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List of Abbreviations

ADHOC	Cambodia Human Rights and Development Association
CCHR	Cambodian Center for Human Rights
COMFREL	Committee for Free and Fair Elections in Cambodia
CPP	Cambodian People's Party
CSD	Center for Social Development
FUNCINPEC	Front Uni National pour un Cambodge Independent, or Neutre, Pacifique et Cooperatif (French acronym) = National United Front for an Independent, Neutral, Peaceful and Cooperation Cambodia
MP(s)	Member(s) of Parliament
NA	National Assembly
NDI	National Democratic Institute for International Affairs
NEC	National Election Committee
NGOs	Non Governmental Organizations
PWR	Parliamentary Watch Report
SRP	Sam Rainsy's Party
WTO	World Trade Organization
IC	Intervention in People's Concerns
VGI	Visiting, Gift Giving and Project Inauguration
SN	Strengthening Internal Party Networks
AF	Attending Public Forums
GA	Group Missions and Accompanying Leaders

Political party logos used in this report:

Logos	Colors	Names
		Cambodian People's Party (CPP)
		Front Uni National pour un Cambodge Independent, Neutre, Pacifique et Cooperation (French acronym) = International United Front for and Independent, Neutral, Peaceful and Cooperation Cambodia (FUNCINPEC)
		Sam Rainsy's Party (SRP)

Notice: COMFREL has divided its Parliament Watch reports according its fiscal year as follows:

First Year	:	From October 2003 to September 2004
Second Year	:	From October 2004 to September 2005

FORWARD

This report is the result of observation of Parliamentary activities for a period of one year (the second year). Cambodian voters are able to use this report to determine and appraise their representatives. It is also an important document for them to be better informed when making judgments on the choice of new candidates in the next Parliamentary Elections.

The Committee for Free and Fair Elections in Cambodia (Comfrel) has refined its observation forms to be more qualified and neutral, in order to collect as much information as possible relating to the National Assembly's (NA) sessions, and the activities of Parliamentarians, to produce this accountability report for the voters.

Comfrel would like to express its sincere thanks to the NA Secretary-General, Members of Parliament and all those who facilitated our staff members observing the sessions and collecting data.

Comfrel takes great pride in its team that has monitored and collected information to generate this Second Annual Parliamentary Watch Report (October, 2004 to September, 2005). The working group on this report included: Mr. Mar Sophal, Mr. Neang Sovann, Miss. Pheng Chan Lady, Mrs. Mao Phally, Mr. Sin Thit Seiha, Mr. Hor Daluch, Miss. Heng Charya, Miss. Ear Leakena, and **Comfrel** coordinators and secretariats in provinces/cities throughout Cambodia.

This second annual Parliamentary Watch report is very similar to the first year report as it is compiled from findings through observing the NA sessions and elected officials' activities during the 3rd mandate. We followed parliamentary sessions including expressions of views, the raising of citizens' concerns, their debates on the solutions and interventions decided upon, and other matters that arose. We also followed MPs visits/missions to constituencies, both their own and others. We also examined their fulfillment of promises made during past election campaigns, or elsewhere, in order to see to what extent the concerns of citizens had been addressed.

This kind of information related to MPs is very important for citizens to understand and acknowledge the role, duties and performance of their representatives. Citizens should be properly informed about the process of adopting laws in the NA and the activities of MPs during their missions.

Finally **Comfrel** would like to express its thanks to donors; **NDI, Novib, Trocaire Fund, NPA, Oxfam HK, and Forum Syd**, for their financing to produce this report.

Koul Panha

Executive Director of **Comfrel**

EXECUTIVE SUMMARY

This second annual Parliamentary Watch Report found that there has been an increase in MPs' activities in the National Assembly (NA) and missions to their own and other constituencies. In fact, **57 MPs (46%** of the total amount of MPs) expressed their views during 43 NA sessions, while **45 new laws were debated and adopted**. This is an increase of **37%** compared to **the first year** when only **11 MPs (9%** of total MPs) expressed their views and only **one new law was adopted**. Regarding the debate on draft laws, FUNCINPEC MPs were most vocal, expressing their views for **1,099 minutes (181 times)**, followed by CPP MPs for **901 minutes (123 times)** and SRP MPs for only **715 minutes (78 times)**. The comparatively small SRP time, for the official Opposition, can be explained because of their boycotting of sessions. Despite the increase in views expressed, most draft laws were rapidly adopted without changes suggested by MPs.

Apart from the formal NA sessions; we observed that **115 MPs (93% of 123 MPs)** of the three elected parties also went on missions to constituencies in all 24 provinces/cities. This is an increase of **23%** compared to the first year when there were only 86 MPs (**70%** of MPs) who went on missions to constituencies. The main purposes of missions were: to intervene and solve citizens' problems, to make site-visits, to inaugurate new public achievements [buildings or pagodas], to give gifts or hand-outs, to support and meet party activists, to attend public forums organized by NGOs, and to accompany their leaders. We also found that **24 MPs** from SRP were the most active, going on missions **1,575 times**, followed by **66 MPs** from CPP for **1,022 times**, and **25 MPs** from FUNCINPEC for only **245 times** throughout the 24 provinces/cities. It should be noted that CPP MPs rarely attended public forums "Parliament and Citizens" organized by civil society organizations intended to educate and listen to citizens in the provinces. The constituencies in which there is a single MP were rarely visited.

Although it is commendable that the number of MPs' missions has increased, regrettably the needs of citizens are not yet being fully addressed. As in previous years, **Comfrel** received many reports from citizens saying that there were no positive responses or interventions of MPs to the problems they faced. Moreover, most MPs' offices in the provinces/-cities did not function properly. Most [all] have only one or two permanent officials, and they alone cannot provide effective services.

During the second year, the NA considered many topical issues and critical representations from the general public. A tense political climate has been generated arousing doubts and worries about the potential impact on democracy and parliamentary government. The main problems were:

- The lifting or suspension of parliamentary immunity of Opposition MPs: **H.E. Mr. Sam Rainsy** (Kampong Cham), **H.E. Mr. Chea Poch** (Prey Veng);
- The lifting of immunity, trial and imprisonment of **H.E. Mr. Cheam Channy** (Kampong Cham).

This led to opposition MPs boycotting sessions. All MPs contended that their remarks and actions were in exercise of their parliamentary functions. Serious concerns were expressed within Cambodia and also by prominent international organizations, especially the European Union, inter-parliamentary groups, governments, and individual parliamentarians. The wisdom of lifting parliamentary immunity and imprisonment of MPs, from an opposition party is not a normal feature of a modern democracy.

H.E. Mr. **Cheam Channy** (SRP, Prey Veng) was sentenced by a Military Court to 7 years in prison on charges of organizing a shadow army against the Royal Government. The sentence was criticized by the U.S.A and many human right organizations. Many in the international community considered that (a) a military court was not appropriate for a private citizen, (b) the court was not independent, and (c) it was being used as a weapon to silence opposition voices. This issue, most worryingly, has degraded the influence and prestige of Parliamentary Government with respect to the development of democracy and state legislatures.



Many criticisms were made on the adoption of the proposed law on Senate Elections. It was said that the Senate election system *has "no freedom, no fairness and disrespects the democratic basis with a predictable result and serves only the parties whose members are in the NA and Commune Councils."* This is because the constituency voting for new senators includes only Members of Parliament and Commune Council members

Many lawsuits were filed in courts by top politicians. The Supreme Court denied hearing a lawsuit against **Prime Minister Hun**



Sen launched on behalf of **H.E. Mr. Sam Rainsy**, the Opposition leader, who in order to pursue the justice denied, duly filed law suits in international courts, for example in France and the U.S.A. Actually, Prime-Minister Hun Sen and his bodyguard filed lawsuits against opposition leaders including **H.E. Mr. Sam Rainsy** (SRP, Kampong Cham), **H.E. Mrs. Tioulong Saumura** (SRP, Phnom Penh), and **H.E. Mr. Eng Chhai Eang** (SRP, Battambang). The lawsuits raise defamation charges concerning allegations that Prime Minister Hun Sen and his personal bodyguards were involved in a bombing attack during a public demonstration in front of the NA in 1997.



The boycott of Opposition MPs, which meant there were insufficient members present for a quorum of NA sessions, led to a change in the Constitution. MPs from the two ruling parties adopted an amendment with new articles 88 and 111 to reduce the number for a quorum from 7/10 to 6/10 for NA sessions. This issue also aroused criticism of the bad impact on the democratic process and freedom of speech of the Opposition party. Opposition MPs also criticize that modification of the Constitution is a bad habit.

Moreover, another amendment in the NA Internal Rules affected the ability of the Opposition to express views. It aimed to divide MPs into groups for expressing views during debates in NA sessions, requiring each group to have 13 MPs. Thus the Opposition party was able to create only 1 group whereas FUNCINPEC could set up 2 groups and CPP 5 groups. The question arose "On what basis was the group size of 13 MPs arrived at?"

The case of **H.E. Mr. Khem Veasna** (SRP, Prey Veng) is under consideration. Mr. Khem was removed from the SRP membership list. Ordinarily, in accordance with the law governing the NA, any member being removed from his/her party, is barred from office. This was confirmed by the National Election Commission (NEC) with respect to the SRP party's request. However, the NA had not removed him by September, 2005. The question arises "Should a Member of Parliament voted in to office by citizens (on average 40,000



voters in a constituency) be denied his/her parliamentary membership on the basis of losing his party's membership or/and of a NEC ruling?"

There were worries over the deterioration of parliamentary privilege and rights especially their freedom of speech. These are enshrined both in the Cambodian Constitution and in the parliamentary process based on international norms - yet it appears that interpretation of internal rules and party policies have been allowed to take precedence.

According to our observations, two government representatives attended NA sessions to answer the questions of MPs.



H.E. Mr. Keat Chhon, Minister of Economy and Finance on September 1, 2005, responded to a question from **H.E. Mr. Keo Remy** (SRP, Phnom Penh) on the increasing price of oil; and on September 15,



2005 **H.E. Mr. Tea Banh** Deputy Prime Minister and Minister of National Defense, responded to the questions of **H.E. Mr. Son Chhay** (SRP, Phnom Penh) regarding deployment of troops, tender bids for military uniforms, soldiers' car signs (use of military license plates), and trade of public properties.

COMFREL, however, does appreciate and acknowledge that a start has now been made in the execution of the roles and fulfillment of duties by the Royal Government and the NA in the third mandate in accordance with the Constitution and the government platforms. This event is a worthy step forwards in the democratic development process especially the mechanisms of control, checks and balances of power. **COMFREL** supports these activities and would like to see them become a permanent feature of the parliamentary landscape, so contributing to solving the many enormous national problems.

COMFREL, however, does register its regret that the NA leadership and secretariat closed the proceedings of the NA Commissions and Permanent Standing Committee, which were not open for observation by the general public or by **COMFREL**. It was ruled that "*those are internal affairs and they therefore should be secret*".

COMFREL in contrast, however, does register its regret that the NA leadership and secretariat closed the proceedings of the NA Commissions and Permanent Standing Committee, which were not open for observation by the general public or by **COMFREL**. It was ruled that "*those are internal affairs and they therefore should be secret*".

The following report is divided into 4 important sections:

1-National Assembly (NA) Sessions Process 2-Actions of MPs Process 3-Parliamentary Significant Events 4-Annexes

SECTION1: National Assembly (NA) Sessions Process

From October, 2004 to the end of September, 2005, there were **43 NA sessions** in which 4 sessions were extra-ordinary meetings. Within the period, the NA adopted **45 new laws** of which 17 were created and proposed by the Royal Government, the Parliamentarians, and other relevant institutions, while the others are mostly treaties, agreements, conventions, and protocols between the Royal Government of Cambodia with international communities. We also observed some law amendments such as in the Constitution and National Assembly Internal Rules (*Please see details on Adopted Draft Laws in Annex 6 on page 18*). This is a big improvement in the transaction of parliamentary business compared to the previous semester [October, 2003 to September 2004] when **COMFREL** found that there were only **3 NA sessions** and only **one new law adopted**. **The limited business then was due mainly to the delay** in forming the new government in the 3rd mandate.

1.1. Views expressed by Members of Parliament (MPs) in quantity

According to our observations, during the **43 sessions 57 MPs spoke** (equal to **46% of total MPs**). **17 were FUNCINPEC MPs (65% of FUNCINPEC MPs)**, **14 were SRP MPs (58% of SRP MPs)** and **26 were CPP MPs (35% of CPP MPs)**. They expressed their views on the draft laws **382 times (2,715 minutes)**. In this period, **COMFREL** found that **11 female MPs (i.e., 19% of all MPs who spoke)** including 8 CPP MPs, 2 FUNCINPEC MPs and 1 SRP MPs expressed their views and opinions on the draft laws for **243 minutes** within a **total of 42 sessions**.

It should note that within the 43 sessions, MPs from the Opposition party boycotted the **sessions 18 times** (from January 4, 2005 to July 27, 2005). This means that the boycotting MPs were absent for **40% of 43 sessions** while protesting the lifting of immunity and imprisonment of Opposition MPs.



We observed that **H.E. Mr. Monh Saphan** and **H.E. Mr. Khieu San** (FUNCINPEC, Kampong Cham and Kandal respectively) were the most prolific of speakers amongst all MPs.

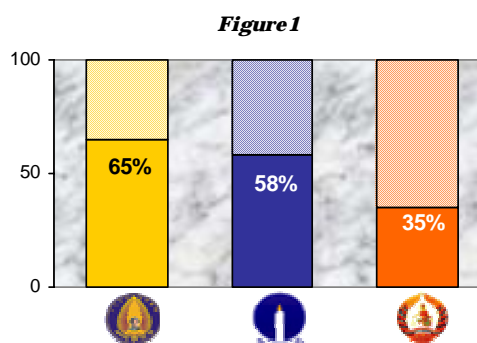


H.E. Mr. Cheam Yeap (CPP, Prey Veng) expressed opinions for **234 minutes**. He was the most vocal of CPP MPs.



