



Plenary sitting

B8-1274/2015

24.11.2015

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 135 of the Rules of Procedure

on the political situation in Cambodia
(2015/2969(RSP))

Pier Antonio Panzeri, Victor Boștinaru, Richard Howitt, Elena Valenciano, Eric Andrieu, Nikos Androulakis, Zigmantas Balčytis, Hugues Bayet, Brando Benifei, José Blanco López, Vilija Blinkevičiūtė, Simona Bonafè, Biljana Borzan, Nicola Caputo, Caterina Chinnici, Andrea Cozzolino, Andi Cristea, Miriam Dalli, Viorica Dăncilă, Nicola Danti, Isabella De Monte, Monika Flašíková Beňová, Doru-Claudian Frunzulică, Eider Gardiazabal Rubial, Enrico Gasbarra, Lidia Joanna Geringer de Oedenberg, Neena Gill, Michela Giuffrida, Maria Grapini, Theresa Griffin, Roberto Gualtieri, Sylvie Guillaume, Sergio Gutiérrez Prieto, Cătălin Sorin Ivan, Liisa Jaakonsaari, Eva Kaili, Afzal Khan, Jeppe Kofod, Juan Fernando López Aguilar, Krystyna Łybacka, Costas Mavrides, Marlene Mizzi, Sorin Moisă, Csaba Molnár, Alessia Maria Mosca, Momchil Nekov, Norbert Neuser, Demetris Papadakis, Emilian Pavel, Vincent Peillon, Tonino Picula, Miroslav Poche, Inmaculada Rodríguez-Piñero Fernández, Daciana Octavia Sârbu, Peter Simon, Renato Soru, Tibor Szanyi, Claudia Tapardel, Marc Tarabella, Marita Ulvskog, Flavio Zanonato, Damiano Zoffoli, Victor Negrescu
on behalf of the S&D Group

B8-1274/2015

**European Parliament resolution on the political situation in Cambodia
(2015/2969(RSP))**

The European Parliament,

- having regard to its previous resolutions on Cambodia,
- having regard to the local statement of the EU on the situation in Cambodia, 27 October 2015
- having regard to the statement attributable to the spokesman for the Secretary-General on Cambodia of 17 November 2015

- having regard to the press statement of the spokesperson for the UN High Commissioner for Human Rights, Ravina Shamdasani, 30 October 2015

- having regard to the statement by the United Nations Special Rapporteur on the situation of human rights in Cambodia by Professor Rhona Smith, Phnom Penh, 24 September 2015
- having regard to the Statement by the Spokesperson on the Law on Associations and NGOs in Cambodia of the 15 July 2015

- having regard to the statement of 22 June 2015 by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association,
- having regard to the UN Human Rights Committee’s concluding observations of 27 April 2015 on the second periodic report of Cambodia,
- having regard to the Universal Declaration of Human Rights of 10 December 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to the 1997 Cooperation Agreement between the European Community and the Kingdom of Cambodia,
- having regard to Article 35 of the Cambodian Constitution, which guarantees the right to freedom of association and the freedom to participate actively in the political, economic, social and cultural life of the nation

- having regard to Rule 122 of its Rules of Procedure,

A. whereas the environment for opposition politicians and activists in Cambodia has been deteriorating;

B. whereas on the 13 November a Cambodian Court issued an arrest warrant against opposition leader Sam Rainsy (National Rescue Party) in connection with a seven-year-old defamation case and for which Sam Rainsy had already received a royal pardon;

C. whereas the ruling party-dominated National Assembly stripped Rainsy of his lawmaker's status and parliamentary immunity on the 16th October , prompting him to delay his return from South Korea

D. whereas eleven opposition activists were serving prison sentences of between seven and 20 years for participating in or leading an “insurrection”; whereas another opposition Member of Parliament was currently awaiting trial on a range of charges, including incitement to commit crimes and forging public documents.

E. whereas on the 26 October, a group of pro-government protesters in Phnom Penh had assaulted two MPs of the oppositional Party for the Rescue, Nhay Chamrouen and Kong Sakphea, who were brutally attacked by pro-government protesters as well as threatened the safety of the private residence of the National Assembly's First Vice-President,; whereas reports suggested that police and other state security forces looked on while the attacks took place

F. whereas in late October the opposition party deputy leader Kem Sokha was removed from his post as vice-president of the National Assembly which represents an illegal act as the constitution only provides for a substitute in case of resignation or death of the president

G. whereas the two political parties Cambodian People's Party and the Cambodia National Rescue Party had reached a political truce in 2014 to end a boycott of Parliament by the opposition party which had accused Hun Sen's party of stealing the 2013 general election.

H. whereas the right to freedom of expression is established in Article 41 of the Cambodian Constitution, and the right of political participation in Article 35 thereof;

1. Expresses its deep concerns about the worsening climate for opposition politicians and activists in Cambodia and condemns all acts of violence and politically motivated charges, sentences and convictions against opposition politicians and human rights defenders in Cambodia;
2. Calls on the Cambodian court to revoke the arrest warrant and all charges issued against opposition leader Sam Rainsy and CNRP members of the National Assembly and Senate, and CNRP activists and organizers, to allow them to work freely without fear of arrest or persecution; and to end political use of the courts to prosecute people on politically-motivated and trumped-up charges.
3. Encourages the Government of Cambodia to work towards strengthening democracy, the rule of law and to respect human rights and fundamental freedoms, in particular freedom of expression and assembly;
4. Recalls that non-threatening environment of democratic dialogue essential for political stability, democracy and a peaceful society in the country and urges the government to take all necessary measures to ensure the security of all democratically elected representatives of Cambodia, irrespective of their political affiliation

5. Welcomes the establishment of an investigative commission into the 26 October assaults; calls on the government to ensure full and impartial investigations with United Nations participation leading to prosecution of all those responsible for the recent brutal attack on two CNRP members of the National Assembly by members of the armed forces during a government-orchestrated anti-CNRP demonstration and for military and police use of excessive lethal force to suppress demonstrations, strikes, and social unrest since the fundamentally flawed elections of July 2013.
6. Urges the government to abrogate the Law on Associations and Non-Governmental Organizations, the recent promulgation of which has given state authorities arbitrary powers to shut down and block the creation of human rights-defending organizations and has already begun deterring human rights defense work in Cambodia;
7. Calls on the respective government authorities to drop prosecution of human rights defenders under other laws in force being used to persecute them for their human rights work, immediately and unconditionally release all those jailed on politically motivated and trumped up charges
8. Calls on EU Member States, the EU High Representative, European External Action Service, the European Commission in line with the EU's Strategic Framework on human rights and democracy, to immediately raise the above concerns and recommendations with Cambodian authorities,
9. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the Secretariat of the Association of Southeast Asian Nations, the UN Human Rights Council, and the Government and National Assembly of the Kingdom of Cambodia.