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## Report on Parliamentary Watch in February 2005

### I. Observation on performance of the National Assembly (NA):

#### 1. NA Process:

There were 11 bills, including the National Assembly's amended Internal Rules, and other seven agendas were passed in February. Below are the bills which had been passed by the National Assembly starting from 3<sup>rd</sup> through 25<sup>th</sup> of February 2005.

- Bill on the State's budget payment for the 2002 spending;
- Convention on Chemical weapons;
- Bill on the Extradition between the Kingdom of Cambodia and People Democratic of Lao.
- Bill on the State's budget payment for the 2001 spending;
- Vienna Convention on Consular Relations;
- International Charter on Migration;
- Revision on the Agreement on ASEAN Industry Cooperation (AICO);
- Cambodia's accession into Drug Convention in 1961;
- Cambodia's accession into Convention on Physical Affects in 1971;
- Cambodia's accession into Convention on combating against Drug Smuggling and Physical Affects in 1988.
- Amendment of the National Assembly's Internal Rules on the Principle 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 17, 22, 31 (new), 33, 40, 41, 48, 51, 55, 60, 82, and 83;

It was remarkably that on the 3<sup>rd</sup> of February 2005, the National Assembly opened its first meeting of the 2<sup>nd</sup> Session, 3<sup>rd</sup> Legislature, under the presidency of Samdech Krom Preah Norodom Ranariddh. In the meeting, there were 115 Members of Parliament (MPs) from the three elected parties participated. The President of the NA called for a surprising urgently meeting of the NA Permanent Committee to discuss on three agendas-lifting parliamentary immunity of three opposition MPs; Sam Rainsy (Kampong Cham), Chea Poch (Prey Veng), and Cheam Channy (Kampong Cham) regarding to long-time defamation complaints and illegal military shadow-as suggested by the Ministry of Justice opening for court proceedings.

Most of the opposition MPs left the NA building immediately, however, there were 6 remaining of which 3 suggested for exception of the lifting immunity of the three MPs, raising the Article 80 of the Cambodian Constitution which prevents any MP from arresting, detaining-that is; "*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.*" As a result, the NA dominated by the CPP and FUNCINPEC MPs decided overwhelmingly to suspend the three opposition MPs' immunity successively; Chea Poch by 98/103 votes, Cheam Channy by 97/104 votes and Sam Rainsy by 97/103 votes.

After the parliamentary immunity were lifted, the opposition leader Sam Rainsy, and Chea Poch went abroad to appeal for, what they had called, "international community support", while Cheam Channy were detained by military tribunal.

Regarding to this issue, there was a strong reaction and concerns showing made by NGOs coalition, some people, U.S. Embassy and Senators, EU and Australian parliamentarians, and the special representative of the UN General Secretary that, the event would affect to democratic process and reduction of the opposition party in Cambodia.

In their joint letter written replying to the former king's comments, both Hun Sen and Samdech Krom Preah Norodom Ranariddh said that, "*the decision for lifting the opposition MPs' immunity is to open for court proceeding in terms of relevant complaints. The procedure parallels all regulations which states in the Cambodian Constitution,*" and rejected the comment though it was supported strongly by civil society and the people.

## 2. MPs expression during debate:

In this month session, there were 22 MPs in which 13 from the CPP and 9 from FUNCINPEC party spoke within a total of 380 minutes<sup>1</sup>. The speaking tone was positively to the government, and some questions had been asked to the government representatives also.

In the debate on these bills, most of the CPP MPs expressed their positive points of views supporting the drafts while some of the FUNCINPEC raised some questions and concerns to the government representatives and the whole MPs.

It's noticed that this session at least 4 female CPP MPs expressed their views which was remarkably as their first time since the 3<sup>rd</sup> legislature started. They voiced particularly on a draft on Drug and raised concerns on the negative affect to the people's health, especially the youth who have been victimized.

Almost every meeting held in this month, two FUNCINPEC MPs; Khieu San (Kandal) and Monh Saphan (Kampong Cham) spoke mostly while the other two CPP MPs of Prey Veng constituency; Cheam Yeap and Ek Sam Ol, often talked also in the debates, if compared to the other MPs who were speaking. Both Khieu San and Cheam Yeap voiced about the effect of chemical weapons during Vietnam war that the United States had bombed partly in Cambodia by posing question to the Cambodian government. So they are very much concerned about, "*what should the government do to prevent and stop such chemical using?*" if it could happen again and "*how to take action again those who use the chemical weapons?*"

**Table 1: Name of MPs who spoke during February Session, on 3-25 February 2005**

No.	Name	Party	Constituency	Time/speaking tone (Neutral)
1	Ek Sam Ol	CPP	Prey Veng	30 minutes
2	Khieu San	FCP	Kandal	59 min
3	Monh Saphan	FCP	Kampong Cham	52 min
4	Suos Kanan	CPP	Sihanoukville	5 min

<sup>1</sup> We count only the MPs' expression, not including speaking of President, vice-presidents of the NA as well as Chairmen of commission who read the drafted laws in the debate.

