

**ANALYSIS**  
**Cambodian Commune/Sangkat**  
**Council Election**  
*3 June, 2012*

By the  
Women's Media Centre of Cambodia (WMC)

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## Abbreviations

|                   |  |
|-------------------|--|
| <b>ADHOC:</b>     | The Cambodian Human Rights and Development Association   |
| <b>BLDP :</b>     | Buddhist Liberal Democratic Party  |
| <b>COMFREL:</b>   | The Committee for Free and Fair Elections in Cambodia  |
| <b>CPP:</b>       | Cambodian People’s Party   |
| <b>DHRAC:</b>     | Democracy and Human Rights Organization in Action  |
| <b>FUNCINPEC:</b> | Front uni national pour un Cambodge, indépendant, neutre, pacifique et cooperative   |
| <b>HRP:</b>       | Human Right Party  |
| <b>IFES:</b>      | International Foundation for Electoral Systems   |
| <b>LICADHO:</b>   | Cambodian League for the Promotion and Defense of Human Rights   |
| <b>NRP:</b>       | Norodom Ranariddh Party  |
| <b>MOLINAKA:</b>  | Naktaorsou Khmer for Freedom Party   |
| <b>NEC:</b>       | National Election Committee  |
| <b>NICFEC:</b>    | and Impartial Committee for Free Election in Cambodia  |
| <b>PEC:</b>       | Provincial Election Committee  |
| <b>SRP:</b>       | Sam Rainsy Party   |
| <b>SILAKA:</b>    | The word is formed from the word “SILA” meaning moral character, moral principles, and moral conduct, and the word “KARA” meaning an act, function, or work. The name symbolizes commitment to the moral objectives. ( <a href="http://www.silaka.org/about/">http://www.silaka.org/about/</a> ) |

## Disclaimer

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## I. OVERVIEW ON CAMBODIAN POLITICS

The politics of Cambodia take place in a framework of a constitutional monarchy. The Prime Minister is the head of government while the Monarch is being the Head of State. Based on the country's 1993 Constitution, the Kingdom is in a framework of a parliamentary, representative democracy. Article 1 of the Constitution states: "Cambodia is a Kingdom with a King who shall rule according to the Constitution and to the principles of liberal democracy and pluralism. The Kingdom of Cambodia shall be an independent, sovereign, peaceful, permanently neutral and non-aligned country".

Two levels of legislative bodies are the National Assembly and the Senate. Executive power is exercised by the Royal Government. The King is to appoint the Prime Minister-- a representative from the ruling party -- after getting the recommendation of the National Assembly President and Vice Presidents. Before the recommendation the Premier candidate must get a vote of confidence by the National Assembly members. The Prime Minister is officially the Head of Royal Government and upon entry into office, the premier appoints the Royal Government's Council of Ministers who is responsible to the Prime Minister. Acting as the head of the Executive body, the Prime Minister must fulfill his or her duties, including chairing meetings of the Council of Ministers.

So far, the Cambodian People's Party (CPP) controls all top bodies. CPP Chairman Samdech<sup>1</sup> Chea Sim is the Senate President, CPP honorable Chairman Samdech Heng Samrin is the National Assembly President while CPP's Vice Chairman Samdech Hun Sen is the Prime Minister. Hun Sen was the Prime Minister of the People's Republic of Kampuchea in 1985-1988 and the State of Cambodia in 1988-1993. In the first ever national elections conducted by the United Nations in 1993, Hun Sen's CPP lost to Prince Norodom Ranariddh's royalist FUNCINPEC<sup>2</sup> party. He then became the second Prime Minister after Prince Norodom Ranariddh, the son of King Father Norodom Sihanouk. But in July 1997, Prince Norodom Ranariddh was ousted from the post of the first premier and replaced by his Foreign Minister Ung Huot until the second national election in 1998. Since then, the ruling CPP always won the national elections in 1998; 2003; 2008 and Samdech Hun Sen has become the country's Prime Minister since then.

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<sup>1</sup> Samdech is a highest royal title in Cambodia which is given by His Majesty King of the Kingdom of Cambodia to someone who created enormous achievement for the country.

<sup>2</sup> FUNCINPEC or Independent, Neutral, Peaceful, and Cooperative Cambodia.

## II. BACKGROUND OF CAMBODIAN ELECTIONS

### II.A. National Elections

Since signing the Paris Peace Accord in 1991 to end almost three decades of civil war, four national elections have been taken place in the country so far. The United Nations Transitional Authority for Cambodia (UNTAC) organized and sponsored the first national elections in July 1993. The three national elections have been organized by Cambodia itself with some financial supports from foreign donors and with foreign observers. The following is the figure of the four national elections result since 1993 taken from the National Election Committee (NEC) of Cambodia:

| Winner Parties                    | YEAR                                     |  |                                  |                 |  |           |
|-----------------------------------|--|--|----------------------------------|-----------------|--|-----------|
|                                   | 1993<br>23-28 May<br>(19 Parties Joined) | 1998<br>26 July<br>(39 Parties Joined) | 2003<br>(23 Parties Joined)      |                 | 2008<br>27 July<br>(12 Parties Joined) |           |
|                                   | TOTAL SEATS& VOICES                      |  |                                  |                 |  |           |
|                                   | 120 SEATS                                | 120 SEATS                              | 122 SEATS<br>(24 females=19.51%) | Voices          | 123 SEATS                              | Voices    |
| <b>FUNCIN CIN-PEC<sup>3</sup></b> | 58 (45%)<br>(Female: 2.)                 | 43<br>(Female: 4)                      | 26<br>(Female: n/a)              | 1,072,313 20.8% | 2 (5.05%)<br>(Female: n/a)             | 303,764   |
| <b>CPP<sup>4</sup></b>            | 51 (38%)<br>(Female:5)                   | 64<br>(Female:8)                       | 73<br>(Female: n/a)              | 2,447,259       | 90 (58.11%)<br>(Female: n/a)           | 3,492,374 |
| <b>SRP<sup>5</sup></b>            | <i>Not yet established</i>               | 15<br>(F:1)                            | 24 (21.9%)                       | 1,130,423       | 26 (21.91%)                            | 1,316,714 |
| <b>BLDP<sup>6</sup></b>           | 10 (10%)<br>(Female: 0)                  | <i>No more party</i>                   | <i>No more party</i>             |                 | <i>No more party</i>                   |           |
| <b>MOLINAKA<sup>7</sup></b>       | 1<br>(Female: 0.)                        | <i>No more party</i>                   | <i>No more party</i>             |                 | <i>No more party</i>                   |           |
| <b>Human Rights</b>               | <i>Not yet established</i>               | <i>Not yet established</i>             | <i>Not yet established</i>       |                 | 3 Seats (6.62%)<br>(Female: 0)         | 397,816   |
| <b>Norodom-Ranaridh</b>           | <i>Not yet established</i>               | <i>Not yet established</i>             | <i>Not yet established</i>       |                 | 2 Seats (5.62%)<br>(Female: n/a)       | 337,943   |

In general, the women's representation has increased on average 2 percent every five years for the three elections between 1993 and 2003 and the last election in 2008 indicated that the number went up to 12%, the UN in Cambodia reported.<sup>8</sup> So far, women hold 8 of the 61 seats in the Senate, representing only 13%. According to the UN report, this number lies below both the global and regional averages; and before the Cambodia Millennium Development Goals (CMDGs) 2015 deadline, the National Assembly and the Senate will be required to increase the number of female lawmakers by 9% and 17% respectively. It remains a challenge to reach the 30% target by 2015.

<sup>3</sup> Front uni national pour un Cambodge indépendant, neutre, pacifique et cooperative.

<sup>4</sup> Cambodian People's Party.

