



Final Assessment and Report *the 2017 Commune Council Election*



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Committee For Free and Fair Elections in Cambodia (COMFREL)

#138, Str 122 Teuk Laak 1, Toulkork, Phnom Penh

Box: 1145

Tel: 023 884 150

Fax: 023 885 745

Email comfrel@comfrel.org, comfrel@online.com.kh

Website www.comfrel.org

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Acronyms

ADHOC	Cambodian Human Rights and Development Association
AHRC	Asian Human Rights Committee
AKP	Agency Kampuchea Press
ANFREL	Asian Network for Free Elections
CAS	Center for Advanced Study
CAPDI	Centrist Asia Pacific Democrats International
CCC	Constitutional Council of Cambodia
CCHR	Cambodian Center for Human Rights
CDPO	Cambodian Disabled People's Organization
CEC	Commune Election Commission
CHRAC	Cambodian Human Rights Action Committee
CCIM	Cambodian Center for Independent Media
CISA	Cambodian Integrity and Social Accountability
CLEC	Community Legal Education Center
COMFREL	Committee for Free and Fair Elections in Cambodia
CNC	Cambodian News Channel
CP	Collaborative Platform
CSO	Civil Society Organizations
CTN	Cambodian Television Network
DAHRC	Democracy and Human Rights Organization in Action
EU	European Union
EUEOM	European Union Election Observer Mission
GADNet	Gender and Development Network
GADC	Gender and Development for Cambodia
HRW	Human Rights Watch

ICE	Identification Certificate for Election
ICAPP	International Conference of Asian Parties
ICSO	Indigenous Community Support Organization
LEMNA	Law on the Elections of Members of the National Assembly
LICADHO	Cambodian League for the Promotion and Defense of Human Rights
MoI	Ministry of Interior
MPs	Members of Parliament
NA	National Assembly
NDI	National Democratic Institute for International Affairs
NEC	National Election Committee
NGO	Non-Governmental Organization
NICFEC	Neutral and Impartial Committee for Free and Fair Elections in Cambodia
NIS	National Institute of Statistics
OHCHR	Office of the UN High Committee for Human Rights
PEC	Provincial Election Commission
WGI	Working Group on Intervention
PEFOCJ	People's Forum on Cambodian-Japan
PFI	Press Freedom Index
PSC	Polling Station Commission
PVT	Parallel Voter Tabulation
RCAF	Royal Cambodian Armed Forces
RFA	Radio Free Asia
RGC	Royal Government of Cambodia
TIC	Transparency International Cambodia
TVK	National Television of Kampuchea
UN	United Nations
UNDP	United Nations Development Program

VIN	Voter Information Notice
VOA	Voice of America
YAC	Youth Association of Cambodia

Political Parties

CPP	Cambodian People's Party
CNRP	Cambodian National Rescue Party
FUNCINPEC	National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia
HRP	Human Rights Party
KAPP	Khmer Anti-Poverty Party
CNP	Cambodian Nationality Party
RDP	Republican Democratic Party
KEDP	Khmer Economic Development Party
LDP	League for Democracy Party
NRP	Norodom Ranariddh Party
SRP	Sam Rainsy Party
KNUP	Khmer National United Party
BSDP	Beehive Social Democratic Party
KPP	Khmer Power Party
GDP	Grassroots Democratic Party
CIPD	Cambodia Indigenous People's Democratic

Foreword

The Committee for Free and Fair Elections in Cambodia (COMFREL) serves to promote democracy and active participation in elections the spirit of building nationwide networking and cooperation with its member organizations and partners. Democracy is not just about elections, but free and fair elections are a necessary condition of democracy. COMFREL continues to devote great efforts to promoting democratic and genuine elections towards strengthening democratic governance.

This report on the 2017 Commune Council Elections includes findings, analysis, overall assessment and recommendations, as a compilation of COMFREL's reports and the situation room's statements published prior to election campaign, polling and immediately post-election periods, as well as an analysis of the election results. As with previous reports, analysis and recommendations seek to advance the debate on the reform and promotion of free and fair elections in Cambodia.

COMFREL, we are proud of and indebted to numerous local networks, local observers, activists and the situation room NGO partners who served as volunteers during the 2017 election period and made COMFREL and the situation room's comprehensive election mission possible. Their work included long- and short-term observation, voter list audit, campaign monitoring, media monitoring, parallel vote tabulation/quick count, complaints observation and the establishment of the situation room on election-day. Situation room is composed of 40 NGOs who contributed to immediate sharing of election-day information from CSO election observers and enhancement of proactive intervention and rapid response to crises connected to the election-day environment.

COMFREL and the situation room fielded more than 14,580 local observers, covering more than 80.81% of all polling stations or 86% of all polling centers in the 2017 Commune Council elections. COMFREL engaged in advocacy for improvements to the legal framework and conducted voter education through creation of animation, social media and radio broadcasts.

We wish to extend our appreciation for the courtesy and cooperation extended to us by the National Election Committee and other authorities related to elections at all levels. We also wish to thank media organizations, political parties and groups as well as other election stakeholders. COMFREL, we wish to express our special gratitude and pay tribute to partners and donors.

COMFREL's Board and Management

1. Introduction

Four Commune Council elections were held in the years 2002, 2007, 2012 and 2017. The regular conduct of elections initiated a democratization process in Cambodia. Cambodia has taken the substantial step in implementing decentralization reform of the Commune/Sangkat reform for the past decade.

