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Plenary sitting

14.1.2014

B7-0042/2014

MOTION FOR A RESOLUTION

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

pursuant to Rule 122 of the Rules of Procedure

on the situation of rights defenders and opposition activists in Cambodia and Laos

(2014/2515(RSP))

Cecilia Wikström, Marietje Schaake, Sarah Ludford, Leonidas Donskis, Louis Michel, Ramon Tremosa i Balcells, Kristiina Ojuland, Johannes Cornelis van Baalen, Angelika Werthmann, Hannu Takkula, Marielle de Sarnez, Izaskun Bilbao Barandica, Robert Rochefort
on behalf of the ALDE Group

European Parliament resolution on the situation of rights defenders and opposition activists in Cambodia and Laos (2014/2515(RSP))

The European Parliament,

- having regard to the 5 August 2013 report of the United Nations Special Rapporteur on the situation of human rights in Cambodia,
- having regard to the 1998 UN Declaration on Human Rights Defenders,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to its previous resolutions on Cambodia,
- having regards to its resolution of 7 February 2013 regarding the case of Sombath Somphone,
- having regards to the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED), to which Laos is a signatory, and the UN Declaration of 18 December 1992 on the Protection of All Persons from Enforced Disappearance,
- having regards to the Universal Declaration of Human Rights of 1948,
- having regard to Rule 122(5) of its Rules of Procedure;

A. Whereas the EU is Cambodia's single largest donor;

B. Whereas the right to freedom of peaceful assembly – for people to come together to express their views – is protected in Cambodia's Constitution and in Article 21 of the International Covenant on Civil and Political Rights (ICCPR);

C. Whereas Cambodia's garment industry employs some 600,000 people in hundreds of mostly foreign-owned firms;

D. Whereas under international law, if a protest turns violent security forces are only allowed to use such force as is strictly necessary for the performance of their duty. The intentional lethal use of firearms can only be justified if it is strictly unavoidable in order to protect life;

E. Whereas land disputes and forced evictions continue unabated featuring the use of force by the authorities and businesses leading to violent clashes with communities;

The situation in Cambodia

1. Expresses deep concern about the human rights situation in Cambodia and calls on all sides to exercise restraint, particularly given the current levels of tension in Cambodia following the

disputed election in July 2013;

2. Believes the Hun Sen Government, which is facing a serious problem of legitimacy, should either accept an independent investigation into the recent election irregularities and their impact on the election results, or organise new elections;

3. Condemns the killing of at least six media report of 5 people killed protestors and the wounding of another 30 following a violent crackdown by security forces on striking garment workers in Phnom Penh on January 2- 3; Calls on the Cambodian Government to launch an investigation into these deaths and a review of the decision to deploy armed Special Forces units to deal with the workers strike;

4. Strongly regrets that over the last few months, at least 7 deaths have been reported from disproportionate government responses to factory protests and one random shooting spree aimed at CNRP supporters on Sept 15th 2013;

5. Calls on the Cambodian authorities to protect the human rights of the 23 people arrested after the crackdown and to immediately and unconditionally release all people detained for their non-violent political and social activism;

6. Condemns the Cambodian Government's decision to impose a general ban on demonstrations, in violation of the rights to peaceful assembly, association, and expression under the Constitution of the Kingdom of Cambodia and the International Covenant on Civil and Political Rights, to which Cambodia is a party;

7. Expresses serious concerns about reports of a general crackdown by Government authorities on the Cambodia National Rescue Party (CNRP) and other opposition. This includes the filing of politically motivated criminal investigations of party President Sam Rainsy and Vice President Kem Sokha, and union leader Rong Chhun for incitement of unrest;

8. Urges the Cambodian government to recognise the legitimate role played by the political opposition in contributing to Cambodia's overall economic and political development; calls on the Cambodian authorities to immediately drop the summonses issued to Cambodia National Rescue Party (CNRP) leaders, Sam Rainsy and Kem Sokha, and union leader Rong Chhun of the Cambodia Independent Teachers Association (CITA) and the Cambodian Confederation of Unions (CCFU) to appear at the Phnom Penh Municipal Court on January 14;

9. Condemns the Garment Manufacturers Association in Cambodia's (GMAC) reported comments that violence against protestors was "collateral damage" and described the use of lethal weapons by the military police as "absolutely" appropriate;

10. Welcomes the pledge by H&M, one of the biggest buyers of garments from Cambodia, to pay a living wage to workers and calls on this positive solution to be expanded by other buyers;

11. Urges the Cambodian Government to cease all forced evictions and introduce and enforce a moratorium on evictions in Cambodia until a transparent and accountable legal framework

and relevant policies are in place to ensure that evictions are conducted only in accordance with international human rights law and ensure that all those evicted are guaranteed adequate compensation and suitable alternative accommodation that meets international standards for adequate housing, water and sanitation, food security and livelihood;

12. Urge the European Commission to launch an investigation of the human rights situation in Cambodia under the GSP withdrawal procedure and temporarily suspend EBA preferences from all sectors associated with serious and systematic human rights abuses;

13. Instructs its President to forward this resolution to the Government and Parliament of Cambodia, the EU High Representative, the Commission, the parliaments and governments of the Member States, the United Nations High Commissioner for Human Rights and the governments of the ASEAN Member States;

The situation in Laos

14. Believes the human rights situation in Laos and remains cause for serious concern and calls on Laos to adhere to its commitments under the International Covenant on Civil and Political Rights;

15. Calls on the Lao Government should immediately disclose the fate of prominent social activist Sombath Somphone, who was apprehended at a police checkpoint in Vientiane one year ago. The official investigation of his enforced disappearance on December 15, 2012 was inadequate, and the government has yet to offer a credible explanation of Sombath's whereabouts;

16. Calls on the Lao Government to bring to trial and punish those who are responsible for this forced disappearance and to provide to the wife and the other family members of Sombath Somphone relevant material and conclusions from any investigation;

17. Demands the Lao Government, a recipient of EU aid, to ratify without further delay the Convention for the Protection of All Persons from Enforced Disappearance (ICCPED) as a concrete step to reduce the climate of fear created by the abduction of Sombath Somphone.