<sup>5</sup> Sam Rainsy Party.

<sup>6</sup> Buddhist Liberal Democratic Party.

<sup>7</sup> Naktaorsou Khmer for Freedom Party.

<sup>8</sup>[http://www.un.org.kh/index.php?option=com\\_content&view=article&id=355:women-take-their-place-in-parliament&catid=43:latest-press-releases&Itemid=76#](http://www.un.org.kh/index.php?option=com_content&view=article&id=355:women-take-their-place-in-parliament&catid=43:latest-press-releases&Itemid=76#).

### *II.A.1. First Mandate (1993-1998)*

The country had a coalition government with four parties – FUNCINPEC, CPP, BLDP, and MOLINAKA – that won the parliament seats in the 1993 elections. The coalition government had co-premiers – First Prime Minister Prince Norodom Ranariddh from FUNCINPEC and Second Prime Minister Samdech Hun Sen from CPP (1993- July 1997) and First Prime Minister Ung Huot from FUNCINPEC and Second Prime Minister Hun Sen (July 1997-1998).

### *II.A.2. Second Mandate (1998-2003)*

After the election on 26 July, 1998, CPP defeated FUNCINPEC but it could not form a new government as its seats at the national assembly did not have two-thirds majority required by the constitution to form a government on its own. Taking the opportunity, FUNCINPEC party of Prince Norodom Ranariddh and newly-formed Sam Rainsy party of Sam Rainsy joined hand in hand to boycott the new government, leading to political deadlock until 12 November of the same year. After a meeting between CPP and FUNCINPEC top leaders with King Norodom Sihanouk on 12 November, a new coalition government with two parties – CPP and FUNCINPEC -was established. The government at this time had only one Prime Minister, Samdech Hun Sen, and Prince Ranariddh became the National Assembly President while Sam Rainsy was becoming the leader of the official Opposition Party at the National Assembly. At the same time, the Senate was also established and CPP Chairman Chea Sim became the president.

### *II.A.3. Third Mandate (2003-2008)*

Again, in the national election on July 27, 2003, though CPP won it did not reach the two-thirds majority and political deadlock delayed for one year. On July 15, 2004 after long negotiations between CPP and FUNCINPEC, a new coalition government was formed again between CPP and FUNCINPEC. Samdech Hun Sen remained the Prime Minister and Prince Norodom Ranariddh was still the National Assembly President. However, in 2005, Prince Ranariddh resigned from the National Assembly President post and he had been replaced by CPP Honorable President Heng Samdech Samrin since then.

### *II.A.4. Forth Mandate (2008-2013)*

With the worst experiences in the second and third national elections when a coalition government could not be formed after the elections due to political deadlocks, all political parties – CPP, FUNCINPEC, and Sam Rainsy - having seats at both lower and upper houses - agreed to amend the constitution in 2007 by changing the article stating on the forming of the government with “the two-thirds majority” to “50%+1”.

Then, after the elections on 27 July, 2008, CPP got up to 90 out of 123 seats of the National Assembly. Prime Minister Samdech Hun Sen kept his position by taking FUNCINPEC – getting only 2 seats -- to be the partner in the coalition government again.

Among the 123 elected Members of Parliament (MPs), there are 27 females or 22%: 21 from CPP and 6 from SRP while the rest of parties have no female MP. There were 8,125,529 citizens (4,347,405 females or 53.51%) registered and named on the electoral list. Hence, the number of women was higher than men but the voter turnout was 6,110,828 or 75.21%, with more women than men going to vote.<sup>9</sup>

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<sup>9</sup> Report of the NEC on controlling the voter lists in 2007, on the NEC website (June 28, 2008).

## II.B. Local Elections (Commune/Sangkat Council Election)

### II.B.1. Overall context of Cambodia's commune/Sangkat election

Communes and Sangkats<sup>10</sup> are the main power at the grassroots of the authorities as they are staying near the citizens. When a political party can take the people's vote at this level, it could win the local elections for a five year-term. The authorities of the communes and Sangkats are under direct control of provinces, cities and the capital -- the government's sub-national level. Officials of the sub-national level are the key scenario and network of political parties at the ground. Representatives of these authorities can help their national-based parties to win both local (Communes and Sangkats) and national elections. In terms of politics, the key value of the local election is indicating the inside popularity of political parties.

So far, the country has held commune/Sangkat council elections for three times and Prime Minister Samdech Hun Sen's CPP has always taken the clear majority of the commune/Sangkat chief positions. Moreover, while the country is implementing the policy of political and administrative decentralization, the communes and Sangkats nationwide are the key areas to provide local development, strengthen local democracy, good governance, transparency, accountability, and generate citizens' participation in local authorities' decision making for better life and sustainable development. The country's decentralization process has commenced since 2001 with the enactment of laws on commune administration, management and elections. Through decentralization and de-concentration reform, providing the Cambodian people with greater opportunities to influence the decisions that affect their lives, the Royal Government of Cambodia in partnership with the donor community and civil society has made its commitment to pursue democratic local governance.

Sak Setha, Interior Ministry Secretary of State who is in charge of democratic development, said that such providing has already been done for two mandates since the first commune/Sangkat council election in 2002; and the people at the sub-national authorities have been working together even though they are from different parties in order to develop the local administration. The local level acts to represent the people's interests and their annual expenses are supported by the royal government's budget package.

However, the decentralization is still on a slow move across the country as all finance is still tightly controlled by the central government. It is hard for the local leaders to move their own initiatives. In an exclusive interview with the US-funded Voice of America and aired on 30 May, 2012, Koul Panha, Executive Director<sup>11</sup> of the Committee For Free and Fair Elections in Cambodia (COMFREL), said that commune councils do have more power now than they used to, as parties act as checks and balances against each other. "That's important," he said. While the local commune councils have been unable to solve the largest problems which they are facing in their communities, such as land grabs and forced evictions, citizens must remember they are the bosses for whom commune councilors work, Panha said by adding that "If they are acceptable, let's keep them...and if they are not acceptable, don't vote for them and don't keep them".

Echoing Koul Panha, Independent political analyst Lao Mong Hay said that he could not see any case that the CPP commune chiefs have their own decision making or have their own initiative for their local development because

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<sup>10</sup> Communes are in provinces; Sangkats are in cities and Phnom Penh capital but they are in the same level of authorization. The commune/Sangkat council officials were elected the Country's Senate for the first time in January 2006.

<sup>11</sup> VOA: <http://www.voanews.com/khmer-english/news/politics/Little-Decentralization-Despite-Local-Elections-Monitor-155772745.html>.

CPP has centralized the system to effectively from top to down. "I think the problem with the CPP officials is that sort of wait for orders from their superiors; they lack initiative," he said.<sup>12</sup>

SILAKA Executive Director Ms Thida Khus said that the commune/Sangkat councils have been playing important tasks to serve people's needs at their respective areas. They are the nearest service providers to their citizens. As the local authorities, the commune/Sangkat councils must promote local democracy, good governance, transparency, and sustainable development, particularly the promotion of women's rights and participation in decision making and development, she said on July 3, 2012. "All members of the commune/Sangkat councils have to serve people properly and wholeheartedly because the people voted for them to be the people's representatives at the grassroots. When the citizens do not favor with the services provided by commune/Sangkat councils, the citizens can change their commune/Sangkat chiefs and council members at the next local election. This is the real democracy," she added.

When more women are represented in the commune/Sangkat councils, their voice can be heard more, leading to the policy makers at the national level to develop national strategies and guidelines to adapt to the real situation at the grassroots for the interest of the people's needs. However, since the annual budget of the commune/Sangkat councils is part of the provincial and municipal budget and every expenditure is defined and provided from the national level, it is still hard for the commune councils to decide what areas they need to work on. Ms Thida said the local authorities at the commune and Sangkat must be delegated both functions and budget at the same time so that they can fulfill their effective work for their people at the grassroots.