The Commune/Sangkat reform is derived from a programme known as Seila. Seila started in 1996 and was initially implemented as a framework to match the delivery of capital for infrastructure projects from a variety of donors and the national government to address local needs in target provinces in Cambodia. It should be noted that while decentralization has focused mainly on communes. Compared to the previous term, the term of decentralization (2002-2017) marks relative progress in decentralization reform. During the three terms there were minimal change in relation to political decentralization and political distribution, checks and balances, and democratic accountability of local elected officials. The 2017 commune council elections were the fourth local elections in Cambodia, presenting both opportunities and challenges for all concerned. On the plus side, they offered opportunities to consolidate the gains that have been achieved in strengthening local democracy and sub-national democratic development through political power distribution with checks and balances between the ruling party and opposition. The election was held on 4rd June 2017. More observers were deployed to the stations across the country to monitor and assess whether all registered voters were provided the opportunity to exercise their right to vote and enjoyed vote secrecy, that election officials performed their duties effectively and that voting, counting and tabulation was conducted in a peaceful and orderly atmosphere and if the election results were published at all provincial and national levels.

Data generated for this report are based on primary direct observations, interviews and public documents, secondary data carefully selected from publications of diverse national and international stakeholders, and media examining Cambodia's political environment. All sources are cited and listed in the bibliography at the end of the report.

The report begins with an executive summary of the main findings. It follows an evaluative analysis and assessment on election with appropriately using national and international approaches and norms such as the Constitution of the Kingdom of Cambodia, the United Nations Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the Paris Agreement on Cambodia, the Law on the Organization and Functioning of the NEC, Bangkok Declaration on Free and Fair Elections, Declaration of the Free and Fair Election of the Inter-Parliamentary Union (IPU), Indicators for Free and Fair Elections in Dili, and Declaration of Global. The assessments were made to find positive and / or negative outcomes on nine factors including: electoral legal and regulatory framework; amendment laws on political parties; constituency boundaries and seat allocation; independence, neutrality, transparency and proficiency of the NEC; voter Registration and the voter list; political party candidate and list registration; electoral campaigning; polling and counting and Election Day; and, election dispute resolution. The assessment and observers does not include support for any political party. In addition, the neutrality of our observers also was ensured that applied to the legal principle, and NEC's guideline which non-member or activist of any political party is a must.

2. Executive Summary

2.1. Principal Findings

LEGAL FRAMEWORK – the amendments to the law and NEC regulation procedure on commune election contain more negative than positive aspects. Significant positive changes included: voter registration and organization of the voter list; a mechanism for the installation of political party's signs in public spaces; the banning of civil servants, local authorities, military and national police forces and judicial officials from participating in any of a political party's events during working hours in the election campaign period; recognition of political party's agents and election observers is clear in the law, as is the time frame of the NEC to process, verify, and recognize applications. Significant negative changes included: provisions for the number of voters allocated in each polling are ambiguous; definition and scope of activities included in the election campaign; the duration of the election campaign; provisions related to rights of civil servants, local authorities, military and national armed forces and judicial officials to participate in election campaign activities once they asked permission or outside of working hours; provisions related to the dissolution of a political party enact a negative change because the law connects party dissolution to the commission of a criminal offense committed by an individual and not the party itself; provisions limiting the activities of NGOs and associations participating in politics during election campaign are significantly negative, curtailing civil society's right to expression. There remain lack of fairness in terms of democratic representation and equal weight to individual votes, the election system to allow independent candidates; and lack of fairness of the formula for seat calculation. Moreover, there are no the number or quota of female and youth in the policy and legal framework that set the conditions for the submission of proposed candidates and at least 30 per cent of the total registered contesting candidates. There is the controversial provisions in LECC articles 74 and 159 which impose restrictions and sanctions on NGOs and association, especially for NGOs or association who are working on election monitoring and recognized by the NEC; removal of sanctions against civil society groups engaging with political parties to improve the party system as a whole; and amendment to LECC article 190 in order to protect the rights of political parties to associate.

PRE-ELECTION CLIMATE - the environment was seriously negatively affected by three main problems: unilateral legislative changes and policy and legal persecution of the major opposition party on the basis of policy; the creation of an environment of threats and fear by ruling party officials along with the politicization of the security services; and, the continuation of serious restrictions on civil society and opposition political parties through legal prosecution of individuals.

VOTER REGISTRATION AND VOTER LIST: In 2016, the NEC conducted a new voter registration with 9,664,216 eligible voters to create new voter list for the commune election in 2017, but of 9,664,216 eligible voters the NEC was only able to register 7,865,033, equal to 81.38%. The new voter registration was conducted using a digitized registration system involving biometrics (thumper print) and photo, and with Khmer ID or identity certificate as acceptable required documentation. The registration cost about USD 23 million. In total, 9 political parties and 07 associations or non-governmental organizations deployed observers to monitor the registration process. However, only the CPP and the CNRP were able to deploy observers to all

