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MOTION FOR A RESOLUTION

tabled for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115(5) of the Rules of Procedure

by Annemie Neyts-Uyttebroeck, Emma Bonino, Marco Pannella, Jules Maaten and Graham Watson

on behalf of the ALDE Group

on Cambodia

PE 356.352

European parliament resolution on Cambodia

The European parliament,

- having regard to its previous resolutions on Cambodia, and in particular those of 13 March 2003, 12 February 2004 and 13 January 2005,
 - having regard to the cooperation agreement between the European Community and the Kingdom of Cambodia, which entered in force on 1 November 1999,
 - having regard to the declaration of the Presidency on behalf of the European Union following the suspension of the parliamentary immunity of three members of the opposition,
 - having regard to the 2000-2003 EC-Cambodia Strategy Document and the 2005-2006 National Indicative Programme,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas Sam Rainsy, MP, leader of the opposition of the Kingdom of Cambodia and two other parliamentaries, Mss Chean Channy and Chea Poch, were stripped of their parliamentary immunity by the Cambodian National Assembly on 3 February 2005,
- B. concerned by the fact that the vote was taken by a show of hands in violation of the Cambodian National Assembly's own regulations and procedures and was held behind closed doors after journalists and diplomats had been asked to step out of the assembly hall,
- C. whereas Sam Rainsy is now in the European Union and Chea Poch is in a neighbouring country of Cambodia while Chean Channy was arrested and is currently detained by the Cambodian military in Phnom Penh,
- D. whereas the reasons given to justify the lifting of parliamentary immunity were of questionable basis,
- E. insisting on the fact that parliamentary immunity is designed to protect parliamentarians from possibly groundless proceedings or accusations that may be politically motivated,
1. Believes that lifting the parliamentary immunity of oppositionist legislators creates a dangerous precedent that weakens the legislature as an institution and as a separate branch of government whose independence and credibility are essential in any democratic country;

2. Believes that this action undermines the democratic progress already accomplished by Cambodia;
3. Calls on the government of Cambodia to release Cheam Channy immediately and unconditionally;
4. Calls on the Cambodian Assembly to reverse its recent action of stripping opposition parliamentarians Sam Rainsy, Cheam Channy and Chea Poch of their immunity;
5. Calls on the Commission, the Council and the governments of the Member States to raise this issue with the Cambodian government and to consider with the UN and international donors imposing appropriate sanctions against the National Assembly and the Government of Cambodia unless and until it reverses its recent action;
6. Suggests that an ad-hoc EU delegation visit Cambodia as soon as possible to evaluate the political situation in the country;
7. Instruct its President to forward this resolution to the Council, the Commission, the UN Secretary General and the Parliament and Government of Cambodia.