

WOMEN'S MEDIA CENTRE OF CAMBODIA

From Women's Hearts for Society and Development



ELECTORAL ANALYSIS REPORT



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Supported by:



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Foreword

Women's Media Centre of Cambodia (WMC) is a leading media non-governmental organization contributing positive changes in the society where Cambodian people, especially women and girls, meaningfully enjoy their lives with full respect of fundamental women's human rights and their productive engagement in social, economic, cultural and political life of the country. For over 15 years, WMC, which was established by a group of women who recognized the power of media in promoting and protecting the rights of women as well as raising pressing development issues, has been using media as a path to achieve gender equality via addressing social issues affecting the lives of women.

Most importantly, WMC has utilized its professional media outlets including radio, TV, and social media, to empower women by providing evidence-based information on social, economic and political phenomena impacting their lives and also giving them voice on the issues. As a matter of fact, WMC is additionally using media approaches to provide Cambodia public from various walks of life, educational and economic background, with accurate and independent information and has been educating them on the issues concerning laws, development policies, rule of law, human rights and freedom, democracy and election, political development, democratic development and governance, decentralization and de-concentration, gender related issues, education, health such as sexual reproductive health and maternal health, HIV/AIDS, climate change and mitigation, and so on.

In 2013, Cambodia held its 5th national assembly election which continually strengthening the liberal multi party democracy in the country. Under financially supported by Rosa Luxemburg Stiftung (RLS), an electoral analysis report is developed as a learning document and just a case study which presenting Cambodia public, national and international actors and stakeholders, researchers, academicians, and any relevant players, on overall aspect of the most recent event. Definitely, the report covers some learning points significantly indicate how Cambodian people in particularly women and youth involved in the poll, media's engagement, and citizen's participation, and general political development. The report is independently and neutrally prepared to share with concerning and interesting audiences on different movements and stages of the Cambodia election, including overall context of political background of the country, laws and regulations in relation to the election, electoral processes, peaceful climate of the election--pre and post election, overview of the election results, participation of women and youth in the poll, role of media in particularly social media in the event, and so forth.

On behalf of WMC's team, I would like to take this opportunity to express our special gratitude and pay tribute to RLS for the auspicious courtesy and inestimable cooperation and feedback extended to us during a period of filing the report. Additionally, my special acknowledgement goes to WMC's involved staff and Mr. Lao Mong Hay, a freelance consultant, who provided us with technical assistance to develop the learning report.

**Ms. Chea Sundaneth,
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Introduction

Cambodia has a population of 14.86 million (2012)¹ the majority of whom live in the rural areas. Its territory of 181,035km² is divided into different layers of administrative divisions: provinces and municipalities, with each province/municipality being divided into districts, with each district into communes and with each commune into villages. There are altogether 24 provinces and municipalities, 159 districts, and 1,621 communes. Its GDP is US\$14.06 billion (2012)². Its GNI per capita is US\$880 (2012)³.

Cambodia has been ruled effectively by the Cambodian People's Party (CPP), originally a communist party, since the ousting of the Khmer Rouge regime by the Vietnamese troops in 1979. In the 4th National Assembly the CPP had 90 seats, Sam Rainsy Party (SRP) 26 seats and Human Rights Party (HRP) 3 seats.

Cambodia held its 5th general election on 28 July 2013 for 9.6 million voters to elect 123 members of parliament. Eight political parties competed in this election.

1. Political Background: the Actual Political System

A) Multiparty, Parliamentary Democracy under a Constitutional Monarchy

Pursuant to the Agreements on a Comprehensive Settlement of the Cambodia Conflict (commonly known as the Paris Peace Agreements) signed at the conclusion of the Paris Peace Conference on Cambodia on 23 October 1991⁴, and according to its Constitution of 1993⁵, Cambodia is a multiparty, parliamentary democracy under a constitutional monarchy. It is governed by the rule of law, and recognises and respects all human rights and fundamental freedoms.

There is a separation of powers and the judiciary is independent.

Cambodia adopts de-concentration (half centralisation and half decentralisation) as its system of administration of territory. A province, a municipality, or a district is run by a governor appointed by the central government and assisted by a council. A commune is run by a council elected by universal, equal, free, direct suffrage and by secret ballot. Commune councillors elect the Senate, provincial/municipal councils, and district councils.

The Parliament comprises two chambers: the National Assembly (Lower House) with 123 members, and the Senate (Upper House) whose role is more a reflection chamber and whose 59 members are elected by commune councillors and 2 members appointed by the King. Members of Parliament are elected by universal, equal, free, direct suffrage and by a secret ballot. Once constituted after each election, the National Assembly gives its vote of confidence to the

¹ <http://data.worldbank.org/country/cambodia>

² <http://data.worldbank.org/country/cambodia>

³ <http://data.worldbank.org/country/cambodia>

⁴ Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, Annex 5, Paragraph 4

⁵ Article 1, Cambodia Constitution

government whose Prime Minister has been designated by the King upon the recommendation of the President with the approval of both Vice-Presidents of the National Assembly.

Cambodia has adopted the system of party-list proportional representation for all elections. The term for all elected bodies is 5 years.

B) Neo-patrimonial Regime

Over the last 20 years, the pre-1993 communist party with all its leaders and cadres, and the communist system, now embracing the market economy, have continued to rule the country this time under the democratic principles. The philosophy of the communist days, the party leads, the state governs, is still very much alive. The 1993 Constitution has been implemented, but misconducts sometime have been emerged. It seems there is no obvious separation of powers, even though the law explicitly defines the relation. The Parliament has scarcely exercised any power of oversight over the work of the Government. It has not set aside one day each week for questions and answers as stipulated in the Constitution. Nor the judiciary is independent. The law on the statute of judges and prosecutors and the law on the organisation of the judiciary have not been enacted. These two laws, well stipulated in the Constitution, should guarantee its independence and penalise any exercise of influence on it. Unfortunately, the judiciary has been widely known to be corrupt and more or less under political influence. It has failed to protect human rights and fundamental freedoms. It's among the institutions least trusted by the public.

There's scarcely any rule of law. The rule of men has set in and has increasingly been well entrenched. It is observed that the top leaders of government have centralised all power. A patronage system has set in. Somehow, the system created a concern, which is looked that the ruling elites and the business elites would combine their forces to control the economy and the whole system of government. Together with low pay in the public sector, corruption has become rampant, and nepotism has been increasingly apparent and has become open if not official. Like kings and mandarins under the patrimonial system in the past, leaders and other public officials from top to bottom, has been observed that, are running public offices as their own estates, and are utilising the bureaucratic-legal system not so much to serve public interests as to serve those of their party, clan, family and themselves. The system has in the end become a neopatrimonial regime under the cloak of democracy.

This regime has ensured stability and, with it, noticeable economic development, with the economy experiencing continued high growth, over 7 per cent annually. However, this remarkable progress benefitted mostly the powerful and the rich. It has widened the gap between them and the rest of the population. It has been achieved thanks to foreign aid, debt and investment, and the depletion of the country's natural resources (forests), which has badly affected many whose livelihood, depends on them. It has created widespread injustices when the powerful and the rich have grabbed vast tracts of land and evicted, more often than not forcibly, hundreds of thousands of people out of their lands without appropriate compensation. All of this together with corruption and repressive measures against protesters has created a growing discontent among the population.

2. Election Law and Regulation

Pursuant to the Paris Peace Agreements⁶ and as incorporated in its Constitution and its Law on Parliamentary Elections (1998), Cambodia has an international obligation to organise periodic and genuine elections by universal, equal, free, direct suffrage and by secret ballot with a guarantee of the right to vote and to be elected, and of a full and fair opportunity to organize and participate in the electoral process. Thus the general election is organized every five years. All citizens aged 18 and over, except prisoners and the mentally ill, have the right to vote, and those aged 25 and over who have the right to vote and are nominated by a party, the right to be elected as a Member of Parliament.

Cambodia has adopted the system of party-list proportional representation for the general election. The constituencies are the 24 provinces and municipalities of the country.

3. Parties and their registration

A group of at least 80 citizens, aged 18 and over, can form a political party⁷. They have to register it at the Ministry of Interior, but to be able to do so their party must have at least 4,000 members⁸. To be able to compete in an election each party must field a number of candidates for at least one third of the seats at the National Assembly and must have a number of reserve candidates⁹.

4. Election Management Body

The task of organizing elections is entrusted to the National Election Committee (NEC), which is supposed to be independent, neutral and impartial¹⁰. The committee is composed of five members. The Ministry of Interior selects these members and submits their names for approval by the government, which submits them to the National Assembly for approval (by absolute majority). NEC has a General Secretariat and a Provincial/ Municipal Election Committee (PEC) in each province and municipality, and a Commune Election Committee (CEC) in each commune. NEC appoints PEC members, and PEC appoints CEC members. NEC appoints all polling station officers.

All NEC, PEC and CEC members must be neutral and impartial¹¹. They must resign from membership to any political party and/or from any position of leadership at their organization of origin, and/or must have leave of absence for the period they serve their respective committee. PEC and CEC members' resignation may be temporary.

⁶ Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, Annex 5, Paragraph 4

⁷ Law on Political Parties (1997), Art.9

⁸ Law on Political Parties, Art 20(8)

⁹ Law on the Election on the National Assembly (1998), Art. 37 New.

¹⁰ Law on the Election on the National Assembly (1998), Art.12

¹¹ Law on the Election on the National Assembly (1998), Art.12

5. Election Complaints Mechanism

On top of organizing elections, NEC also serves as a tribunal of first instance to adjudicate conflicts, and address complaints, arising from electoral frauds or irregularities. Parties to electoral litigations can appeal NEC's judgments to the Constitutional Council, which serves as the court of final appeal for such litigations. This council is supposed to be independent but the majority of its nine members has more or less association with and are members of the ruling party—Cambodia People Party (CPP).

6. Repartition of Seats

Cambodia is not evenly populated. Its provinces in the central plain, especially in the south-eastern region, are densely populated while its outlying provinces are sparsely populated. The seats for all those provinces and municipalities are as follows:

Banteay Meanchey	6	13. Preah Vihear	1
Battambang	8	14. Prey Vneg	11
Kompong Cham	18	15. Pursat	4
Kompong Chhnang	4	16. Rattanakiri	1
Kompong Speu	6	17. Siem Reap	6
Kompong Thom	6	18. Preah Sihanouk	1
Kampot	6	19. Stung Treng	1
Kandal	11	20. Svay Rieng	5
Koh Kong	1	21. Takeo	8
Kratie	3	22. Kep	1
Mondolkiri	1	23. Pailin	1
Phnom Penh	12	24. Oddor Meanchey	1

For the apportionment of seats to different parties competing in each constituency NEC has adopted the Jefferson Method also known as the Method of Greatest Divisors¹².

7. Political Parties and their Political Platforms

Eight parties competed in the 2013 election. They are:

- a. Cambodian Nationality Party (CNP), 2012
- b. FUNCINPEC Party (FUNCINPEC)¹³, 1981
- c. Democratic Republican Party (DRP), 2012
- d. Cambodian People's Party (CPP), 1951
- e. Khmer Economic Development Party (KEDP), 2012
- f. Khmer Anti-Poverty Party (KAPP), 2007
- h. Cambodian National Rescue Party (CNRP)
- i. League for Democracy Party (LDP), 2006

¹² Law on the Election on the National Assembly (1998), Art.118

¹³ Front Uni pour un Cambodge Indépendant, Neutre, Pacifique et Coopératif (National Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia)

7.1 Cambodian Nationality Party (CNP)

CNP is a newly created party. It supports the Constitutional Monarchy, the country's Constitution, the rule of law, the Law on Parliamentary Elections and the Universal Declaration of Human Rights, and upholds pluralistic liberal democracy. Its political platform includes¹⁴:

- National reconciliation and unity;
- Protection of national sovereignty and territorial integrity;
- Respect for human rights and democracy;
- Culture of the rule of law;
- Economic development;
- Culture of social peace, security and safety;
- Protection of the culture and the environment;
- Foreign policy: (1) independence, neutrality and non-alignment; (2) independence and non-interference into the internal affairs of other states, based on the principles of peaceful-existence, (3) no support for bilateral or multi-lateral military alliance, (4) support for national liberation and independence movements, (5) support for and participation in UN-proposed movements for the cause of peace, (6) support for and participation in economic alliances for regional and global integration.

It carries out all its activities within a five-point strategic framework: (1) upholding national reconciliation and unity, (2) non-partisanship, (3) no discrimination based on race and religion, (3) no confiscation of properties individuals acquired in the past regardless of how they have been acquired, and (5) politically based amnesty and abolition of death penalty regardless whether the guilty have blood in their hands.

7.2 FUNCINPEC

FUNCINPEC was one of the warring factions fighting in Cambodia during the 1980s. It won the 1993 UNTAC-organized election and formed a government with the CPP, which came second at those polls. It has been on a continued decline at the polls since the coup of July 1997 when an armed conflict broke out between it and the CPP over power sharing in the government. It was defeated and ever since has remained in the government with the CPP.

