

Statement
To Strengthen a National and International Legitimacy of Free and Fair Election of
Democratic Process and a Respect for Voters' Political Will

The undersigned Cambodian Associations and Civil Society Organizations (CSOs) are deeply concerned over the lawsuit to dissolve the prominent and competitive opposition Cambodia National Rescue Party (CNRP), and the adoption by only the ruling Cambodian People's Party (CPP) of the amendments proposed lawmakers from the CPP which entail new formulas for seat distribution in the national assembly, senate and sub-national and commune council a dissolved political party. CSOs believe that the dissolution of the main opposition party preventing it from participating in the election will lead to doubt about national and international legitimacy of the 2018 election. Moreover, implementation of the new formulas for redistribution of the seats would be contrary and unfair to the voters' will to their representation as a number of votes will not be considered equally in the selection of members of parliament.

The dissolution and redistribution of CNRP's seats does not respect the political will of three million voters who cast their ballots for the party. Chapter 4 of the Constitution of Cambodia says the Cambodian people are the master of their own country and all power belongs to them; and, that the Royal Government of Cambodia shall adopt a policy of national reconciliation to ensure national unity. International human rights legal instruments, including the Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR) affirm that the citizens' will shall be represented through an election, and their will is the base of power.

The dissolution of party results in firing parliamentarians, the peoples' representatives, while article 77 of the constitution prevents implementing any imperative mandate against parliamentarians or considers it nullified. Article 76 says that parliamentarians shall be elected with an election. This brings into doubt the constitutional legitimacy of the amendments as candidates from political parties that have not won seats in the National Assembly shall be elected as parliamentarians, gaining the seats of the dissolved party.

Any amendment related to election following the principle of democracy, pluralism, transparency and integrity should be critically discussed with other political parties and be adopted by at least both the ruling party and the non-ruling party in the National Assembly as stated in chapter 15 of the constitution, and following precedent of prior practice. It is insufficient that CSOs to observe and assess the election period as legitimate free and fair, without the participation of the only competitive opposition party contesting in the election.

The dissolution of a prominent contesting political party and implementation of a new formula of seat allocation stated in the proposed amendment clearly contradicts the principle of election competition following national and international standards for legitimacy and fairness, as well as seriously undermines the process of democratic representation and quality of pluralism.

CSOs endorsing the statement:

1. Committee for Free and Fair Elections in Cambodia (COMFREL)
2. Neutral & Impartial Committee for Free & Fair Elections in Cambodia (NICFEC)
3. Sahmakum Teang Tnaut (STT)
4. Cambodian Food And Service Workers Federation (CFSWF)
5. Youth Resource Development Program (YRDP)
6. Community Peace-Building Network (CPN)
7. Center Alliance of Labor and Human Rights (CENTRAL)
8. People Center for Development and Peace (PDP)
9. Cambodian Volunteer for Society (CVS)
10. Coalition of Cambodia Farmer Community (CCFC)
11. Cambodia Center for Independent Media (CCIM)
12. Housing Rights Task Force (HRTF)

For media request, should you please contact:

016 82 82 11/012 82 22 73/093 555 643/011 53 53 54/070 400 131