

Parliamentary Watch in April 2005

In April 2005, the National Assembly holds only 2 plenary sessions (only in the morning times) because of insufficient quorums and either the National Assembly were preparing for 21st Asian Meeting (29th-30th April) and as April was the month for celebrating Khmer New Year. Some draft laws were adopted such as Explosive Weapons and Gunpowder Management Law (hold only half of session at the second meeting). Members of Parliament (MPs) from Sam Rainsy Party (SRP) continued boycotting the sessions (Please see detail point 1 about Observing on Performance of the National Assembly Sessions Process). In this month, some unusual events also happened such as the NA Secretary General rejected to transfer letters of MPs of SRP to relevant institutions. Those included the request to Chairman of Cambodian Electricity to declare about electricity price increased in Kampong Thom province, "Those MPs should fulfill their obligations by attending NA sessions." Afterward, MPs who are senders replied, "We will go to ask questions when officials authorities come to declare in NA sessions."

Another abnormal issue was about NA Expert Commissions reject to provide Sam Rainsy's lawyer the diary about NA sessions. Samdech Heng Samrin prevented that rejection, "I don't think there're any needs to note about public person or someone else. It's the principal of NA (to keep secret", the secretary general said. With regard to this problem, there were critics from civil societies and MPs of opposition party to some responses on this problem from some NA leaders whom the speech were quoted in Cambodia Daily Newspaper issued on 28th April 2005. Comfrel Executive director, Mr. Koul Panha said, "NA disallows the flow of information without any reasons and explanations. This is not a national secret." President of Social Development Center, Mrs. Chea Vannat said, "I think it may not have the report, or after reading the diary they might be able to find weak points. This report got high value in the case that the court can protest on the vote to lift immunities to arrest H.E. Mr. Cheam Channy and which push H.E. Mr. Sam Rainsy and H.E. Mr. Chea Poch to leave the country." H.E. Mr. Yim Sovann (SRP, Phnom Penh) said, "The rejection on this diary is not the policy of NA. The diary always kept in NA library and this is the first time that the diary can not be found. Norbally, all MPs have the right to read this diary."

Concerning to the lifting immunities of 3 MPs of SRP, H.E. Mr. Sam Rainsy and H.E. Mr. Chea Poch still have been abroad. H.E. Mr. Sam Rainsy declared he would return back to Cambodia before the session of Supreme National Council on Border Affairs. H.E. Mr. Cheam Channy still arrested by Military Court. This MP's lawyer has pushed Cambodian Supreme Court to process the case as soon as possible. Relating to this problem, Execution Committee showed their regret through a press release on 28 April 2005 to magistrate of Military Court who had not yet reply the request of this committee's delegates to visit Mr. Cheam, "This is right abused on accused", and the committee also called for intervention from Judge Council.

In this month, H.R.H Samdech Krom Preah Norodom Ranariddh leaded NA delegates to join the 112nd Intra-National Assembly session at Manil city, Philipine. This mission was excluded NA delegates from SRP. This made lot of protests from this party's MPs. However, MPs from SRP were also invited as non-representatives of Cambodia to joint this meeting. Chairman of SRP, H.E. Mr. Sam Rainsy declared that for his safety he would not return back Cambodia because Samdech Hun Sen who is accuser said he can not guarantee the arrest of Mr. Sam from the court. On 28 April 2005, European Assembly appealed for stopping ill-treats opposition party. European Assembly believes the lifting immunity of the 3 MPs by Cambodian National Assembly showed a strong abuse on democratic principle. Commission on Human Rights of Inter-Parliamentary Community appealed again on 7th-8th April for solution of Cambodian National Assembly Crisis.

Apart form NA session, MPs from the three elected parties went on missions to their own and

other constituencies for a total of 289 times which increasing compared to last month missions. Those missions were mostly for visiting, gift giving and as well for strengthening internal party.

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

National Assembly (NA) Sessions Process:

Comfrel observed that only two plenary NA sessions were held in this month. Among 11 agendas, some draft laws were adopted such as Draft Law on Explosive weapons and Gunpowder Management under the presidency of H.R.H Samdech Krom Preah Norodom Ranariddh participated by 93 members of parliaments (MPs) from Cambodian People's Party (CPP) and Funcinpec Party (FCP), and Draft Law on Business Enterprises that was just under discussion with the participation of 87 MPs.

Apart from NA sessions, 3 Expert Commissions of the National Assembly (the third, the fifth and the sixth) have been checking and debating on draft laws relating to Water Irrigating Management and Agreement between Royal Government of Cambodia and the United States of America not to Deliver to International Criminal Court by inviting government representatives to discuss on meaning and terminologies adjustment.

