

បន្ទប់ស្ថានការណ៍ ថ្ងៃចោះឆ្នោត ឆ្នាំ២០១៣

Situation Room on Cambodia Election Day 2013

Joint Statement On An Evaluation of the Whole Process of the National Election 2013 “Need for Integrity and Justice in the Election”

Phnom Penh, September 06, 2013

The Situation Room coalition of CSOs has evaluated the process and the administration of the whole National Assembly Elections for the 5th Mandate (“the Elections”), pre, during and post-Election period, as “Not Yet Free and Not Yet Fair” regardless, as compared to previous elections, of a decrease of serious violence, the absence of killings of political activists or politicians and the active participation of youths in the electoral campaigns.

Fairness and integrity in the Election has decreased. Previous elections organized by the National Election Committee (“NEC”) were deemed to be below the international standards of free and fair elections but in this Election key problems had not been properly addressed and affected the process and administration of the Election; these problems included:

- a. Absence of equal access to and use of media, specifically television and radio, with excessive airtime in favor of the ruling party than other political parties.
- b. The election environment lack of impartiality and the interference of government, local authorities, military armed forces, police and judicial officers who conducted electoral campaigns to support the ruling party and also activities which disturbed and sometimes prevented the campaigns of other parties.
- c. Duplicate names of more than three hundred thousand on the voter list and the issuance of more than one million Identification Certificates for Election (“ICE”). This was coupled with irregularities concerning the indelible inks used which could easily be washed off and therefore failed to ensure people could only cast one vote.
- d. Missing names on the voter’s list where names had been changed, misspelled, used by someone else or deleted. Many eligible voters lost their right to vote despite their willingness to vote and attendance at polling stations. These disenfranchised voters constituted 48% of all those who could not vote on the day.¹
- e. More than ten thousand cases of irregularities on the Election Day including transporting voters from one province to vote in another one.²
- f. The leader of the opposition party, Mr. Sam Rainsy, was deprived of the right to stand as a parliamentary candidate.
- g. There are partiality and lack of independence of the election organizing institutions and election dispute resolutions (NEC and the Constitutional Council of Cambodia (“CCC”)) with lack of transparency and a lack of justice in fulfilling their duties and roles. These institutions had ignored implementing recommendations on electoral reform prior to the Election and rejected almost all, of at least 700, complaints made by political parties in the opposition after the Election.

¹COMFREL’s survey after the Election Day

²Survey of LICADHO, ADHOC, NICFEC and VOD/CCIM

COMFREL, ADHOC, NICFEC, YRDP, CCIM, CCHR, CHRAC, NGO FORUM ON CAMBODIA, API, CCC, CDP, CLEC, CPWP, PDP-CENTER, LICADHO, DHRAC, GADC, LWD, CISA, KYA, KID, DPA, KYSD, MVI, ICSO, TIC, SILAKA, STAR KAMPUCHEA, HR VIGILANCE, VBNK, WMC, YCC, HRTF, CPN, IDEA, VSG, CCSP, KHARAM, FACT, MLOP BAITONG.

- h. Misuse of State resources and the unfair use of public places by the ruling party, to the exclusion of other parties.
- i. Incidences of vote buying by the ruling party were found: During the electoral campaign there was also a significant gap in spending between the ruling party and the contesting ones.

Throughout the entire Election period there has been an environment of intimidation with threats made to voters and political party activists. Government authorities and media supporting the ruling party repeatedly warned of the possibility of having war or the military seizing power if there would be a change of government, and, in reality, there was a very real mobilization of armed forces and visible prevalence of weapons during the Election dispute resolution period. The environment of intimidation, the threats made the lack of fairness and integrity of the process and administration of the Election affected the results of the Election by giving the ruling party an unfair advantage; the Election results do not fully reflect the will of the voters.

Laws, procedures and mechanisms related to elections should be developed, improved or revised as it is essential that reform is undertaken before the next elections; such reforms should include the following:

1. Reforming the NEC and CCC at all levels including revising membership, structure, roles and duties with the agreement of the political parties who won seats in this parliament.
2. Improving media with principles of equal and neutral access for all, specifically focusing on television and radio.
3. Reforming the mechanism of election conflict resolution including the effective mechanism of irregularity investigation.
4. Enacting a law on political party financing to limit political party expenditure during electoral campaigns.
5. Changing the voter registration system and making a new voter list which clearly determines voter's identities and certification for election.
6. Reinforcing effectively the law on the impartiality of civil servants and the royal armed forces.
7. Enacting a law and/or making a policy on quotas of female elected officials to ensure greater female representation, and therefore better reflection of Cambodian society, at decision-making levels.

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