

Parliamentary Watch in May 2005

In May 2005, the National Assembly (NA) holds 5 plenary sessions and adopted two draft/proposed laws, one agreement and one constitutional amendment on two articles. A total of 11 members of parliament (MPs) in which 5 MPs from Cambodian People's Party (CPP) and 6 MPs from Funcinpec Party (FCP) viewed opinions in the debate for 167 minutes. Within all minutes of discussion, majority of MPs support positively the draft laws and asked some questions to the government in neutral tones. Meanwhile, there were some negative views on some civil society organizations. After this month sessions, the National Assembly will be on vacation with 13 agendas left (Please see detail point 1 about Observing on performance of the National Assembly). Apart from NA sessions, MPs from the three elected parties went on missions to their own and other constituencies for a total of 272 times at only 16 provinces/cities that decreased compared to last month. This decline due to majority of MPs was busy with their meeting at NA Expert Commissions or in fulfilling their government works while some MPs had personal activities abroad.

There was a compromising intention from leader of opposition party, H.E. Mr. Sam Rainsy, who request to meet president of NA, H.R.H. Samdech Krom Preah Norodom Ranariddh, "any time at any place" for finding solution on boycotting the sessions of MPs of his party. In the letter, Mr. Sam also proposed to include MPs of SRP into all NA Commissions and to return back immunities to the 3 MPs. Samdech Krom Preah Norodom Ranariddh ask this opposition party's leader coming back to Cambodia and solving his case with the court before he meet Samdech. It should notice H.E.Mr. Sam Raisy and Chea Poch still have been abroad and meanwhile Mr. Sam declared that he would not return back to the country if he could not yet know about the destiny of H.E. Mr. Cheam Channy . H.E. Mr. Khem Veasna (SRP, Prey Veng) is suspended by National Democratic Institute for Democratic Affairs (NDI) any invitation to joint public forums discussing between MPs and citizens. This suspension due to the speech of Mr. Khem that create negative impact on the king and the king's family in a forum organized by this NDI on 29 June 2005 at Prey Veng. Two lawyers of H.E. Mr. Cheam Channy who is under arrested MP proposed to change this defendant from hospital of military prison to outside expert hospital in order to get better treatment while his heath getting weaker.

1-Observing on performance of the National Assembly (NA):

National Assembly (NA) Sessions Process
In May 2005, the National Assembly (NA) holds 5 plenary sessions. NA also met a problem of insufficient quorums for one session. As like previous sessions, members of parliament (MPs) from opposition party continued boycotting the meeting. Under supportive voice from majority of participated MPs, NA adopted two draft/proposed laws, one agreement and one constitutional amendment which were Draft Law on Business Enterprises, Proposed Law on Senate Election, Agreement between the Royal Government of Cambodia and the United States of America not to deliver to International Criminal Court, and Constitution Amendment new article 88 and 111. There were strong critics from many publics relating to amendment on the Constitution new article 88 and 111 to reduce quorums from 7/10 to 6/10 to continue meetings and Proposed Law on Senate Election. Opposition party always dissatisfies with number of quorums' reduction and criticizes amendment on the Constitution is not a good habit. This is also for remove voice of opposition party in meeting.

Some civil society organizations also showed their regret about the inclusion of Proposed Law on Senate Election into NA session's agenda and either rose that this voting system has "no freedom, no fairness and disrespect democratic basis" because the protocol allows only members of parliament and commune council member the power to vote for new senators. Actually, Cambodian public people will have no right to joint the election and thus the result can be estimated accurately that only 3 parties in NA will probably 100% got supportive voices. However, opposition party also against adoption of this proposed law by expressing that this proposed law serves only ruling parties. Moreover, this vote strongly depends on result of commune council election in 2002, opposition party therefore raise a new proposal to delay senate election till 2007. Anyways, ruling parties also prevent themselves that adoption of these laws was exactly respected and stoutly base on the Cambodian Constitution.