FUNCINPEC has a 18-point political platform¹⁵:

- Defense of the Constitutional Monarchy and the country's Constitution, and respect for the King's constitutional privileges;
- Fostering Sihanoukism, which is a set of ideas and policies of King Father Norodom Sihanouk when he was in power in 1950s and 1960s, that is, national reconciliation, national unity, political stability, development, independence, neutrality, peace and cooperation;
- Foreign policy of independence, neutrality, non-alignment, peaceful coexistence, non-interference into internal affairs of other states; no discrimination; people's

¹⁴ Statement: Policies and Main Political Programme

¹⁵ Policies of the Royalist FUNCINPEC

participation in the country's political, economic and social life and national defense; pluralistic liberal democracy with a separation of powers,

- Promotion and defense of peace, political stability, development, sovereignty and territorial integrity;
- Promotion of respect for human rights and pluralistic liberal democracy;
- Empowerment of women and promotion of their role in political leadership at all levels;
- Full right to Khmer citizenship for all indigenous Khmers living in South Vietnam (Kampuchea Krom);
- Development of country based on human resources, national resources and cultural assets;
- Economic development through promotion of tourism, development of natural resources with transparency, extension of the irrigation system, promotion of investment in agriculture, industry and other sectors;
- Abolition of all expropriation and consolidation of land ownership through land titling; emphasis on social land concessions for the poor;
- Administration based on the rule of law, pluralistic liberal democracy and respect for human rights;
- Review of unjust court judgments;
- Abolition of traffic of women and children, and of drug trafficking through effective law enforcement;
- Control of immigration through effective enforcement of the immigration and nationality laws;
- Abolition of corruption, abuse of power and extortion of money when delivering public services;
- Capacity-building, improvement of quality of services, neutrality and independence of judicial officers, public servants and armed forces;
- Raising the standards of education and human resource development;
- Improvement of the quality of health and social services and ethics of staff, including free health care for the poor.

7.3 Democratic Republican Party (DRP)

The DRP is a newly formed party. For this 2013 election it put forward a 12-point political platform¹⁶:

- Effective implementation of the country's Constitution;
- Granting of rights and freedoms to the Cambodian people;
- Adoption of the first-past-the-post system for the election of leaders;
- Administrative reform to combat corruption, with effective implementation of the principle of separation of powers;
- Strengthening national defence and security;
- Development of communications and tourism;
- Addressing the issue of illegal immigration;

¹⁶ Main Policies of the Democratic Republican Party.

- Development of agricultural, commercial, industrial, financial and fiscal sectors, with price control and fixing by the government, promotion of transformation of industry, ban on the use of foreign currencies in the country, state ownership of extractive industry, and improvement of tax and customs collection;
- Consolidation and extension of education and human resource development with reasonable salaries for teachers, provision of school meals, etc.
- Creation of social security and welfare division in the government;
- Resolution of land issues for the population through coordination with relevant authorities, with zoning plans across the country;
- Protection of the environment and natural resources including the country's cultural assets and appropriate waste disposal.

On top of the above the DRP had two additional specific policies, one to fight terrorism and the other to improve the situation of women through their protection against all forms of violence.

7.4 Cambodian People's Party (CPP)

Among all parties the CPP has the longest history, over 60 years since its creation as a communist party. It came to prominence when the Vietnamese troops intervened to oust the Khmer Rouge regime and supported CPP to run in power on 7 January 1979, which it claims to be the day it liberated the Cambodian people from the murderous Khmer Rouge regime.

The major plank of the political platform is political stability and economic development, its achievement in these two areas, and the consolidation of these achievements and the continuation policies that have contributed to them.

For the 2013 election the CPP has the following 11 fundamentals of its political platform¹⁷:

- Solidarity of the whole nation free of all forms of discrimination;
- Building and consolidating the base of national defence and security;
- Defence of the Constitutional Monarchy, pluralistic liberal democracy, the rule of law with effective law enforcement;
- Supporting Samdech Decho Hun Sen's premiership candidacy for the 5th and successive National Assemblies;
- Defence and promotion of the people's rights and freedoms, equitable distribution of the nation's economic benefits, equal access to all forms of public services, cooperation between the state and the civil society;
- Raising the standards of public services in all areas and making them available nearest to the population, capacity building for public servants, promotion of the culture of obedience to law;
- In-depth reform of public administration, justice, the army and public finance to combat corruption and for better management of land and other natural resources of the country;

¹⁷ The declaration of political program of CPP on national development and protection 2013-2018 and fundamental political program of the party.

- Energising economic development to achieve high growth and sustainability, making the economy very fit for regional and ASEAN integration in 2015, with the private sector as the engine of development; attracting foreign and domestic investment; promoting an equitable distribution of income and reducing poverty by one per cent per year; continuing to prioritize the development of the energy, water and road infrastructure sectors and human resources; abstaining from taxing family farming lands; distributing land to landless people; preserving fish stock for family-scale fishing and for the conservation of the stock.
- Preserving and extending projects sponsored by CPP President Samdech Chea Sim and CPP Honorary President Samdech Heng Samrin, and those sponsored by the other CPP leaders and rank and file;
- Development of the education, health, employment, cultural and social sectors to meet people's wishes, pay rise for public servants and the military, for workers; consolidating the social security system, especially for the vulnerable; promoting gender equality; promoting the rights of the handicapped; giving more attention to the health of old people; etc.
- Endeavouring to protect the territorial integrity around the Preah Vihear Temple at the International Court of Justice; pursuing a foreign policy of neutrality, peaceful coexistence and non-alignment, etc. endeavouring to settle the issues of the border demarcation with neighbouring countries based on international law.

7.5 Khmer Economic Development Party (KEDP)

As reflected in its name, the KEDP focused on development in four areas¹⁸:

- Development of human resources, with the promotion of the study of literature, full-day classes, provision of school meals, compulsory education for all children which need to learn a trade corresponding to the needs of the society, ban on illicit charge of tuition fees by teachers;
- Development of agro-business industry, with the development of the irrigation system; search for markets for local produce; price fixing and guarantee by the state; provision of skills and loans; promotion of small and medium-sized enterprises buying local produce at specific prices; reward for transformation industry with price guarantee;
- Development of cultural, eco and modern tourism, which creates employment for the population;
- Development the economy, with effective implementation of the Constitution and the rule of law; ban on the circulation foreign currencies in the country; promotion of understanding of citizens' duty to pay taxes to contribute to the development of the country; pay rise to US\$250 per month for public servants, US\$180 per month for workers; same prices of fuel as in Thailand and Malaysia; ban on any transfer of public servants to different localities and construction of housing for them; construction of schools, hospitals and temples under the aegis of the King.

¹⁸ (Party leaflet) 4 Main Development Policies

7.6 Khmer Anti-Poverty Party (KAPP)

The KAPP had a 10-point political platform¹⁹:

- Land protection and property protection through education in land rights; ban on plantation on valuable forest areas; enforcement of land rights laws; promotion of awareness of land concessions; state's reclaim of unused land for social land concessions; reforestation programme and use of solar and wind power;
- Poverty reduction/economic development through assistance to unemployed people or people attending job training; creation of an Employment Security Department to help develop job opportunities and help people to find jobs; development of small and medium-sized enterprises in agriculture and irrigation; creation of arts markets; management and leadership training; encouragement of investment; provision of low interest loans; literacy training; social security for the elderly;
- Rural development through skill and management training for farmers; development of rural businesses; assistance in farming technology; crop diversification; development of economic infrastructure; development of character in the youth; expansion of assistance by US Peace Corps volunteers; assistance by skilled volunteers from other countries;
- Youth development and education through commitment of 25 per cent national budget to education; living wages for teachers; assistance to poor students; mandatory education up to the age of 17; student exchange programme; creation of juvenile justice; mediation system for petty crimes committed by children; cooperation with civil society and Buddhist clergy;
- Ban on child labour for children aged 15 and below while providing free and compulsory education for all children; work on poverty alleviation and rural development; launch of a national campaign to address the problem of child labour;
- Medical care and clean water: all hospitals provided with the basic necessities; living wages for all health workers; health education; creation of corruption-free systems to attract foreign assistance; inspection and licensing to ensure high - standard pharmacies and food safety; free ambulance services for rural areas; supply of clean water through solar powered water pumping systems; improvement of sewage system and garbage collection;
- Corruption: living wage for all government employees; prosecution of those engaged in corruption; development of a culture of free and impartial media; access to information on government expenditures; accountability systems in all areas of government; creation of a system of checks and balances in the government; capacity building for and professionalism of government employees; creation of a corruption investigation unit;
- Social security: assistance to the elderly and the handicapped; clinics, day care and other facilities for industrial workers; construction of ramps and special toilet facilities for the handicapped; creation of jobs for the handicapped;
- Building good international relations.

¹⁹ Khmer Anti-Poverty Party Platform, <http://khmerantipovertyparty.com/kapp.php>

7.7 Cambodian National Rescue Party (CNRP)

The CNRP is a merger of the existing two opposition parties, Sam Rainsy Party (SRP) and Human Rights Party (HRP). Once it had been created, the CNRP began in earnest to fix the focus of the election debates on issues when it launched the first part of its political platform²⁰. This part contained seven specific policies, namely,

- A pension of 40,000 riels or US\$10 a month for old people aged 65 and over;
- A minimum wage of 600,000 riels or US\$150 a month for workers;
- A minimum wage of 1,000,000 riels or US\$250 a month for public servants;
- Guarantee of prices for farm produce (the lowest price of rice is 1,000 riels or US\$0.25 per kilo) and of markets for it;
- Free medical care for the poor;
- Equal opportunity of the young to receive quality education and to have employment;
- Lowering of the prices of fuel, fertilisers and electricity, and of interests on loans.

The CNRP presented a set of ways and means to fund its offer of pay rise to government employees: effective collection of taxes and customs duties; tourism charges; US\$70 annual tax per hectare on economic land concessions; licencing fees and royalties on the extraction of gold, coal, oil and gas; taxes on gambling; reduction of wasteful public expenditures through open public bidding, elimination of ghost public servants and soldiers, and of bodyguards and advisors.

Later the CNRP launched its detailed platform²¹:

- Domestic policy promoting national reconciliation by banning discrimination, patronage and nepotism based on a set of principles: non-violent struggle and peaceful resolution of problems; respect and observance of human rights; addressing the issue of illegal immigration through effective enforcement of the nationality law and the immigration law; social justice with the state's guarantee of human rights and freedoms and equal opportunities in the political, economic and social life; pluralistic liberal democracy where power belongs to the people; sustainable development putting emphasis on production for export, competitiveness and preservation of national resources;
- Economic policy: free market economy; free competition; equitable development; production for domestic consumption and for export; promotion of small and medium-sized enterprises, and creation of confidence for foreign investment;
- Education, youth and employment: human resource development with equal access to education; quality and high standard education; technical and professional training to equip the youth with high skills; student loan and scholarship schemes for higher education.

²⁰ Cambodian National Rescue Party's Royal Government: Manual for Leading Cadres

²¹ Cambodian National Rescue Party's Royal Government: Manual for Leading Cadres

- Health care services: free health care for the poor; clean water; hygiene and sanitary systems; reform of the health care system by improving the expertise and ethics of medical staff, provisions of adequate medicine and medical equipment.
- Agriculture: raising the living standard of farmers through the provision of adequate farm land and utilisation of farm technology; competitiveness; improvement of the quality of farm produce; search for markets for farm produce; fixing the interest on farm loans to one per cent per month;
- Support for women by enhancing their role and participation in social and political affairs.

7.8 League for Democracy Party (LDP)

The LDP launched an elaborated and detailed political platform of some 65 pages²². It set out to change the people's mentality with regard to their practice of Buddhism, social ethics, and democracy and politics. This change would be achieved through eight specific mechanisms summarised below:

- Fixing the term of the Prime Ministership to two terms, 10 years at the most, so as to avoid any abuse of power;
- No authorisation for the creation of any bodyguard unit by the Prime Minister himself so as to prevent him from recruiting them more than needed, and those armed bodyguards from abusing their power;
- State residence for the Prime Minister so as to prevent his centralisation of power;
- Creation of an administrative tribunal so that people could sue public servants for any violation of their code of ethics and for any irregularity of their decisions;
- Parliament's vote of confidence for any promotion of military officers to the rank of generals so as to free army generals and police generals from the party leaders' and to get them to fulfil their duties with professional conscience and responsibility;
- Neutrality of public servants; so as to free army generals and police generals from the tutelage of all levels of party leaders and to ensure they fulfil their duties with professionalism and accountability to the people and not to their party;
- Adoption of the first-past-the post system for the election and recall of people's representatives at the commune, district and provincial/municipal levels so as to make them accountable to the people and not to their party;
- Adoption of a mixed system for parliamentary elections, which is basically the first-past-the post system, but a person can stand for an election as an independent candidate or a party's candidate so as to ensure the people's representatives adopt laws to serve the people's interests and effectively oversee law enforcement, and they are not political tools of their party leaders any more.

8. The Narration of Electoral Process

In 2012 the United Nations Special Rapporteur on the Situation of Human Rights in Cambodia, Prof. Dr. Surya Subedi, thoroughly looked into the elections and the electoral process in

²² Polical policies of LDP Party.