H.E. Mr. Son Chhay (CRP, Phnom Penh) expressed opinions for **217 minutes**. He was the most vocal of SRP MPs.

Figure1: Percentage of MPs of Each Party Expressing Their Views



During the **43 sessions**:



17 MPs from **FUNCINPEC** equal to **65%** of the party's **26 MPs** expressed views.



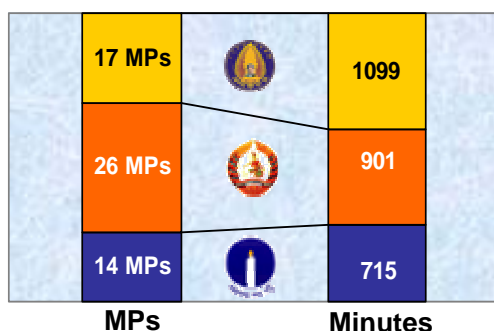
14 MPs from **SRP** equal to **58%** of the party's **24 MPs** expressed views.



26 MPs from **CPP** equal to **35%** of the party's **73 MPs** expressed views.


Figure2: MPs Expressing Views (Time in minutes of speeches)


Figure2



During the **43 sessions**, MPs expressed views for **2,715 minutes**:

 **17 MPs** from FUNCINPEC were most vocal expressing **their** views for **1,099 minutes (181 times)**.




















 **26 MPs** from CPP were second most vocal expressing their views for **901 minutes (123 times)**.

 **14 MPs** from SRP were least vocal expressing **their** views for only **715 minutes (78 times)**.

1.2. Views expressed by MPs in quality

Table 1 shows the frequencies and minutes of each MP's speeches during the session from October, 2004 to September, 2005. Names of MPs in this table are listed by descending number of minutes of speaking. We observed that the main issues that arose in the debates included government performance, parliamentarian concerns, comments on draft laws, parliamentarian's own opinions and many other issues. However, the debates mostly focused on the government's performance. In addition, the "tone" of the views expressed were judged as either neutral positive or negative. A positive tone is for appreciating or showing strong points or advantages of a policy, institution, or person. Negative tone is for showing weak points or disadvantages. Neutral tone is for a balanced view.

Table1: Views expressed by MPs in quality

No	Name of PMs	Party	Times	Speaking Tone in Minutes			Total Minutes
				Neutral	Positive	Negative	
1	H.E. Mr. Monh Saphan		45	196	30	74	300
2	H.E. Mr. Khieu San		49	148	91	45	284
3	H.E. Mr. Cheam Yeap		26	185	31	18	234
4	H.E. Mr. Son Chhay		25	110	24	83	217
5	H.E. Mr. Yim Sovann		13	31	10	115	156
6	H.E. Mr. Ly Thuch		18	85	49	5	139
7	H.E. Mr. Ek Sam Ol		17	66	42	24	132
8	H.E. Mr. Pen Pannha		12	58	38	0	96
9	H.E. Mr. Sim Soly		14	68	9	18	95
10	H.E. Mr. Keo Remy		13	42	19	20	81
11	H.E. Mrs. Khuon Sudary		6	20	35	0	55
12	H.E. Mr. You Hockry		11	36	15	2	53
13	H.E. Mr. Keat Chhon		8	33	15	1	49
14	H.E. Mr. Pou Sothyarak		4	10	30	5	45
15	H.E. Mr. Hem Khon		6	31	7	7	45
16	H.E. Mrs. Nin Saphon		5	28	14	2	44
17	H.E. Mr. Sam Rainsy		3	25	0	18	43
18	H.E. Mr. Sok Pheng		6	9	11	23	43
19	H.E. Mrs. Ky Lum Ang		7	18	7	17	42








































20	H.E. Mr. Sok Soty		4	16	0	23	39
21	H.E. Mr. Kimsour Phirith		3	9	2	25	36
22	H.E. Mr. Than Sina		6	13	14	8	35
23	H.E. Mrs. Ho Naun		9	20	10	2	32
24	H.E. Mr. Eng Chhai Eang		2	5	0	25	30
25	H.E. Mr. Un Ning		3	20	0	7	27
26	H.E. Mr. So Victor		5	27	0	0	27
27	H.E. Mr. Mom Chimhuy		2	0	26	0	26
28	H.E. Mr. Ly Son		4	14	11	0	25
29	H.E. Mr. Ho Vann		2	20	1	3	24
30	H.E. Mr. Hou Sry		4	8	10	5	23
31	H.R.H. Samdech Krom Preah Norodom Ranariddh		5	15	2	3	20
32	H.E. Mr. Som Chen		3	10	10	0	20
33	H.R.H. Princess Sisowath Santa		5	17	1	0	18
34	H.E. Mr. Cheam Channy		2	0	15	0	15
35	H.E. Mr. Prak Thuch		2	8	6	0	14
36	H.E. Mr. Khem Veasna		2	7	0	4	11
37	H.E. Mr. Sar Kheng		1	11	0	0	11
38	H.E. Mr. Neav Sithong		4	6	2	3	11
39	H.E. Mr. Sin Pinsen		1	11	0	0	11
40	H.E. Mrs. Men Sam An		2	6	4	0	10
41	H.E. Mrs. Som Kimsuor		2	1	9	0	10
42	H.E. Mrs. Thak Lany		1	7	2	0	9
43	H.R.H. Samdech Norodom Sirivuth		4	8	1	0	9
44	H.E. Mrs. Ly Kimlieng		3	4	4	0	8
45	H.E. Mrs. Peou Savoeun		1	8	0	0	8
46	H.E. Mr. Van Sengly		1	7	0	0	7
47	H.E. Mrs. Krouch Sam An		1	7	0	0	7
48	H.E. Mr. Ahmad Yahya		1	6	0	0	6
49	H.E. Mr. Nhem Thavy		1	6	0	0	6
50	H.E. Mr. Kuoy Bunroeun		1	5	0	0	5
51	H.E. Mr. Suos Kanan		1	5	0	0	5
52	H.E. Mr. Hong Sun Huot		1	0	4	0	4
53	H.E. Mr. Chhim Seikleng		1	3	0	0	3
54	H.E. Mr. Hor Namhong		1	3	0	0	3
55	H.E. Mr. Khin Yean		1	3	0	0	3
56	H.E. Mr. Sok An		1	0	2	0	2
57	Samdech Heng Samrin		1	2	0	0	2
Total	 = 17  = 14  = 26	382 Times	1 517 (56%)	613 (23%)	585 (21%)	2 715 (100%)	

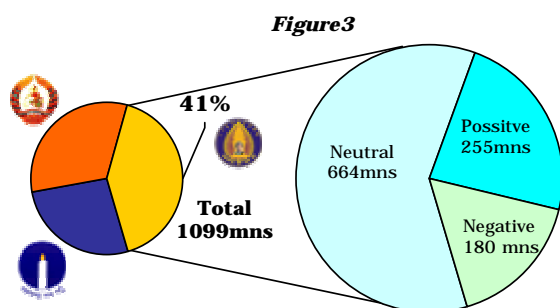
Figure3: Speeches of FUNCINPEC MPs

Figure 3 shows that FUNCINPEC MPs expressed views for **1,099 minutes** (equal **41%** of total minutes expressed by MPs), of which **664 minutes** were in neutral tone, **255 minutes** in positive tone and **189 minutes** in a negative tone. According to our observations, most FUNCINPEC MPs expressed positive views about the Royal Government. Indeed, **H.E. Mr. Ly Thuch** (Pursat) defended government activities: *“Some analysts forecast that Khmer society faces many post-conflict problems due to the many weapons in circulation. In contrast, the country has been safe. This is because of the coalition between the Royal Government and the NA since the first mandate.”* **H.E. Mr. Khieu San** (Kandal) expressed his own opinion in a positive tone that *“This draft law is very important. In fact, it will help advance poverty reduction because electricity prices will be cheaper due to our ability to produce hydro-electric power from the Mekong River.”*

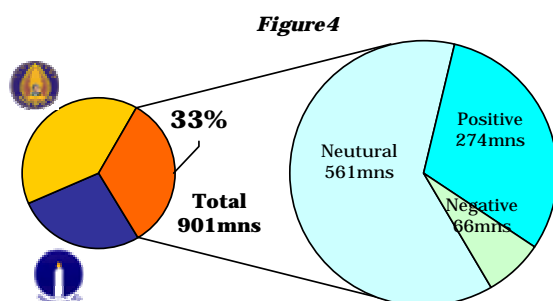
Figure 4: Speeches of CPP MPs

Figure 4 shows that CPP MPs expressed views for **901 minutes** (equal to **33%** of total speaking minutes of MPs) of which **561 minutes** were in neutral tone, **274 minutes** in positive tone and **66 minutes** in negative tone. According to the observations, CPP MPs were no different from FUNCINPEC MPs as most of them viewed the performance of the Royal

Government positively. Indeed, **H.E. Mr. Cheam Yeap** (Prey Veng) supported the Royal Government with his positive tone, *“our previous weapon destruction activities were recognized by international communities. Once the draft law is adopted the Royal Government will have a stronger basis to counter illegal weapon holding. There have been some critics of the Royal Government’s weapon destruction policies because they did not know accurately about the government’s objective. When the draft law is adopted, the Royal Government will strengthen its capability to manage illegal weapon holding.”* **H.E. Mrs. Ho Naun** (Kandal) asked questions and proposed to the Royal Government in neutral tone that *“in the future if we have enough of our own sources of electric power, the price will therefore be cheaper, it will develop our economy as it will attract much more investment because electric power is a primary cost for investment. Will the government representatives explain about the procedure and importance of reducing investment costs and what are the future opportunities to join the GMS agreement?”*

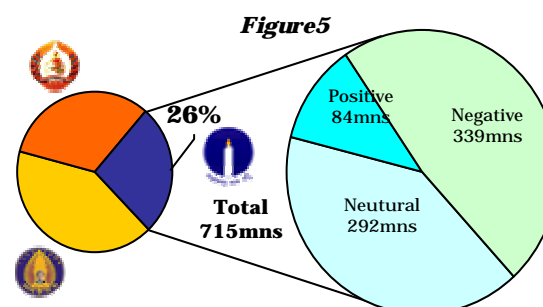
Figure 5: Speeches of SRP MPs

Figure 5 shows that SRP MPs spoke for **715 minutes** (equal to **26%** of total minutes expressed by all MPs) of which **292 minutes** were in neutral tone, **84 minutes** in positive tone and **339 minutes** in negative tone. According to observation, SRP MPs attended only **25 sessions out of total of 43 NA sessions**, but this party led in negative views on the Royal Government’s performance for **226 minutes**. In fact, **H.E. Mr. Eng Chhai Eang** (Battambang) indicated the lack of the Government performance in *“relating to costs and collection of revenues, we see that previous government measures have been ineffective. Moreover, the revenues should be increasing as the country has declared its anti-corruption policies.”* In the debate on the Draft Law on National Achieves, **H.E. Mr. Son Chhay** (Kandal) criticized other MPs, *“The ongoing debate will not serve anything as the discussion is only on legal grammar, never the change or focus of the meaning.”*

SECTION2: Actions of MPs

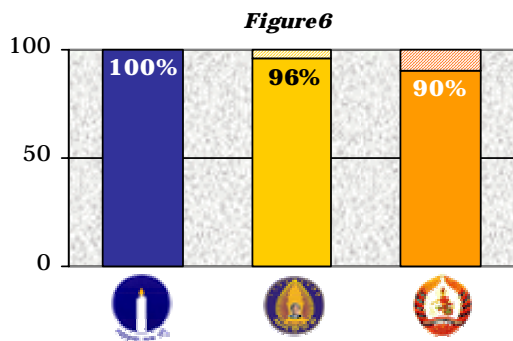
2.1. Missions of MPs

Comfrel observed that **115 elected MPs** (which included also H.E. Mr. Phou Sothyarak), equal to **93% of 123 MPs** from the three elected parties, went on missions for a total of **2,842 times** within the period [October, 2004 to September, 2005], to constituencies throughout the country in order to visit citizens who are voters. Compared to the **first year period when a total of 719 took place**, the number of missions tripled.

Among the MPs who went on missions during the period, we observed that **24 SRP MPs** (equal to **100%** of SRP MPs) led by a total of **1,574 times**, followed by **66 CPP MPs** (equal to **90%** of CPP MPs) who went on **1,022 missions** and **25 FUNCINPEC MPs** (equal to **96%**) only **245 times**. The main purposes of missions were to listen to or intervene in people's concerns, visiting, gift-giving and project inauguration, strengthening internal party networks, group missions and accompanying leaders.

2.1.1. MPs of each party who visited constituencies

Figure 6: Percentage of MPs Going on Missions according their seats

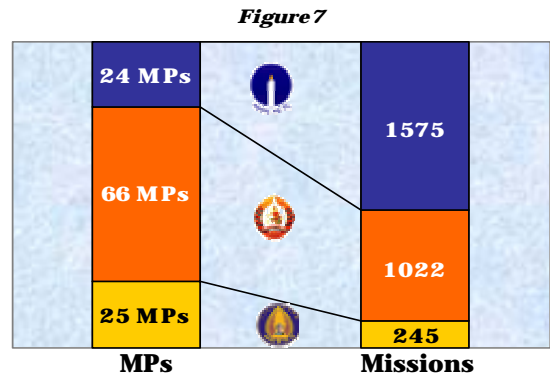


100% of 24 SRP MPs equal to 24 MPs went on missions.

96% of 26 FUNCINPEC MPs equal to 25 MPs went on missions.

90% of 73 CPP MPs equal to 66 MPs went on missions.