communes while COMFREL and the Electoral Reform Alliance (ERA) were able to deploy 947 observers to 947 communes. Based on its voter list audit, COMFREL concluded that the 2016 new voter list was significantly improved over previous lists, since it found that 89.3% of eligible voters who reside in the country had registered and have names and personal data input successfully to the list. The names and data on the voter list sampled were found to be 98 % accurate, and the audit found that 93.7% of data including date of birth, sex, name to be accurate. COMFREL monitoring found some irregularities including: failures to properly implement the procedure for scanning fingerprints, failures to ensure registering applicants received a registration receipt, and errors in data transmission (especially data transmitted to/from the department of voter data and voter list). Cambodian civil society organizations and some political parties requested the NEC to post the voter list in each village prior to the election. The NEC, revised the procedures for posting the voter list at communes, extending the posting, but because the policy was not disseminated effectively only about 30% of registered voters checked and verified their names and data. Also obstacles to registration were found for monks and migrants, and some problematic registration/polling stations seemed to be established exclusively for members of the armed forces. COMFREL's observed no cases of voters whose names were not on the list for voting in the 2017 commune elections, after having registered in the 2016 voter registration. However, some eligible did not have a Khmer ID to vote and they did not know how to apply for and obtain an identity certificate for voting. The election law allowed for the use of the identity certificate for registration, but the policy was made too late to be effectively disseminated. 10% of eligible voters that did not obtain the Khmer ID met obstacles including: difficulties finding two eligible witnesses from that commune with accepted proof of residence; it was time consuming to obtain the necessary signature from the commune chief; many commune chiefs were busy with their work on the election; the officials responsible did not provide simple and clear instructions; many identity certification for voter registration (ICVR) holders were not well informed about the issue and procedure. Before polling, there was distribution of voter information notes was found to be better than in previous elections. Despite the very high percentage of voter information notes (VIN) distributed by the NEC and commune authorities to inform registered voters about location and code number of polling station, the observation found that the purpose and reasons for the VIN was not adequately explained to voters, and some polling officers were confused about the regulations and demanded that voters show the cards.

ELECTION MANAGEMENT:

RECRUITMENT – The constitution of the national commission and sub-national commissions on recruitment were observed to accord with the regulations and procedures and decisions of the NEC. Those National and Sub-National Commissions have implemented recruitment as provided for in the regulations and procedures and decisions of the NEC. However, problems included: a lack of public access to information related to the announcement of the recruitment processes; a majority of recruitment commissions had an insufficient number of candidates to make the process truly competitive; the recruitment process was not based on real competition as 70% were prior election staff, likely to be linked to the ruling party as members and supporters; and provincial commissions and sub-commissions acted uncooperatively regarding the dissemination of information about the recruitment process. The process of recruitment of polling officers and counting officers occurred in a capable and credible manner, similar to the recruitment and

selection of the PECs and CECs for the 2017 commune elections. The observation found that the recruitment and selection were improved and the Recruitment Commission acted firmly in accordance with the regulations and procedures, and conditions set the NEC. The recruitment and selection were made openly, and candidates that passed the examination viewed it to be conducted in a fair manner. At the same time, in its observation on the recruitment for PSOs, COMFREL found some things to be improved on for future recruitment. These included a lack of information on the announcement of the recruitment and the announcements were not widely accessible to interested applicants. Also, there was a lack of candidates who applied for the positions in some communes and most of the PSOs had previously worked for the NEC especially the Chiefs of the polling stations. Because they were also civil servants and often active members of the ruling party, the interviewing and examination for the recruitment could have been conducted more transparently.

ELECTION MANAGEMENT: CANDIDATE REGISTRATION – twelve registered political parties submitted candidate lists to the NEC, and for the first time in history more than one party was able to register candidates in all communes. The number of political parties that participated in the 2017 commune election was the same as the 2007 commune election, but more than in the 2002 and 2012 commune elections. Unfortunately, there was no single standard for the determination of requirements for candidate registration by CECs. Many political parties faced challenges in finding eligible candidates. There were some cases of threats made against candidates, especially those registered for the opposition party. Some political party candidates withdrew their applications from a party list due intimidation, threats, fear, discrimination, or duress, and parties faced an inability to find candidates willing to take the risk and stand for the elections. Some were persuaded/lured to participate with another political party, after which they withdrew from the candidate list.

ELECTION CAMPAIGN - observation and monitoring found the election campaign was conducted smoothly and peacefully without any serious violence. Political parties participated actively in the campaign process. However, the restrictions on public spaces, types of activities, and number of rallies detracted from freedom expression and the quality public sphere. Private TV stations did not follow NEC media guidelines and the principle of equality. According to our assessment, the legal framework related the election campaign took away from the overall democratic quality of the poll because the provisions of the new commune election law related to the election campaign resulted in restrictions on the freedom of political expression of the registered contesting political parties, particularly the opposition party. Problems included: the biased implementation of the law some constituencies, for example when main routes in Phnom Penh blocked for the campaign period were opened to allow the ruling party to rally on the final day of the campaign; the prohibition of civil society organizations from expressing their opinions, and conducting opinion polls (in contrast with the permitted participation of civil servants, military/police personnel, and members of the judiciary).

CAMPAIGN FINANCE – the reports concerning political party expenditures during the campaign were never released to the public or made available to the NEC. Observation estimates found a large difference in the amount of available resources between contesting political parties was high. The CPP's expenditures were mostly funded from the political party branch at the commune, provincial or capital level, whereas the CNRP's expenditures were mostly funded from running election candidates. The quality of elections was reduced because of the failure to adhere

to the principle of equity in campaign finances. The lack of transparency and accountability mechanisms for campaign financing, including an accurate public record of specific types and amounts of expenditures, create the potential for misuse of state resources, and detract from the public information needed for voter's to make a free choice and ensure that those seeking office are not beholden to special interest groups. Without full disclosure, there is a potential for state resources to be harnessed in the service of a particular political party. The NEC should have authority to require political parties to openly reveal sources of income and expenses for their election.

