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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Pasqualina Napoletano and Elena Valenciano

on behalf of the PSE Group

on the political repression in Cambodia

PE 368.283v01-00

European Parliament resolution on political repression in Cambodia

The European Parliament,

- having regard to its previous resolutions on Cambodia of 13 January 2005 and 10 March 2005 and its resolution on the human rights situation in Cambodia, Laos and Vietnam of 1 December 2005;
 - having regard to the Cooperation Agreement between the European Community and the Kingdom of Cambodia,
 - having regard to the 2004-2006 Cambodia strategy Paper and the 2005-2006 National Indicative Programme,
 - having regard to the Declaration by the Presidency on behalf of the European Union on the deteriorating political situation in Cambodia on 13 January 2006;
 - having regard to the EU guidelines on Human Rights Defenders approved by the Council on 14 June 2004;
 - having regard to the statement of the Special Representative of the UN Secretary General for Human Rights in Cambodia on 27 December 2005;
 - having regard to the statement of the UN High Commissioner for Human Rights on 4 January 2006;
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas in the last weeks political repressions in Cambodia have dramatically increased with several arrests of human rights workers, journalists and trade unionists on charges of defamation;
- B. whereas three prominent human rights activists have been first detained for interrogation and subsequently charged with criminal defamation in relation to the peaceful demonstrations at the International Human Rights event on 10 December 2005;
- C. whereas several other activists and members of the opposition have left the country under the threat of arrest and persecution;
- D. considering those repressive tactics to be a government's attempt to silence peaceful government critics and thus eliminate the last effective political opposition; considering also that those events present worrisome signs of a deteriorating democracy in Cambodia;
- E. whereas on 22 December the leader of the opposition party Sam Rainsy was sentenced in absentia to 18 months' imprisonment on defamation charges brought by the Prime Minister;

- F. whereas the UN Working Group on Arbitrary Detention has ruled that the detention of MP Cheam Channy is in violation of both Cambodian and international law;
- G. whereas on 11 January one of the arrested activists has been released on bail without charges against him being dropped;
1. Requests an immediate release of the recently arrested human rights activists and annulment of all charges against them; calls moreover for all acts of intimidation and harassment against human rights defenders in Cambodia to end;
 2. Urges Cambodia to stop breaching its obligations under international law, and in particular the International Covenant on Civil and Political rights and immediately release Cheam Channy; also requests that the judgment against Sam Rainsy be overturned and that both persons' parliamentary immunity be restored;
 3. Requests that prosecutions under defamation charges be abolished as they could be easily abused for political purposes; is convinced that the government's use of the justice system in the recent cases undermines the credibility and independence of the judiciary;
 4. Deplores the fact that the Cambodian government did not respond constructively to the protests from both Cambodian civil society and the international community against its continuous violations of the right to free expression;
 5. Urges Cambodian authorities to ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international conventions ratified by Cambodia;
 6. Reminds Cambodian authorities that political parties and human rights organisations must be allowed peacefully to express their opinions;
 7. Trusts that the EU will discuss with other international donors at their next meeting Cambodia's failure to respect its commitments regarding democratic principles and fundamental human rights;
 8. Calls on the EU to take steps to ensure that fundamental freedoms, as enshrined in art. 1 of the Cooperation Agreement between the EC and Cambodia, are respected and that attacks on civil liberties will have consequences; calls also on the EU to make further provision of its financial aid conditional upon improvement of Cambodia's human rights record;
 9. Expresses its support for the activities of the Special Representative of the UN Secretary-General for Human Rights in Cambodia
 10. Reiterates its previous call for an ad-hoc EU delegation to visit Cambodia urgently in order to examine the situation of the detained activists and to intensify pressure on the Cambodian authorities for their release;

11. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the UN, the High Commissioner for Human Rights, the Government of Cambodia and the governments of the ASEAN Member States.