



ខុមហ្វ្រែល COMFREL

គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌លើកម្ពុជា (គ.ប.ស.យ)

COMMITTEE FOR FREE AND FAIR ELECTIONS IN CAMBODIA (COMFREL)

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Neak Klom Meul Analytical Article

**Evolution of Political Environment in the Preparation Stages of the 2008 National Elections**

The political environment has been becoming active, in some cases tense, as political parties organize themselves to take part in the upcoming elections. In the preparation stages for the elections for the 4<sup>th</sup> legislature of the National Assembly, observation has found that **some political parties**, including parties holding seats in the 2003 and 2007 elections as well as newly established political parties,<sup>1</sup> **have been steadily carrying out activities, such as strengthening their networks, disseminating party platforms and making promises in order to seek support from voters.**

However, political parties **have not yet elected parliamentary candidates in accordance with parties' internal democratic policy, which requires support from the lower levels of the party.** There is doubt that candidates who have stood in the past will be assigned to stand again without **taking into account new candidates**, with capacity and knowledge, especially **youth**, a resource full of potential to serve the country, and **women** who have extensive knowledge of social affairs.

Some political parties have already officially announced their **candidate for the position of Prime Minister.** The Cambodian People's Party (CPP) has appointed Samdech Hun Sen as candidate for Prime Minister. The Sam Rainsy Party (SRP) Congress has appointed H.E. Mr. Sam Rainsy as candidate for Prime Minister. Recently, FUNCINPEC Party decided to appoint Samdech (Princess) Norodom Arun Raksmeay as candidate for Prime Minister. **Female candidates for the position of Prime Minister are very important; however, selecting this candidate for the position of Prime Minister took place in a very short period, resulting in difficulties for the candidate herself.** Two candidates for the position of Prime Minister, those of the **Norodom Ranariddh Party (NRP) and FUNCINPEC**, which are in dispute, are **siblings**, originally from the royalist movement.

Other political parties may have singled out their party president as candidate for the position of Prime Minister, but there has been no official decision. Mr. THUN Saray, President of ADHOC and First Representative of COMFREL, said<sup>2</sup> *"the appointment of a candidate [for the position of Prime Minister] is not done in accordance with the party's internal democratic process. In the US, for example, candidates from each political party for the presidency have to campaign and seek support from their own party members."* The number of political parties contesting in the 2008 national elections cannot be estimated at this point, but it is anticipated that there will be at least 20.

The CPP, FUNCINPEC, SRP, NRP and Human Rights Party (HRP) have been carrying out campaign activities through field visits and media, including radio, TV and mostly newspapers.<sup>3</sup> For the first time this year, three important political parties, namely the SRP,

<sup>1</sup> League for Democracy Party.

<sup>2</sup> COMFREL Weekly Watch Radio Program on FM 105 FMz, October 19, 2007.

<sup>3</sup> Please see COMFREL's Press Release on Findings of Media Monitoring from May to September 2007, issued on October 3, 2007.

FUNCINPEC and the NRP, have experimented with the establishment of an **ad hoc multiparty committee** to review the voter list cleaning process. **When carrying out their activities, some political parties have met difficulties and obstruction.**

The **HRP has met difficulties in hanging its party signs in some areas.** Authorities claim that such signs affect public order and block drains. However, observation has found no such obstruction to the ruling political parties. The **CPP has hung party signs and pictures of the ‘Three Samdech’** (Samdech Heng Samrin, Samdech Hun Sen and Samdech Chea Sim) **along almost every national road and in many markets.** Activities carried out legally by political parties registered with the Ministry of Interior are guaranteed by Article 4 of the Law on Political Parties, which states that “*All political parties shall be entitled to the same rights and privileges and shall receive equal treatment from the Royal Government and authorities of all levels.*”

The **NRP has reported the destruction of NRP signs and intimidation toward its activists.** This party has also faced serious difficulties regarding its president, Prince Norodom Ranariddh, and his ability to stand as candidate for the position of Prime Minister in the national elections. The Court of Appeal recently upheld the verdict of Phnom Penh Municipal Court sentencing him to 18 months imprisonment and payment of compensation of US\$150,000 to Mr. NHIEK Bunchhay, the plaintiff from FUNCINPEC. If the case is processed in the Supreme Court, it is expected this will take until **no later than April 3, 2008.** If the Supreme Court upholds the verdict of the Court of Appeal, **Prince Norodom Ranariddh will not be able to register** (from April 28, 2007 onward) **to stand as a parliamentary candidate.**