Figure7: Number of MPs' Missions of Each Party

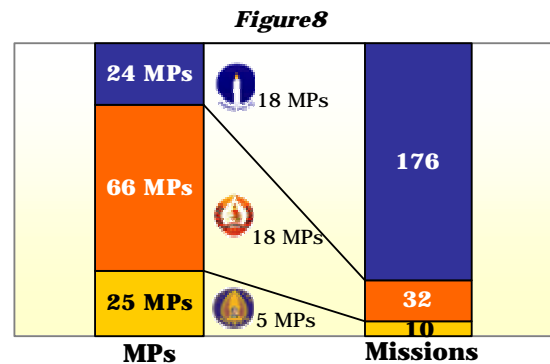


24 SRP MPs led with **1,575 missions**, equal to 55% of total of missions.

66 CPP MPs went on **1,022 missions**, equal to 36% of total of missions.

25 FUNCINPEC MPs went on **245 missions**, equal to 9% of total of missions.

Figure 8: Number of MPs' Missions for Intervening in People's Concerns

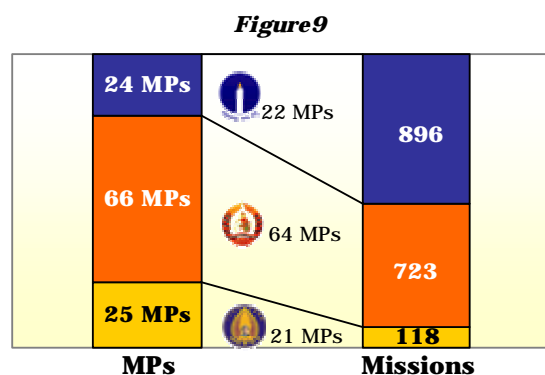


Among 24 SRP MPs who went on missions, **18 MPs** led in intervening in people's concerns **176 times**.

Among 66 CPP MPs who went on missions, **18 MPs** went for intervening in people's concerns **32 times**.

Among 25 FUNCINPEC MPs who went on missions, **5 MPs** went for intervening in people's concerns **10 times**.

Figure9: Number of MPs' Missions for Visiting, Gift giving, and Project Inauguration

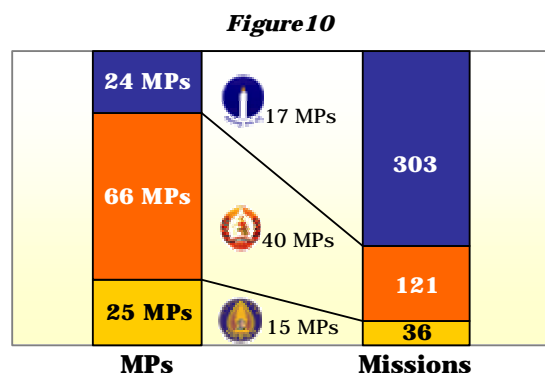


Among 24 SRP MPs who went on missions, **22 MPs** led in visiting, gift-giving and project inaugurations **896 times**.

Among 66 CPP MPs who went on missions, **64 MPs** went for visiting, gift-giving and project inaugurations **723 times**.

Among 25 FUNCINPEC MPs who went on missions, **21 MPs** went for visiting, gift-giving and project inaugurations **118 times**.

Figure10: Number of MPs' Missions for Strengthening Internal Party Networks

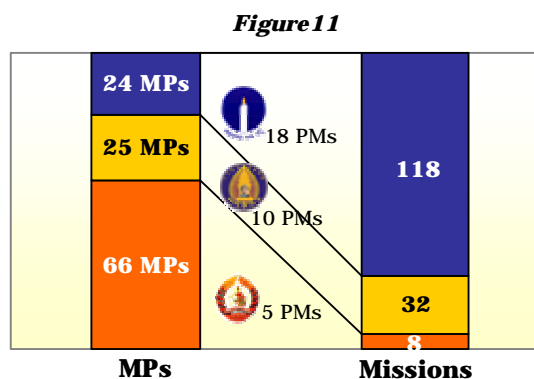


Among 24 SRP MPs who went on missions, **17 MPs** led in strengthening internal party network with **303 times**.

Among 66 CPP MPs who went on missions, **40 MPs** went for strengthening internal party network **121 times**.

Among 25 FUNCINPEC MPs who went on missions, **15 MPs** went for strengthening internal party network only **36 times**.

Figure11: Number of MPs' Missions for Attending Public Forums

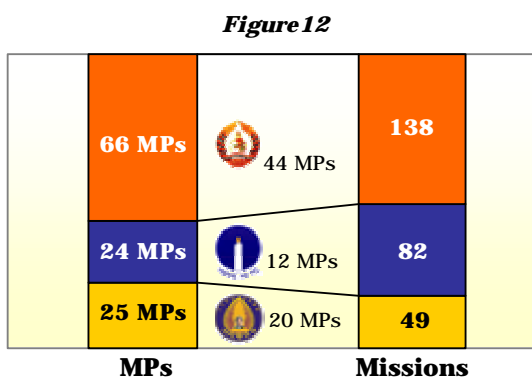


Among 24 SRP MPs who went on missions, **18 MPs** led in attending public forums with **118 times**.

Among 25 FUNCINPEC MPs who went on missions, **10 MPs** attended public forums **32 times**.

Among 66 CPP MPs who went on missions, **5 MPs** attended public forums **8 times**.

Figure 12: Number of MPs' Missions for Group Visits and Accompanying Leaders



Among 66 CPP MPs who went on missions, **44 MPs** led in group visits and accompanying leaders **138 times**.

Among 24 SRP MPs who went on missions, **12 MPs** went for group visits and accompanying leaders **82 times**.

Among 25 FUNCINPEC MPs who went on missions, **20 MPs** went for group visits and accompanying leaders **49 times**.

2.1.2. Breakdown of Purpose of Missions

Table2: Breakdown of Reasons




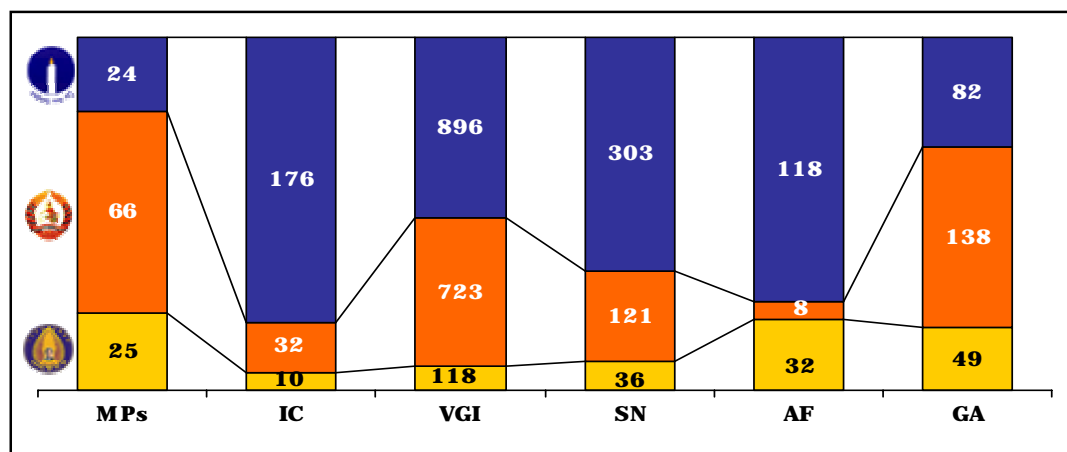
Purpose (Total of 2842 missions)	Party			Total and Percentage (By purpose)
	 SRP	 CPP	 FUN	
Intervention in People's Concerns	176	32	10	218 (8%)
Visiting, Gift-Giving and Project Inauguration	896	723	118	1 737 (61%)
Strengthening Internal Party Networks	303	121	36	460 (16%)
Attending Public Forums	118	8	32	158 (6%)
Group Visits and Accompanying Leaders	82	138	49	269 (9%)
Total and percentage By Party	1 575 (55%)	1 022 (36%)	245 (9%)	2 842 (100%)

Figure13: Breakdown of Purpose of Missions



Abbreviation: **MPs** Members of Parliament
IC Intervention in People's Concerns
VGI Visiting, Gift-Giving and Project Inauguration
SN Strengthening Internal Party Networks
AF Attending Public Forums
GA Group Visits and Accompanying Leaders

Comparison of missions of the MPs' of the three parties by reason:
(Horizontal data in percentage in Table 2)

Table2 and **Figure13** show that within the **2,842 missions** of MPs:

- **Intervention in people's concerns 218 times:** SRP lead with 176 missions, followed by CPP 32 missions and FUNCINPEC only 10 missions.



On September 18, 2005 H.E. Mr. **Seang Nam** (CPP, Siem Reap) intervened in a case where citizens had been imprisoned by authorities at Khnar Thmey village, Chreav commune, Seam Reap district, Siem Reap province, because they used a road where traffic had been prohibited.



On September 12, 2005 H.E. Mr. **Son Chhay** (SRP, Phnom Penh) went on a mission to Phnom Penh Thmey commune, Russei Kaev district, Phnom Penh city to intervene in a case where the houses of 545 citizen families had been demolished by authorities.

On September 10, 2005 H.E. Mr. **Than Sina** (FUNCINPEC, Kampot) received complaint letters from 13 families of citizens at Tvy Khang Tbound village, Andoung Khmer commune, Kampong Bay district, Kampot province in the case where the commune and district governors had encroached on their land and demolished their 4 houses.



➤ **Visiting, gift-giving and project inauguration 1,737 times:** SRP lead with 896, followed by CPP 723 missions and FUNCINPEC only 118 missions. We observed in relating to these activities, that MPs who are also top leaders in public institutions [such as **Prime-Minister Samdech Hun Sen** and President of the NA **H.R.H Samdech Krom Preah Norodom Ranariddh**] actually went on missions less than some MPs, but they provided much better financial support for projects, for instance, the construction or repair of

irrigation channels, schools, pagodas, roads etc.



H.R.H Samdech Krom Preah Norodom Ranariddh promised to support projects such as 2 school departments, 2 roads, and to help to finish the construction of 2 pagodas while he inaugurated two roads and distributed gifts to 541 families of citizens at Ta Naos village, Kouk Mon commune, Banteay Ampil district, Otdor Mean Chey province.



H.E. Mr. Kheav Horl and **H.E. Mr. Nhem Thavy** (CPP, Kampong Thom) promised to explain





to old people there who expressed concern about today's justice system of Cambodia at the offices of CPP on September 10, 2005.

































- **Strengthening internal party networks 460 times:** SRP lead with 303 missions, followed by CPP 121 missions and FUNCINPEC only 36 missions.
- **Attending public forums 158 times:** SRP lead with 118 missions, followed by FUNCINPEC 32 missions and CPP only 8 missions.
- **Group missions and accompanying leaders 269 times:** SRP lead with 82 missions, CPP 138 missions and FUNCINPEC only 49 missions. We have counted for this activity, only MPs whose purpose was to accompany leaders or join group missions, i.e. they were not conducting their own business such as providing financial support for projects.







































2.1.3. Number of Missions for each MP








































Table 3 informs about each MP's missions to constituencies (Name of MPs who went on missions throughout provinces/cities). Nevertheless, **Comfrel** could not access information for **9 MPs** of which 7 were from CPP: **H.E. Mr. Yos Son**, **H.E. Mr. Chin Kimsreng**, **H.E. Mr. Khek Sam On**, **H.E. Mr. Van Sengly** (Kampong Cham), **H.E. Mr. Samrith Pich** (Kampong Speu), **H.E. Mr. Sam Heang** (Siem Reap), **H.E. Mr. Chau Sophon** (Takeo), and two from FUNCINPEC: **H.E. Mr. Khy Taing Lim** (Phnom Penh) and **H.E. Mr. So Victor** (Svay Rieng). This report noted that during the period [October, 2004 to September, 2005], 61 of 115 MPs (54%) only went to their own constituencies.

Table3: MPs' by names who went on missions (Data is sorted by descending number of missions from October 1, 2004 to September 30, 2005)

No	Name of MP	Constituency	Party	In Constituency	Out Constituency	Total
1	H.E. Mr. Kuoy Bunroeun	Takeo		109	98	207
2	H.E. Mr. Eng Chhai Eang	Battambang		85	107	192

3	H.E. Mr. Ngor Sovann	Kandal		129	42	171
4	H.E. Mr. Chrea Sochenda	Kandal		126	32	158
5	H.E. Mr. Sok Pheng	Kampong Thom		114	32	146
6	H.E. Mr. Chan Cheng	Kandal		71	8	79
7	H.E. Mr. Nuth Romduol	Kampong Speu		70	9	79
8	H.E. Mr. Ho Vann	Phnom Penh		58	18	76
9	H.E. Mrs. Thak Lany	Kampong Cham		25	42	67
10	H.E. Mr. Moa Monyvann	Kampong Cham		56	3	59
11	H.E. Mr. Seang Nam	Siemreap		55	1	56
12	H.E. Mr. Kimsour Phirith	Banteay Meanchey		55	1	56
13	H.E. Mr. Sar Kheng	Battambang		36	16	52
14	H.E. Mr. Nhim Vanda	Prey Veng		40	11	51
15	H.E. Mrs. Chounh Sochhay	Battambang		50	0	50
16	H.E. Mrs. Ly Kimlieng	Battambang		49	0	49
17	H.E. Mrs. Ke Sovannroth	Siemreap		47	2	49
18	H.E. Mr. Tes Heanh	Battambang		47	0	47
19	H.E. Mr. Pal Samoeurn	Banteay Meanchey		44	0	44
20	H.E. Mr. Nguon Nhel	Kampong Thom		35	7	42
21	H.E. Mrs. Troeung Thavy	Kratie		40	0	40
22	Samdech Hun Sen	Kandal		9	30	39
23	H.E. Mr. Suos Kanan	Sihanoukville		36	2	38
24	H.E. Mr. Sok Soty	Phnom Penh		30	8	38
25	H.E. Mr. Yim Sovann	Phnom Penh		13	24	37
26	H.E. Mr. Nhem Thavy	Kampong Thom		34	2	36
27	H.R.H Samdech Krom Preah Norodom Ranariddh	Kampong Cham		6	30	36
28	H.E. Mr. Kieng Vang	Kampot		24	9	33
29	H.E. Mr. Son Chhay	Phnom Penh		23	10	33
30	H.E. Mr. Muy Chat	Battambang		28	0	28
31	H.E. Mr. Un Ning	Kampong Thom		26	2	28
32	H.E. Mr. Kheav Horl	Kampong Thom		24	3	27
33	H.E. Mr. Sim Soly	Kampong Thom		23	1	24
34	H.E. Mr. Sok An	Takeo		11	13	24
35	H.E. Mr. Khem Veasna	Prey Veng		21	2	23
36	H.E. Mrs. Men Sam An	Svay Rieng		16	4	20
37	H.E. Mr. Khieu San	Kandal		11	9	20
38	H.E. Mr. Ek Sam Ol	Prey Veng		19	0	19
39	H.E. Mrs. Krouch Sam An	Phnom Penh		14	3	17

