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COMMITTEE FOR FREE AND FAIR ELECTIONS IN CAMBODIA

# PARLIAMENTARY WATCH

4th Annual Report  
October 2006—September 2007  
No. 3.2.4



**Quorum Issues Have Not Thrown Up Obstacles To Opening The National Assembly Sessions**

**Checks And Balances Of The Legislative Body Towards The Executive Body Decreased Greatly**

October 2007

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## ACRONYMS AND ABBREVIATIONS AND POLITICAL PARTY LOGOS

<b>CPP:</b>	Cambodian People's Party
<b>Funcinpec:</b>	Front Uni National pour un Cambodge Indépendant, Neutre, Pacifique et Coopératif or National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia
<b>HRP:</b>	Human Rights Party
<b>Mins:</b>	Minutes
<b>MP:</b>	Member of Parliament
<b>NA:</b>	National Assembly
<b>NDI:</b>	National Democratic Institute
<b>Neg:</b>	Negative
<b>Neut:</b>	Neutral
<b>NRP:</b>	Norodom Ranariddh Party
<b>Pos:</b>	Positive
<b>RGC:</b>	Royal Government of Cambodia
<b>SRP:</b>	Sam Rainsy Party



CPP

Funcinpec

SRP

## FOREWORD

**This 4<sup>th</sup> Annual Parliamentary Watch Report** (from October 2006 to September 2007) **is the results of a one-year observation of the performance of the National Assembly and parliamentarians.** Citizen voters can make use of this report to consider and evaluate the performance of parliamentarians, both in National Assembly sessions and in their constituencies. As voters, not only do we elect our representatives during Election Day, but we also observe our representatives' performance before and after the elections. Doing this is an important, as it helps us consider how to make the right decision regarding whom to vote for in the next elections, and helps increase the accountability and responsibility of Members of Parliament and elected political parties. This report is also the main source of information for academics and researchers working with the National Assembly and parliamentarians.

**COMFREL** has made great efforts to gather information and data for analysis and compilation based on neutrality and impartiality. **This report also reflects citizen voters' opinions.**

**COMFREL** would like to thank the Secretariat of the National Assembly and all its members, as well as those parliamentarians who have cooperated closely in providing information related to the National Assembly and their own activities. Their contributions and cooperation have in great measure contributed to the success of the observation.

**COMFREL** is proud of its staff members who have been involving in monitoring, observing and collecting information for this 4<sup>th</sup> Annual Parliamentary Watch Report. Staff members involved in producing this report includes Mr. **MAR Sophal**, Mr. **SOK Pitour**, Mr. **KORN Savang** and Mr. **MOUR Chansopheak**, as well as COMFREL's **provincial/municipal coordinators** and **secretaries** across the country. This report is translated **Mr. SOK Pitour** and Mr. **UN Samnang** and edited by Ms. **ROO Griffiths**.

This 4<sup>th</sup> Annual Parliamentary Watch Report, like the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Annual Parliamentary Watch Reports, is compiled of information related to the performance of the 3<sup>rd</sup> legislature of the National Assembly and to the field visits of parliamentarians to their constituencies. **Related to National Assembly plenary sessions**, COMFREL's observers assessed both the opinions of parliamentarians towards draft laws and relevant institutions, and the concerns of voters in the constituencies. **Related to parliamentarians' field visits to both their own and other constituencies**, COMFREL's observers in provinces/cities (COMFREL's provincial/municipal secretaries) monitored and took note of parliamentarians' activities related to: the fulfillment of duties and promises made prior to the elections; interventions with regard to the people's concerns; and responses to people's requests and difficulties.

Finally, COMFREL would like to thank its donors, such as **Oxfam Novib**, **Forum Syd**, **Trocaire**, **NPA** and **Oxfam HK**, who have supported and financed the Parliamentary Watch project and the publication of this report.

Phnom Penh, October 2007

KOUL Panha  
Executive Director of COMFREL

## EXECUTIVE SUMMARY

**COMFREL** observed that, during its 4<sup>th</sup> one-year observation of the parliament, from October 2006 to September 2007, the National Assembly (NA) debated and approved more agendas and law articles, opening its plenary session **49 meetings and approving 47 agendas**.<sup>1</sup> These increases may owe to an **amendment to the quorum system for the plenary sessions, from 7/10 to 50%+1** of all members of parliament. This amendment made it easier for the NA to **reach a quorum** throughout the year, unlike in previous years, when quorums were hard to reach.<sup>2</sup> However, the Head of the Royal Government of Cambodia (RGC) criticized parliamentarians for working slowly and said that the NA should increase its working hours when it moved to the new building. This was contradicted by the President of the NA, who said that the RGC itself always submitted draft laws late.

However, **speed of approval caused concern, as on average one draft law or other article was approved in one meeting/morning**. Some parliamentarians, especially those from the opposition and Funcinpec parties, said that draft laws or other articles were not debated in enough depth, that the time for debate in the plenary session was limited, and that there was not enough time to study the draft laws. However, it was claimed that each NA expert commission, comprising nine parliamentarians, debated issues thoroughly with the RGC's representatives. Regretfully, these debates were not open to the public.

Compared with the previous year's data, even though the **duration of the sessions increased by 58%**, the **total duration** of opinions expressed by MPs during the sessions **increased only slightly**. **49 MPs expressed their views for 3,416 minutes** (in the previous year 49 MPs expressed their view for 3,251 minutes). Most of the opinions expressed dealt with viewpoints and requests, amounted to 2,437 minutes, and opinions related to **draft laws (only 945 minutes)**.

This year, as in previous years, **most of the draft laws were approved without incorporating any change of the meaning suggested by MPs** (besides spelling corrections). Some MPs still walked out of sessions or publicly announced that they did not support certain draft laws; for example, SRP MPs refused to support the draft Law on Concession. SRP parliamentarians had a tendency to criticize draft laws but CPP MPs defended them on behalf of the RGC. Some MPs took the floor to talk about their own political party and some ruling MPs used their time to disseminate on and defend the work of the RGC. Opposition MPs used their time to criticize the RGC.

Meanwhile, it was also noticed that, despite there not being enough time to debate draft laws, some non-ruling party MPs took the floor to talk about other things, such as people's concerns and difficulties, which were off the topic of discussion but needed to be addressed. This was because such problems – people's concern or difficulties in the constituencies – have never been on the NA agenda. In these cases, **the speaker usually warned parliamentarians not to continue or turned off the microphone**.

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<sup>1</sup> Year of reporting period: October to September. 1<sup>st</sup> year: the plenary sessions contained only three mornings/times and approved one draft law article. 2<sup>nd</sup> year: the plenary sessions contained 43 mornings/times and approved 45 agendas. 3<sup>rd</sup> year: the plenary sessions contained 31 mornings/times and approved 30 agendas. The agendas approved in the 4<sup>th</sup> year include: 14 draft laws, 4 amendments to the existing laws, 15 votes of confidence and 14 agreements, protocol and conventions.

<sup>2</sup> 1<sup>st</sup> year: plenary session had no quorum problems; 2<sup>nd</sup> year: plenary session saw 18 occasions where a quorum was not reached; 3<sup>rd</sup> year: plenary session did not reach a quorum three times; 4<sup>th</sup> year: no quorum problems.



Within this reporting period, only one priority draft law stated in the RGC's political platform, that is, **laws necessary for reforming the judicial system**, was approved by the NA: the Code of Civil Procedure. However, there was controversy over some articles of the code, leading to a revote for Article 113 after it did not receive enough votes (62). The second vote, conducted after a break, saw the presence of some CPP parliamentarians who also hold positions in the RGC. **MP KEO Remy criticized** this, saying that the second vote was not in compliance with procedure. *“The NA can approve [each article] only once, if there are not enough votes, that article cannot be voted for again.”*

During this observation period, the NA proposed no law besides the **amendment** to: 1) **Law on the National Assembly Election** and 2) **Law on Organizing and Functioning of the Constitutional Council**.

Some draft laws were approved with controversy, such as the draft Law on Conscription and the amendment to the Labor Law (which cut nightshift wages from 200% to 130% of the basic salary), and the draft Law on Concession, etc.

A lawsuit was threatened against MP **SON Chhay** by the Neak Leung Ferry director. SON Chhay accused the director of corruption based on an anonymous complaint he had received from Neak Leung Ferry staff. This happened in October 2006, but no lawsuit has been brought. MP **SON Chhay** said that, if he was sued, it would be the first case of corruption in the court.

**Parliamentarians are under their political party's control**, which shows great restrictions on parliamentarians' power and independence, as parties can request that the NA remove NA membership from parliamentarians by implementing **Article 120 of Law on the National Assembly Elections** which states that parliamentarian will lose their NA membership whenever their party membership is removed.

Any invitation to a CPP parliamentarian to participate in or be a guest speaker at a forum was forwarded by that parliamentarian to party Secretary General H.E. Mr. **SAY Chhum** for approval. This clearly shows the party's influence on parliamentarians. Some parliamentarians needed to ask their party leader's opinion or approval before making any decision at an NA expert commission.

The three elected political parties continued to replace members of the NA. In the 4<sup>th</sup> reporting year, **four Funcinpec** and **one SRP parliamentarian** lost their NA membership as they did not support their party policy or as they defected from their party to another political party. **Two CPP parliamentarians** were also replaced as one **died** and the other was **transferred to another office**.

Within this reporting period, parliamentarians moved to the new NA building, whose **inauguration** was participated in by neighboring countries' parliamentarians and cost around **US\$500,000**. Some parliamentarians felt the expense of the ceremony was too high, whereas others felt that it was a historically important building for the 21<sup>st</sup> century and the symbol of democracy. Even though the NA was officially inaugurated on July 7, 2007 and opened some plenary sessions, some parliamentarians' **offices did not have enough office equipment** (computer, internet and phone services), which caused them difficulties in fulfilling their work.

Although the new building of the NA is much bigger than the previous one, observers are still not allowed to observe at NA expert commission meetings. Previously, the NA gave the excuse that the building was too small, but now the NA's excuse is that the meetings are confidential.

In this reporting year, which coincided with the commune council elections, information gathered by COMFREL, compared with the previous year, showed a **great decline in the number of parliamentarians' visits to constituencies**, although the number of parliamentarians paying visits to constituency decrease only slightly. The number of **Funcinpec and SRP parliamentarians visiting** constituencies **decreased by more than 50%**, whereas for the **CPP the decrease was 15%** comparing with the previous year.

According to information collected, 108 parliamentarians, equal to 88% of all parliamentarians, visited constituencies across the country 1,757 times, a decrease of 35% compared with the previous year (2,705 visits). Observation shows that 69 CPP parliamentarians paid the most visits to constituencies, 1,157 times (a decrease of 15% compared with the previous year's 1,358 times). All 24 SRP parliamentarians paid visits to constituencies, 475 times (a decrease of 55% compared with the previous year's 1,065 times). 15 Funcinpec parliamentarians paid visits to constituencies, 125 times (a decrease of 54% compared with the previous year's 282 times). Observation shows that CPP parliamentarians were more active in project inauguration ceremonies, visiting people, gift giving and strengthening their party network. SRP parliamentarians led with regards to intervening to deal with people's concerns.

After the restructuring of the NA leadership, two presidents of two NA expert commissions were replaced: Funcinpec parliamentarians replaced by SRP parliamentarians. However, the President of the NA and the Speaker were replaced by CPP parliamentarians. As such, checks and balances of the legislative body towards the executive body decreased greatly, especially the opportunity of parliamentarians to question the work of the RGC, if compared with the previous year: now, the leaders of the legislative and the executive bodies are from the same ruling party.

## SECTION A: PARLIAMENTARY PLENARY SESSIONS

This year’s observation (from October 2006 to the end of September 2007) shows that the duration of NA sessions has been longer than in previous years, since quorum issues have not thrown up obstacles to opening the sessions and the boycotts of the SRP have come to an end.

There were **49 meetings in total (fifth and sixth sessions)** including **six extraordinary meetings (sessions)**. During those sessions, the NA **debated and approved 47 agendas, comprising 14 draft laws, amendments to four laws, 15 votes of confidence and 14 protocols, conventions and treaties** (see the adopted draft laws and agendas in Annex 3 on page 28 for more detail).

Although the duration of the sessions and the number of draft laws approved in this year soared compared with the previous year (from October 2005 to September 2006, when there were only 31 sessions and 10 draft/proposed laws approved), COMFREL found that, in the entire year, priority and crucial laws set out in the Royal Government of Cambodia’s (RGC) political platform, such as laws needed to reform the judicial system, were given only minimum attention: only the **Penal Procedure Code** was approved.

Although the quorum issue is no longer a problem for parliamentary sessions, there were still absences of parliamentarians during sessions, and some parliamentarians also left before the end of sessions. Explanations for these absences were given: some parliamentarians were busy with government work, were on overseas missions, faced health problems or were occupied with personal affairs.

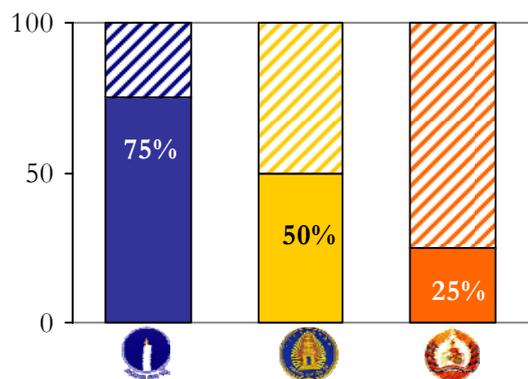
Parliamentarians did not propose any law besides proposing to amend: 1) the NA Elections Law, which some parliamentarians perceived as restricting parliamentarian independence and subjecting parliamentarians to victimization through the revoking of immunity, 2) the Law on Organization and Functioning of the Constitutional Council.

