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Serving time: Four behind bars over deadly Sihanoukville building collapse

Buth Reaksmeay Kongkea / Khmer Times /



File photo of the seven-storey building collapse in Preah Sihanouk province's Sihanoukville in June 2019. KT/Chor Sokunthea

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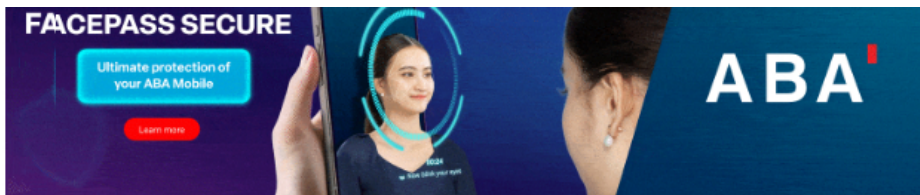


Four Chinese nationals are behind bars over the deadly collapse of a seven-story under-construction building, Cambodia's worst, in Sihanoukville two years ago.



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They are serving jail terms of between two and three years after being convicted by the Preah Sinhanouk Provincial court following the collapse which killed 28 people and injured 100 others.

Phnom Penh Appeal Court yesterday heard their appeals against their convictions.

It also heard the appeal of a Vietnamese man, who is at large, and was jailed in absentia.

Sin Visal, the President of the Trial Chamber at the Phnom Penh Appeal Court, identified the four Chinese accused as Chen Kun, 41, who had leased the land for constructing the building; Deng Xing Gui, 48, a building contractor; Gao Yu, 29, a concrete wall contractor; and a woman Xi Ya Ping, 45, the finance manager for the project.

He identified the Vietnamese man as Nguven Huang, 48, the building construction manager.

Judge Visal said that they had been charged with “manslaughter, causing unintentional injuries and damage with aggravating circumstances” under Articles 29, 207, 236, and 410 of the Criminal Code.

He said that they were arrested on June 24, 2019 after the collapse of the building in Sihanoukville had caused the deaths, including children, and injuries.

Judge Visal noted that in May 2019, Chen, a foreign investors had leased the land from the Cambodian owner Nhek Huy, 65, to build a five-storey hotel in Sihanoukville’s Buon commune.

He said that in early June 2019, after almost completing the construction of the five floors, Chen and Deng authorised two more storeys of the building without permission from the relevant provincial authorities.

He said that at approximately 4.30am on June 22, 2019, the fifth floor gave way under the weight of the additional storeys causing the fatalities and injuries.

Judge Visal noted that the Preah Sihanouk Provincial Court on July 30 last year sentenced Chen, Deng and Xi to three years in prison while and Gao and Huang were jailed for two-and-a-half years.

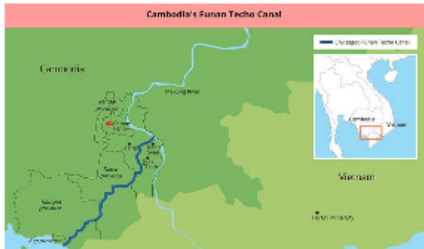
He said that the provincial court also ordered all five to jointly pay

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Opinion



The Survival of Small States

In the labyrinth of global geopolitics, small states often find themselves navigating treacherous, uncharted waters.

Here's what made Blinken's job in China so difficult

US Secretary of State Antony Blinken arrived in China on Wednesday for a three-day trip. He spoke with his Chinese counterpart and President Xi Jinping. As the New York Times had reported earlier, quoting officials privy to the visit, one of the main topics was China's alleged support of Russia, which includes the supposed sale of weapon components and dual-use products.

nearly \$2 million for damages and compensations to the families of the dead victims, those who were injured and those living nearby the construction site whose properties were damaged.

Chen, Deng and Xi were present at yesterday's appeal hearing, but Gao did not attend because he had a high temperature and was not brought to court.

Huang sent his lawyer to present his appeal.

During the hearing, Chen, Deng and Xi denied being responsible for the collapse of the building and said they should not be asked to pay compensation.

They asked the court to drop the charges, overturn the ruling of the lower court and release them.

Chen told the court that he is a Chinese investor and came to Cambodia in 2015.

He said from 2016 to 2019, he owned a Chinese restaurant in Sihanoukville.

Chen said that due to the success of his restaurant business, he decided to lease the land to construct a hotel building.

He added that he hired Deng, who is an expert Chinese engineer, to be in charge of the construction.

