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Session document

18.1.2006

B6-0057/2006 }
B6-0058/2006 }
B6-0060/2006 }
B6-0064/2006 }
B6-0067/2006 }
B6-0071/2006 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

- Bernd Posselt and Simon Coveney, on behalf of the PPE-DE Group
- Pasqualina Napoletano and María Elena Valenciano Martínez-Orozco, on behalf of the PSE Group
- Graham Watson, Jules Maaten, Emma Bonino, Marco Pannella, Frédérique Ries and Johan Van Hecke, on behalf of the ALDE Group
- Frithjof Schmidt, Alyn Smith, Hélène Flautre and Raúl Romeva i Rueda, on behalf of the Verts/ALE Group
- Esko Seppänen and Vittorio Agnoletto, on behalf of the GUE/NGL Group
- Gintaras Didžiokas and Marcin Libicki, on behalf of the UEN Group

replacing the motions by the following groups:

- PSE (B6-0057/2006)
- UEN (B6-0058/2006)
- ALDE (B6-0060/2006)
- PPE-DE (B6-0064/2006)
- GUE/NGL (B6-0067/2006)
- Verts/ALE (B6-0071/2006)

on Cambodia

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PE 368.283v01-00}
PE 368.284v01-00}
PE 368.286v01-00}
PE 368.290v01-00}
PE 368.293v01-00}
PE 368.297v01-00} RC1

European Parliament resolution on Cambodia

The European Parliament,

- having regard to its resolutions of 13 January 2005 and 10 March 2005 on Cambodia and its resolution of 1 December 2005 on the human rights situation in Cambodia, Laos and Vietnam,
 - having regard to the Cooperation Agreement of 1997 between the European Community of the one part and the Kingdom of Cambodia of the other part,
 - having regard to the EU Guidelines on Human Rights Defenders approved by the Council on 14 June 2004,
 - having regard to the standards set by the 1998 UN Declaration on Human Rights Defenders,
 - having regard to the statement of 27 December 2005 by the Special Representative of the UN Secretary General for Human Rights in Cambodia, Mr Yash Ghai,
 - having regard to the statement of 4 January 2006 by the UN High Commissioner for Human Rights,
 - having regard to the World Bank statement of 9 January 2006 on Cambodia,
 - having regard to the Declaration of 13 January 2006 by the Presidency on behalf of the European Union on the deteriorating political situation in Cambodia,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas in recent weeks political repression in Cambodia has dramatically increased with several arrests of human rights workers, journalists and trade unionists for defamation offences,
- B. whereas Kem Sokha, President of the Cambodian Centre for Human Rights (CCHR), Pa Nguon Teang, Acting Director of the Cambodian Centre for Human Rights and radio director, Rong Chhun, President of the Cambodian Independent Teachers' Association (CITA), and Mam Sonando, Director of the Beehive Radio, have been arrested and are facing trial,
- C. whereas Yeng Virak and Kem Sokha were released on bail but the charges were not dropped,
- D. whereas, for the same reasons, the Cambodian authorities are searching for Chea Mony, President of the Free Trade Union of Workers, Ea Channa, Deputy Secretary General of the Students' Movement for Democracy, Men Nath, President of the Cambodian Independent Civil Servants' Association, Prince Sisowath Tomico, secretary to former King Sihanouk, and Say Bory, advisor to former King Sihanouk,

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- E. whereas several other activists and members of the opposition have left the country under the threat of arrest and persecution,
 - F. considering those repressive tactics as an attempt by the government to silence peaceful critics of the government and thus eliminate the last effective political opposition; whereas those events also present worrying indications that Cambodia's democracy is deteriorating,
 - G. whereas on 22 December 2005 the leader of the opposition, Sam Rainsy, was sentenced in absentia to 18 months' imprisonment on defamation charges brought by the Prime Minister and the President of the National Assembly,
 - H. whereas Cheam Channy, Member of the Cambodian Parliament, was tried and convicted in August 2005, and sentenced to seven years' imprisonment,
 - I. whereas the UN Working Group on Arbitrary Detention has ruled that the detention of MP Cheam Channy is in violation of both Cambodian and international law,
1. Is deeply concerned about the recent arrests and prosecutions and urges the Cambodian Government to consider very carefully the compatibility of such actions with the commitments it has given to its people and to donors to build a more open, democratic and just society;
 2. Takes note of the release of the recently arrested human rights activists and calls for the annulment of all charges against them; calls moreover for all acts of intimidation and harassment of human rights activists in Cambodia to be halted;
 3. Urges Cambodia to stop breaching its obligations under international law, and in particular the International Covenant on Civil and Political Rights, and immediately release Cheam Channy; also calls for the judgment against Sam Rainsy to be overturned and their parliamentary immunity restored;
 4. Strongly believes that the continuing detentions of leading figures from the political opposition, trade unions, the media and NGOs and the use of the criminal law in cases of expression of dissenting opinions on matters of politics and policy send a worrying message to the donor community on which the government relies for about 50% of its annual budget;
 5. Reminds the Cambodian Government that it has to meet its obligations and commitments regarding the democratic principles and fundamental human rights which are an essential element of the Cooperation Agreement of 1997 between the EC and Cambodia as defined in Article 1 of the Agreement;
 6. Calls on the Commission and the Council to respond to the latest crackdown on civil and political rights in clear and unambiguous terms, in coordination with the donor community, at the forthcoming Consultative Group meeting;
 7. Expresses its support for the Special Representative of the UN Secretary General for Human Rights in Cambodia and the Office of the UN High Commissioner for Human Rights, whose

mandate includes protection and monitoring;

8. Expresses concern that the use of the Cambodian judiciary as an instrument of repression against the political opposition and civil society casts serious doubts on the Cambodian Government's commitment to establish the Khmer Rouge Tribunal in accordance with international standards of judicial independence, fair trials and due legal process, as agreed with the UN in June 2003;
9. Strongly believes that dissenting views and opinions should be challenged through public debate rather than criminal law suits and calls for prosecutions on defamation charges to be abolished, as they could easily be abused for political purposes;
10. Calls on the EU to take steps to ensure that fundamental freedoms, as enshrined in Article 1 of the Cooperation Agreement between the EC and Cambodia, are respected and that attacks on civil liberties have consequences; calls on the EU also to make continuation of its financial aid conditional upon an improvement in Cambodia's human rights record;
11. Reiterates its demand that an EP ad hoc delegation visit Cambodia to evaluate respect for Article 1 of the Cooperation Agreement and the situation of detained parliamentarians, media representatives and trade union leaders in the country;
12. Calls on the Cambodian authorities to fully implement the 1953 UNHCR Convention both with regard to the protection of Montagnard refugees, refraining from illegal forced deportation to Vietnam, and to granting refugee status to ethnic Khmer Krom escaping from Vietnam;
13. Instructs its President to forward this resolution to the Council, the Commission, the UN High Commissioner for Human Rights, the Special Representative of the UN Secretary General for Human Rights in Cambodia, the President of the World Bank, the ASEAN Secretariat and the Government and National Assembly of the Kingdom of Cambodia.