### A.1. Quantitative View of Parliamentarians’ Expressions during Parliamentary Sessions

In **49 meetings**, COMFREL observed that **49 parliamentarians** (equal to 40% of all parliamentarians) from three political parties expressed their opinions 394 times, equal to 3,416 minutes. Parliamentarians expressing their opinions during the sessions were divided into groups of 10 members: the CPP had seven groups and Funcinpec and the SRP had two groups each.

**Graphic 1: Parliamentarians Expressing Opinions during Sessions as a Proportion of their Individual Parties (%)**

-  **75%** of the SRP’s 24 parliamentarians expressed their views. This percentage represented the highest proportion if compared with other political parties with more members.
-  **13 Funcinpec** parliamentarians, accounting for **50%** of its 26 parliamentarians, expressed their views.
-  **Only 18 CPP parliamentarians**, equal to **25%** of its 73 parliamentarians, raised comments. This percentage was the lowest of all three parties.

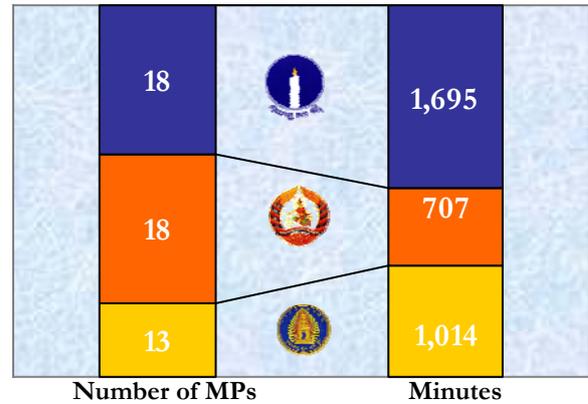


**Graphic 2: Parliamentarians’ Views Expressed during Parliamentary Sessions (duration in minutes)**

 Overall duration of views expressed by **18 SRP parliamentarians** was **1,695 minutes (179 times)**, equal to 49% of the total duration of views expressed by all three parties’ parliamentarians. This duration was nearly equal to the time spent by CPP and Funcinpec parliamentarians added together.

 Overall duration of views expressed by **13 Funcinpec parliamentarians** came in second: **1,014 minutes (131 times)**, equal to 30% of the total duration of views expressed by all three parties’ parliamentarians.

 Although the number of CPP parliamentarians expressing their opinion was equal to that of the SRP (18 parliamentarians) and more than that of Funcinpec, the total duration for the CPP was only **707 minutes (84 times)**, equal to **21%** of the total duration of views expressed by all three parties’ parliamentarians, the lowest percentage.



The parliamentarian who spent the most time expressing his views, compared with other MPs in his/her own party, was Phnom Penh Parliamentarian **SON Chhay** from the SRP, who expressed his opinion **38 times**, equal to **429 minutes**. This was also the most amount of time among all parliamentarians expressing their opinions.



Funcinpec parliamentarian from Kampong Cham, **MONH Saphan**, led among his party in terms of expressing his views: he spoke **32 times**, equal to **361 minutes**, and took second place after SON Chhay.



CPP parliamentarian **CHEAM Yeap** expressed his views **32 times**, equal to **270 minutes**. This was the longest amount of time among CPP parliamentarians; he took fifth place among all view-expressing parliamentarians.

It should be noticed that the three parliamentarians mentioned above also had the most views in the previous year’s observation.

## A.2. Qualitative Assessment of Parliamentarians’ Opinions

Parliamentarians’ expression of views was counted in terms of time and measured in minutes. The tone of parliamentarians’ views fell into one of three categories: neutral, positive or negative. “Neutral” refers to a neutral viewpoint towards any person or institution; “positive” refers to views pushing forward the advantages of any person or institution; and “negative” refers to views expressing pessimistic points or points of disadvantage of any person or institution.

Within the whole year of **49 meetings**, parliamentarians spent **3,416 minutes** on expressing their views. Expression from the three political parties’ parliamentarians was evaluated as neutral,

positive or negative. Observation found that negative views lasted the longest time, up to **45%** (equal to 1,550 minutes) of the total duration. The vast majority of these negative views were expressed by **SRP parliamentarians**, accounting for **1,188** minutes.

Meanwhile, neutral views were spread almost equally between the three parties' parliamentarians, making up 41% (equal to 1,390 minutes) of the total duration. Positive views took up only **14%** of the time (equal to 476 minutes), most of which were expressed by parliamentarians from the CPP and Funcinpec, accounting together for **465 minutes** in total.

**Table 1: Tone of Views Expressed by Three Political Parties' Parliamentarians on Various Crucial Issues**

Relevant issues	Neutral (minutes)				Positive (minutes)				Negative (minutes)				Total (minutes and %)
				Total				Total				Total	
Opinion/suggestion	338	455	274	1,067	0	71	256	327	920	239	18	1,177	2,571 (76%)
RGC	62	33	38	133	5	23	76	104	213	57	0	270	507 (15%)
Other issues	79	60	10	149	5	26	0	31	4	0	0	4	184 (6%)
Own constituency	10	7	7	24	0	0	0	0	31	22	0	53	77 (2%)
Court	1	10	0	11	0	0	0	0	13	5	0	18	29 (1%)
Other parties	0	0	0	0	0	0	0	0	4	0	8	12	12 (0%)
Other parl'ns	0	0	0	0	0	0	0	0	0	4	7	11	11 (0%)
Own party	2	0	0	2	0	0	7	7	0	0	0	0	9 (0%)
Prime Minister	1	0	0	1	1	0	6	7	0	0	0	0	8 (0%)
NA Expert Commission	3	0	0	3	0	0	0	0	3	0	0	3	6 (0%)
Other constit's	0	0	0	0	0	0	0	0	0	2	0	2	2 (0%)
Total (minutes and %)	1,390 (41%)				476 (14%)				1,550 (45%)				3,416 (100%)

Table 1 shows the following:

➤ **Opinion/suggestion:** Most parliamentarians' opinions focused on view sharing and suggestions related to the NA, parliamentarians, law articles and other suggestions, lasting **2,571 minutes** (equal to 75% of the total duration). **46%** (equal to 1,177 minutes) of the total duration was negative in tone, most of which was raised by **SRP parliamentarians (920 minutes)** and **Funcinpec parliamentarians (239 minutes)**.

For instance, during the debate on the draft **Penal Procedure Code**, SRP Parliamentarian **THAK Lany** raised an opinion related to the law implementation, stating that "*Law implementation does not comply with the law; sometimes, detention or arrest and handcuffing or taking of a suspect into custody is carried out without a court order. In the case of arresting teenagers under the age of 16, was it in*



*accordance with the law when a child living in Chamkar Leu district's Village 32 was taken into custody for two nights and three days, accused of stealing rubber resin? I am aware of one extreme violation of child rights: a woman accompanied by her 10-year-old child was arrested and detained for three months for stealing rubber resin. Regarding detention, laws were created just to be able to deal with powerless people."*

Opinion expression and any other suggestions with positive tone accounted for only **327 minutes** (equal to 13% of the total duration). Parliamentarians from only the two ruling parties (CPP and Funcinpec) expressed positive opinions/suggestions. For example, during the debate session on the draft Law on **Concession**, Parliamentarian **PEN Panha** said: "*(I) profoundly support this law and take this occasion to express congratulations with the people nationwide.*"

**Neutral** opinion expression and suggestions lasted **1,067 minutes** (equal to 41% of the total duration). **Funcinpec** parliamentarians raised the most neutral opinions/suggestions, whose duration was **455 minutes**. The **SRP** took **338 minutes** and the **CPP** **274 minutes**.

For example, at the debate session and adoption of the draft Law on Adoption of Cambodian Membership into the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Parliamentarian **MONH Saphan** suggested that it was necessary to implement the protocol effectively to promote a society with a bright and prosperous future.

➤ **RGC:** RGC activities raised by parliamentarians took the second place following opinion/suggestion. The duration of the expression of views on the RGC was **507 minutes** (equal to 15% of the total).

Similar to opinion/suggestion, most of the views expressed on the RGC were **negative**, lasting **270 minutes** (equal to 53% of the total time given over to the RGC). Parliamentarians from the **SRP**, the opposition party, led in **expressing negative views toward the RGC** (up to **213 minutes**).

At the extraordinary session of the NA to debate and adopt the draft Law on Concession, Parliamentarian **SAM Rainsy** raised that the RGC had decided to grant concession land to companies without discussing this with the people living in the area, who later suffered and were put in jail or chained up. This point was opposed as politically motivated by RGC representatives and CPP parliamentarians.

Parliamentarians from **Funcinpec**, the government coalition party, **expressed negative views towards the RGC for 57 minutes**. **Ruling party (CPP) parliamentarians never spoke out negative views regarding their government.**

**Positive views on the RGC** shared by parliamentarians lasted **104 minutes** (equal to 21% of the total duration of views on the RGC). The majority of these positive views were raised by ruling CPP parliamentarians, lasting **76 minutes (Funcinpec 23 minutes and SRP 5 minutes)**.

Ruling party parliamentarians, particularly from the CPP, frequently brought up and defended the achievements of the RGC, whereas SRP parliamentarians usually mentioned negative points regarding the RGC.

For example, in response to Parliamentarian **SAM Rainsy's** accusations during the debate session on the Law on Concession, CPP parliamentarians supported the RGC and **attacked SAM Rainsy in return:**

*“The Royal Government has appropriately settled land dispute issues since there is a National Committee for the Resolution of Land Disputes. The Royal Government has also pushed local development and stopping authorities from taking people’s interests,”* said CPP Parliamentarian and NA First Vice-President NGUON Nhel.

**Neutral views** focusing on the RGC lasted **133 minutes** (equal to 26% of total expression on the RGC). SRP parliamentarians were in front in raising neutral points of view, for **62 minutes**, followed by **CPP MPs (38 minutes)** and **Funcinpec MPs (33 minutes)**.

➤ **Other issues:** The amount of time spent on other issues shared by parliamentarians lasted only **338 minutes** (equal to 9% of the total duration). For the **49 sessions**, when parliamentarians spoke out for **3,416 minutes**, parliamentarians raised points related to their own constituencies for only **77 minutes**. For instance, during the debate session on the draft **Penal Procedure Code** detention section, Banteay Meanchey Parliamentarian **KIMSOUR Phirith** raised an issue faced by people in his constituency: *“Please regard this as a recommendation; in the case of detaining people involving in land dispute protests, I am concerned that the court lacked responsibility in accusing people from my constituency, detaining them for three months, issuing a vague charge and beating them.”* Issues on other constituencies were raised for **2 minutes**.

Court-related opinions raised by parliamentarians lasted **29 minutes**; **18 minutes** of this was negative and **11 minutes** was **neutral**, with no positive points raised.

Parliamentarian **YIM Sovann** raised the issue of the independence of the courts during a NA debate session on the proposed amendment to the Law on NA Elections’ Article 120 ( ... *Members of the Parliament lose their National Assembly Membership in accordance with .... person is punished by court with any delinquency charge ...* ), that *“Parliamentarians are politicians; most issues in Cambodia are politically motivated: political compromise, political accusation ... and people are accused of some issues with groundless proof. The court is not independent; the court makes decisions under pressure of political influence or under powerful persons.”*

Parliamentarians also slammed **other political parties** for **12 minutes** at NA sessions. Only parliamentarians from **SRP** and **CPP** criticized other parties; Parliamentarian **CHEAM Yeap**, for instance, said that the opposition party paid little attention to the topic under discussion and often talked off topic.

Parliamentarians from **CPP** and **Funcinpec** expressed **neutral and positive points about their own parties** for **9 minutes**; parliamentarians from **CPP** and **Funcinpec** blasted other parliamentarians who were not in their own party.

In response to **SAM Rainsy’s** view at the NA session on the daft Law on Non-Government Security, which raised concerns that non-government security might be manipulated since the Cambodian court did not comply with the laws and was corrupt, and that bad companies such as casinos might penetrate into the non-government security market, Funcinpec Parliamentarian **KHIEU San** criticized SAM Rainsy’ by saying: *“H.E. Mr. SAM Rainsy did not speak correctly and it seems the Royal Government has done nothing and [you] repeatedly mention casinos. Please do not confuse people’s views.”*

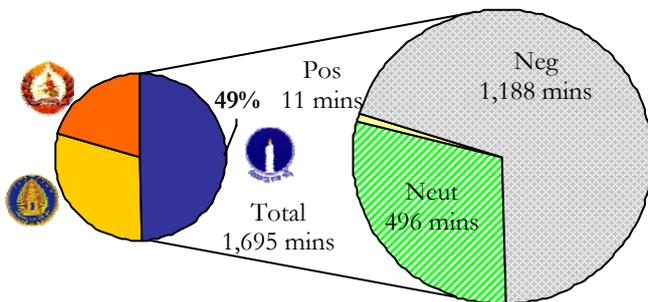
Views mentioning the **Prime Minister** were also raised by parliamentarians, with **neutral tone** (by **SRP** parliamentarian for **1 minute**) and positive tone (by **CPP** parliamentarians for **7 minutes** and **SRP** parliamentarian for **1 minute**). For example, **CPP** Parliamentarian **HO Naun**

said that she supported Prime Minister **Hun Sen** in organizing a televised public forum between the private sector and the RGC.