Cambodia. In his report dated 16 July²³, He made a wide range of recommendations aimed at ensuring the organization of free and fair elections in Cambodia so as to meet its international obligations under the Paris Peace Agreements. Those recommendations range from the reform of the National Election Committee (NEC) so as to ensure its independence, to the return of the exiled leader of the Opposition, Sam Rainsy, to participate in the 28 July 2013 election. The government paid scant attention to all these recommendations, which led countries concerned for human rights and free and fair elections in Cambodia, to put pressure on it to heed those recommendations. Such countries included the US, EU and France. The Australian and Philippine Senates joined in as well.

8.1 Peaceful and Open Climate for the Election

Apparently to ease off the external pressure and ensuring for free and fair elections, the government began to gradually relax its control over the activities of the Opposition. When the two opposition parties²⁴, Sam Ramsy Party and Human Rights Party, were merging towards the end of 2012 into Cambodian National Recue Party (CNRP), the latter was not encountering any noticeable control or restrictions on the part of the government or the CPP as its predecessors had in previous elections: no difficulty putting up its signs, establishing its branches, recruiting members and supporters, carrying out party work, organizing mass meetings across the country, etc. That was a good political determination of the government contributing to upcoming free and fair election.

This peaceful and open climate prevailed until a week or so after the polling day when parties could organize post-election rallies. It was, however, marred for a short period by an attempt to discredit Deputy CNRP Leader Kem Sokha through attacks on his personality, when the latter was gaining more popularity across the country. Prime Minister and Deputy CPP Leader Hun Sen gave a nod to surviving Khmer Rouge victims to organize a mass demonstration against Kem Sokha over the latter's remark construed to be a denial of the Khmer Rouge crimes in the past. At the same time, the Prime Minister revealed in public Kem Sokha's relations with his mistress.

Thanks to this climate, thousands, tens of thousands, even a hundred of thousands of people, especially youths, enthusiastically, peacefully and in festive mood, joined party rallies across the country. No shops along the routes of the rallies were shut. Instead residents and shoppers came out to cheer and even make donations to the parties. There were virtually no violent clashes between rival rallies even they happened to be in the same streets. People meaningfully exercise their rights and freedoms with a lot of responsibility.

²³ Surya P. Subedi, Report of the Special Rapporteur on the situation of human rights in Cambodia, United Nations, General Assembly, A/hrc/21/63, 16 July 2012, http://cambodia.ohchr.org/WebDOCs/DocReports/3-SG-RA-Reports/A-HRC-21-63_en.pdf.

²⁴ Within the previous mandate (2008-2013), there were two opposite parties in the national assembly, one was Sam Rainsy Party (SRP) which was led by Mr. Sam Rainsy—president of CNRP today, and another was Human Right Party was led by Mr. Kem Sokha who is deputy chief of CNRP currently. The both parties was merged into one biggest opposite party called Cambodia National Rescue Party (CNRP) by end of 2012 and joined this election 2013.

8.2 Early Stage of Election

Since it has had experiences of registration in the three national elections in 1998; 2003; and 2008, including 3 Commune/Sangkat Elections in 2002, 2007 and in June 2012, the National Election Committee (NEC) on 4 January, 2013 made a public announcement for checking names in the voting list through online at: www.voterlist.org.kh until 26 July. On 22 July -- a week before the polling day -- the announcement was released again by NEC. However, voters could still find their names on 27-28 July at polling stations where they were expected to vote. Also on 27-28 July, NEC provided 5 phone lines to standby for those who wanted to call and ask for help with checking their names. Doing this, people who could not find their names had chance to deal with NEC to have their names in the voting lists.

In order to encourage his people to vote without hesitation, King Norodom Sihamoni on 6 March released a royal message to the nation appealing the people to go to freely vote on the polling day with no fear of pressures and threats or frightening from individuals and political parties, but used their own rights to freely choose persons and political parties they like “while the country is taking democracy”.

The political environment before the election campaign looked fine and all political parties, especially Prime Minister Hun Sen and his Cambodian People’s Party (CPP) and the new opposition party: Cambodian National Rescue Party (CNRP), launched their campaign before NEC’s green light. Although they were seen to verbally attack and mock at each other sharply in the media and public, the situation was much better if compared with the previous elections and NEC was not seen to react on the move.

Most of the national media outlets and practitioners, including TV and radio commentators as well as newspaper editorials and commentaries, were clearly seen to stand for Premier Hun Sen and his ruling CPP. Based on the consultant’s team’s observation, all TV channels, including the National TV station, aired Prime Minister Hun Sen’s speeches nearly all day when he went to inaugurate new schools, pagodas, and other government’s or his ruling party’s achievements, including at ceremonies of certificate delivery to graduated students. The Cambodia Daily and Phnom Penh Post newspapers – both run by the Western, Washington-based Radio Free Asia and Voice of America as well as the Paris-based Radio France International and Melbourne-based ABC Radio in Khmer service provided some voices to CNRP and other political parties, including CPP. These foreign-run media sounded independent and professional as they provided voices of all sides. These foreign-run radio channels also buy airtimes to rebroadcast from several local radio stations in both Phnom Penh and provinces.

On 19 April, the Prime Minister (MP) who is also CPP Vice President warned that there would be a civil war if CNRP won the election on July 28. He told the crowd “An internal war will definitely happen if he [Sam Rainsy] wins the election because no one will let the other arrest easily. There will be fighting back. We have no wish to stage war, but they threaten to do war first.”²⁵ His speech was echoed by all TV channels and most of radio stations as well as leading national newspapers, and online media.

²⁵ The Cambodia Daily: April 20, 2103

The warning was made after self-exiled CNRP leader Sam Rainsy said on 17 April from the United States that he would convict some members inside the existing government whom Sam Rainsy had accused of Khmer Rouge killing field regime's members. Although Sam Rainsy did not mention any name, he on 17 April, 2012 called for legal action against the Prime Minister and CPP Vice President Hun Sen, Senate and CPP President Chea Sim, and National Assembly President and CPP Honorable President Heng Samrin. Then, NEC in November 2012 removed Sam Rainsy's name from the voter list citing that he was a convicted criminal who could not participate in the upcoming election.

Although the political atmosphere was much better than the national elections in 1993; 1998; 2002; and 2008, independent NGOs blamed NEC for some irregularities during registration and at the ballot box. The lack of independence of the NEC and of the electoral process in general is most clearly seen in the irregularities witnessed during the voting process, as demonstrated by the types of complaints received by the NEC mentioned above, according to Cambodian Center for Human Rights (CCHR) Briefing Note – February 2013²⁶. Citing the June 2012 commune elections, CCHR said more than 3,000 irregularities were noted by independent election monitors during the commune elections, including during the “cool-down” period preceding the elections, on election day, and during the counting days following the elections.

In addition to technical irregularities, it is well-known that civil servants, the military police and the Royal Cambodian Army Forces are all affiliated with the CPP; their presence at polling stations often acts as a deterrent from voting for opposition parties. In the Note, CCHR said that “these irregularities were likely to be repeated during the 2013 national elections if the electoral process is not reformed. Already, monitors have noted worrying irregularities as regards the voter registration process, including the taking of bribes by registration officers, the doubling of names on voter lists, a lack of respect for registration rules by election officials, including the shortening of opening hours at registration offices, and the registration of voters in absentia.”²⁷

On 12 June, NEC unveiled the ballot papers at a privately owned printing house in Phnom Penh's Tuol Kok district that it contracted to print a total of 12,307,150 ballot papers for the 28 July election – about 2,631,697 more than the total number of people of 9,675,453 on the voting lists. NEC Secretary General Tep Nytha told reporters that NEC spent US\$2 million on the printing the ballot papers. He said that 11,082,400 ballot papers would be sent to polling stations while 1,224,750 reserve ballots would be delivered to provincial election committees – who would distribute them in event that ballots were spoiled. Such printing the ballot papers raised fears among independent NGOs and CNRP that fraud could happen during the vote.

²⁶ CCHR report

²⁷ CCHR report

8.3 During the Election Campaign

8.3.1 General Environment

Different from the four previous elections in 1993; 1998; 2003; and 2008, the situation looked much better. Like in the early stage, all political supporters, especially youths, turned out to the streets from one-month campaign started from 27 June to 26 July holding their respective party flags, banners, t-shirts and caps with party logos, while many others were putting stickers with party logos on their faces and foreheads yelling with no fear.

In the morning about 9:00 of 19 July, CNRP Leader Sam Rainsy returned home safely and was welcomed by tens of thousands of his supporters along the streets from Phnom Penh International Airport to the Freedom Park and his home, causing huge traffic jam in the capital. Sam Rainsy could return after he had received the royal pardon from King Norodom Sihamoni. The amnesty was made after Sam Rainsy had admitted his mistake for pulling the border marks between Cambodia and Vietnam. His apology aimed at returning to the country before the Sunday 28 July election. The information of his return made his both supporters and non-supporters as well as independent individuals and diplomats, including media, surprised and they congratulated and talked about him. However, the King's royal pardon to Rainsy could not be done if there was no Prime Minister's agreement and such pardon has been the habit since late King Norodom Sihanouk.

For the amnesty, political analysts have different opinions. Some said that the PM had feeling like sport people who wanted to compete with those who had claimed they were strong; and that Prime Minister Hun Sen wanted to have the national unity and wanted to offer a huge political concession to his opponents who had softened their stubborn attitudes²⁸. Some others said the Prime Minister got political pressure from the donor community, especially America, although Hun Sen often stressed he never felt scared by with foreign country's pressure²⁹. The Prime Ministry Hun Sen and his government seemed to make their strong commitment to offer peaceful environment to all political parties and supporters to challenge him and his CPP for the election. It formulated an enabling environment for two opposition parties, HRP and SRP merged together for a new party – CNRP – although SRP President Sam Rainsy was living in exile. After merging, the new CNRP could run their public forums and campaign nationwide without serious trouble from local authorities. With its successful work, CNRP launched its first congress without any disturb and such safe could reflect that the government had political will for the smooth election.

According to Radio Australia, US Republicans on 6 July, 2013, called on Washington to cut off aid to Cambodia if Prime Minister Hun Sen returns to power at this month's election. The chairman of the House of Representatives Foreign Affairs sub-committee on East Asia, Steve Chabot, said that he had no doubt Hun Sen would win through the incitement of political violence, corruption and nepotism³⁰. At the same time, leading democrat on the Foreign Affairs sub-committee, American Samoa's Faleomavaega Eni Hunkin, told Radio Australia's Connect

²⁸ New Youth website: <http://www.youthcambodia.com/cambodian-youth/73> Date: July 24, 2013

²⁹ New Youth website: <http://www.youthcambodia.com/cambodian-youth/73> Date: July 24, 2013

³⁰ ABC: <http://www.abc.net.au/news/2013-07-15/us-republicans-to-cut-aid-to-cambodia/4820950>

Asia singling out Cambodia would be the wrong thing to do to a country that the US has failed so miserably. The US threat came with polling less than two weeks away and with the news that exiled opposition leader Sam Rainsy had been granted a royal pardon³¹.

Prime Minister Hun Sen did not make any reaction for the US call while he was still in mourning for his late father. Then, political environment looked much better when Sam Rainsy sent a letter to share his condolences with the Prime Minister and family after his father passed away at dawn on 12 July. In a reply letter, the PM expressed thanks to Sam Rainsy and his wife and party members. The letter exchange between Sam Rainsy and Hun Sen sounded like the country's political situation became better. Then, Sam Rainsy could return home to compete with Hun Sen during the election even though NEC had deleted his name from the voter list.

The next morning after his arrival, Sam Rainsy started launching his campaign and made speeches attacking the PM and the ruling CPP, and urged his screaming supporters to remove the PM and Prime Minister Hun Sen's government through the 28 July polls. According to a joint statement on the "Evaluation of the Environment before the Election Day" of a group of Civil Society released at a press conference at the office of the Committee for Free and Fair Elections in Cambodia (COMFREL) on 26 July, the electoral process had "improved significantly since King Sihamoni pardoned Mr. Sam Rainsy". Through the analyst's team's observation in several big areas like Phnom Penh capital and the provinces of Battambang, Kampong Cham, Kandal, Siem Reap, and Prey Veng, there was no report on political violence and threat. All 8 political parties' supporters conducted their one-month campaign peacefully, safely and successfully. The same joint statement also agreed "There is greater public participation in the electoral campaigns than in the previous elections, particularly the youth".

However, some irregularities also appeared during the campaign period. In a press conference at COMFREL office on 26 July, Thun Saray -- President of Cambodian Human Rights and Development Association (ADHOC) and COMFREL's Chair of Board of Directors read out the joint statement on the "Evaluation of the Environment before the Election Day" of a group of Civil Society in front of several dozens of national and international journalists and observers that "The NEC should ensure that political parties have access to the official voter list so that they can observe the electoral process at the polling station. Moreover, the indelible ink should be tested at every polling station to test its quality. CSO observers request that NEC officials meet with political parties and observers and take action to deal with problems noted above."

8.3.2 Media Echo on the 2013 Election

Within the 30-day campaign and before, most national media outlets and practitioners had reported in favour of Prime Minister Hun Sen's ruling CPP. Based on the consultant's team's TV monitoring, the 11 national TV channels provided news and features to support the PM and CPP while attacking CNRP and its leaders, mostly President Sam Rainsy and Vice President Kem Sokha.

