

[TRANSLATION FROM FRENCH]

To the highest attention  
of Samdech Krom Preah Norodom Ranariddh  
President of the National Assembly  
Phnom Penh, Cambodia

Los Angeles, February 5th, 1999

Samdech,

As the National Assembly will start next week under your chairmanship to consider an important draft law amending the Constitution in order to move the Cambodian political system from the unicameral to the bicameral system with the creation of a senate, which will have numerous and heavy consequences, I would like to draw your attention on the following points which will not be considered unimportant by the lawyer, leader of a party that claims to be royalist, and respectful son of His Majesty the King that you are :

1. Some of the provisions contained in the draft law jointly prepared by Cambodian People's Party (CCP) and the FUNCINPEC are incredible: In what country, when and in which system has anyone seen the Chairman of the Senate being appointed before we know about the other members of this institution, supposedly representing the people, who have never been consulted?
2. In what country, when and in which system has anyone seen a casually appointed Senate Chairman join the Chairman of the National Assembly, which is the lower chamber of the Parliament, to just as casually appoint the other members of the Senate, which is the upper chamber of the parliament? You might tell me that this arrangement is part of the deal made by CPP and FUNCINPEC on November 13. But the agreement between two parties, even if they represent the majority, is not a valid reason to change the constitutional rules at will. Doing so would ignore the basis of the rule of law, and open the way to continuous violations of democratic principles. The ruling parties at any time would be able to amend the constitution at will. In 1969, General de Gaulle organize a referendum to ask for the approval of the French people (who refused to give it) to modify the organization of the Senate which has existed for a long time. So why don't we ask the Cambodian people about a much more important constitutional amendment ?
3. You may not ignore that His Majesty the King, recently and several times, (see the BMD and the letters he dared to send me) has clearly expressed his very high advice about a Senate which will be useless and costly if it is not well conceived, as national priorities are different. Excepting the six senators appointed by His Majesty the King, the National Assembly and the Government (two by each), His Majesty would like to have all the other senators elected by all various sectors (corps de metier), national groups, Human Rights NGOs, and overseas Cambodians. The Sam Rainsy Party has immediately expressed its full support to the wise Royal proposal which should be accepted and implemented immediately by all those who claim to be royalists, especially those who get their elections and positions from the use they made of the name of the King. Any attempt or maneuver made so as to not respect and not implement the Royal proposal before the second mandate of the Senate would be unworthy in a royalist party which exists thanks to His Majesty the King.

Please accept, Samdech, the expression of my respectful feelings.

[signed]

Sam Rainsy