View expression on other issues, such as the National Elections Committee, NGOs, the King, etc. lasted **184 minutes**. The majority of views were neutral (**149 minutes**) and positive for (**31 minutes**).

At a parliamentary plenary session on September 5, 2007, Parliamentarian **MONH Saphan** raised a view related to the former King **Norodom Sihanouk** stating that *“I strongly reject the suggestion to revoke the former King’s immunity. I support the retired King’s request to meet with Khmer Rouge tribunal officials on September 8, 2007 at 9 am till 12 pm.”*

**Graphic 3: Tone of Content/Speech Raised by SRP Parliamentarians**

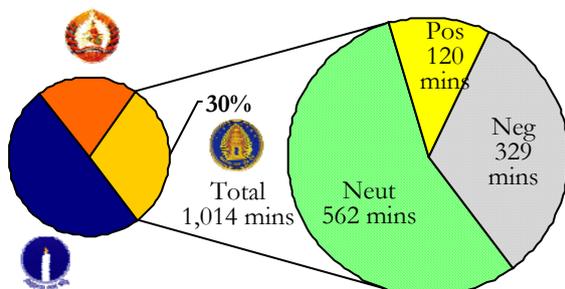


Graphic 3 shows that **18 SRP MPs** raised their views for **1,695 minutes** in total (equal to 49% of total expression of all parliamentarians). 70% (1,188 minutes) of all views expressed by **SRP** parliamentarians was **negative** towards institutions or individuals, especially the **RGC’s activities and draft laws**.

Although some SRP parliamentarians expressed negative views or revealed insufficiencies in draft/proposed laws, parliamentarians from other political parties rarely agreed with or considered these views. For example, during the debate on the draft Law on Concession, CPP Parliamentarian **Cheam Yeap** said that *“Although SRP (parliamentarians) do not support [the draft Law on Concession], just getting 50%+1 [62 voices] is enough.”*

**Positive** views towards individuals or other institutions took up only 1% (equal to 11 minutes). CPP Parliamentarian and Minister of Economy and Finance **KEAT Chhon** said during the debate session on the draft Law on Concession that it was that the **SRP** liked being in opposition to everything: *“The Sam Rainsy Party is not in the Royal Government, so it is not a surprise that this party does not support it. It is neither here nor there. I do not want the SRP to change stance.”* **Neutral** view expression was at **29%** (496 minutes).

**Graphic 4: Tone of Content/Speech Raised by Funcinpec Parliamentarians**



Graphic 4 shows that **13 parliamentarians** from **Funcinpec**, the government coalition party, raised views for in total **1,014 minutes** (equal to **30%** of all expression by all parliamentarians), mostly **neutral**, up to **56%** (565 minutes) of total view expression by all Funcinpec parliamentarians. Although **Funcinpec** is the government coalition party, observation found that some parliamentarians expressed **negative views**

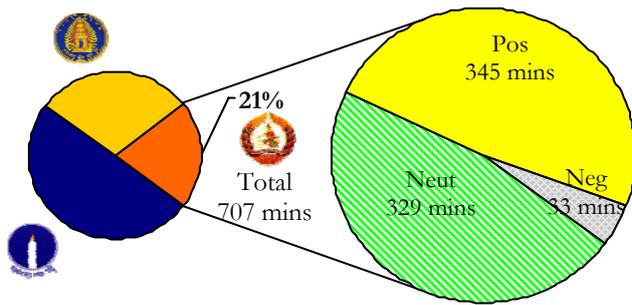
**towards the draft laws and the RGC’s activities**, at **32 %** (equal to **329 minutes**).

For instance, at a parliamentary debate session on the draft Law on Concession, parliamentarian **MONH Saphan** said that where there was development, there would be land disputes. He

suggested that the RGC change strategies for land dispute resolution by holding discussions with affected people and not to using violence and detention.

Nonetheless, parliamentarians from this party also raised **positive views** and admired the RGC’s performance for **120 minutes** (equal to **12%** of total expression of all Funcinpec parliamentarians), for example the speech of Parliamentarian **KHIEU San**, who expressed thanks to the RGC for making efforts to make good draft laws and build the country, etc.

**Graphic 5: Tone of Content/Speech Raised by CPP Parliamentarians**



Graphic 5 shows that **18 parliamentarians** from the ruling **CPP** raised their views for **707 minutes** (equal to 21% of total expression of all parliamentarians); the majority of which was positive in tone and dealt with draft laws, the RGC’s performance, the Prime Minister and their own party for **49%** (345 minutes) of all views expressed by all CPP parliamentarians.

For example, at the debate session on the draft Law on Conscription, Parliamentarian **KOY Dok** praised the draft law for giving capacity to Cambodian youths and giving Cambodian youths a nation-cherishing spirit.

Negative view expression accounted for only **4%** (33 minutes), blasting **other political parties** and **parliamentarians who were not CPP party members**. For instance, at a parliamentary session on June 25, 2007 to discuss the draft Law on Determination on National Assembly Seats for the 4th Legislature of the National Assembly, CPP parliamentarian **CHEAM Yeap** criticized **SRP** parliamentarian **YIM Sovann**, asking him to relearn economics since the RGC was aware of its expenses, after parliamentarian **YIM Sovann** slammed the RGC’s expenses and the expenses which went on constructing the new NA building. Neutral view expression accounted for **47%** (329 minutes).

**Table 2: Estimate of Top 10 Parliamentarians’ in Terms of View Tone** (see Annex 2 on page 26 for detail)

No	Name of MP	Party	Number of times	Neut in mins	Pos in mins	Neg in mins	Total in mins
1	H.E. Mr. SON Chhay		38	136	5	288	429
2	H.E. Mr. MONH Saphan		32	134	0	227	361
3	H.E. Mr. SAM Rainsy		20	48	5	250	303
4	H.E. Mr. KHIEU San		48	160	82	45	287
5	H.E. Mr. CHEAM Yeap		32	172	90	8	270
6	H.E. Mr. YIM Sovann		14	44	0	131	175
7	H.E. Mr. SOK Pheng		26	72	0	91	163
8	H.E. Mr. KEO Remy		23	35	1	118	154



9	H.E. Mr. PEN Panha		16	74	57	15	146
10	H.E. Mr. SUTH Sothun		20	118	8	12	138

Table 2 shows that most of the top **10 parliamentarians** expressing their views were from the **SRP**, with **5 members**, followed by **Funcinpec**, with **3 members** and the **CPP** with **2 members**.

Phnom Penh Parliamentarian **SON Chhay** expressed his views the most (**38 times**, equal to **429 minutes**), with **neutral tone** for **136 minutes**, **positive tone** for **5 minutes** and **negative tone** for **288 minutes**. During this observation, Kampong Cham Parliamentarian **MONH Saphan** took second place (**32 times**, equal to **361 minutes**), with **neutral tone** for **134 minutes** and **negative tone** for **227 minutes**.

## SECTION B: PARLIAMENTARIANS' ACTIVITIES

### B.1. Parliamentarians' Field Visits to Constituencies

Within the observation period from October 2006 to September 2007, COMFREL noticed that at least **108 parliamentarians** from the three elected political parties, equal to 88% of 123 parliamentarians, conducted field visits **1,757 times** to constituencies to meet voters.

Observation found that parliamentarians' field visits during this year **decreased by 35%** compared with that in the third observation year, which was at 2,705 times.

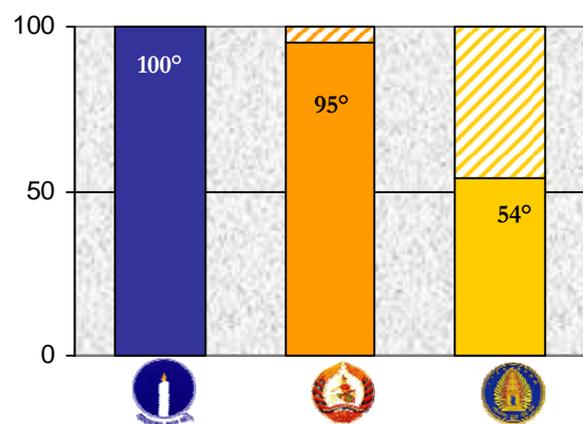
Among the 108 parliamentarians who conducted field visits, **69** were from the **CPP** (equal to **95%** of its parliamentarians). They led in terms of numbers of field visits made (**1,157 visits**, equal to 66% of the total number of field visits conducted by all parliamentarians). They were followed by **24 SRP** MPs (equal to **100%** of its parliamentarians) who made **475 visits** (equal to **27%** of total field visits) and **15 Funcinpec** parliamentarians (equal to **58%** of its parliamentarians) who made **125 visits** (equal to 7%).

The purposes of the parliamentarians' field visits were to deal with people's concerns, visit people, inaugurate projects and give gifts, strengthen party networks and meet party activists, participate in forums organized by NGOs or accompany (as a group) their leaders.

Observation also noticed that, compared with the previous year's field visits (the third observation year, from October 2005 to September 2006), the number of field visits by the **CPP** had **decreased by 15%**, by **Funcinpec by 56%** and by the **SRP by 53%**.

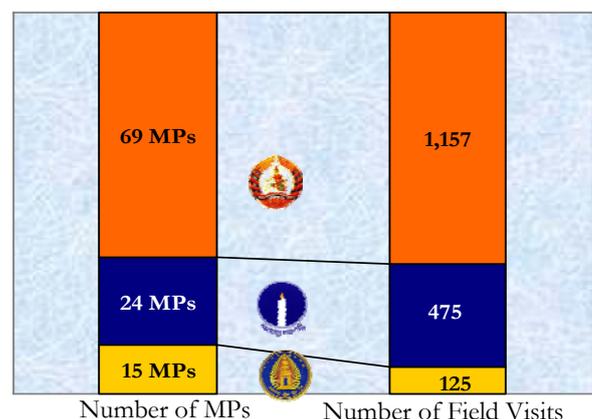
**Graphic 6: Parliamentarians Conducting Field Visits as Proportion of Party Seats (%)**

-  **24 SRP** parliamentarians, accounting for **100%** of its elected parliamentarians, conducted field visits.
-  **69 CPP** parliamentarians, equal to **95%** of its elected parliamentarians, conducted field visits.
-  **15 Funcinpec** parliamentarians, equal to **54%** of its elected parliamentarians, conducted field visits.



**Graphic 7: Number of Field Visits by Each Party's Parliamentarians**

-  **69 CPP** parliamentarians conducted **1,157 field visits**; one parliamentarian conducted field on average **17 field visits**.
-  **24 SRP** parliamentarians, ranked second after the CPP, conducted **475 field visits**; one parliamentarian conducted on average **20 field visits**.



 **15** Funcinpec parliamentarians had the least number of field visits, at **125**; one parliamentarian, on average, conducted **5 field visits**.

## B.2. Field Visit Purposes for Each Party

In this fourth year of observation, although the number of field visits declined, the three elected parties' parliamentarians focused greatly on visiting, gift giving, inaugurating projects and strengthening their own political party networks, which activities made up **1,302 visits** (equal to 74% of all field visits).

Field visits with the aim of taking part in public forums or intervening in and settling problems for people numbered **178 (10% of all field visits)** and field visits of parliamentarians who were accompanying their leaders numbered **277 (16%)**.

**Table 3: Number of Parliamentarians' Field Visits by Each Party, by Purpose**

Purposes of 1,757 Field Visits to Constituencies of 108 MPs	Political Party			Total
	 69 MPs	 24 MPs	 15 MPs	
Visiting, gift giving and inaugurations	537	176	44	757 (43%)
Strengthening party network	338	172	35	545 (31%)
Accompanying (as a group) their leaders	223	48	6	277 (16%)
Participating in public forums	44	41	38	123 (7%)
Intervention in people's concerns	15	38	2	55 (3%)
<b>Total</b>	<b>1,157</b>	<b>475</b>	<b>125</b>	<b>1,757 (100%)</b>

Table 3, according to data collected by COMFREL, shows the purposes of parliamentarians' field visits as follows:

➤ **Normal visiting, gift giving and inaugurating any projects accounted for 757 visits:** Most parliamentarians' field visits were about visiting, chatting about issues coming up in the constituency, giving gifts, observing people collecting their harvest, developing infrastructure and inaugurating projects or buildings. These visits numbered **757**, equal to **43%** of all field visits.

In all, the three political parties' parliamentarians paid much attention to these objectives; the CPP parliamentarians led in such activities with **537 visits**, followed by the **SRP** with **176 visits** and **Funcinpec** with **44 visits**.

### Case studies of parliamentarians' field visits for such purposes:

- As land disputes increased in number dramatically, CPP Parliamentarian **SEANG Nam** for Siem Reap constituency visited Sangvayuey commune of Chi Kraeng district in February 2007 to meet the local people working in the rice fields in the dry season along the banks of the Tonle Sap. He appealed to them not to deforest and grab land, as this was illegal. In September 2007, he visited people in Dam Daek commune of Sotr Nikom district to give gifts and sarongs to the people as well as to inaugurate a repaired road from Dam Daek market to Dan Run commune, 13-kilometer length



- The year 2007 was the time of the commune council elections. Some parliamentarians conducted field visits to educate residents and help people register for the election. Funcinpec parliamentarian in Battambang province **KY Lum Ang**, for instance, visited Chher Teal commune, Banon district, Battambang province in October 2006 to meet the local people and authorities. On this occasion, she contributed money from her own budget and her camera for the people and authorities to use to facilitate voter registration.
- SRP parliamentarian in Phnom Penh **HO Vann** visited Sam Hann market located in Toul Songke commune, Russei Keo district of Phnom Penh Municipality on December 6, 2006 to meet the people and the vendors whose stalls in the market had been pulled down and bulldozed by authorities, police and military police.