The following is the figure of the results of the previous and current three local elections from the COMFREL:

| Winner Parties                 | YEAR              |                   |                        |
|--------------------------------|-------------------|-------------------|------------------------|
|                                | 2002<br>(Parties) | 2007<br>(Parties) | 2012<br>(10 parties)   |
| <b>CPP</b>                     | 60.89%            | 60.82%            | 61.67%<br>61.80% (NEC) |
| <b>SRP</b>                     | 16.94             | 25.19             | 20.63<br>20.84% (NEC)  |
| <b>Human Right Party (HRP)</b> | Not yet formed    | Not yet joined    | 9.95<br>9.88 (NEC)     |
| <b>FUNCINPEC</b>               | 21.97%            | 5.36%             | 3.93%<br>3.79% (NEC)   |
| <b>Norodom Ranariddh</b>       | Not yet formed    | 8.11%             | 3.09%<br>2.91% (NEC)   |
| <b>Others</b>                  | 0.21%             | 0.52%             | 0.73%                  |

### *II.B.2. Third Commune/Sangkat Council Election (3 June, 2012)*

The 3 June election made CPP get a huge victory among the 10 political parties that joined the poll. According to an official result of the 3<sup>rd</sup> commune election released by the National Election Committee (NEC) on 24 June, 2012, the ruling CPP has taken up to 72% of the commune/Sangkat councilor seats and it is to control up to 1,592

<sup>12</sup> VOA <http://www.voanews.com/content/cambodias-opposition-tempers-expectations-ahead-of-local-elections/1145988.html>.

out of the country's 1,633 commune/Sangkat chief positions. 22 chief positions or only 1.4% has fallen to SRP and 18 to HRP, the party joined the election for the first time.

The third commune/Sangkat council election has been implemented at the time while many concerns have arisen with serious attention. Those have been critically remarked from independent observers, critics, and opposition parties including several negative points like: land dispute and land grabbing, illegal logging and forest destruction, corruption, human rights violation, unemployment, partisanship and own family members in the state's ministries and departments, including impunity for some criminals who are close to the rich and the powerful, as well as corrupt and non-independent courts. The negative points also included the gunning down of environmental activist Chhuth Vuthy during his duty on April 26, 2012 in Koh Kong province; the shooting and wounding of three female garment workers in Svay Rieng province's Baveth town on 20 February, 2012 by a suspect –Baveth town governor Chhouk Budit-- during a protest against the factory's rights violation and asking the factory owner for good working conditions with better pay. Furthermore criticism covers the shooting and killing of a 14 year-old girl by military police at several meters away from her home in Kratie province during a group of villagers' protest on the land dispute on May 16, 2012; the arrest and imprisonment of 14 women and a man for more than 2 years on May 15, 2012 when they held a peaceful protest against land grabbing from CPP senator Lao Meng Khin's real estate project at former Beung Kak lake in the central area of Phnom Penh capital.

Although the above killing and arrest cases did not directly link to politics and the election, COMFREL said in its report on 20 June that the cases could be influencing the elections as they generate fear amongst the people.

The following is a figure indicating the results of five big political parties:

| Parties                  | Commune/Sangkat Council Election on 3 June, 2012<br>(SOURCE: National Election Committee, NEC) |       |                                 |                      |                         |                       |
|--------------------------|--|-------|---------------------------------|----------------------|-------------------------|-----------------------|
|                          | Voices   | %     | # of Winning councilors (Seats) | # of chief positions | Total Councilors        | # of polling stations |
| <b>CPP</b>               | 3,631,082  | 61.80 | 8,283                           | 1,592                | 11,459<br>(Female: n/a) | 18,107                |
| <b>SRP</b>               | 1,224,460  | 20.84 | 2,155                           | 22                   |                         |                       |
| <b>HRP</b>               | 580,483  | 9.33  | 800                             | 18                   |                         |                       |
| <b>FUNCINPEC</b>         | 222,663  | 3.79  | 160                             | 1                    |                         |                       |
| <b>NORODOM RANARIDDH</b> | 170,962  | 2.91  | 53                              | 0                    |                         |                       |

The following is a figure indicating the number of candidates and winners of five big political parties:

| Winner Parties    | Commune/Sangkat Council Election on 3 June, 2012 (Source: NEC) |           |                 |               |                 |                | # of registered voters | # of voters                 |
|-------------------|--|-----------|-----------------|---------------|-----------------|----------------|------------------------|-----------------------------|
|                   | # of chiefs  |           | # of councilors |               | # of candidates |                |                        |                             |
| CPP               | 1,592  | Female    | 8,292           | Female: 1,781 |                 | Female: 22.47% | 9,203,493 (F: n/a)     | 5,993,992 (65.13%) (F: n/a) |
| SRP               | 22   | Female    | 2,155           | Female: 237   |                 | Female: 20.75  |                        |                             |
| HRP               | 18   | Female    | 800             | Female: 12    |                 | Female:        |                        |                             |
| FUNCIN-PEC        | 1  | Female: 0 | 151             | Female: 5     |                 | Female: 30.68  |                        |                             |
| Norodom Ranariddh | 0  | Female: 0 | 52              | Female: 3     |                 | Female: 30.33  |                        |                             |
| <b>TOTAL</b>      | 1,633  |           | 11,450          | 2,038         |                 |                |                        |                             |

### ***II.B.2.1. Voting Day atmosphere***

Despite some reports from independent observers on irregularities during the Election Day, they hailed the National Election Committee (NEC) for its keeping peaceful and calm environment. In its report on 7 June, Democracy and Human Rights Organization in Action (DHRAC) -- claiming it had 1,985 observers stationed across 24 provinces and along with six mobile observers -- said that it "would like to acknowledge the peaceful June 3, 2012 Commune Council Elections, and to congratulate the NEC for its role in contributing to this atmosphere".

Speaking in a press briefing on Sunday evening, immediately after the voting, to conclude the local elections, NEC President Im Suosdey said that the election in general was "conducted smoothly despite rains in some areas".

In his first public speech after the election, Prime Minister Hun Sen on 7 June also praised the NEC saying that "I admire and respect the National Election Committee for its hard work and we could not vote if bombs exploded".

### ***II.B.2.2. Messages during the Election Campaign***

The 15-day election campaign started from 18 May to 1 June, 2012. During the campaign, all the 10 political parties had their respective strategies, policies and messages, including songs, in order to attract the voters. They used resources as much as they could. The rich CPP used their activist's luxury cars while CPP's competitors were using some cars and Tuk Tuks in Phnom Penh and oxen carts in the rural areas with loudspeakers. The strategies and policies of the 10 electoral contestants sound similar: fighting corruption, local development for better life, law enforcement, and sustainable development.

It is remarkable that while the ruling CPP is getting criticism from the opposition parties and a few other local and international NGOs, including critics, over corruption and partisanship in the state's ministries and departments as well as the culture of impunity for the rich and the powerful, it outlined its policy to fight such problems during the election campaign. It raised its achievements for the past five years under the leadership of CPP, especially Prime Minister Samdech Hun Sen. It also revealed that CPP is the only one party that liberated the country and people from the Khmer Rouge's killing filed on 7 January, 1979. According to its leaflet, CPP would strengthen capacity to keep security, discipline and order in the villages and communes, crackdown on robbers, human trafficking and drug production, as well as encouraging in implementing the rule of law, strengthening justice, pre-

venting human rights violations and construction of illegal properties. At the same time, CPP's commune council candidates stated that they wanted to tell the public about the CPP's security, peace, and development policies with no cheating and they will do what they say. Moreover, on 15 May, in his public speaking, Prime Minister Hun Sen warned that Cambodia would face unnamed dangers if there was any change of leadership. Referring to the Khmer Rouge regime, Samdech Hun Sen said the country's "traditions and customs were destroyed" by a change in regime. At the same time, he criticized Prince Norodom Ranariddh and the prince's followers who said that only Norodom Ranariddh party is royalist. CPP is the one that brought the Royalism back to the country, so other politicians must not claim their parties as Royalist Party, Samdech Hun Sen said. But Yim Sovann, SRP lawmaker and spokesman, reacted at the same day that Samdech Hun Sen always uses his public speeches to threaten voters; and that such speech is picturing "a singular leader who leads the country to dictatorship".