The PM was well aware of his CPP's media dominance as every day since the pre- election

³¹ <http://www.abc.net.au/news/2013-07-15/us-republicans-to-cut-aid-to-cambodia/4820950>

campaign, news, features, documentaries, talk shows, including plays and songs, gave favour to him and CPP while mocking and attacking CNRP and its leaders as well as supporters. Moreover, commentaries made by the TV news anchors sharply attacked the CNRP. In the tactic of attracting its supporters, CPP mobilized all popular video and karaoke movies stars, as well as pop singers and comediennes to join its political rally during the election. In the leading up to the election, local TV stations showed plenty of Hun Sen's frowning or beaming visage while others viewing options included karaoke videos or soap operas but only footage of opposition CNRP showed seemingly drunken youths wearing campaign gear and dancing³².

It was amazing that no single TV channel and the leading national newspapers such as Rasmei Kampuchea (Light of Kampuchea/Cambodia), Koh Santepheap (Island of Peace) and Kampuchea Thmei (New Kampuchea/Cambodia) gave a second or small space for news at all on Sam Rainsy's return. Based on the consultant's observation, foreign media outside Cambodia, including CNN and BBC, run more news stories than local media on Sam Rainsy's return home after 4 year living in exile in Paris.

Although CPP has allies with almost the total media, CNRP and other parties managed to deliver their messages through independent media run by foreigners such as Phnom Penh Post and the Cambodia Daily as well as through the social media network, especially facebook and YouTube. Mu Sochua, CNRP female lawmaker candidate said "I would say that 85 to 90 percent of our youth in the city areas were able to mobilize every day, and they were all organizing on facebook"³³. In a joint statement released on 26 July by an independent group of civil society also agreed that that "Facebook, Twitter, Youtube, etc., have been utilized by individuals to post information that relates to the election and policies of each party".

With the headline: "In Khmer news outlets, a different election tale"³⁴ on 30 July, the Phnom Penh Post describes that the news on the election results strong showing by CNRP made for easy headlines for foreign news outlets covering but for "local media, however, outlets often affiliated to one degree to another with the government, framing the poll's surprising results proved somewhat tracker". The paper quoted an employee who works for the Cambodia Express News (CEN) online as saying that there was simple examination for that they [media outlets] were ordered to report more heavily on the CPP than the opposition. "We cannot do whatever we want, because the higher-up website managers order lower staff to report and post more stories about the CPP. Most of the local media are managed by the ruling party and we follow the orders from our superiors," the CEN employee told the Phnom Penh Post. The paper quoted journalism trainer Chhay Sophal of the Royal University of Phnom Penh as saying that "Many reporters are simply doing what they are told. The main problem is that some media organization owners are close to government officials and must report in favour of the ruling party" and that journalists who failed to do so, they would risk losing their job while their outlets would be risky with losing their licenses from the Ministry of Information.

The Cambodia Daily on 7 August reported on its front page that "When Sam Rainsy returned to Cambodia last month, Khmer language media outlets neglected to cover the event...while readers

³² Cambodia Daily July 31, 2013

³³ Cambodia Daily July 31, 2013

³⁴ Phnom Penh Post July 30, 2013

of the most widely circulated Khmer-language dailies get a steady diet of ruling CPP doctrine and pro-government prose, Chinese language newspapers here provide a markedly more balanced account of what is going on in the country's political realm."

On 25 June, the Ministry of Information issued a directive signed by Information Ministry Secretary of State and acting Minister Ouk Prathna to bar all FM radio stations, including FM102 of the Women's Media Center, to cease rebroadcasting Khmer-language radio programs by at least three foreign broadcasters -- U.S.-based Radio Free Asia (RFA) and Voice of America (VOA), as well as Radio Australia (ABC) -- which was seen as a major setback to media freedom in the country and aimed at stifling the voice of the opposition. After the banning, the government was under pressure from the United States as well as national and international rights groups. At a press briefing in Washington on Saturday 29 June, U.S. State Department spokesman Patrick Ventrell said the ban would call into question the coming election's credibility, and that "This directive is a serious infringement on freedom of the press and freedom of expression, and starkly contradicts the spirit of a healthy democratic process. We are deeply concerned by this action and urge the Royal Government of Cambodia to reconsider this decision".³⁵

In Phnom Penh, John Simmons, spokesman for the U.S. Embassy, also said in a statement that "The directive is a flagrant infringement on freedom of the press and freedom of expression, and is yet another incident that starkly contradicts the spirit of a healthy democratic process."³⁶ Then, the ministry on Saturday 29 June reversed the ban and allowed the stations to re-air the foreign broadcasters. "Due to requests asking the Ministry of Information to allow the rebroadcasting of foreign programs in Khmer language through local FM radio stations, the ministry allows all FM radio stations that sell airtime to foreign radio stations to resume broadcast as normal from today,"³⁷ the statement read. It added that its Tuesday June 25 directive ordering all stations in the country not to broadcast opinion polls or messages from political parties five days before polling day still stands. In a post on his Facebook page in the morning of Sunday 30 June, Information Minister Khieu Kanharith wrote that he was neither responsible for the decision to issue the ban nor to lift it and declined to say whose decisions they were. "Last night, the Ministry of Information decided to allow all FM radio stations to resume the rebroadcasting of foreign radios. But I was not the one that decided the suspension and the reverse of decision," Kanharith wrote.

8.4 Polling Day

The environment was not different from 2008 election. Peaceful situation was seen almost throughout the nation. NEC on 19 July issued a statement to call for 9,675,453 voters to vote from 7 am to 3 pm on Sunday 28 July, 2013 at 19,009 polling stations – 6 polling officers in each station -- throughout the country if any voter could not find her or his name during the polling day, s/he could ask for help from election assistance at the stations.

³⁵ Cambodia Daily, July 1: <http://www.cambodiadaily.com/elections/ban-on-radio-broadcasts-lifted-amid-us%E2%80%88pressure-32700/>

³⁶ Radio Free Asia (2013-06-30) : <http://www.rfa.org/english/news/cambodia/broadcast-06302013140732.html>

³⁷ Statement of the Ministry of Information on June 29, 2013

According to NEC statement by July 4, NEC accepted 16,106 national and international observers from 30 associations and organizations. The number of the observers included 16,076 persons (6,080 females), and 30 international observers (20 are females). At the same time, the International Conference of Asian Political Parties (ICAPP) and the Centrist Asia Pacific Democrats International (CAPDI) also sent 291 election observers at the request of NEC and ‘their expenses were paid for by the government.’³⁸

On Sunday 28 July, voters looked very eager and keen to turn out to vote after dawn started from 7 am to 3 pm. However, after lunchtime, many polling stations looked a bit quiet as people had already voted in the morning. Several voters interviewed by the consultant’s team said that they had to rush out to vote in the morning because they were afraid of weather since the country was in the rainy season. In the early polling day around 9 am, Pa Socheatvong, Phnom Penh governor, told reporters at a polling station in Phnom Penh where he had just voted that the situation was good and no report on irregularity. He said that all police and military police under his Phnom Penh competence were on duty for making intervention in case there was any trouble. However, speaking at a press conference at 5:20 pm on Sunday, about 2 hours after the polling, ADHOC President Thun Saray said that there had been 200 cases of irregularities nationwide -- mainly in Phnom Penh, Kampong Cham, Siem Reap, Prey Veng, and Svay Rieng -- and one case of violence due to a confrontation between Phnom Penh municipal military police forces and unhappy voters at a Phnom Penh polling station. Two military police cars were burned down after the military police had hit a Buddhist monk and shot in the air to break up the voters who made protest against the police’s act.

Also telling the press conference, Koul Panha, COMFREL Executive Director, said that the Sunday’s vote produced an estimated turnout of 69 percent, about 6 percent lower than the 2008 election. He said that the main reason for the reduced turnout appeared to be voters being barred from casting ballots because their names had been removed from the voter lists.

Media Reporting

Since NEC had warned all media outlets and practitioners not to report anything leading to confuse and scare the voters on both the white day (a day before the polling) and the polling day, TV and radio stations as well as newspapers did not have many stories on the election and other related issues. The government also released an order, not allowing people to drink alcohol on the white day (a day before the polling day) and the polling day while local authorities were ordering night clubs, karaoke parlors, beer gardens, restaurants and other entertainment places that serve hard drinks to close during the two days.

8.5 Overview of the Election Result

Prime Minister Hun Sen’s CPP won the Sunday election leading him and CPP to still occupy the royal government and both lower and upper assemblies for the upcoming five-year mandate. Although the PM and his senior CPP officials have been reported that they suffer quite a lot when their CCP lost more than 20 parliamentary seats to CNRP on the Sunday election, CPP is still able to head the royal government, national assembly and senate.

³⁸ Cambodia Daily, page 2: August 1, 2013

According to the unofficial preliminary results claimed by Minister of Information and government spokesperson Khieu Kanharith³⁹, CPP got 68 and CNRP got 55 out of the 123 parliamentary seats. In 2008, CPP won 90 seats out of 123 while Sam Rainsy Party of Mr. Sam Rainsy got 26 seats and Human Rights Party of Mr. Kem Sokha got 3 seats. But this year election, Sam Rainsy's Sam Rainsy Party and Kem Sokha's Human Rights Party joined together to establish a new party known as CNRP and it reached up to 55 seats causing CPP to lose up 22 seats.

However, Sam Rainsy and his CNRP on 29 July rejected the results saying that it had lot of irregularities. Speaking in a press conference, Sam Rainsy said that CNRP would not let Hun Sen's government do anything carelessly. While appealing to his CNRP supporters to stay calm, avoid any violence or provoke problems, but wait for the official results, Sam Rainsy strongly urged NEC -- seen by many as a pro-CPP partisan organization⁴⁰ -- to conduct a proper investigation into the allegation of irregularities as he had evidence from polling stations nationwide indicating that CNRP won "at least 63 seats". Critics of NEC have long accused the body of being stacked with CPP supporters and of making decision that support the ruling party⁴¹.

Sam Rainsy told journalists at the conference that CNRP sought an independent investigation outside NEC with a joint committee comprised of NEC, CPP, CNRP and international observers, especially the UN, and local civil society groups. Speaking in front of about one thousand supporters in CNRP headquarter in Phnom Penh on 31 July, Sam Rainsy again said that the victory from election results -- up to 63 out of 123 parliamentary seats - was wonderful and historical and that CPP stole CNRP's votes and it would never allow CPP to steal CNRP's victory.

Echoing CNRP's allegation of irregularities, the US State Department called Cambodia for an investigation into polling day irregularities. Alongside with the U.S, Japan -- a major donor to Cambodia, on July 31 also issued a statement to back calls for investigation into the irregularities.

Catherine Ashton, the high representative of the E.U, issued a statement on 30 July saying "not enough recommendations from the European Union observers to improve the elections were met. The E.U. said that Cambodia's last national election in 2008 failed to meet international standards and refrained from sending observers this time".⁴²

In his reaction, the Prime Minister alleged the E.U. of taking side at CNRP. After meeting with the PM on 1 August at the Peace Palace--prime minister's office, German Ambassador Wolfgang Moser said that the PM "accused the European Union of hypocrisy for often chastising his government's human rights abuses but giving CNRP president Sam Rainsy a free pass for his racist rants against Vietnam on campaign trail".⁴³

³⁹ Khieu Kanharith posted on his Facebook wall in the late evening of 28 July 2013

⁴⁰ Cambodia Daily front page: August 1, 2013

⁴¹ Cambodia Daily page 21: August 2, 2013

⁴² Cambodia Daily, page 2: August 1, 2013

⁴³ Cambodia Daily page 2: August 2, 2013

Phnom Penh Post on 1 August quoted Brad Adams, Human Right Watch (HRW) Director as saying that “Senior ruling party officials appear to have been involved in issuing fake election documents and fraudulently registering voters in multiple provinces”. HRW called for the international community to push for independent investigation into the irregularities.

CNRP leader Sam Rainsy said on 31 July that if a joint-committee investigated the irregularities and results from last Sunday’s election, it would discover the opposition had won between 80 and 90 seats in the 123-seat National Assembly and that “We do not have fully [a number of seats]. We want the committee to investigate. But we would have won more than 80 seats. So I think Mr. Hun Sen should step down now. The figures are against him.”⁴⁴ On 6 August, Rainsy reiterated in front of thousands of his supporters in Phnom Penh that CNRP was ready for a mass demonstration against the ruling CCP unless its leaders stepped down. “We do not want to hold a demonstration, so I want to send a message to the CPP. It must find an appropriate solution for CNRP. If they don’t want a demonstration to happen, they must inform the U.N. that they lost and we will accept it after they step down,”⁴⁵

United Nations Secretary-General Ban Ki-moon on 3 August also welcomed the peaceful conduct of elections in Cambodia and encouraged the competent authorities to deal fairly and transparently with any complaints of irregularities⁴⁶. “The Secretary-General welcomes the peaceful conduct of the elections in Cambodia on 28 July,” said a statement issued by the office of the UN chief’s spokesperson. “Amid reports of irregularities, the United Nations encourages the competent authorities to adjudicate complaints fairly and transparently, with the ultimate aim of ensuring the accurate determination of, and respect for, the will of the Cambodian people,” the statement said, adding that Mr. Ban continued to follow the situation in the country closely.