40	H.E. Mr. Ly Narun	Pursat		16	0	16
41	H.E. Mr. Sin Pinsen	Prey Veng		16	0	16
42	H.E. Mr. Chea Poch	Prey Veng		13	3	16
43	H.E. Mr. Monh Saphan	Kampong Cham		11	5	16
44	Samdech Norodom Sirivuth	Kandal		1	15	16
45	H.E. Mr. Cheam Channy	Kampong Cham		15	0	15
46	H.E. Mr. Min Sean	Prey Veng		15	0	15
47	H.E. Mrs. Ky Lum Ang	Battambang		14	1	15
48	H.E. Mr. Sam Rainsy	Kampong Cham		12	3	15
49	H.E. Mr. Tea Banh	Siemreap		8	6	14
50	H.E. Mr. Doeun Sophal	Kratie		13	0	13
51	H.E. Mrs. Som Kimsuor	Kampot		13	0	13
52	H.E. Mrs. Duong Vanna	Svay Rieng		13	0	13
53	H.E. Mr. San Inthor	Stung Treng		13	0	13
54	Princess Sisowath Santa	Prey Veng		11	2	13
55	H.E. Mr. Kong Sam Ol	Kampong Chanang		9	4	13
56	H.E. Mr. Tan Vanthara	Battambang		7	6	13
57	H.E. Mr. Pok Samell	Kampong Chanang		12	0	12
58	H.E. Mr. Roth Sarem	Mondul Kiri		12	0	12
59	H.E. Mr. Ly Thuch	Pursat		10	2	12
60	H.E. Mr. Ahmad Yahya	Kampong Cham		11	0	11
61	H.E. Mr. Mey Nan	Pursat		11	0	11
62	H.E. Mr. Som Chen	Kampot		10	0	10
63	H.E. Mr. You Hockry	Kampong Cham		9	0	9
64	H.E. Mr. Cheam Yeap	Prey Veng		9	0	9
65	Samdech Heng Samrin	Kampong Cham		4	5	9
66	H.E. Mr. Lam Phu An	Banteay Meanchey		8	0	8
67	H.E. Mr. Sman Teath	Pursat		8	0	8
68	H.E. Mr. Ney Pena	Kampot		8	0	8
69	H.E. Mr. Sam San	Pailin		8	0	8
70	H.E. Mr. Suk Sam Eng	Preah Vihear		8	0	8
71	H.E. Mr. Paing Ponnyamin	Kampong Chanang		7	0	7
72	H.E. Mr. Neov Sam	Oddar Meanchey		7	0	7
73	H.E. Mrs. Chhun Sarim	Svay Rieng		7	0	7
74	H.E. Mr. Hong Sun Huot	Kandal		5	2	7
75	H.E. Mr. Ai Khon	Koh Kong		6	0	6
76	H.E. Mr. Chea Soth	Prey Veng		6	0	6
77	H.E. Mrs. Nin Saphon	Takeo		6	0	6
78	Princess Norodom Rottanadevi	Kratie		6	0	6
79	H.E. Mr. Hou Sry	Phnom Penh		6	0	6

80	H.E. Mr. Ly Son	Kampong Speu		6	0	6
81	H.E. Mr. Hem Khon	Kampong Speu		5	1	6
82	H.E. Mrs. Kong Hach	Kampong Speu		4	2	6
83	H.E. Mr. Hong Sok Hieng	Takeo		4	2	6
84	H.E. Mr. Phay Bunchhoeun	Kandal		5	0	5
85	H.E. Mr. Um Nhanh	Phnom Penh		5	0	5
86	H.E. Mr. Vong Kann	Banteay Meanchey		5	0	5
87	H.E. Mr. Hor Namhong	Kampong Cham		4	1	5
88	H.E. Mr. Chhim Seikleng	Kampong Cham		4	1	5
89	H.E. Mrs. Khuon Sudary	Kandal		4	0	4
90	H.E. Mr. Khin Yean	Siemreap		4	0	4
91	H.E. Mr. Pou Sothirak	Siemreap		4	0	4
92	H.E. Mr. Pen Pannha	Prey Veng		4	0	4
93	H.E. Mr. Hul Savorn	Svay Rieng		4	0	4
94	H.E. Mr. Koy Dok	Banteay Meanchey		4	0	4
95	H.E. Mr. Try Chheang Huot	Banteay Meanchey		3	1	4
96	H.E. Mrs. Ho Naun	Kandal		1	3	4
97	H.E. Mrs. Peou Savoeun	Siemreap		3	0	3
98	H.E. Mr. Say Chhum	Kampong Speu		3	0	3
99	H.E. Mr. Nuon Sok	Kampong Chanang		3	0	3
100	H.E. Mr. Than Sina	Kampot		3	0	3
101	H.E. Mr. An He	Kep		2	1	3
102	H.E. Mr. Veng Sereyvuth	Prey Veng		2	0	2
103	H.E. Mr. Ear Limsuor	Kampot		2	0	2
104	H.E. Mrs. Im Run	Kampong Cham		1	1	2
105	H.E. Mr. Keat Chhon	Phnom Penh		1	1	2
106	Princess Norodom Vacheahra	Phnom Penh		1	0	1
107	H.E. Mr. Bou Thong	Ratanak Kiri		1	0	1
108	H.E. Mr. Ing Bun Hoaw	Takeo		1	0	1
109	H.E. Mr. Keo Remy	Phnom Penh		1	0	1
110	H.E. Mr. Prak Thuch	Takeo		1	0	1
111	H.E. Mr. Neav Sithong	Kampong Cham		1	0	1
112	H.E. Mrs. Chem Savay	Kampong Cham		1	0	1
113	H.E. Mrs. Tioulong Saumura	Phnom Penh		1	0	1
114	H.E. Mr. Mom Chimhuy	Kandal		1	0	1
115	H.E. Mr. Khek Vandy	Takeo		1	0	1
Total	 24MPs=100%  25MPs =92%  66MPs=92%			2193	649	2842

2.1.4. Provinces/Cities MPs Visited

The **Comfrel** database of MPs this year [October, 2004 to September, 2005] shows a similar pattern to the previous year, for example **Kandal** constituency received most visits by MPs (504 visits), followed by **Battambang** constituency (446 visits) and **Kampong Thom** (303 visits). The constituency visited the least was **Kep** Municipality.

2.1.5. Relations between MPs and Citizens

As in the previous year, **Comfrel** was informed about citizen's complaints and difficulties in contacting MPs with the point that MPs had not helped to solve the problems they faced such as fuel price rises and so forth. Moreover, it is understood that political parties are able to suspend or replace MPs whenever they want. Ordinary citizens still do not have high expectations of their MPs. One said *"Previous parliamentary elections were for parties instead of individual MPs as citizens do not have the right to choose. Citizens could not vote for replacing an MP even when they saw that he /she was inactive and lacked capacity to satisfy the needs of citizens'. MPs pay more attention to satisfying their party and leaders."*

It was reported to Comfrel that citizens in most remote areas had never seen any MPs making visits to help them. One posed the question: *"Do MPs represent citizens of big cities or rural areas?"* Some added that they will abstain from voting in future as their voices are not heard. In fact, certain constituencies [**Koh Kong, Mondul Kiri, Preah Vihear, Rattanak Kiri, Sihanouk Ville, Stung Treng, Krong Kep, Pailin, Otdor Mean Chey**] which are presented by a single member in the NA¹, had almost no visits of MPs to intervene in relation to their citizens' concerns.

2.2. MP's Implementation of Commitments

COMFREL observations noted that MPs from the three elected parties made **50 promises**, of which 33 had been honored.

¹The Cambodian electoral system is based on political parties and lists of their nominated representatives in provincial-wide constituencies. Provinces with large populations are multi-member constituencies; the number of MPs each party wins is based on its percentage of the votes cast. Citizens vote simply for parties, not for candidates individually, and parties have the right to deselect MPs by removing them from their membership.

Promises effectively followed through by MPs during the period were as follows:

- Donation of wells, toilets, and restoration of canals
- Donation of gifts to citizens who suffered privations by giving of water-pumping machines etc
- Intervention in land disputes and insecurities of citizens in their constituencies
- Construction of infrastructure like schools, roads, pagodas, and irrigation systems
- Donation of funds and medicines to poor citizens
- Requests for intervention by the Royal Government to prepare and provide land demarcation details to citizens who live in border areas

2.3. MP's Intervention Activities

At least **17 MPs**, according to our observations, mostly SRP MPs, have sent **164 letters** [individually and jointly] to relevant institutions including **the King, the Prime-Minister, Economy and Finance Ministry, National Defense Ministry, Information Ministry, Rural Development Ministry**, and the **Disaster Management Committee** as well as other relevant institutions,. They demanded interventions, showing requests, asking for clarification, and expressing any worries concerning to citizens' problems in their constituencies. They also raised national concerns such as land disputes, serious food insecurity, peaceful strikes, requests to release the jailed NA members, restoration of parliamentary immunity to SRP MPs, asking for ministerial clarifications in NA sessions regarding to oil price rises, deployment of troops, tender bids on supply of military uniforms, soldiers' car signs (use of military license plates), and the trading of public properties, etc. (Please see details in Annex 8 on page 27).

Table4: MPs Sending Letters

No	Name of MP	Constituency	Party	Letters	Responses
1	H.E. Mr. Son Chhay	Phnom Penh		39	4
2	H.E. Mr. Sok Pheng	Kampong Thom		23	2
3	H.E. Mr. Eng Chhai Eang	Battambang		17	NA
4	H.E. Mr. Kuoy Bunroeun	Takeo		17	NA
5	H.E. Mr. Chrea Sochenda	Kandal		13	NA
6	H.E. Mr. Sam Rainsy	Kampong Cham		10	1
7	H.E. Mr. Keo Remy	Phnom Penh		9	1
8	H.E. Mr. Ho Vann	Phnom Penh		9	NA
9	H.E. Mr. Nuth Romduol	Kampong speu		7	NA
10	H.E. Mr. Moa Monyvann	Kampong Cham		6	NA
11	H.E. Mr. Ngor Sovann	Kandal		5	NA
12	H.E. Mr. Sok Soty	Phnom Penh		3	NA
13	H.E. Mr. Yim Sovann	Phnom Penh		2	NA
14	H.E. Mr. Khem Veasna	Prey Veng		1	NA
15	H.E. Mrs. Thak Lany	Kampong Cham		1	NA
16	H.E. Mr. Kimsour Phirith	Banteay Meanchey		1	NA
17	H.E. Mr. Ai Khon	Koh Kong		1	NA
Total	 16 MPs (163 Letters)	 1 MPs (1 Letter)		164	8

SECTION3: Parliamentary Significant Events

3.1. Suspension/Lifting of Parliamentary Immunity of MPs and Quorum Issues

Many political issues, besides the lifting/suspension of immunity of 3 SRP MPs² and the imprisonment of **H.E. Mr. Cheam Channy**, led SRP MPs to boycott NA sessions for six months. Their **18 absences in a total of 43 NA sessions** during the period contributed to sittings not taking place due to **insufficient**

members present for a quorum. MPs from the ruling parties [CPP and FUNCINPEC] also contributed to the problem by being absent to fulfill other duties. The President of the NA, **H.R.H. Samdech Krom Preah Norodom Ranariddh** appealed for the return of SRP MPs for NA sessions with a warning, if they did not, that their salaries would be suspended. The appeal and warnings were not heeded at the time by SRP MPs as they continued to stand up for the restoration of immunity for their three colleagues. Some ruling party MPs took this opportunity to request an amendment to the Constitution to reduce the quorum for NA sessions.

² 3 SRP MPs includes H.E. Mr. Sam Rainsy, H.E. Mr. Chea Poch, and H.E. Mr. Cheam Channy. The NA based that it paves the way for tribunal process.

The lifting of immunity of the three SRP MPs and reducing the quorum, generated widespread concerns and reactions among civil society³, diplomatic missions, U.S. parliamentarians, Australian parliamentarians, European Union, and the UN Special Representative for Human Rights in Cambodia, in addition to those of the SRP MPs' themselves.

MPs of the two coalition parties in the Royal Government have maintained that the decision of the NA [to reduce the size of the quorum] was right even though there were many critics and the interaction of the former king **Samdech Norodom Sihanouk** [according to His Majesty's letter to **H.R.H. Samdech Krom Preah Norodom Ranariddh** and **Prime-Minister Hun Sen** dated January 10, 2005 to appeal for an acceptable solution that would restore immunity to the 3 Opposition MPs].

In June, 2005, Opposition leader, **H.E. Mr. Sam Rainsy**, attempted to compromise with the NA president⁴, **H.R.H. Samdech Krom Preah Norodom Ranariddh**. He aimed to find a solution to the Opposition MPs' boycott, by allowing SRP MPs' to be given places in the NA Expert Commissions, and to restore the immunity to the 3 SRP MPs. The Prince responded that the Opposition leader, who had remained in foreign exile since his immunity was lifted, should firstly return to the country and solve his problems with the court⁵.