Views Expressed by Members of Parliament (MPs)
In the sessions, there were 11 MPs in which 5 MPs from Cambodian People's Party (CPP) and 6 MPs from Funcinpec Party (FCP), participated the debate for 51 times equal 167 minutes. MPs from Sam Rainsy Party (SRP) continued boycotting the meeting as like sessions in previous months. Among MPs who joint discussions, MPs from FCP were the most active as they expressed their opinion for 35 times equal 118 minutes (70% of total minutes) and MPs from CPP for 16 times equal 49 minutes (30% of total minutes). Almost the sessions, H.E. Mr. Khieu San and H.E. Mr. Monh Saphan (FCP, Kandal and Kampong Cham), and H.E. Mr. Cheam Yeap (CPP, Prey Veng) got leading amount in viewing opinions. Comfrel also noticed that 2 MPs who are women from CPP at Kandal province, H.E. Mrs. Khuon Sudary and H.E. Mrs. Ho Naun also expressed their views. With regard to Business Enterprises Law, MPs from the two parties supported and felicitated the government in proposing this law. Meanwhile, they also raised many questions to the government about recent business economic situation of Cambodia. Indeed, H.E. Mrs. Ho Naun (CPP, Kandal) supportively viewed that, "we would like to admire the government proposing this draft law.....when the law adopted, it will be an important basis for local and foreign traders and investors got more facilities and confidences." It should notice either that majority of participants in the debate similarly proposed to the government about the creation of business court and against corruption law that could let to more efficiently implementing of this business law. Although the majority supported the draft law, some MPs also had chance to raise some worries about recent Cambodian market process in order for the government take any actions. In fact, H.E. Mr. Khieu San (FCP, Kandal) point out that, "...relating to registration for exportation and importation, it's late. About the price, as I know it's cost 70 US dollars but why it's cost till 2000 US dollars? In the case of arguing, which procedure the government should implement since we don't have business court yet?" Actually, majority of MPs who were participators totally supported adoption of Proposed Law on Constitutional Revision Articles 88 and 111 and Proposed Law on the Senate Election while they also negatively viewed civil society organizations relating to their critics on these proposed laws. Indeed, H.R.H Samdech Krom Preah Norodom Ranariddh, the president of the National Assembly said, "I would like to admire the expert commission revising the constitution article 88 and 111 that make the National Assembly easier processes...I would like to clarify that quorum of 7/10 is too much compared to other democratic countries in the world. I think that quorum of 6/10 is also high. Therefore, I would like civil society organizations checking how many countries have quorum of 6/10, do not just speak without evidences." H.E. Mrs. Khuon Sudary (CPP, Kandal) also supported that, "this revision is conformed to the constitution new article 153 and this case has been under consideration since second mandate."

2-Members of Parliament’s (MPs) Missions to Their Constituencies

Apart from NA sessions, MPs have done other activities including missions and interventions to deal with some citizens’ issues. In fact, Comfrel observed that there were 49 MPs in which 15 from Sam Rainsy Party (60% of this party’s MPs), 30 from Cambodian People’s Party (41% of this party’s MPs) and 04 from Funcinpec Party (15% of this party’s MPs) went on missions to their own and other constituencies for a total of 272 times that decreased 6% compared to MPs’ missions in April 289 times.

The following table summaries objectives and number of mission of members of parliament:
Purpose of Missions Political Parties Total

Purpose of Missions	Political Parties						Total (% by purposes)
	SRP 15 MPs (60%)		CPP 30 MPs (41%)		FCP 4 MPs (15%)		
Intervention to people concerns	12	89%	2	14%	0	0%	14 100%
	6%		3%		0%		15%
Visiting, gifts giving and inaugurations	123	69%	55	31%	1	0%	179 100%
	65%		74%		10%		65%
Strengthening internal party and network	16	55%	13	45%	0	0%	29 100%
	8%		18%		0%		11%
Attending public forum	11		0	0%	7	39%	18 100%
	6%	61%	0%		70%		7%
Accompanying leaders	28	88%	4	12%	0	0%	32 100%
	15%		5%		0%		12%
Total (% by party)	190	70%	74	27	8	3%	272 100%
	100%		100%		100%		100%

If we compared among the parties we found that total mission was 272 times and among which: SRP was got leading number in going on missions for 190 times equal 70% of total missions. CPP went to constituencies 74 times equal 27% of total missions. FCP went to constituencies only 8 times equal 3% of total missions.

Comparing MPs’ missions according to objectives by horizontal ranks:

- For intervention and solving problems 24 times: SRP has done the most 86%, followed by CPP 14%, but Comfrel did not get any information about FCP relating to this kind of mission.
- For visiting, gift giving and projects inaugurations 179 times: SRP has done the most 14%, followed by CPP 31%, and FCP only 1 time. Relating to this kind of mission the three parties’ MPs provided budget to restore channels, wells, water pumping machines, and distributed seeds to agriculturists for cultivating and many gives in achievements inauguration ceremonial and on.
- For strengthening network and internal party 29 times: SRP has done the most 55%, followed by CPP 45%, but Comfrel had no information about FCP relating to this kind of

mission. Relating to this activity, MPs from SRP went to meet their activists to strengthen activists' network through seminars about party's reform, monthly meeting and organized system of groups work by commune council membership. MPs from CPP celebrated death ceremonial and monthly meeting for strengthening internal party. However, Comfrel did not get any information about FCP. For accompanying their leaders 32 times: SRP 88%, followed by CPP 12%, but Comfrel did not get any information about FCP.