The first official preliminary results of the election scheduled to be released by NEC on 10 August but NEC Secretary General Tep Nytha told reporters at NEC office on 7 August that NEC would delay its announcement on the final results until 8 September as it was busy with investigation of 14 complaints on irregularities. In a day after the polling, NEC officials also unofficial said that the results arrived at the same 68-55. However, NEC on 5 August released a statement saying that “The National Election Committee would like to inform the public that recently the political parties, some media and social networks broadcast the vote result of the fifth mandate of the National Assembly Election improperly and without precise basis. That misinformation can lead to confusion that causes society to be disorderly and insecure. The NEC calls on all public not to care about or believe that misinformation, "waiting for the information about the results of the fifth mandate of the National Assembly Election that the NEC will announce after a clear verification, and complete list of complaints and reports of electoral irregularities are solved.”⁴⁷

⁴⁴ *Phnom Penh Post*, 1 August: <http://www.phnompenhpost.com/national/extra-seats-won-spread-across-country-cnrp>

⁴⁵ *The Cambodia Daily* 7 August, 2013

⁴⁶ http://www.un.org/apps/news/story.asp?NewsID=45558&Cr=cambodia&Cr1#.Uf42JG0_SS0

⁴⁷ *Cambodia Daily*: August 8, 2013



National Election Committee
N° 08.094/13 NEC/S.G/PIB

Kingdom of Cambodia
Nation Religion King



Phnom Penh, August 05, 2013

125 Complaints Were Submitted during the Polling and Ballots Counting Day

By August 04, 2013, according to the reports of the Legal Service Department of the NEC that receiving the report of the Provincial Election Commissions (PECs), during the polling and ballots counting day on July 28, 2013, the Commune/Sangkat Election Commissions (CECs) received a total of 125 complaints. These complaints were lodged by:

- The Cambodia National Rescue Party (CNRP) 90 complaints.
- The Cambodian People's Party (CPP) 15 complaints.
- The citizens 12 complaints.
- The Sam Rainsy Party 03 complaints.
- The observers 03 complaints.
- The FUNCINPEC Party 01 complaint.
- The electoral officers 01 complaint.

These complaints were handled by CEC:

- 29 complaints could not be conciliated.
- 25 complaints were successfully conciliated.
- 24 complaints were rejected.
- 32 complaints were refused with notification.
- 10 complaints were being handled.
- 04 complaints were withdrawn by plaintiffs.
- 01 complaint was refused by the meeting.

These 125 complaints occurred at the PEC of 17 provinces:

1. Banteay Meanchey	08 complaints	10. Preah Vihear	01 complaint
2. Battambang	10 complaints	11. Prey Veng	01 complaint
3. Kampong Cham	11 complaints	12. Pursat	10 complaints
4. Kampong Chhnang	19 complaints	13. Rattanakiri	02 complaints
5. Kampong Speu	09 complaints	14. Siem Reap	14 complaints
6. Kampong Thom	04 complaints	15. Svay Rieng	08 complaints
7. Kampot	15 complaints	16. Takeo	06 complaints
8. Koh Kong	01 complaint	17. Pailin	04 complaints
9. Kratie	02 complaints		

The Provincial Election Commissions (PECs) received a total of 41 complaints. 30 of 41 complaints were continued from the CEC to the PEC, and other 11 complaints were directly submitted to the PEC. *Wf*

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Unofficial Translation
1

On Sunday 11 August, NEC released a statement saying that it would announce the first preliminary results on Monday 12 August despite no agreement from the two parties – CPP and CNRP – with solving the irregularities.

The results were also aired on state-run TV and radio at 9:00. According to announcement CCP got 3,235,969 votes or 48.80 percent versus 2,946,176 or 44.46 percent for CNRP. NEC said that it would announce the number of seats each party would get in the National Assembly by 8 September. The following is the result of votes released by NEC on 12 August. NEC announcement was made after King Norodom Sihamoni had left for Beijing with his Queen Mother Norodom Monineath Sihanouk -- the widow of late King Norodom Sihanouk who passed away on 15 October, 2012 – earlier at the same day for routine medical checkup. However, the King said in a statement released by the Royal Palace on 12 August that he would return home between 10 days and two weeks in time to convince Parliament's next session scheduled in September. According the statement, the King said that during his absence from the country, Senate President Chea Sim who is also CPP President would be acting as the head of state.

After the announcement, Sam Rainsy who was visiting the United States threatened via Facebook to organize a "mass demonstration to demand a change of the current leader" once he returns to Cambodia to "find justice for the people", if no a joint investigation committee includes a representative from the U.N to probe the alleged irregularities. CNRP on 12 August also urged the government to cease immediately any threat to the Cambodian people through deployment of the military, including armored personnel carriers and tanks, in and around Phnom Penh capital.

COMFREL Executive Director Koul Panha said that NEC was not equipped to investigate the scale of irregularities adding that "The NEC does not have proper investigation mechanisms. They received complaints and sent them to the NEC hearing just like that. They have never conducted an investigation into irregularities. I don't understand how they can conduct a proper investigation," in such a short time and "They should invite the two parties to agree on an investigation team." ⁴⁸

Thun Saray, ADHOC president and COMFREL Chairman of Board of Directors told the Cambodia Daily that unless the NEC allowed an independent body to participate in the investigation of alleged election fraud, a peaceful solution to the current political impasse would be unlikely.

The CNRP and COMFREL on 12 August also called for a full investigation into the NEC's independence as well as its possible role in the irregularities the opposition said that they occurred during the election on July 28. ⁴⁹

CPP Echo

Information Minister His Excellency Khieu Kanharith who is also a CPP parliamentarian candidate told the consultant on 12 August that "if we [CPP] used fraud in the election, the CNRP would have won fewer seats". Giving voice to the CPP, the International Conference of Asian Political Parties (ICAPP) and the Centrist Asia Pacific Democrats International (CAPDI) expressed their satisfaction in a joint statement on 29 July. "The ICAPP-CAPDI considers the

⁴⁸ Cambodia Daily: 8 August, 2013

⁴⁹ Cambodia Daily: <http://www.cambodiadaily.com/elections/cnrp-comfrel-call-for-investigation-into-necs-independence-38403/>

elections in Cambodia as a triumph of popular will and a victory of the Cambodian people in their quest to build a better future based on the supremacy and sanctity of the ballot. The elections were free, fair and transparent, and, above all, peaceful, non-violent and smooth bear testimony to the fact that Cambodian democracy has not only matured, but come of age politically. We extend our heartiest congratulations to the people, political parties, leaders, media, civil society and the NEC of Cambodia for the successful and orderly conduct of the general election,” read the statement also posted on the NEC’s website⁵⁰.

Cambodia’s Ministry of Foreign Affairs and International Cooperation in the morning of 31 July released its brief statement urging all foreign diplomatic missions not play a role to support the opposition party. “They [Foreign diplomats] also have a duty not to interfere in the internal affairs of the state [Cambodia]”⁵¹.

In his first public appearance at an overpass construction site in Phnom Penh in the afternoon of 31 July after keeping quiet for three weeks, Prime Minister Hun Sen told reporters that his CPP would welcome the international community and others to investigate into the allegation and that he agreed to establish a committee to negotiate with CNRP for the forming of the new National Assembly. Hun Sen softened his voice saying that the election winner and loser is not important but never let the national unity break apart. However, he said, he is the only legal man to become the country’s Prime Minister for the next five years.⁵²

In its response, NEC’s Secretary General Tep Nytha reiterated on 1 August that NEC had no authority to establish such joint committee to investigate the alleged irregularities but it could investigate on its own and receive complaints through its provincial committees during working hours on 2-6 August and then NEC would investigate case by case, and only those complaints submitted inside that three-day timeframe would be taken into consideration ahead of NEC’s release of preliminary results on 10 August. Again, NEC expressed its firm stand behind its refusal to consider in proposal by CNRP for an independent investigation. The letter signed by NEC President Im Suosdey to CNRP President Sam Rainsy said “The NEC very much regrets not being able to meet your request to create a special committee as Your Excellency has requested.” However, the letter says, NEC would try to settle the irregularities on the election day in accordance with “legal mechanism, existing directives and procedures as well as the creation of a sub-committee in compliance with internal rules of the NEC and participation through monitoring by representatives of contesting political parties, national and international election observers.”⁵³

Prime Minister Hun Sen on 2 August, 2013 said that he was not worried if the United States cuts aid to Cambodia, saying the aid has no effect on his government. In his speech to villagers in Kandal province, the PM said the warning of cutting the \$50 million annual aid to Cambodia by a few U.S. lawmakers is “not affecting the Cambodian government” but instead only salaries for those working with non-governmental organizations⁵⁴. If the U.S was to cut military aid to

⁵⁰ NEC website at link: http://www.necselect.org.kh/nec_english/index.php?option=com_content&view=article&id=385&Itemid=277

⁵¹ Statement of Cambodia’s Ministry of Foreign Affairs and International Cooperation: July 31, 2013

⁵² Hun Sen’s remarks on National Television: July 31, 2013

⁵³ NEC statement: August 1, 2013

⁵⁴ Kyodo News International: <http://www.globalpost.com/dispatch/news/kyodo-news-international/130802/cambodia-not-worried-about-us-aid-cut-hun-sen-says>

Cambodia worth more than \$1 million a year, the PM would then turn to another country for such assistance, referring to China's response in 2010 to Cambodia's request when the U.S suspended 200 military vehicles and trailers following Cambodia's deportation of 20 Uyghur refugees to China. The PM also alluded to Cambodia's close diplomatic ties with China, which could make up for any reduction in U.S. aid. "Last time the U.S cut our aid, they were going to give us 100 old trucks. The Chinese saw this and gave us 257 trucks," the 60-year-old prime minister said⁵⁵. Earlier, alongside with Prime Minister of Bangladesh Sheikh Hasina, Thai Prime Minister Yingluck Shinawatra, and Lao Prime Minister Thongsing Thammavon, Chinese Prime Minister Li Keqiang congratulated Hun Sen – a reliable ally of Beijing – on his victory at the polls. In his message to the PM on 1 August, Li Keqiang wrote "I have the pleasure to extend my warm congratulations to the victory of your Cambodian People's Party once again in the fifth Cambodian national election recently. The Chinese side will continue to support Cambodia to keep to the road that suits Cambodia's reality, and support Cambodia's unswerving effort for national stability and development. I am fully convinced that, with our joint endeavor, the China-Cambodia relations will certainly step up to a new height. I look forward to meeting you in the China-ASEAN Expo in Nanning next month so as to have an in-depth exchange of views with you on how to further deepen cooperation between China and Cambodia."⁵⁶

At the same time, the Chinese government on 7 August gave 1,000 handguns along with 50,000 bullets to Cambodia's police forces. "Many things were handed over to Cambodian authorities to enhance social security, including 1,000 short guns [handguns], 50,000 bullets and other equipment," the Cambodia Daily quoted the announcement posted to the website of the National Police Commissariat⁵⁷. King Norodom Sihamoni on 7 August also released a rare public statement to urge the two main political parties – CPP and CNRP -- and people to find peaceful solution and stay calm. "For the interest of the nation and our people, and for peace and national stability, I would like to appeal to the two political parties that people have voted for ... to continue to find a peaceful solution to the dispute and the remaining issues. "I also would like to appeal to all people to stay calm for the dignity of the nation and continue to conduct business peacefully."⁵⁸

A day after getting the weapons from China, Interior Minister Sar Kheng warned that the leaders of any possible demonstrations against the preliminary results would face consequences of their actions. His Excellency Sar Kheng who is also Deputy Prime Minister and CPP parliamentarian on 8 August sent a letter to CNRP leader Sam Rainsy stating that "To stage a peaceful demonstration complaining about any issues is the right of the citizen as stated in Cambodia's constitutional law, but the leaders of the protest and demonstrators must respect any regulations of the law on peaceful demonstration. In the case of demonstrations becoming violent and causing the destruction of national security, public and private property and public order, the demonstration leaders and the suspects must be responsible before the law for any consequences that would happen after this demonstration."⁵⁹ On 8 August, six armored personnel carriers (APCs) were seen to move into a pagoda in Sen Sok district's Samraong commune of Phnom Penh while several other APCs moving from Kampong Cham province to Phnom Penh being

⁵⁵ <http://blogs.wsj.com/searealtime/2013/08/03/cambodias-hun-sen-slams-u-s-threats-over-aid/>

⁵⁶ Xinhua : <http://english.cri.cn/6909/2013/08/02/2702s779700.htm>

⁵⁷ <http://www.cambodiadaily.com/news/chinese-government-gives-guns-bullets-to-national-police-37874/>

⁵⁸ <http://www.phnompenhpost.com/national/king-makes-appeal-resolution>

⁵⁹ Cambodia Daily: 9 August, 2013

posted on facebook at the same day. Phnom Penh residents felt frightened and scary while seeing the APCs' movement. H.E Sar Kheng on 9 August confirmed the deployment of APCs from the Cambodian-Thai border as it was part of a concerted security operation in response to the CNRP's plans to hold protest against the election results. After meeting with NGOs at the Interior Ministry about an investigation into election irregularities, H.E Sar Kheng responded to a question in front of a group of journalists asking about the deployment of APCs that "The fact is that, this information is not wrong but I would like to inform the public that His Excellency Sam Rainsy has spoken multiple times from place to place about a huge protest. If I member well, he said it 7 times already. In general, the governments in every country shall have the obligation to keep security and stability of the country."⁶⁰

On 8 August, police trucks were seen to carry barricades covered with razor wire driving on Norodom Blvd in Phnom Penh. The barricades were delivered as Sar Kheng confirmed the government's increasing security for the plans of CNRP's protest.