MPs from the ruling parties, however, adopted an amendment to the Constitution, new articles 88 and 111, to reduce the quorums from 7/10 to 6/10. They also revised the NA Internal Rules to divide MPs into groups for the order of expressing views during NA sessions. Widespread public concern was expressed about these issues, and their implications for the democratic process, freedom of speech, and effectiveness of the Opposition party.

3.2. Issues arising over the Constitutional Amendment and adoption of some Laws

3.2.1. Amendment on Constitutional Law Articles 88 and 111

There were many critics of the amendment to the Constitution new articles 88 and 111 to reduce the quorum from 7/10 to

³ A joint statement of Civil Society NGOs "The Lifting of Immunity of MPs" was issued on May 19, 2005.

⁴ Refer to the letter of H.E. Mr. Sam Rainsy to H.R.H. Samdech Krom Preah Norodom Ranariddh dated on May 17, 2005.

⁵ Refer to the speech of H.R.H. Samdech Krom Preah Norodom Ranariddh in front of the NA on May 19, 2005, responding to H.E. Mr. Sam Rainsy's letter (dated on May 17, 2005).

6/10. The Opposition party expressed their objection, as in effect it reduced or negated their ability to influence legislation so silencing the Opposition voice. Additionally, it was argued that such a change was not necessary as the combined membership of the two coalition parties was sufficient to muster a quorum despite the SRP MPs' boycott. **H.E. Mr. Eng Chhai Eang** (SRP, Battambang) said, "There are enough MPs of CPP and FUNCINPEC to achieve the quorums required. The point is that some of those MPs prefer to be elsewhere rather than in the NA.

3.2.2. Adoption of the New Laws governing the Senate Election

There were many strong criticisms of the proposed new law to govern the Senate Election. Civil Society Organizations expressed their regret that the new election system has "no freedom, no fairness and disrespects democratic basics with predictable results". **This conclusion is based** on the fact that only serving members of the existing NA and commune councils are permitted to vote for new senators, i.e., of the three political parties. The general public has no right to vote or exercise a choice in the candidates. The outcome, inevitably, would give the CPP a majority in the Senate as it currently has the majority in almost all commune councils, a point made by the Opposition party "**the proposed law serves only the ruling parties since the vote is based on the result of commune council election in 2002**". In the event, the ruling parties passed the proposed law arguing that it was accurately based on procedure and the Constitution.

3.2.3. Amendment of Internal Rules of the NA

Opposition MPs expressed their worries about the adoption of an amendment to Internal Rules of the NA new principles 48, 55, 56, 58, 59, and 60 that require dividing MPs into groups of 13 each for expressing views in NA sessions. This now allows SRP the ability to create only one group with its tally of 24 MPs. FUNCINPEC can set up 2 groups for its 26 MPs and CPP 5 groups for its total of 73 MPs. Civil Society Organizations questioned, "On what basis has the group size of 13 MPs been determined?" Why not 12 MPs in each group? SRP would then be able to create two groups like FUNCINPEC. **H.E. Mr. Son Chhay** (SRP, Phnom Penh) said, "The NA will be strong only when the Opposition party is respected." and added, "Please don't regard opposition MPs as enemies but see us as partners."

3.3. Issues on Parliamentary Membership of H.E. Mr. Khem Veasna

In July, 2005, an unusual case arose in relation to serving NA Member H.E. **Mr. Khem Veasna who lost his party membership after disagreements over policy.** This was happened after this Excellency declined invitations by NDI [National Democratic Institute for International Affairs] to join public forums due to his speech infringing on royal majesty at a forum in Prey Veng province on May 29, 2005.

Cambodia Election Laws governing the National Assembly operate on the basis that candidates must be nominated by a registered political party (Article 33). Furthermore Article 120 says "A candidate who resigns from his party shall automatically lose his membership in the National Assembly. If the resignation occurs at least six months before the end of the legislative term, the political party concerned may propose an appointment of a replacement. The replacement shall be made in accordance with provision of the First Paragraph of this Article." It was therefore expected that Mr. Khem Veasna would automatically lose his national Assembly membership.

The National Election Committee (NEC) was of this opinion as they recognized the replacement member, **Mrs. Men Mony Rothana**, nominated by the party.

However, Mr Khem Veasna was allowed to continue in office and to speak and vote at the National Assembly by September 2005, despite **H.R.H. Samdech Krom Preah Norodom Ranariddh** had previously said that the NA would agree to recognize the new MP after NEC's formal declaration on the new MP replacing Mr. Khem.

As a result, the case of Mr. Khem is still under consideration. He protested, "Dismissing me from the party does not conform to the law and it did not have the consideration of the party leader [H.E. Mr. Sam Rainsy]." This Excellency also requested a vote by majority decision in the NA to decide on his parliamentary membership.

Civic Societies organizations were worried over the deterioration of parliamentary privilege and right especially their freedom of speech. These are enshrined both in the Cambodian Constitution and in the parliamentary process based on international norms - yet it appears that interpretation of internal rules and party policies have been allowed to take precedence. Meanwhile, Civic Societies organizations have called for some laws to be amended: 1- *Verify the*

constitutionality and amend the law on Parliamentary Election article 120 2- Political parties should not dismiss their members [who are parliamentarians] from legislative institutions because of political problems or/and losing political membership⁶. Besides, political parties should obey their promises (for instance, 10th point in 100 measures of SRP).

3.4. H.E. Mr. Cheam Channy's sentences, Repatriation of Mr. Chea Poch, and SRP MPs to end their boycott sessions

The case of [**H.E. Mr. Cheam Channy** (SRP, Prey Veng)] is unprecedented in Cambodia for its second Royal Government. He was convicted by a Military Court and sentenced to 7 years in prison on charges of organizing a "shadow army" against the Royal Government. The use of the military court for a private citizen and the subsequent sentence was criticized by the U.S.A and many human right organizations. There were suggestions that the court was not independent and was being used as a tool to silence opposition voices.

H.E. Mr. Chea Poch (SRP, Prey Veng) returned to the country after exile abroad and SRP MPs decided to end their boycotting to fight anti-corruption during their absences. Meanwhile, **H.E. Mr. Sam Rainsy** continued his exile abroad until his parliamentary immunity is restored and because of security reasons⁷.

3.5. Clarification of Government Representatives before the NA.

In June, 2005, there were critics [particularly, of Oppositions MPs] relating to the government representatives who were not invited [by the NA] to clarify questions of SRP

⁶ The Election Laws should be amended for Cambodia to allow for individuals, not just registered political party members, to be able to stand for public office, whether in the National Assembly or Commune Councils

⁷ These two members were the subject of defamation charges brought by or on behalf of the Prime Minister and President of the National Assembly. They considered that they had been defamed respectively by suggestions of being involved in the 1997 grenade attack against a peaceful demonstration outside the NA and by suggestions that bribes were paid for FUNCINPEC to join the coalition government. Defamation is being regarded by Cambodian Courts as not merely a civil matter but also one bringing criminal charges and penalties. The legality of this is questionable but of course the main debate surrounds how it affects and curtails essential democratic freedoms. H.E. Mr Sam Rainsy left Cambodia to avoid appearing in court but was sentenced, in absentia, to 18 months imprisonment by the Phnom Penh Court on 22 December 2005.

MPs' letters in NA sessions. Opposition MPs contended that it was because of the NA Permanent Standing Committee that did not follow up the requests of MPs [SRP].

Concerning this case, the NA explained that it was because the SRP MPs [who are questioners] had boycotted NA sessions. Thus, there were no questioners present to ask the government representatives when they joined in the sessions to give clarifications.

On the other hand, opposition MPs stated that they would attend the sessions when the NA did invite government representatives.

However this year it was notable that two ministers did indeed respond to Opposition requests and questions. **H.E. Mr. Keat Chhon**, Senior Minister of Economy and Finance responded **on September 1, 2005**, to the question of **H.E. Mr. Keo Remy** (SRP, Phnom Penh) on oil prices; and **H.E. Mr. Tea Banh**, Deputy Prime Minister and Minister of National Defense, responded **on September 15, 2005** to the questions of H.E. Mr. Son Chhay (SRP, Phnom Penh) regarding the deployment of troops, tender bids on military uniforms, soldier car signs (use of military license plates), and the trade of public properties.

Comfrel commends the Royal Government and National Assembly for starting to exercise roles and duties accorded by the Constitution and government platforms. These events demonstrate true working of the democratic development process especially the checks and balance of power. It is hoped that they will now become a regular feature of the dialogue between the executive and legislature as they work together to solve the nation's enormous national problems

3.6. Law Suits between MPs

In recent months, COMFREL observed the spate of law suits between top politicians especially between **Prime-Minister Hun Sen** and **his bodyguard** against the Opposition party leaders. The Supreme Court ruled negatively on the legality of lawsuits launched on behalf of **H.E. Mr. Sam Rainsy**, against the Prime-Minister Hun Sen, whereas of course those of the Prime Minister and President of the National Assembly were allowed to proceed. This prompted the Opposition leader to file lawsuits in foreign courts (France and the U.S.A.) where possible jurisdiction can be extended to include events in Cambodia.

It is noted that Prime-Minister Hun Sen and his bodyguard were suing those opposition leaders including H.E. Mr. Sam Rainsy (SRP, Kampong Cham), **H.E. Mrs. Tioulong Saumura** (SRP, Phnom Penh), and **H.E. Mr. Eng Chhai Eang** (SRP, Battambang) on defamation charges relating to the grenade attack in front of the NA in 1998.

COMFREL and Civil Society organizations are opposed to the use of courts, whether domestic or foreign, to solve personal differences between leaders. Such litigation clouds the political climate, diverting attention from more important issues. Mr. **THUN Saray**, Director of ADHOC [The Cambodia Human Rights and Development Association], said, *"Challenges [that bring conflicts] between political leaders of the country should be made only for the national interest. They should, therefore, carefully follow the democratic processes and find a formula to live and work together in peace."*

SECTION 4: Annexes

Annex 1: Suspension/Lifting of Parliamentary Immunity of Opposition MPs

On February 03, 2005, the NA held its 2nd plenary sessions in the 3rd legislature under the presidency of **H.R.H. Samdech Krom Preah Norodom Ranariddh**, attended by 115 MPs from the three elected parties. After the president read the first 2 agenda items as planned, the NA Permanent Standing Committee immediately called for a "closed-door" or secret meeting in order to include into the agenda the lifting/suspension of

parliamentary immunity of 3 SRP MPs including **H.E. Mr. Sam Rainsy** (Kampong Cham), **H.E. Mr. Chea Poch** (Prey Veng) and **H.E. Mr. Cheam Channy** (Kampong Cham).

Although most of the Opposition MPs left the session, some of them [6 MPs] still attended the debate on the lifting of immunity of 3 SRP MPs. 3 MPs [out of the 6 MPs] pointed out Article 80 of the Constitution. *"The deputies shall enjoy parliamentary immunity. No assembly member shall be prosecuted, detained or arrested because of opinions expressed during the exercise of his (her) duties."* They also requested the whole session to take more

consideration on the issue. In the event, the NA decided to suspend the immunity of **H.E. Mr. Chea Poch (98/103 voices)**, **H.E. Mr. Cheam Channy (97/104 voices)** and **H.E. Mr. Sam Rainsy (97/104 voices)** with reference to the Ministry of Justice's request and the charges of the court on defamation and organizing a shadow army.

Annex 2: Roles and Duties of MPs

Table 5 shows that by September, 2005 the NA and parliamentarians had not yet completely and effectively fulfilled their roles

and duties in accordance some articles of the Cambodian Constitutions [such as articles 80, 93, 96 and 97]. Invitations were sent to the Prime-Minister, and Members of the Council of Minister for their appearance before NA sessions. Despite their appearance, they still could not give suitable answers [in which solutions were offered for problems or concerns] to questioners who are parliamentarians and citizens]. For instance, there were the cases of increasing oil prices, electric power prices and so on.

Table5: Duties Fulfillment of MPs according to the Cambodian Constitution

CONSTITUTION OF THE KINGDOM OF CAMBODIA	ACTUAL IMPLEMENTATION OF THE NATIONAL ASSEMBLY
<p>Article 80: The deputies shall enjoy parliamentary immunity. No assembly member shall be prosecuted, detained or arrested because of opinions expressed during the exercise of his (her) duties.</p>	<p>There were issues on the lifting/suspension of immunities of 3 Opposition MPs due to defamation charges. There were both support for and criticisms of the NA adopting the lifting of immunity on February 3, 2005.</p>
<p>New Article 91: The members of the Senate, the members of the National Assembly and the Prime Minister have the right to initiate legislation. Deputies have the right to propose amendments to the laws but these proposals cannot be accepted if they aim at reducing public income or increasing the burden on the people.</p>	<p>Though some MPs attempted to make proposed laws, we observed that most of adopted laws were only drafts laws made by the Royal Government. Important proposed laws were put forward by MPs (such as, for instance, the proposed law on Anti-Corruption by H.E. Mr. Son Chhay, Law on organizing and functioning of Royal Wealth Council . The amendment to the Constitution and the NA Internal Rules), were not debated. Most members of the NA prefer to wait for draft laws from the Royal Government.</p>
<p>Article 94: The National Assembly shall establish various necessary commissions.</p>	<p>The National Assembly created a special commission to amend the NA Internal Rules.</p>
<p>Article 96: The deputies have the right to put a motion against the Royal Government. The motion shall be submitted in writing through the Chairman of the National Assembly..... If the case concerns the overall policy of the Royal Government, the Prime Minister shall reply in person.</p>	<p>Some were implemented. Indeed, the Prime Minister responded to letter of H.E. Mr. Son Chhay (SRP, Phnom Penh) relation to the case of AZ Company permitted to levy tolls on national road 4. H.E. Mr. Tea Banh, Deputy Prime Minister and Minister of National Defense, responded to the questions of H.E. Mr. Son Chhay and H.E. Mr. Keat Chhon, Senior Minister of Economy and Finance responded to the questions of H.E. Mr. Keo Remy (SRP, Phnom Penh)</p>
<p>Article 97: The National Assembly commissions may invite any minister to clarify certain issues under his/her field of responsibility.</p>	<p>There were debates between NA commissions and the government representatives on draft laws which relating to their field.</p>

Annex 3: Replacement of MPs

From October, 2004 to September, 2005, there was the replacement of a FUNCINPEC MP. **H.E. Mr. Pou Sothyak** (FUNCINPEC, Siem Reap) who was replaced by **H.E. Mr. Khin Yean** because he was chosen to be the Ambassador of the Royal Government of Cambodia to Japan, according to the announcement in the 2nd NA session 3rd legislature on March 14, 2004.