MEDIA – monitoring supports the conclusion that the NEC did not effectively enforce campaign regulations on the media in this election because, except for current guidelines given by the NEC, no legal framework is in place for regulating the media and use of media by government, parties, and other non-state actors. For this election media guidelines were released by the NEC, however, except for the state owned TVK and affiliated radio stations, there was a lack of compliance by private broadcasters and effective enforcement of the guidelines. The 'Manual for Election Campaign' outlines that private media are free to refuse to sell airtime to any political party, but only when they have not sold airtime to any other political party. In practice, in the 2017 election, private TV stations not only affiliated their broadcast programming, but could also be observed to have sold airtime to the CPP without reporting airtime sold in compliance with NEC guidelines. CPP-related content composed 43% of total airtime of four TV stations broadcasting programs by political parties. COMFREL finds the framework of laws and regulations in place inadequate for supporting the balanced conditions of political competition required for a fair election. Media monitoring demonstrated clearly that during the election campaign one political party had a clear advantage in favorable airtime of private TV and radio stations. The ruling party had more opportunities to disseminate its political platform and message to voters through TV channels, especially private TV channels, when compared to other political parties.

ELECTION DAY – the observation on polling day irregularities overall found the process to have improved considerably from past elections. The four main irregularities found were: the participation of RGC officials in active support of the ruling party election campaign in violation of regulations (766 cases); disputes or obstructions to observation (153 cases); intimidation or threats/violence (84 cases); uniformed armed forces members campaigning (29 cases). For the fairness of future elections, it is imperative to effectively enforce the provisions to article 15 of the law on political parties during the election campaign to ensure the neutrality of Cambodian armed forces, police, civil servants and judicial officials and prevent them from acting unfairly against any registered contesting political party. These groups of citizens play a crucial role to ensure the security and impartiality of all phases of election process.

COMFREL in cooperation other CSOs trained and deployed 14,589 observers (6,153 observers were females) to monitor the polling and counting process in 9,889 polling centers (86% of the 11,781 total polling centers or 80.81% of polling stations). In the 2017 commune elections, the irregularities recorded: on cooling day 06 cases; during polling 2,276 cases; during counting 768 cases. Irregularities occurred at 1,657 polling stations, or 9 percent of the total polling number of stations where COMFREL had deployed its electoral observers. There were 22,148 polling stations. Most of the irregularities recorded in the 2017 commune elections were related to challenges faced by voters which prevented them from casting their ballot: (1) lack of Identity

Certificate; (2) lack of Voter Information Cards making it difficult for the voter to find their name on the voter list and polling station number; (3) misspelling of name and incorrect details on the voter list; and, (4) missing names from voter list. Most cases of the electoral related irregularities found during the polling process resulted from mistakes or problems with the implementation of the regulations and procedures for voting set out by the NEC. The electoral irregularities during counting included: cases related to preventing CSO's and political parties' observers from taking photographs and videos of the counting process; the recognizing of spoilt or valid votes without the consents and verification of political party agents and CSO observers; closed-door counting; counting so rapidly that observers were not able to follow; a difference between the numbers of votes in the ballot box after counting and numbers of voters marked on the voter list; refusing to provide result forms to political party observers and or post them correctly; disturbances during the process and obstructing the counting process; and consolidating the total result incorrectly.

ACCREDITATION OF OBSERVERS – the process of comprehensive and nonpartisan election observation has been found to be essential to the credibility of the results and the legitimacy of the mandate derived from the poll. 21 organizations deployed a total of 74,671 non-partisan observers for election monitoring, in accordance with their rights under national and international law. The largest of these were the Union of Youth Federations of Cambodia (31,431), Cambodian Women for Peace and Development (20,793), and COMFREL (14,580). Also, the NEC accredited a total of 105,076 electoral observers considered to be agents from one of the 12 contesting political parties. The Ruling Cambodian People's Party (CPP) deployed 44,614 observers, and the opposition Cambodia National Rescue Party (CNRP) deployed 43,596 observers. The NEC also accredited a total of 384 international observers from 34 international organizations, embassies, and donor countries. Monitoring of accreditation found that it occurred in a mostly effective and timely manner. Issues included: the redundancy of requiring that the observer list get approval from both the director of department of legal service and conflict and the president of the NEC; refusal to recognize unfilled accreditation cards at PECs, resulting in difficulties obtaining the identity cards for observers. Improvements included: no longer requiring the applicant sign the identity card before getting the signature and stamp from the PEC; delaying the deadline for revisions on applications; distributing unfilled identity cards directly at the NEC rather than through PECs; and, issuing feedback or comments before rejecting an application.