➤ **Field visits to strengthen the party network numbered 545:**

Although observation found that the number of parliamentarians' field visits had decreased by 35%, there was only a slight decrease in the number of field visits conducted to strengthen the party network in comparison with other activities (decline by 15% compared with the previous year, which saw 643 visits).

Observation also noticed that most field visits to strengthen the party network by parliamentarians happened ahead of the commune council elections: **350 visits** (six months from October to March). Purposes included but were not limited to reviewing local party performance and the selection of candidates for the commune council elections, etc.

The CPP had the most visits to strengthen the party network, numbering **338 times**; the **SRP** and **Funcinpec** took second and third place, with **172** and **35 visits**, respectively.

**Case studies of parliamentarians' field visits to strengthen the party network:**

- Within the observation period, particularly ahead of the commune council elections, observation found that the CPP was vigorous in constructing new local party buildings and also held opening ceremonies presided over by its parliamentarians, for example, Battambang Parliamentarian **SAR Kheng's** field visit to Pursat province's Bakarn district to inaugurate a new Bakarn CPP building. On this occasion, he also gave gifts to participants.
- Also during the pre-election phase, observation found that most parliamentarians made field visits in a bid to guide their individual activists and to prepare and disseminate their own political methods for the elections. For instance, **SRP** parliamentarian in Battambang, **ENG Chhai Eang**, visited Ratanak commune, Battambang district/province in October 2006 to strengthen the party network and explain election tasks and methods of placing observers at the polling stations to his party members.
- **VENG Serey Vuth**, Funcinpec parliamentarian in Prey Veng province, made a field visit in January 2007 to Kampong Leav commune/district, Prey Veng province to review candidate registration for the commune council elections.



➤ **Field visits to accompany (as a group) leaders numbered 277:**

Field visits to accompany their own leaders were mostly conducted by CPP parliamentarians, numbering **223 visits**, including those accompanying top party leaders and RGC leaders such as the Prime Minister, etc.

**SRP** and **Funcinpec** parliamentarians made field visits for such purposes **48 times** and **6 times** respectively. In sum, field visits to accompany (as a group) leaders by parliamentarians declined by **44%** compared with the previous year, which saw 396 visits.

**Case studies of parliamentarians' field visits to accompany their leaders:**

- In July 2007, CPP parliamentarians for Prey Veng constituency, including **CHEAM Yeap**, **PEN Panha**, **NHIM Vanda** and **MIN Sean**, accompanied Battambang Parliamentarian **SAR Kheng** when he visited Kampong Leav commune/district, Prey Veng province to prepare local party task and to strengthen the party.
- In the same commune and district of Prey Veng province, **SRP** parliamentarians, including **KUY Bunroeun** and **CHEA Poch**, accompanied Battambang Parliamentarian **ENG Chhai Eang** in January 2008 to disseminate on the provincial party's activities.

➤ **Field visits to take part in public forums accounted for 123 visits:**

According to data COMFREL collected within this year, the number of parliamentarians' field visits to take part in public forums in order to give voters a chance to meet their representatives, to talk about their concerns, challenges and difficulties and to obtain help from their representatives declined dramatically, by 43%, if compared with the previous year (215 visits).

During this year, the numbers that parliamentarians from the three elected parties attended the public forum were analogous: **CPP** attended **44 times** (64 times in last year), **SRP 41 times** (119 times in last year) and **Funcinpec 38 times** (34 times in last year).

**Case studies of parliamentarians' field visits to take part in public forums:**

Parliamentarians from the three elected parties, including **CPP** parliamentarian for Kampong Thom **SIK Bun Hok**, **Funcinpec** parliamentarian for Kandal **KHIEU San** and **SRP** parliamentarian for Banteay Meanchey **KIMSOUR Phirith** attended a public forum on "Parliamentarians and Voters" organized by the National Democratic Institute (NDI) on August 12, 2008 in Kampong Thom province.



H.E. Kimsour  
Phirith



H.E. Khieu San



H.E. SIK Bunhuk

At this forum, the three parliamentarians promised to deal with issues raised by the people, such as those affecting their everyday livelihoods, floods and land disputes in Veal Veng village, Chhouk commune, Prasat Sambo district, where merchants had grabbed the indigenous people's community forest land from more than 300 families.

➤ **Field visits to intervene in people's concerns numbered 55:**

The number of parliamentarians' field visits with the aims of intervening in and solving the people's concerns was the lowest, at 3% of all parliamentarians' field visits, despite the fact that overall observation discovered that most people at local grassroots levels faced many such issues; the land dispute issue, for example, provoked some people to protest in front of the NA building in Phnom Penh municipality in a bid to call for parliamentarians' intervention.

Information collected by COMFREL showed that **SRP MPs** were first in terms of the number of such visits (**38**), followed by the **CPP (15 visits)** and **Funcinpec (2 visits)**. A comparison with the previous year of observation shows a decrease in such activities by **74%** (214 times in the previous year's observation).

**Case studies of parliamentarians' interventions:**

- On December 20, 2006, CPP parliamentarian for Sihanoukville **SUOS Kanan** immediately intervened in a case where a civilian, whose occupation was transporting charcoal by motorcycle-cart from Jerng Kou commune to sell in Sihanoukville, had his vehicle confiscated and dispatched to Mithepheap district's Military Police Sub-command Office by forestry administration officials for illegally transporting forestry products. This case was solved after the vehicle owner promised not to transport forestry sub-products without a license any more.
  
- During the NA session on November 27, 2006, **SRP** parliamentarians for Phnom Penh **Keo Remy** and **Son Chhay** left the session to intervene in a crackdown committed by the authorities on human rights activists' attempting to fly kites in front of the NA building in an effort to demand freedom of expression in Cambodia. Despite the presence of the parliamentarians, the attempt to fly the kites did not succeed because the authorities confiscated the kites, claiming those flying them had no permission to hold such a gathering.



H.E. Keo Remy

**Table 4: Top Ten Active Parliamentarians in Conducting Field Visits to Constituencies**

No	Name of MP	Party	Constituency	Inside Constituency	Outside Constituency	Total
1	H.E. Mr. TES Heanh		Battambang	99	0	99
2	H.E. Mr. SAM Rainsy		Kampong Cham	71	26	97
3	H.E. Ms. CHUONH Sochhay		Battambang	90	0	90
4	H.E. Mrs. LY Kimlieng		Battambang	80	0	80
5	H.E. Mr. SAR Kheng		Battambang	72	5	77
6	H.E. Mr. MUY Chat		Battambang	74	0	74
7	H.E. Mr. ENG Chhai Eang		Battambang	63	5	68
8	H.E. Mr. LY Narun		Pursat	59	0	59
9	H.E. Mrs. KROUCH Sam An		Phnom Penh	52	1	53
10	H.E. Mr. TROEUNG Thavy		Kratie	51	0	51

In Table 4 above, among the 10 most active parliamentarians who enthusiastically conducted field visits, **8** were from the **CPP** and the **2 others** were from the **SRP**. **CPP** parliamentarian in Battambang **TES Heanh** had the highest number of field visits, which numbered **99** in his own constituency; **SRP** parliamentarian for Kampong Cham **SAM Rainsy** took second place by conducting **97 field visits**, including **26** outside his constituency (see names of all

parliamentarians who conducted field visits to constituencies in all provinces/municipalities in Annex 4, page 32).

### **B.3. Constituencies Visited by Parliamentarians**

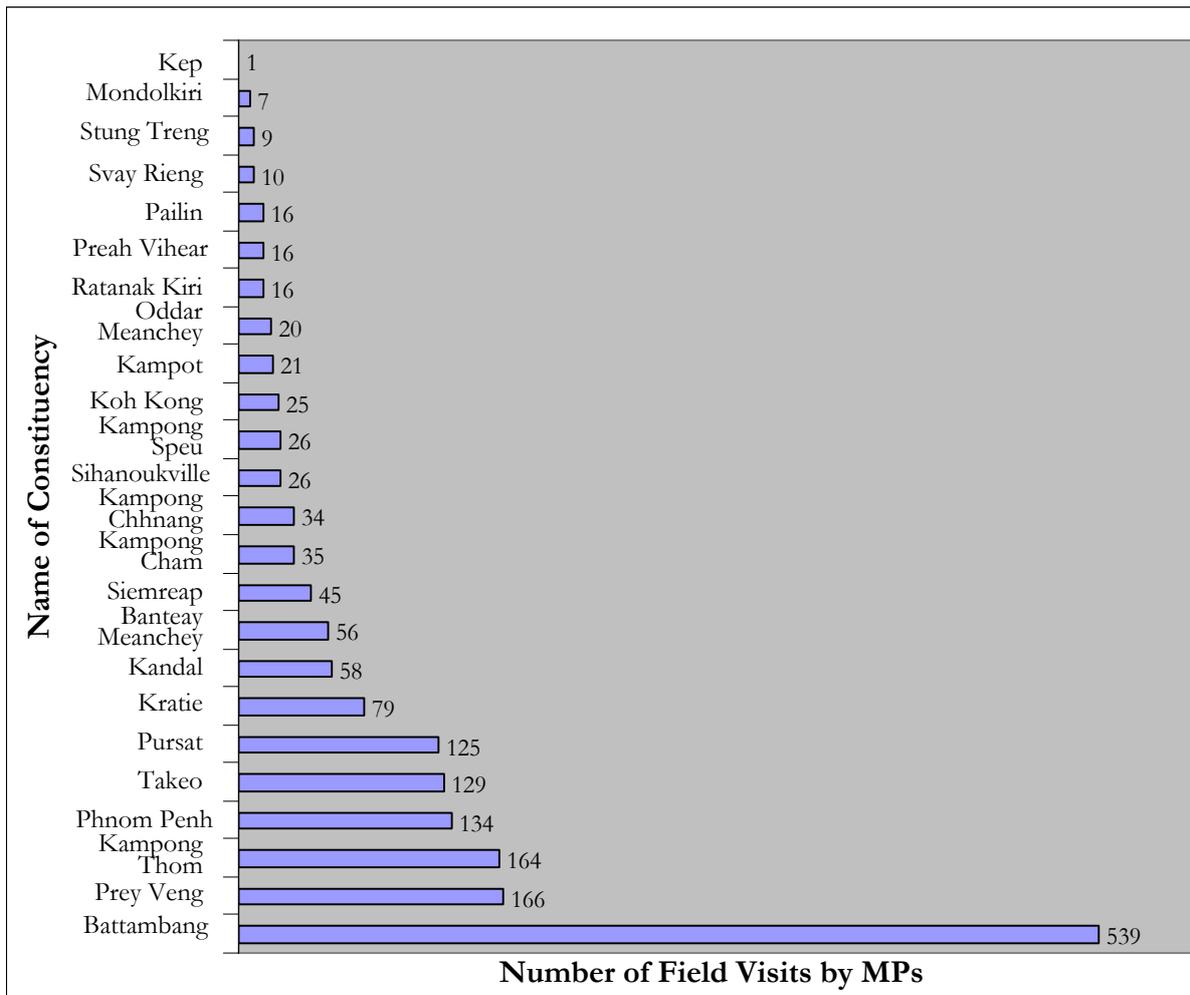
Although the Cambodian Constitution states that parliamentarians shall represent all Khmer people,<sup>3</sup> observation noted that most parliamentarians' field visits were only to their own constituency. The number of field visits in parliamentarians' individual constituencies was **1,664**; MPs' field visits outside their own constituency numbered only **93**, the majority of which were conducted by **SRP** parliamentarians (**67 visits**), followed by **CPP** parliamentarians and **Funcinpec** parliamentarians, with **20** and **8 visits** respectively.

According to COMFREL observers' tallied-up reports on parliamentarians' field visits in 24 provinces/municipalities for the period between October 2006 and September 2007, the constituency with the highest number of MPs' field visits was Battambang: **539 visits**, of which **519** were conducted by 8 parliamentarians from that constituency, including **CPP** parliamentarians: H.E. Mr. **TES Heanh**, H.E. Ms. **CHUONH Sochhay**, H.E. Mrs. **LY Kimlieng**, H.E. Mr. **SAR Kheng** and H.E. Mr. **MUY Chat**; SRP parliamentarians: H.E. Mr. **ENG Chhai Eang** and H.E. Mr. **TAN Vanthara**; and Funcinpec parliamentarian H.E. Ms. **KY Lum Ang**. Svay Rieng saw the second-highest number of MPs' field visits (**166**), followed by Kampong Thom (**164**). The constituencies with the least number of MPs' field visits included Kep (**1**), **Mondolkiri** (**7**) and Stung Treng (**9**) (see Graphic 8 below for details).

#### ***Graphic 8: Number of Parliamentarians' Field Visits to Each Constituency***

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<sup>3</sup> Article 77: “the deputy in the NA shall represent the entire Khmer people, not only their own constituency.”



#### B.4. Parliamentarians’ Letters

According to information obtained by COMFREL, during the period between October 1, 2006 and September 30, 2007, parliamentarians from only two political parties issued **102 letters** in total to the King, the Prime Minister and concerned institutions. The number of letters issued by parliamentarians this year **has hugely declined** if compared with the previous year, which saw **267 letters** issued by **23 parliamentarians** from the three parties.

The crucial aims of these letters included invitations or requests to RGC representatives or concerned institutions for clarification at the NA or the Expert Commissions of the NA; appeals; requests to take measures; expression of views; response/clarification to other institutions or people; and other open letters.

