



Plenary sitting

B8-0506/2017

12.9.2017

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: notably the case of Mr Kem Sokha
(2017/2829(RSP))

Barbara Lochbihler, Bodil Valero, Maria Heubuch, Heidi Hautala, Jordi Solé, Igor Šoltes, Florent Marcellesi, Ernest Urtasun, Bronis Ropė, Sven Giegold, Davor Škrlec, Michel Reimon
on behalf of the Verts/ALE Group
Ignazio Corrao, Fabio Massimo Castaldo

European Parliament resolution on Cambodia: notably the case of Mr Kem Sokha (2017/2829(RSP))

The European Parliament,

- having regard to its previous resolutions on Cambodia,
 - having regards to the Statements by the Spokesperson of the EEAS on developments relating to restrictions of the political space in Cambodia of 25 August 2017 and 3 September 2017,
 - having regard to the Local EU Statement on the closure of Cambodia Daily of 5 September 2017,
 - 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 Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas local elections took place on 4 June 2017, and the opposition CNRP gained considerable ground compared to 2012 despite fundamental flaws in the electoral process, marked notably by intimidation of free media and critical citizens, no equitable access by the opposition to radio and television, election-related institutions controlled by the ruling party, death threats against opposition candidates and lack of an independent dispute settlement mechanism;
- B. whereas the government in control of the criminal justice system has brought dozens of opposition politicians, activists and human rights defenders behind bars on trumped-up charges, such as famous housing rights activist Tep Vanny, while hundreds of others have pending criminal proceedings which can linger on as a threat for many years;
- C. whereas Kem Sokha, the new leader of the main opposition party, was arrested on 3 September 2017, which appears to have been carried out with no respect for due process guarantees, including respect for his parliamentary immunity;
- D. whereas Kem Sokha was expected to lead the Cambodia National Rescue Party in next year's National Assembly election challenging the ruling Cambodian People's Party of Prime Minister Hun Sen, who has held power for three decades; whereas he has been charged with treason for allegedly conspiring with the United States to topple the government, and could face up to 30 years in prison if convicted;
- E. whereas with amendments to the Law on Political Parties of 14 February 2017, the judiciary can in the future dissolve any party or bar party leaders from political activity on vaguely worded offenses such as threatening “national unity” or the “security of the states”;

- F. whereas recent measures taken by the Government of Cambodia have led to the closure of international non-governmental organisations under the Law on Association and Non-Governmental Organisation (LANGO) and have targeted media companies, including over thirty radio stations and the oldest English language independent newspaper, The Cambodia Daily, which was forced to cease publication after 24 years;
1. Strongly condemns the arrest of Kem Sokha on a number of charges that appear to be politically motivated, and calls on the Cambodian authorities, in view of his parliamentary immunity, to release him immediately;
 2. Deplores public statements by the Prime Minister and high-ranking officials about Kem Sokha's supposed guilt, which breach the presumption of innocence and the right to a fair trial to which he is entitled under Cambodian and international human rights law;
 3. Expresses its deep concerns about the worsening climate for opposition politicians, journalists and human rights activists in Cambodia, and condemns all acts of violence, politically motivated charges, arbitrary detention, questioning, sentences and convictions in respect to these individuals;
 4. Stresses that a credible democratic process leading up to the National Assembly election in July 2018 requires an environment in which political parties, civil society and the media are able to carry out their legitimate roles without fear, threats or arbitrary restrictions; otherwise the 2018 elections will by no means be considered free and fair;
 5. Expects the authorities of Cambodia to respect the right to due process of all Cambodians and of organisations operating in Cambodia;
 6. Calls on the Government of Cambodia 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;
 7. Re-iterates its continuing concern about land evictions, persisting impunity for such acts and the dire situation of the affected communities and expresses disappointment over the proposed "Resolution of economic land concession of sugar cane plantation for exportation" by the Cambodian Ministry of Land Management, Urban Planning and Constructions; urges the Government of Cambodia to sign on to the EU Terms of Reference for the Sugar Cane Audit process; otherwise calls on the EU Commission to proceed with an investigation under Everything But Arms to proceed with product and sector-specific suspensions as stipulated in article 15(1) of the General System of Preferences;
 7. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government and National Assembly of Cambodia, the Secretary-General of ASEAN, and the UN Human Rights Council.