Observation has found **some irregularities and political influence in the handling of FUNCINPEC’s controversial complaint** against Prince Norodom Ranariddh, which arose **over the sale of the FUNCINPEC headquarters,** a matter that may lead to the **absence of one political party president, a potential candidate** for the national elections. **If this situation continues without political reconciliation, contesting space in the upcoming elections will not be fair.**

Meanwhile, observation has found that this **case is using the court system to cover up political disagreement; the plaintiff, FUNCINPEC, has consistently stated that it will withdraw the complaint if Prince Norodom Ranariddh agrees to join FUNCINPEC.** The Prime Minister has announced that the door is closed in Prince Norodom Ranariddh’s case.

The NRP has also suffered pressure through the suspension of its newspaper and its radio program (Am Ma Tak newspaper was suspended for one month by the Ministry of Information and Royalist Voice radio program was suspended for three days by Beehive Radio Station’s owner). **Mr. KOUL Panha,** COMFREL’s Executive Director, expressed concern that “*suspension without clear legal reasons and without offering an opportunity for correction is a bad signal, affecting the voice of the party for the upcoming elections and violating the freedom of the press.*”

According to COMFREL’s media monitoring report, some key political parties have started to campaign and disseminate their political party platform through radio and newspapers, and have seriously criticized each other. This has happened especially between FUNCINPEC and the NRP, and between the CPP and the SRP. The findings show that **most state and private media are very much in favor of the ruling party (CPP),** whereas **other political parties have little access to such media** (please see footnote 3 above).

Traditionally, when the elections are approaching, observation has found that political parties make efforts to attract those **defecting** from other political parties by **providing benefits or positions or forcing people to take an oath.** Evidently, such cases have happened in Sras Raing commune, Monkol Borei district, Bantheay Meanchey province, where a ruling party (CPP) member gave money to commune activists, some of whom were SRP and NRP commune council members, to stop carrying

out activities in the commune, and promised to give money to residents after the elections when the residents showed a finger stained with indelible ink.

At the same time, there have been accusations against two casino owners<sup>4</sup> in Poipet commune, O Chrov district, Banteay Meanchey province, who have been said to have forced staff members to join the CPP and vote for the CPP in return for accommodation and work. The National Election Committee (NEC) promises to investigate and take legal action against companies suspected of committing these offenses: Article 16 (new) of the Law on the Election of the National Assembly requires the NEC to “*take all necessary measures to ensure free, fair and just ...elections*”.

There seem not to have been many issues to do with security of political activists, but the general environment is increasingly insecure. **Robbery, theft and killing are increasingly common**, in urban areas and in some big provincial towns, especially before big festivals such as Bun Pchum Ben. There are concerns that insecurity will increase again before the upcoming Water Festival, when many people need money to come to Phnom Penh.

A SRP commune chief in Pa Te commune, O Yadav district, Rattanakiri province, has been arrested for trafficking a group of Mongtanards. If there is no in-depth investigation and no fair solution, this could be a case of political intimidation prior to the elections. It should be noted that the SRP won the position of commune chief in only one commune out of Rattanakiri's 49 communes in the commune council elections.

*Recommendations to reduce the tense political situation include **political resolution** in the case of Prince Norodom Ranariddh to make it possible for him to lead his party and stand for election, to ensure fair and equal space in the upcoming election.*

*Candidates for Prime Minister from each political party should have the courage to take part in debate and publicize promises and political platforms to voters, as in big democratic countries like the US and France.*

*The NEC should take actions to investigate and take strict measures against political parties or political party members who commit offenses such as forcing people to join a party or to take oaths.*

*The Royal Government of Cambodia through the Ministry of Information should continue provision of access to the media for political parties. No suspensions should occur without legal reasons. The professional code and media code of conduct should be strengthened.*

*The Ministry of Interior and competent authorities at all levels should focus on ensuring general security for the public in all places, especially activists of non-ruling political parties, to contribute to a good environment prior to and during the election process next year. Additionally, they should ensure that all political parties carry out their activities freely, fairly and without discrimination.*

NEAK KLOM MEUL

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<sup>4</sup> Poipet Casino Resort and Grand Diamond City, which belong to Okhna Ly Yung Phat.