government officials and spokesmen differed widely. However, fissures appeared in the government’s ability to co-ordinate the multiple sources of information about the disaster, as officials offered conflicting accounts. According to Council of Ministers spokesman Phay Siphan, the official government death toll stood at 347 [down from 379]... [but he] declined to give an explanation for the change."

- **The New York Times** stated that “Various officials gave different accounts of the death toll, which may not include victims who drowned or were taken from the scene. On Wednesday [24 November], the government said that at least 350 people had died and that 400 had been injured. But among other tallies on Thursday [25 November], a newspaper, The Phnom Penh Post, citing government sources, said the death toll had climbed to 456.”

![Figure 5: Bodies of the victims laid out near Koh Pich Bridge](image)

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58 Associated Press, 24 November 2010, “Cambodia stampede prompted by fear of bridge collapse, police say”.

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353 dead, as increased to take into account later deaths of victims due to their injuries, appears to be the settled “official” figure of the death toll. CCHR has obtained a list of the dead from that night published by the Sub-Committee to Identify Victims and Aid Their Families and the Sub-Committee to Investigate the Cause of the Disaster (see Annex IV, in the Khmer language only). This also shows the total number of dead as 353 (223 female and 130 male).

However, the large discrepancies during the reporting of the event casts doubt over the figure. This is particularly so considering that some of the earlier numbers appear to be based on clear data, broken down by region, or at least justifying the figures provided. The reasons provided by the various Ministers for the discrepancies include the following:

- Friends or relatives took victims’ bodies home before their deaths could be registered.  
- Bereaved families removed some bodies from the scene [Ith Sam Heng].
- Overlap in the statistics [Ith Sam Heng].
- Some of the bodies that were counted at hospitals had died of other causes.
- The numbers included missing persons: Council of Ministers spokesman Phay Siphan and Ross Sovann, Deputy Secretary-General of the National Committee for Disaster Management both said that the RGC had no information on missing persons. However, other reports said that the discrepancies in the numbers were due to missing persons being included, and that all missing persons were accounted for.

The apparent confusion surrounding the official numbers is hard to understand: regardless of the reasons for the confusion immediately after the crush, CCHR believes that it should be possible to accurately calculate the number of people who died and were injured in the crush. Indeed, this is important to ensure that compensation is accurately distributed (see Chapter 6).

The RGC appeared to deny there was any confusion, despite the changing “official” numbers. Social Affairs Minister Ith Sam Heng, chairman of one of the Committees, expressed full confidence in the RGC’s records of the dead and injured: “There is no confusion because we have the victims’ clear identities."

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61 Associated Press, 24 November 2010, “Cambodia stampede prompted by fear of bridge collapse, police say”.
63 Xinhua, 25 November 2010, “Cambodia gov’t revises down death figure of stampede to 347”.
64 VOA, 24 November 2010, “Unstable bridge blamed for deadly Cambodian stampede”.
66 The Phnom Penh Post, 29 November 2010, “Tragedy ’joint mistake’”.

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5. Causes of Death

This Chapter sets out the different causes of death which were reported after the tragedy and how these have changed over time. In particular, witnesses of the event and those injured that night have repeatedly said that some people were electrocuted, possibly due to the lighting on the bridge. However, the RGC has continued to deny that anyone died of electrocution. We set out below a summary of the reported information, with a particular focus on the reports of electrocution.

Some of the witnesses CCHR spoke to also mentioned “blood poisoning” as a later cause of death of those who were injured on the night of 22 November. We set out the information CCHR has gathered about such poisoning, although the details are far from clear. This was not mentioned by the RGC or newspaper reports.

![Figure 6: Family members trying to identify victims](image)

5.1 Causes of Death

Hospitals reported that the primary causes of death were asphyxiation, drowning and internal bleeding. The compressive force that often causes death during crushes occurs from both horizontal pushing and vertical stacking, and there are reports from the night of 22 November of bodies being piled at least eight people deep. Of the family members of the dead that CCHR spoke to, 63% (10 people) said that the cause of death of their loved one related to being run over or trampled.

The Committee set up to investigate the crush listed the causes of death as asphyxia, dehydration and the inability to move muscles: “The findings show that the causes of the death were due to a strong press on the chest leading to the damage of their inner system. Blood vessels were destroyed.

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There were bruises on their chests, hands, especially hips. For the injured, they were stuffy, thirsty, lost water and electrolyte balance.\textsuperscript{69}

Other reports said that people were “[c]rushed or drowned, after thousands panicked”\textsuperscript{70} and that “[m]any died of suffocation, were crushed underfoot, or were electrocuted by loose wires. Many drowned when they leapt from the suspension bridge into the water.”\textsuperscript{71} There were reports that at least 50 people jumped into the river, and videos of that night show people climbing over the railings trying to free themselves.\textsuperscript{72} Some explanations said that many people from the provinces were unable to swim, and so many of those who jumped into the river died, despite the fact that it was reported that the water was only waist deep. In addition, as many people were stuck for such a long time, they lost the use of their limbs. This may also have hindered their ability to swim if they jumped or fell from the bridge, and may have increased the number of deaths by drowning.

5.2 Electrocution

There were several reports that electrocution was one of the main causes of death. However, the RGC instantly denied that there were any deaths due to electrocution, and has continued to deny this. We set out below details of the various comments made.

i. Media comments and witness evidence

A number of witnesses were cited in the media as saying that people were electrocuted during the incident. For example, a fruit seller near to the bridge that night said that the electrical wires of the lightning cables were cut, making the bridge shake and electrocuting people when they touched the bridge railings and lightning cable.\textsuperscript{73} A survivor who was on the bridge, said that some policemen also received electric shocks.\textsuperscript{74} An eyewitness, who escaped the bridge with minor injuries, said that some people jumped off the bridge and one of them accidentally hit a light and cut the wire.\textsuperscript{75}

Another survivor said that her husband and sister-in-law were victims of electric shocks; her sister-in-law died after being shocked, while her husband also received a serious shock when he did not remove his hand from the railing quickly enough.\textsuperscript{76} Of the family members of the dead that CCHR spoke to, only one person said that the cause of death of their loved one related to electrocution. However, some of the victims who were injured (26%, 20 people) said they heard of people being electrocuted. The victims could not explain what had happened, and were quite vague about the

\textsuperscript{69} The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November 2010 incident Is an Accidental Hazard”.
\textsuperscript{70} Reuters, 22 November 2010, “At least 180 dead after stampede in Cambodia”.
\textsuperscript{71} The New York Times, 22 November 2010, “Stampede in Cambodia Leaves Hundreds Dead”.
\textsuperscript{73} The Phnom Penh Post, 24 November 2010, “The Aftermath: Looking for the Answers, by Staff Reporters”.
\textsuperscript{74} The Phnom Penh Post, 23 November 2010, “Hundreds Die After Bridge Stampede”; Bloomberg, 23 November 2010, “Cambodia Investigates After Stampede Leaves 347 dead”.
\textsuperscript{75} The Cambodia Daily, 24 November 2010, “Still unclear where buck stops in deadly stampede scandal”.
\textsuperscript{76} The Phnom Penh Post, 8 December 2010, “Questions linger over bridge shocks”.

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details. In addition, a man from Phnom Penh hesitated before saying anything, stating that he was “afraid for [his] personal security” if he mentioned electrocution. Only one person said that they saw someone jump off the bridge and break a wire (which was reported as a possible cause of electrocutions in the press). Similarly, 2 people said they thought people were shocked because of the water that was sprayed. One woman from Kandal said that her sister in law died of electrocution that night: “At first, she was not dead yet, but when she was shocked out of blood, she fell down. And then people walked over her until she passed away.”

Other witnesses reported hearing screams from people claiming they had been shocked by police.\textsuperscript{77} One report also stated that “the instances of electrocution must have stemmed from either the electric wiring on the bridge or military intervention.”\textsuperscript{78}

Dr. Say Seng Ly, director of the Cambodian-Russian Friendship Hospital, stated that he saw no signs of death by electrocution.\textsuperscript{79} In addition, of the witnesses that CCHR spoke to, doctors from the Cambodian-Russian Friendship hospital stated that they did not receive any patients who were burned or who appeared to have been electrocuted.

However, a doctor from one hospital stated on the night that the main causes of death appeared to be suffocation and electrocution,\textsuperscript{80} and on 25 November, one doctor stated that “electrocution is still considered as a possible cause of death even though there were no physical signs of electrocution on the victims”.\textsuperscript{81}

Similarly, a doctor that CCHR spoke to from one hospital said that in fact 90% of the dead he saw had been electrocuted or burned. However, shortly after some comments were made publically to this effect, “a General arrived. He ...invited all the leaders in my hospital to have a meeting. They told us not to say anything about electrocution, but that those people were dead because of stepping over each other in the stampede... If anyone asserted it was because of electrocution we [would] be dismissed.” He described how, in the professional opinion of his colleagues, the doctors believed that the patients were electrocuted, and that this was what led to such a high death toll. However, after the visit from the General, no one commented on such reports. The doctor stated that a number of people came to talk to the staff, and said they should not mention electrocution, or other causes of death other than the crush. This included someone who was “very close to the Prime Minister”. Doctors that CCHR spoke to from other hospitals also commented that patients may have been shocked, but the doctors later retracted their comments.

\textsuperscript{77} The Cambodia Daily, 24 November 2010, “Still unclear where buck stops in deadly stampede scandal”.

\textsuperscript{78} Asian Human Rights Commission, 24 November 2010, “Cambodia: AHRC expresses sympathy, calls for investigation of stampede”.

\textsuperscript{79} The Phnom Penh Post, 24 November 2010, “The Aftermath: Looking for the Answers, by Staff Reporters”.


\textsuperscript{81} The Phnom Penh Post, 25 November 2010, “On the Front Lines of the Catastrophe”.
On 1 December it was reported that “Most news outlets, however, have dropped the electrocution angle, falling into line with the government’s statement that deaths resulted from suffocation and injuries sustained by being trampled or jumping off the bridge.”

It should be noted that some of the symptoms outlined in the media in relation to electrocution, such as loss of feeling in the limbs, are also seen in “compartment syndrome” (described below), which arises when bodies are crushed together. Similarly, a police officer from Phnom Penh that CCHR interviewed believed that people had been electrocuted because the rescuers quickly “lost their power”, were very weak, and had no energy in their bodies. He believed that this was due to electrocution. Again, while electrocution is a possible explanation, the reasons for such loss of energy could be numerous.

![Emergency response staff check vital signs of victims on the night of the tragedy](image)

**Figure 7:** Emergency response staff check vital signs of victims on the night of the tragedy

**ii. Use of water cannons**

It was reported that the police and military sprayed water onto the bridge to help disperse, calm or cool the crowds. Some reports also stated that this was a “naive attempt to get people moving” or to keep people away from the bridge. However, some of the witnesses said this had the effect of causing electric shocks when the water came into contact with the electric wiring on the bridge. The bridge was illuminated with bright lights, but it was unclear whether water could have triggered any electrocutions.

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82 *The Phnom Penh Post*, 1 December 2010, “Finding strength and sensibility in the aftermath of a national tragedy”.
84 *Bangkok Post*, 28 November 2010, “Cambodian stampede had air of inevitability”.

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Of the witnesses that CCHR spoke to who were involved in the incident, 71% (55 people) said that water cannons were used during the incident. Some also said that this was necessary as the people were very hot and needed water. The people who noticed water cannons could not generally comment as to whether the water cannons led to any deaths, or contributed to any electrocutions.