Views Expressed by Members of Parliament (MPs)

In these two sessions, members of parliament from ruling parties had been debated on the draft laws for 61 minutes. Within all minutes of discussion, the majority of MPs supported and raised questions to the government, and only few minutes taken to view negatively the government.

Only a morning was taken to adopt Draft Law on Explosive weapons and Gunpowder Management and another half session time was used to debate on Business Enterprises Law. During the discussion on the draft law, 9 MPs expressed their opinions. FCP's MPs were the most active since 9 of them showed opinions. Comfrel noticed that MPs who are women from Funcinpec Party at Battambang and Prey Veng constituency, H.E. Mrs. Ky Lum Ang and H.R.H. Princess Sisowath Santa, also expressed their views.

The chairman of Second Expert Commission (Commission on Economics, Finance, Banking and Auditing) and as well a MP at Prey Veng constituency, H.E. Mr. Cheam Yeap, is the only member of CPP who expressed opinion in sessions. He took 13 minutes (equal 21% of the total) to support totally the government. In fact, he said, "our previous destructions on explosive weapons were recognized by international communities ...as long as we have the law, the government will have much more basis to against illegal weapons holding...There are some critics to the government's illegal weapons destruction program. This is because of those people did not think accurately about the government's objective....Since when this law is adopted, the government will enforce its competency in weapons managing." H.E. Mr. Ly Thuch (FCP, Pursat) also defended previous government's activities by raising that, "some analysts had evaluated that Khmer society would face much explosive weapons problems after the war, our country conversely has been safe. This safety in fact derived from cooperation between the National Assembly and the government since the 1st mandate." Although majority of MPs from CPP and FCP positively supported the draft laws, a few FCP's MPs criticized the government relating especially to cartridge plant explosion at Battambang province, and they thus raised negatively some questions and their worries to government representatives. Indeed, H.E. Mr. Mr. Ly Thuch (FCP, Pursat) showed some worries, "about the case of students who are child of power people took illegal guns to threaten professors and other weaker students, and another problem is about aide-de-camp of some high rank officials or worthy people use guns in public areas or restaurants that make international and local tourists scare." H.E. Mrs. Ky Lum Ang and H.R.H. Princess Sisowath

Santa (FCP, Battambang and Prey Veng) also showed similar interests, “The cases of uncontrollable weapons using such as shooting and criminal actions that we usually see on newspaper articles let to interrupt social development and make investors fear to run businesses. Another problem that we also usually face is about small and big brothers at rural areas hide weapons for their criminal actions..... In addition, this law let some civil high rank people got the right to use weapons, however the National Assembly has until 123 of them and some other are government officials. We also could argue together, this thus can create insecurity in our society. ”

H.E. Mr. Ly Thuch (FCP, Pursat) and H.E. Mrs. Ky Lum Ang (FCP, Battambang) questioned to the government, “which actions the government should take to solve cartridge plant explosion case?” H.E. So Victor (FCP, Svay Rieng) questioned that, “why the government destroyed those explosive weapons? According to some opinions, first those weapons have not quality and second we must clear them to make our country safe... I can not recognize these two reasons. If the government keeps them, we can use them next time. And if we bought, they would cost very expensive that will be out of the state afford. Moreover, the weapons could be collected, but how the government does not have ability to manage them?”

2- Problem of Insufficient Auorums

The problem of insufficient quorums still continues. There was an unclear explanation that MPs of ruling parties were on missions and busy with their government jobs as well. Ruling parties’ MPs also still aim to revise the Constitution of National Assembly’s Internal Rules in order to reduce quorums for NA meeting. NA standing commission also decided to create a special committee organizing and discussing on the ability for this constitutional amendment. Some opinions shown that no need to revise the Constitution and adopt it in plenary session in order to just solve political problems regarding to boycotting of MPs from opposition party. 24 MPs from opposition party is enough for quorums and this could show prestige and oldness of our politics that has mixed opinions of both opposition party and ruling parties.

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

Beside NA sessions, MPs had done other activities including missions to the constituencies and intervening citizens’ problems. In fact, Comfrel found in this month that 57 MPs in which 27 were MPs from CPP (37% of this party’s MPs), 17 were MPs from SRP (71% of this party’s MPs), and 13 were MPs from FCP went on missions to their own and other constituencies for a total of 289 times that increased 24% compared to those during March for only 220 times. Missions of MPs from SRP were the most numerous one equal 190 times, followed by MPs from CPP 78 times, and MPs from FCP only 21 times.