Among the 102 letters, only **one letter** was issued by a **CPP** parliamentarian – **UN Ning** – and the remaining **101 letters** were issued by **10 SRP parliamentarians**.

Most of the parliamentarians’ letters aimed to express **views** and asked concerned institutions to take measures to respond to people’s concerns (**76 letters**); intervention letters numbered only **15** and letters of inquiry to the government numbered **4**; **letters inviting RGC representatives to clarify at the parliamentary sessions** or the **Expert Commissions** of the **NA** numbered **6**; and **1 letter** was released by a parliamentarian in response to a concerned institution. Only **10**

**letters** among all parliamentarians’ letters received a response, according to information obtained by COMFREL.

**Table 5: Names of 11 Parliamentarians Issuing Letters**

No	Name	Party	Total	Objective						Response
				Intervention	Request to take measures	Expression of view	Inquiry to the RGC	Invitation to clarify at NA	Response to other institutions	
1	H.E. Mr. SAM Rainsy		23	2	18	1	2	0	0	1
2	H.E. Mr. KEO Remy		16	1	12	1	2	0	0	2
3	H.E. Mr. SON Chhay		14	0	12	0	0	2	0	5
4	H.E. Mr. ENG Chhai Eang		12	3	9	0	0	0	0	0
5	H.E. Mr. HO Vann		12	3	9	0	0	0	0	0
6	H.E. Mr. YIM Sovann		10	1	5	0	0	3	1	1
7	H.E. Mr. SOK Pheng		6	3	3	0	0	0	0	0
8	H.E. Mr. KUOY Bunroeun		4	1	3	0	0	0	0	0
9	H.E. Mr. CHREA Sochenda		3	0	3	0	0	0	0	0
10	H.E. Mr. UN Ning		1	0	0	0	0	1	0	1
11	H.E. Mrs. TIOULONG Saumura		1	1	0	0	0	0	0	0
Total			102	15	74	2	4	6	1	10

Table 5 shows that SRP parliamentarian in Kampong Cham **SAM Rainsy** issued the most letters (**23**) but with only one response from the concerned institution. Parliamentarian **KEO Remy** issued **16 letters** in second place and received **2 response letters**, followed by parliamentarian **SON Chhay**, who issued **14 letters** and received **5 response letters**.

**Responses from Concerned Institutions to Parliamentarians’ Letters:**

- On October 18, 2006, Parliamentarian **SON Chhay** sent a letter to H.E Mrs. **MEN Sam An**, Minister of Parliamentary Affairs and Inspection via the NA President, suggesting an investigation into corruption allegedly committed by a chairman of Neak Loeung Ferry. He also called for punishment if corruption had occurred. The minister rejected any investigation into the case since the complaint forwarded to her was anonymous.
- On October 25, 2006, Parliamentarian **SON Chhay** sent a letter H.E. Mr. **HONGRO Rakein**, Prosecutor General of the Appeals Court, to issue an arrest warrant for leaders of the “Cambodia Democratic” regime, alias “Khmer Rouge”, including NOUN Chea, IENG Sary and KHIEU Samphorn, on charges of crimes against humanity as well as serious violations of international human rights law during the period from April 17, 1975 to January 6, 1979. This petition received a response from H.E **HONGRO Rakein** appealing for three provincial/municipal court prosecutors in Battambang, Banteay Meanchey and Siem Reap to compile the case in accordance with the law.
- On November 14, 2006, Phnom Penh Parliamentarian **KEO Remy** sent a letter to **H.E HOR Namhong**, Minister of Foreign Affairs and International Cooperation, suggesting the ministry continue negotiations with the Thai Royal Government to give legal



permission to remain to 100,000 Cambodian workers. On November 27, 2006, **H.E HOR Namhong** responded that the ministry had talked many times with the Thai side in a bid to extend the registration period, and that both sides were on track with negotiations.

- On July 24, 2007, Phnom Penh parliamentarian **YIM Sovann** sent a letter to H.E **SAR Kheng**, Deputy Prime Minister and Minister of the Interior, requesting that he report on and clarify in front of the NA Commission on Interior, National Defense, Investigation, Anti-Corruption and Public Function the situation of the missing former monk **TOEM Sakhorn**. On July 2, 2007, H.E **EM Sam Ann**, Secretary of State, and H.E **CHHAY Sinarith**, General Information Department Director at the Ministry of the Interior, clarified at the Commission that the ministry had yet to receive any news related to the former monk, **TOEM Sakhorn**.



## SECTION C: FEMALE PARLIAMENTARIANS

During this year of observation, female parliamentarians increased in number from 23 to 24.

Among the three elected political parties which replaced individual parliamentarians this year, only Funcinpec replaced a male parliamentarian with a female parliamentarian.



H.E. Mrs. **MATH Salima** replaced Prince **NORODOM Ranariddh** in Kampong Cham constituency, and was announced as an MP by the NA in December 2006.



**Related to views expressed during parliamentary plenary sessions,** COMFREL observed that, among the **49 parliamentarians** who expressed their views, 9 female parliamentarians (39% of the 24 female parliamentarians) shared their opinions **39 times** (10% of the total number of times of all parliamentarians), equal to **359 minutes** (11% of the total amount of time of all parliamentarians).

Among the **9 parliamentarians**, 4 were from the **SRP**, 3 from the **CPP** and 2 from **Funcinpec**.

Meanwhile, **40 male parliamentarians** (40% of **99 male parliamentarians**) expressed their views **355 times**, equal to **3,057 minutes**.

Although the number of times and the duration of views shared by female parliamentarians had increased compared with the previous year (when **10 female parliamentarians** expressed their opinions **29 times**, equal to **174 minutes**, which accounted for 6% of the total amount of time of all parliamentarians), in total, the duration of female parliamentarians' expressions was less than the average (one average, one parliamentarian talked for about **70 minutes**).

Only two female parliamentarians expressed their opinions for more than the average amount of time: Parliamentarian **KY Lum Ang** expressed her views for **101 minutes** and Parliamentarian **HO Non** for **75 minutes**. The other 7 parliamentarians expressed their views for **between 10 and 61 minutes** during the **49 sessions**.

Regarding **field visits to constituencies**, observation found that, among **108 parliamentarians** who went to visit the constituencies, **20 female parliamentarians** (equal to 83% of all female parliamentarians and 19% of all parliamentarians who conducted field visits) held field visits, **397 times** (equal to 23% of all field visits conducted by all parliamentarians).

On average, one parliamentarian conducted field visits to constituencies 16 times, according to calculations regarding the number of MPs' field visits and the number of parliamentarians conducting field visits.

For the **20 female parliamentarians** who conducted field visits **397 times**, this showed that one female parliamentarian, on average, conducted **around 20 field visits**. This illustrates clearly that female parliamentarians were active in conducting field visits in order to understand the voters as well as to solve any problems arising in the constituencies.

## ANNEX 1: PARLIAMENTARIANS' REPLACEMENT

**Funcinpec** requested the replacement of 4 NA members from its own party, the highest number of all parties, owing to party membership removal.

For the same reason, **the SRP** replaced 1 member of the NA and the **CPP** replaced 2 MPs (one former parliamentarian had died and the other was transferred to another institution).



Prince Ranariddh

Prince **NORODOM Ranariddh**, Kampong Cham parliamentarian and Funcinpec President, was replaced by H.E. Mrs. **MATH Salima** in December 2006 after he left Funcinpec to lead the newly established Norodom Ranariddh Party (NRP).



H.E. MATH Salima



H.E. Chhim Seikleng

Kampong Cham parliamentarian **CHHIM Seak Leng** was also removed from the NA in December 2006 at the request of Funcinpec as he defected to the **NRP**. He was replaced by H.E. Mr. **SUTH Sothun**.



H.E. Suth Sothun



H.E. You Hockry

In May 2007, the NA replaced another 2 parliamentarians at Funcinpec's request owing to party membership removal. Kampong Cham Parliamentarian **YOU Hockry**, who also had defected to the **NRP**, was replaced by **H.E. SO Nat**. Parliamentarian **YOU Hockry** had been Second Vice-President of the NA; after November 2006, his second post in parliament was filled by Kandal Parliamentarian **HONG Sun Huot** after the former denounced the Funcinpec congress of October 2006.



H.E. Ly Thuch

Pursat Parliamentarian **LY Thuch** was replaced by **H.E. Mr. SAY Mongkol** after the former defected from **Funcinpec** to the **CPP**.



H.E. Say Mongkol



H.E. Keo Ramy

The SRP also replaced an NA member. Phnom Penh Parliamentarian **KEO Remy** announced his resignation from the SRP to join the **Human Rights Party** during a parliamentarian session in June 2007. The NA appointed H.E. Mr. **NOU Sovath** to replace **KEO Remy** during an extraordinary session in September 2007 following the party's request.



H.E. Nou Sovath



H.E. Kheav Horl

2 parliamentarians from the **CPP** were also replaced; one received a new post at another institution and the other died. In April 2007 H.E., Mr. **KHIEU Hol** died at the age of 58 and was replaced by H.E **SIK Bun Huk** in May 2007.



H.E. Sik Bun Huk



H.E Ek Sam Oi

Prey Veng Parliamentarian **EK Sam Oi** was replaced by H.E **SOK Say** during an extraordinary session in September 2007 as the former had been elected to be a member of the Constitutional Council in June 2007, which required him to resign from his position as parliamentarian.



H.E Sok Say

Questions arose as to why parliamentarian **EK Sam Oi** had to move to the Constitutional Council when he was very active in expressing his views on draft laws; it was felt that this change would represent a great loss of a prominent resource for the legislative arm of government.

Parliamentarian **EK Sam Oi** had been President of the NA Legislation and Justice Commission; he was replaced by parliamentarian **PEN Panha** before the elections for the Constitutional Council, at which he was elected as Constitutional Council President.

## ANNEX 2: ESTIMATE OF PARLIAMENTARIANS' VIEW TONE

No	Name of MP	Party	No. of Times	Neutral in Minutes	Positive in Minutes	Negative in Minutes	Total in Minutes
1	H.E. Mr. SON Chhay		38	136	5	288	429
2	H.E. Mr. MONH Saphan		32	134	0	227	361
3	H.E. Mr. SAM Rainsy		20	48	5	250	303
4	H.E. Mr. KHIEU San		48	160	82	45	287
5	H.E. Mr. CHEAM Yeap		32	172	90	8	270
6	H.E. Mr. YIM Sovann		14	44	0	131	175
7	H.E. Mr. SOK Pheng		26	72	0	91	163
8	H.E. Mr. KEO Remy		23	35	1	118	154
9	H.E. Mr. PEN Panha		16	74	57	15	146
10	H.E. Mr. SUTH Sothun		20	118	8	12	138
11	H.E. Ms. KY Lum Ang		7	48	23	30	101
12	H.E. Mr. CHEAM Channy		10	30	0	56	86
13	H.E. Mr. KIMSOUR Phirith		8	21	0	64	85
14	H.E. Mrs. HO Naun		10	18	55	2	75
15	H.E. Mrs. MEN Monyrotana		8	24	0	37	61
16	H.E. Mr. HEM Khon		6	34	23	0	57
17	H.E. Mr. SOK Soty		7	23	0	33	56
18	H.E. Mr. ENG Chhai Eang		7	15	0	30	45
19	H.E. Mrs. KE Sovannroth		5	0	0	44	44
20	H.E. Mr. SIM Soly		8	39	0	0	39
21	H.E. Ms. KHUON Sudary		3	0	39	0	39
22	H.E. Mr. AMAD Yahya		4	19	0	12	31
23	H.E. Mr. EK Sam Ol		2	0	25	0	25
24	H.E. Mr. SO Victor		4	12	2	6	20
25	H.E. Mrs. TIOULONG Saumura		2	0	0	20	20
26	H.E. Mr. SIN Pinsen		2	10	0	9	19
27	H.E. Mr. KOY Dok		2	0	9	3	12
28	H.E. Mr. SMAN Teath		2	0	12	0	12
29	H.E. Mr. KUOY Bunroeun		1	12	0	0	12
30	H.E. Mr. MIN Sean		1	12	0	0	12

No	Name of MP	Party	No. of Times	Neutral in Minutes	Positive in Minutes	Negative in Minutes	Total in Minutes
31	H.E. Mr. THAN Sina		3	11	0	0	11
32	H.E. Mr. AI Khon		1	0	11	0	11
33	H.E. Mr. KIENG Vang		2	10	0	0	10
34	H.E. Mr. MOM Chimhuy		2	0	10	0	10
35	H.R.H. Princess SISOWATH Santa		2	10	0	0	10
36	H.E. Mr. TES Hearh		1	10	0	0	10
37	H.E. Mr. LY Thuch		1	5	5	0	10
38	H.E. Mr. MAO Monyvann		1	0	0	9	9
39	H.E. Mr. CHAU Sophon		1	4	0	5	9
40	H.E. Mr. HONG Sun Huot		2	8	0	0	8
41	H.E. Mr. YOU Hockry		1	8	0	0	8
42	H.E. Mr. HO Vann		2	7	0	0	7
43	H.E. Mr. NHEM Thavy		1	0	7	0	7
44	H.E. Mrs. THAK Lany		1	0	0	5	5
45	H.E. Mrs. MEN Sam An		1	0	4	0	4
46	H.E. Mr. SUK Sam Eng		1	4	0	0	4
47	H.E. Mr. SOM Chen		1	0	3	0	3
48	H.E. Mr. CHHIM Seikleng		1	2	0	0	2
49	H.E. Mr. HOU Sry		1	1	0	0	1
<b>Total</b>	 = 18 MPs = 179 times = 1,695 minutes  = 13 MPs = 131 times = 1,014 minutes  = 18 MPs = 84 times = 707 minutes		394 times	1,390 Minutes (41%)	476 Minutes (14%)	1,550 Minutes (45%)	3,416 Minutes (100%)