Comparing MPs' missions according to objectives by vertical ranks:

- Missions of MPs from Sam Rainsy Party were totally 190 times among which were for intervention and problem solving 6%, for visiting, gift giving and projects inaugurations 65%, for network and internal party strengthening 8%, for attending public forum 6%, and for participating their leaders 15%.
- Missions of MPs from Cambodian People's Party were totally 74 times in which were for intervention and problem solving 3%, for visiting gifts giving and projects inaugurations 74%, for strengthening network and internal party 18%, for accompanying their leader 5% and none for attending public forum.
- Missions of MPs from FUNCINPEC Party were totally 8 times in which were for attending public forum 7 times, and visiting gifts giving and projects inaugurations only 1 time.

Among total missions of MPs 272 times, the missions in term of members of parliament were 232 times equal 85%, in term of political party 25 times equal 9%, and in term of government 15 times equal 6%. Comfrel found that within this month members of parliament went to only 16 provinces/cities in which the most numerous visits were at Battambang constituency 67 times, followed by Takeo Constituency 42 times, and then both Kandal and Phnom Penh 40 times. The 4 constituencies were visited the least only 1 times including Pailin, Mondul Kiri, Kampot, and Kampong Chhang. There were other 8 provinces/cities including Kampong Speu, Kep, Koh Kong, Ratanak Kiri, Stung Treng, Syay Rieng, Oddar Meanchey and Preah Vihear where Comfrel did not get any information relating to MPs' missions. It should be noticed either that H.E. Mr. Eng Chhai Eang (SRP, Battambang) got leading numbers in going on missions to his own and other constituencies for 48 times. H.E. Mr. Sar Kheng, H.E. Mr. Tes Heanh, H.E. Mr. Nhim Vanda, and H.E. Mr. Ly Narun (CPP, Battambang, Prey Veng, Pursat respectively) were on the same number of missions 6 times. H.E. Mr. Sin Pinsen and H.R.H. Princess Sisowath Santa (FCP, Prey Veng) were both on only 3 missions.

Members of Parliament' (MPs) Commitments Implementation Among these 272 missions Comfrel found that at least 74 cases of citizens' requests (67 cases to SRP's MPs, 6 cases to CPP's MPs, and only 1 case to FCP's MPs) including request to intervene in people concerns and draught issues, land disputes, and appealed MPs to visits them more frequently. Indeed, H.E. Mr. Ho Vann (SRP's MP, Phnom Penh) intervened and solve problems for citizens at Resey Keo District while they complain again and again that, "we all have no settle, no using materials, no foods because we don't have job and governor of the province has not sold this problem for us." H.E. Pal Samoeurn (CPP, Banteay Meanchey) met citizens at Kork Romet Commune (Tmar Pouck District, Banteay Meanchey province) who had requested to construct a 5 km road from Tmar Pouck District to Kork Romet commune. MPs have accepted all citizens' requests. They therefore sent letters to government leaders such as the National Assembly. Meanwhile, MPs made promises on 8 cases. There were also 8 responses to previous promises within which 5 cases were completely done and 3 cases got some responses such as promises to provide toilets, computers, food and so on. Comfrel selected some responses of MPs to the needs of citizens such as:

- H.E. Mr. Chan Cheng (SRP, Kandal) has intervened in citizens' lands abused by authorities in order to sell the land to a businessman during December 2004. The citizens had requested

him to take any actions on the case. On 13 May 2005, this MP has fulfilled his promise by coordinating with relevant companies until win the case. Finally, the company paid those 107 victims families 3700 US dollars. H.E. Mr. Nthem Thavy (CPP, Kampong Thom) visited citizens and school's supportive committee at Chea Sim Kampong Thmar located at Kampong Thmar district in Kampong Thom province in April 2005. School's supportive committee requested the MP to budget to do tables for students, school fences and toilets. On 16 May 2005, this MP has responded to those promises by providing 3.724.000 riel for construction and other needs.

3-Members of Parliament' (MPs) Intervention Activities

Comfrel was informed that at least 3 MPs from SRP sent 3 intervention letters to Prime-Minister and relevant institutions including Ministry of Agriculture, Forestry and Fisheries, Ministry of Health, Ministry of Tourism, Ministry of Interior and Ministry of Justice requesting for immediate and necessities actions to helps citizens who has been facing problems. Among those letters some were to ask for reconcile the case of H.E. Mr. Cheam Channy to be out of prison according to his health problem. There have not yet any responses to those letters thus far. H.E. Mr. Hguon Nhel, second vice-president of the NA, transferred 6 accusation letters to provincial authorities for checking, solving those problems and finally report back to him about the result. It should be confirm that those accusation letters were provided through public forum "Representatives and Voters" organized by Comfrel on 29 April 2004 in Kampong Thom province.

Phnom Penh, 9 June 2005