A member of Australian Firefighters International Relief and Education (“AFIRE”) confirmed that water cannons were used: “I don’t believe there was electrocution caused by that in any way. It was basically a measure that they took to try to cool people and try to help the people. The water cannon was shot up into the air to basically make it rain over the bridge so that the people can cool down.” When asked whether this was an advisable thing to do in such circumstances, he said “There’s no textbook answer on how to deal with the scenario. It may be something that we would definitely try to cool the crowd in any scenario like that. If that happened in Melbourne or any developed country, I wouldn’t say that it wouldn’t be a measure that would be taken. I would consider it.”

iii. The RGC’s response to the reports of electrocutions and the use of water cannons

The RGC insisted that no one was electrocuted. Before the final report of the investigating Committee was published, RGC officials dismissed all claims of electrocution and the use of water cannons. Minister Om Yentieng, the deputy chairman of the Main Committee, stated that the victims did not show any sign of electrocution and the electric wires on the bridge were not broken. In addition, Sok An, chairman of the Main Committee, Information Minister Khieu Kanharith, and Health Minister Mam Bunheng, who chaired the Sub-Committee to Examine the Bodies of the Dead, all publically dismissed the claims of electrocution during the incident. According to the RGC’s official response, the Koh Pich incident was a “clear accident case” caused by panic and stampede, not the result of electrocution. In addition, Lieutenant General Sok Phal, Deputy Chief of the National Police and vice-president of the investigating Committee said that “…it is also impossible to die from electrocution because the electric power used to supply the colorful lights along the bridge’s rail is just 12 [volts], equivalent to the power for torch-light battery, so with this weak power, it could not electrocute.”

RGC spokesmen also denied that water cannons were used. For example, Information Minister Khieu Kanharith denied reports that authorities fired water cannons during the incident.

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87 The Cambodia Daily, 24 November 2010, “Still unclear where buck stops in deadly stampede scandal”.
88 The Phnom Penh Post, 26 November 2010, “PM Overcome by Grief”.
91 Xinhua, 24 November 2010, “Swinging bridge main cause of stampede”.
93 Associated Press, 23 November 2010, “At least 378 die in stampede at Cambodian Festival”.
iv. Conclusions

It is difficult to determine whether electrocutions or electric shocks were a contributing factor to the disaster, as there are a number of different versions of events. It appears that the RGC downplayed eyewitness reports and comments from hospital staff, as reported in the newspapers. The reports that RGC personnel actively discouraged doctors from mentioning electrocution are particularly worrying. Because of the uncertainty on the reports from both the RGC and witnesses, including other authorities, CCHR believes that the Koh Pich incident should be reinvestigated in order to determine what role, if any, electricity played in the event.

It is also important to note, as set out in Chapter 4.2, that any electrocutions, or even rumors of electrocutions, could also have contributed to the cause of the panic itself, even if it did not lead to any deaths. If this is the case, it may explain why the RGC was keen to deny any electrocution-related events. However, as the RGC did not mention such events in any detail in their report, it is hard to draw any conclusions about why the RGC was so quick to deny that any electrocutions or electric shocks occurred.

5.3 Poisoning

Some witnesses reported that victims of the crush died several days or weeks after the event as a result of “blood poisoning”. There were also some comments about a black chemical spray possibly being used during the incident. Of the people CCHR spoke to who were on the bridge that night, most (76%, 59 people) said that no chemical spray was used. Only 9% (7 people) said they thought a spray was used, but they could offer little information about it. However, a number of people CCHR spoke to mentioned that their blood had been poisoned, and they had to have their blood “cleaned” as a result. It appears that blood poisoning is a known phenomenon which occurs when people are crushed. CCHR spoke to a number of doctors at hospitals around Phnom Penh, including Ketomealea Hospital Hemodialysis department and the Cambodian-Russian Friendship Hospital, who said that the main cause of death related to the victims being in the crowd too long. In such circumstances, the continued pressure can cause swelling, which if left untreated, can cause muscle fiber breakage and restriction of blood flow, ultimately leading to cell death due to lack of oxygen. When the fibers die, they become poisonous to the body and affect the nervous system. The poison destroys the bladder and liver, and can make patients appear swollen and unable to urinate. In addition, the victims were also stuck for a long time during the crush, and therefore lost energy trying to free themselves, and lost a lot of liquid from their bodies. This dehydration also affects the bladder. In such cases, the patient needs to have their blood “cleaned” through dialysis.

Tim Keenan, an Australian orthopedic surgeon who was working at Kossamac Hospital said “there were crush injuries where your limbs get sort of under pressure for some period of time and they get what’s called a compartment syndrome where the muscle builds up a lot of pressure and stops the circulation and the sensation of that limb.”94 It is also worth noting that compartment syndrome can also occur when people are electrocuted; this link between the injuries experienced and the reports of electrical activity may add further evidence to the claims that some people were electrocuted during the tragedy.

94 ABC Radio Australia, 28 November 2010, “Cambodian anger over stampede management”.
There were also reports of people being unable to move their feet for a long time after the event. This appears to be related to compartment syndrome due to a collapse of the blood vessels as a result of the pressure on the limbs. From the witnesses CCHR spoke to, it appears that some people were unable to walk for a long time after the crush, and when they were able to walk, they described their movement as not being the same as before the incident.

Kuy No, Doctor and Vice-president of the Cambodian-Russian Friendship Hospital, and doctors at Kossamack Hospital said that patients who were too serious were transferred to Calmette Hospital in order to clean their blood, because other hospitals did not have the correct equipment.

It seems that this is a known condition for those that are maintained in compressed situations for a long period of time. However, if the public (and indeed doctors) are not aware of this, and do not have the correct equipment to treat it, victims will continue to die from their injuries after such an event. It is important that the authorities and the public are made aware of this condition, and informed of and equipped to treat it.
6. Compensation

This Chapter discusses the amount of compensation offered to the families of those who died and were injured in the crush. Members of the public, national and international companies and charities, and national and international government bodies all generously offered compensation to the victims. This huge generosity shows how much the RGC and the Cambodian people, from all walks of life, were touched by this tragic event, and how much they wanted to try to help the victims.

However, the newspaper reports as to who offered what amounts to who are confusing. In addition, from the people CCHR spoke to, it appears that at the time of being interviewed, not all of the victims had received all of the amounts pledged. It should be noted that CCHR conducted its interviews of the witnesses and families shortly after the incident, and we have been unable to confirm whether the families received all of the compensation at a later date. From the information that is available, and the information reported in news articles, questions remain as to where all the money went, and who received what amounts.

6.1 Amounts pledged, and by whom

On 23 November, the Prime Minister pledged that the families of victims would each receive 5 million riels (US$1,250) in compensation\(^5\) and those who were injured would receive 1 million riel (US$250).\(^6\) King-Father Norodom Sihanouk, his wife and King Sihamoni also offered US$200 for each death and US$100 to every injured person,\(^7\) although it is not clear from the reports whether these were separate pledges from the King and King-Father.\(^8\)

The RGC also agreed to provide a coffin for each victim.\(^9\)

In the days after the tragedy, a number of agencies also donated money. In addition, members of the public pledged huge amounts of money via television telethons. A summary of the pledges that were reported in the newspapers after the event is set out in Annex V. In total, Prime Minister Hun Sen announced that the families of each of the dead would be given at least US$12,000 from the various sources.\(^10\) Other reports stated that the families of the deceased could each receive up to US$12,250 (with the final total depending on the amounts allocated to the injured), and that the total amount of charitable donations topped US$4 million.\(^11\) This is a huge amount of money

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\(^5\) The Phnom Penh Post, 23 November 2010 “Families of victims would receive 5 million riels (US$1,230) in compensation: Hun Xen”.

\(^6\) The Guardian, 23 November 2010, “Cambodia stampede: “I was in the middle. Everyone was falling””.

\(^7\) DAP-news, 23 November 2010, “$200 for each death: King-Father Sihanouk”; The Cambodia Daily, 24 November 2010, “National in Mourning as Koh Pich Body Count Approaches 400”.

\(^8\) Radio Free Asia, 25 November 2010, “Victim’s families complain that they did not receive the promised donation”.

\(^9\) The Cambodia Daily, 24 November 2010, “National in Mourning as Koh Pich Body Count Approaches 400”.

\(^10\) Associated Press, 29 November 2010, “Cambodian PM says no punishment for fatal stampede”; Xinhua, 1 December 2010, “Stampede victims in Cambodia receive donation from TV funds”.


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compared to the average earnings of Cambodian families,\textsuperscript{102} and shows how much the tragedy affected the public.

However, CCHR has been unable to verify the total amount donated, or the total amount pledged to each victim of the crush: the reports overlap in their information, and it is unclear what is a new pledge or donation, and what is a distribution of a previous pledge, and what was provided to all families rather than the ones that were seen on a particular day. This confusion makes the verification of the amounts pledged and distributed extremely difficult. Any such donations such as this should be made in a clear and transparent manner, to ensure that the people who should receive the money, do receive the money.

6.2 Recipients

Despite the large amounts pledged, the families of the deceased and those who were injured claimed, at the time of being interviewed, that they did not receive all of the money pledged, and were not aware of where to go to receive the money. Again, it should be noted that as the interviews conducted by CCHR occurred quite soon after the event, it is possible that these families have now received the amounts pledged.

On 25 November, families said they had not received any money as they did not know where to go to receive the donations.\textsuperscript{103} This was very soon after the compensation was announced, and it is perhaps unsurprising that the amounts had not yet been distributed. However, the information that the families received at the time was unclear, and we received reports that families were not told about where or how to claim the compensation. A family member, who lost his brother and niece in the stampede, said the family spent US$1,500 cremating and burying the pair. He said his family had received the RGC’s contribution but was still waiting for the donations from the Royal Family and the OCIC: “But no matter how much money we receive, it can’t overcome our sadness.”\textsuperscript{104}

\begin{figure}[h]
\centering
\includegraphics[width=0.7\textwidth]{family-member-crying.jpg}
\caption{A family member cries beside the body of a loved one}
\end{figure}

\textsuperscript{102} The average annual salary has been reported to be in the region of $800 in 2010, The World Bank, GDP per capita (current US$).

\textsuperscript{103} Radio Free Asia, 25 November 2010, “Victim’s families complain that they did not receive the promised donation”.

\textsuperscript{104} The Cambodia Daily, 26 November 2010, “Telethon Donations Stream In for Koh Pich Stampede Victims”.
The RGC stated that it had negotiated with ACLEDA Bank to open bank accounts for the families of the dead to deposit the cash donations in order to avoid robbery.\textsuperscript{105}  

Shortly after the incident, some hospitals reported turning people away who falsely claimed to have been injured in the tragedy. At Calmette hospital, officials admitted to not screening claimants, and charities called for more oversight. Sharon Wilkinson from CARE International said: “I believe the government has a responsibility to provide oversight for private fundraising... People have dug deep into their pockets. Therefore there is a very clear need for oversight and anyone raising funds must be able to account for those funds.”\textsuperscript{106}  

However, the Social Affairs Minister Ith Sam Heng said that the RGC were “keeping its hands off” private donations and only giving fundraisers help with names and addresses of the dead and injured. Ith Sam Heng said authorities had reached the families of most casualties by 25 November, with teams reaching families in the provinces in person.\textsuperscript{107}  

However, a distribution on 1 December was described as the first in a series of distributions around the country, which would continue until all victims of the accident received the money.\textsuperscript{108}  

Of the families of the victims that CCHR spoke to, the majority (63%, 10 people) said that they were not happy with the level of compensation received. In relation to hospital fees and associated costs relating to transporting the dead (rather than compensation), of those that answered the question (7 people), the majority said that the RGC had covered the hospital fees (5 people), and transportation of the dead to their homes for burial (6 people). However, all of the families said that the money could not replace their loved ones. A man from Phnom Penh said “I did not feel good about the compensation. Whenever, I thought of those people in the crush, I did not feel happy. However, I had no choice but to get that money for treatment.”  

There appears to have been some confusion shortly after the incident, particularly relating to hospital fees. A man from Kampong Speu said “When I went to hospital, they asked me to pay money. Therefore I did not stay in hospital for treatment. I did not get any compensation because I did not have my name registered.” Similarly, a woman from Kandal said “I did not stay at the hospital for treatment, but a few days later I felt [worse]. When I decided to go back, they did not accept me. And I did not get the compensation because they said I did not have my name registered.”  