Echoing, H.E Sar Kheng's words, Information Minister and Government Spokesman Khieu Kanharith on 12 August was interviewed by reporters at the ministry that the deployment of soldiers and APCs was necessary to prevent the outbreak of post-election violence. "We are used to experiencing a lot of scares, so the royal government is trying its best in terms of prevention. But if the Royal Government doesn't prepare measures, we will face the same incident like the burning down of Thai embassy in 2000," H.E Khieu Kanharith said and his speech also aired on the national TV of the same day. Then, the U.S. State Department said on Monday 13 August that Cambodia has suspended international military cooperation programs with the United States and others following that country's recent, disputed election.⁶¹ "U.S. military assistance on maritime security, counterterrorism and humanitarian operations makes up a small portion of the more than \$70 million in annual American aid to Cambodia but reflects Washington's attempts to build bridges with a Southeast Asian government which counts China as its main benefactor. Military cooperation has been on the uptick since 2006 and includes training for Cambodian officers and periodic military exercises. One of Hun Sen's sons was trained at West Point."⁶²

Commerce Minister His Excellency Cham Prasidh on 8 August also warned that the post-election demonstrations would damage the country's economy. Speaking in his remark at the third International Machinery Industry Fair held in Phnom Penh, H.E Cham Prasidh who is also CPP parliamentarian said "If they want to destroy the economy, they will have too many demonstrations. We can't predict what will happen if the demonstrations do go ahead. When the demonstrations breakout, people will go to rob shops, and the people will be really afraid, do they want this? Although the political situation remains stable at the moment and 80% of workers have returned to their jobs, 20% remain too fearful to go back to work."⁶³ To remain the country's economic growth, Cham Prasidh called on the people to find peaceful solution as "this election was Khmer, so the solution must be found by Khmer and Khmer alone". In June before

⁶⁰ Cambodia Daily: 9 August, 2013

⁶¹ AP: http://news.yahoo.com/cambodia-suspends-military-programs-us-202511913.html;_ylt=AwrNUbDQ_QlSShQA2WfQtDMD

⁶² AP: http://news.yahoo.com/cambodia-suspends-military-programs-us-202511913.html;_ylt=AwrNUbDQ_QlSShQA2WfQtDMD

⁶³ Phnom Penh Post: August 9, 2013

the election, Cham Prasidh assured the international investors that they should put their faith in the country's economy as the ruling CPP was guaranteed a victory.⁶⁴

9. Flaws in the Electoral Process

Thanks to this climate and the behavior of all the election was peaceful. At the pre election campaign, the government, through the Ministry of Interior, promised that it would provide the voters security. With the promise, it established a national committee whose members were from the National Police of the Ministry of Interior and Military Police of the Ministry of National Defense to secure the voters and public order during the election campaign and the polling day, particularly security police made their good efforts to maintain public security during the election campaign and provided appropriate support to political parties and their activists and supporters over the period. However, the electoral process itself encountered a number of serious flaws many, if not all, of which UN Rapporteur Subedi had already identified in his report⁶⁵ and needed to address.

9.1 The Media

All TV channels are run by the government or by supporters of the ruling party. Among the many radio stations, there is only one with limited coverage, which is or allowed to be independent from the government. The newspapers with big circulations are run by members or supporters of the ruling party. The CPP is noted that has used the mainstream media year in year out to publicize all the good things about the party and to disparage the opposition and other critics while all other parties have little access to it, if at all. This mainstream media is more or less biased towards the CPP and against the Opposition, that why it did not even report the return from a long exile of CNRP Leader Sam Rainsy on 19 July 2013, hundred thousand people went to greet him from the airport. It was a historic event, yet there was silence in the mainstream media.

However, there are foreign Khmer language radio stations, Radio Free Asia, Voice of America, Radio France International, and Australia, which make up, to a limited extent, for this inequality by covering professionally and objectively developments in Cambodia and beyond. More recently social networks have added to the mainstream media, which has proved to have an impact during the period leading to the polls.

9.2 Government Officials and State Facilities

As a legacy of the communist days of the 1980s, Cambodian civilian administration and security forces are not politically neutral. The CPP is observed that has direct or indirect control over all level of civilian administration and the security forces from the national to the grassroots levels, through party membership of a great number of officials of that administration, and members of those forces. Its trusted members occupy all positions of responsibility up and down the

⁶⁴ Cambodia Daily: 9 August 2013

⁶⁵ Surya P. Subedi, Report of the Special Rapporteur on the situation of human rights in Cambodia, United Nations, General Assembly, A/hrc/21/63, 16 July 2012, http://cambodia.ohchr.org/WebDOCs/DocReports/3-SG-RA-Reports/A-HRC-21-63_en.pdf

hierarchy. These members are party activists and run party cells in their respective jurisdictions. They and their party cells are very active during the electoral period. Sometime, the grassroots officials have used carrots and sticks to get people to vote for their party.

In law, three categories of public servants are not allowed to carry out any activities in favour or against any political party: judicial officers (judges and prosecutors), the military and the police. Civil servants can do so outside their office hours. However, despite all these restrictions, on the opening day of the election campaign, 27 June 2013, it was reported that public offices and courts were mostly empty when civil servants, judges and prosecutors joined the launch of the campaign of the CPP. A prosecutor was caught in camera sitting among other party activists at the opening ceremony⁶⁶.

9.3 Resources and “Vote-winning” Social Works

Populism and “vote winning” social works, through construction of community projects, organization of or contribution to religious ceremonies, distribution of humanitarian relief or outright offer of free gifts, are the practices of political parties to woo the electorate. In this regard, the CPP has a lot of advantages over its rival parties, as it has an overwhelming command over resources for the purposes. No political party can rival it in this respect. Since it is running the government and controls all the government and administrative machinery and security forces, the ruling party can use and is using resources and services of the public sector at its disposal for its populism and vote-buying, under the guise of delivering public services, discharge of government duties, or the government's social and economic projects.

9.4 NEC and Irregularities

Although the law banned the affiliation of its members to any political party, it is a well-known fact that NEC is not hundred percent independent, when the CPP government and the CPP-dominated National Assembly nominate all its members⁶⁷. There is neither open recruitment nor participation of all political parties in the recruitment of NEC, PEC and CEC members and all other election staffs. In general, it is observed that NEC failed to address completely credible allegations of voter fraud and other irregularities or systematic unfairness in the election process.⁶⁸ After the Constitutional Council, the country's top arbiter, dismissed all complaints of election irregularities filed by the CNRP on September 6, the government-appointed National Election Committee (NEC)⁶⁹ September 8 ratified preliminary results showing the CPP won 68 of the 123 seats in the National Assembly, the country's parliament, and the opposition CNRP gained 55 seats.

⁶⁶ The Phnom Penh Post, ‘Government officials absent without leave’, 28 June 2013, <http://www.phnompenhpost.com/national/government-officials-absent-without-leave>

⁶⁷ As reflected in Subedi’s recommendation:

The National Election Committee should have independent and autonomous status in the constitutional and legal structure of Cambodia,” Report... http://cambodia.ohchr.org/WebDOCs/DocReports/3-SG-RA-Reports/A-HRC-21-63_en.pdf

‘CNRP, Comfrel Call for Investigation Into NEC’s Independence’, The Cambodia Daily, 6 August 2013, <http://www.cambodiadaily.com/elections/cnrp-comfrel-call-for-investigation-into-necs-independence-38403/>

⁶⁸ Reuters: <http://www.trust.org/item/20130910164238-1q3p1/>

⁶⁹ Radio Free Asia: <http://www.rfa.org/english/news/cambodia/result-09082013134938.html>

NEC relies on commune secretaries for the registration of voters. NEC has no authority over those commune officials who are staff of the Ministry of Interior. It has no effective control over the registration of voters. There can be irregularities related to registration. For the 2013 election, the names of some 10 per cent of voters were suspected to be missing from the electoral rolls⁷⁰. On top of this, there are duplication of names as well as inflated numbers of voters on the electoral rolls⁷¹.

Many of such irregularities became obvious on the polling days when some voters could not find their names on the electoral rolls and could not cast their votes, when others found others had already cast votes under their names, and when completely unknown voters in a specific area were seen brought in to cast votes in the polling station in that area. Irregularities were also discovered in the issuing of Identification Certificates for the Election (ICEs) or blue cards by commune authorities to voters without officially recognizable identity documents to cast their votes. There were some 1.7 millions of such ICEs issued for the electorate of 9.6 million.

Many Identification Certificates for the Election (ICEs) have been produced to enable people to vote. Far more have been produced than for the previous election: 1,098,893 ICEs were produced for the last election, but an additional 700,000 have been produced for this election. Further, a number of ICEs have shown irregularities.

In late afternoon on 26 July, the final day of the election campaign, NEC conducted a press conference in its office and invited NGO observers to test the ink for the election to confirmation that the ink imported from India was unique and unrecoverable up to a week. However, the morning of 27 July -- the white day -- a group of independent NGOs conducted a press conference at COMFREL office and they showed evidence that the ink tested by NEC was removable. Reading a joint statement on the 'Evaluation of the Environment before Election Day', ADHOC President Thun Saray said the ink imported from India was removable while COMFREL Executive Director Koul Panha was also saying that irregularity could happen since some voters had their same names in different voting lists and stations as well as the number of printed ballot papers was 27% more than the total 9,675,453 voters. Koul Panha said that the duplicated names had been in the provinces where the number of the parliamentary seats is higher.

A group of about 40 independent NGOs said that armed forces and civil servants were working for CPP during the election campaign. "Civil Servants, the armed forces, and government officers have participated in the political campaigns and have used state resources in favor of one party over another. The authorities in some provinces have restricted the use of public places for campaign activities and or demonstrations which affects how far the elections can be deemed free and fair," Thun Saray read out the joint statement to reporters at the conference in the morning of 27 July⁷².

⁷⁰ Cambodia Daily, NEC Audit Says 9 Per cent of Names Missing On Voter List, 12 July 2013

⁷¹ Phnom Penh Post, Giving more than 100%, 24 July 2013

⁷² Joint-statement of CSOs released at a conference at COMFREL on July 27, 2013

The NEC on September 8 announced the official results supported the CPP's claims that it won 68 parliamentary seats to the CNRP's 55 and such claim paved the way for 61-year-old Hun Sen who has been in power for 28 years, would extend his power for another five years. The announcement made after the Constitutional Council of Cambodia (CCC) – the country's supreme institution⁷³ -- on September 5 upheld the final decision of NEC to reject every one of the opposition CNRP's complaints related to voting irregularities during the July 28 national election. However, CCC ordered staff of the government-appointed national election body to be punished for mishandling secured ballot records.⁷⁴ The CCC said those complaints had provided little evidence to support their claims of irregularities in voter lists and ballot-rigging. At the same time, CNRP rejected the results, still claiming that its party should win 63 seats, with the CPP receiving 60 seats if alleged irregularities during the poll were fairly resolved.

Then, CNRP on September 11 lodged a complaint with the Phnom Penh Municipal Court, accusing H.E Im Suosdey, NEC President, H.E Tep Nytha, NEC's secretary general, and Heu Rong, head of NEC's operations department, of "falsifying and using fake public documents." However, the court on September 13 rejected the complaint and Meas Chanpisith -- the court's deputy prosecutor -- wrote in a letter saying that "After examining the lawsuit, the prosecutor of the Phnom Penh Municipal Court thinks this case is not under the authority of the court."⁷⁵ Independent NGOs' Situation Room located at COMFREL welcomed the introduction of a process for resolving complaints by the CCC in ordering the NEC to open safety packages "A".

A joint statement dated on September 2, the Situation Room said that there was a number of irregularities with safety packages "A" in Kratie, Battambang, and Siem Reap provinces where most of the packages were incorrectly sealed and secondly, that there were differences in the figures recorded. Some political parties' complaints were rejected by the NEC and the CCC and there has been a lack of transparency in the decisions by these bodies of which safety packages should be examined, said the joint statement by adding that "Only results in smaller polling stations have been examined when there were complaints of irregularities relating to hundreds of stations, including many larger stations. Furthermore, the CCC's decision not only to dismiss complaints concerning the preliminary election results in Kratie province but also to punish the eight station officials who were careless in not sealing the safety packages properly, has resulted in a lack of confidence in the mechanisms and processes of irregularity resolution."

In its statement posted on its website on 2 August 2013, Transparency International Cambodia (TIC) -- deployed more than 900 people to 407 polling stations around the country to monitor the parliamentary elections on 28 July -- said there was a report on "significant problems with voting in both registration lists and who was approved to vote. Citizens were frustrated to find that their names were not on the voters list and this led to anger and chaos at some polling stations. While many voters were turned away, there was an unusually large number of people using temporary

⁷³ It is a supreme institution stipulated in the 1993 Constitution to guarantee the respect of the Constitution, and to interpret the Constitution and the laws adopted by the National Assembly and completely reviewed by the Senate, and to examine and decide on litigations related to the elections of the Members of the National Assembly and to the elections of the Senators.

