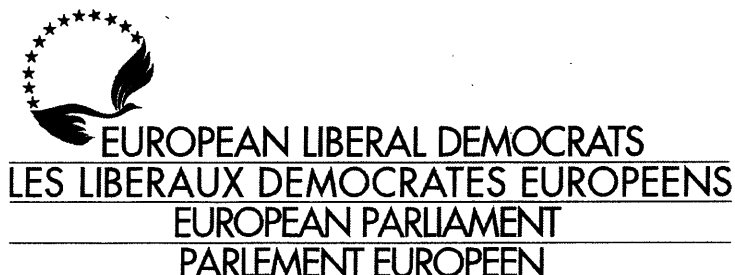


30.06.2003



MOTION FOR A RESOLUTION

Strasbourg, 30 June 2003

B5-0357/03

with request for inclusion in the debate on topical and urgent subjects of major importance pursuant to Rule 50 of the Rules of Procedure

by Graham Watson, Jules Maaten and Anne André-Léonard
on behalf of the ELDR Group

on the situation in Cambodia on the eve of the general elections of 27 July 2003

The European Parliament,

- having regard to its previous resolutions on Cambodia;
- having regard to the EC-Cambodia Cooperation Agreement, which entered into force on 1 November 1999;
- having regard to the Commission communication on EU election assistance and observation (COM(2000) 191);
- having regard to the EC-Cambodia Strategy Paper 2000-2003;
- having regard to the report of the UN Secretary-General's Special Representative on Human Rights on Cambodia;

- A. whereas National Assembly elections will be held in Cambodia on 27 July 2003, marking another important step in the country's democratisation process;
- B. alarmed at the violence perpetrated against political activists, mainly from the opposition;
- C. concerned about the government's decision in January 2003 to bar Christian groups from disseminating religious literature in public and noting the difficulties in registering experienced by Buddhist monks;

A. André-Léonard

(MAATEN)
533.915

- D. whereas the destruction in January of the Thai Embassy and of Thai businesses in Phnom Penh highlighted the volatile security situation and the climate of targeted xenophobia;
 - E. whereas the government has tried to exploit these events to the detriment of the opposition leader Sam Rainsy;
 - F. whereas Cambodia has ratified the Statute of the International Criminal Court and has signed on 13 May 2003 an agreement with the UN to prosecute former Khmer Rouge leaders;
 - G. whereas during the past year human rights defenders, opposition journalists and the independent media have become increasingly subject to intimidation, arrests and killings, the perpetrators of which have never been brought to justice;
 - H. whereas the electronic media remain under the control of persons and companies affiliated to Prime Minister Hun Sen's Cambodian People's Party;
 - I. whereas new electoral regulations limit the ability of political parties to meet, while Cambodian voters continue to be denied access to the information needed to make meaningful choices at the ballot box as a direct result of the government's persistent refusal to open up the media to parties not aligned with the ruling Cambodian People's Party;
 - J. Deploring that, in the composition of the National Electoral Commission, which is largely funded by the EU, the only party not represented is the opposition party;
 - K. concerned that the National Electoral Committee's legal unit is not yet adequately staffed or trained to handle party complaints;
 - L. recalling that Cambodia is the largest recipient of per capita aid;
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- 1. Condemns the acts of violence and intimidation taking place during the pre-election period and urges the Cambodia authorities to guarantee free and fair elections without intimidation and harassment;
 - 2. Calls on the Cambodian authorities to fully respect the right to freedom of assembly, association and expression in the pre- and post-election period;
 - 3. Calls on the government of Cambodia to ensure that the electoral campaign and the ballot take place in a peaceful atmosphere;
 - 4. Calls on the Cambodian Government to issue clear written instructions to government officials to all levels calling for an end to political violence, intimidations, coercion and other human rights violations and setting out the penalties for transgressions;

333.915

5. Urges, in particular, the National Electoral Commission to play a full neutral role and to exert strong pressure to prevent and sanction all kinds of discrimination;
6. Calls on the Cambodia government to charge the Ministry of Interior (MOI) and the National Election Committee to promptly investigate, prosecute and finish all acts of political violence and other electoral violations according to article 124 of the National Assembly Election Law and Cambodian criminal law;
7. Calls on the Cambodian authorities to repeal immediately the NEC-MOI Joint Directive of 27 May which places arbitrary and unnecessary restrictions on political party meetings;
8. Calls on the Cambodian government to immediately stop denying its political opponents access to the broadcast media and grant licences to those who have applied properly for them;
9. Invites the MOI and the NEC to implement a thorough and impartial complaints process, with respect to violation of electoral procedures;
10. Strongly believes that before, during and after the campaign period, all parties must respect the laws governing their activities and refrain from violence, racist rhetoric and vote-buying;
11. Calls on the Commission to send the clear message, via its two representatives in the region, that, in order for the elections to be considered free, fair and democratic, the lives of opposition leaders must be safeguarded, failing which the cooperation agreement with the EU will be cancelled;
12. Insists that the international electoral mission in Cambodia must closely monitor all kinds of violations, intimidation, harassment, discrimination and fully take them into account in its final evaluation;
13. Insists on the fact that the UN-Cambodia agreement concerning the prosecutions - under Cambodian law - of crimes committed during the period of Democratic Kampuchea should be implemented quickly, otherwise the opportunity to bring to justice those responsible for serious violations of international and Cambodian law during the Khmer Rouge period will soon be lost;
14. Reminds the Cambodian authorities that free and fair elections and full respect of the rights of the opposition are an essential element for the maintenance of full EU cooperation with Cambodia;
15. Regrets that, in spite of large amounts of European aid to Cambodia, living conditions in the country have worsened;
16. Urges the European Commission to focus its aid on the civic society and local NGOs and to channel the aid through government or government bodies and conditional upon respect of pluralism and human rights;

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17. Calls on the Commission, in collaboration with the international donors community, to consider funding a permanent, independent national television and radio station that features impartial coverage of current affairs, public interest programming and political party information;
18. Calls for a proactive commitment by the Council, the Commission and by EU representatives in Phnom Penh with regard to improvement of the human rights and civil rights situation in Cambodia and for EU humanitarian and economic aid to be made conditional thereon;
19. Invites its ad hoc delegation to report back after achieving its mission of monitoring the Cambodian elections on 27 July 2003;
20. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the UN and the government and parliament of Cambodia.

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