CCHR has not done a comprehensive assessment of the amounts of compensation donated and what was received by each family. However, from the information CCHR has been able to gather from our interviews shortly after the incident, and the news reports at the time, it appears that not everyone who was involved in the crush and entitled to compensation received it, or at least received all of it at the time of the interviews. Families also received incomplete information about where and how to claim compensation. Any such donations should be made in a clear, transparent manner, and the victims should be able to easily collect any amounts owing to them. It would be

\textsuperscript{105} Xinhua, 29 November 2010, “Compensation to bury the responsibility?”; Cambodia Express News, 29 November 2010, “Investigation results for Koh Pich Bridge: a clear accident [so claimed the government]”.  
\textsuperscript{106} The Cambodia Daily, 26 November 2010, “Telethon Donations Stream In for Koh Pich Stampede Victims”.  
\textsuperscript{107} The Cambodia Daily, 26 November 2010, “Telethon Donations Stream In for Koh Pich Stampede Victims”.  
\textsuperscript{108} Xinhua, 1 December 2010, “Stampede victims in Cambodia receive donation from TV funds”.

prudent for the RGC to oversee a review of the situation, if necessary with the assistance of ACLEDA Bank who opened bank accounts for the victims to facilitate the distribution of the compensation, and who therefore have a record of how the money was distributed, in order to confirm whether the compensation was correctly distributed.
7. RGC’s Response

This Chapter details the reactions of various officials at different levels of authority made in the days and weeks after the crush, ranging from the governor of Phnom Penh to Prime Minister Hun Sen. The incident raises questions about whether the RGC had (and has) the capabilities to handle the ever increasing crowds that attend the Water Festival, which have increased by several million people in recent years and overwhelmed Phnom Penh’s facilities.\(^{109}\) We set out below the RGC’s comments about the response to the crush, as well as comments from newspaper reports and witness interviews about the incident. These show a somewhat conflicting account of the adequacy of the emergency response and the actions of the police officers on the night.

It should also be noted that on 13 October 2011, Prime Minister Hun Sen announced that the boat races during the 2011 Water Festival would be cancelled due to the extensive flooding in the country.\(^{110}\)

7.1 RGC comments

The RGC had an instantaneous reaction to the incident, with Prime Minister Hun Sen conducting three post-midnight television addresses over the course of the night of the crush. He described it as “the biggest tragedy in more than 31 years since the Pol Pot regime”.\(^{111}\)

The comments made by the various RGC officials about the crush and the possible responsibilities of the authorities involved varied considerably. Some spokesmen accepted a certain lack of preparation by the authorities in charge. However, no one was held accountable for the event, and the RGC maintained that it was an unforeseen accident.

For example, the RGC admitted it had overlooked issues of crowd control at the event: “We were concerned about the possibilities of boats capsizing and pick-pocketing… we did not think about this kind of incident” said Information Minister Khieu Kanharith.\(^{112}\) Prum Sokha, Secretary of State for the Interior Ministry who headed the investigation into the cause of the crush, also acknowledged that the RGC had not looked into whether the bridges could handle the expected crowds: “If there had been a study, we would have been able to avoid this.” When asked why the study had not happened, he said “your question is too hard.”\(^{113}\)

After the incident, police officials also conceded there were a number of shortfalls in handling the crowds. National Police spokesman Kirth Chantharith accepted that the police were overwhelmed by

\(^{109}\) The Christian Science Monitor, 22 November 2010, “Cambodia Water Festival turns tragic with deadly stampede”.

\(^{110}\) The Cambodia Daily, 15 October 2011, “Plans Continue for next Months’ Water Festival”.

\(^{111}\) The New York Times, 22 November 2010, Stampede in Cambodia Leaves Hundreds Dead”.

\(^{112}\) Agence France-Presse (AFP), 24 November 2010, “Anger mounts as Cambodia crush toll rises”.

\(^{113}\) The Cambodia Daily, 25 November 2010, “Gov’t Disaster Inquiry Releases Few Details”; The Cambodia Daily, 26 November 2010, “Opposition Continues to Call for Suspensions, Resignations”.
the crowd, that there were too few police at the scene, and that the police that were present may not have been prepared or properly trained.\textsuperscript{114}

Despite this, the police and authorities did not take ultimate responsibility for security on the bridge. Prime Minister Hun Sen and the police officers considered the tragedy was an unpredictable event: “We did not expect that people could fatally collide with each other like motorbikes and cars. If anybody expected it and had told us and we ignored it, I as Prime Minister would ask all the ministers to resign.”\textsuperscript{115} Kep Chuktema was quoted as saying: “I am truly responsible for the security and order preparations, but if you imagine that in the entire city of Phnom Penh, there was no less than 4 million people who came in to see the Bon Om Touk festival, there was no incident whatsoever. This year, we are very happy to see that the preparation was done the best possible [sic]. But, it was unintentional that we did not think this tragedy could take place”.\textsuperscript{116} This quote appears to marginalize the scale of the disaster at Koh Pich, and implies that it could not have been avoided with adequate crowd control procedures.

When the investigating Committee announced the results of their investigation, Prime Minister Hun Sen said that rescue efforts were adequate and, without them, the death toll would have been higher.\textsuperscript{117} The conclusions of the Committee stated: “All security forces at the event, about 600, were trying to reach [the bridge] by walking and running through the crowd from West to East and some from East toward the bridge. Fast boats were deployed for two hours to help those who jumped from the bridge, around 100 persons.”\textsuperscript{118} (note that this figure of 600 officers contrasts with the 2,838 officers which were reportedly supposed to be assigned to Zone A, which included Koh Pich, as discussed Chapter 3.3) Health Minister Mam Bunheng also said the RGC had enough medical supplies to cope with the emergency, and that no outside help was needed.\textsuperscript{119}

Touch Naroth, the Phnom Penh City Police Commissioner, rejected all negative comments about the adequacy of the police response. He declared that the deaths were not caused by the inability of the authorities to reign in the situation: “I believe that the [police] authority completed their duty, they did good in helping and saving the victims on the Koh Pich Bridge. Personally, I worked hard to help them also, but we couldn’t help them on time because there was too many people, and the bridge was narrow so it was difficult to work there”.\textsuperscript{120}

On 1 December, King Norodom Sihamoni’s publicly pronounced “profound thanks” to CPP leaders, who he said rescued and took care of the victims. Many considered that this effectively ended any conversation about the crush.\textsuperscript{121}

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\textsuperscript{114} \textit{The Cambodia Daily}, 24 November 2010, “Still unclear where buck stops in deadly stampede scandal”; \textit{The Cambodia Daily}, 25 November 2010, “Gov’t Disaster Inquiry Releases Few Details”.
\textsuperscript{115} \textit{The Cambodia Daily}, 25 November 2010, “Gov’t Disaster Inquiry Releases Few Details”.
\textsuperscript{117} \textit{Associated Press}, 29 November 2010, “Cambodian PM says no punishment for fatal stampede”.
\textsuperscript{118} The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November incident Is an Accidental Hazard”.
\textsuperscript{119} \textit{The Cambodia Daily}, 24 November 2010, “National in Mourning as Koh Pich Body Count Approaches 400”.
\textsuperscript{120} \textit{Everyday.com.kh}, 25 November 2010, “Touch Naroth rejects accusations made [against the police]”.
\textsuperscript{121} \textit{The Phnom Penh Post}, 1 December 2010, “Finding strength and sensibility in the aftermath of a national tragedy”.
Concerning reports appeared in the media that after the conclusions of the Committees were announced, the authorities began confiscating the sale of VCD disks containing footage filmed during the crush. Thai Norakathya, Secretary of State for the Ministry of Culture, said that a working group of ministry and police officials had confiscated a number of VCDs from vendors in various provinces around the country. The videos reportedly contained an hour of footage from local and international broadcasts, including scenes of the rescue efforts, relatives searching for loved ones and a mourning ceremony attended by Prime Minister Hun Sen.

In addition, on 2 December, a photographer from The Phnom Penh Post was briefly detained by private security guards while taking pictures on Koh Pich. Touch Samnang, OCIC’s chief architect, said there was no order from OCIC to bar journalists from the island, and denied any photo-journalist had been detained by the company’s security guards. These crackdowns seem to show that the RGC authorities and the island developer were (or are) trying to limit the dissemination of information about the crush.

**7.2 Media comments**

The newspapers generally highlighted the quick and continued work under pressure of the emergency services: “Sirens started to awaken city residents minutes later as ambulances, police cars and emergency vehicles began rushing to the scene, where they had to clear away the crowd before reaching victims. Boats were called in to pull people out of the water and ferry others across the narrow Bassac River to the shore in front of the Royal Palace, where emergency workers fought through the crowd of frantic onlookers to care for the injured”. A vendor who was near the scene, said that few people were doing crowd control before the incident, but added that quick action by the police prevented an even worse tragedy.

However, newspapers also reported a somewhat different story. For example, that police and rescuers had to fight their way through crowds, sometimes allegedly beating people with their belts to get through. In addition, rescue teams only managed to reach the scene through heavy traffic in just under an hour. One survivor said that it was at least 1½ hours after the bridge was mostly cleared before police and ambulances arrived. Another survivor said: “I was stuck on the bridge for five hours and I could not move”. There were also reports of survivors being buried beneath piles of bodies, both living and dead, for as long as three hours.

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124 *The Phnom Penh Post*, 23 November 2010 “Hundreds die in tragic end to water festival”.
125 *DPA*, 23 November 2010, “Survivors of Cambodian bridge crush describe narrow escapes”.
128 *Associated Press*, 23 November 2010, “At least 378 die in stampede at Cambodian Festival”.
130 *Reuters*, 24 November 2010, “Cambodian survivors tell of their festival stampede hell”.
Some reports commented that Phnom Penh was unprepared for a large-scale disaster: “Responses by police and military were lacking and may even have contributed to the stampede while hospitals were overwhelmed”. 131

The police also came under criticism for a failure of crowd management and for an inadequate and incompetent response to the disaster. 132 Some reports went as far as to say that “military and police attempts to control the crowd may have exacerbated fear and confusion and caused further fatalities.” 133 One police officer said that only half the officially reported numbers of police officers were actually deployed. 134 One report said 106 private security guards and 12 police officers were on Koh Pich that night, apparently jointly responsible for crowd control 135 (again, this is compared to the 2,838 officers which were reportedly supposed to be assigned to Zone A, which included Koh Pich, as discussed Chapter 3.3).

The Asian Human Rights Commission summed up the situation by saying: “while the exact cause of the stampede last night remains unclear, with contradictory reports indicating it may have been instigated by either crowd antics or poor construction of the bridge to Koh Pich, the failure of the state to control the crowd and limit the damage from the stampede is clear.” 136

7.3 Witness recollections
A member of AFIRES that CCHR spoke to said that by the time he arrived (although that appears to have been some time after the initial crush occurred and people started dying), the Cambodian

131 Asian Human Rights Commission, 24 November 2010, “Cambodia: AHRC expresses sympathy, calls for investigation of stampede”.
133 Asian Human Rights Commission, 24 November 2010, “Cambodia’s Bon Om Touk Stampede Preventable”.
135 New South Wales Armidale Express, 27 November 2010, “Ghosts descend on bridge of death”.

Figure 9: A Phnom Penh hospital on the night of 22 November 2010
police were doing a good job at controlling the incident. He said that given the scale of the event, and the number of people involved, the incident would have been difficult to manage in any country, and he considered that on the whole, the response was managed well. However, he focused on the systems that could be put in place and the lessons that could be learnt from the incident. He also commented that the different RGC departments and security services have increasingly worked together to coordinate responses to major incidents. However, he believed that this could be further increased in the future.

Of the people that CCHR spoke to who were involved in the incident, 60% (47 people) said that they did not see police or security at the scene or other places when they were walking to Koh Pich. Of those who did see security guards, they saw only one to five guards, although the witnesses were unclear whether they were police or OCIC security guards (again, this is compared to the 2,838 officers which were reportedly supposed to be assigned to the area including Koh Pich, Chapter 3.3). The witnesses blamed the lack of police presence as a cause of the crush – they failed to enforce the one-way system, failed to stop more people from entering the bridge, and there was a lack of man power to assist with the rescue.

