

# EUROPEAN PARLIAMENT

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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 Bernd Posselt and Simon Coveney,

on behalf of the EPP-ED Group

on Cambodia

PE 368.290v01-00

**European Parliament resolution on Cambodia**

*The European Parliament,*

- having regard to its previous resolutions on Cambodia adopted on 13 January 2005 and on 10 March 2005 and its resolution on the human rights situation in Cambodia, Laos and Vietnam adopted on 1st of December 2005;
  - having regard to the Cooperation Agreement of 1997 between the European Community on one hand and the Kingdom of Cambodia on the other hand;
  - having regard to the EU guidelines on Human Rights Defenders approved by the Council on 14 June 2004;
  - having regard to the standards set by the 1998 UN Declaration on Human Rights Defenders;
  - having regard to the statement of the Special Representative of the UN Secretary General for Human Rights in Cambodia, Mr Yash Ghai, on 27 December 2005;
  - having regard to the statement of the UN High Commissioner for Human Rights on 4 January 2006;
  - having regard to the World Bank statement on Cambodia of 9 January 2006;
  - having regard to the International Covenant on Civil and Political Rights of which Cambodia is a state party;
  - having regard to the decision of the UN Working Group on Arbitrary Detention of 25 November 2005 regarding the detention of MP Cheam Channy
- A. whereas the situation in Cambodia has dramatically deteriorated since last year with further arrests of human rights workers made on defamation offences;
- B. whereas the Cambodian authorities are cracking down on critics of the Government taking legal action against human rights defenders, journalists, teachers, trade unionists, opposition leaders that appears to be politically motivated;
- C. whereas Kem Sokha, President of the Cambodian Centre for Human Rights (CCHR), Pa Nguon Teang, Acting Director of the Cambodian Centre for human rights and Radio Director, Rong Chhun, President of the Cambodian Independent Teachers Association (CITA) and Mam Sonando, Director of the Beehive Radio have been arrested and are facing trial;

- D. noting the fact that Yeng Virak was released on bail but the charges were not dropped;
- E. whereas the Cambodian authorities are seeking for the same reasons, Chea Mony, President of the Free Trade Union of Workers, Ea Channa, Deputy Secretary General of the Students Movement for Democracy, Men Nath, President of the Cambodian Independent Civil Servants Association, Prince Sisowath Tomico, Secretary to former King Sihanouk and Say Bory, Advisor to former King Sihanouk;
- F. whereas other human rights defenders and perceived critics of the government are feared to be at risk of arrest, and many have gone into hiding or fled the country;
- G. concerned by the fact that Sam Rainsy, Member of the Cambodian Parliament and Leader of the opposition was convicted and sentenced to 18 months imprisonment in absentia in Phnom Penh last December 22, 2005 on defamation charges filed by the Prime Minister and the President of the National Assembly;
- H. whereas Cheam Channy, Member of the Cambodian Parliament was tried and convicted in August 2005, and sentenced to seven years imprisonment;
1. Is deeply concerned by the recent arrests and prosecutions and urge the Cambodian Government to consider very carefully the compatibility of such actions with the commitments it has made to its people and to donors towards building a more open democratic and just society;
  2. Strongly believes that the continuing detentions of leading figures from the political opposition, trade unions, the media and NGOs and the use of criminal law in cases of expression of dissenting opinion on matters of politics and policy sends a worrying message to the Donor's Community on which the government relies for about 50% of his annual budget;
  3. Reminds the Cambodian Government that it has to meet its obligations and commitments regarding the democratic principles and the fundamental human rights which are an essential element of the Cooperation Agreement of 1997 between the EC and Cambodia as defined in art.1 of the Agreement;
  4. Welcomes the release on bail of Yeng Virak, Director of the Community Legal Education Centre; (CLEC) and urges the judiciary to drop all the charges against him and reiterates its demand of 1 December 2005 to release Cheam Channy and restore the parliamentary immunity of Sam Rainsy;
  5. Expresses its support for the Special Representative of the UN Secretary General for Human Rights in Cambodia and the office of the UN High Commissioner for Human Rights, whose mandate includes protection and monitoring and insists, once more, that the independent Khmer Rouge Tribunal be established as soon as possible as agreed with the UN in June 2003;

6. Strongly believes that dissenting views and opinions should be challenged through public debate rather than criminal law suits and demands that an end be brought to the detention of all political prisoners;
7. Calls on the Commission to respond to the latest crackdown on civil and political rights in clear and unambiguous terms, in coordination with the donor community, at the upcoming Consultative Group meeting;
8. Reiterates its demand that an EP ad hoc delegation visits Cambodia to evaluate the respect of Art. 1 of the EC-Cambodia Cooperation Agreement and the situation of detained parliamentarians, media representatives and trade union leaders in the country;
9. Instructs its president to forward this resolution to the Council, the Commission, the UN High Commissioner for Human Rights, the Special Representative of the UN Secretary General for Human Rights in Cambodia, the President of the World Bank and to the Government and Parliament of the Kingdom of Cambodia.