### ANNEX 3: DRAFT LAWS AND AGENDAS ADOPTED DURING PARLIAMENTARY SESSIONS

Date	Agenda	MP Participants			Vote	Proposed /Drafted by
						
Oct. 24, 2006	Vote of Confidence for more members of RGC	68 	19 	18 	83/105	RGC
Oct. 25, 2006	Draft Law on Conscription	62 	14 	15 	74/82	RGC
Oct. 26, 2006	- Draft Law on the Adoption of Cambodian Membership into the Vienna Convention on Ozone Layer Protection				78/78	RGC
	- Draft Law on the Adoption of Cambodian Membership into the Montreal Protocol on Substances Depleting the Ozone Layer				78/78	RGC
	- Draft Law on the Adoption of Cambodian Membership into Four Amendments to Montreal Protocol on Substances Depleting the Ozone Layer	52 	14 	12 	77/78	RGC
	- Draft Law on the Adoption of Cambodian Membership into the Kyoto Protocol to the United Nations Framework Convention on Climate Change				73/73	RGC
	- Draft Law on the Adoption of Cambodian Membership into the Cartagena Protocol on Biosafety				73/73	RGC
Nov. 27, 2006	- Vote of Confidence for H.E. Mr. HONG Sun Huot as 2 <sup>nd</sup> Vice-President of National Assembly to replace H.E. Mr. YOU Hockry				95/101	Funcinpec
	- Proposed Law on Amendment to the Organization and Functioning of the Constitutional Council	67 	21 	18 	94/101	RGC
	- Draft Law on the Adoption of Cambodian Membership into the Convention on Working against Using Doba in Sport				86/101	RGC
Nov. 29, 2006	- Draft Law on Adoption of Cambodian Membership into Optional Protocol to the Convention against Torture and other Cruel, Inhuman and Punishment	54 	18 	16 	85/87	RGC
	- Draft Law on Adoption of Cambodian Membership into the Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption				78/87	RGC
Nov. 30, 2006	- Draft Law on Government Security	81  +  + 			81/81	RGC

Date	Agenda	MP Participants			Vote	Proposed /Drafted by
						
Dec. 12, 2006	- Vote of Confidence for H.E. Mrs. MATH Salima as Kampong Cham parliamentarian - Vote of Confidence for H.E. Mr. SUTH Sothun as Kampong Cham parliamentarian	96  +  + 				Funcinpec
Dec. 14, 2006	Draft Law on Financial Management for the year 2007	92  +  + 			84/92	RGC
Dec. 15, 2006	Draft Law on Amendment to Law on National Assembly Elections	83  +  + 			70/83	MPs
Dec. 20, 2006	- Draft Law on Road Traffic - Draft Law on the Adoption of ASEAN's Protocol 3 on Types and Quantities of Road Vehicles	77  +  + 			73/73 67/77	RGC RGC
Dec. 21, 2006	- Draft Law on the Adoption of ASEAN's Protocol 4 on Technical Requirements of Vehicles				77/77	RGC
	- Vote of Confidence for H.E. Mr. PHORN Chantha as Secretary of State of Planning	79  +  + 			79/79	RGC
	- Draft Law on Adoption of Asia-Pacific Commission's Statute				78/79	RGC
Jan.-Feb. 2007	Vacation					
March 21, 2007	- Letter from His Majesty Royal Highness Baromneath Norodom Sihamoni, King of the Kingdom of Cambodia, to the Sixth Session of the 3 <sup>rd</sup> Legislature of the National Assembly - Report on the Activities of the National Assembly for the period between the Fifth Session and Sixth Sessions in its 3 <sup>rd</sup> mandate	79  +  + 				
April 5, 2007	Vote of Confidence for H.E. Mr. SUTH Sothun as member of the NA Commission on Human Rights, Reception of Complaints, Investigation and National Assembly-Senate Relations	87  +  + 			77/87	
April 6, 2007	Draft Law on Secured Transaction	78  +  + 			82/83	RGC
April 10, 2007	Draft Law on Budget Settlement for the year 2004	46 	9 	14 	62/78	RGC
April 25, 2007	Draft Law on Cambodia Standard	84  +  + 			84/84	RGC
April 27, 2007	Draft Law on Amendment to Article 9 of Law on the Electricity of the Kingdom of Cambodia	54 	17 	12 	82/82	RGC
April 30, 2007	Draft Law on Anti-Money Laundering and the Prevention of Terrorist Financing	55 	11 	12 	77/77	RGC

Date	Agenda	MP Participants			Vote	Proposed /Drafted by
						
May 17, 2007	- Vote of Confidence for H.E. Mr. THONG Khon and H.E. Mr. NHIK Khim Chhon as Minister and Secretary of State, respectively, of Tourism				85/110	RGC
	- Vote of Confidence for H.E. CHAU Sophon as member of NA's Commission on Public Work, Transport, Telecommunication, Post, Industry, Mine, Energy, Commerce, Land Management, Urban Planning and Construction	65 	26 	19 	102/104	
May 22, 2007	Draft Law on Water Resource Management in Cambodia	63 	14 	14 	87/89	RGC
May 30, 2007	Announcement of Letter of Funcinpec replacing Kampong Cham MP YOU Hockry with H.E. SC Nat	65 	14 	12 		Funcinpec
May 31, 2007	Vote of Confidence to Elect a Member of Constitutional Council (MP KONG Sam Ol was elected)	70 	15 	11 	98/100	
June 7, 2007	Draft Law on Penal Procedure Code	59 	16 	9 	86/86	RGC
June 8, 2007	- Draft Law on the Adoption of Cambodian Membership into United Nations' Convention on the Protection of Underwater Cultural Heritage				86/86	RGC
	- Draft Law on the Adoption of Cambodian Membership into UN's Convention on the Protection and Promotion of the Diversity of Cultural Expressions	68 	14 	11 	86/86	RGC
	- Draft Law on the Amendment to Article 139 of Law on Labor				82/89	RGC
June 22, 2007	- Draft Law on the Approval of Government Guarantee of Payment to China Union Corporation Techno-ecology Operation and Union British Enterprise and the Economy and Technology Investment International Industry	58 	16 	8 	82/82	RGC
	- Draft Law on Customs				82/82	RGC
June 25, 2007	Draft Law on Determination of National Assembly Seats for the 4 <sup>th</sup> Legislature of the National Assembly	66 	19 	9 	83/92	RGC
June 26, 2007	Draft Law on Anti-Terrorism	60 	15 	11 	88/88	RGC
July-Aug. 2007	Vacation					

Date	Agenda	MP Participants			Vote	Proposed /Drafted by
						
Sept. 5, 2007	<b>Extraordinary Session:</b> - Announcement to replace MPs KEO Remy and EK Sam Ol with H.E. Mr. NOU Sovath and H.E. Mr. SOK Say respectively					CPP and SRP
	- Vote of Confidence for: 1) H.E. Mr. BIN Chhin as Deputy Prime Minister, 2) H.E. Mr. VENG Sereyvuth as State Minister and Minister of Culture and Fine Art, 3) H.E. Ms. CHAN Sutheavy as Secretary of State for Justice and 4), Prince SISOVATH Tezo as Secretary of State for Tourism				98/104	RGC
	- Vote of Confidence for H.E. Mr. KUOY Bunroeun as Member of NA Commission on Education, Youth, Sport, Religious Affairs, Culture and Tourism				98/104	SRP
	- Draft Law on Adoption of Cambodian Membership into Protocol 1972 Amending the Single Convention on Narcotic Drugs of 1961				93/93	RGC
Sept. 6, 2007	<b>Extraordinary Session:</b> Draft law on Adoption of the Agreement between Government of Kingdom of Cambodia and Islamic Republic of Pakistan on Encouraging and Protecting Investment				80/80	RGC
Sept. 10, 2007	<b>Extraordinary Session:</b> - Draft Law on the Adoption of Annex 3, 5, 10 and Protocol 2 for Implementing the Agreement among and within the Government of Kingdom of Cambodia, People's Republic of China, People's Republic of Lao, Myanmar Union, Kingdom of Thailand and Socialist Republic of Vietnam on Transportation of Goods and People across Borders				73/73	RGC
	- Draft Law on Concession				78/85	RGC
Sept. 12, 2007	<b>Extraordinary Session:</b> Draft law on Issuance and Trading of Non-government Security				79/79	RGC

## ANNEX 4: NAMES OF PARLIAMENTARIANS VISITING CONSTITUENCIES

No	MP Name	Party	Constituency	Own	Other	Total
1	H.E. Mr. TES Heanh		Battambang	99		99
2	H.E. Mr. SAM Rainsy		Kampong Cham	71	26	97
3	H.E. Ms. CHUONH Sochhay		Battambang	90		90
4	H.E. Mrs. LY Kimlieng		Battambang	80		80
5	H.E. Mr. SAR Kheng		Battambang	72	5	77
6	H.E. Mr. MUY Chat		Battambang	74		74
7	H.E. Mr. ENG Chhai Eang		Battambang	63	5	68
8	H.E. Mr. LY Narun		Pursat	59		59
9	H.E. Mrs. KROUCH Sam An		Phnom Penh	52	1	53
10	H.E. Mrs. TROEUNG Thavy		Kratie	51		51
11	H.E. Mr. KUOY Bunroeun		Takeo	45	3	48
12	H.E. Mr. KHIEU San		Kandal	35	6	41
13	H.E. Mr. SOK Pheng		Kampong Thom	37		37
14	H.E. Mr. NHIM Vanda		Prey Veng	30	2	32
15	H.E. Mr. TAN Vanthara		Battambang	28	2	30
16	H.E. Mr. MEY Nan		Pursat	30		30
17	H.E. Mr. CHAU Sophon		Takeo	27		27
18	H.E. Mr. DOEU Sophal		Kratie	27		27
19	H.E. Mr. CHEA Poch		Prey Veng	22	4	26
20	H.E. Mr. PAL Sam Oeurn		Banteay Meanchey	25		25
21	H.E. Mrs. NIN Saphon		Takeo	22		22
22	H.E. Mr. UN Ning		Kampong Thom	22		22
23	H.E. Mr. MIN Sean		Prey Veng	21		21
24	H.E. Mr. SUOS Kanan		Sihanoukville	21		21
25	H.E. Mrs. HO Naun		Kandal	20	1	21
26	H.E. Mr. HO Vann		Phnom Penh	20		20
27	H.E. Mrs. KE Sovannroth		Siem Reap	20		20
28	H.E. Mr. SOK Soty		Phnom Penh	19	1	20
29	H.E. Mr. NHEM Thavy		Kampong Thom	20		20
30	H.E. Mr. CHEAM Yeap		Prey Veng	19		19
31	Samdech HUN Sen		Kandal	18		18
32	H.E. Mr. NGUON Nhel		Kampong Thom	17	1	18
33	H.E. Mr. KIMSOUR Phirith		Banteay Meanchey	14	3	17
34	H.E. Mr. SEANG Nam		Siem Reap	15	1	16
35	H.E. Mr. CHREA Sochenda		Kandal	12	3	15
36	H.E. Mr. HOU Sry		Phnom Penh	14		14

No	MP Name	Party	Constituency	Own	Other	Total
37	H.E. Mr. AI Khon		Koh Kong	14		14
38	H.E. Mr. SIM Soly		Kampong Thom	14		14
39	H.E. Mrs. TIOULONG Saumura		Phnom Penh	13		13
40	H.E. Mr. YIM Sovann		Phnom Penh	4	9	13
41	H.E. Mr. PEN Panha		Prey Veng	13		13
42	H.E. Ms. KY Lum Ang		Battambang	13		13
43	H.E. Mr. SIK Bun Hok		Kampong Thom	12		12
44	H.E. Mr. NEOV Sam		Oddar Meanchey	12		12
45	H.E. Mr. EK Sam Ol		Prey Veng	12		12
46	H.E. Mr. HONG Sok Hieng		Takeo	12		12
47	H.E. Mr. SON Chhay		Phnom Penh	9	2	11
48	H.E. Mr. SAY Mongkol		Pursat	10	1	11
49	H.E. Mr. PRAK Thuch		Takeo	10		10
50	H.E. Mr. MAO Monyvann		Kampong Cham	7	2	9
51	H.E. Mrs. MEN Sam An		Svay Rieng	9		9
52	H.E. Mr. CHEAM Channy		Kampong Cham	7	1	8
53	H.E. Mr. SMAN Teath		Pursat	8		8
54	Samdech KONG Sam Ol		Kampong Chhnang	8		8
55	H.E. Mr. SUK Sameng		Preah Vihear	8		8
56	H.E. Mr. SAN Inthor		Stung Treng	7	1	8
57	H.E. Mrs. KONG Hach		Kampong Speu	8		8
58	H.E. Mr. NUTH Rumduol		Kampong Speu	7		7
59	H.E. Mr. VONG Kann		Banteay Meanchey	7		7
60	H.E. Mr. KHEAV Horl		Kampong Thom	7		7
61	H.E. Mr. KOY Dok		Banteay Meanchey	6		6
62	H.E. Mr. UM Nhanh		Phnom Penh	6		6
63	H.E. Mr. BOU Thong		Rattanakiri	6		6
66	- Princess SISOWATH Santa		Prey Veng	5	1	6
67	H.E. Mr. PAING Ponnyamin		Kampong Chhnang	5		5
68	H.E. Mr. LY Son		Kampong Speu	5		5
69	H.E. Mr. SOM Chen		Kampot	4	1	5
70	H.E. Mr. HONG Sunhuot		Kandal	5		5
71	Samdech Krom Preah NORODOM Ranariddh		Kampong Cham	5		5
72	H.E. Mrs. MEN Monyratana		Prey Veng	3	1	4
73	H.E. Mr. SAM San		Pailin	4		4
74	H.E. Mr. SAM Heang		Siem Reap	4		4
75	H.E. Mr. VENG Sereyvuth		Prey Veng	4		4
76	H.E. Mr. SIN Pinsen		Prey Veng	4		4