Since the announcement of parliamentary validity of the third mandate dated August 30, 2003 to this report date (October, 2005), **42 MPs** have been replaced, of which 30 MPs were from CPP and 12 MPs from FUNCINPEC

Annex 4: Replacements of NA Expert Commissions Names

According to the amendment of new articles 2, 3, 4, 5, 6, 7, 9, 10, 14, 15, 17, 22 & 31 and articles 33, 40, 41, 48, 51, 55, 56, 58 and 60 of the Cambodian Constitution, and articles 83 of the NA Internal Rules in the 2nd NA session 3rd legislature adopted on 14th February 2005, there were some changes to the names of the 9 expert commissions as issued in article 6 of the New Internal Rules of the NA:

1. Commission on Human Rights, Complaints, Investigation, and National Assembly-Senate Relations













2. Commission on Economics, Finance, Banking, and Auditing
3. Commission on Planning, Investment, Agriculture, Rural Development, Environment, and Water Resources
4. Commission on Interior, National Defense, Investigation, Anti-Corruption, and Civil Service Administration
5. Commission on Foreign Affairs, International Cooperation, Information, and Media
6. Commission on Legislation, and Justice
7. Commission on Education, Youth, Sport, Religious Affairs, Culture and Tourism
8. Commission on Health, Social & Veterans' Affairs, Youth Rehabilitation, Labor, Vocational Training & Women's Affairs
9. Commission on Public Works, Transport, Telecommunication, Post, Industry, Mines, Energy, Commerce, Land Management, Urban Planning and Construction


































Annex 5: Female MPs, Gender and Development Strategies
























Female MPs from the main parties attended a program organized by the social development program of the **UNDP** in Cambodia in Siem Reap province on 17th March 2004. They visited women with HIV. The event was very important because female MPs could acknowledge the problems of citizens especially issues relating to women in order to achieve the objectives of community development in Cambodia.



Annex 6: Adopted Draft Law










Table6: Adopted Draft Laws (from October, 2004 to September, 2005)

Date	Agenda/Draft Law	Presence			Adoption
		CPP	FCP	SRP	
04-Oct-2004	Vote of confidence for H.E. Mr. Klock Butdy as new Vice-Chairman of NEC to replace Mr. Gner Chhay Leng who had resigned	66 	22 	22 	90/110
04-05-Oct-2004	Agreement between Royal Government of Cambodia and the United Nations concerning the prosecution of crime committed during the period of Cambodian Democratic	64 	21 	13 	107/107
06-08-Oct-2004	National Budget Law for year 2000	67 	20 	13 	88/99
08-Oct-2004	Law on organizing and functioning of Royal Wealth Council	69 	21 	13 	103/103

20-Oct-2004	Law on the title and privileges to the former King and the queen of the Kingdom of Cambodia	68 	22 	15 	105/105
26-Oct-2004	Law on establishment of the Ministry of Labor and Vocational Training	57 	23 	16 	82/91
27-Oct-2004	Adoption Law on establishment of the Ministry of Social Affairs, Veterans and Youth Rehabilitation	57 	23 	14 	85/91
27-Oct-2004	Law on establishment of the Ministry of Women's affairs	57 	23 	14 	92/93
November 2004 NA vacation					
20-22-Dec-2004	National Budget Law for year 2005	64 	21 	17 	96/97
January 2005 NA vacation					
03-Feb-2005	❖ Letter of the King of the Kingdom Cambodia Boromnet Norodom Sihamoni to second NA sessions third legislature	  			97/104 98/103
	❖ Report on the MPs' activities between first and second NA sessions third legislature				
	❖ Lifting the immunities of 3 MPs from SRP including H.E. Mr. Sam Rainsy, H.E. Mr. Cheam Channy and H.E.Mr. Chea Poch				
	❖ Vote of confidence for H.E. Mr. Than Sythan as secretariat general of the Ministry of Water Resources and Meteorology replace H.E. Mrs. Chea Ratha who had resigned				
	❖ Vote of confidence for H.E. Mr. Chea Chan Boribo as secretariat general of the Ministry of Information replaced H.E. Mr. Than Sythan who had resigned				No Information Received
04-08-Feb-2005	National Budget Law for year 2002	66 	24 	boycott 	89/89
08-Feb-2005	Convention on Chemical Weapons	67 	22 	boycott 	88/88
09-Feb-2005	Law on the Extradition between the Kingdom of Cambodia and People Democratic Lao	66 	22 	boycott 	87/88
09-14-Feb-2005	Assembly's Internal Rules on the Principle 2 3 4 5 6 7 8 9 10 14 17 22 new principle 31 33 40 41 48 51 55 58 60 82 and 83	66 	22 	boycott 	87/87
15-Feb-2005	National Budget Law for year 2001	66 	22 	boycott 	88/88

24-Feb-2005	Vienna Convention on Consular Relations	67 	22 	boycott 	89/89
24-Feb-2005	International Charter on Migration	67 	23 	boycott 	87/90
24-Feb-2005	Amendment of Agreement on ASEAN Industry Cooperation (AICO)	67 	24 	boycott 	87/88
25-Feb-2005	❖ Cambodia's accession into Convention in 1961				90/90
	❖ Cambodia's accession into Convention on Physical Affects in 1971	67 	24 	boycott 	90/90
	❖ Cambodia's accession into Convention on combating against Drug Smuggling and Physical Affects in 1988				90/90
14-Mar-2005	Law on Statistics	66 	22 	boycott 	88/88
17-Mar-2005	Amendment of Law on Drug Control	68 	19 	boycott 	87/87
26-Apr-2005	Law on Weapons and Gunpowder	68 	25 	boycott 	90/93
27-Apr-2005 and 03-04-17-May- 2005	Law on Commercial Enterprises	65 	22 	boycott 	87/87
18-May-2005	❖ Agreement Proposed Amendment on the Constitution new article 88 and 111				89/89
	❖ Agreement between the Royal Government of Cambodia and the Government of the United States of America Regarding the Non-Surrender of Person to the International Criminal Court	67 	22 	boycott 	89/89
18-19-May- 2005	Law on Senate Election	66 	23 	boycott 	89/89
27-Jun-2005	❖ Inter-Governmental Agreement Regional Power Trade in the greater MEKONG Sub-Region				87/88
	❖ Proposed Amendment of the NA Internal Rules new article 45	66 	22 	boycott 	88/88
July 2005	NA vacation				
22-Aug-2005	❖ Letter of the King of the Kingdom of Cambodia Boromnet Noromdom Sihamoni to third NA sessions third legislature	70 	19 	16 	

	❖ Report on the MPs' activities between second and third NA sessions third legislature				
22-23-Aug-2005	Law on National Archives	63 	17 	13 	86/91
24-25-Aug-2005	Convention on the marking of Plastic Explosives for the Purpose of detection	65 	18 	15 	97/97
25-Aug-2005	International Convention for the Suppression of Terrorist Bombings	65 	18 	15 	96/96
26-Aug-2005	❖ International Convention against the taking of hostages				91/91
	❖ Convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents	60 	16 	15 	90/90
29-Aug-2005	❖ Convention on the Physical Protection of Nuclear Material				97/101
	❖ Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf	66 	20 	16 	98/101
	❖ Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation				96/97
30-Aug-2005	Convention 182: Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labor	65 	19 	15 	91/92
31-Aug-2005	United Nations Convention Against Transnational Organized Crime	61 	20 	13 	88/92
31-Aug-2005	Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organized Crime	61 	20 	13 	92/93
01-Sep-2005	Clarifications of H.E. Mr. Keat Chhon , Senior Minister of Economy and Finance Ministry responded to letter of H.E. Mr. Keo Remy (SRP, Phnom Penh) relating to Oil price Increasing	56 	19 	15 	Declaration
02-Sep-2005	International Convention for the Suppression of the Financing of Terrorism	60 	15 	12 	85/87
05-Sep-2005	❖ Framework agreement on the ASEAN investment area				87/87
	❖ Agreement on encouragement and reciprocal protection of investments between the Kingdom of Cambodia and the Kingdom of the Netherlands	58 	13 	17 	86/86
	❖ Agreement between the Government of the Kingdom of Cambodia and the Government of the Socialist Republic of Vietnam concerning the promotion and protection of				70/68

investments					
15-Sep-2005	Clarifications of H.E. Mr. Tea Banh , Co-Minister of National Defense Ministry, responded to letter of H.E. Mr. Son Chhay (SRP, Phnom Penh) relating to Spread-out Troops, Bids of military uniforms, military car signs, and trade on public properties of National Defense Ministry	50 	17 	09 	Declaration
13-16-Sep-2005	Law on Domestic Violence	61 	17 	15 	88/88
16-19-Sep-2005	Law on Tradeable Instruments and Payable Transaction in Cash	54 	12 	15 	81/81

Annex 7: Significant Activities of the 9 NA Expert Commissions

Table 7: Remarkable Activities of the 9 NA Expert Commissions

DATE	COMMISSION	ACTIVITY
05-Oct-2004	The 8th Commission	H.E. Mrs. Ho Naun and her members held meetings with H.E. Mr. Nheb Bunchin , Minister of Labour and Vocational Training, to discuss the draft law on establishment of Ministry of Labour and Vocational Training.
06-Oct-2004	The 8th Commission	H.E. Mrs. Ho Naun and her members held a meeting with H.E. Mr. Ith Sam Heng , Minister of Social Affairs Veteran and Youth Rehabilitation, to discuss the draft law on establishment of Ministry of Social Affairs Veteran and Youth Rehabilitation.
07-Oct-2004	The 8th Commission	H.E. Mrs. Ho Naun and her members held a meeting with H.E. Mrs. Ing KanthaPhavy , Minister of Women Affairs, to discuss the draft law on establishment Ministry of Women Affairs.
27-Oct-2004	The 2 nd Commission	H.E. Mr. Cheam Yeap and his members held a meeting with H.E. Mr. Keat Chhon , Senior Minister of Economy and Finance, to discuss the draft law on the National Budget for year 2002.
24-Nov-2004	The 3rd Commission	H.E. Mr. Ly Thuch and his members held a meeting with H.E. Mr. Chan Sarun , Minister of Agriculture Forestry and Fisheries, to generate strategies for helping citizens who are facing drought.
07-Dec-2004	The 2nd Commission	H.E. Mr. Cheam Yeap and his members held a meeting with the representatives of the National Audition Authority to discuss about draft law on National Budget for year 2005.
09-Dec-2004	The 2nd Commission	H.E. Mr. Cheam Yeap and his members met with H.E. Mr. Keat Chhon , Minister of Economy and Finance, and his colleagues to discuss the draft law on National Budget for year 2005.
23-Dec-2004	The 1st Commission	H.E. Mr. Pen Pannha and his members held a meeting with H.E. Mrs. Men SamOn , Minister of Parliamentary Affairs and Inspection, at the Minister's office.
27-Dec-2004	The 1st Commission	H.E. Mr. Pen Pannha and his members held a meeting with H.E. Mr. Ith Sam Heng , Minister of Social Affairs