The key political message of SRP is that its commune chiefs firmly hold moral, honesty, justice, and protect all kinds of people without discrimination and that voting SRP would prevent citizens from land conflicts, make citizens have ownership on their lands, create more jobs, and implement principles of human rights respect. SRP's message also focused on "transparency, elimination of corruption and more development in areas such as health and infrastructure" and according to its leaflet, if SRP is elected, SRP commune chiefs will use commune funds for transparency, justice, to improve people's living conditions and real development."

At the same time, the main message of HRP is to be independent from foreign countries and Party President Kem Sokha also said in his slogan that people must elect their new commune chiefs for a change. According its leaflet, HRP said "HRP commune chiefs would serve Cambodians, would not discriminate, and would provide administration papers. The party will also protect state and natural resources".

For the Norodom Ranariddh Party (NRP) that has been merged with FUNCINPEC a few days before the election campaign, a key message was launched saying that "the national force plus national force for national and commune/Sangkat development" is essential. NRP Spokesman Pen Sangha said to the public during the campaign that NRP is following 'Sihanoukism' of the then Prince Norodom Sihanouk before 1970s for mobilization and reconciliation of Cambodia with independence, neutrality, and peace. "Norodom Ranariddh Party commune chiefs serve people without discrimination. We use national budget to develop the country," Pen Sangha said.

On 24 May, although NEC issued a press release to urge media to stay independent in their comments in articles and during their radio and TV news and talk-show programs, media observers and analysts noted that the pro-CPP media outlets and practitioners still reported in the favor of CPP. (See more on the media section below). During the 15-day campaign, civil society and the outside world media said and reported that this campaign was not different from the previous elections. Voice of America (VOA), the Washington-based radio broadcasting, said "For the past two weeks, the political parties have been running street campaigns throughout the country. In Phnom Penh, long, boisterous convoys promoting the CPP rumble through busy intersections, blaring campaign messages". It said that election observers say the CPP's control also extends to civil servants, police and the military. By law, these groups are prohibited from using their influence to campaign for or against any political party. But in reality, the rules are ignored. "The ruling party tries to organize, to use, encourage and mobilize the state officials. They mobilize them, they go to the field, to conduct activities to support the ruling party (...). Sometimes this includes opposition to other people also. This happens since before, but now in this election it has increased. It's systematic. And it violates the law."<sup>13</sup>

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<sup>13</sup> VOA <http://www.voanews.com/content/cambodias-opposition-tempers-expectations-ahead-of-local-elections/1145988.html>.

### ***II.B.2.3. Irregularities***

More than 15,000 national and international observers kept their eyes on the Sunday's poll across the country if there was any fraud, intimidation, and other irregularities. Despite the peaceful environment during the Voting Day, media and civil society, including political parties, have reported a series of news articles and statements on the complaints about irregularities at the polling stations and other election process before and during the period of the election campaign made by the NEC and the ruling party.

### ***II.B.2.4 At Polling Booths***

In many polling stations, according to DHRAC, its observers and other watchdogs were not allowed to monitor in certain polling stations although they possessed the NEC-issued observer cards. Many registered voters could not vote because they did not have enough documents such as ID cards, family books, and birthday certificates. Moreover, many people did not find their names on the voting lists although they voted in the second commune/Sangkat council election in 2007 and the national election in 2008. At the polling stations, many police officers with arms and local authorities were seen around and at the entrances of the polling booths where observers and opposition parties said it was part of the threats and intimidation. NEC Secretary General Tep Nytha told journalists at a roundtable discussion organized by the Club of Cambodian Journalists on 16 May – two days before the start of the 15-day election campaign – that three competence officers with one AK47 rifle and 30 bullets were standing at each station while other police officers were guarding outside the 18,107 polling stations for security reasons. According to the Ministry of Interior, all police and military police forces have been on duty nationwide for security reasons during the polling day.

In its report on June 6, DHRAC also said that local authorities, military and police officers in uniforms, village chiefs and commune councils stood in front of the polling stations. At the same time, village chiefs and commune councilors illegally became officers of the polling stations, became observers of political parties and polling security agents. DHRAC blamed some officers of the polling stations who did not understand clearly the electoral moral, regularity and procedure and in many polling stations, voters showed displeasure due to a competition to firstly vote without orderly numbers or queues. Many election officers had problems with their conducts defined by the NEC while they were authorizing people to vote. They complicated the procedure by using the old forms such as homeland certificate, and family book without photo, birthday certificate, photocopy of Khmer identity cards, expired passports and student cards, DHRAC reported.

Speaking in a press briefing on the evening of the polling day, NEC President Im Suosdey agreed that there were people unable to vote while some others did not come to vote. However, he said that some registered voters came to the polling stations without bringing any identification with them and when the election officials asked them to go back to bring papers like "Identity Cards and Family Books" in order to show that they were the persons noted in the voting list, they went back but never returned.

Echoing Im Suosdey, Mr. Keo Phalla, who is the Director of the NEC's Legal Department, confirmed that two issues brought down the number of voters. He said that the first one was due to people's moving from one place to another while the second one was that other people were careless to review their names on the voting lists before the elections. Such problems were not the NEC's fault because the NEC had announced the point many times.

According to NEC report publicly issued on 1 February, 2012, there were 11,459 commune/Sangkat council candidates (number of female candidates not specified) to join the commune/Sangkat council election on 3 June with 18,107 polling stations for the total of 1,633 communes/Sangkats, located in 194 cities, districts and khans<sup>14</sup> na-

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<sup>14</sup> Khan and district describe the the same administrative level. Khan refers to the city and district to the province.

tionwide. According to the survey findings of the International Foundation for Electoral Systems (IFES), there is support among both men and women for women's involvement in various political roles. The results indicate that the general concept of gender quotas is not well-known in Cambodia, yet there is support for their introduction in future elections.<sup>15</sup> However, COMFREL reported on 20 June that the number of female candidates has slightly increased if compared with the previous elections.

Although COMFREL agrees that the polling day went smoothly and no serious violence, problems and obstacles during the election process happened, it says the election lacked of enough fairness and justice. In its report on 20 June, COMFREL said the election process made up to 49% of the people lose their rights to vote due to some complication issues such as: they could not find their names on the voting lists; no information on voters, they could not find the polling stations; no document to proof themselves as the voters; and personal documents differed from the information on the voting lists. Most Cambodians are interested in elections, but do not feel that they have much information on the election process in the country. Residents of urban areas, older Cambodians and men report higher levels of information on elections.<sup>16</sup> According to a survey of voting-age adults in Cambodia on voter registration and elections conducted by IFES, most Cambodians heard about the voter registration updating period, but less than half of these respondents feel they had enough information. The survey results indicate that men, urban residents and older Cambodians report having higher levels of information on the updating process, while village leaders, TV ads and radio ads were the most visible sources of this information. "The information provided was viewed to be effective and provided with enough time for citizens to check their registration status. Participation in the process is also reported to be high: over three-quarters of Cambodians say they participated in the update process, either checking the list themselves, having someone check for them, or checking for others and themselves," IFES reported.<sup>17</sup>

### ***II.B.2.5 Improper Use***

Although CPP denied the allegation of using the state's properties and the government's working days before and during the election campaign for its own party interest, both election observers and opposition parties still allege that CPP violated these rules. As the ruling party, CPP has more advancing opportunities than its competitors for using the state's buildings and vehicles, including oil. COMFREL said that it collected up to 13 cases of misuse of the state property, including the use of public buildings and premises for the party purposes. These cases included that CPP had displayed party logos on public buildings like government buildings and schools and used public premises for party meetings while a number of civil servants as well as police and military staff were actively involved in CPP politics. They took the ministries' working hours to work for CPP, COMFREL said in its report.