ELECTORAL COMPLAINTS AND RESOLUTION – the observation found that the election dispute resolution mechanisms have improved significantly in terms of transparency and credibility when compared to previous elections. Overall, the NEC and the subnational electoral bodies under its supervision are to be complimented for their hard work and efforts, as the first election held since the reform of the body bodes well for its future performance. However, election observation and analysis found that there was inadequate transparency in the resolution of complaints, a lack of a clear means to link decisions with the Law on Election of Commune Councils, and an absence of accountability for refusals to resolve complaints or conduct recounting in specific polling stations following complaints. The substantial grounds for the refusal to address the complaints should be more formal and evenly applied. First, section 11.3 of the Procedures and Regulations for Commune Elections has been found incapable of providing for electoral dispute resolution in a transparent and accountable manner, because its provisions allow too much room for interpretation by EDR bodies, rendering the final decision excessively discretionary. This

is particularly a problem with regard to the provisions on required information while the absence of clarification of those requirements in the regulation and procedure. Second, the NEC rulings implement the provisions simultaneously, including its requirements regarding the deadline for the submission of complaints of 11:30 am of the day after the election. This standard is too stringent and risks excluding valid complaints from the resolution process at the outset.

ELECTION RESULTS AND VERIFICATION:

The number of vote for political party written on the electoral result note (1102) collected by COMFREL and the Situation Room is 93.1% the same as number written provided on the electoral result note (1102) posted on NEC's website. The figures for number of paper ballots recorded in the results collected by the situation room are 93.6% the same as NEC's. The differences and irregularities found from verification of form 1102 will not significantly affect preliminary electoral results.

The CPP won the election with 1,156 and commune chief seats, 14 of which were not previously controlled by the ruling party. In 37 communes the CPP occupies all councilor and commune chief seats, although in the election for those seats there were at least two contesting political parties. However, it is also the first time that another party shares 30% of the commune chief seats, with 489 commune chief seats of 1,646 communes occupied by the CNRP (one commune chief position is occupied by KNUP). According to COMFREL observers, of the 23 communes that were transferred from the previous commune chief to the new commune chief (both from the ruling party to the opposition party and from the opposition party to the ruling party), 14 communes had problems with the transfer of the office related to working office space, equipment, and difficulties working with the commune clerk. The observation study found that in some communes, the properties of the commune have been seized by the former commune chiefs that belonged to ruling party.

Four other political parties including FUN, GDP, BSDP and LDP did not have enough votes to win a commune chief seat, but did gain commune councilor seats. The CPP won the majority of commune councilor seats in 21 provinces, but there were nine provinces where the CPP victory was slight, winning 50% to 60% of council seats. The 2017 election results show that only the ruling party CPP and the opposition CNRP party were able to strengthen their support among voters when compared to their performance in the previous 2012 commune council election and 2013 national assembly elections. In the 2017 election, the CPP gained 3,540,056 votes, a decrease of 91,026 votes from the 2012 commune council election, but an increase of 304,087 votes when compared to the 2013 national assembly election. The ruling CPP lost 436 commune chiefs seats, when compared to the results of the 2012 election, and the CNRP gained these seats. In addition, the CPP won 8,292 commune council seats in 2012 but won only 6,503 seats in the 2017 election. In distinction to 2012, in 2017, the CPP was not able to win an absolute majority of commune chief seats of Phnom Penh, Kampong Cham, Kampong Thom or Siem Reap provinces. The major opposition party gained in support from voters in 2017 if compared to the 2012 commune council elections and the 2013 national assembly elections. The CNRP gained 3,056,824 votes in the 2017 election, an increase of 1,251,881 votes from the 2012, and CNRP results increased by 110,648 votes when compared to the 2013. In addition to the two major political parties, in 2017 FUN gained 132,319 votes, a decrease of 90,352 votes when compared to 2012, and 110,094 votes

when compared to 2013. Contesting opposition political parties, other than the CNRP and the newly established political parties, did not gain commune council seats and commune chief seats.

VOTER TURNOUT – the number of estimated eligible voters was 9,664,216, and of that 7,865,033 (81.38%) registered. Most of the unregistered voters were external migrants that are unable to meet the residency requirements for voting. On the Election Day, 7,107,395 ballots were cast (90.37% of registered voters). There are number of possible reasons for the high turnout, including: NEC reform resulting in a new computerized voter list system using voter photographs and biometric fingerprints; active participation of the opposition in the National Assembly committees in calling incumbent government ministers to account; field visits to promote political platforms; participation of civil society organizations and other stakeholders in the election process; and a high quality voter list preventing a repetition of past problems. A COMFREL rapid survey of 757 voters without indelible ink on their finger on the day after the Election Day found that 48% of the eligible voters interviewed could not vote but reached the polling station, and 52% of the eligible voters interviewed did not reach the polling station. Of the latter, 85% stated they would have been willing to vote, while another 15% were not. Among those who could not vote but reached the polling station, 46% had no Khmer ID or ICV, and 43% of them had no voter identity notification (VIN), meaning they could not find their polling station and name on the voter list. For those who could not vote but were willing to vote, 60% of them did not receive proper election information and did not go to register, while 16% of them were not able to access the polling station because of distance and lack of free time (mostly work commitments).

