

Committee on the Human Rights of Parliamentarians

I would like to start our briefing this morning by expressing our Committee's very deep dismay at the situation facing Ms. Mu Sochua, a woman member of the Cambodian parliament.

A little over a year ago, the Prime Minister of Cambodia made a public, offensive and derogatory statement with sexual innuendos about Mu Sochua as a woman. Any woman anywhere in the world would have been deeply offended. Mu Sochua was and she announced her intention to sue the Prime Minister for defamation. Immediately afterwards, she was herself sued by the Prime Minister on the basis that publicly announcing her intention to sue him was in his view defamatory.

Instead of dealing with a serious case of offensive language against a woman, the court dismissed Mu Sochua's case against the Prime Minister. Her immunity was then lifted by parliament, and in August last year the court found her guilty of defaming the Prime Minister. The court awarded damages to the Prime Minister and imposed a fine on Mu Sochua. Her conviction was subsequently upheld by the Appeal Court in October 2009 and by the Supreme Court last month.

If Mu Sochua does not pay her fine by tomorrow - and she says she will not - she faces imprisonment. This would also compromise her ability to run in the next parliamentary elections.

The conviction of Mu Sochua involves a clear violation of her most fundamental right to freedom of expression. She has a legal right to express her view that she was defamed and that she intends to seek a legal remedy.

In the case against Mu Sochua, no evidence proving either damage to the reputation of the Prime Minister or malicious intent was ever presented. Instead, the courts relied on correspondence between Mu Sochua, on the one hand, and the IPU and the Global Fund for Women, on the other, to imply bad faith.

The IPU is appalled at this state of affairs. For the last thirty years, parliaments everywhere have cooperated with the IPU and its Committee on the Human Rights of Parliamentarians. This committee was set up for the sole purpose of defending the human rights of members of parliament, many of whom, like Mu Sochua, are members of the opposition.

In this particular instance, that mechanism has been used by a court to violate the human rights of a member of parliament. This is appalling. Under no circumstances can we accept that a communication to the IPU or any other international or inter-governmental organization should be seen as a reprehensible act and be used as evidence in court proceedings. On the contrary, it is part of the fundamental right to freedom of expression.

This case represents a complete travesty of justice. We call on the competent authorities of Cambodia to prevent further injustice and take whatever steps are necessary to ensure that Mu Sochua is not imprisoned.

Geneva, 15 July 2010