



Plenary sitting

B8-0507/2017

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 Kem Sokha
(2017/2829(RSP))

Elena Valenciano, Victor Boștinăru, Soraya Post, David Martin
on behalf of the S&D Group

B8-0507/2017

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

The European Parliament,

- having regard to its previous resolutions on Cambodia, notably those of 9 June 2016, 26 November 2015 and 9 July 2015;
 - having regard to the local EU statements of 5 September on the closure of Cambodia Daily, and 22 February 2017 on the political situation in Cambodia, and the Statements by the Spokesperson of the EU Delegation of 3 September 2017 and 25 August 2017 on restrictions of political space in Cambodia;
 - having regard to the Comment by the United Nations High Commissioner for Human Rights of 4 September 2017 on arrest of Cambodian opposition leader Kem Sokha, and the statement by Spokesperson for UN Secretary-General of 25 August on Cambodia;
 - having regard to the Statement by the UN Special Rapporteur on the situation of human rights in Cambodia on 18 August 2017, and the Report of 5 September 2016;
 - having regard to the UN Human Rights Committee’s concluding observations of 27 April 2015 on the second periodic report on Cambodia;
 - having regard to the Report by ASEAN Parliamentarians for Human Rights of March 2017;
 - having regard to the 1997 Cooperation Agreement between the European Community and the Kingdom of Cambodia;
 - having regard to the Universal Declaration of Human Rights of 1948;
 - having regard to the International Covenant on Civil and Political Rights of 1966;
 - having regard to the International Labour Organisation Convention on Freedom of Association and Protection of the Right to Organise;
 - having regard to the 2008 EU Guidelines on Human Rights Defenders;
 - having regard to the Cambodian Constitution;
 - having regard to Rules 135 of its Rules of Procedure.
- A. whereas there has been a steady increase in arrests and detention of members of the political opposition, political commentators, trade unionists, human rights activists and representatives of civil society in Cambodia;

- B. whereas Prime Minister Hun Sen has been in power for over 30 years; whereas on 3 September 2017 Kem Sokha, the president of the leading opposition party, the CNRP, was arrested and charged with treason despite having parliamentary immunity, and faces up to 30 years in jail if found guilty;
- C. whereas, according to his family, Kem Sokha was arrested without a warrant, and has not had access to a lawyer; whereas he has been charged based on a video of a speech he gave in 2013 and which has been publically available since then; whereas human rights organisation have expressed concern that statements by the government put in jeopardy his right to a fair trial and presumption of innocence;
- D. whereas the previous president of the CNRP, Sam Rainsy, was forced to resign following legal threats; whereas he was convicted in his absence of criminal defamation and now lives in exile;
- E. whereas amendments passed by the Cambodian parliament in 2017 to the Law on Political Parties allow for the dissolution of parties if its leaders hold criminal convictions; whereas the ministry of interior holds sweeping powers to suspend political parties based on vaguely-defined criteria; whereas the Cambodian authorities have indicated they could dissolve the CNRP opposition party if it defends Kem Sokha;
- F. whereas the arrest of Kem Sokha took place against a backdrop of increasing restrictions on non-governmental organisations, human rights organisations and civil society including tax and regulatory probes, intimidation and threats of violence; whereas the 2015 Law on Associations and Non-governmental Organisations (LANGO) has been heavily criticised by the international community for its wide-ranging and arbitrary powers to repress NGOs;
- G. whereas human rights organisations have expressed serious concern at the ongoing landgrabbing, displacement and human rights abuses in Cambodia, as well as lack of civil society consultation by the government in order to implement a meaningful and inclusive land compensation scheme;
- H. whereas in April 2016 five human rights defenders of the Cambodian Human Rights and Development Association (ADHOC) were detained for over 400 days on charges of bribery in connection with a case against Kem Sokha, and are currently awaiting trial; whereas the housing rights activist Tep Vanny has been repeatedly targeted and harassed by the authorities and is currently serving a jail sentence on politically-motivated charges;
- I. whereas in June 2017 the Ministry of Interior launched an investigation into The Situation Room, a consortium of NGOs monitoring the electoral process; whereas the US National Democratic Institution has closed its operations in Cambodia and its staff face forced deportation;
- J. whereas independent media has faced a severe crackdown; whereas the English language newspaper Cambodia Daily has been forced to shut down after operating for 24 years, following a disputed US\$ 6.3 million tax bill; whereas at least 15 radio stations have been

ordered to stop broadcasting programmes critical of the government, including Radio Free Asia and Voice of America;

K. whereas parliamentary elections are due to be held in July 2018;

1. Expresses its serious concerns at the detention and charges brought against Kem Sokha; calls for his parliamentary immunity to be respected, the charges against him to be dropped and for his immediate release;
2. Notes its concern that government-aligned media sources have publically named other Members of Parliament as possible suspects in the case against Kem Sokha; reiterates its deep concern for the growing number of politically-motivated arrests and detentions against opposition figures and political commentators; calls on the government and ruling party to respect democratic plurality and cease all threats, violence, intimidation and harassment against political opponents; calls for immediate assurances from the Cambodian authorities that opposition parties including the CNRP will not be dissolved;
3. Deplores the increasing restrictions placed on NGOs, trade unions and human rights defenders; recalls the importance of a vibrant and independent civil society for democratic consolidation; insists on the ability of human rights defenders and civil society organisations, including those currently under investigation, to work freely and independently without fear of harassment, intimidation, persecution or politically-motivated charges; calls on the Cambodian authorities to cease all threats to apply repressive LANGO provisions;
4. Urges the Cambodian authorities to release all human rights defenders and political prisoners and drop charges and investigations into NGOs including the five current and former members of ADHOC staff, the housing rights activist Tep Vanny, and The Situation Room;
5. Expresses its serious concern at ongoing landgrabbing, and the recent launch by the Cambodian government for a limited and partial compensation scheme; calls on the government to resume dialogue with partners including the European Union and civil society to establish comprehensive and inclusive compensation;
6. Urges the Cambodian government to comply with the constitutional provisions and ILO conventions guaranteeing pluralism and freedom of association and expression;
7. Expresses serious concerns at the growing restrictions placed on the free and independent media, including intimidation and unsubstantiated financial demands; calls for the immediate opening up of print and broadcast media to allow for genuine media plurality including voices critical of the government;
8. Notes that urgent action needs to be taken to ensure adequate conditions for the preparation and conduct of peaceful, transparent, free, fair and pluralistic parliamentary elections in 2018;

9. Urges the Cambodian government to implement the recommendations from the UN High Commissioner for Human Rights, and to engage meaningfully with the upcoming Report from the UN Special Rapporteur on the situation of human rights in Cambodia;
10. Calls on the European Commission and EEAS to continue to raise these issues with the Cambodian authorities;
11. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission/High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the EU Special Representative for Human Rights and the Government and National Assembly of Cambodia.