



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

14.1.2014

B7-0046/2014

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 activist in Cambodia and Laos
(2014/2515(RSP))

Charles Tannock, Ryszard Antoni Legutko, Ryszard Czarnecki, Adam Bielan

on behalf of the ECR Group

B7-0046/2014

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

The European Parliament,

having regard to its previous resolutions on the situation in Laos and Cambodia,

having regard to the UN declaration of Human rights defenders of 1998,

having regard to the EU Guidelines on Human Rights Defenders approved by the Council on 14 June 2004, and updated in 2008,

having regard to the International Covenant on Civil and Political Rights ratified by Lao People's Democratic Republic on 25 September 2009,

having regard to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Cambodia is a party,

having regard to Article 13 of the Declaration on the Protection of All Persons from Enforced Disappearance,

having regard to the Cooperation Agreement of 1997 between the European Community and the Kingdom of Cambodia^[1],

having regard to the statement by the Spokesperson of High Representative Catherine Ashton following the elections in Cambodia, 29 July 2013,

having regard to the Statement by the spokesperson of High Representative 21 December 2012 on Sombath Somphone and the answer to a written question on Sombath Somphone by High Representative Ashton on behalf of the Commission at EP plenary part-session in Strasbourg 11 September 2013,

having regard to the Statement by the spokesperson of High Representative on the expulsion of nine North Koreans from Laos 5 June 2013,

having regard to the Report of 5 August 2013 of the Special Rapporteur on the situation of human rights in Cambodia,

having regard to the local EU delegation statement on the new legislature in Cambodia of 23 September 2013,

^[1] OJ L 269, 19.10.1999, p. 18.

having regard to the press statement of the UN Special Rapporteur on human rights in Cambodia, 3 January 2014,

having regard to the local EU delegation statement on violence surrounding labour disputes of 4 January 2014,

having regard to its article 122 (5) of the Rules of Procedure,

Cambodia

A. Whereas the poor working conditions in the textile industry across many countries in Asia have come into the spotlight in recent years because of a number of disasters in factories;

B. Whereas Cambodia's multi-billion-dollar garment industry, which employs about 650,000 people, is a mainstay of the country's economy;

C. Whereas Cambodia is now seeing daily demonstrations and on at least four separate occasions in recent months, security forces have used unnecessary or excessive force – including live ammunition – against people protesting and participating in other assemblies, and bystanders;

D. Whereas at least four people have been killed and several others injured after police opened fire on textile workers protesting to double their minimum salary;

E. Whereas the Cambodian authorities have removed an estimated 1,000 anti-government demonstrators from a park in the capital Phnom Penh, the protesters, who had been there almost a month, have been joined by striking workers in calling for Prime Minister Hun Sen to resign;

F. Whereas the tensions which escalated with police and left four people dead resulted in a protest ban;

G. Whereas the violence comes at a time of political stress, as the opposition Cambodia National Rescue Party has protested daily for Prime Minister Hun Sen to step down and call fresh elections;

H. Whereas Prime Minister Hun Sen comes under increasing pressure to step down over alleged election fraud and being accused by opponents of rigging the vote at the July 2013 elections which extended his 28-year rule;

Laos

I. Whereas on 15 December 2012 Sombath Somphone, internationally known community development worker and social activist, went missing in the capital Vientiane and he has not been seen or heard of since;

J. Whereas his family has been unable to locate him since that day despite repeated calls to the local authorities and searches in the adjacent area;

K. Whereas crucial questions linked to the case remain unsolved after more than a year from his disappearance and the Laotian authorities declined assistance from abroad for the investigation into the disappearance;

L. Whereas despite repeated calls for an urgent investigation from the USA, the European Union, ASEAN parliamentarians and the Office of the UN High Commissioner for Human Rights, all investigations held so far by the Lao authorities appear to have stalled;

M. Whereas suspicions of the Lao authorities' potential involvement in Sombath's disappearance has been compounded by the failure to conduct a thorough investigation;

N. Whereas Sombath's enforced disappearance is not an isolated incident and to this day, the whereabouts of ten other people, two women, Kingkeo and Somchit, as well as eight men, Soubinh, Souane, Sinpasong, Khamson, Nou, Somkhith, and Sourigna, arbitrarily detained by Lao security forces in November 2009 in various locations across the country and Somphone Khantisouk, an outspoken critic of Chinese-sponsored agricultural projects that were damaging the environment in the northern province of Luang Namtha who disappeared after uniformed men abducted him in January 2007, all remain unknown;

O. Whereas Laos has demonstrated the fastest economic growth in Southeast Asia in recent years; and the work of civil society is critical in ensuring human rights are not sidelined during Laos' rapid development;

P. Whereas there is still concern about the general political situation in Laos, which has been ruled by a single party since 1975 and whose population continues to be deprived of basic civil and political human rights;

Cambodia

1. Is concerned by the violent demonstrations occurring in the vicinity of Phnom Penh and regrets the disproportionate and excessive use of force by the security forces, which resulted in the loss of lives;
2. Calls all parties involved in labour disputes to cease violence, come back to the negotiating table and use all possible peaceful means to find a solution to their differences;
3. Calls on the Cambodian authorities to guarantee the right to freedom of peaceful assembly as guaranteed in Cambodia's Constitution;
4. Calls on the authorities to exercise restraint towards protestors and reminds that any use of force by officials must be subject to the principles of legality, necessity and proportionality;

5. Welcomes the peaceful conduct and unprecedented levels of public participation in this year's general election;
6. Notes with concern the on-going dispute over alleged irregularities in the electoral process; calls on the political parties to work together to identify any flaws that occurred and to agree steps to improve the electoral process, notably reform of the voter list, the freedom of the media, and the National Election Committee;
7. Encourages the political parties to continue their dialogue to agree on structural reforms including judicial reform, as well as pursue other efforts to boost good governance and democracy;

Laos

8. Calls on the Lao government to answer the many outstanding questions around Sombath's disappearance and to establish an independent commission, ideally with international involvement or support, to investigate the case in a timely and transparent manner;
9. Urges the Laotian authorities to cease repression of civil and political rights, including freedom of expression, association and the right to peaceful assembly in Laos;
10. Calls on the Lao government to guarantee a more enabling environment for civil society and human rights defenders including those working on economic, social and cultural rights, and development activists such as Sombath;
11. Urges the Lao Government to immediately release all political prisoners and conduct effective and thorough investigations aimed at safely returning victims of enforced disappearances to their families;
12. Calls on the Laotian authorities to take all necessary steps to end the practice of arbitrary arrests and secret detention;
13. Calls on the Laotian authorities to ensure the promotion of reforms that guarantee respect for fundamental human rights and reminds Laos about its international obligations under human rights treaties it has ratified;
14. Is concerned at reports that nine North Korean refugees, some of them minors, were expelled from Laos on 27 May 2013 and sent back to North Korea via China where they may face terrible sanctions including arrest followed by torture or execution.
15. Instructs its President to forward this resolution to the HR/VP Mrs Ashton, the governments and parliaments of the Member States, the governments of the ASEAN and ASEM member states, the ASEM secretariat, the UN Secretary-General and the UN High Commissioner for Human Rights and the government and parliament of Laos and Cambodia.