WOMEN'S PARTICIPATION – 4,210,914 eligible women voters were registered on the 2016 voter list (53.53% of 7,865,033 registered voters). Some women, however, failed to exercise their registration and voting rights stipulated in the constitution for different reasons, including old age, maternity, being in prison, or migration. COMFREL's women's observation found 38.46% of eligible women voters interviewed, who did not or could not vote, provided one or more of the following reasons for not voting: being busy with their household/farming job or business, losing their Khmer ID, and not getting registered. In 2017, 25,788 of the 94,595 eligible candidates were women, from 12 contesting political parties (an increase of 1.62% from 2012). During the three earlier mandates, the number of women candidates elected as commune councilors increased steadily, and women were found to be more active in political activities. However, the number of elected women candidates, in the 2017 election has decreased. In addition, although the number of women candidates has been found to have increased, the rate for women candidates still remains much lower than the rate for men candidates. COMFREL found that women are still afraid of getting involved in political activities and elections and has raised three main concerns: first, there is no a particular written policy that is an affirmative measure and/or an article in election law, to support and promote equal opportunity for women to engage in political activities and to run as a candidate in elections; second, there is still discrimination against women in terms of candidate selection for political parties; and third, key aspects of the political atmosphere during the process of election were not supportive of the participation of women, including intimidation, threats, and harassment using the courts of candidates and political activists from opposition parties. The government should initiate affirmative action measures to increase the number of women in leadership, and more attention should be paid to the quality of women's participation.

YOUTH PARTICIPATION – has steadily increased over the years, and in 2016, 2,621,190 youth registered (33.3% of the 7,865,033 of the eligible voters). According to the NEC, the number of election candidates from 25 to 35 years-old nominated by political parties was 10,285. However, only 4,535 were eligible candidates on the list. According to official election results, 862 youth candidates were elected, but only 324 of them are 25 to 30 years old. During the election campaign, participation of youth voters in campaign activities was found to be active, resulting in a new trend for political parties toward seeking supporters among a younger and better educated post-war generation.

POST-ELECTION CLIMATE – Serious setbacks to the legislative framework needed for democracy in the post-election 2017 period occurred with further amendments electoral laws. Changes to the Law on Political Parties and election laws, are a direct assault on liberal democratic pluralism. The Law on Political Parties constricts all political parties by forcing them to control the speech of any individual, regardless of their position as a party official. It establishes a slippery slope toward a one-party system and authoritarian rule by providing for the dissolution of any party. Through its influence over the judiciary, the executive branch effectively can regulate political competition with discretion. The assault on opposition parties, independent media, and civil society (including international/national NGOs, CSOs and independent unions) aims to not only disagree with them, but to challenge their existence entirely by propagandizing their illegitimacy and illegality. This has weakened the fourth estate and threatens public awareness, resulting in impaired mechanisms for government accountability. Furthermore, it has created conditions where civic space and the public sphere are diminished by mistrust and obstacles to the growth of social capital.

2.2 What Others Say

Cambodian People's Party

“The Commune Election which was conducted on 04 June 2017 was successfully adhered to the constitution and the law of Cambodia. Free and fair, and with security for all Cambodians that have the right to vote and used their right as the owners of the country to vote at each station to select their representative for the next 5 years from 2017-2022. This is the new history for Cambodia to strengthen the peaceful core of democracy and economic development for the future.”

Cambodia National Rescue Party

“The 4th mandate commune election which was conducted did not fulfill the conditions of free, fair, and justice elections, even though the preparation of voter list and voter registration, and the registration of parties were better than last time but many situations that effected the election [such as] the political atmosphere before the election...; the atmosphere during the election campaign...; date of vote [not giving workers leave]...; counting...; and resolving complaints.”

Asian Network for Free Elections (ANFREL):

The 2017 commune/sangkat council elections were held under a restrictive legal regime. The Law on Associations and Non-Government Organizations (LANGO) and the amended Law on Political Parties effectively limited the liberties of civil society and opposition political parties. Such legislation has further aggravated the human rights conditions in the country, characterized by arrests of human rights activists, legal charges brought against opposition party members, and threats of violence and civil war from government leaders, all of which adversely affected the climate of the campaign.

Cambodian electoral stakeholders must work more diligently to ensure a level playing field. Currently, media access, the judicial system, the legal framework, and the absence of effective campaign finance regulations are skewed to benefit the ruling party. Despite the oppressive political situation and unfair practices, the campaign was observed to be more vibrant and peaceful than in previous elections, with only minor conflicts and incidents of violence.

Overall, ANFREL's assessment is that the commune and sangkat elections went smoothly, although with room for democratic progress. “The electoral management body, redesigned by the Law on the Organization and Functioning of the National Election Committee (NEC) of 2015, performed well as evidenced by its fairer regulations and guidelines, despite institutional flaws in its composition and independence. A remarkable improvement in voter list management, the issuance of codes of conduct to stakeholders, and the accreditation of 74,671 observers allowed for a more transparent process which gained the trust of most stakeholders and encouraged cooperation among them. ANFREL witnessed a smooth and efficient electoral system attributable to the NEC's polling rules and their effective implementation. While some deviations from the

standard polling process were observed, these were due to inadequate training of polling staff, and were too minor to affect the credibility of the polling process.”¹

Transparency International Cambodia:

“Overall, the voting process today went smoothly with little to no violence or intimidation and with most polling officials following proper procedures. Some noticeable irregularities that TI Cambodia observed today were the presence of unauthorized individuals in the vicinity of the polling stations, mainly village chiefs and candidates, and registered voters failed to find their names on the voters list. However, these issues did not occur on a wide scale.”²

Union of Youth Federation of Cambodia (UYFC)

The election campaign was smooth and participation in competition and full exercise of freedoms and rights. For the election-day optimistic voters with free expression of free went to poll while polling with secrecy and no coercion. ³

The United States Embassy in Phnom Penh:

Congratulate the millions of Cambodian citizens who went to the polls on Sunday to select their commune leaders. We also commend the Royal Government of Cambodia, the National Election Committee (NEC), election officials, and volunteers for their efforts to prepare for and carry out these elections.