Before the election campaign, the NEC also warned government officials, civil servants, and members of the armed force of being punished or reprimanded if they are found to join the election campaign or to be involved with political activities. Keo Phalla, the Director of the NEC's Legal Department, told reporters that if civil servants and armed forces are found to actively involve into political activities or campaigns, the NEC has the authority to fine them for reprimand and punishment. The Law on the Statute on Civil Servants and the Code of Conduct of military and police personnel prohibit them to join election campaigns.

However, COMFREL reported that CPP violated the law and that the above activities of CPP implied 'professional breach' as outlined in the Law on the Statute on Civil Servants and breaches of Code of Conduct by military and police personnel, the report added. Most of these activities were in favor of CPP and against the opposition par-

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<sup>15</sup> <http://www.ifes.org/Content/Publications/Survey/2012/Voter-Registration-and-Elections-in-Cambodia.aspx>.

<sup>16</sup> <http://www.ifes.org/Content/Publications/Survey/2012/Voter-Registration-and-Elections-in-Cambodia.aspx>.

<sup>18</sup> <http://www.ifes.org/Content/Publications/Survey/2012/Voter-Registration-and-Elections-in-Cambodia.aspx>.

ties. Many state officials are CPP members who participated actively in CPP activities -- attending CPP party meetings and party gift-giving ceremonies -- as well as giving open pledges of loyalty to CPP during the public events. Such practice is actively supported and encouraged by CPP in order to sustain and strengthen its political support, the report said.

Alongside COMFREL, Thun Saray who is the President of the Human Rights Watchdog ADHOC (The Cambodian Human Rights and Development Association) said that "On the negative side, we have seen that the [ruling] Cambodian People's Party has used state resources and civil servants to conduct their campaign, and that state control and private media are biased toward the ruling party"<sup>18</sup>. Most political campaign disturbances were committed by members of the ruling party and the victims were mostly activists of the SRP and HRP, the two largest opposition parties, he added.

Once again, CPP's Department Director Oak Kimhean who is in charge of elections denied the allegation saying that: "Our CPP has enough human and financial resources so we never allow our party officials to use the state's property".

In one case a CPP's official in Rattanakiri province accused a SRP's official of contravening the election procedure during the election campaign. The CPP's official said that the SRP's official stuck leaflets on the wall of a village meeting hall belonging to the villagers' collective ownership and that such matter is a violation of the election principle.<sup>19</sup> The SRP's official said that it was their mistake to do so as they were confused that the meeting hall is of public ownership. Then, the leaflets were destroyed by the pro-CPP village chief. The director of the provincial election committee said that the village chief's conduct was against the law and adding that the meeting hall can be used unless it was unanimously agreed by all political trends.<sup>20</sup>

### ***II.B.2.6 Media***

On 24 May, although the NEC urged media and commentators to abide the election law by avoiding any "expressing political tendency and contempt through information or other obvious attitudes" and warned to take legal action if any news coverage did not comply with the election law, independent analysts, observers, and critics, including opposition party members, have noticed that the public media sector reported in favor of CPP. Actually, the NEC arranged the state's TV and radio airtimes for the 10 political parties carefully, so that the parties would get airtime equally for their information campaigns starting from 18 May to 1 June, 2012, NEC Secretary General Tep Nytha told journalists on 16 May, 2012. However, opposition parties and election observers, both individuals and organizations, said that the state-run TVK, radio AM 918, and FM 96 were observed broadcasting in favor of CPP whereas other political parties continued to lack equitable media coverage in public broadcasters. They said the country's 9 national TV channels always aired news on CPP officials' activities such as meetings, fieldtrips for building roads and bridges, as well as gift-giving ceremonies while the opposition had nothing, according to, ADHOC President Thun Saray. However, two national newspapers – Cambodia Daily and Phnom Penh Post which are run by foreigners, and a few local radio stations were observed providing some voices to the CPP's competitors. But they had no editorial and column at all to reflect the impact of social, economic and sustainable development, including gender promotion, if any party wins the polls.

Most of the national media has printed, broadcasted and posted (on websites) only news on what the political parties had said but no in-depth stories focusing on the social and economic impacts, including political change in the future. Media observers and analysts noted that the foreign-based radio broadcastings such as US's Voice of

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<sup>18</sup> Radio Free Asia (June 1, 2012).

<sup>19</sup> Radio Free Asia's website (May 29, 2012).

<sup>20</sup> Radio Free Asia's website (May 29, 2012).

America (VOA), US's Radio Free Asia (RFA), France's Radio France International (RFI), and Australia's radio in Khmer services have also provided voices to the CPP's competitors at the pre-, during, and the post-election phase. At the same time, two local organisations – Cambodian Center for Human Rights (CCHR) and COMFREL – have also produced a series of news stories and talk-show programmes for the voters, covering opposition parties, independent observers and analysts. VOA, RFA, RFI, and Australia's radio, including the radio programmes of the two local organisations -- CCHR and COMFREL -- bought airtimes from several local radio stations to air their respective news and programmes. But since the stations were banned by the Ministry of Information, the two organization could not air their news programme on the polling day.

On June 2, one day before the polling day, officials from the Ministry of Information made a series of phone calls to ban several local radio stations in Phnom Penh and in provinces, including FM102 of the Women's Media Center of Cambodia (WMC), from airing two transmit US broadcasters -- Radio Free Asia (RFA) and Voice of America (VOA) – transmit Radio France International (RFI), and Australia's radio in Khmer Service, as well as programmes of a local broadcaster (Voice of Democracy) run by a local Human Rights organisation. Normally, the banned radio stations sell their airtimes to the transmit broadcasters and programmes. Buth Bovuth, Director General of the Information Ministry's Information and Broadcasting Department, said that those radio stations are under control of foreigners and not under "our [Cambodian] law. We prevented them from broadcasting because we are afraid they will broadcast something to imbalance the commence election process".<sup>21</sup>

While the pro-CPP TV stations were allowed to continue broadcasting during the white day – the day all activities concerning political propaganda were forbidden – the Council of Ministers Spokesman Phay Siphon said that the local TV channels were more balanced than foreign broadcasters that the government blocked and that: "The international media, they take aside, they polarize. One day before the commune elections, everybody has to be quiet. This is just to protect the Cambodian people to be independent from media stress. The people should go out [to vote] for their own will".<sup>22</sup>

To support this allegation, COMFREL Executive Director Koul Panha also confirmed this fact by saying that media has given more time to the ruling CPP. According to the COMFREL report, the public media sector is dominated by CPP.

Pa Ngoun Tieng, Director of the Cambodia Centre for Independent Media, mentioned that there are a total of 99 radio stations, of which 44 are in Phnom Penh, 2-3 were owned by NGOs, and only 2 were owned by opposition parties, and the remaining stations are pro-governmental.<sup>23</sup> The 17 TV stations controlled by the ruling party or companies under the ruling party's influence have to please the ruling party; otherwise they would not survive, he added.

