

Parliamentary Watch in March 2005

Two important draft laws were adopted in second plenary National Assembly (NA) sessions third legislature on 14th and 17th of March 2005, where participated by members of parliament (MPs) from Cambodian People's party (CPP) and FUNCINPEC Party (FCP) though MPs from opposition party still boycotted. Either in this month, the NA Standing Commission has sent at least other 10 draft laws to relevant NA Expert Commissions in order to discuss and adjust meaning with government representatives.

The lifting immunity of 3MPs from opposition party still causes political problems that have made worries some international communities such as European Union, Australian Assembly, etc. Opposition party also has pushed to have a legal equality relating H.R.H Samdech Krom Preah Norodom Ranariddh alleged in corruptive cases. Another new issue is insufficient quorum for NA sessions according to which some MPs requested to amend the Constitution to reduce number of quorum.

Apart from NA sessions, MPs from the three elected parties went on missions to their own and other constituencies for a total of 220 times which increased double compared to number of missions in previous months. Those missions were mostly for visiting, gift giving, and strengthening networks and internal parties especially to inform as well about the lifting immunities of 3 MPs from opposition party.

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

National Assembly (NA) Sessions Process

Comfrel observed that only two important plenary NA sessions holds in this month under the presidency of H.R.H Samdech Krom Preah Norodom Ranariddh for adopting successively two important bills, Bills on Statistic and Amendment on Drug Control Law. Within these two sessions, only MPs from Cambodian People's Party (CPP) and FUNCINPEC Party (FCP) attended, equal totally 87 MPs. It was nearly lack of quorum which required having 7/10. Meanwhile, MPs from opposition party continued boycotting the sessions due to the lifting immunity of 3 MPs of their party at the beginning of February, and while other MPs from FCP and CPP were absents because of their missions and their government works' fulfillment. Apart from NA sessions, at least 5 NA Expert Commissions had examined and discussed on bills about international protocols and conventions and investment agreements by inviting government representatives for asking and finally making correction on meaning and terminologies. For instance add the word "Punishment" to the word "Cash paid", and so forth.

Views Expressed by Members of Parliament (MPs)

During these March sessions, only 2 MPs from CPP and FCP debated on the bills and spoke for a total of 144 minutes. In the minutes of discussion, speaking tone mostly supported the government and only few minutes taken to view on government's negative points. There were totally 12 MPs in which 7 from CPP and 5 from FCP expressed their opinions. Although the majority of CPP and FCP lawmakers supportively expressed their views on the bills, but some of CPP's MPs also warned the government in properly implementing these laws while some MPs from FCP tried to raise questions and showed either their worries to the government's representatives.

The president of Second Commission and as well MP at Prey Veng constituency of CPP, H.E. Mr. Cheam Yeap expressed that, "Amendment on Drug Control Law is an essential law that the government representatives must help to promote the court to work rigorously on it. I

agree on the amendment of this law.... our country, Cambodia has faced drug trades because citizens are poor, drug traders have a huge amount of money, and our state still is poor, government officials therefore could receive bribes.....”

H.E. Mr. Monh Saphan (FCP, Kampong Cham) spoke the most in the discussion on these two bills. He proposed to adjust some meaning in articles and raised either some worries relating especially to Amendment on Drug Control Law, “About the written that, ‘punishment will be from this amount of years to this amount of years’, the court can benefit from such point.

Hence, the Minister of Justice should please help to revamp on court system and educated magistrates to act under ethic, honesty and fairness”, he said.

Comfrel also observed that a MP who is woman from CPP at Phnom Penh constituency, H.E. Mrs Kruoch Sam An, proposed the government to publicly publish Amendment on Drug Control Law in order for all citizens get educated and implement it in a proper way.

2- Problem of Insufficient Quorums

Problem of insufficient quorums for NA session was another particular issue for this month.

H.R.H Samdech Krom Preah Norodom Ranariddh and the Prime-Minister agreed on the proposed law to reduce number of quorums in order to smooth the process of NA sessions because the National Assembly had ever faced this problem for two times already when MPs from opposition party have still boycotted the meeting. Nonetheless, public are generally not happy with this proposal because this problem has not been due only to boycott of opposition party’s MPs, but there were also some other reasons that let the absent of MPs from the meeting such as some MPs fulfilled their missions at constituencies or abroad, some are government officials, or because of health problems and so on.

Samdech Krom Preah said, “Quorums of 7/10 is too much...(Sic)...” Relating to quorums reduction, Dr. Lim Plalvorum said, “We should not suggest anymore number of quorums for meeting. We should just talk about procedure of meeting that should have a president who delegate members to respect meeting conditions. And either, the Constitution Article 88 should be revised in order to let National Assembly be able to process.”

H.E. Mr. Eng Chhai Eang (SRP, Battambang) who boycotted the meetings said around the above discussion that “Cambodian People’s Party and FUNCINPEC party have enough amounts of MPs in the National Assembly in order to complete required number of quorum. In actual fact, a numbers of ministers don’t want to sit in the National Assembly since they better like to be at their offices.”