Human Rights Watch:

“Although voting day was peaceful, the electoral process was fundamentally flawed, Human Rights Watch found. Problems included unequal media access for opposition parties, bias in favor of the ruling Cambodian People’s Party within the national and local electoral apparatus, and the lack of an independent and impartial dispute resolution mechanism. Threats and intimidation by the authorities against the opposition and its supporters were common.”⁴

Centrists Democrats International:

“We welcome that the use of multiparty, free, fair and regular election as a democratic means to compete for public offices has become Cambodia’s destiny. The IDC-CDI delegation would also like to congratulate the Cambodian people and its authorities on its efforts to introduce major political reforms such as reform to the NEC leadership, new Election Law, new Political Party Law, Law on Associations and Non-Governmental Organizations, judicial reforms and decentralization. These reforms are critical to strengthening the rule of law and democracy in Cambodia. After the ignominious sufferance of the recent history of the Cambodian people, its demonstration of a peaceful election campaign and its civic behavior on Election Day, together with a very high participation in the election, is a fantastic example to the world. We encourage

¹ <http://aerc-anfrel.org/publication/anfrel-mission-reports/2017-the-international-election-observation-mission-ieomof-anfrel-to-the-kingdom-of-cambodias-commune-and-sangkat-council-elections/>

² <http://www.ticambodia.org/sbo2017findings/>

³ <https://www.facebook.com/uyfc.cambodia/photos/pcb.1752962394719509/1752955781386837/?type=3&theater>

⁴ <https://www.hrw.org/news/2017/06/12/cambodia-commune-elections-not-free-or-fair>

the Cambodian society, in particular its political stakeholders, to engage in a constructive dialogue, the only way to promote peace, democracy, stability, rule of law, more prosperity and social justice. The IDC-CDI praises both the CPP and the Funcinpec, our sister parties, for their important role in all this process, defending the principles and values of our political family.”⁵

International Conference of Asian Political Parties and Centrist Asia Pacific Democrats International:

“The ICAPP-CAPDI considers the elections in Cambodia as a triumph of popular will and a victory of the Cambodian people in their quest to build a better future based on the supremacy and sanctity of the ballot. The elections were free, fair and transparent, and, above all, peaceful, non-violent and smooth bear testimony to the fact that Cambodian democracy has not only matured, but come of age politically. We extend our heartfelt congratulations to the people, political parties, leaders, media, civil society and the NEC of Cambodia for the successful and orderly conduct of the general election.”⁶

2.3 Overall Assessment⁷

In terms of voter registration and voter list management, candidate registration, polling and counting processes, and the announcement of electoral results, election management has been significantly improved and made more transparent than before. However, management in terms of the election campaign and electoral dispute resolution have found to be not improved. No severe violence was observed or reported during the election, however, significant irregularities occurred in the pre-election period. They are an environment of political suppression, a lack of transparency and inequities in campaign finance, the misuse of state resources to undermine a level playing field, the provisions of election laws and political party amendment law that undermine liberal democratic pluralism, a lack of a neutral and independent judiciary, the public political partisanship of high-ranking military personnel, and intimidation of civil society by the security services. These irregularities resulted in significant restrictions on the enjoyment of voting and participation rights of the Cambodian people and demonstrate elections in Cambodia are not of sufficient quality to be considered fully fair.

3. Political Environment

The pre-election climate for the 2017 election was a serious cause of concern, and it not only fundamentally detracted from the overall quality of the poll, but also involved the continuation of

⁵ <https://idc-cdi.com/en/news/following-the-invitation-of-the-national-election-committee-delegation-of-the-centrist-democrat-international-idc-cdi-led-by-h-e-mr-andres-pastrana-idc-cdi-president-and-former-president-of-col/>

⁶ Available at: <http://www.akp.gov.kh/?p=34921>

⁷ COMFREL endorsed the Situation Room on Cambodian Commune Council Elections in 2017 who had more than 40 independent Civil Society Organizations (CSOs) and expert individuals together:

To provide a Nonpartisan Collaborative Platform (CP) which are able To make assessment of elections and verification of the election outcomes

a trend of democratic regression and setbacks to liberty.⁸ The pre-election climate was seriously negatively affected by three main problems: unilateral legislative changes and policy and legal persecution of the major opposition party on the basis of policy; the creation of an environment of threats and fear by ruling party officials along with the politicization of the security services; and, the continuation of serious restrictions on civil society and opposition political parties through legal prosecution of individuals.

3.1 Unilateral legislative changes contrary to liberal pluralism, and policy and legal persecution of the major opposition party

Key legislative change eroded the multiparty competition needed for constitutionally affirmed political pluralism, and for the context of free choice needed for individual voter rights. This process added to problematic legislative changes enacted since the 2013 election related to judicial reform, electoral laws, and the regulation of civil society. The period of 2017 prior to the commune council elections began with increased optimism that the playing field for the elections would improve by election time. Following the royal pardon of opposition leader Kem Sokha, leaders of the ruling CPP and the major opposition CNRP met for dialogue in early December 2016. Subsequent to the meeting, the opposition requested the continuation of dialogue through further discussion. As such, 2017 began with high hopes for reconciliation needed for healthy elections and substantial enjoyment of political rights, when the MOI agreed to further talks with the opposition.