It is remarkable that the WMC's special program on the election event which reported live from several polling stations in target provinces including Battambang, Kampong Cham, Kampong Chhnang, Kampong Thom, Kandal, Kampot, Pursat and Phnom Penh capital was also forbidden from live broadcasting during the election was proceeding. However, the special live programme was allowed to broadcast after the election finished at 4:30 PM on the same day. Reporters from different media outlets, including WMC's FM012, tried to pursue the preliminary results at some polling stations so that they could file news stories for their respective audiences.

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<sup>21</sup> Cambodia Daily, page 1 (June 4, 2012).

<sup>22</sup> Cambodia Daily, page 23 (June 5, 2012).

<sup>23</sup> Pa NgounTieng's interviewed with VoA and posted on VoA's website (May 28, 2012).



A smiling woman carrying her baby has being interviewed by WMC's field reporter for her perception and feeling to join in the election. Photo: Battambang province.



A woman participated in the election was interviewed by WMC's field reporter to share her own feeling about the election. Photo: Kampong Thom province.



A group of local people were looking for their names in the voter list on the election day at one polling station located in Phnom Penh's outskirts area.



People in a queue to enter the polling office, picture of one polling station in Kandal province.

To contribute the promotion of women's engagement in local government and to provide equal access to all political parties for dissemination of their policies, FM 102 successfully conducted its 7 live show programmes for the political parties. Moreover, with financial support from Rosa Luxemburg Stiftung, FM102 also produced a total of 16 national news programmes/articles during the election campaign. At least 238 listeners (38 women) accessed the live show programmes and they questioned the guest speakers representing the political parties if their parties' policies can help develop and raise up women's issues at the community level.

In addition, with financial support from Oxfam Novib, WMC's core radio and TV teams produced a programme called "Women for Better Life" and it was aired in live shows. The programme aimed to inform the Cambodian population on their important participation in the commune election. The programmes advanced understanding amongst Cambodian people on their rights and the importance of engaging women to involve in the role of decision-making in their community development processes. While raising awareness on the people's political rights and engaging in the election, the programmes' audiences were also aware of the election date and what supportive documents to bring in order to proof their identity for voting.

### ***II.B.2.7 Social Movements***

Cambodia has more than a thousand national and international non-governmental organisations (NGOs) nationwide. Based on the analyst's close observation and working experience, although some individuals of those bodies have their own political tendency, it is very rare that their bodies directly link to a political party during election campaigns (both local and national elections). However, several NGOs such as COMFREL, ADHOC, DHRAC, and several other social, legal, and human rights bodies as well as some critics, independent observers, analysts, and media have tried to dig out and report the negative points of the government at the national, sub national, and

grassroots levels with constructive manners for democracy, human rights respects, transparency, accountability, rule of law, people's better life and sustainable development. In contrast to such moods, the results of the negative appearance make the ruling party being dissatisfied and it storms back with its strong reaction over the findings. At the same time, for their respective political interests, the opposition parties take the 'golden' opportunity to cite such negative findings as the weakness of the government led by CPP. With no doubt, CPP activists and supporters consider those NGOs' works as a bridge for the opposition parties to attack the government or the ruling party. In similar condition, when NGOs working on social and health issues invite the government's ministers and officials to attend public events, the ministers and officials usually take opportunity to insert the ruling party's political message in their speeches and remarks to the audiences. Then, the pro-CPP media echoes the messages from the events while all ministers are from CPP quota. Such acts look like that those NGOs are the ruling party's allies, although they are neutral.

### ***II.B.2.8 Threats and intimidation***

In March, King Norodom Sihamoni issued a statement ahead of the election urging voters not to bow to election-related intimidation. In the statement, the King said "I publicly call on compatriots, brothers and sisters, children, nieces and nephews not to fear oppression, intimidation or threats from any individual or political party".

On the other hand, to prevent any violence, threat, and disorder that can arise from alcoholic consumption during the polling day, Prime Minister Hun Sen issued a directive to ban shops, restaurants, and other entertainment places from selling any alcohol or other hard drinks on 2-3 June. After the premier's directive, the Ministry of Interior said that any shop whose owner doesn't obey this directive effectively would be fined.

Although the NEC confirmed that the election was good, COMFREL said in its news report that three political parties' activists had been killed during the campaigns. Although COMFREL could not conclude whether the killings of the activists from three opposition parties – SRP, HRP, and Norodom Ranariddh Party – were politically motivated, it said that the incidents were likely related to the election as they occurred during the campaigning period.

One case of violence was reported in which a CPP's official in Battambang province was accused of provoking gangsters to hit a SRP's female activist while she was walking to distribute the leaflets to villagers. The provincial election committee acknowledged this matter and the SRP's official also raised the issue during the monthly meeting as well, but the election committee was not able to solve this issue because it is under criminal law.<sup>24</sup>

However, COMFREL's report said that political violence has declined in the election compared to the previous commune-level election in 2007. Yim Sovann, SRP parliamentarian and spokesman, also confirmed that the violence has decreased in this year election but threats and intimidation have increased. The NEC failed to address reports of alleged vote-buying and intimidation in the lead-up to the election and village and commune chiefs were observed near polling stations, taking note of voters and their names, head of the Cambodian Center for Human Rights Ou Virak told "Hello VOA" in Khmer Service a day after the polling day.

Before the election campaign, there was also movement of defection to be noticed. A number of SRP members defected to CPP and the defectors attacked back to their former bosses saying that SRP's management and leadership were the worst: corrupt and partisan. Such movement is also a part of political tactics to harm other SRP members nationwide. The defectors also tried to convince their former colleagues to join CPP.

According to COMPREL report on 1 June, three cases happened in Battambang (2) and Kok Kong (1) where female candidates from the Sam Rainsy Party were threatened. COMFREL urged the government, NEC, and local

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<sup>24</sup> Radio Free Asia's website (May 29, 2012).

authorities to help stop threatening, intimidating, and discriminating women otherwise the number of female candidates in the next elections will not increase.

### ***II.B.2.9 Complaints***

Although both independent and opposition SRP officials said the election marked fewer instances of violence than the previous polls, they launched a series of complaints about the voting process. According to DHRAC, the NEC's voting process was "overly complicated and the persistent use of this process poses serious problems" while many voters were unable to receive information cards delivered by the NEC and find their names on the voting list. At the same time, some registered voters could not vote because they did not have enough documents such as ID card, family book, or birth certificate. Many voters were simply deleted from voting lists and others were abnormally moved to other polling stations, DHRAC reported by adding that a lot of people lost their rights to vote, because someone already voted on behalf of their names and there were also doubled names on voting list.

Keo Phalla, an official in the NEC's legal department, also confirmed that the NEC received 119 complaints: 106 from SRP, 5 from CPP, 5 from HRP, 1 from a voter, 1 from the authorities running the elections, and 1 from FUNCINPEC party. He said complaints ranged from interference in the voting process to missing names and even calls for re-election.<sup>25</sup>

On 11 June, 2012, the Provincial Election Committee (PEC) in Phnom Penh citing Article 178 of the Commune Election Law fined SRP Leader Sam Rainsy 10 million riels (about US\$2,440) for verbally attacking Prime Minister Hun Sen from abroad. On 1 June, the final day of the 15-day election campaign, Sam Rainsy who currently lives in self-imposed exile in France launched his speech in a video conference to his supporters in Phnom Penh saying that Hun Sen's government is a "dictatorship". However, independent analysts and observers note that no single case of the opposition's complaints has been dealt by the NEC and PEC.