⁷⁴ <http://www.rfa.org/english/news/cambodia/ballot-09052013223949.html>

⁷⁵ <http://www.globaltimes.cn/content/811159.shtml#.UkVNRD-evYg>

Identification Certificates for Electoral Purpose (ICEs) distributed by government officials, who were allowed to vote.”⁷⁶

It said the NEC has not responded to requests to publish detailed results and voter lists, nor has it explained why so many people were issued the temporary Identification Certificate for Electoral Purpose in the final run-up to the election; and it called for an independent investigation and a transparent tabulation of the election result and seat allocation⁷⁷.

However, NEC President Im Suosdey on September 5 denied favoritism toward the CPP and defended the institution as abiding by the election law, saying that “We always allow other people to examine our work. The NEC has never closed the door on people who want to come and check what we are doing”⁷⁸. Im Suosdey also reiterated the long-held response that the NEC was duty bound by the law and there was no need to conduct an investigation of his organization’s political independence. While the NEC was abiding by the law “There is no other means to measure [the NEC’s impartiality].”⁷⁹ The NEC on September 5 also released an 80-page white paper in both English and Khmer on the election process defending its results and saying that complaints over irregularities on election day have been solved.⁸⁰

10. Women's engagement in the election

Although Cambodia aimed at to have 30% of senior political position filled by women by 2015, only 18% of candidates for the 28 July election were women⁸¹. Ms Thida Khus, Chair of the Committee to Promote Women in Politics, On 12 June said in an event of promotion women in politics for the 28 July election that the scarcity of women in politics was a result of lack of investment in education of girls and failure to implement policies necessary to level the playing field in a patriarchal society.

Challenges of Women's Political Participation and Election 2013

Cambodian women are facing many challenges in their lives because they are often excluded from “the decision-making that affects them the most. For example, the government has yet to tackle the land dispute that left many displaced. Also, such economic conditions have forced many Cambodians, mostly women, to go abroad to look for work in order to survive and have a livelihood. In turn, this creates other problems as they become vulnerable to trafficking, rape and

⁷⁶ Transparency International Cambodia

http://www.transparency.org/news/feature/cambodia_systematic_irregularities_raise_doubts_on_election_integrity

⁷⁷ Transparency International Cambodia

http://www.transparency.org/news/feature/cambodia_systematic_irregularities_raise_doubts_on_election_integrity

⁷⁸ Cambodia Daily: <http://www.cambodiadaily.com/elections/cnrp-comfrel-call-for-investigation-into-necs-independence-38403/>

⁷⁹ Cambodia Daily: <http://www.cambodiadaily.com/elections/cnrp-comfrel-call-for-investigation-into-necs-independence-38403/>

⁸⁰ Cambodia Daily: <http://www.cambodiadaily.com/elections/nec-releases-white-paper-defending-election-process%E2%80%88results-41826/>

⁸¹ Cambodia Daily: 13 June, 2013

other violent acts.” said Sophoan Chan, Chair of Cambodian Young Women’s Empowerment Network’s”.⁸²

On 25 June, COMFREL released its statement saying that women’s political participation in the 2013 National Assembly Election was facing shortage of funds and written policy on promoting women’s political participation as well as the barrier of women voters from the voter list revision and voter registration process, opportunity to stand as a candidate and voting participation⁸³. There are lacking mechanisms to support and provide opportunities to women for affirmative action to promote women’s participation in politics, for instance there is no clear written policy in party and election law⁸⁴. Based on COMFREL’s report, the registration of political parties and list of candidates listed a total of 886 titular candidates, of which 168 (18.96%) were women candidates and only 12.16% at the top of the party list from 1st to 3rd ranking for all 8 political parties. It says the number of women candidates increased slightly by 4.16% from 14.80% in the 4th mandate of 2008 to 18.96% in the 5th mandate of 2013⁸⁵.

Although the number of female candidates has gradually increased over time, it is still low and the two most popular parties – CPP and CNRP – have fewer female candidates than the smaller parties as CPP has 20 (16.26%), same as in 2008 and CNRP had 12 (9.75%), a smaller number that is far from what civil society asked of the political parties, which is to place women candidates in at least 30% for the 5th mandate⁸⁶.

Among 8 political parties competing in the election, two parties had female presidents – FUNCINPEC and Cambodian Nationality Party. According to unofficial results from COMFREL on July 29, 2013, there are only 16 women elected parliamentarians or 13% of the total 123 elected people -- 9 women from CPP and 7 women from CNRP. The figures show that the number of elected women has decreased by 1.63%, i.e. from 14.63% in the fourth mandate in 2008 to 13% in the fifth mandate in 2013, COMFREL’s unofficial results.

A joint statement released on 8 August and posted on COMFREL website states that “We, Women for All group (COMFREL, Srey [Women] Khmer Organization, and Committee to Promote Women in Politics) which is composed of 25 groups of students, communities and NGOs, are very frustrated with the decline of number of elected female parliamentarians for the fifth mandate, which undermines Cambodia Millennium Development Goals (CMDGs) target 3.8 of goal 3 which determines to increase the number of women representative to at least 30% in the parliamentary by 2015⁸⁷”. The public administrative reform statement of the State Secretariat for Civil Service which sets a quota of 20%-50% for women in among civil servants recruited for public agencies as well as the second National Strategic Development Plan (2006-2010), which states that “The Royal Government of Cambodia will continue to promote the roles

⁸² <http://www.justassociates.org/en/article/women-take-lead-southeast-asias-2013-elections> (07/16/2013)

⁸³ COMFREL statement: June 25, 2013

⁸⁴ http://comfrel-english.cambodianvoterveice.org/index.php?option=com_content&view=article&id=719:the-face-of-womens-political-participation-and-5th-mandate-national-assembly-election-2013&catid=188:other

⁸⁵ http://comfrel-english.cambodianvoterveice.org/index.php?option=com_content&view=article&id=719:the-face-of-womens-political-participation-and-5th-mandate-national-assembly-election-2013&catid=188:other

⁸⁶ http://comfrel-english.cambodianvoterveice.org/index.php?option=com_content&view=article&id=719:the-face-of-womens-political-participation-and-5th-mandate-national-assembly-election-2013&catid=188:other

⁸⁷ COMFREL statement: August 8, 2013

of women in decision making process and emphasize skill trainings for women at all levels,” the statement said.

The statement said that in order to achieve CMDGs, Women for All would like to propose the following recommendations to the Royal Government of Cambodia and all political parties:

1. The Royal Government and political parties shall make women candidates listed bottom of the list or reserved women candidates as parliamentarians for the fifth mandate when elected men move to take positions in the government or resign from their positions.
2. The Royal Government and political parties shall make women candidates listed bottom of the list or reserved women candidates as parliamentarians for the fifth mandate when elected women move to take positions in the government or resign from their positions.
3. The Royal Government shall increase the number of women holding leadership and decision making positions in each ministry/agency from the level of Under-secretary of State, Secretary of State, Minister and Deputy Prime Minister for at least 30% to address the public administration reform of the State Secretariat for Civil Service and CMDGs.⁸⁸

11. Youth's engagement in the election

Dr. Kem Ley, Social Researcher and Independent Analyst, said that the election was really not free and fair with lots of irregularities starting from process since the pre-election but the results are much better if compared with the previous elections. The opposition CNRP has gained more supporters while CPP has been losing its seats at the national assembly and winning narrowly. The results can make the two parties to run after the people, mainly the youth, and to work harder to reach the voters' needs, he told the consultant during an interview on October 2. The election results strongly force CPP to reform their policies by looking back at its worst points in the past while the CNRP has to do the same so that they can serve the interest of the people, most of them are young, rather than their respective parties' supporters.

Youth Council of Cambodia recorded that the country's population is disproportionately young, with more than 70 percent of the population under the age of 30⁸⁹ and according to official figures from the NEC, more than one-third of the nearly 10 million registered voters are aged between 18 and 30 years. Kem Ley said the youth is the main force to push the results positively changed as they are the key demand side for change, democracy, rights and anti-corruption, and social injustice. According to Khmer Youth Association, the nature of corruption has been so pervasive for so long that young people can be forgiven for thinking that this behavior is a normal way of life in Cambodia. However, if the currents levels of corruption persist, the future for Cambodia can only be bleak⁹⁰. One of the most significant and memorable aspects of the fiercely contested July 28 national election was the explosion of youth engagement during the campaign season, with hordes of young Cambodians driving through the streets on motorbikes calling for change; and “The youth vote has been widely credited as one of the reasons the

⁸⁸ http://comfrel-english.cambodianvoterveice.org/index.php?option=com_content&view=article&id=722:joint-statement-we-need-women-representatives-for-at-least-30-for-the-fifth-mandate&catid=187:job-opportunities

⁸⁹ Youth Council of Cambodia:

http://ycc.org.kh/index.php?option=com_content&view=article&id=82&Itemid=147&lang=en

⁹⁰ Khmer Youth Association: <http://www.kya-cambodia.org/site/?page=Prog1&lang=en>

opposition CNRP made major gains, with preliminary results giving them 55 parliamentary seats to the CPP's 68. In the run-up to the election, the fearlessness of young campaigners was clear for all to see, perhaps as they were unable to remember the political turbulence of the past".⁹¹ Radio Free Asia also quoted analysts as saying that Cambodia's young voters have used the ballot to express their disgust over corruption, human rights abuses, land grabs and the lack of a free press, sending a clear message to long serving Prime Minister Hun Sen to shape up or ship out. It says many believe that the young voters fueled the backlash against Hun Sen's 28-year rule by nearly toppling him from power. "They [youth] played a key role in stripping the strongman's Cambodian People's Party (CPP) of its two-third majority in the National Assembly and in nearly doubling the number of opposition seats in the legislature, according to early returns cited by the CPP. It is too early to say that yesterday's elections represent a turning point in Cambodia's contemporary political history," said Milton Osborne, a Southeast Asian expert at the Lowy Institute, an international policy think tank in Sydney, Australia⁹². Seeing a new trend of the young people -- who can maintain the status quo and be passengers on the journey into the country's future or, with leadership and encouragement -- all parties, especially CPP and CNRP, tried to attract the young to join their election campaign and even the leaders, Rith told the consultant.

Dr. Sok Touch, an Independent Political Analyst and a University Rector in Phnom Penh, said that since the youth have seen many social injustice, their unemployment that make them be unable to get better life while only a small number of youth is taken care by the government, they have to get up and fight for their rights and their better life in society. Through impendent information and news provided by their own citizens who often visit free and democratic countries and by foreigners, including media, internets, and social media network, while the youth are seeing by their own eyes, the youth who are the core force to change society, especially a society where it has social unfair, human rights violation, and dictatorship, he told the consultant.

Dr. Sok Touch also echoed other independent analysts and election observers that the election has no fairness following with many irregularities. He also blamed the ruling CPP and the NEC for not setting up an independent investigation body to clear out the accusation of fraud and irregularities and such denial could anger the voters, especially the youth.

12. Elections and Media's Engagement

On 30 January, 2013, Reporters Without Borders ranked Cambodia's Press Freedom a place 143rd among 179 nations, down from 117th a year earlier. The Paris-based group said Cambodia is a nation where authoritarianism and censorship are on the increase⁹³. However, Cambodia was ranked in the 3rd among the 10 ASEAN countries after Thailand (135) and Indonesia (139) while Malaysia is 145, the Philippines 147, Singapore 149, Myanmar 151, Laos 168 and Vietnam 172. China was ranked even lower (173). Club of Cambodian Journalists on the same day also

⁹¹ Cambodia Daily: <http://www.cambodiadaily.com/elections/youth-support-for-protests-cools-as-fears-mount-39518/>

⁹² Radio Free Asia (July 29, 2013): <http://www.rfa.org/english/commentaries/east-asia-beat/young-07292013230725.html?searchterm=Cambodia+youths+in+election>

⁹³ <http://en.rsf.org/press-freedom-index-2013,1054.html>

expressed both concern and encouragement. It said freedom of the press should be fully respected to ensure that no journalists are killed, arrested, threatened or sued while they are doing their job to inform the public.

12.1 Print Media

The country does have both pro and anti-government newspapers, plus the nonpartisan ones. Most of the newspaper and magazine outlets and practitioners have not acted professionally but just as political and commercial tools. Very few national leading newspapers owned by Cambodians have enough balance in their news articles but the editorials and commentaries are not neutral. They serve political parties respectively and very often report differently on the same event, especially on the political issues, confusing the public. The political parties also run their own newspapers and the reporters, editors, and editor-in-chiefs are the parties' activists. Therefore, their news stories, mainly the political articles, are not balanced enough but taking only quotes from their respective sides. The powerful and rich politicians then take opportunity to use by all means to attract poor local journalists and their organizations to serve their political wills. However, two bilingual (Khmer & English) newspapers – The Cambodia Daily and Phnom Penh Post -- run by foreigners look a bit neutral. They provide their readers voices from all sides. While Phnom Penh Post is having its own commentaries, the Cambodia Daily never has its own editorial or opinion articles. Rather showing its own view on the Cambodian situation, the Cambodia Daily just picks up editorials, commentaries, and other opinion articles from the outside world such as The Washington Post, New York Times, The Guardian, and The Wall Street Journal,...This is due to avoiding any complaint from both the ruling and opposition parties.