No	MP Name	Party	Constituency	Own	Other	Total
77	H.E. Mr. POK Sam Ell		Kampong Chhnang	4		4
64	H.E. Mr. TEA Banh		Siem Reap	2	1	3
65	H.E. Mr. SOK An		Takeo	2	1	3
78	H.E. Mr. CHAN Cheng		Kandal	3		3
79	H.E. Mr. NGOR Sovann		Kandal		3	3
80	Samdech HENG Samrin		Kampong Cham	3		3
81	H.E. Mrs. SOM Kimsuor		Kampot	3		3
82	H.E. Mr. HOR Namhong		Kampong Cham	3		3
83	H.E. Mr. VAN Sengly		Kampong Cham	3		3
84	H.E. Mr. SAY Chhum		Kampong Speu	2	1	3
85	H.E. Ms. KHUON Sudary		Kandal	2	1	3
86	H.E. Mr. KEO Remy		Phnom Penh	2		2
87	H.E. Mr. KIENG Vang		Kampot	2		2
88	H.E. Mr. NUON Sok		Kampong Chhnang	2		2
89	H.E. Mr. ING Bun Hoaw		Takeo	2		2
90	H.E. Mr. SOK Say		Prey Veng	2		2
91	H.E. Mrs. DOUNG Vanna		Svay Rieng	2		2
92	H.E. Mr. TRY Chheang Huot		Banteay Meanchey	2		2
93	H.E. Mr. AN He		Kep		2	2
94	H.E. Mr. THAN Sina		Kampot	2		2
95	H.E. Mrs. THAK Lany		Kampong Cham	1		1
96	H.E. Mr. AHMAD Yahya		Kampong Cham	1		1
97	H.E. Mrs. CHHUN Sarim		Svay Rieng	1		1
98	H.E. Mrs. IM Run		Kampong Cham	1		1
99	H.E. Mrs. CHEM Savay		Kampong Cham	1		1
100	H.E. Mr. HEM Khon		Kampong Speu	1		1
101	H.E. Mrs. PEOU Savoeun		Siemreap	1		1
102	H.E. Mr. MOM Chimhuy		Kandal	1		1
103	H.E. Mr. NEY Pena		Kampot	1		1
104	H.E. Mr. KHEK Sam On		Kampong Cham	1		1
105	H.E. Mr. HUL Savorn		Svay Rieng	1		1
106	H.E. Mr. KEAT Chhon		Phnom Penh		1	1
107	H.E. Mr. LY Thuch		Pursat	1		1
108	H.E. Mr. MONH Saphan		Kampong Cham	1		1
<b>Total</b>	 = 24 MPs = 100%  = 69 MPs = 95%  = 15 MPs = 58%			<b>1,664</b>	<b>93</b>	<b>1,757</b>

## ANNEX 5: SIGNIFICANT POLITICAL EVENTS FOR THE NA AND PARLIAMENTARIANS

### Power and independence of parliamentarians are of concern

This observation year was one where some elected political parties showed their influence on the power and independence of parliamentarians, by requesting that the NA remove NA membership from individual political party parliamentarians; some parliamentarians acknowledged that, on some issues, they could not make their own decisions without holding discussions with their own party.

**Funcinpec** Kampong Thom Parliamentarian **EAR Lim Sour** spoke to Radio Free Asia on August 15, 2005 regarding a Cambodian parliamentary delegation visit to former monk Teum Sakhorn in a Vietnamese prison: *“this doesn’t mean that each parliamentarian’s task is independent from the control of each elected party’s leader ... till there is a discussion [within the party] to avoid any future problem.”*

As a result of political influence, during the fourth year of the 3<sup>rd</sup> legislature, five parliamentarians from **Funcinpec** and the **SRP** were removed from their posts as NA members in accordance with their respective party’s request as the five parliamentarians were dissatisfied with their respective party’s political platform and defected to other parties.

The replacement of parliamentarians on the grounds of party membership removal led to NGOs working on elections, law and human rights, including COMFREL, to issue many press releases to underline their concern regarding the decline of power and independence of parliamentarians through the use of Article 120 of the Law on National Assembly Elections, which states that *“Parliamentarians lose their Parliamentary membership when they lose their party membership.”*

Some parliamentarians and civil society produced recommendations and called for an amendment to this article, giving the right to parliamentarians to fulfill their duties till the end of the mandate despite losing party membership, but this great effort did not succeed. Kampong Cham Parliamentarian **MONH Saphan** explained that an amendment to this article required political will on the part of all elected political parties.

Most removals of NA membership from parliamentarians occurred after Funcinpec saw internal conflict and the removal of **Prince Norodom Ranariddh** as President in October 2006, leading to the establishment of the NRP in November 2006. Some senior Funcinpec officials and parliamentarians defected to the NRP. The creation of the Human Rights Party in June 2007 also led to removals.

Within this year, seven parliamentarians from three elected political parties were replaced. Funcinpec requested the replacement of four of its parliamentarians, the highest number of the three political parties. The SRP requested the replacement of one of its parliamentarians owing to party membership rejection. The CPP replaced two parliamentarians as one died and the other was transferred to another institution (see Annex 1 on page 24 for more detail).

### Raising people’s concerns during parliamentary sessions was “off topic”

Heated land dispute occurred in almost all regions in the country and were raised by some parliamentarians during NA sessions, but the sessions were dealing with draft laws and agendas.

During debate on the draft Law on Road Traffic, for instance, Kampong Thom Parliamentarian **SOK Pheng** asked the NA President to raise the question of a land dispute between the people

and the local authorities in Sala Visay commune of Kampong Thom province. MP **SOK Pheng** alleged that local authorities were confiscating people's land to give to a private company to bulldoze to grow lahong kvong (a kind of papaya used to produce oil). MP **SOK Pheng** also called for intervention from parliamentarians in this case.

H.E **NGUON Nhel**, first President of the NA and Kampong Thom parliamentarian also acknowledged this land dispute by stating that he had settled many land dispute cases for the people. He claimed that cases of land dispute had been submitted to the National Committee for the Resolution of Land Disputes. *“Issues in Treal and Sro Lau communes (Kampong Thom province) have been submitted to the Central (National) Commission for the Resolution of Land Disputes via the National Assembly President to scrutinize and deal with. The case is about land allocated to people because the commune councilor gave pieces of land to people without informing higher officials.”*

Takeo Parliamentarian **KUOY Bunroeun** took the floor to talk about the land dispute issue although the NA President had asked parliamentarians many times to go back to the topic under debate. He raised a controversy between two law-implementing bodies over a land dispute in Prah Neit Prah commune, Prah Neit Prah district, Banteay Meanchey province, which had led to people coming to the NA to ask for parliamentarians' intervention.

He said, *“People come to settle their land disputes, calling for a solution, because we have the Committee for the Resolution of Land Disputes and committee representatives have acknowledged that people have a lawful right to occupy the land but the court has not complied with this decision.”*

Despite a serious warning from the NA President to parliamentarians to get back to the topic of the Road Traffic Law, Phnom Penh Parliamentarian **SOK Soty** continued to talk about the land dispute issue.

He raised a case concerning people living in Sihanoukville, whose land had been confiscated by the municipal authorities to use as social concession land.

He said, *“I am a bit off topic ... In that place, they had been living for years and also grown crops, but now the land has become a social land concession to be given to the homeless.”*

### Remarks and events regarding the new NA building



The new NA building was inaugurated on July 7, 2007 at **7 am**, with around **7,777 participants** and around US\$500,000 spent. The amount of money spent on this inauguration ceremony was considered by Parliamentarian **Eng Chhai Eang** to be **too much; the budget should have been used to help the poor as the poverty rate in Cambodia still remained high.**

It should be noticed that **budget issues were considered one of the reasons behind a decision not to increase the number of additional parliamentary seats** which civil society and some parliamentarians thought necessary to serve the local people and solve their problems. The much bigger and more comfortable legislative institution cost nearly US\$30 million dollars, which went on construction work and office equipment. The new NA covers 28.049 meters square and has five major buildings and more than 300 rooms.

Within the compound, there are three parliamentarian buildings; each parliamentarian has two office rooms: a personal room and a living room. There are 445 seats in the auditorium.



The NA is situated in front of Tonle Basac Theater and beside the Ministry of Foreign Affairs and International Cooperation, the Buddhist Institute and Naga Casino. Its location near Naga Casino has led to sharp criticism from parliamentarians from all three political parties.

H. E **CHEAM Yeap**, CPP parliamentarian and chairman of a commission in charge of constructing the new NA building, showed his dissatisfaction towards the location. He was quoted by Koh Santepheap newspaper as saying *“There is no other National Assembly which is only two meters from a casino. I have suggested to the Prime Minister to confiscate the casino building to be used as the office of the Cabinet of Ministers and to move the casino to another location, but it is impossible.”*

Funcinpec Parliamentarian **MONH Saphan** admired the new building but made a request to change the location of Naga Casino. He suggested that the Naga building be made either into a state building or into a hotel.

SRP Parliamentarian **YIM Sovann** said that the NA location near the casino **affected the dignity of the country’s top institution** and was afraid that the Cambodian people would know the Naga Casino better than the NA.

In the construction of the new NA building, tree logging irregularities came up: the total amount of wood logged in Rattanakiri province and the total amount of wood received by the NA were quite different.

At the same time, there was news about **anarchical tree logging** in that region, causing CPP Parliamentarian **BOU Thong** to send letters to both the Royal Government and the NA President to halt tree logging in the province. As a result, the NA decided to cancel contracts purchasing wood from this province.

There were accusations over the slow speed of law adoption between the RGC leader and the President of the NA related to the old NA building.

Samdech **HUN Sen** said that the NA still owed the RGC many laws since the old NA had held its sessions only in the morning. He continued that *“We have such a new building, but if the session is still only in the morning [half day], it is not enough and people might criticize the National Assembly.”*

In response to the raised point, Samdech **HENG Samrin** explained to journalists that the **delay in adopting laws happened because the Royal Government representative came late to discussions with the expert commissions.**

## ANNEX 6: GOALS, OBJECTIVES, METHODOLOGIES AND OBSERVATION CHECKLIST

### 1. Goals

In the spirit of promoting democracy in Cambodia, the election is a crucial task to which the Committee for Free and Fair Elections in Cambodia (COMFREL) pays much attention.

At the same time, another significant task is to monitor the fulfillment of elected officials regarding their duties and promises made during the elections, since elected officials' responsibilities are among the major indicators of the success of democracy.

Transparency of task implementation by elected officials will depend on the extent of effective observation and vigorous participation by local citizens in the process of democratization, in following up on and monitoring parliamentarians' activities. Sustainable observation is an essential tool for providing provincial/municipal constituency information regarding fulfillment of elected officials of their promises and their responsibilities for the Cambodian voters.

To accomplish these goals, COMFREL has observed all elected officials' activities during the post-election period and compiled this report on the monitoring of the NA and parliamentarians. This is COMFREL's 4th Annual National Assembly and Parliamentarian Watch report (dealing with the period from October 2006 to September 2007).

This report covers the monitoring of parliamentarians' field visits to constituencies and performance during NA sessions in the 3<sup>rd</sup> legislature along with activities of the NA's Secretariat General and its nine expert commissions.

### 2. Objectives

The objectives of this National Assembly and Parliamentarian Watch report are to contribute to better transparency of parliamentarians' performance and fulfillment of their promises made during the elections. Objectives include the following:

- Increase people's awareness of their individual representatives regarding the process of power sharing in the National Assembly.
- Help provide people with information related to parliamentarians. This can help motivate parliamentarians to fulfill their previous promises.
- Highlight the relationship between constituents and their parliamentarians.
- Highlight parliamentarians' efforts to go and visit their constituencies.
- Bring forth concerns and worries raised by constituents for parliamentarians' attention.

### 3. Methodology

To compile this report, **COMFREL** formed a working group comprising Mr. **MAR Sophal**, Monitoring Program Coordinator, Mr. **SOK Pitour**, report writer, Mr. **KORN Savang**, data-managing officer, Mr. **MOU Chansopheak**, COMFREL volunteer, and COMFREL provincial/municipal coordinators as well as secretaries nationwide.

Methodologies used by COMFREL to gather information for the compilation of this report included: participating in and observing NA plenary sessions at the NA building; communicating with parliamentarians, staff of the NA Secretariat and staff of parliamentarian offices in each constituency; observing parliamentarian field visits to constituencies; listening to requests or suggestions raised by citizens; and reviewing documents provided by parliamentarians.

As such, the report was compiled using two types of observation: of NA sessions and of parliamentarians' field visit to constituencies.