In relation to the response to the crush, most people said the security guards and police did not assist those on the bridge promptly, and that the police did not recognize the seriousness of the situation: 57% (44 people) said they did not see anyone facilitating those on the bridge when it first became clear that people were becoming stuck, and 58% (45 people) said the police should have arrived sooner. Some said the police only began to help when it became obvious that people were dying. For example, a witness said: “The police should not have waited until people died like that. They should have come earlier.” Indeed, from the videos that CCHR has seen of the crush, it seems that the police were initially watching the events unfold rather than assisting the victims.137

There were also reports that the police waited until the electricity was turned off at the bridge before helping: one witness said “When the police arrived, they did not help immediately. They waited until the lights were turned off.”

Once the police realized the situation and began to help, the witnesses agreed that the police officers and military police were trying their best to help those on the bridge. However, people said that the police were unsure how to help, and how to remove people from the bridge. CCHR heard reports of rescuers simply trying to pull people out, with up to seven people pulling on one person’s arm or leg without success. This can be seen in the videos of that night. One witness interviewed by CCHR said that “When they helped, they just tried to pull people. They used hands, but they did not use any saving equipment to help at all. It seemed to me that they were not well-trained to rescue.” Another said “… [the] police had no technique. They just used their hands to pull people. … In such cases, I thought if they were well-trained and had good technical support, it would not have caused hundreds of people to die or be injured.”

There were also reports that the police only assisted people at one end of the bridge, rather than trying to release people from both ends. Some of the injured said that if the rescue efforts had been made at both ends, the crush could have been cleared sooner, potentially saving lives. One witness interviewed said “the police should have helped people from both sides. At that time, they were only helping from the front, but not the back. In fact, at the back they could have rescued/saved a lot of people.”

There were a few worrying reports of thefts from victims. A woman from Kandal said that the police officers involved in the rescue “were checking in the victims’ pockets for something. One was checking and the other kept the belongings of the victims.” There were also claims that the police shouted that the bridge was collapsing to stop people going near the scene and being able to see they were stealing from the bodies. However, in general, of the witnesses CCHR spoke to, there was little evidence that the rescue workers or those near to the scene robbed the dead. This was also not mentioned in the newspaper reports.

### 7.4 Comments from OCIC

In the immediate aftermath of the tragedy, the RGC and OCIC appeared to pass responsibility for security to each other. For example, Khieu Kanharith, the Minister for Information, said that OCIC had been in charge of security on the island and the bridge. However, Susi Tan, OCIC’s island Project Manager, pointed the other way: “For the policing side, it is the government... It happened mainly near Diamond Island, but – not really on the island...We built the bridge. We are not responsible for the public”. Pong Savrith, Phnom Penh’s Deputy Military Police Chief, said it was unclear who bore responsibility: “We cannot really tell who was in charge. It seems the police and [OCIC] security worked together”.

On 25 November, the island’s chief architect, Touch Samnang, conceded that the company bore at least some of the blame, along with City Hall: “It’s the accident because we are not good with the management; we are not good with the [crowd] control.” He said he had did not know whether anyone at the firm would be held accountable for the disaster.

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138 AFP, 24 November 2010, “Anger mounts as Cambodia crush toll rises”.
140 The Cambodia Daily, 24 November 2010, “Still unclear where buck stops in deadly stampede scandal”.
141 The Cambodia Daily, 25 November 2010, “Gov’t Disaster Inquiry Releases Few Details”.

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8. RGC Committees

This Chapter discusses the Committees set up by the RGC to investigate the crush and coordinate the RGC’s response to it. This Chapter also discusses the ultimate responsibility taken for the crush (or lack thereof) and the comments around the resignation of RGC ministers.

![Figure 10: Koh Pich Bridge on the night of 22 November 2010 in the immediate aftermath of the crush](image)

8.1 Introduction

In order to investigate the crush and oversee the RGC’s response, Prime Minister Hun Sen established a special committee. This included a Main Committee, chaired by Sok An, Deputy Prime Minister, and three sub-committees:

i. The Sub-Committee to Identify Victims and Aid Their Families, chaired by Social Affairs Minister Ith Sam Heng. This Committee was “to send people to hospitals, [assist with the rescue at the scene], keep corpses, finding corpses’ identities, issue death certificates from hospitals to the victims’ families. This task was collaborated by all levels of authorities, especially on preparation of coffins by Phnom Penh Capital Hall, sending corpses back home, distribution of financial aid, and [calculating the number] of victims”.

ii. The Sub-Committee to Investigate the Cause of the Disaster, chaired by the Interior Ministry Secretary of State Prum Sokha. This Committee was “to do investigation, evaluation before and after the event, the study on the geographical area and to give recommendations for [the safety for the] next event.”

iii. The Sub-Committee to Examine the Bodies of the Dead, chaired by Health Minister Mam Bunheng. This Committee was “to do appraisal at three major hospitals”.¹⁴²

¹⁴² The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November 2010 incident Is an Accidental Hazard”.

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In order to investigate the crush, Committee Chairman Prum Sokha urged the public to hand in any photos and video clips taken at the scene before, during or after the incident. The announcement of the results of the Committees stated that: “There are fundamental grounds from [sic] interviewing the witnesses, survivors, people who saw the event and thousands of security guards through telephone, of whom 309 was [sic] included in the study.” In addition, Judicial Police Director Mok Chito, a member of the Sub-Committee to Investigate the Cause of the Disaster, said when the results were made public on 29 November that all three Committees had met every day since they were formed.

Given the stated roles of the Committees, there were concerns raised by some commentators that they would fail to look beyond the immediate cause of the crush. Observers noted that it was equally important to find out how thousands of people could have crammed onto a bridge designed to handle only a few hundred. For example, Mu Sochua from the Sam Rainsy Party (“SRP”) urged investigators to look beyond what triggered the stampede and ask bigger questions about how prepared the police were to handle the massive crowds that ended up clogging foot traffic on the bridge, and what security arrangements the city had with OCIC.

However, on 29 November, it was reported that Council of Ministers spokesman Phay Siphan said the Committee was not looking at responsibility for the crush: “The Committee is not to find out who is responsible for the incident. The whole responsibility issue is another matter. Our country is a country with the rule of law, so we have to follow it.”

8.2 Members of the Committees

The members of the Committees were predominantly made up of RGC/CPP members (see Annex VI). In addition, Pung Kheav Se, Director General of OCIC, the company that developed Koh Pich, was a member, as was Pum Chantiny, Secretary-General of the Cambodian Red Cross and Kong Uok, Deputy Chairman of the Cambodian Scouts. Note that the Cambodian Red Cross is headed by Bun Rany, Prime Minister Hun Sen’s wife, and has allegedly provided or withheld humanitarian funds on the basis of political allegiance. Similarly, the Cambodian Scouts is headed by Sok An, the Deputy Prime Minister. The Directors of Calmette Hospital, Kossamac Hospital and the Cambodian-Russian Friendship Hospital were also members of the Committees.

Comments from third parties

It is noteworthy that these parties - OCIC, the CPP and the hospitals - are essentially the only groups who were involved in the disaster and who could potentially be blamed for failing in some way to

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143 The Cambodia Daily, 29 November 2010, “Gov’t Seeks Public’s Help with Stampede Probe”.
144 The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November 2010 incident Is an Accidental Hazard”.
145 The Cambodia Daily, 29 November 2010, “Gov’t Seeks Public’s Help with Stampede Probe”.
146 The Cambodia Daily, 26 November 2010, “Opposition Continues to Call for Suspensions, Resignations”.
147 The Cambodia Daily, 29 November 2010, “Gov’t Seeks Public’s Help with Stampede Probe”.
148 The Cambodia Daily, 29 November 2010, “Gov’t Seeks Public’s Help with Stampede Probe”.
149 The Cambodia Daily, 26 November 2010, page 27.
maintain order among the festival crowds, and for any shortcomings in relation to the handling of the aftermath of the incident or the treatment of victims. There has, therefore, been a considerable amount of concern shown about the makeup of the Committees amongst NGOs and opposition members. For example, SRP spokesman Yim Sovann said he had little faith that the Committee would hold any officials accountable: “The people on the Committee are also the ones that planned the event...so I don’t think it can be independent.”

In a statement posted on her website, SRP lawmaker Mu Sochua called for a more transparent and bipartisan investigation including non-government groups, concerned citizens and victims: “High-ranking officials of the Ministry of Interior should not be part of the investigation Committee as they were the ones in charge of the Water Festival. ... There needs to be courage from those in charge to face the responsibility and accountability which come with the position they each hold.”

Information Minister Khieu Kanharith said the Committees contained only RGC officials because they were formed at one am on the night of the disaster: “We didn’t expect many non-government people working at that hour”.

8.3 Findings of the Committees
The results of the Committees’ findings were presented during a press conference held at the Council of Ministers on the afternoon of 29 November. As stated above, CCHR has been unable to locate a written report setting out the Committees’ findings, other than the details of the press conference.

Announcing the results, Deputy Prime Minister Sok An, head of the Main Committee, confirmed the government’s position that the incident was triggered by mass panic related to the swaying of the bridge leading to the island: “There is no sign of terrorism or that criminals arranged this in advance. We can say that it was caused by a stampede”. The details of the findings of the Committees are set out in the relevant Chapters of this Report above.

Journalists commented that the press conference “indicated that the investigation into Koh Pich Bridge was closed”. When CCHR announced that it would be conducting its own investigation into the crush on 1 December, Council of Ministers spokesman Phay Siphan said CCHR had the right to investigate whatever it wanted, adding that the group’s findings would not affect the RGC’s work:

151 The Phnom Penh Post, 1 December 2010, “Finding strength and sensibility in the aftermath of a national tragedy”.
152 The Cambodia Daily, 26 November 2010, “Opposition Continues to Call for Suspensions, Resignations”.
153 The Cambodia Daily, 25 November 2010, “Gov’t Disaster Inquiry Releases Few Details”.
154 The Cambodia Daily, 29 November 2010, “Gov’t Seeks Public’s Help with Stampede Probe”.
155 The Cambodia Daily, 29 November 2010, “Gov’t Seeks Public’s Help with Stampede Probe”.
157 The Phnom Penh Post, 29 November 2010, “Tragedy ‘joint mistake’”.
158 Cambodia Express News, 29 November 2010, “Investigation results for Koh Pich Bridge: a clear accident [so claimed the government]”.

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“We have our own investigation to find out why and what happened and how it happened there, so the case is closed already”.159

Comments from third parties
There was a great deal of criticism about the findings of the Committees and the vigor of the investigation. For example, there were concerns that no detailed investigation into who might be responsible for the incident was undertaken, although Prime Minister Hun Sen accepted that the incident was the responsibility of the government (see below). Instead, the incident appears to have been blamed on the panic of the victims involved. The Phnom Penh Post described the conclusions by saying the Committees’ “findings have so far only blamed the victims for Monday night’s tragedy, saying that they panicked when the bridge swayed, and officials have avoided pinning the responsibility on a particular institution or person from within the government.”160

The SRP argued a new commission was necessary because the RGC’s investigation did not assign responsibility for the incident, other than a broad acceptance by Prime Minister Hun Sen that the RGC as a whole bore some responsibility. The SRP said that the RGC is constitutionally bound to conduct an independent inquiry: “We cannot accept this response because it shows that the assembly is under the government’s power. Constitutional law states clearly that the institution of the assembly is independent and when there are such incidents, the assembly – elected by the people – must also investigate” said SRP spokesman Kimsour Phirith.161

National Assembly President Heng Samrin rejected this request and said a parliamentary enquiry was unnecessary given the RGC’s investigation into the tragedy.162

It also appears that despite the remit of the Sub-Committee to Examine the Bodies of the Dead, no autopsies were in fact performed on any of the bodies. Similarly, one of the doctors that CCHR interviewed said that the staff were not allowed to carry out autopsies on the bodies, but that instead, the medical reports all stated that the people had died as a result of the crush. Of the family members of the dead that CCHR spoke to, all of those who answered the question said their family member did not receive an autopsy. Another doctor said that no autopsies were undertaken “[b]ecause there were too many bodies … Unless this was a criminal case; and we did an autopsy in order to be useful to the court procedure.” A member of AFIRE also commented that because of the extent of the crush, he was unsure whether any meaningful information could have been gained from autopsies of the bodies in any event.