5	Sim Soly	FCP	Kampong Thom	13 min
6	Ly Thuch	FCP	Pursat	37 min
7	Cheam Yeap	CPP	Prey Veng	48 min
8	Hou Sry	CPP	Phnom Penh	6 min
9	Pen Pannha	CPP	Prey Veng	30 min
10	Ho Naun	CPP	Kandal	11 min
11	Sar Kheng	CPP	Battambang	11 min
12	Neav Sithong	FCP	Kampong Cham	6 min
13	Norodom Sirivudh	FCP	Kandal	12 min
14	Un Ning	CPP	Kampong Thom	10 min
15	Men Sam An	CPP	Svay Rieng	6 min
16	You Hockry	FCP	Kampong Cham	19 min
17	Khuon Sudary	CPP	Kandal	5 min
18	Hem Khon	CPP	Kampong Speu	7 min
19	Ly Kimlieng	CPP	Battambang	1 min
20	Som Chen	CPP	Kampot	6 min
21	Than Sina	FCP	Kampot	5 min
22	Hong Sunhuot	FCP	Kampot	7 min
<b>Total</b>				<b>380 min</b>

## II. Observation of MPs' activities:

### 1. Visits to constituency:

#### 1.1.MPs visited to constituency:

In February 2005, there were 41 MPs went to their constituencies visiting the citizens for 122 visits which is less than the previous month.




- ❖ 23 MPs (31% of the total CPP MPs) from the CPP, visited 51 times;
- ❖ 14 MPs (58% of the total SRP MPs) from the SRP visited 66 times;
- ❖ 4 MPs (34% of the FCP MPs) from the FUNCINPEC, visited only 5 times.

#### 1.2. Purposes of visits/missions:

All the missions made by all MPs from the three elected parties are equal to 122, and which are classified into five main purposes as follows:

- ✚ *Addressing in people's concerns for 5 times (4%):* The SRP MPs is the leading among the three parties who dealt with intervention to resolve some people's issues. Mostly their activities dealt with land conflicting resolution, appealing to the government, as well as the King, to intervene with land violation at the border with Vietnam.
- ✚ *Visiting/gift giving and project inauguration for 58 times (47%):* Most of CPP and FCP MPs gave gifts to people such as: scarf, clothes, and money to the monk for building pagodas in the constituencies. Likewise, the SRP MPs distributed some medicines to the people also.
- ✚ *Attending public forum for 4 times (4%):* Like the previous months, none of the CPP MPs attended in public forum organized by COMFREL as well as other NGOs, while only two each of the FCP and SRP MPs attended in such event.
- ✚ *Strengthening party networks for 4 times (22%)*
- ✚ *Accompanying leaders for 28 times (7%)*

**Table 2: Categorization of MPs' purposes**

Purpose of visits	Party			Total
				
<i>Intervention to address public's concerns</i>	5	0	0	5 (4%)
<i>Visiting, gift giving &amp; project inauguration</i>	23	33	2	58 (47%)
<i>Attending CSO forums</i>	17	10	0	27 (22%)
<i>Strengthening party structures</i>	19	8	1	4 (3%)
<i>Accompanying leaders</i>	2	0	2	28 (7%)
<b>Total</b>	<b>66</b>	<b>51</b>	<b>15</b>	<b>122 (100%)</b>

Among the total MP's visits, they acted as MPs for 87 times, political parties for 28 times and as government representatives for 7 times.

It should be noticed that, **H.E. Chrea Sochenda** (SRP, Kandal) was the leading MP in going to constituencies for 12 visits, followed by **H.E. Sar Kheng** (CPP, Battambang) for 9 visits and H.E. Sim Soly (FCP, Kampong Thom) did 2 visits.