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

Purpose of Missions	Political Parties			Total
	SRP	CPP	FCP	
Intervention to people concerns	21	0	0	21 (8%)
Visiting, gifts giving and inaugurations	121	63	7	191 (72%)
Strengthening parties networks	31	3	3	37 (11%)
Attending public forums	13	0	4	17 (5%)
Accompanying leaders	2	12	7	21 (4%)
	190	78	21	289 (100%)

- For intervening citizens’ problems, MPs from SRP was scored highest for 21 times. Meanwhile, Comfrel did not get any information concerning to this kind of mission from CPP and FCP.
- For visiting people, MPs from SRP also got the most done for 121 times, MPs from CPP 63 times, and MPs from FCP only 7 times. With respect to gift giving activity, MPs from the three elected parties provided citizens budgets to repair channel, wells, water pumping machines, distribute rice seeds for cultivating, and many other kinds of gifts givens in

inauguration ceremonial of some achievements.

- For attending public forums organized by Comfrel at Siem Reap province, there was participation of one MP from Sam Rainsy party, H.E. Mrs. Ke Sovannroth. MPs from Cambodian People Party and Sam Rainsy party did not joint such forums.

Among these 289 missions, 226 missions were in term of citizens' representatives, 39 missions in term of political party and 24 missions as government officials.

During this month, it was noticed either that MPs from SRP got leading number in meeting their party network activists for 31 times to inform about immunity lifting of 3 MPs of this party and the arrest of H.E. Mr. Cheam Channy. Both MPs of CPP and FCP had done so for 3 times.

Comfrel was informed that MPs went to 18 constituencies within April 2005. Kandal constituency was visited the most for 74 times, followed by Battambang constituency for 61 times. The constituencies where visited the least was Kep constituency only 1 times. H.E. Mr. Eng Chhai Eang (SRP, Battambang) got leading number in going to constituencies for 30 times, followed by H.E. Mr. Ngor Sovann, H.E. Mrs. Ly Kimlieng and H.E. Mr. Sar Kheng (CPP, Battambang) for 9 times that was scored the highest in this party. H.E. Mrs. Ky Lum Ang (FCP, Battambang) for 4 times that was also the most numerous missions compared to other MPs of this party.

Members of Parliament' (MPs) Commitments Implementation

Among these 289 missions, Comfrel noticed that there were at least 55 citizens' requests (50 cases to SRP, 4 cases to CPP and only 1 case to FCP) including calling for intervention in drought problems, land disputes and appealed MPs to have more frequent contacts with citizens. For instance, a family who support SRP at Kampong Speu province and was killed by unknown people requested H.E. Mr. Nuth Romduol (SRP, Kampong Speu) to find killer for punishment. Citizens at Koh Kong requested H.E. Mr. Ai Khon (CPP, Koh Kong) to repair a 12 km dike stating from Ploung village and from Sre Ambil commune to Beoung Prey commune.

MPs accepted all citizens' requests and did promises on 5 cases. There were also responses to 5 previous promises relating to giving wells, electric machines and channel restorations, etc. Comfrel also observed some responses from MPs to citizens' previous requests. For instance, at a public forum organized by Comfrel on the 29th of March 2005 some citizens requested H.E. Mr. Sok Pheng (SRP, Kampong Thom) to address those who drive on road number 6 decrease their speed for reducing amount of traffic accidents. Afterward, this MP wrote an intervention letter on 6th April 2005 to Kampong Thom Police Commissioner's office to deal with this problem. According to Kors Santhe Pheap newspaper issued on 21st April 2005, there was increasing of traffic accidents in some province including either Kampong Thom province during New Year time.

4- Members of Parliament' (MPs) Intervention Activities

Comfrel got informed that within this month at least 15 MPs from SRP sent 7 intervention letters to relevant institutions including Kampong Thom Police Commissioner Office, Minister of Land Management Urban Planning and Construction, Co-Minister of Interior, President of Cambodian Electricity Authority, and Ministry of Information requesting for immediate actions to clarify some cases. At least there was a respond letter from Minister of Information, H.E. Mr Khieu Kanharith to H.E. Mr. Son Chhay (SRP, Phnom Penh) concerning to national television schedule and program.

With regard to the case that Ministry of Posting planed to create co-enterprise for mobile phone network with private sector, H.E. Mr. Son Chhay and Keo Remy (SRP, Phnom Penh) had similar interaction to this plan's transparency.