8.4 Resignations
Shortly after the tragedy, the opposition party and civil society organizations called on Kep Chuktema, the Governor of Phnom Penh and Touch Naroth, the Phnom Penh City Police Commissioner, to resign.163 However, Touch Naroth said there would be no resignations “because

159 The Phnom Penh Post, 1 December 2010, “NGO sets up separate stampede probe”.
161 The Phnom Penh Post, 7 December 2010, “Independent stampede probe nixed”.
162 The Phnom Penh Post, 7 December 2010, “Independent stampede probe nixed”.

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we felt the authorities tried their best to protect people’s security around the area... It’s just an accident that took place, and we helped a lot of people to survive”. 164

RGC officials also stated that resignations were unlikely, as “the practice does not fit with Cambodian custom”. Kirth Chantharith, National Police Commissariat spokesman said that the resignation of officials would only be confirmed once the RGC’s investigation had been completed, and Phay Siphan said that “in Cambodia, we don’t have customs like that [i.e. resignations]. We abide ourselves with the rule of law”. 165

At the time of the Committees’ announcement of their findings into the causes of the crush, Prime Minister Hun Sen said that no state officials would be held personally responsible, and described calls for senior RGC figures to step down as politically motivated. However, he did state that: “the incident that happened was the responsibility of the government... The incident happened because of carelessness and we didn’t expect this thing to happen... the biggest mistake was that we had not fully understood the situation”. 166 “It was a joint mistake which led to the incident ... It was unexpected and [we were] careless ... and did not prepare any protection measures in advance.” 167

Note that some reports state that “officials admitted to negligence in their decisions leading up to the stampede”. 168

Prime Minister Hun Sen also confirmed that Kong Sam Ol, chairman of the Permanent Committee for Organizing National and International Festivals, tendered his resignation, but Hun Sen had refused to accept it: “His Excellency Kong Sam Ol had prepared and handed me his resignation letter in the evening from his position as chairman [of the events planning committee]. I did not accept it... Nobody should be blamed for an unexpected stampede”. 169 Hun Sen also noted that after the September 2001 terrorist attacks on New York City, no US officials lost their jobs for failing to prevent the attacks. 170

Note that a police officer from Phnom Penh that CCHR spoke to said that around 55 police officers were suspended for one year as a result of the incident. CCHR has been unable to confirm whether this in fact occurred.

Comments from third parties

Kem Sokha, Human Rights Party (“HRP”) President, said: “The government must punish high-ranking officials who are responsible in the administration; otherwise, they have to be removed from their position.” 171 What happened is the responsibility of the organizers. Who is [sic] the organizer of the ceremony should resign first.... I think the governor of Phnom Penh... If he is a good leader, he should resign now.” However, with only three seats in the Assembly, Kem Sokha said that he could

166 *BBC*, 29 November 2010, “Cambodia PM says no one responsible for stampede”.
167 *The Phnom Penh Post*, 29 November 2010, “Tragedy ‘joint mistake’”.
168 *The Phnom Penh Post*, 1 December 2010, “Finding strength and sensibility in the aftermath of a national tragedy”.

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not raise the issue, but would send Prime Minister Hun Sen a letter asking for a committee independent of the RGC to investigate the event.\textsuperscript{172}

SRP spokesman Yim Sovann went a step further, saying that event planners “must be suspended” at least until the end of the investigation: “Before you allow so many people to attend the event, you must consider exits... The people in charge of planning the event and the people in charge of security must be held accountable... In other countries, they must resign to show responsibility. In this country, never. ... We have to find out the real cause. If we find negligence, if we find they are incompetent, the next step is resignation.”\textsuperscript{173} He said he was met with “no response from the government.”\textsuperscript{174} Yim Sovann also said the SRP would continue pressing for an independent inquiry into the events and call on officials to answer questions before the National Assembly.\textsuperscript{175}

\begin{footnotes}
\item[172] The Cambodia Daily, 26 November 2010, “Opposition Continues to Call for Suspensions, Resignations”.
\item[173] The Cambodia Daily, 25 November 2010, “Gov't Disaster Inquiry Releases Few Details”.
\item[174] The Cambodia Daily, 26 November 2010, “Opposition Continues to Call for Suspensions, Resignations”.
\item[175] The Cambodia Daily, 30 November 2010, “Hun Sen Nixes Talk of Resignations Over Koh Pich”.
\end{footnotes}
9. Liability and negligence

As set out above, on 29 November 2010, Prime Minister Hun Sen said that: “The incident that happened was the responsibility of the government...”.\(^{176}\) These words are as clear an admission of responsibility on the part of the authorities as could be imagined. However, no one has been sanctioned, and no legal proceedings have been commenced.

This Chapter sets out a summary of the provisions in Cambodian law that could establish liability for a tragedy such as Koh Pich, and what form compensation payments should take. There have been recent reports about a draft law on disaster management which will include situations such as the Koh Pich tragedy. There are also newly-enacted provisions in the domestic legislation under the Civil Code and the Penal Code, although neither of these were in force at the time of the crush. While CCHR welcomes these new provisions, we are concerned that no one was held responsible for the Koh Pich tragedy under the provisions that were in force at the time; if the RGC and authorities did not apply the relevant provisions under the laws in place at the time, it seems unlikely that the new provisions will be utilized either. The law in itself is no solution in the absence of the will to implement it.

9.1 Draft law on disaster management

It was reported at the end of 2010, that Cambodia was to adopt a new law on disaster management.\(^ {177}\) The reports indicated that a draft law would be submitted to the Council of Ministers for approval in early 2011, and Nhim Vanda, Vice President of the National Committee for Disaster Management, said he hoped the law would be adopted by the National Assembly and the Senate and signed by the King by the end of 2011. The law is related to the ASEAN Agreement on Disaster Management and Emergency Response, signed in Vientiane in Laos in July 2005.\(^ {178}\) However, the current status of the draft law is far from clear, and it is uncertain when it is expected to be passed.

The law was apparently being considered before the disaster at Koh Pich, and Nhim Vanda said the law had not been prompted by any particular event.\(^ {179}\) It appears that the emphasis of the law was to respond to natural disasters, such as fires, floods and tsunamis. However, man-made disasters should also be included: on 7 October 2011, it was reported that the draft law had been reworded to explicitly cover crowd stampedes, such as the Koh Pich tragedy.\(^ {180}\) It is possible that with the recent flooding,\(^ {181}\) the law on disasters may move to the forefront of the RGC’s agenda in the next few months.

The law apparently calls for all RGC ministries and offices to set up disaster management working groups and response plans. There will also be a new national body, called the National Council for

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\(^{176}\) The Phnom Penh Post, 29 November 2010, “Tragedy ‘joint mistake’”.

\(^{177}\) The Phnom Penh Post, 30 December 2010, “Disaster Law Set for Passage in 2011”.

\(^{178}\) www.asean.org/17579.htm.

\(^{179}\) The Phnom Penh Post, 23 December 2010, “State plans law on disasters”.

\(^{180}\) The Cambodia Daily, 7 October 2011, “Disaster Draft Law to Address Stampedes, Floods”.

\(^{181}\) The Phnom Penh Post, 3 October 2011, “Flood toll rises over weekend”.

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Disaster Management, which will include a number of Ministers and provincial governors. The most recent draft of 19 September 2011 also outlines penalties for individuals, civil servants, members of the armed forces, police and gendarmerie personnel deemed to be responsible for disasters: “a failure of official duty resulting in deaths, injuries or missing persons can be punished according to the articles in the Penal Code, and can include three years in jail” (the Penal Code is explicitly referred to in the new draft, which should mean the draft law fits easily into the existing legislative regime). Penalties can be imposed where the disaster or management of the disaster is deemed to have been caused “through negligence or direct or indirect acts”. There are also offenses relating to those who commit fraud or deliberately induce disasters.

In relation to the need for the law, Hou Taing Eng, Secretary of State at the Ministry of Planning, said: “We have difficulty doing our work in response to disasters happening in Cambodia because we have no law on disaster management,” and that the draft law would help protect people’s lives. Similarly, Ross Sovann, Deputy Secretary-General of the National Committee for Disaster Management said “Without the law, we cannot efficiently prevent actions that cause disasters to the country”. The wording of these comments appears to suggest that the RGC believes that the law will prevent such disasters from happening in the future, rather than that it will create systems to mitigate the chances of disasters occurring, limit their consequences, and provide for responsibility and accountability in the event that they do occur.

9.2 Cambodian legislation

Opposition lawmaker Mu Sochua has said that she did not see the need for the new law, as there is already a disaster management committee (the National Committee for Disaster Management). In addition, there are provisions within the Cambodian legislation that would apply to such events.

The United Nations Transitional Authority in Cambodia 1992 (“UNTAC”) Criminal Law (the “UNTAC Law”) was a transitional set of laws implemented in 1992 during the UN peace keeping mission, and was in force in Cambodia until December 2010 when it was replaced by a new Penal Code. The UNTAC Law was therefore the criminal law in force at the time of the tragedy at Koh Pich. The most relevant provision of the UNTAC Law where the current discussion is concerned is Article 40, Involuntary Manslaughter, which provides that “[a]ny person who through carelessness, negligence, inattention or failure to heed regulations involuntarily kills another person is guilty of the misdemeanor of involuntary manslaughter and shall be liable to a term of imprisonment of one to three years”. It is worth noting that under the UNTAC provisions, it may not be possible to pursue criminal proceedings with respect to those injured, rather than killed.

The elements of this provision are relatively simply to satisfy, and if “carelessness, negligence, inattention or failure to heed regulations” is established, those responsible could be found guilty of the offense of Involuntary Manslaughter, certainly with respect to those who died, and should be subjected to the requisite criminal sanctions. However, it should be noted that under UNTAC,

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183 *The Phnom Penh Post*, 23 December 2010, “State plans law on disasters”.


185 *The Cambodia Daily*, 7 October 2011, “Disaster Draft Law to Address Stampedes, Floods”.

186 *The Cambodia Daily*, 7 October 2011, “Disaster Draft Law to Address Stampedes, Floods”. 45
criminal liability can only be placed on a person, and not the state (i.e. a particular ministry) or legal entity (i.e. a company).

Since the tragedy at Koh Pich, new laws have been created which would apply to any similar situation in the future. The Penal Code, which came into force on 10 December 2010 in Phnom Penh and 20 December 2010 in the rest of the country, establishes the offenses of “unintentional homicide” and “acts of unintentional injuries”, and replaces the UNTAC Law as the criminal law of Cambodia. The Civil Code, which is not yet fully in force, sets out liability for negligence, and details of how compensation should be calculated if negligence is found to have occurred, setting out an alternative system for establishing liability and accountability. CCHR is encouraged by the new provisions in the Cambodian law that would establish liability, both civil and criminal, for those found responsible for a tragedy such as that which occurred on Koh Pich Bridge. CCHR also hopes that these new laws, as well as the Law on Disaster Management, will contribute to the development of a culture of accountability for events such as Koh Pich. However, even if the new Civil Code and Penal Code were not in force at the time, the UNTAC provisions were. Yet no proceedings were brought, despite Prime Minister Hun Sen saying that the RGC was responsible for the tragedy due to its “carelessness”, which is included in the wording of the UNTAC Law provision. There were a number of comments relating to the Committees investigating the crush confirming that Cambodia would abide by the rule of law, and snap decisions would not be made, particularly regarding resignations. While these comments are admirable, it appears that in fact, no such decisions were made, even after the Committee’s investigation.

CCHR believes that the mechanisms set out in the law should be followed to ensure that the rule of law is adhered to and the victims of the tragedy are properly compensated. If provisions that were in force at the time of the event were not utilized to bring those responsible to account, it seems unlikely that the new laws will be applied in relation to future tragedies. It is recommended that a fully independent investigation into Koh Pich be launched, and, following the results of such an investigation, that appropriate legal proceedings are initiated using the clear legal framework that was in place at the time of the crush. Creating laws is not enough to create a fair legal system; instead, there must be a change in attitudes of those in power to be willing to accept meaningful responsibility for tragic events such as that which occurred at Koh Pich.