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

Beside NA sessions, MPs have alternative activities such as missions to their own and other constituencies or addressing citizens’ problems. Indeed, Comfrel observed that 69 MPs including 41 from CPP (56% of this party’s MPs), 17 from Sam Rainsy Party (71% of this party’s MPs) and 11 from FCP (42% of this party’s MPs), went to their own and other constituencies with a total of 220 times during March, increasing 44% compared to missions during February that was only 122 times. Sam Rainsy Party MPs’ missions to constituencies 123 times were the most numerous one. CPP’s MPs went 79 times and FCP’s MPs only 18 times.

The following table is summarized purposes and number of missions of MPs:

Purpose of Missions Political Parties Total

Purpose of Missions	Political Parties			Total
	SRP	CPP	FCP	
Intervention to people concerns	10	4	3	17 (8%)
Visiting, gifts giving and inaugurations	83	66	10	159 (72%)
Strengthening parties networks	21	4	0	25 (11%)
Attending public forums	6	0	4	10 (5%)
Accompanying leaders	3	5	1	9 (4%)
	123	79	18	220 (100%)

- For intervention of people concerns, MPs from SRP had done 10 times which were the leading numbers among the three parties, while MPs from CPP had done 4 times and MPs from FCP had done only 1 time.
- For visiting citizens, Sam Rainsy Party was also leading in this activity with 83 missions. MPs from CPP went 66 times, and MPs from FCP went only 12 times. For gift giving, MPs from the three parties provided budget for channel and wells restoration, buying pumping machines and as well distributing seeds and other gifts to people.
- For attending public forums organized by Comfrel at Kampong Thom province, only H.E.Mr. Sok Phen, and H.E.Mr. Sim Soly (SRP's MPs) attended. MPs from CPP did not participate.

Among the total of 220 visits, 34 times were in term of political parties, 13 times as government representatives and 173 times as members of parliament. In this month, SRP also got leading number in visiting their party's activists for 21 times in which was mostly to inform about the lifting parliamentary immunity of this party's 3 MPs. Followed by MPs from CPP who visited their activists for 4 times.

In March 2005, most missions was holds at Battambang constituency (45 times), and then Kandal and Kampong Thom (both for 33 times). There were very few visits at Koh Kong, Kep, and Oddor Meanchey with only 3 times. It should be noticed that, H.E. Mr. Sok Pheng (SRP's MP, Kampong Thom) got leading members in going to constituencies for 23 times, followed by H.E. Mr. Sar Kheng (CPP's MP, Battambang) for 6 times which was the leading number among his party's MPs, and H.E. Mr. Sim Soly (FCP's MP, Kampong Thom) did 4 times that was also leading number in his party.

Members of Parliament' (MPs) Commitments Implementation:

Among these 220 missions, there were at least 36 requests of citizens to MPs including request of 2000 garment employees (Toule Sangker village, Toule Sangker commune, Resey Keo district, Phnom Penh) to H.E. Mr. Keo Remy (SRP, Phnom Penh) to take any actions to let factory rerun their business in order to sustain their job for feeding their life. Citizen in Taream village (Tbeng commune, Kampong Svay district, Kampong Thom province) requested to H.E. Mr. Sok Pheng (SRP, Kampong Thom) finding solutions on wells problem and recent insufficient food issues. Citizens at Beoung Santouch village (Banteay Sboung commune, Stog district, Kampong Thom province) requested H.E. Mr. Sim Soly (FCP, Kampong Thom) to increase his visits at constituency in order to provide them rice seeds. All concerns raised by citizens were accepted and there were promises for 3 cases. There were also responses to previous promises for 3 cases along which citizens could receive wells, pumping machines and channel restoration, etc.

4-Other intervention Activities

Comfrel found that at least 10 MPs from SRP sent 10 interventions letters to relevant ministries such as Ministry of Economic, Ministry of Defense, Ministry of Interior, Ministry of Education Young and Sport and provincial authorities requesting for immediate and necessary actions to clarify some cases and the needs of citizens. Among those, there were at least two responses to the letters of H.E. Mr. Son Chhay (SRP, Phnom Penh), one from the Prime-Minister Hun Sen relating to road number 4 issues, and another from the Ministry of National Defense concerning to unusual issues about the bid on military uniforms and equipments supplies.

It should be noticed also there were similar interactions from the three parties' MPs on two very poor events in this month. One was the case of shooting citizens by official forces when implementing legal sentence on land disputes at Kbal Spean village (Poy Pet commune, Ochrouv district, Banteay Meanchey province). For this case, H.E. Mr. Kimsour Phirith and H.E. Mr. Sun Cheay (SRP, Banteay Meanchey), H.E. Mr. Monh Saphan, H.E. Mr. Lam Phu An, and H.E. Mr. Khieu San (FCP, Kampong Cham, Banteay Meanchey, Kandal

respectively), and H.E. Mr. Pal Samoeurn (CPP, Banteay Meanchey) went to visit citizens who were victims and provided some gifts such as equipments, foods, money and help to send intervention letters to authorities to take immediate legal actions. Another was the case of shooting on prisoners by guardians at Kampong Cham province when they tried to escape. MPs from the three elected parties paid similar attentions to this case. According to Samdech Heng Samrin, NA First Vice-President and as well MP at Kampong Cham constituency, “this is the careless of authorities.” H.E. Mr. Monh Saphan (FCP, Kampong Cham) blamed that this is because officials did not respect their obligation. H.E. Mr. Keo Remy (SRP, Phnom Penh) declared that, “this is because of officials don’t respect the law that leded to deaths and many injuring.”

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