According the Ministry of Information's report released during its annual congress on 27-28 Feb, 2013, there are:

- 656 newspapers, magazines, and newsletters in Khmer language in 2012 (only 497 in 2011)
- 67 newspapers, magazines, and newsletters in foreign language (both printed in the country and imported) in 2012 (only 27 in 2011).

Since many citizens cannot reach newspapers and magazines, the government doesn't much care with their freedom of expression.

12.2 Broadcast

TV Stations

The broadcast media in Cambodia have been booming as the number is increasing from year to year. However, the quality of their news stories is still unsatisfying. TV stations are very powerful to send footage to an about 14 million population, some 85% of them living in the rural areas. All TV station owners are businesspeople and close to the ruling party. They therefore are operating their radio stations carefully. Although the government does not control the TV

stations, the owners make their serious self-censorship⁹⁴. They never broadcast any negative news on the government or never criticize the government's policy at all. In order to avoid any trouble for renewing their licenses from the government's Ministry of Information, all TV stations just air protocol news and other social issues but not in-depth analyzing.

According to the 2013 report of the Ministry of Information, there are⁹⁵:

- 1 Phnom Penh-based state-run TV station
- 7 state-run TV stations at sub-national level
- 12 private-run TV stations with 60 Relay stations
- 123 cable TV

Radio Stations

Radio stations are not different from the TV ones. News quality is hard to be found in most of the radio stations. They just run for commercial purpose and provide their audiences entertainment, health education, and other general social knowledge. According to the Ministry of Information's report, there are⁹⁶:

- 1 state-run AM radio station
- 17 state-run FM radio stations
- 117 private-run radio stations with 52 relay stations.

In order to avoid any problem from the government and the authorities, most of the stations never do any in depth news stories, except protocol news from the government such as events, meetings, and press conferences. Like the TV stations, radio stations' news editors accept to air good news in favour with the government policy.

However, besides listening to pro-government and commercial radio broadcasting, the Cambodian public have their choices to listen to radio FM105 owned by a Cambodian-French man – Mom Sonando -- and FM102 the radio station of the Women's Media Center of Cambodia (WMC). Radio FM105 or Beehive Radio Station is widely known as government critic. It very often broadcasts the negative impacts of Prime Minister Hun Sen's government's policies and acts as the opposition party's ally. It produces call-in programmes that allow the public to express their opinions and report negative political or social issues that are occurring under the current Prime Minister Hun Sen's leadership. The station has only a 5 kW frequency and broadcast signals only circulating in the country's capital of Phnom Penh and a few neighboring provinces. The station sells airtime to Washington-based Voice of America (VOA) and Radio Free Asia (RFA). Both of VOA and RFA sound neutral and most of their reports focus on general news with balance and impartiality. They provide a two-sided information flow in their news stories but very often there reports sound tending in favor with the opposition party and the government critics. FM105 also sells its airtime to the Cambodian Center for Human Rights (CCHR), a local non-governmental organization supported and funded by the Washington-based International Republican Institute. CCHR regularly conducts public forum meetings throughout

⁹⁴ Royal University of Phnom Penh's Journalism lecturer Chhay Sopha's remarks on Cambodia's Media Situation at Media Roundtable: Press Freedom in the Region on April 19, 2013 in Bangkok, Thailand

⁹⁵ Report of the Ministry of Information: March 2013

⁹⁶ Report of the Ministry of Information: March 2013

the country opposing the human rights abuses committed by the government officials and representatives. The station rarely produces news stories by itself as it has no own reporters. Due to challenging and actively criticizing the government's policy and high-ranking officials, Beehive's Radio Director, Mr. Mom Sonando has been arrested and jailed three times on charges of announcing false information, inciting people to discriminate, and inciting people to commit crimes.

However, at the third arrest and detention, Mr. Sonando was not charged of anything related to media profession but related to the connection with long-running land dispute on a 15,000 hectare economic land concession in Kratie province involving a private company. His latest arrest and imprisonment was under watch of both national and international organisations and they said that the case really harmed freedom of the press and free speech in Cambodia. However, the country's Court of Appeal dismissed the charges of 'insurrection' and 'incitement to take up arms against the state' against him and he was released in the morning of 15 March, after spending eight months in prison.

At the same time, Radio FM 102 of the Women's Media Center of Cambodia (WMC) is also generally known as being non-partisan and neutral, with most of its programmes focusing on women's affairs, gender and raising the awareness of social issues in Cambodia. ABC (Australian Broadcasting Corporation) and RFI (Radio French International) buy airtime from FM 102 and broadcast their Khmer-language programmes that meet similar international/professional standards like VOA and RFA. This station employs their own reporters to go the field and file their own news with accuracy, balance and accountability. It provides general knowledge and information on political and social issues, including both local and international laws, to its target audiences. The radio station does not openly criticize the government but rather encourages objective reporting by frequently inviting government representatives to join call in shows or round table discussions as guest speakers, to discuss "hot topics" that are currently circulating in Cambodia. With one 10KW radio station based in Phnom Penh and a few relay stations in a few provinces.

12.3 News Agencies

While the country is having its own neutral and non-neutral print and broadcast media, there are Foreign News Agencies and Radio – AFP, AP, DPA, Reuters, Xinhua, ABC Australia, BBC, and Radio France International – based in Phnom Penh. According to the report from the Ministry of Information, there are 1 state-run news agency (AKP), and 14 foreign news agencies and TV & radios⁹⁷.

12.4 Online, Social Media Network and Citizen Journalists

There are websites (both Cambodian and foreign languages) growing and also playing a key role to outreach information to the public, mainly in urban areas. The government bans only pornographic pictures and movies affecting the country's proper culture. Both national and

⁹⁷ Royal University of Phnom Penh's Journalism lecturer Chhay Sopha's remarks on Cambodia's Media Situation at Media Roundtable: Press Freedom in the Region on April 19, 2013 in Bangkok, Thailand

international, including opposition parties have their website and post different information based on their ideologies. Young Bloggers and Citizen Journalists post stories and ideas expressing what they like and what they don't. Facebook and YouTube are now quite popular in young Cambodians, including politics and political parties. The online and the social media network are very free as the users can post everything they want. They can criticize the government, the ruling party, and its leaders. Even the country's constitution bans the citizen from criticizing the King and the Queen, many bloggers and Facebook users do by posting harsh words and cartoons mocking at the King and the Queen while some others are sharing from one to another. They have much freedom through online in the era of Social Media Network.

12.5 Media Reporting on Election

For media reporting at pre-, during and post election campaign, all TV channels are run by the government or by supporters of the ruling party. Among the many radio stations, there is only one with limited coverage which is or allowed to be independent from the government. The newspapers with big circulations are run by members or supporters of the ruling party. The ruling party is using the mainstream media year in year out to publicize all the good things about the party and to disparage the Opposition and other critics while all other parties have little access to it, if at all. This mainstream media is more or less biased towards the CPP and against the Opposition that it did not even report the return of CNRP Leader Sam Rainsy on 19 July 2013 when hundred thousand people went to greet him. It was a historic event, yet there silence in the mainstream media.

However, there are foreign Khmer language radio stations, Radio Free Asia, Voice of America, Radio France International, and Australia, which made up, to a limited extent, this inequality by covering professionally and objectively developments in Cambodia and beyond. More recently social networks have added to the mainstream media, which has proved to have an impact during the period leading to the polls.

On 25 July, three days before the election, a popular local radio station – ABC -- stopped all its programmers, except music, songs and some ads. In his brief statement in the morning of 25 July, Mr. Seng Bunveng and who founded ABC Radio in 2008 and his name on air is known as “Aja A” said that “We are going on strike first before they order us to shut down our radio station.”⁹⁸

The move came after NEC President Im Sousdey released a statement on 24 July calling on Bunveng – the radio owner -- to stop his provocative commentary. Bunveng said on 23 July that the military would oust CNRP if they won the ballot, and the next morning he repeated by warning that “blood will flow through the streets” if CNRP opposition wins.

After getting strong reactions and complaints from CNRP activists and supporters they urged the Ministry of Information and NEC to act more quickly to deal with such commentary, NEC decided to warn the radio station. “ABC Radio has violated the order and procedures of the parliamentary election of the 5th mandate. NEC officials contacted ABC Radio, but it is still broadcasting. The NEC is warning ABC FM 107.5 MHz to immediately stop broadcasting any

⁹⁸ Cambodia Daily: July 26, 2013

information that frightens voters. If ABC Radio continues, the NEC will ask the Ministry of Information to stop the broadcasting for a while,”⁹⁹ H.E Im Soudsey said in the statement.

In the 2013 election, the Cambodian voters gained much information from many media organisations with different political tendencies. The government through the Ministry of Information seemed to free media, especially radio and social media network (facebook), at this stage. This was because the government thought that it had enough media tools to outreach its achievement and propaganda to the voters. Information Minister Khieu Kanharith said that the government was happy to see the free flow of information among the people through multi media so it could be aware of “who is who”.

13. Overall conclusions

In general, the national election in 2013 has been doing smoother, freer and more peaceful than previous elections – no report on murder and serious violence. More political supporters of respectful parties looked publicly cheerful to support their parties at pre-, during election campaign. Since the government, particularly the Ministry of Interior promised to provide security to all political parties and their supporters, the environment looked much safer and voters, mostly the youth, of all parties were eager and to join both the election campaign and the polling day with no fear although there had been some irregularities.

Youths of all political parties looked very active and joyful in the election process at the pre-during and campaign as well as the polling day. Youth are now more stronger to participate in politics and talking about their future by urging the government to much focus on their rights and opportunity. Of course, it is observed that the 2013 election was done in a peaceful manner, even though, there was an argument and anger amongst voters in a polling station -- Steung Meanchey pagoda in Phnom Penh, which led to burn down two police's vehicles. In general, the election caused many irregularities that made the overall result of this election is controversial. There was lot of complaints made on the irregularities filled by opposite party (CNRP). Nevertheless, some of those complaints were resolved by NEC and the decisions of the NEC were continually retackled by the Constitutional Council which is the country's supreme institution, and the body has decided to uphold the NEC's decision, saying that the voting involved no insecurity, violence or chaos.

Although there have been allegations from the opposition party and civil society organisations, including both US and European Union, of irregularities, frauds and unfair for the whole process of the election and urged to have independent investigation, Prime Minister Hun Sen who is also ruling CPP Vice President hailed the results saying that it was free and fair with democratic process. At the same time, ICAPP and CAPDI observed the election congratulated the results expressed their satisfaction in a joint statement saying that the elections were free, fair, transparent, peaceful, non-violent and smooth bear testimony to the fact that Cambodian democracy has not only matured, but come of age politically. They extended their heartiest congratulations to the people, political parties, leaders, media, civil society and the NEC of Cambodia for the successful and orderly conduct of the general election. At the same time, United Nations Secretary-General Ban Ki-moon also welcomed the peaceful conduct of elections

⁹⁹ NEC statement: July 24, 2013

but encouraged the competent authorities to deal fairly and transparently with any complaints of irregularities. Then, alongside with China, top leaders of Bangladesh, Brunei, Laos, Myanmar, Thailand, and Vietnam also congratulated Prime Minister Hun Sen and his CPP on the victory at the polls.

On the contrary, NEC has been alleged of taking side with the ruling CPP while CPP itself was having more potential and power to use the state property, government officials, armed forces, popular comedians, pop singers, dancers, musicians, movie and karaoke stars and performers, as well as the state-run and most of the private-run media to join its election rallies.

Although two out of eight political parties run in the July 28 election have female presidents, the number of women in political activities was still narrow with many challenges while some political parties contesting the elections were raising concerns about the financial needs for candidate nomination, i.e. if a party member could afford, s/he had opportunity to stand as a candidate as well as showing her/his ability, popularity, level of commitment and political background. Such requirements were too tough for women to have opportunity to stand as the candidates. Among the two parties won the election, CPP has 18 female parliamentarians out of 68 and CNRP has only 7 out of 55.

List of Acronym

ADHOC	Cambodian Human Rights and Development Association
CAPDI	Centrist Asia Pacific Democrats International
CCC	Constitutional Council of Cambodia
COMFREL	The Committee for Free and Fair Elections in Cambodia
CPP	Cambodian People's Party
CCHR	Cambodian Center for Human Rights
CSO	Civil Society Organizations
GDP	Gross Domestic Product
FUNCINPEC	Front uni national pour un Cambodge, indépendant, neutre, pacifique et cooperative
HRP	Human Right Party
ICAPP	International Conference of Asian Political Parties
ICT	Information, Communication, and Technology
LICADHO	Cambodian League for the Promotion and Defense of Human Rights
NEC	National Election Committee
SRP	Sam Rainsy Party
KEDP	Khmer Economic Development Party
KAPP	Khmer Anti-Poverty Party
LDP	League for Democracy Party