### **3.1. NA plenary session observation**

One or two COMFREL volunteers took part in observing every NA session. The observers were required to fill in National Assembly Watch Checklist (session agenda and views expressed by parliamentarians during sessions)<sup>4</sup> and record parliamentarians' words during debate. The content of parliamentarians' speeches during parliamentary sessions was analyzed to determine what institution or person their view referred to and whether the tone of their view was neutral, positive or negative.

Neutral tone refers to a neutral viewpoint towards any person or institution; positive tone refers to speeches highlighting the advantages of any person or institution; and negative tone refers to speeches raising the bad points of any person or institution. Meanwhile, the duration of each parliamentarian's view expression was also taken into account.

### **3.2. Monitoring of parliamentarians' field visits**

COMFREL observers in 23 provinces/municipalities<sup>5</sup> monitor every activity of parliamentarians during their field visits to the constituencies. The observers in the constituencies were required to contact staff working at the provincial parliamentarian offices and the three provincial elected political party offices in those areas or directly communicate with parliamentarians or their assistants, and to fill in COMFREL's observation checklist.<sup>6</sup> All information was incorporated into the data-managing system.<sup>7</sup>

### **3.3. Sources of information**

The report was produced with neutrality and transparency: all data collected were based on the actual actions of each parliamentarian. Nonetheless, it was difficult to contact some local party offices or parliamentarian offices for inquiry.

When parliamentarians did not provide COMFREL observers with any news of their activities, COMFREL based its information on secondary sources using the media (newspapers). No matter how hard COMFREL tried to gather accurate information to compile this report, some activities taking place in field visits conducted by parliamentarians were not incorporated into this report owing to a lack of data.

COMFREL observers confronted some difficulties, such as problems obtaining information from provincial parliamentarian offices and provincial/municipal political party offices. Funcinpec and the SRP provided good cooperation in offering information. The CPP in almost every province/municipality seldom or never gave out any information related to its own parliamentarians' activities when COMFREL observers asked the party for its parliamentarian-related information.

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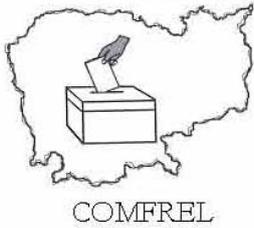
<sup>4</sup> See attached checklist on page 40-42.

<sup>5</sup> COMFREL has only one observer for Kampot and Kep.

<sup>6</sup> See attached checklist on page 43-45.

<sup>7</sup> The database system in which data about parliamentarians' field visits, opinions raised during NA sessions and background information are stored.

Committee for Free and Fair Election in Cambodia



# NA Plenary Session Checklist for the Third Legislature of the National Assembly

Observer's name: \_\_\_\_\_ Position: \_\_\_\_\_ Report code: \_\_\_\_\_

Session: .....Legislature: .....Date: ..... Start time: ..... Duration of break: ..... End time: .....

Agenda: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MP Participants:	CPP	Funcinpec	SRP	Total
Male:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Female:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total:	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Quorum       No quorum (at least 62 members for a quorum— Article 88 new)

### Irregularities during Parliamentary Sessions

If answer is "yes", please clarify the number and details in separated parliamentarian report.

1. Is any MP absent without permission from parliament Speaker? -yes -no (if yes, how many:.....)
2. Is any MP speaking off the discussed topic? -yes -no (if yes, how many:.....)
3. Is any MP expressing his/her view without permission from parliament Speaker? -yes -no (if yes, how many:.....)
4. Is any MP disrupting another MP who is expressing his/her view during the session? -yes -no (if yes, how many:.....)
5. Is any MP attacking, insulting or looking down on others? -yes -no (if yes, how many:.....)
6. Is any MP behaving in a way that distracts the session's order? -yes -no (if yes, how many:.....)

### Today's Session Outcomes: Adopted Laws Including (please tick the relevant boxes)

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> - Nothing (in the process of debate) | <input type="checkbox"/> - Finance and budget law                           | <input type="checkbox"/> - Master plan law             |
| <input type="checkbox"/> - Ratifying treaty and agreement     | <input type="checkbox"/> - Public law                                       | <input type="checkbox"/> - Loan law                    |
| <input type="checkbox"/> - Law on creating institution        | <input type="checkbox"/> - Law for creating, revising, discarding and taxes | <input type="checkbox"/> - Amendments to existing laws |
| <input type="checkbox"/> - Administrative list law            | <input type="checkbox"/> - General amnesty law                              |  |
| <input type="checkbox"/> - Other (please clarify: .....       |   |  |



**View Expressed by Each Parliamentarian during the Session**

**Date:** ..... **MP Name:** ..... **Sex:** ..... **Party:** .....

**Constituency:** ..... **Other Position:** .....

Expressing view (1<sup>st</sup>, 2<sup>nd</sup> ...time): ..... Time started:..... Time finished: ..... Duration in minutes:.....

Agenda:

<b>Speech Theme</b>							
<b>View Concerned with</b>	Neutral		Positive		Negative		Duration in minutes
1. Expressing view/request	1-1:	<input type="checkbox"/>	1-2:	<input type="checkbox"/>	1-3:	<input type="checkbox"/>	_____
2. Prime Minister	2-1:	<input type="checkbox"/>	2-2:	<input type="checkbox"/>	2-3:	<input type="checkbox"/>	_____
3. Royal Government	3-1:	<input type="checkbox"/>	3-2:	<input type="checkbox"/>	3-3:	<input type="checkbox"/>	_____
4. National Assembly President	4-1:	<input type="checkbox"/>	4-2:	<input type="checkbox"/>	4-3:	<input type="checkbox"/>	_____
5. National Assembly	5-1:	<input type="checkbox"/>	5-2:	<input type="checkbox"/>	5-3:	<input type="checkbox"/>	_____
6. National Assembly Commission	6-1:	<input type="checkbox"/>	6-2:	<input type="checkbox"/>	6-3:	<input type="checkbox"/>	_____
7. Senate President	7-1:	<input type="checkbox"/>	7-2:	<input type="checkbox"/>	7-3:	<input type="checkbox"/>	_____
8. Senate	8-1:	<input type="checkbox"/>	8-2:	<input type="checkbox"/>	8-3:	<input type="checkbox"/>	_____
9. Own Party	9-1:	<input type="checkbox"/>	9-2:	<input type="checkbox"/>	9-3:	<input type="checkbox"/>	_____
10. Other Parties	10-1:	<input type="checkbox"/>	10-2:	<input type="checkbox"/>	10-3:	<input type="checkbox"/>	_____
11. MPs from Own Party	11-1:	<input type="checkbox"/>	11-2:	<input type="checkbox"/>	11-3:	<input type="checkbox"/>	_____
12. MPs from Other Party	12-1:	<input type="checkbox"/>	12-2:	<input type="checkbox"/>	12-3:	<input type="checkbox"/>	_____
13. Own Constituency	13-1:	<input type="checkbox"/>	13-2:	<input type="checkbox"/>	13-3:	<input type="checkbox"/>	_____
14. Other Constituencies	14-1:	<input type="checkbox"/>	14-2:	<input type="checkbox"/>	14-3:	<input type="checkbox"/>	_____
15. Court	15-1:	<input type="checkbox"/>	15-2:	<input type="checkbox"/>	15-3:	<input type="checkbox"/>	_____
16. Women's Affairs	16-1:	<input type="checkbox"/>	16-2:	<input type="checkbox"/>	16-3:	<input type="checkbox"/>	_____
17. Draft Law/Proposed Law	17-1:	<input type="checkbox"/>	17-2:	<input type="checkbox"/>	17-3:	<input type="checkbox"/>	_____
18. ....	18-1:	<input type="checkbox"/>	18-2:	<input type="checkbox"/>	18-3:	<input type="checkbox"/>	_____
19. ....	19-1:	<input type="checkbox"/>	19-2:	<input type="checkbox"/>	19-3:	<input type="checkbox"/>	_____
20. ....	20-1:	<input type="checkbox"/>	20-2:	<input type="checkbox"/>	20-3:	<input type="checkbox"/>	_____

**Attention:** (After having checked the boxes and measured the duration in minute, please give detailed information on the checked boxes)



Committee for Free and Fair Election in Cambodia



COMFREL

# Checklist of MP Field Visit to Constituency

Month:..... Year:.....

Secretary's name: ..... Sex:..... Phone: ..... Province/municipality:.....  
 Secretary's signature: ..... Coordinator's signature: .....

**(Please tick with ✓ in , for example ) (1 checklist can be used for only 1 field visit. If MP goes to another place, please use a new checklist.)**

**Attention: secretary needs to gather information related to the 123 MPs (name list provided by COMFREL)**

1. Name of MP: ..... Visit to village:..... Commune:..... District:.....  
 Province/City:..... Start time: ..... Date:..... End Time:..... Date:.....

2. Parliamentarian's purpose of visit: (please tick only the one that you think is the most important purpose)

- meet authorities local authority/competent official (to discuss or deal with people's concerns)
- meet people ordinary people (to intervene in issues, visit, give gifts or attend ceremonies)
- meet party members party supporters (to strengthen network or party internal affairs, members, activists or supporters)

Please write in detail about the parliamentarian's purpose:

.....  
 .....

Tick one of the below boxes to indicate the activity described in detail above:

- Intervene in or settle people's concern (help facilitate issues or find fair solutions for disputing parties)
- Visit or give small gifts during ceremonies (chatting in ceremonies and offering gifts or a little money)
- Provide budget to support big projects (pay for repairing or building project, channel, school, road, bridge, pagoda and so on)
- Strengthen party networks or deal with internal party issues (meet members, supporters, party activists or raise party-related issues)
- Attend as speaker forum organized by NGOs (deal with people's issues or answer people's questions)
- Accompany leader (not his/her own mission but just accompanying without any task)

3. Parliamentarian's field visit is in the name of (based on his/her speech, action or reason)

- Parliamentarian (action or speech without discriminating against any party in a bid to deal with people's issues)
- Political party representative (action or speech expressing support or admiration, or disseminating on or strengthening party internal network)
- Government representative (work of RGC ministry or department or accompanying RGC official or working as representative on behalf of the RGC...)

4. Evaluation of parliamentarian's speech and actions during field visit (what are the ordinary people's views?)

- Neutral (as arbitrator without tendency and nepotism but regarding people's interests and nation as huge priority)
- Biased (as being in favor of a party, thinking only about his/her own party interests rather than that of the people)

Clarify anything in parliamentarian's speech or action to support your evaluation:

.....  
 .....

(If providing detailed information, please write separately) this report must be submitted following COMFREL central office's due or at least by the first day of each month!

5. Promise during field visit at above place (did parliamentarian promise anything to people/participants in this place?)

- Yes
- No

(Promise is something responding to people's demand in that place, e.g. s/he promised to build one school or dig three wells within a specific time or another precise promise with a time indicator which provides advantage to the people or participants in that region. For instance, s/he said s/he would successfully deal with land disputes or at least receive some money as compensation for victims) (promises counted since October 2003)

If there is a promise, please write in detail about what s/he promised in order to follow up:

.....  
.....  
.....

6. Check on parliamentarian's activity in this place (is this the 1<sup>st</sup> time, 2<sup>nd</sup> time....?)

- First time (if first time, please skip to question 10)
- Has been here before (counted since October 2003; continue to question 7)

7. S/he has made promises before at this place

- Has never promised (if there has been no promise, please skip to question 10)
- Has promised (if there has been a promise, please continue to question 8)

Write in detail about the promise with a specific date:

.....  
.....  
.....

8. Response to previous promises in question 7 above

- Has yet to respond (if there is no response, skip to question 10)
- Has already responded (write in detail about the response; information obtained by interviewing people and/or authorities; specify the date)

.....  
.....  
.....

9. People's remarks on the response in question 8 above (clarify people's feelings)

(Please ask people and/or authorities, particularly victims, to give information and reasons related to settlements/parliamentarian's response: s/he partially helped; s/he helped only his own members; or s/he helped but also took advantage. Please clarify)

- People are delighted
- People are partially satisfied
- People are dissatisfied

.....  
.....  
.....

10. Participants'/people's requests of this parliamentarian (answer in general by asking people or authorities, particularly victims)

.....  
.....  
.....

(If providing detailed information, please write separately) this report must be submitted following COMFREL central office's due or at least by the first day of each month!



**(Interview people participating in parliamentarian’s field visit; explain to him/her about our goal)**

11. Survey of people’s opinions

Please tick only one answer on this checklist; the number of boxes checked in total is equal to the number of people interviewed:

- Intervene or settle people’s issues
- Provide budget to support big achievements or projects
- Attend forum organized by NGOs
- Visit or give gifts during ceremonies
- Strengthen network or settle intra-party affairs
- Accompany leader
- Other, please clarify: .....

The interviewee’s reason:

.....

.....

.....

12. Contacting parliamentarian’s office (have you ever contact the parliamentarian’s office?)

- No (reason:  no personal problem  lack of confidence in him/her  not working
- I don’t know the office)
- Yes (please clarify the outcome)

.....

.....

.....

13. Asking help or making request to parliamentarian (have you ever asked for help from or made requests to the parliamentarian?)

- No (reason:  no personal problem  no hope of help  no solution  I don’t know him/her)
- Yes (please clarify the outcome and response):

.....

.....

.....

14. Work activity of parliamentarian’s office (does it work?)

- No process at all/closed forever
- Works only one or two days per week
- Does not accept complaints
- Other .....

Please clarify:

.....

.....

.....

(If providing detailed information, please write separately) this report must be submitted following COMFREL central office’s due or at least by the first day of each month!

SUPPORTED BY:



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