



ខុមហ្វ្រែល COMFREL

គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌លើកម្ពុជា (គ.ប.ស.យ)

COMMITTEE FOR FREE AND FAIR ELECTIONS IN CAMBODIA (COMFREL)

ទីស្នាក់ការកណ្តាល ផ្ទះលេខ ១៣៨ ផ្លូវ ១២២ សង្កាត់ទឹកល្អក់ ១ ខ័ណ្ឌទួលគោក រាជធានីភ្នំពេញ ព្រះរាជាណាចក្រកម្ពុជា

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3rd Preliminary Report
On
Results of Observation of Voter List Cleaning Process in 2007

Phnom Penh, August 23, 2007

COMFREL has issued consecutive reports on its observation of the voter list cleaning process. The first report was issued on July 20, 2007, the second on August 1, 2007 and the third, regarding observation **lasting from August 1 to 22, 2007**, on August 23, 2007. A summary report has also been issued, covering July 12 to 31 in 165 communes/sangkats. COMFREL continued to deploy observers in 94 communes/sangkats to carry on with monitoring the process of complaints on the voter list cleaning and with **verifying the quality of the list** used to extract voter names (Form 1025). COMFREL's observers are required to check all names of voters in one whole village as extracted into the cleared voter list (Form 1025) and go to the actual address (door-to-door) of voters whose names are removed to verify the related information.

Observation found that **there were irregularities in at least 28 of the 165 communes/sangkats** where COMFREL deployed observers, **such as commune clerks and village chiefs not following the National Election Committee's (NEC) schedule** for publicly posting the list of extracted names (Form 1025). Said communes/sangkats were **late or did not post Form 1025**.

Below are some examples of irregularities in communes/sangkats where COMFREL deployed observers. It is likely that similar irregularities occur in many other communes/sangkats.

According to COMFREL observers, irregularities involved errors regarding the extraction of voter names into Form 1025 for removal, for reasons such as relocation, lack of physical address in the village, death or lifting of the right to vote. In fact, voters in cases of irregularity were present and had an address in the commune/sangkat, or had only temporarily migrated to another place to find a job.

In Po Leu village, Troeuy Sla commune, Sa Ang district, Kandal province, **eight of 95 voter names** on lists at polling stations 1032 and 1033 were incorrectly extracted into Form 1025 (please see circled names in attached file). One of the voters was Cambodian People's Party (CPP) group leader NGE Mean Leap, born in 1957. After hearing that his name was on the cleared list, he said *"I do not care whether the [CPP] village chief lets me vote or not as the polling station is also far from my house"*.

Similar cases also happened in Phtath Khpos and Tong Rong villages, Tong Rong commune, Prey Chhor district, Kampong Cham province, where at least **nine of 53 names** on lists at polling stations 1301, 1303 and 1304 were incorrectly extracted into Form 1025 (see circled names in attached file).

Similar cases happened at polling station 0151 in Da and Bro Khnay village, Treal commune, Baray district, Kampong Thom province, where **10 of 57 voter names** were incorrectly extracted into Form 1025 (see circled names in attached file).

Similar cases took place in Tameang village, Koh Roka commune, Kampong Siem district, Kampong Cham province, where at least **seven** voter names were incorrectly extracted into Form 1025: these were: 1) CHHAY Tav, male, polling station 0452, currently serving as a member of the pagoda's layman commission (extracted as having no real address); 2) CHEA Sok Nan, female, polling station 0452 (extracted as right-to-vote removal); 3) KIM Kuch, polling station 0451, male, aged 74, semi-blind (extracted as right-to-vote removal); 4) NHIM Kol, male, polling station 0449 (extracted as relocation); 5) CHOUN Bunna, female, polling station 0452 (extracted as relocation); 6) OY Poun, male, polling station 0454, elderly (extracted as having no real address); and 7) EOUM Pheap, male, polling station 0454 (extracted as having no real address). It is notable that these voters are supporters of non-ruling parties such as FUNCINPEC, the Sam Rainsy Party and the Norodom Ranariddh Party.

KE Chheng Yeang, said to be a CPP supporter with an address in Prek Prosob commune/district, Kratie province, has migrated to find a job in Ratanakiri. KE Chheng Yeang, who neither voted in the 2007 Commune Council Elections nor received a voter information notice was extracted as a relocation case; KE Chheng Yeang's sister claimed that he would come back to vote. MEAS Orn, polling station 0160, female, born in 1969, of Prek Prosob commune/district, Kratie province, has migrated to work in Malaysia; she was extracted as a relocation case. KRY Leang, of Roka Kandal 1 village, Kratie district/province, has migrated to work in Stung Treng province. KRY Leang did not vote in the Commune Council Elections and was extracted as a relocation case. CHEA Siden, male, of Kantring village, O Reussey commune, Kratie district/province, and who only just moved from O Reussey 2 to Kantring village in the same commune and district, was extracted as a relocation case.

KONG Sareth, in polling station 1082, male, born in 1955, of Phlov Domrey village, Prey Nhat commune, Korng Pisey district, Kampong Speu province, has migrated to work temporarily in Phnom Penh to support his children after the death of his wife. His name was extracted as a relocation case, according to interviews with Kong Sareth's sister and neighbors.

SORN Vong, living in Akpivath village, Pal Hal commune, Thbeng Meanchey district, Preah Vihear province, has no real address. SORN Vong works as a maid at the neighboring village. Vong's name was extracted into Form 1025.

PA Ra Toy, male, whose wife's name is SOEUM Khun, lives in Kroch village, Sras Rang commune, Monkolborei district, Banteay Meanchey province. Both names, on polling station 0135's voter lists, were extracted as relocation cases; their mother claimed that they had gone away temporarily to work (as garment workers) in Phnom Penh and will come back to vote.

There was a case of a clerk in Tropaing Thom commune, Kampot district/province, extracting at least 12 names of elderly persons into Form 1025, claiming that they had requested that their names be removed as they were too old to go to vote. The content and format of all the requests were the same. In accordance with NEC Instruction No 332/07 K Kh B, dated June 30, 2007, on Extraction of Voter Names to be Removed from Voter Lists for the 2007 Voter Lists Revision and Registration Used for 2008 National Elections, **COMFREL** sees that, even if a voter requests the removal of his/her name from voter lists, commune councilors and clerks should not do this. If many voters request that their names be removed, for other reasons (such as vote buying), this issue will become clouded. The presence of the names of elderly people does not adversely affect the voter lists. On the other hand, extracting such names means lifting the voters' right to vote. The right to vote can only be removed if a voter commits an act contrary to the election law. In cases where voters wish to have their names removed, the NEC should instead attempt to find a way to explain the process of elections.

COMFREL will issue more reports in the future.

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