10. Conclusions and Recommendations

The aim of this Report has not been to offer conclusive answers, but simply to present the evidence collected and highlight the confusion surrounding the events of 22 November 2010. However, given the information CCHR has collected, we set out in this Chapter some tentative conclusions and recommendations.

Given the uncertainty and confusion surrounding the facts, CCHR recommends that the investigation be re-opened and further questioning should be conducted to try to determine what happened that night. While CCHR is not saying that any particular person or agency is to blame or that any particular person should resign, CCHR does think that a greater amount of responsibility should be taken for the incident. Perhaps more importantly, a serious discussion should take place about what systems and procedures should be put in place to try to reduce the likelihood of similar events happening in the future. If the RGC insists on claiming that this was an accident without fault, there is a real risk that similar events will happen at future national festivals and other large scale events.

As stated above, the boat racing during the 2011 Water Festival was cancelled. This was reportedly due to the flooding within Cambodia. It is unclear whether a factor in this decision was the ability of the authorities to properly deal with such large crowds. Whatever the reasons behind the decision, CCHR believes that it is a very responsible step for the RGC to take in such circumstances.

10.1 Conclusions

This Report has shown that fundamental questions about the events of the night of 22 November remain, despite an RGC investigation and numerous newspaper articles documenting the events. Perhaps more concerning, people have stopped talking about the event, and there has been no attempt to inform the people of Cambodia why the incident occurred. In fact, the RGC has taken steps to stop the dissemination of information to the public by confiscating videos from that night.

It is clear that although the authorities had security provisions in place for the Water Festival, these were focused on drowning and theft, rather than crowd management (although there is a brief reference to “preserve public order and arrangement” in the security measures for the festival, see Chapter 3.3). Comments made about the emergency response to the crush suggest that it was adequate in the circumstances, once the scale and seriousness of the incident was realized. However, it is clear that more thorough procedures need to be put in place and in-depth plans need to be implemented to avoid similar situations occurring in the future.

There are also questions about the facts of that night: What caused the incident? Were there barriers on the bridge? If so, why were there barriers on the bridge? How many people died? Why were no autopsies conducted on the bodies? What happened to the donations and compensation pledged to the victims? It also appears that the security provisions which were supposed to be in place were not in fact in operation. For example, the bridge was supposed to be operating a one-

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188 The Cambodia Daily, 15 October 2011, “Plans Continue for next Months’ Water Festival”.

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way system, and it seems that many more police and security guards were supposed to be patrolling the area than were in fact doing so.

There are also questions surrounding the RGC’s response to the event, and the speed at which responsibility was denied. There are particular questions surrounding why the RGC was so keen to deny that anyone was electrocuted and that water cannons were used considering the evidence from the witnesses involved in the crush, and went so far – according to one witness – as to tell doctors not to mention electrocution. It is unclear why it is apparently acceptable for people to be crushed and trampled to death, but not to be electrocuted.

In relation to the results of the official investigation, the Committee reported only one week after the incident, and its members included purely RGC/CPP personnel, or those linked to the RGC and/or the tragedy itself. It does not seem possible to carry out a full investigation into the complex events and consequences of that night in that time. In addition, CCHR has not been able to locate a full report from the Committee, which also calls into question the thoroughness of the investigation and highlights the lack of transparency surrounding the RGC response.

In addition, the RGC did not consider the laws in place that could have established liability for the incident, and Prime Minister Hun Sen said that no one would be held responsible. This apparent circumvention of the law is troubling, and CCHR recommends that a full investigation into the events of 22 November 2010 should take place, in the context of the clear legal framework. Otherwise, justice will not have been served, there will be no incentive for suitable safety measures to be put in place for future events, and more people may suffer further down the line.

10.2 Recommendations/ Lessons Learnt

At the ceremony to mark the start of the building of the memorial stupa, Kep Chuktema said: “This was a lesson of great suffering that no one can forget... The authorities themselves must seriously think about this problem when national festivals take place and when crowds of people join the festivals.”\textsuperscript{189} Similarly, at the re-opening of the bridge, Kep Chuktema said “In the future we will have a master plan and not allow a tragedy like this to happen again”.\textsuperscript{190}

When the Committee concluded its investigation into the crush, Prum Sokha, Secretary of State for the Ministry of Interior and the chair of the Sub-Committee to Investigate the Cause of the Disaster, said that the crowded situation on the bridge exceeded the “preparedness and capacity” of security forces. He recommended a “build-up of professionalism” for police and military police to better handle large crowds in the future. Council Minister Sok An, chair of the Main Committee, also said “the government will study better methods of crowd management, security response, emergency response and other aspects of disaster preparedness”.\textsuperscript{191} Paul Townsend, a crowd control consultant from Crowd Dynamics, also blamed the disaster on poor planning by the authorities.\textsuperscript{192}

However, from the results that CCHR has found, it does not seem that concrete recommendations were made by the Committee to be implemented in future events. CCHR has fundamental questions

\textsuperscript{189} VOA, 11 August 2011, “City Begins Construction on Memorial Stupa”.
\textsuperscript{190} Associated Press, 8 December 2010, “Cambodia reopens bridge where stampede killed 353”.
\textsuperscript{191} VOA, 1 December 2010, “Lack of Police ‘Professionalism’ found in bridge disaster”.
\textsuperscript{192} The Cambodia Daily, 24 November 2010, “‘Avoidable’ Disaster Exposes Failure of Festival Planning”.

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about how future national events will be organized. For example, what is being done to prepare for future events? What security measures and training are in place for security forces? What plans are there in relation to crowd control? How were medical and emergency response teams preparing for future events?

CCHR is also concerned that the authorities do not appear to appreciate the seriousness of the tragedy and will continue to manage events as they have done in the past. Before Khmer New Year in April 2011, the next national holiday after the Water Festival in November 2010, there were reports that Chaktomuk commune Police Chief Chuon Chet asked businesses to provide alcoholic refreshments to police working during the festival. Although Touch Naroth confirmed that police officers were not allowed to drink while on duty, the request shows a disregard for the importance of the role of the police in managing crowds at large-scale events, and in working to avoid disasters.

In addition, although the boat races in the 2011 Water Festival were cancelled, other entertainment, such as music concerts, still took place. Before the festival, Daun Penh District Governor Sok Sambath declined to comment on what measures were being taken by authorities to enforce proper crowd control during the festival, and Phay Siphan from the Council of Ministers said that measures were being put in place, but that he was unaware of the specific arrangements. Kep Chuktema said that more than 5,000 police officers would be deployed to protect festival goers and control traffic. Touch Naruth also said that “instead of using roadblocks as in past years, police will be stationed at 77 locations to control traffic and prevent congestion”. It was also reported before the event that police were considering a maximum capacity for Koh Pich. CCHR considers that these are positive steps to take to manage the large numbers of visitors to the city, and hopes that the authorities had detailed plans in place in relation to crowd management. It is recommended, however, that the RGC should approach its responsibilities with regards crowd management at big events in a more transparent way, and should publish specific details about security and crowd management arrangements in order to ensure that the public are fully aware of procedures in place and reassured as to the safety of an event.

CCHR does not purport to be an expert in crowd management or the organization or large-scale events. Nevertheless, the box below sets out certain recommendations for the RGC and local authorities in relation to the management of public events. These recommendations are formulated on the basis of what is generally considered to be acceptable practice for the management of large scale public events.

It has been claimed that most major crowd disasters can be prevented by simple crowd management strategies. A lethal crush could occur at any gathering of significant size, particularly when crowd control precautions are lax or sub-optimal. Perhaps the most important lesson is that crushes are neither unforeseeable nor inevitable; they follow predictable patterns and conditions. It is also important that medical, emergency response, and law enforcement personnel are adequately prepared.

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193 The Cambodia Daily, 12 April 2011, “Police Ask Businesses for Khmer New Year Beer”.
194 The Cambodia Daily, 15 October 2011, “Plans Continue for next Months’ Water Festival”.
trained and prepared for such incidents, so that if there are any problems at future large-scale national events, there are sufficient and adequate resources to be able to respond to them effectively. CCHR recommends that the RGC seeks professional assistance in order to adequately plan for future events.

Ultimately, over 350 people died on the night of 22 November 2010, which is a huge and shocking number in any circumstances. It seems that this has been largely forgotten by the authorities, and to a large extent, the public. These victims and their families deserve better. At the very least, they are owed an assurance that every step will be taken to ensure that such events, which are entirely avoidable, never happen again, and that lessons are learnt from this tragic incident.

Recommendations

- The layout of the venue, circulation routes and the location of facilities can have a fundamental influence on crowd behaviour. It may not always be possible to change the layout, but it should be considered.

- Visitors should be made aware of the layout of the event area and the locations of entrances and exits.

- Traffic control and well-marked directions should be enforced.

- Suitable entrances and exits for emergency personnel should be used, and emergency exits should not be barricaded, blocked or otherwise inaccessible.

- Barriers should be used to ensure that the crowd can be controlled and managed. However, if the barriers are not managed by sufficient numbers of officials, they may funnel the crowd towards an already-packed area, or prevent people within the area from leaving. This can increase the scale of any disaster.

- Use of public announcement systems: a key problem is lack of feedback from people being crushed to the crowd pressing behind – public announcement systems should be used by police, organizers, or other observers, particularly raised observers, such as on platforms or horseback, who can survey the crowd.

- The crowd should be monitored for developing points of congestion.

- There should be alternative routes for releasing pressure, and barricades should be removed and doors opened to relieve an impending crush.

- Flexible moveable barriers should be used.

- Stewards, police and other officials should be used to control the crowd. Stewards must be adequately trained in their roles and responsibilities. It is essential that stewards and the event organisers are able to communicate effectively.
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Annex I

Background and History of the Water Festival

The Water Festival, or Bon Om Touk, is the largest and most exuberant festival in Cambodia, when several million people, or up to 20-25% of the country’s population, are crammed into a few kilometers of the capital Phnom Penh.\textsuperscript{198} It takes place over three days in October or November, depending on when the full moon of the Buddhist calendar month of Kadeuk falls.\textsuperscript{199}

The festival is also known as the “Festival of the Reversing Current”\textsuperscript{200} during the rainy season – June to September – the Mekong reverses its course and flows “upstream” to the Tonle Sap Lake. The Water Festival falls on or around the time when the Mekong reverts to its normal down-stream direction at the end of the rainy season. The Tonle Sap and Mekong are central to the lives of many Cambodians, particularly fishermen and farmers, and during the festival, people give thanks to these bodies of water for providing the country with fertile land and abundant fish.\textsuperscript{201}

The festivities date back to the 12\textsuperscript{th} century and the victory of Mahayana Buddhist King Jayavarman VII in a naval battle over the Chams, who invaded the Khmer empire in 1178.\textsuperscript{202} Since its earliest days, the festivities appear to have served a number of purposes:\textsuperscript{203} Jayavarman VII’s navies are said to have laid on festivities at the start of fishing season to please the river divinities, who would provide, in return, a good harvest and plenty of fish in the upcoming year; and Angkorian kings used the boat races as an opportunity to display the strength of the Khmer marine forces, and as a means to test the prowess of their warriors and train them for battles. Bayon temple in Siem Reap and Banteay Chmar temple in Banteay Meanchey, both of which date back to the reign of Jayavarman VII, include carvings of naval battles involving crafts similar to those still used in the Water Festival today.\textsuperscript{204}

The event was stopped in 1970, when Lon Nol overthrew King Norodom Sihanouk and there was a 20 year hiatus before the festival was reconvened in 1990.\textsuperscript{205} The festival is now seen as a source of pride for Cambodians, and is one of the festivals that has been reintroduced as part of the traditional heritage that was targeted for destruction under the Khmer Rouge.

