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*Plenary sitting*

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**B8-0756/2016**

7.6.2016

## **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 situation in Cambodia  
(2016/2753(RSP))

**Ignazio Corrao, Fabio Massimo Castaldo, Marco Zanni, Rolandas Paksas,  
Isabella Adinolfi, Beatrix von Storch**  
on behalf of the EFDD Group

**B8-0756/2016**

**European Parliament resolution on the situation in Cambodia  
(2016/2753(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Cambodia,
- having regard to the EU Local Statement of 30 May 2016 on the political situation in Cambodia,
- having regard to the press statement issued on 17 March 2016 by the United Nations Special Rapporteur on the situation of human rights in Cambodia, Professor Rhona Smith,
- having regard to the statement by United Nations human rights experts of 12 May 2016 on the attacks against civil society and human rights defenders,
- having regard to the statement attributable to the spokeswoman for the UN Secretary-General on Cambodia of 29 May 2016,
- having regard to the 1997 Cooperation Agreement between the European Community and the Kingdom of Cambodia,
- having regard to the Cambodian Constitutional Council of 2007 recognition that International Human Rights Treaties form part of domestic Law,
- having regard to the EU Guidelines on Human Rights Defenders,
- having regard to the EU Human Rights Guidelines on Freedom of Expression,
- having regard to the various International Labour Organisation (ILO) conventions, in particular the Freedom of Association and Protection of the Right to Organise Convention (No 87) and the Right to Organise and Collective Bargaining Convention (No 98),
- 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 Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas after the general elections held in July 2013 the Cambodian Government has

increased criticism and constraints on civil society organizations engaged with human rights, advocacy and transparency issues,

B. whereas the EU is Cambodia's largest partner in terms of development assistance, with a new allocation for the 2014-2020 period of EUR 410 million; whereas the EU supports a wide range of human rights initiatives carried out by Cambodian non-governmental organisations (NGOs) and other civil society organisations; whereas Cambodia is highly dependent on development assistance;

C. whereas Prime Minister Hun Sen has been in power for over 30 years while his security forces are enjoying impunity for serious human right abuses;

D. whereas Prime minister Hun Sen announced that Cambodia's next election will be in July 2018; whereas meanwhile leaders of the opposition are facing legal charges;

E. whereas the leader of the main opposition party, the Cambodia National Rescue Party (CNRP), Sam Rainsy, has been in exile since late 2015 to avoid jail on charges for which he had previously received a royal pardon;

F. whereas on 10 April 2016 Um Sam An, a Lawmaker of the opposition party CNRP, was arrested upon his return from the United States and officially charged without any justified reason;

G. whereas on 26 April 2016 the Phnom Penh court indicted Rong Chhun, a former trade union leader who is currently a member of the Cambodia National Election Committee (NEC), for trial on trumped-up politically-motivated charges of incitement of violence provoked by government security force suppression of worker strikes in late December 2013-early January 2014;

H. whereas on 2 May 2016 four staffers of Cambodia's longest-established human rights NGO, the Cambodian Human Rights and Development Association (ADHOC), were put behind bars on politically-motivated charges as well as former ADHOC staffer, recently appointed Deputy Secretary General of the National Election Committee (NEC);

I. whereas on 9 May 2016 two human rights workers, four land rights activists and two international rights workers were arrested as they attempted to make their way to a demonstration organised to denounce the arbitrary detention of the ADHOC staffs;

J. whereas concerns over continuing high numbers of sexual and gender-based violence against women and human trafficking have tremendously increased over the past years;

K. whereas land grabbing continues to be one of the most pressing human rights issues in Cambodia, with community protests a virtually weekly occurrence;

L. whereas despite widespread criticism from civil society and the international community the promulgation of the Law on Associations and NGOs (LANGO) has given state authorities arbitrary powers to shut down and block the creation of human rights-defending organisations and has already begun deterring human rights defence work in Cambodia and impeding civil society action;

M. whereas the new Law on Telecommunications passed in March 2016 poses a severe threat to freedom of expression, targeting not only online public expression but also private communications;

N. whereas the Trade Union Law adopted in April 2016 limits the freedoms of workers and trade unions;

O. 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;

P. whereas the right to freedom of peaceful assembly is enshrined in the Cambodian Constitution, in Article 20 of the Universal Declaration of Human Rights and in Article 21 of the International Covenant on Civil and Political Rights;

Q. whereas the right to take part in the conduct of public affairs is enshrined in Article 25 of the International Covenant on Civil and Political Rights,

1. Expresses its deep concerns about the worsening climate for opposition politicians and activists, and human rights, social and environmental activists in Cambodia, and condemns all acts of violence and politically motivated charges, sentences and convictions against opposition politicians, activists and human rights defenders in Cambodia;

2. Urges the Cambodian authorities to revoke the arrest warrant and drop all charges issued against opposition leader Sam Rainsy and CNRP members and activists, 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. Calls on Cambodian authorities to drop all charges against former trade union leader and member of the Cambodia National Election Committee (NEC) Rong Chhun;

4. Urges the Government of Cambodia to recognise the legitimate and useful role played by civil society, trade unions and the political opposition in contributing to Cambodia's overall economic and political development;

5. Encourages the Government to work towards strengthening democracy and the rule of law and to respect human rights and fundamental freedoms, which includes fully complying with the constitutional provisions concerning pluralism and freedom of association and expression;

5. Urges the Government to abrogate the Law on Associations and Non-Governmental Organisations, the new Law on Telecommunications and the Trade Union Law;

6. Calls on the relevant government authorities to drop the prosecution of human rights defenders under other laws in force which are being used to persecute them for their human rights work, and to immediately and unconditionally release all those jailed on politically motivated and trumped up charges;

7. Underlines the need for training of judicial and law enforcement officials on the strict application of the Law on the Prevention of Domestic Violence and Protection of Victims ('DV law') and the need to reintegrate victims of violence into their communities and society as a whole;

8. Stresses the importance of EU public diplomacy in addressing the EU's human rights concerns in Cambodia, allowing the EU's messages to be heard by both government, opposition and the public at large;

9. Calls on the Member States, the High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service and the Commission, in line with the EU's Strategic Framework on Human Rights and Democracy, to immediately raise the above concerns and recommendations with the Cambodian authorities;

10. 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.