



Plenary sitting

B8-0772/2016

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 Cambodia
(2016/2753(RSP))

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on behalf of the ALDE Group

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

The European Parliament,

- having regard to its previous resolutions on Cambodia,
 - having regard to the EU local statement of 27 October 2015 on the situation in Cambodia,
 - having regard to the report of the Special Rapporteur on the situation of human rights in Cambodia of 20 August 2015,
 - having regard to the UN Human Rights Council resolution of 2 October 2015 on Cambodia,
 - 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 2008 EU Guidelines on Human Rights Defenders,
 - having regard to the 1997 Cooperation Agreement between the European Community and the Kingdom of Cambodia,
 - having regard to the Resolution adopted by the UN General Assembly on 8 March 1998 on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;
 - 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 135 of its Rules of Procedure.
- A. whereas on 13 November 2015 the Cambodian authorities issued an arrest warrant for Sam Rainsy, leader of the main opposition party, the Cambodia National Rescue Party (CNRP), who is currently abroad, and whereas on 16 November 2015 the National Assembly of Cambodia withdrew his membership, stripping him of parliamentary immunity and making him liable to arrest when he returns to the country, in connection with a seven-year-old defamation case;

- B. whereas on 20 November 2015 Sam Rainsy was summoned by a court to appear for questioning on 4 December 2015 in relation to a post published on his public Facebook page by an opposition senator, Hong Sok Hour, who has been under arrest since August on charges of forgery and incitement after posting on Sam Rainsy's Facebook page a video containing an allegedly false document relating to the 1979 border treaty with Vietnam;
- C. whereas Member of Parliament of the opposition, Um Sam An, has been stripped of his parliamentary immunity, has been arrested on 11 April 2016, charged with "incitement to cause chaos in society" and questioned by the anti-terrorism police in relation to statements concerning a border dispute with Vietnam;
- D. whereas Rong Chhung, member of the National Election Committee (NEC), has been threatened with an arrest in attempt to pressure all members of the NEC. whereas two important elections will be held in 2017, communal elections and the national elections ;
- E. whereas senior human rights advocates from the Cambodian Human Rights and Development Association (ADHOC) - Ny Sokha, Nay Vanda, Yi Soksan, former ADHOC staffer Ny Chakrya, deputy secretary general of the country's National Election Committee (NEC) and the United Nation's Office of the High Commissioner for Human Rights (UN OHCHR) staffer Soen Sally have been victim of politically motivated charges and could receive up to 10 years of imprisonment;
- F. whereas on 26 October 2015 a group of pro-government protesters in Phnom Penh brutally assaulted two MPs of the opposition (CNRP), Nhay Chamrouen and Kong Sakphea, and 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;
- G. whereas the adopted Law on Associations and Non-Governmental Organisations (LANGO) has received widespread criticism for providing the state authorities the power to shut down human rights organisation in the country;

1. Urges the Cambodian authorities to revoke the arrest warrant and drop all charges issued against opposition leader Sam Rainsy and CNRP members of the National Assembly and Senate, including Senator Hong Sok Hour and CNRP activists and organisers, 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;

2. 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;

3. Calls on the National Assembly to reinstate Sam Rainsy and Um Sam An immediately and to restore their parliamentary immunity;

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;
6. Recalls that a non-threatening environment of democratic dialogue is essential for political stability, democracy and a peaceful society in the country and urges the government to take all the necessary measures to ensure the security of all democratically elected representatives of Cambodia, irrespective of their political affiliation;
7. 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 the two CNRP members of the National Assembly by members of the armed forces and for military and police use of excessive force to suppress demonstrations, strikes and social unrest;
8. Urges on the fair treatment of Rong Chhung and calls on the government to guarantee free elections in the upcoming years and respect the position of the NEC and the people involved with the elections;
9. Calls on the immediate release of Ny Sokha, Nay Vanda, Yi Soksan, Ny Chakrya, Soen Sally and the ceasing of politically motivated prosecutions;
10. Calls on the EEAS to make available an amount of funding depending on clear and measurable improvements of the human rights situation in the country;
11. Urges the government to repeal the LANGO and guarantee human rights organisations the necessary freedoms required to be able to function fully;
12. Calls on the Member State, 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 mentioned concerns and recommendations with the Cambodian government;
13. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the governments and parliaments of the Member States and the Government and the National Assembly of Cambodia.