### ***II.B.3 Views on the decline of the number of voters***

On 16 May, two days before the start of the election campaign, NEC Secretary General Tep Nytha told journalists that about 9,203,493 people were registered. However, only about 5,993,992 people or 65.13%<sup>26</sup> went to vote during the Sunday's poll. This number was a dramatic drop if compared with 87% in 2002 (when at least 20 activists died under mysterious circumstances<sup>27</sup>) and 64% in 2007.

Cheam Yeap, CPP Senior Lawmaker, said it is the right of the people to go to vote. "Cambodia is a democratic country. So it depends on the people. They go or don't go to vote is their right. Although we encourage them to vote, we can never force them or hold their hands to the polling stations and we thank the people who have voted for CPP," Mr. Yeap told reporters.

With different views, local NGO workers hinted that some technical issues brought the number of voters down. Koul Panha, COMFREL Executive Director, said that there were some irregularities like in the 2007 poll when the voters were unable to find their names in the NEC's approved voter list.

Thun Saray, president of the local human rights group ADHOC and director of the board at COMFREL, also said that "This turnout is lower than before because I think people lost interest to see political change. They already

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<sup>25</sup> The Cambodia Daily, page 2 (June 6, 2012).

<sup>26</sup> NEC figure (June 24, 2012).

<sup>27</sup> The Cambodia Daily, page 1 (June 6, 2012).

see the result before the election happened. It is one big party running against smaller parties, and they don't want to come and vote, because they think 'even if I vote, the CPP will win again'".<sup>28</sup>

Sam Kuntheamy, coordinator of the Neutral and Impartial Committee for Free Election in Cambodia (NICFEC), said that "I think one thing concerns the factory workers. Normally, they have to go home to vote, which means they have to spend money for transport, so they did not go. I spoke to several factory workers about voting and they said they didn't have money for transportation. Another thing is problems with voter registration; people lost their names. They have to go back home and cannot exercise their right to vote".<sup>29</sup>

#### *II.B.4 Gender and Commune/Sangkat Council Elections*

The number of female candidates for the commune/Sangkat council elections has increased up to 25% in 2012 if compared with 21% in 2007 and 16% in 2002. Women rights workers and gender activists hail the election results bringing the number of women to a higher level. According to them women can play a key role in their grassroots level for promotion of women rights, women participation, and gender equality. Ms. Thida Khus, Director of SILAKA, said she is quite happy to hear that the number of women in the commune/Sangkat councils has increased nearly 30%. "When more women are represented at the grassroots level, they can participate in developing their work plans, and other decision making on both investment and expenditure in their local areas," she said. When more women are empowered at the grassroots level, they can response to gender balance as well as deal with women problems. Hence, empowerment can be a good example and encouragement for girls, she added. "Women really want to talk about women issues with women rather than men. When there are more female representatives in the local area, women voices can be heard more and they are able to join development activities in both community and society".

Echoing Ms. Thida Khus, LICADHO President Dr. Kek Galabru (Pung Chhiv Kek) said that a higher number of women in politics at both national and sub-national levels as well as at the grassroots is needed because the female population in the country is higher than the male one. "While the number of women is more than men, women presence in all levels, especially in the communes and Sangkats, is necessary. When women represent in communes and Sangkats, they can participate in decision making for development and raising issues such as rights, health, and education of women and girls, and other issues related to women's affairs," she said. "Women really have capability to work like men but the challenge is the lack of encouragement from both families and society. The families and society must stop thinking that women and girls can only work as housewives and serve at home," she added. She sees the need of between 40% and 50% of women to join the local authorities at the grassroots where they work with the people directly.

Ms Sy Taun, Vice President of the National League of Communes/Sangkats, said that Cambodia should be proud that the number of women in the councils is increasing but it is still not enough. "If more women present at the commune/Sangkat councils, they can help each other to raise the women's issues in their areas. If women have enough voice in the commune/Sangkat councils, women can join decision making in many issues for the interest of women," she said. Ms Taun who has also just been reelected as the Sangkat chief of Phsar Thmei 1 in Phnom Penh said that the number of women can be more increased at the commune/Sangkat councils until there is encouragement from their husbands while the women themselves have to be courageous to join the councils. She said that since she has become the Sangkat chief for years, the numbers of domestic violence and women's rights violation have decreased in her competency areas. "My Sangkat has 7 council members but it has only 2 women. If more women become commune/Sangkat chiefs and council members, the women's voice can be heard and

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<sup>28</sup> The Cambodia Daily, pages 1 & 2 (June 6, 2012).

<sup>29</sup>The Cambodia Daily, page 2 (June 5, 2012).

their rights, health issue, education and capacity building can be improved while poverty and other violence are to reduce," she said.

Ms. Chim Manavy, Executive Director of the Open Institute, also said that it is good that the number of women is increasing in the commune/sangkat councils from mandate to mandate but the country needs more women than the current number at both local and national levels. However, she said, the increasing number of women in politics is one issue but their rights to join the decision making are the key one. "We need not only the higher number of women but also their rights to participate in the decision making and resource management in their councils and institutions. We need women to participate in developing both action and budget plans so that gender issues and women's rights can be raised in all levels. Women must not just implement the work plan", Ms. Manavy said.

### III. NEXT STEPS FOR POLITICAL PARTIES' STRATEGIES

The commune/Sangkat election is very vital to implement local democracy, social justice and development. At the time when the royal government of Cambodia is implementing decentralization in the sub-national level, local authorities play a unique role to provide all services to citizens in their respective competence areas. The commune/Sangkat election generates people's power and participation in decision making to develop villages and such act can make the county move on the right track of human right respects, social justice, good governance, and sustainable development. As one of the voters, LICADHO President Dr. Kek Galabru said that while Cambodia is taking a democratic system and multiple parties, commune/Sangkat elections must be done regularly. Through the elections, she said, the local leaders will take care of their own citizens with all issues such as development, promotion of human rights, especially women's and girls' rights, security and justice otherwise they will lose their positions in the next voting. The elections indicate that the power is belonging to the people and the people can participate in their decision making for sustainable development of their communities, Dr. Kek Galabru said.

After the election, even though SRP lost its three commune/Sangkat chief positions in Phnom Penh where it won in 2007, it gained some in the rural areas such as Banteay Meanchey, Kampong Chhnang, Kratie, Koh Kong, and Ratanakiri provinces where the villagers have lost their land due to economic land concessions, land disputes and land grabbing. SRP shows improvement as its votes jumped to 31% in this year from 25% in 2007. The three chief positions in Phnom Penh have been taken by CPP and the loss in the capital is a sign of risk in the future election for SRP to attract the urban voters in the upcoming national election in 2013. SRP thought that the inhabitants of the urban areas who have a higher education status are more concerned about corruption and other social problems happening under the leadership of the ruling CPP, so CPP could not attract the urban population. The election result showed the opposite, as more urban people voted in favor of CPP.

The political parties try to show their strategies and tactics to attract people for the next votes. In order to defeat CPP for the upcoming national elections in 2013, SRP and HRP start seeking their merging. Yim Sovann, SRP parliamentarian and spokesperson, said on 6 June HRP President Kem Sokha sent him a letter to invite him for a meeting in Manila on 28-29 June with SRP President Sam Rainsy who is living in self-imposed exile in France. The invitation came after Kem Sokha announced in a press conference one day after the election that his party is ready to merge with SRP in order to beat CPP during the 2013 elections. Kem Sokha said his HRP – gaining 18 commune/Sangkat chief positions while joining the first ever local election – took over the positions from CPP, not from SRP. One day after the conference, Kem Sokha sent an email to Sam Rainsy announcing the plan. Even though Rainsy's own statement - posted on the SRP website - did not directly reply to Sokha's overture, he wrote that "I appeal to all Khmer democratic forces to merge to end the power of CPP." The meeting in Manila has been rescheduled to 16-17 July as Kem Sokha was unavailable in late June.