## 2. MP's promises:

Out of the total visits, people raised their concerns to the MPs at least 40 cases and 18 of which were accepted by the MPs to resolve. It was observed that at least 10 of previous promises were responded in this period. For instance:

- On 25 January 2005, there was land grabbing case committed by a company which violated 170 families. During his mission, H.E. Chrea Sochenda (SRP, Kandal) promised to write an intervention letter to the court. Obviously, on 3<sup>rd</sup> of February, he went again to the incident place to help the victim people there.
- On 28 February, 2005 H.E. Sok An (CPP, Takeo) inaugurated a Junior High School in Tramkok district, Takeo, after his promise was made in previous missions.

## 3. Other intervention activity:

Beside the NA session and field visits, there were at least few SRP MPs wrote 05 intervention letters to the government and relevant institutions requesting for immediate action to help people, as well as to the King urging to intervene in calling the government to release H.E. Cheam Channy, who was detained immediately after his parliamentary immunity was successfully lifted in the early month. No response has been made during this time.

## III. Conclusion:

In short, COMFREL acknowledged that this month 41 MPs from the three elected political parties went visiting their own and other constituencies for several reasons, especially to visit and give gifts to the constituents. The decrease in number of this month's field visits was partially due to MPs, especially from the CPP and FUNCINPEC, were busy at the NA Session whereas most of SRP MPs had much time to visit people.

MPs' visits made citizens in the constituencies felt so happy, but still their few concerns had been addressed. However, some of MPs had committed to fulfill their promises by their field visits to the constituencies.

**List of MPs who visited constituencies in February 2005**

No.	Name	Constituency	Party	In-Const	Out-Const
1	- H.E.Chrea Sochenda	Kandal	SRP	12	
2	- H.E.Ngor Sovann	Kandal	SRP	9	
3	- H.E.Mao Monyvann	Kampong Cham	SRP	9	
4	- H.E.Seang Nam	Siem Reap	CPP	6	
5	- H.E.Ahmad Yahya	Kampong Cham	SRP	5	
6	- H.E.Mrs.Thak Lany	Kampong Cham	SRP	5	1
7	- H.E.Cheam Channy	Kampong Cham	SRP	5	
8	- H.E.Sam Rainsy	Kampong Cham	SRP	5	
9	- H.E.Un Ning	Kampong Thom	CPP	4	
10	- H.E.Nguon Nhel	Kampong Thom	CPP	3	
11	- H.E.Ly Narun	Pursat	CPP	3	
12	- H.E.Nuth Rumduol	Kampong Speu	SRP	3	
13	- H.E.Sar Kheng	Battambang	CPP	3	4
14	- H.E.Sok Pheng	Kampong Thom	SRP	3	
15	- H.E.Suos Kanan	Preah Sihanouk	CPP	3	
16	- H.E.Sok An	Takeo	CPP	3	1
17	- H.E.Nhim Vanda	Prey Veng	CPP	2	
18	- H.E.Sim Soly	Kampong Thom	FUN	2	
19	- H.E.Eng Chhai Eang	Battambang	SRP	2	
20	- H.E.Mrs.Troeung Thavy	Kratie	CPP	2	
21	- H.E.Mrs.Chuonh Sochhay	Battambang	CPP	2	
22	- H.E.Mey Nan	Pursat	CPP	2	
23	- H.E.Tes Heanh	Battambang	CPP	2	
24	- H.E.Mrs.Ly Kimlieng	Battambang	CPP	2	
25	- H.E.Muy Chat	Battambang	CPP	2	
26	- H.E.Nhem Thavy	Kampong Thom	CPP	1	
27	- H.E.Phay Bunchheun	Kandal	CPP	1	
28	- H.E.Mrs.Chhun Sarim	Svay Rieng	CPP	1	
29	- H.E.Kheav Horl	Kampong Thom	CPP	1	
30	- H.E.Kimsour Phirith	Banteay Meanchey	SRP	1	
31	- H.E.Kuoy Bunroeun	Takeo	SRP	1	1
32	- H.E.Lam Phu An	Banteay Meanchey	FUN	1	
33	- H.E.Mrs.Doung Vanna	Svay Rieng	CPP	1	
34	- H.E.Khem Veasna	Prey Veng	SRP	1	
35	- H.E.Suk Sameng	Preah Vihear	CPP	1	
36	- H.E.Sman Teath	Pursat	CPP	1	
37	- H.E.Mrs.Men Sam An	Svay Rieng	CPP	1	
38	- H.E.Mrs.Ho Naun	Kandal	CPP	1	
39	- H.E.Khieu San	Kandal	FUN	1	
40	- Norodom Sirivudh	Kandal	FUN	1	
41	- Samdach Hun Sen	Kandal	CPP	1	
			<b>Total</b>	<b>111</b>	<b>11</b>