"At first, I planned to build only a five-storey building on the leased land. But after I exchanged ideas with Deng, he recommended that he could increase it to seven storeys. I agreed with him and let him go ahead," Chen told the court.

"Deng guaranteed that building the extra two floors would not cause a collapse. But it did collapse during the construction," he added. "In this case, I am only a foreign investor and not the builder. Why should I be responsible for the collapse of the building? Why was I arrested and convicted. Why should I be punished?"

Chen said that to construct the hotel, he had already spent \$600,000 for the project.



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Mental well-being and mental health are gaining attention, especially after Covid-19 tore families, friends, and academic and business institutions apart.

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Features

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From trees felled in protected national parks to massive swaths of jungle razed for palm oil and paper plantations, Indonesia had a 27% uptick in primary forest loss in 2023 from the previous year

Xi Ya Ping is escorted out from the Phnom Penh Appeal Court yesterday. KT/Siv Channa

“I also borrowed money from other people in my country to invest and construct the building and now have lost \$600,000 because of the collapse,” he said. “I am also a victim in this case and I do not have any money to pay for other damages.”

Deng also said that he should not be responsible for damages in this case.

He said that he signed the contract to construct the building on behalf of the two Chinese owners of the company he was working for.

Deng also claimed that it was Chen who hired a friend to use fewer support pillars for the two additional floors for there to be more space.

“I constructed the seven storeys in accordance with the orders of Chen who is the owner of building,” he told the court.

“I am only a constructor and worked for pay,” he said. “I am not responsible for these damages. I would like to ask the court to drop the charge and release me from prison.”

Xi told the court that she is Chen’s cousin. She said she came to Cambodia on April 5, 2019, just two months before the building collapsed.

She said that she came to help Chen who needed a cook.

“In this case, I was only Chen’s cook and did not have any shares in his company. He paid me a salary of \$600 per month,” she said. “I am not involved with the collapse of the building. Please the Appeal Court find justice for me and release me.”

Mark Limlong, Chen’s lawyer, told the court that in this case, his client was also a victim who lost money due to the collapse of the building.

Kimlong said that his client should not be responsible for damages.

“My client is not a contractor and did not know how to construct the building. He hired Deng Xing Gui to do it,” he said.

“He is innocent. I would like to ask the Appeal Court to reject the ruling of the Preah Sihanouk Provincial Court, drop his charges and release him,” he added.

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The war in Gaza spurred large protests outside a glitzy roast with President Joe Biden, journalists, politicians and celebrities Saturday but went all but unmentioned by participants inside, with Biden instead using the annual White House correspondents’ dinner to make both jokes and grim warnings about Republican rival Donald Trump’s fight to reclaim the US presidency.



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Good Times2

An on-again, off-again year for Siem Reap’s arts

Siem Reap’s 2020 arts and lifestyle coverage kicked off the year on an optimistic note that, with the wisdom of hindsight, turned out to be somewhat ironic.

Remaining sane while you care for

your baby

Because our baby is now at the centre of our life, it has been mentally challenging since even getting a good night's sleep or a decent meal has suddenly become a real task.

Khim Ten, 45, the father of construction worker Chhon Thean, 18, who died in the collapse, told *Khmer Times* yesterday that he was not aware that the five had been convicted by the provincial court or how much the court had ordered them to pay in compensation.

Ten said that he had travelled to the Phnom Penh Appeal Court from Prey Veng province when he heard about yesterday's hearing.

"It had been more than two years since my son died and my family has not received any compensation payment from the accused, he said. "To find justice for my son, I urge the court to uphold their convictions and pay compensation for my son's death which the provincial court ordered."

A victim, Chea Da, 30, from Prey Veng province, told *Khmer Times* yesterday that he had worked for Deng's company in Sihanoukville for five months before the collapse.

He said that on the day of accident, he and other workers slept inside the building which was under construction.

"I still remember that about 4am on that Saturday (June 22, 2019) we all were asleep and I was awakened by a loud sound as the building began collapsing. Debris fell and buried me," Da said. "At that time, I thought I had died. I tried to remain focused on escaping. I manage to find a gap in the debris and shouted for help but no one heard."

"When I later saw a bulldozer was sifting debris to search for victims, I became afraid that it would run over me because the driver could not see me. However, I was rescued by a military police officer who had heard my shouts for help," he added.

Da said that he suffered injuries to his back and cannot do heavy work anymore.

He asked the Phnom Penh Appeal Court to uphold the convictions and order the accused to pay his treatment costs.

A verdict is due on August 8.



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