Further, FUNCINPEC and Norodom Ranariddh parties also planned a reunion after breaking apart in the mid-2000s. FUNCINPEC was established in 1981 by the then Prince Norodom Sihanouk and in the late 1990s, his son Prince Norodom Ranariddh became the president until the mid-2000s when the FUNCINPEC board of directors ousted the prince of the post. The prince then formed his own party called "Norodom Ranariddh Party". On 24 May, Norodom Ranariddh Party President Prince Norodom Ranariddh, and FUNCINPEC Executive President Nhie Chhay issued a joined statement claiming that the merger would be solidified after the 3 June commune/Sangkat elections. However, on 17 June, Nhie Chhay stated that the merger could not move forward until after the national election. He said that Norodom Ranariddh Party is now divided into two groups: one group wants to merge with FUNCINPEC -- CPP's partner in the current coalition government -- while another group wants to make FUNCINPEC to be an opposition party against the ruling CPP<sup>30</sup>. What Nhie Chhay said is denied by

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<sup>30</sup> The Cambodia Daily (June 18, 2012).

Norodom Ranariddh Party Spokesman Mr. Pen Sangha saying that “Norodom Ranariddh Party has one group, not two, and it is ready to merge with FUNCINPEC. What Nhiek Bun Chhay said is his personal opinion”.<sup>31</sup>

In his response during the first public speech after the election on 8 June, Prime Minister Samdech Hun Sen brushed aside of the possible combination of forces between the big two opposition parties saying that the coalitions do not threaten CPP. Hun Sen declared that CPP is never afraid of its opponents as it has millions of supporters and it is on the right track for national development, especially with its “Win Win Policy” for national and regional security and peace. He also repeated that he helped establish HRP in 2007.

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<sup>31</sup> The Cambodia Daily (June 18, 2012).

#### IV. CONCLUSION

Commune/Sangkat councils are the frontline to play a critical role to meet people's needs at the grassroots level and in communities nationwide. They are the nearest service providers to their citizens. The councils and the citizens, therefore, need each other in terms of providing and receiving services with support from the national level. Moreover, if people disagree with their local councils in their areas after the election, they can vote for a new local government during the next polls which is part of promoting of local democracy, good governance, transparency, and accountability, including sustainable development. That is why people's participation in all decision making processes with commune/Sangkat councils is a positive way to develop their own areas. Further, the women issue is very important. When more women are represented in the commune/Sangkat councils, their voice can be heard more, reaching the policy makers at the national level to develop national strategies and guidelines to adapt to the real situation at the grassroots for the interest of the people's real needs. However, since the annual budget of the commune/Sangkat councils is part of the provincial and municipal budget and all expenditure is defined and provided from the national level, it is still hard for the commune councils to decide what areas they need to focus on.

For the whole process of the commune/Sangkat councils election, although CPP denied all allegations of election analysts, observers, critics, and opposition party members, many information sources collected from people, papers, and places indicate that the ruling CPP is more powerful and influent as it has enough human and financial resources before and during the election. As CPP has deep roots in local authorities since early 1979, many police, military police, soldiers, government officials, as well as civil servants, including most of the media outlets, are to be seen as CPP's activists and supporters. On the other hand, while the ruling CPP is having resources in hands, the opposition parties had to realize that they are still weak in their political and development strategies and tactics. The fall of the number of voters is the worst problem of the opposition parties SRP and HRP. Furthermore, if FUNCINPEC and Norodom Ranariddh parties stay separated, they will probably not get any seat during the national election in 2013.

Telling "Hello VOA" in Khmer Service one day after the polling day, Ou Virack, the president of the Cambodian Center for Human Rights, said that Cambodia still has a long way to go before it can ensure credible elections and the low turnout was a sign that people trusted the election process even less and "have lost hope" and Cambodians "see that the election won't be able to make political change or change leaders".

At the same time, the NEC – many critics and observers say its current formula looks non-independent – must be stronger to enforce all political parties to respect the election law and punish any of them if they violate the election law and the law on General Statutes of Civil Servants.

The reasons for the huge victory of CPP in the third commune/Sangkat council election can be found in its strong political system in place while it has all resources in hands and as most of the country's leading media outlets and practitioners are friendly reporting on the ruling party. Those outlets and practitioners have focused on massive achievements but less on the weaknesses of the government regarding the development of the country. Such supportive messages can lure voters.

Independent observers and analysts note that if the situation stays the same, there is no doubt that CPP will win again the majority in the upcoming national elections in 2013. Starting from losing the first national election in 1993, CPP has shown its improvement by increasing the number of its supporters since the second national elections in 1998. On the other hand, the 3 June commune/Sangkat council election repeats to be the third time when CPP kept its strong elements at the grassroots since the first commune/Sangkat council election in 2002. There are some key factors that contributed to the increasing popularity of the ruling party, particularly in the economic development and other fields. The recent survey on Cambodia conducted by the US's International Public Institute

(IRI) indicated that 81% of the 2,000 respondents said Cambodia has been moving on the right tracks of development and maintaining social security.

The results of the third commune/Sangkat council election indicate that SRP and HRP gained some votes in the rural areas such as Banteay Meanchey, Kampong Chhnang, Kampong Cham, Kratie, Koh Kong, and Ratanakkiri provinces where villagers have lost their land due to economic land concessions, land disputes and land grabbing. Prime Minister Samdech Hun Sen declared on 14 June that "I would like to take this opportunity to clarify and disclose to all people and associated organisations to know that I released an order on May 7 for postponement in issuance of further economic land concession . . . I would like to clarify that the kinds of land and locations of the land will be offered for ownership for the people".<sup>32</sup> Up to more than 20,000 hectares of economic land concessions were temporarily postponed. Samdech Hun Sen's whole speech in a meeting of the mid-term review of the government's National Strategic Development Plan 2009-2013 was aired by CPP TV, radio channels, both state-run TV and radio channels with echoing by several private-run TV and radio stations. Observers and analysts noted that such postponing of the land concessions and handing over to the villagers could help CPP to regain more votes in the areas where it might have lost the elections on 3 June.

To respond to the land disputes taking place throughout the country, the Cambodian government recently carries out a new campaign to tackle land related issues via implementation of a strategic campaign called "Previous Strategy, New Action" on social land concessions. The strategy is to entitle land control to around 300,000 families across the country and approximately, there are 2,000 youths joining in the social land access campaign.

The NEC plays the key role in both national and local elections. Since 2007, the NEC has improved its management and administration of the electoral process. However, analysts and observers have suggested that the NEC has to improve a number of further areas in order to enhance the transparency and credibility of the electoral process in the country. At the same time, the NEC, and both government and civil society, including media, must work together more in raising awareness and information outreach in order to urge and encourage people to register and vote on 28 July, 2013.

The number of female candidates increased up to 25% if compared with 16% in 2000 and 21% in 2007. Although the number of women is still low in the positions of commune/Sangkat chiefs and councilors, it shows a slightly better picture than the previous elections. A changing movement for women to take over official roles at the grassroots level is obvious so that women can hopefully address the issues under their respective competence in the upcoming years. Even though, elected women's representation in the 3<sup>rd</sup> election slightly increased, however, the proportion remains low if compared with men and is a bit far from its target in the CMDGs. With this concern, there should be further attentions from involved national and local actors and stakeholders to continue to work on development of women's capacity in leadership skills, management skills, development affairs and so on. Onward this would contribute to increase more women's participation in the commune council, particularly in the local decision-making role, to hold positions as commune chiefs or deputy chiefs in the next five years.

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<sup>32</sup> Hun Sen's speech on 14 June, 2012 that was aired on the National Radio AM918 at the same day.