

Defendants get less than three years over deadly building collapse

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Responders search for victims at the site of a building collapse that killed 28 in Sihanoukville in June 2019. Central



The Preah Sihanouk Provincial Court on July 30 sentenced four Chinese nationals and one Vietnamese national to less than three years in prison each for their involvement in a building collapse in Sihanoukville that killed 28 people and injured 26 on June 22 last year.

Preah Sihanouk provincial court spokesman Lim Bun Heng said the court had decided to sentence the five to 2.5 to 3 years in prison each and ordered them to pay a total of 60 to 100 million riel [about \$15,000 to \$25,000] to the families of each of the dead as well as 20 million riel to each injured worker. The court also ordered them to pay for damages caused to homes near the site of the collapse.

“There are only five defendants whose names were sent for the trial” on June 25 and 26, Bun Heng said, adding that the court had issued an arrest warrant for Vietnamese national Nguyen Thi Thuy Hao, who is on the run and was tried in absentia.

The five convicted this week, including Chinese nationals Cheng Kun, 39; Deng Xing Gui, 48; Xie Ya Ping, 43; and Gao You, 29, were charged in the days following the deadly incident and have spent more than a year in provincial prison.

Two of the Chinese nationals, building owner Cheng and construction supervisor Deng, faced charges of involuntary manslaughter and causing unintentional injury and damage, and the other four were charged with similar offenses.



Emergency responders rescue victims of a building collapse in Sihanoukville in June 2019. Central

Nhor Nhen, a lawyer for Cheng Kun and Xie Ya Ping, declined to comment on the verdict because he has not met with his clients since it was announced.

However, he said his clients had previously told him they believe they are also victims of the incident because the building collapse had bankrupted them.

“My clients feel that they are victims too because they have been bankrupted by the building collapse and lost millions of dollars,” Nhen said.

He added that Cheng and Xie had sold their property in China and borrowed money from friends to invest in Cambodia.

Cambodia.

"I am not sure whether my clients will accept or reject the court's decision, so I will go to meet them to discuss the case," Nhen said.

Puth Theavy, a lawyer for Deng, declined to comment because he said he had not heard the court's decision.

Phuon Phanith, 29, who is representing his two family members who died in the incident, said he will discuss with his relatives before deciding whether they can accept the court's decision.

"For me, I think that I can accept this decision," Phanith said. "The court has provided justice for the victims."

Chap Pros, 40, a construction worker who was injured in the collapse also said he thought that the court's verdict had provided justice for the victims.

"But I do not know when I will receive the compensation," Pros said. "I request the relevant institutions to please help speed up the procedure to ensure that victims will receive the compensation soon."

Cheap Sotheary, Adhoc coordinator for Preah Sihanouk province who was at the courthouse while the verdict was being read out, said that the judge had also banned the defendants from leaving the country for five years in an attempt to guarantee that they will pay compensation to all the victims.

Sotheary added that the relevant authorities should also be held responsible in the building collapse, as it is their duty to make sure that laws are enforced to prevent large-scale accidents in the construction sector.

"If we are strict on enforcing the law for providing licenses to foreign companies that come to do business in our country and make sure that they have the correct legal documents and technical capacity, we would not have such a tragedy," Sotheary said.

She added that provincial officials should have acted sooner to stop construction at the site, after residents of neighboring buildings had reported debris falling from the upper levels of the building onto their homes on more than one occasion.

She added that the case should set an example for others planning to invest in Cambodia that they must respect the law, and is also a reminder for relevant government institutions to take careful consideration of how to prevent similar accidents in the future.

"I just regret this case because Cambodia has departments which are responsible for the construction sector but those people were not held responsible for this tragedy apart from the resignation of the former provincial governor," Sotheary said.

She said she hoped the court would also find justice in the case of a building collapse in Kep province in January that killed 36. The Cambodian owners of that building were charged with manslaughter and causing unintentional bodily harm, and were released on bail. A trial date has yet to be set.

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+ (855) 23 88 23 11

editor@cambojanews.com

#19, St. 388, Sangkat Tuol Svay Prey I, Khan Boeng
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