

TOM LANTOS HUMAN RIGHTS COMMISSION
TESTIMONY

“CAMBODIAN DEMOCRACY IN FREE FALL”

BY

Mu Sochua, Member of Parliament, Cambodia

10 September, 2009

DISTINGUISHED MEMBERS OF THE U.S. CONGRESS,

As an elected representative of the people, I wish to express my most sincere gratitude to the Co-Chairs of the eminent Tom Lantos Human Rights Commission for holding this important hearing this afternoon.

DISTINGUISHED MEMBERS OF THE U.S. CONGRESS,

Here in this room, I am testifying as a woman exercising her full right of speech and expression, but in Cambodia - as a Member of Parliament from the Sam Rainsy Party, the lead opposition party - I have been stripped of my parliamentary immunity and been given a criminal conviction for openly criticizing Prime Minister Hun Sen. I was denied any legal representation, as my lawyer was intimidated, threatened with disbarment, and felt unable to represent me. My case is not unique.

I am one of the thousands of innocent Cambodians who are tried by a judicial system that is well known for corruption, for incompetence and for acting under the control of the government and those who have political influence.

DISTINGUISHED MEMBERS OF THE U.S. CONGRESS,

The specific definition of parliamentary immunity in the laws provide each and every Member of Parliament or “MP” with special status, protection and safety in order to give us the ability to serve the people and the nation without fear of retribution. However, the unconstitutional lifting of my immunity and the immunity of my colleagues this year and in 2004 completely violates these laws and rules.

Today, the 9 commissions in Parliament are entirely controlled by MPs from the ruling party who act as chairs, vice chairs and members of these commissions. Today, the Parliament in Cambodia acts as a rubber stamp and the Minority is a force to be crushed.

DISTINGUISHED MEMBERS OF THE U.S. CONGRESS,

We as witnesses from Cambodia are here today because we see that democracy in Cambodia is experiencing an alarming freefall, and because we can no longer tolerate a life threatened by fear of being arrested and prosecuted because of our views and opinions. We bring you the high hope of our people who wish to be ruled by law and not by the power of corrupt officials.

For this reason we call on the U.S. Congress to send a high level delegation to Cambodia:

1. To help negotiate dialogues between the President of the National Assembly and the Minority Leader and their representatives in order to discuss rules that will bring democratic practices to the functioning of the Cambodian Parliament.
2. To stop the practice of lifting of parliamentary immunity as a form of political persecution.

We call on the U.S. Government to increase its funding for the National Democratic Institute and the International Republican Institute to immediately work with the UNDP in democratizing the electoral process for the upcoming local elections in 2012 and the parliamentary elections in 2013.

We specifically request an increase of budget for Voice of America and Radio Free Asia to expand its programming to include televised programs that will bring balanced information to the people of Cambodia.

We call on the U.S. government to impose visa sanctions on high-ranking officials in the Cambodian government and their immediate family members, suspected of corruption, of involvement in land grabbing and deforestation, and to investigate their investments and bank accounts in the U.S. These investigations should be made public.

DISTINGUISHED MEMBERS OF THE U.S. CONGRESS,

As a representative of the people, I respectfully urge you to intervene in the following cases:

1. The release from prison and the dropping of charges against journalists, officials of the Sam Rainsy Party, villagers and trade union leaders; and
2. The restoration of parliamentary immunity of opposition MPs.

As for my own criminal case, I have filed an appeal against the decision of the Court as I continue to pursue justice. Without any doubt the guilty verdict will stand. I am not willing to accept guilt for a crime I have not committed. This will lead to a prison sentence and the automatic loss of my seat in parliament, without intervention from donors who are assisting Cambodia.

DISTINGUISHED MEMBERS OF THE U.S. CONGRESS,

People the world over have heard the message put out by President Obama about the meaning of democracy, the need for free and fair elections, and the respect for freedom of speech, freedom of expression and the rule of law. We share the same vision and we respect such responsibility in leadership and ethical commitment to global protection of human rights.

We commend Secretary of State Hillary Clinton for her remarkable commitment to make governments and the UN responsible for and invest in the protection, promotion and respect for women's rights as human rights. We support U.S. Foreign policy that puts human rights first.

I thank you for your attention.