



Plenary sitting

B8-0694/2017

12.12.2017

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: the banning of the opposition
(2017/3002(RSP))

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on behalf of the S&D Group

B8-0694/2017

**European Parliament resolution on Cambodia: the banning of the opposition
(2017/3002(RSP))**

The European Parliament,

- having regard to its previous resolutions on Cambodia, notably those of 14 September 2017 and 9 June 2016,
- having regard to the Statement by the Spokesperson of the Vice President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy on the dissolution of Cambodian National Rescue Party of 16 November 2017,
- having regard to the local EU statement of 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 Statement by HR/VP Federica Mogherini on the occasion of the International Day of Democracy of 26 September 2017,
- 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 Report of the UN Special Rapporteur on the situation of human rights in Cambodia of 29 September 2017, and the statement of the Special Rapporteur on the situation in Cambodia of 12 October 2017,
- having regard to the statement of the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein on the Cambodian opposition ban of 17 November 2017,
- 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 ASEAN Charter,
- having regard to the Cambodian Constitution,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

- A. whereas Prime Minister Hun Sen has been in power for over 30 years; whereas on 16 November 2017 the government-controlled Supreme Court dissolved the main opposition party, the Cambodia National Rescue Party (CNRP) and redistributed parliamentary and commune level seats to unelected members of the ruling Cambodian People's Party (CPP) and other parties; whereas parliamentary elections are due to be held in July 2018;
- B. whereas on 3 September 2017 Kem Sokha, the president of the CNRP, was arrested and charged with treason under Article 443 of the Cambodian Criminal Code, despite having parliamentary immunity; whereas according to human rights organisations he was interrogated on 24 November but has not had adequate access to legal counsel or private medical care; whereas his legal status has to be clarified; whereas he faces up to 30 years in prison if found guilty;
- C. 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, including the ADHOC 5; whereas human rights defender Tep Vanny from the Boeung Kak community remains in prison serving a two and a half year sentence in connection with a peaceful protest in 2013;
- 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; whereas since the dissolution of the opposition, an increasing number of CNRP MPs have fled Cambodia; whereas human rights organisations report some are seeking asylum;
- 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;
- F. 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 was ordered by the government to close its operations in Cambodia, and the foreign staff were expelled;
- G. whereas there are increasing restrictions in Cambodia on non-governmental organisations, human rights organisations and civil society including tax and regulatory probes, intimidation and threats of violence; whereas in November 2017 the prime minister threatened to close down the Cambodian Center for Human Rights (CCHR), an NGO originally founded by Kem Sokha; 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;

- H. whereas environmental activists Hun Vannak and Doem Kundy were arrested on 11 September 2017 after filming vessels they suspected of illegally trading; whereas they remain in Koh Kong prison with no date set for a trial;
- I. 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 Cambodian authorities have ordered the closure of 32 FM radio frequencies across 20 provinces that broadcast programmes critical of the government, including those produced by Radio Free Asia and Voice of America;
1. Expresses its serious concerns at the dissolution of the CNRP; deeply regrets the prohibition of the party which is evidence of further autocratic action by Prime Minister Hun Sen; urges the government to rescind the ban immediately, restore the elected members of the national parliament and commune council to their position and allow the full participation of opposition parties in public life;
 2. Notes that there can be no credible elections in Cambodia without the ability of opposition parties to participate; strongly urges the Cambodian government to address this issue in time for the scheduled parliamentary elections in 2018, to make it possible to be considered free and fair;
 3. Reiterates its concern for 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;
 4. Notes its grave concern at the reports of members of the opposition fleeing Cambodia; insists the government implements measures to ensure the safety and security of all political opponents; reiterates its deep concern for the growing number of politically-motivated arrests and detentions against opposition figures and political commentators; is concerned at further reprisals taken against CNRP officials and supporters; calls on the government and ruling party to respect democratic plurality and cease all threats, violence, intimidation and harassment against political opponents;
 5. 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;
 6. Urges the Cambodian authorities to respect the independence of the judiciary and not to use the legal system to target human rights defenders and political opposition activists; calls on the government to release all human rights defenders and political prisoners, and drop charges and investigations into individuals and NGOs;

7. Calls on the government to ensure fair trials and procedural safeguards, and to meet minimum standards to ensure prisoners have access to family, legal representation of their choosing and adequate medical care;
8. Urges the Cambodian government to respect the rights of freedom of association, peaceful assembly and expression; calls on the government to comply with the constitutional provisions and ILO conventions guaranteeing pluralism and the expression of fundamental rights;
9. 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;
10. Urges the Cambodian government to implement the recommendations from the recent Report from the UN Special Rapporteur on the situation of human rights in Cambodia;
11. Calls on the European Commission and EEAS to continue to take a public stance against the dissolution of the opposition and to raise this issue directly with the Cambodian authorities;
12. Urges the EEAS to encourage Cambodia to engage in reforms in line with international electoral standards in order to advance democracy and protect civil society space;
13. 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, the Government and National Assembly of Cambodia and the governments and parliaments of the ASEAN member states.