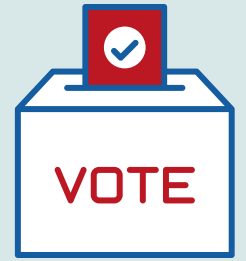


# Fundamental Freedoms

## 2022 Commune Elections



On 5 June 2022, the commune elections took place in Cambodia. From 1 January to 5 June 2022, the Fundamental Freedoms Monitoring Project (FFMP)\* recorded 56 election-related incidents\*\* that involved restrictions or violations of fundamental freedoms.\*\*\* Data was collected through daily media monitoring and the collection of incident reports.

Free and fair elections require an environment in which fundamental freedoms, among other rights, are respected and enjoyed by all individuals. Freedom of expression is crucial to ensure that the voices of candidates, media actors and citizens can be heard on matters of public interest. Respect for freedom of association allows political parties to form, campaign and present candidates. Freedom of assembly enables the mobilization of party supporters and enhances the visibility of political messages.



## Freedom of Association

54 incidents impacted the freedom of association, 53 of which targeted political parties. The Candlelight Party was the most frequent victim, with 43 incidents recorded. Other parties that faced restrictions are the Cambodia National Heart Party, the Cambodia Reform Party, the Kampucheaniyum Party, the Khmer Patriotic Party, the Khmer Will Party and the Grassroots Democratic Party.

In 14 incidents, Political party members or activists faced legal action. In all these incidents, the individuals concerned or the party they belonged to claimed that the legal action they faced was politically motivated. In two separate incidents, Candlelight Party candidates were summoned for questioning on charges of incitement dating back to 2019 and 2021 respectively. In both cases, the individuals concerned saw the timing of the summons as suspicious and aimed at intimidating them from pursuing their political activities.



The National Election Commission (NEC) disqualified 110 opposition candidates from running in the commune elections, citing irregularities in their registration forms. In at least three incidents, the NEC cited irregularities in some candidates' registration and subsequently deleted entire lists of commune election candidates, rather than only disqualifying the concerned individuals. This move, which was deemed "unusual," resulted in the ruling Cambodian People's Party running unopposed in these communes. Other estimates place the number of delisted opposition candidates at more than 300.

In seven incidents, violence was directed against opposition party members or their property. In all but one incident, third parties – only one of whom was later identified – were the perpetrators. Two of the victims said they would not file a complaint, due to their lack of confidence in the authorities' ability to obtain justice for them.



# Freedom of Expression

20 incidents impacted freedom of expression. 16 of these related to interference with the raising of billboards by the opposition parties. These incidents included local authorities ordering opposition parties to take down signs or preventing them from installing them, sometimes citing justifications such as the potential impact on road traffic. Registered political parties do not need local authorities' approval to erect party signs. In two instances, opposition party billboards were destroyed by third parties.



In one incident, a monk was ordered to leave his pagoda for refusing to stop publishing messages of support for the Candlelight Party online.

Reporters were asked to identify themselves and to show their press cards, monitored and followed by authorities while they were interviewing residents in Kandal province about the communal elections. Some residents self-censored as a result of the authorities' behavior, with one man saying he did not "dare" to talk because "people will come and watch us."



# Freedom of Assembly

The Candlelight Party's request to march through populated and central areas as part of one of its rallies was rejected four times by authorities in Kandal province for reasons of "public order".



To be democratic, elections must be free and fair. Elections can only be free if they allow citizens to fully express their political will, which requires a safe environment in which individuals are confident they will not face retaliation as a result of their participation. Elections can only be fair if all parties and candidates enjoy the same political rights and freedoms. The occurrence of incidents in which the fundamental freedoms of individuals and political parties are restricted ahead of elections means such elections are unlikely to be considered democratic.

\*The FFMP is a multi-year project that monitors the space for civil society in Cambodia, including the degree to which the freedoms of association, expression and assembly (fundamental freedoms) can be exercised.

\*\*An incident was recorded each time a restriction or a violation of fundamental freedoms was reported either in the media or directly to the FFMP team by individuals or associations. The difference between a restriction and a violation of a right is that a restriction can be legally permissible under certain circumstances, while a violation prima facie contravenes international legal standards.

\*\*\* The total number of incidents is inferior to the sum of incidents engaging each freedom because one incident can, and often does, engage multiple freedoms.