The Festival events

The Water Festival is celebrated throughout the Kingdom of Cambodia, although the center of the festivities is in the capital, Phnom Penh. The festivities include three ceremonies:\textsuperscript{206} Loy Pratip (“The Illumination of the Float”), which involves illuminated boats on the waterways, each of which is sponsored by a government ministry; Sampeas Preah Khe, which is the ceremony during which

\begin{itemize}
  \item \textsuperscript{198} Bangkok Post, 28 November 2010, “Cambodian stampede had air of inevitability”.
  \item \textsuperscript{199} Asia Adventures, Special Events, Cambodia, “Cambodia Water Festival”.
  \item \textsuperscript{200} Carnifest, “Festival of the Reversing Current – Cambodian Water festival (Bon Om Tuk)”.
  \item \textsuperscript{201} World of Festivals, 11 November 2010, “Cambodian Water Festival: Bon Om Tuk”.
  \item \textsuperscript{202} The Phnom Penh Post, 19 November 2005, “Riverside Revelry”.
  \item \textsuperscript{203} World of Festivals, 11 November 2010, “Cambodian Water Festival: Bon Om Tuk”.
  \item \textsuperscript{204} World of Festivals, 11 November 2010, “Cambodian Water Festival: Bon Om Tuk”.
  \item \textsuperscript{205} The Phnom Penh Post, 19 November 2005, “Riverside Revelry”.
  \item \textsuperscript{206} Lonely Planet blogs, 13 December 2008, “Bom Om Touk – Water Festival”.
\end{itemize}
thanks is given to the moon and prayers are offered for a bountiful harvest; and Auk Ambok (“Salute the Moon”) when celebrants converge at temples to eat Ambok, a dish of flattened rice with banana and coconut, to pray for the coming growing season.

The festival has also become synonymous with the boat races that take place over the three days, and has earned the nickname of “The Festival of Boat Races”. Boats are hand-made from single trees and constructed throughout the country in time for the festival. They are painted in bright colors with dragon motifs, and eyes are painted on the bow to ward off evil spirits. Boats sometimes include a costumed lady who dances to the beat of a drum.207 The vessels can be up to 30 meters in length, and contain as many as 80 oarsmen.208 Villagers travel from all over the country to cheer their family, friends and neighbors in the races, and it is common for members of the RGC to sponsor boats.

The race course is 1.7 kilometers long, from the Japanese Bridge to the Royal Palace. Races involve two boats competing on a knockout basis, with the boats that are victorious on the first day qualifying to compete on the second. Boats that win or draw all three of their races are declared “first-class winners”. For the first two days, races are run with two boats each, with the big race happening on the last day, when all the boats take to the river to compete.209 In recent years, the final race has been won by the boat sponsored by Prime Minister Hun Sen.

In the evenings, the festivities continue with carnival rides, traditional music performances, and dances. A carnival atmosphere prevails for the duration of the Water Festival, and food and drink overflow in the streets, Khmer pop bands entertain the crowds, and the riverside is packed to capacity with punters cheering their favorite boats.210

207 World of Festivals, 11 November 2010, “Cambodian Water Festival: Bon Om Tuk”.
208 World of Festivals, 11 November 2010, “Cambodian Water Festival: Bon Om Tuk”.
209 About.com Guide, “Cambodia Water Festival”.
210 www.cambodia-traveling.com, “Cambodia Water Festival”. 
Annex II

Incidents at Previous Water Festivals

In previous years, there have been a number of incidents which have resulted in the deaths of both nationals and internationals at the Water Festival. A number of these incidents are detailed below.

There is one report that during the Water Festival in 1994, 11 people were killed in a similar incident to the Koh Pich tragedy (i.e. a human crush) at the Royal Palace. However, CCHR has been unable to locate any details about this event, or how it occurred. If this did happen, it raises concerns about the city’s preparations for the 2010 Water Festival, as the authorities should have been all the more aware that such incidents could occur.

Of the more recent events, the fatalities were as a result of drowning.

i. Five racers from Singapore drown, 2007

On 23 November 2007, the first day of the boat races that year, a boat capsized resulting in the deaths of five Singaporean nationals, with 17 others hospitalized. This was the biggest fatality that had occurred at the Water Festival prior to the crush on Koh Pich Bridge. Nhim Vanda, Vice President of Cambodia’s National Disaster Management Committee, said the accident happened as the boat tried to dock after racing. The current was very strong and the river at the area of the pontoon was known to be prone to whirlpools and downward rips. Nhim Vanda said the festival organizers had offered to tow to shore the boats of foreign competitors after they completed the race. However, the Singaporeans declined the offer, saying there was "no need because we still had the strength to row." An RGC spokesman suggested that language difficulties might have been a problem, as docking instructions were made only in the local language.

The body of a Cambodian rower was also discovered when searching for the missing Singaporean rowers. It was reported that the man drowned after his boat capsized, although no further details were provided.

Singapore conducted an independent inquiry into the deaths, with the panel finding no single cause for the accident. It highlighted several contributing factors, including the team’s unfamiliarity with the race; the race site and the equipment provided; low safety awareness of both the team and the organizers; and the lack of information about the event and the conditions of the Tonle Sap River.

ii. Racer from Pursat drowns, 2008

On Monday 10 November 2008, the day before the start of the Water Festival, a racer went missing during a training session for the races. It was reported that 38-year-old Sin Sang from Pursat

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211 The Phnom Penh Post, 29 November 2010, “Tragedy ‘joint mistake’”.
215 The Straits Times, 30 May 2008, “Dragon boat team that lost five rowers encountered strong current during the race”.

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province fell from his team's race boat 50 meters from the shore of the Tonle Sap River.\textsuperscript{216} The man's teammates were reportedly unable to enter the water to save him due to the dangerous currents. It is unclear whether the body was ever recovered.

iii. Racer from Kampong Cham drowns, 2009

On Monday 2 November 2009, a boat with 76 racers from Kampong Cham sank. One man, identified only as Tea, was killed; all the other racers escaped safely. The body was recovered downstream near Koh Pich. Chea Sokhom, Secretary General of the National and International Festival Committee, said he had advised racers to be particularly cautious during the competition: water levels were high during 2009 due to the storms, and this resulted in greater danger being faced by racers than in previous years.\textsuperscript{217}

iv. Young boy drowns while trying to collect cans, 2010

On the first day of the 2010 Water Festival, an 8-year-old boy drowned. The young boy was trying to collect bottles and empty cans that had been discarded at the Tonle Sap River’s edge when he was swept away by the river’s current and then submerged under the Royal Palace’s boat.\textsuperscript{218}

Phnom Penh Deputy Police Chief, Pen Rath, stated that the Water Festival attracts at least 100 children who swim in the river to collect rubbish for money every year, and that the police “have to prevent them from entry [sic] the sites”\textsuperscript{219} He added that for the 2010 festival, more police had been stationed along the river to prevent children from entering the water.

\textsuperscript{216} DPA, 11 November 2008, “Rower missing as annual Cambodian Water Festival begins”.
\textsuperscript{217} CAAI News Media, 3 November 2009, “Racer drowns on 2nd day of Water Festival in Cambodia”.
\textsuperscript{218} The Phnom Penh Post, 22 November 2010, “Boy Drowns during festival”.
\textsuperscript{219} The Phnom Penh Post, 22 November 2010, “Boy Drowns during festival”.
Annex III

Number of deaths

We set out below a summary of the different numbers reported in the media of the number of individuals who died or were injured at Koh Pich Bridge on 22 November 2010 (this is not an exhaustive list, but shows examples of the numbers reported on each day):

22 November

- During a late night television report, Prime Minister Hun Sen said that at least 180 people had been killed.220
- The Prime Minister said (during a 2.30 a.m. television report) that 339 people had been killed and 329 injured.221

23 November

- The Official Phnom Penh City Hall website said that 345 people had died and 410 were injured.222
- Nhim Vanda, Deputy of the Department of Disaster Management, put the figure at 349, while unconfirmed reports from police official said 375 had been killed.223
- The Guardian reported deaths of 378 or more people,224 while the Asian Human Rights Commission reported there were more than 700 injured.225

24 November

- The Official Phnom Penh City Hall website stated that the total number of dead was 347 people, 126 men and 221 women. The total number of injured was 395.226
- Council of Ministers spokesman Phay Siphan said at least 379 people had been confirmed dead and 755 injured.227
- The Voice of Russia reported that “The number of victims ...has risen to 456 people. This is official information from a dedicated government commission”.228
- VOA stated that “Officials say 354 people were killed ... [and] 395 people were injured.”229

220 Reuters, 22 November 2010, “At least 180 dead after stampede in Cambodia”.
221 The Christian Science Monitor, 22 November 2010, “Cambodia Water Festival turns tragic with deadly stampede”.
222 The Phnom Penh City Hall website (www.phnompenh.gov.kh), 23 November 2010, “Urgent Meeting after the Stampede on the 3rd Night of Royal Water Festival”.
223 The Phnom Penh Post, 23 November 2010 “Families of victims would receive 5 million riels ($US1,230) in compensation: Hun Xen”.
224 The Guardian, 23 November 2010, “Cambodia stampede: “I was in the middle. Everyone was falling” “.
225 Asian Human Rights Commission, 24 November 2010, “Cambodia’s Bon Om Touk Stampede Preventable”.
227 The Cambodia Daily, 24 November 2010, “National in Mourning as Koh Pich Body Count Approaches 400”.
228 The Voice of Russia, 24 November 2010, “Cambodia stampede death toll at 456”.
229 VOA, 24 November 2010, “Unstable bridge blamed for deadly Cambodian stampede”.

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• Information Minister Khieu Kanharith said “the official death toll was 351 dead with 395 injured. But casualty figures have been a matter of confusion, with officials saying Tuesday [23 November] that at least 755 people were hurt before walking that number back. The Ministry of Social Welfare, for instance, is now citing two death tolls: one, based on data collected from hospitals in the capital, that is similar to the official figure, and another — 456 — based on reports collected from provincial officials.”

25 November

• The Sub-Committee investigating the causes of the crush revised the death toll to 347 (126 men and 221 women), a big drop from the previous 456. It also revised down the injury numbers from 755 to 395.

• The Cambodia Daily reported that “Social Affairs Minister Ith Sam Heng said that 347 corpses had been identified at Phnom Penh hospitals and shipped to 18 provinces while bereaved families took the remaining bodies home. “The dead from the provinces and those that were taken away by the own families’ hands total 456”, said Ith Sam Heng. Death counts released by other government officials and spokesmen differed widely. However, fissures appeared in the government’s ability to co-ordinate the multiple sources of information about the disaster, as officials offered conflicting accounts. According to Council of Ministers spokesman Phay Siphan, the official government death toll stood at 347 [down from 379]... [but he] declined to give an explanation for the change.”

• The New York Times stated that “Various officials gave different accounts of the death toll, which may not include victims who drowned or were taken from the scene. On Wednesday [24 November], the government said that at least 350 people had died and that 400 had been injured. But among other tallies on Thursday [25 November], a newspaper, The Phnom Penh Post, citing government sources, said the death toll had climbed to 456.”

26 November

• The Cambodia Daily reported that “The Sub-Committee handling casualties from the stampede at Koh Pich lowered the official total yesterday of those killed in the incident from 456 to 347, the number of bodies counted by Phnom Penh hospitals.”

28 November

• Agence France-Presse reported that the total dead reached 351 (129 men, and 222 women), with 394 injured.

• The Bangkok Post stated that 347 people, mostly women, died and at least another 755 were injured.

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230 Associated Press, 24 November 2010, “Cambodia stampede prompted by fear of bridge collapse, police say”.
231 Xinhua, 25 November 2010, “Cambodia gov’t revises down death figure of stampede to 347”.
235 AFP, 28 November 2010, “Stampede death toll rises to 351”.
236 Bangkok Post, 28 November 2010, “Cambodian stampede had air of inevitability”.