		Veteran and Youth Rehabilitation, at the minister's office.
4-Jan-2005	The 2nd Commission	H.E. Mr. Cheam Yeap held a meeting with his members within the commission to discuss the draft law on National Budget for year 2001 and 2002.
5-Jan-2005	The 7th Commission	H.E. Mr. Mom Chimhuy and his members held meeting with H.E. Mr. Kol Pheng , Minister of Education Youth and Sports. The minister explained about the new transformations and objectives which are measures from previous positive results in the Education Youth and Sports sectors.
5-Jan-2005	The 4th Commission	H.E. Mr. Monh Saphan and his members held a meeting with H.E. Mr. Tea Banh , Minister of National Defense, and H.E. Mr. Long Visalo , Secretary of State of the Ministry of Foreign Affairs and International Cooperation, about the Convention on Chemical Weapons.
10-Jan-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and her members intervened in complaints of 91 families/citizens in Baek Chan Commune, Angk Snuol District, Kandal Province, relating to the case that AZ company had expanded the National road number 4 which damaged their houses.
11-Jan-2005	The 9th Commission	H.E. Mr. Ky Lum Ang and her members held a meeting with H.E. Mr. So Khun , Minister of Post and Telecommunication, and the members of the Minister's office.
11-Jan-2005	The 8th Commission	H.E. Mrs. Ho Naun and her members visited orphans at Phnom Penh Thmei Vocational Training Center
12-Jan-2005	The 7th Commission	H.E. Mr. Mom Chimhuy and his members went on missions to Siem Reap for 3 days.
17-Jan-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and her members held a meeting with H.E. Mr. Suy Sem at the ministry's office.
18-Jan-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and her members held a meeting with H.E. Mr. Sun Chanthol , Minister of Public Works and Transport and his members.
19-Jan-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and her members held a meeting with H.E. Mr. Cham Prasidh , Senior Minister of Commerce, at the minister's office.
24-Jan-2005	The 5th Commission	H.R.H. Samdech Norodom Vacheahra and her members held a meeting with H.E. Mr. Em SamAn to discuss two draft laws including the Vienna Convention on Consular Relations and International Charter on Migration
25-Jan-2005	The 5th Commission	H.R.H. Samdech Norodom Vacheahra held a meeting with H.E. Mr. Khlot Randy to discuss an Amendment of Agreement on ASEAN Industry Cooperation (AICO)
26-Jan-2005	The 5th Commission	H.R.H. Samdech Norodom Vacheahra and her members held a meeting with H.E. Mr. Hy Sorphea , the representative of Justice Ministry, H.E. Mr. Touch Singhay , the representative of Office of the Council of Ministers, H.E. Mr. Pheng Heng , The representative of Health Ministry, H.E. Mr. Teng Savong , the representative of Cambodian National Authority for Drug Combating, to discuss three draft laws including Cambodia's accession to the Convention in 1961, Cambodia's accession into the Convention on Physical Affects in 1971, Cambodia's accession into Convention on combating against Drug Smuggling and Physical Affects in 1988.
26-Jan-2005	The 1st Commission	H.E. Mr. Pen Pannha held a meeting with UNDP representatives at the National Assembly.
26-Jan-2005	The 3rd Commission	H.E. Mr. Ly Thuch held meetings with EU Consultants [in charge of environment and national resources] at

		the NA in order to discuss about strategic planning of the environmental sector for next 10 years.
26-Jan-2005	The 8th Commission	H.E. Mrs. Ho Naun and her members visited officials of Baray Santuk Hospital in Ballangk commune, Baray district in Kampong Thom province.
01-Feb-2005	The 3rd Commission	H.E. Mr. Ly Thuch and his members held meetings with H.E. Mr. Chhay Than , Minister of Planning, to discuss the draft law on Statistics.
15-Feb-2005	The 3rd Commission	H.E. Mr. Ly Thuch visited H.E. Mr. Ty Sokun , Director of Forestry Administration, at the Forestry Administration building.
22-Feb-2005	The 6th Commission	H.E. Mr. Ek Sam Ol and his members held a meeting with H.E. Mr. Hy Sorphea , the representative of Justice Ministry, and H.E. Mr. Nem Chandara , the representative Foreign Affairs and International Cooperation Ministry, to discuss an Agreement between the Royal Government of Cambodia and the Government of the United States of America Regarding the Non-Surrender of Persons to the International Criminal Court.
25-Feb-2005	The 6th Commission	H.E. Mr. Ek Sam Ol and his members held a meeting with H.E. Mr. Hy Sorphea , the representative of Justice Ministry, to discuss the Amendment of draft law on Drug Control.
25-Feb-2005	The 7th Commission	
28-Feb-2005	The 8th Commission	H.E. Mrs. Ho Naun and her members held a meeting with H.E. Mr. Nuth Sokhom , Minister of Health, to acknowledge some health problems.
07-Mar-2005	The 4th Commission	H.E. Mr. Monh Saphan and his members held a meeting with H.E. Mr. Em SamAn , representative of Interior Ministry, H.E. Mr. Chaov Phirum , representative of National Defense Ministry, to discuss the draft law on Weapons and Gunpowder.
11-Mar-2005	The 2nd Commission	H.E. Mr. Cheam Yep and his members organized a forum about draft law on Tradeable Instruments and Payable Transaction in Cash participated by H.E. Mr. Chea Chanto , governor of National Bank of Cambodia (NBC), H.E. Mrs. Chan Thana , Vice-governor of NBC, and representatives of the International Monetary Fund (IMF) and Konrad-Adenaur Fund.
12-13-Mar-2005	The 8th Commission	H.E. Mrs. Ho Naun led a groups of delegates to hold a meeting about Development Goals for year 2004 at Apsara hotel in Siem Reap province.
23-Mar-2005	The 5th Commission	H.E. Mr. Un Ning and his members held a meeting with H.E. Mr. Keat Chhon , Minister of Economy and Finance Ministry, H.E. Mr. Long Visalo , Secretary of State of the Ministry of Foreign Affairs and International Cooperation, and H.E. Mr. Khan Saveoun , Secretary of State of Interior Ministry, to discuss draft laws including United Nations and Convention Against Transnational Organized Crime Protocol Against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organized Crime.
24-Mar-2005	The 4th Commission	H.E. Mr. Monh Saphan and his members held a meeting with H.E. Mr. Morm Sopheat , President of legislative authority, to discuss the Convention on the marking of Plastic Explosives for the Purpose of detection.
24-Mar-2005	The 4th Commission	H.E. Mr. Monh Saphan and his members held a meeting with H.E. Mr. Maov Chan Dara , President of National Police Commission, to discuss the International Convention for the Suppression of Terrorist Bombings.

29-Mar-2005	The 4th Commission	H.E. Mr. Monh Saphan and his members held a meeting with H.E. Mr. Em SamAn , representative of Interior Ministry, to discuss the International Convention against the taking of hostages.
29-Mar-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and Senior Minister of Commerce, H.E. Mr. Cham Prasidh , have set up a forum on a draft law on Commercial Enterprises at the NA.
30-Mar-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and other members held meeting with Senior Minister of Commerce, H.E. Mr. Cham Prasidh , to discuss a Draft law on Commercial Enterprises.
30-Mar-2005	The 3rd Commission	H.E. Mr. Ly Thuch and other members held a meeting with H.E. Mr. Kong Vibol, Secretary of State of Economic and Finance Ministry, to discuss two draft laws including 1-Agreement between the Government of the Kingdom of Cambodia and the Government of the Socialist Republic of Vietnam concerning the promotion and protection of investments and 2-Agreement on encouragement and reciprocal protection of investments between the Kingdom of Cambodia and the Kingdom of the Netherlands.
07-Apr-2005	The 8th Commission	H.E. Mrs. Ho Naun and other members held a meeting with H.E. Mr. Sok San , Secretary of State of Labor and Vocational Training Ministry, and a representative of ILO [International Labor Organization] to discuss Convention 182: Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labor.
22-Apr-2005	The 6th Commission	H.E. Mr. Ek Sam Ol and other members held a meeting with representative official of the Senate delegated by H.E. Mr. Chea Chet to discuss the draft law on Senate Election.
27-Apr-2005	The 6th Commission	H.E. Mr. Ek Sam Ol and other members held a meeting with H.E. Mr. Hy Sophea, Secretary of State of Justice Ministry and H.E. Mr. Long Visalo, Secretary of State of Foreign Affairs and International Cooperation Ministry, to discuss the Agreement between the Royal Government of Cambodia and the Government of the United States of America Regarding the Non-Surrender of Persons to the International Criminal Court.
09-Apr-2005	The 8th Commission	H.E. Mrs. Ho Naun and other members held a meeting with representative of Public Works and Vocational Training Ministry and Foreign Affairs and International Cooperation Ministry.
13-May-2005	The 2nd Commission	H.E. Mr. Cheam Yep and other members held a meeting to discuss about draft law on Tradeable Instruments and Payable Transaction in
18-May-2005	The 2nd Commission	H.E. Mr. Cheam Yep and other members held a meeting with representative of NBC [National Bank of Cambodia] to discuss about draft law on Tradeable Instruments and Payable Transaction in Cash
03-Jun-2005	The 1st Commission	H.E. Mr. Pen Panha and other members held a meeting with delegates of ROYALROAD University to strengthen cooperation between Cambodian legislative institutes and Canada, which aimed to exchange each other's experiences.
09-Jun-2005	The 1st Commission	H.E. Mr. Ly Thuch and other members visited H.E. Mr. Chan Sarun, Minister of Agriculture Forestry and Fisheries, at Fishery Department. The meeting aimed to strengthen cooperation between legislative and executive branches.
09-10-Jun-2005	The 4th Commission	H.E. Mr. Pal Samoeurn, Vice-president of the 4 th Commission, and other members visited Mr. Sok Saret

		and Mr. Pech Soken, Vice-governors of Banteay Meanchey province, in order to acknowledge general state of affairs throughout the province.
13-Jun-2005	The 7th Commission	H.E. Mr. Mom Chimhuy and other members held a meeting with H.E. Mr. Hem Sem , Secretary of State of Culture Fine and Arts Ministry, at the NA to discuss about problems faced in culture, and fine arts affairs.
14-Jun-2005	The 7th Commission	H.E. Mr. Mom Chimhuy and other members held meeting with H.E. Mr. Khun Haing , Minister of Religions and Cults, at the NA to discuss about some important affairs in cults and religious sector and subsequent consequences for their objectives and measures.
16-Jun-2005	The 1st Commission	H.E. Mr. Pen Panha and other members held a meeting with H.E. Mr. Sok San, Secretary of State of Labor and Vocational Training Ministry, at the ministry's office to acknowledge some important affairs such as, especially, the importance of employee legal rights.
17-Jun-2005	The 1st Commission	H.E. Mr. Pen Panha and other members permitted Mrs. Orn Sok Keoun, director of Child Prevention Organization, to have a meeting at the commission. The meeting intended to acknowledge today's child rights which are abused by evil people, the child trafficking trade, and child labor issues.
23-Jun-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and other members held a meeting with H.E. Mr. Suy Sem, Minister of Industry Mines and Energy, to discuss the Inter-Governmental Regional Power Trade Agreement in the greater MEKONG Sub-Region.
23-24-Jun-2005	The 3rd Commission	H.E. Mr. Ly Thuch and members of the NA and Senate went on missions to study about the prevention of Kravangn Chain in Pursat province.
July 01, 2005	The 8th Commission	H.E. Mrs. Ho Naun and other members held a meeting with Ing Kantha Phavy, Minister of Women Affairs Ministry, to discuss the draft law on Domestic Violence.
03-Jul-2005 to 05-Jul-2005	The 7th Commission	H.E. Mr. Mom Chimhuy and other members went on missions to Battambang province. The mission aimed to study the activities of 4 relevant expert offices in order for the commission to further participate in the development of this sector.
05-Jul-2005 to 07-Jul-2005	The 7th Commission	H.E. Mr. Mom Chimhuy and other members went on mission to Pailin city. The mission aimed to study activities of 4 relevant expert offices in order for the commission to further participate in the development of this sector.
05-Jul-2005 to 10-Jul-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and other members went on mission to Battambang, Pailin and Pouy Pet. The mission aimed to visit Cambodia-Thai border and Pouy Pet gate in order to assess the general situation.
20-Jul-2005	The 4th Commission	H.E. Mr. Monh Saphan permitted Mr. Donard Browser, Anti-corruption expert, to hold a meeting at the NA.
26-Jul-2005	The 8th Commission	H.E. Mrs. Ho Naun and other members held a meeting with H.E. Mrs. Ing Kantha Phavy , Minister of Women Affairs, to discuss the draft law on Domestic Violence.
27-Jul-2005	The 4th Commission	H.E. Mr. Monh Saphan and other members went on mission to study about land disputes of 26 families of citizens at Toap Mean commune, Samraong Tong district in Kampong Speu province.
02-Aug-2005	The 2nd Commission	H.E. Mr. Cheam Yep and other members held a meeting with delegates of Germany led by Mr. Manfred Carstens , President of the Finance Commission of the German Parliament. The meeting aimed to strengthen cooperation of the NA between the two countries which would help to develop Cambodia

		in all sectors.
04-Aug-2005	The 4th Commission	H.E. Mr. Monh Saphan and other members went to study about land disputes on 9863 hectares between Amendy Group and citizens of Sala Visai commune, Toul Kreul commune, Prasat Balangk district in Kampong Thom province with respect to 3 complaints to the NA: 1-Damage to their plants 2-citizens were forced to sell land to the company and 3- the Commune V\Chief forced citizens to sell their land at a cheap price.
06-Aug-2005 to 08-Aug-2005	The 8th Commission	H.E. Mrs. Ho Naun and other members went to visit Otdor Mean Chey province to study activities of relevant offices relating to the implementation of laws. It aimed to be sure about the level of actual implementation.
16-Aug-2005	The 3rd Commission	H.E. Mr. Ly Thuch and others members visited an environment culture conservation communities led by Mr. Tep Narith and his members. The visit aimed to request the cooperation of fishing groups along Srai Pok and Sekong river whose interests were affected by the construction of a dike named Yaly by Vietnam.
29-Aug-2005	The 9th Commission	H.E. Mrs. Ky Lum Ang and other members held ameeeting with H.E. Mr. Soung Heng, Secretary of State of Public Works and Transports Ministry, to discus about draft law Tradeable Instruments and Payable Transaction in Cash
31-Aug-2005	The 1st Commission	H.E. Mr. Cheam Yep and other members held a mission with H.E. Mr. Chea Chanto, Governor of NBC [National Bank of Cambodia], to discus about draft law on Tradeable Instruments and Payable Transaction in Cash.
07-Sep-2005	The 8th Commission	H.E. Mrs. Ho Naun and other members visited Japanese delegates group led by Pro. Heyde Yano . The visit aimed to study about needs of Cambodia such as clean water, social affairs national education issues .
16-Sep-2005	The 4th Commission	H.E. Mr. Monh Saphan and other members held ameeeting with Secretary of State of National Defense Ministry to discus laws regarding pension policy retired and handicap veterans.
16-Sep-2005	The 6th Commission	H.E. Mr. Ek Sam Ol and other members held a meeting with H.E. Mr. Hy Sophea , Secretary of State of Justice Ministry, to discus about draft law on civil code.

Annex 8: MPs' Letters

✚ Opposition MPs sent letters to the **Prime Minister Hun Sen** requesting for measures to forbid abuses of the rights of citizens to land as well as corruption charges of the Minister of Agriculture Forestry and Fisheries, **H.E. Mr. Chan Sarun**, with his group.

✚ Letters to **the Former King Norodom Sihanouk** and **the Queen** requesting gifts for poor citizens; and to **the King Norodom Sihamoni** requesting his intervention in H.E. Mr. Cheam Channy's case and the withdrawal of immunity of 3 SRP MPs including **H.E. Mr. Sam Rainsy** (Kampong Cham), **H.E. Mr.**

Cheam Channy (Kampong Cham) and **H.E. Mr. Chea Poch** (Prey Veng) with respect to the petition of 1,608 citizens in Battambang province.