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28 November

- Sok An, who chaired the Main Committee investigating the crush, said the official toll stood at 351 dead and 395 injured.²³⁷ It was updated after two more people died of their injuries and two others were added to the list of dead by relatives who had taken the bodies home.²³⁸
- The Cambodia Daily reported that “Ith Sam Heng was forced to issue a statement on Thursday [25 November] retracting public comments he made the night before that placed the death toll at 456. In his Thursday statement, he claimed 456 represented the number of missing people reported by provincial officials.”²³⁹

30 November

- The Official Phnom Penh City Hall website said that 351 had died, and 395 were injured.²⁴⁰

2 December

- The Phnom Penh Post stated that the death roll had climbed to 353, following the death of a 23 year old woman.²⁴¹

²³⁷ The Phnom Penh Post, 29 November 2010, “Tragedy ‘joint mistake’”.
²³⁸ Associated Press, 29 November 2010, “Cambodian PM says no punishment for fatal stampede”.
²³⁹ The Cambodia Daily, 29 November 2010, “Koh Pich Death Toll Rises Along with Donations”.
²⁴⁰ The Phnom Penh City Hall website (www.phnompenh.gov.kh), 30 November 2010, “22nd November 2010 incident is an accidental hazard”.
²⁴¹ The Phnom Penh Post, 5 December 2010, “Koh Pich toll rises”. 
Annex IV

List of the dead, published by the Sub-Committee to Identify Victims and Aid Their Families, and the Sub-Committee to Investigate the Cause of the Disaster\textsuperscript{242}

\textsuperscript{242} In the Khmer language only.
| ខែ ឆ្នាំ | ឈុត | លើកើត | សេចក្តីពីអតិថិជន | សេចក្តីពីអតិថិជនខុស | អតិថិជន | សម្រាប់អតិថិជន | មាត់ | ស្ថានភាព | សារធាតុ | ថ្ងៃទី |}  
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| ២៧១ បុណ្យ សុី | អុី | ២០ | បុរ | ប្រការចុងក្តី | អារម្មណ៍ | A109 | ការជូនបូរ | 
| ២៧២ សុី កូវ | អុី | ៨ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | A030 | ការជូនបូរ | 
| ២៧៣ បុណ្យ សុី | អុី | ៣ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | C27 | ស្រី | 
| ២៧៤ បុណ្យ សុី | អុី | ១៩ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B077 | ស្រី | 
| ២៧៥ សុី កូវ | អុី | ១៨ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | A012 | ការជូនបូរ | 
| ២៧៦ សុី កូវ | អុី | ២០ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | C020 | ស្រី | 
| ២៧៧ សុី កូវ | អុី | ១០ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B005 | ស្រី | 
| ២៧៨ សុី កូវ | អុី | ១៤ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | C36 | ស្រី | 
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| ២៨០ សុី កូវ | អុី | ១០ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B075 | ស្រី | 
| ២៨១ សុី កូវ | អុី | ៦ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B115 | ស្រី | 
| ២៨២ សុី កូវ | អុី | ២៧ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B102 | ស្រី | 
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| ២៨៤ សុី កូវ | អុី | ២៨ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B013 | ស្រី | 
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| ២៨៦ សុី កូវ | អុី | ២៨ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B131 | ស្រី | 
| ២៨៧ សុី កូវ | អុី | ២៨ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B007 | ស្រី | 
| ២៨៨ សុី កូវ | អុី | ២៨ | ប្រុង | ប្រការចុងក្តី | អារម្មណ៍ | B093 | ស្រី | 
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ចុះ ហុន ឌឹដែល

មូលហារា
Annex V

Compensation for the victims of the crush

In the days after the tragedy, a number of agencies also donated money. In addition, members of the public pledged huge amounts of money via a number of telethons. We set out below a summary of the pledges that were reported in the newspapers after the event:

- The National Committee for Disaster Managements, humanitarian organizations Caritas, Oxfam International, World Vision Cambodia, CARE and Save the Children pledged a total US$27,000 to provide food and water to patients over the five days following the crush.  
- The Opposition Sam Rainsy Party visited Phnom Penh’s main hospitals to provide support to the victims, and gave each family 20,000 riels (US$5).
- China donated US$500,000 toward relief efforts, and Malaysian investors and the governments of Vietnam, France and Ho Chi Minh City also donated funds.
- Charles Vann, an executive vice president at Canadia Bank, toured Phnom Penh’s main hospital handing out money to victims, including US$1,000 to relatives of the deceased and US$200 to the injured. This is later referred to as a commitment by OCIC (funded by Canadia Bank) to provide these amounts. Charles Vann was quick to emphasize that any donation did not represent an admission of responsibility.
- The city of Phnom Penh gave half a million riels (US$125) to the families of the victims.
- US$1.3 million in donations from the public were collected via television stations. Bayon TV’s chief administrator, Huot Kheang Veng, said: “All the donated cash will be shared fairly with all the families of the dead... We are now waiting for a clear death count and calculation of the money.” Cambodian Television Network (“CTN”) anchor Chum Kosal said the station would use most of the money to buy supplies for the city’s hospitals and to make donations to the injured. Later reports stated that the total amount collected during the telethons by Bayon TV and CTN were roughly US$1.2 million and US$850,000 respectively.
- On 29 November, Bun Rany, Prime Minister Hun Sen’s wife and head of the Cambodian Red Cross, attended a number of ceremonies to mark seven days since the incident and distributed Red Cross donations (US$1,125 to each family of the dead). It is unclear from the report whether this money was in addition to the amounts pledged, or distribution of the

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244 The Cambodia Daily, 24 November 2010, “National in Mourning as Koh Pich Body Count Approaches 400”.
245 The Cambodia Daily, 29 November 2010, “Koh Pich Death Toll Rises Along with Donations”.
247 Radio Free Asia, 25 November 2010, “Victim’s families complain that they did not receive the promised donation”.
248 The Phnom Penh Post, 25 November 2010, “Uncertainty over compensation”.
249 Radio Free Asia, 25 November 2010, “Victim’s families complain that they did not receive the promised donation”.
251 The Cambodia Daily, 29 November 2010, “Koh Pich Death Toll Rises Along with Donations”.

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funds already raised. It is also unclear if the distributions were to all victims, or only those families visited.\textsuperscript{252}

- On 1 December, it was reported that each of the 83 victims who originally lived in Phnom Penh received 7 million riel (US$1,700) and an additional US$3,561.\textsuperscript{253} Again, it is unclear if this money was an additional pledge, or part of the amounts previously allocated to each person.

- On 5 December, Phnom Penh Governor Kep Chuktema offered US$2,000 to the family of a victim who died as a result of her injuries. The report is unclear as to whether this amount was only to this one family.\textsuperscript{254}

\textsuperscript{252} The Cambodia Daily, 29 November 2010, “Families seek repose for ghosts of Koh Pich”.

\textsuperscript{253} Xinhua, 1 December 2010, “Stampede victims in Cambodia receive donation from TV funds”.

\textsuperscript{254} The Phnom Penh Post, 5 December 2010, “Koh Pich toll rises”.

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Annex VI

Members of the Investigation Committee

\[^{255}\] The Cambodia Daily, 26 November 2010, page 27.
Prime Minister Hun Sen on Tuesday established a special committee to oversee the government’s response and investigation into Monday night’s stampede on Diamond Bridge. Three sub-committees were set up to identify the victims and aid their families, investigate the cause of the disaster and examine the bodies of the dead.

**Main Committee**

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<td>Deputy President, National Committee for Disaster Management</td>
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<td>Om Yentong</td>
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<td>Deputy Chairman, National Anti-Terrorist Committee</td>
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<td>Ith Sam Heng</td>
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<td>Social Affairs Minister</td>
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<td>Vong Sauth</td>
<td>Vice chairman</td>
<td>Labor Minister</td>
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<td>Mam Bunheng</td>
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<td>Health Minister</td>
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<td>Kep Chuietma</td>
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<td>Khieu Kanharith</td>
<td>Member</td>
<td>Information Minister</td>
</tr>
<tr>
<td>Ouk Rabun</td>
<td>Member</td>
<td>Secretary of State, Finance Ministry</td>
</tr>
<tr>
<td>Prum Sokha</td>
<td>Member</td>
<td>Secretary of State, Interior Ministry</td>
</tr>
<tr>
<td>Pung Kheav Se</td>
<td>Member</td>
<td>Director General of OCIC</td>
</tr>
<tr>
<td>Nehk Soeuyon</td>
<td>Member</td>
<td>National Police Commissioner</td>
</tr>
<tr>
<td>Sao Solha</td>
<td>Member</td>
<td>National Military Police Commander</td>
</tr>
<tr>
<td>Pum Chantiny</td>
<td>Member</td>
<td>Secretary-General, Cambodian Red Cross</td>
</tr>
</tbody>
</table>

**Sub-Committee to Identify Victims and Aid Their Families**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Ministry/Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ith Sam Heng</td>
<td>Chairman</td>
<td>Social Affairs Minister</td>
</tr>
<tr>
<td>Vong Sauth</td>
<td>Vice chairman</td>
<td>Labor Minister</td>
</tr>
<tr>
<td>Min Khin</td>
<td>Vice chairman</td>
<td>Cults and Religions Minister</td>
</tr>
<tr>
<td>Pa Socheavong</td>
<td>Vice chairman</td>
<td>Deputy governor, Phnom Penh</td>
</tr>
<tr>
<td>Kong Leong</td>
<td>Member</td>
<td>Deputy Chairman, Cambodian Scouts</td>
</tr>
<tr>
<td>Som Oun</td>
<td>Member</td>
<td>Assistant, Council of Ministers</td>
</tr>
<tr>
<td>Thao Yeasna</td>
<td>Member</td>
<td>Assistant, Council of Ministers</td>
</tr>
<tr>
<td>Vong Sovann</td>
<td>Member</td>
<td>President, Cambodian Confederation of Trade Unions</td>
</tr>
</tbody>
</table>

**Sub-Committee to Investigate the Cause of the Disaster**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Ministry/Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prum Sokha</td>
<td>Chairman</td>
<td>Secretary of State, Interior Ministry</td>
</tr>
<tr>
<td>Sok Phol</td>
<td>Vice chairman</td>
<td>Deputy National Police Commissioner</td>
</tr>
<tr>
<td>Thong Lin</td>
<td>Member</td>
<td>Director, central security department, Interior Ministry</td>
</tr>
<tr>
<td>Dang Sarun</td>
<td>Member</td>
<td>Deputy Commander, Bodyguard Command Headquarters</td>
</tr>
<tr>
<td>Mok Chito</td>
<td>Member</td>
<td>Director, central judicial department, National Police</td>
</tr>
<tr>
<td>Chay Sinthiri</td>
<td>Member</td>
<td>Director, internal security department, National Police</td>
</tr>
<tr>
<td>Sea Samrith</td>
<td>Member</td>
<td>Deputy Director, penal bureau, national military police</td>
</tr>
<tr>
<td>Hong Vinol</td>
<td>Member</td>
<td>Director, information and security department, military police</td>
</tr>
<tr>
<td>Uy Soitha</td>
<td>Member</td>
<td>Deputy Commander, special forces, National Anti-Terrorist Committee Secretariat</td>
</tr>
<tr>
<td>Sambath Huona</td>
<td>Member</td>
<td>Deputy director, spy and investigation department, National Anti-Terrorist Committee Secretariat</td>
</tr>
</tbody>
</table>

**Sub-Committee to Examine the Bodies of the Dead**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Ministry/Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mam Bunheng</td>
<td>Chairman</td>
<td>Health Minister</td>
</tr>
<tr>
<td>Prum Sokha</td>
<td>Vice chairman</td>
<td>Secretary of State, Interior Ministry</td>
</tr>
<tr>
<td>Te Kuyseang</td>
<td>Member</td>
<td>Secretary of State, Health Ministry</td>
</tr>
<tr>
<td>Mok Chito</td>
<td>Member</td>
<td>Director, judicial bureau, National Police</td>
</tr>
<tr>
<td>Cheang Ra</td>
<td>Member</td>
<td>Director, Calmette Hospital</td>
</tr>
<tr>
<td>Teng Soneun</td>
<td>Member</td>
<td>Director, Fresh Kossamak Hospital</td>
</tr>
<tr>
<td>Say Sengly</td>
<td>Member</td>
<td>Director, Khmer-Soviet Friendship Hospital</td>
</tr>
<tr>
<td>Morn Kimsan</td>
<td>Member</td>
<td>Director, technical and science department, National Police</td>
</tr>
<tr>
<td>Sin Sophany</td>
<td>Member</td>
<td>Director, research and judicial department, military police</td>
</tr>
</tbody>
</table>

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