✚ Response letters of CPP MPs aimed at educating citizens on the procedure for resolution of land disputes. For instance, the letter of **H.E. Mr. Ai Khon** (Koh Kong) to advise a citizen named Sin Sary whose the land was abused by a police man named Sovannara and a Mrs. Hak Khunly.

✚ On March 07, 2005, **H.E. Mr. Son Chhay** (SRP, Phnom Penh) sent letters to the Minister of **Economy and Finance** and Minister of **National Defense** requesting for their

declaration in NA sessions on unusual issue of bids of soldier uniforms supply in 2005.

✚ On January 07, 2005, **H.E. Mr. Son Chhay** (SRP, Phnom Penh) sent a letter to **the Royal Government** requesting clarification of its contract with AZ Company. On March 16, 2005, the Royal Government responded to the letter, but this Excellency showed his disapproval to the response as he maintained that the Minister had not inspected the real issues of concern.

✚ On April 01, 2005, **H.E. Mr. Son Chhay** (SRP, Phnom Penh) sent a letter to **H.E. Mr. Kiev Kanharith**, the Minister of **Information**, through **Samdech Heng Samrin**, the NA Vice president, requesting a clarification on the broadcasting schedule of Cambodian National Television. Mr. Son observed that the television station usually broadcasts only private programs such as religious ceremonies and gift-giving of some Excellencies. He questioned that: 1-Does National Television lack information for broadcasting? 2-Are the television companies paid to screen those ceremonies? 3-When will the television broadcast about the abuse of laws of factory employers or/and the negative points of the Royal Government? 4-How does the ministry advice the television to avoid the broadcasting of bad events?

On the same day, **H.E. Mr. Sok Pheng**, **H.E. Mr. Chrea Sochenda**, **H.E. Mr. Ho Vann** (SRP, Kampong Thom, Kamdal, Phnom Penh respectively) sent letters to **H.E. Mr. Ka Saveoun**, the secretariat of state of **Interior Ministry**, through **Samdech Heng Samrin**, the NA Vice president, requesting a clarification on the case where the Co-minister has issued a letter forbidding a peaceful strike.

✚ On July 19, 2005, **H.E. Mr. Sok Pheng** (SRP, Kampong Thom) sent a letter to the Minister of **Rural Developmen** through the NA president requesting for intervention in the construction of Baray Market located at Baray commune, Baray district in Kampong Thom province. On August 31, 2005, **H.E. Mr. Ang Vong Vatthna**, the Minister of Justice, responded to the letter that the request for clarification was not accurate because only 124 families were demanding compensation and those citizens, meanwhile, were also happy with the new market and agreed with the price level of shops high as sellers and this Excellency had already agreed this with market committee.

✚ On August 25, 2005, **H.E. Mr. Sok Pheng** (SRP, Kampong Thom) sent a letter to the Minister of **National Defense** through the NA Vice-president requesting a clarification in a NA

session relating to some cases including 1-Issues concerning the deployment of soldiers 2-Tender bids on the supply of soldier uniforms, oil, and rice 3-Using of soldier sign for cars(use of military license plates) and using of soldier roles to do any abuse activities 5-Trade of public properties including a technology site at Toul Kork district, the weapons storehouse of National Defense Ministry construction number 12, destruction of the old stadium for construction of new departments and so on. Afterward, there was a declaration by **H.E. Mr. Tea Banh**, the Minister of National Defense, in NA sessions on September 15, 2005.

✚ On August 25, 2005, **H.E. Mr. Keo Remy** (SRP, Phnom Penh) sent a letter to the Minister of Economy and Finance requesting his clarification in a NA session relating to measures against oil price-rises. On August 29, 2005, **H.E. Mr. Keat Chhon**, the Minister of Economic and Finance Minister, responded that he would reply on this case at the NA session on September 1, 2005.

✚ On September 19, 2005, **H.E. Mr. Sok Pheng** (SRP, Kampong Thom) sent a letter to **H.E. Mr. Ngim Vanda**, first Vice-president of Disaster Management Committee, requesting for his inspection and gift-giving [including food and rice seeds] to citizens of Samaky and Doung districts. On September 21, 2005, the committee responded that they had already observed those cases and were waiting for the date to distribute the gifts. However, the committee did not have on hand rice-seeds; the Excellency thus passed the Excellency's request to Agriculture, Forestry and Fishery Ministry or agriculture officials in Kampong Thom province.

Annex 9: Parliamentary Significant Events

Events of May, 2005

✚ Quorums Issues

In the process of adopting draft/proposed laws, debate should take place in order to discuss meanings and air views. In order for the NA is able to process a session for adopting a law it needs to have a **quorum MPs** in the session. Constitutional article 88 requires that *"for a legal session there is a quorum 7/10 of all MPs."*

In the third Legislature, we observed that NA sessions had problems of insufficient quorums many times. Relating to this issue, in March, 2005 **H.R.H Samdech Krom Preah Norodom Ranariddh** and **the Prime Minister**

thus agreed on a request to reduce the quorum in order to facilitate and smooth the NA session process while Opposition MPs were still boycotting meetings due to the lifting of immunities of 3 SRP MPs [including **H.E. Mr. Sam Rainsy** (Kampong Cham), **Cheam Channy** (Kampong Cham) and **Chea Poch** (Prey Veng)]. Nonetheless, some explained that this problem was not only due to boycotts by opposition MPs. Some MPs were busy in their constituencies or abroad, some are government officials, or because of health problems, personal duties, and private business. With regard to this issue, **Mr. Chhim Phal Vorun**, the Constitutional post-advisor with the NA, defined “quorum” as “the condition on the required number of MPs’ present needed to adopt a law, not the required number of MPs’ present for a meeting. On the other hand, the implementation in Cambodia, quorum is set as the number present for a meeting.”

Nevertheless, the issue of insufficient quorums has been protracted. Therefore, the NA Permanent Standing Committee decided to organize a special commission to study the possibility of amending the Constitution. As a result, on May 18, 2005, MPs from the ruling parties adopted by a majority vote the proposed amendment to the Constitution new Article 88 and 111 to reduce the quorum from 7/10 to 6/10 despite many critics. The Opposition party has also heavily criticized the modification of the Constitution as a bad initiative aimed at calming down opposition voices. Additionally, it was raised that the problem of an insufficient quorum was not just caused by the case of SRP MPs’ boycott. There would not be a need to amend the Constitution because the present quorum could be reached even if all 24 SRP MPs were absent. On their own SRP MPs could not prevent a quorum being achieved, Instead legislators should show the maturity and prestige of politics by allowing a mixed opinion of the ruling and opposition parties. **H.E. Mr. Eng Chhai Eang** (SRP, Battambang) said, “MPs of CPP and FUNCINPEC are enough to complete quorums required. The point is that those MPs like to be in their offices rather than the NA.”

Events of July, 2005

✦ **Prince Norodom Ranariddh: Increase Constituent Visits or Step Aside**



President of the NA and FUNCINPEC, **H.R.H Samdech Krom Preah Norodom Ranariddh**, has warned his parliamentarians that they will be removed from the party’s list or lose their chance to run in the next election for 4th mandate if they fail to visit their constituencies. According to a report of

Comfrel’s networks, FUNCINPEC MPs were recognized as being inactive in going on missions as they visit their electorates less than their CPP and Sam Rainsy Party counterparts.

Prime Minister Hun Sen Supports Prince’s Speech



Prime Minister **Samdech Hun Sen**, as the Vice-president of his CPP party, and the coalition partner to FUNCINPEC immediately supported the speech of **H.R.H Samdech Krom Preah Norodom Ranariddh** as he said, “This warning is accurate. The two parties should thus go on missions together.” Nonetheless, the prince’s speech showed that there was a real lack of commitments on the part of MPs to fulfill their roles in serving citizens and their efforts are still limited. It is sad that it took the warning of leaders about the non- fulfillment of their duties, suggesting a lack of concern for citizens only at the time of elections and not in the period in between.

✦ **Reaction of Legislative Members to Inflation Issues**



The serious depreciation of the Cambodian Riel [the national currency], its devaluation and price inflation of many primary goods recently has threatened the family economies of citizens throughout the country. Concerned by this rising inflation, in early July SRP MPs called on the government with 4 recommendations to bring down the current inflation rate especially oil price: 1- reduce fuel prices to the same rate as in neighboring countries 2-Assure traders, to avoid speculative prices, that authorities with the cooperation of the World Food Organization (WFO) and donors countries have enough ability to supply food to the market 3- launch a national campaign to encourage people to use substitutes for expensive goods 4-make greater efforts to stabilize exchange rates. **H.R.H Samdech Krom Preah Norodom Ranariddh**, the NA president, also endorsed the invitation to government representatives to urgently clarify the issues in NA sessions after its vacation.

✦ **Parliamentarian pushed for draft law on Judge Statute and on Strikes and Demonstration**

H.E. Mr. Keo Remy (SRP, Phnom Penh) sent a letter requesting the Minister of **Justice** to explain about the slow process to bring to the NA the draft of basic laws such



as the Statue of Judges, the Law on Organization of the Court, the Criminal Code, the Law on Criminal Procedures, the Civil Code, the Law on Civil Procedures, the Law on the Organization and Functioning of Notaries Public, and the Law on the Organization and Functioning of Bailiffs, which are important to reform the tribunal system. Meanwhile, this Excellency also sent a letter to **Prime Minister Hun Sen** questioning the process of the draft law on Strikes and peaceful Demonstrations, and a draft law on regulation of NGOs [non-governmental organization] and Communities as many communities have been created without enough laws. The Royal Government had also promised to finalize the drafts before late this year [2005].

✚ Civic Societies Expressed Worries Of Party Influence On Parliamentarian



With respect to SRP request to the NA asking for its legal action in the case of **H.E. Mr. Kem Veasna** who was dismissed from

the party, civil society organizations expressed their worry about the degradation of parliamentary immunity especially on freedom of speech and issues that arose from exercising freedom of speech, the NA internal rules. It is argued that individual political party policies should not usurp the rights and powers of parliamentarians mandated directly by citizens' votes. In addition, many articles in the Constitution limit the parliamentarian's rights. Civil Society organizations would like to recommend as follows: 1 *Verify the constitutionality and amend the law on National Assembly Elections article 120 2- Political parties should not dismiss their parliamentarian from legislative institution solely because of political differences and/or losing political membership. Political parties should obey their own promises (E.g., 10th point in "100 Measures of SRP").*

✚ Boycotting of SRP MPs: when Mr. Chem Channy jailed, SRP MPs attend NA Sessions?

The Presiding Judge of the Military Court, **Mr. Thong Ol**, declared on July 19 that investigation into **Mr. Chem's case** had been finished and the trial would be held on August 8, 2005. The trial was expected to attract much public attention as well as in the international communities and could lead to important re-consideration of SRP MPs towards returning to the country and ending the boycott of NA sessions. The Secretary-general of the Opposition party, **H.E.**



Mr. Eng Chhai Eang, said that the decision of his party to end the boycott of sessions would depend only on outcome of the case of Mr. Chem's sentence.

Events of August, 2005

✚ Opposition MPs to end Assembly boycott

SRP MPs voluntarily ended their six-month boycott of the National Assembly as 16 of them [24 MPs] attended a session on August 22, 2005. The MPs said they were not forced to re-join the sessions but they wished to resume their campaign against corruption that had occurred during their absence.

✚ PM defends courts trialing Opposition MP, blasts international community.

On August 16, 2005 **Prime Minister Hun Sen** defended the Military Court's recent sentencing of opposition lawmaker Cheam Channy to seven years in prison having been indicted on forming an illegal armed force. He warned that the case could be extended further to include foreigners. He said that the case would be expanded to find the people who masterminded the idea and that could include foreigners; the court must continue its investigation. Mr. Cheam's trial was criticized by the U.S.A and groups of human right organizations as they alleged that the court acted without independence and was being used as a tool to silence opposition.

Events of September, 2005

✚ Rights of Freedom of Expression and Assembly, Peaceful Demonstrations

Some law experts commented that there was inconsistency by government authorities in provisions allowing or preventing public peaceful demonstrations. The rights of freedom of expression and assembly are clearly affirmed in the Constitution, but the rights were not allowed to be exercised in a proper manner, as the duty of authorities to maintain public order and security is being cited to prevent demonstrations especially in Phnom Penh. This was the case with the Opposition party wishing to register public support against the Government's actions [in relation to H.E. Mr Sam Rainsy and other leaders]. Similarly demonstrations against rising fuel prices, labor disputes, and controversial border agreement between Cambodia and Vietnam (1982) were not allowed. By contrast counter

demonstrations by pro-Government groups were approved such as the “Pagoda Boys” and anti-SR posters were allowed to be posted in educational establishments

SRP MPs May Receive Places on National Assembly Commissions

H.E. Mr. Keo Remy and **H.E. Mr. Son Chhay** (SRP, Phnom Penh) said **NA President Prince Norodom Ranariddh** would meet with

Prime Minister Hun Sen about the possibility of including SRP lawmakers into some of the NA commissions. The decision is necessary to have support from CPP and needs two-thirds of the parliamentarians’ votes. It should be noted that SRP MPs with 24 seats in the NA were not included in any NA commissions. The Opposition in fact did have places in the NA commissions and presided over one in 1998-2003 mandates when the party had only 15 seats.

For more detailed information regarding this Annual Parliamentary Watch Report contact:

1. **Mr. Koul Panha**, Executive director of Comfrel
2. **Mr. Mar Sophal**, Monitoring Coordinator of Comfrel

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138, St 122, Teuk Laak I, Toul Kork, Phnom Penh, Cambodia
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 Tel: 855 23 844 150 Fax: 855 23 883 750