Nevertheless, legal processes undermined the political trust and healthy conditions of public expression that are so essential to a genuine electoral process capable of reaffirming the credibility of political authorities in the eyes of the public. It began with the proposal by the ruling party to alter the internal rules for the National Assembly, set in motion by the PM while abroad for the World Economic Forum, and first disseminated through government aligned media. The change removed Article 48 (III) of the Internal Rules which stipulated the opposition party to have the standing of a ‘minority group’ in parliament with its leader designated as ‘minority leader’. According to official press:

“The status of “Minority Leader” was created by the new Article 48 (III) of new Chapter 12 of the NA’s internal regulation following the political consensus initiated by Samdech Techo Hun Sen and the self-exiled President of Cambodia National Rescue Party (CNRP) H.E. Sam Rainsy on Nov. 28, 2014 in the meeting between both parties’ leaders on the sidelines of the 3rd session of the NA’s fifth legislature.”⁹

The policy change initiative seems clearly designated to reduce dialogue between parties as it removed the formal mechanism to ensure continuing meetings, which allowed for an expectation of potential reconciliation. Political stability through compromise and reform had been the main purpose of the 2014 agreement.¹⁰ This effectively undid a cornerstone of the political compromise

⁸ A broader discussion of the political conditions during the 5th mandate of the National Assembly prior to 2017 can be found in COMFREL’s annual reports on democracy, parliament performance, and misuse of state resources.

⁹ “Roles of NA majority and minority leaders removed”, Agence Kampuchea Presse, 31 January 2017.

¹⁰ Thul, Chan Prak, “Cambodia’s opposition leader loses key role ahead of elections”, Reuters, 31 January 2017.

that followed the post-election unrest and stalemate.¹¹ An issue for the PM was the continued attempts by the opposition party to put political prisoners on the agenda for discussion. The change in the Internal Rules was motivated, according to statements by the PM, to prevent using the dialogue for negotiating the release of prisoners.¹²

Within two weeks 50 ruling party lawmakers signed to indicate support for the legislative proposal, and the change was being accepted by the permanent committee of the National Assembly.¹³ By the end of January, the changes had been enacted by the National Assembly with 67 votes by ruling party MPs.¹⁴ At that same time, government media was both announcing the policy change and claiming that the policy of a culture of dialogue continued,¹⁵ even as the PM was instructing the courts to seize the headquarters of the opposition party. He instructed DPM Hor Namhong to instruct his own lawyer to make the request as part of what was owned in the defamation case for which Sam Rainsy had been convicted. He called for a freeze of all of Sam Rainsy's assets and confiscation of properties.¹⁶

At the same time PM Hun Sen threatened to amend the Law on Political Parties to prevent Sam Rainsy from leading the CNRP by making it possible to dissolve the any political party with leadership links to those convicted of a crime. He claimed that the legislative change was needed to prevent “culprits” from serving as political party president or vice-president, directly referring to the policy change as a move “to strip them of their rights.”¹⁷ The change added to the multiple legislation enacted unilaterally by the ruling party without any opposition participation or votes in the assembly. On February 2, PM Hun Sen declared: “We shall ban not just a few people, but we shall get rid of the whole slate so that they are deterred.”¹⁸

The move occurred in a context when the number of lawsuits against opposition leader Sam Rainsy had risen to six (including convictions and allegations by ruling party figures for defamation).¹⁹ For opposition leader Sam Rainsy, charges of defamation have followed discussion of leaked links between ruling party activist Thy Sovantha, discussion of the border agreements with Vietnam, and discussing the source of all the ‘likes’ on the PM’s Facebook page from foreign countries.²⁰ In

¹¹ Note that the reason for the change in the articles following political compromise between the two parties in 2014, was that the previous mechanism set out in Art 48 (II) had not been effective, as allowing for 10 lawmakers in agreement to raise an issue in plenary session had not resulted the levels of political compromise required to sustain multiparty representative government in the past.

¹² Sokhean, Ben “Prime Minister Makes Moves to End Future Talks With CNRP”, Cambodia Daily, 17 Jan 2017; Sokchea, Meas “NA meeting planned on ‘minority’ clause”, Phnom Penh Post, 20 January 2017.

¹³ Sokchea, Meas “NA meeting planned on ‘minority’ clause”, Phnom Penh Post, 20 January 2017.

¹⁴ “Roles of NA majority and minority leaders removed”, 31 January 2017.

¹⁵ Sophirom, Khan “PM reaffirms continuation of culture of dialogue”, Agence Kampuchea Presse, 31 January 2017.

¹⁶ Naren, Kuch “Hun Sen: Seize CNRP headquarters, ban Sam Rainsy from Party Leadership”, Cambodia Daily 31 January 2017.

¹⁷ Tha, Vuthy and Chandara Yang “Cambodian crackdown on ‘culprits’ targets Hun Sen’s opponents”, RFA 31 January 2017.

¹⁸ Moniroth, Morm and Thay Tha “Hun Sen’s push to outlaw the opposition draws fire”, RFA, 7 February 2017.

¹⁹ Ibid. See also Mech, Dara “Sovantha files suit against Rainsy”, Phnom Penh Post, 18 January 2017.

²⁰ Sovuthy, Khy and George Wright “Hun Sen files \$1million lawsuit against Rainsy”, Cambodia Daily, 19 January 2017.

addition, in October 2016 the PM ordered all relevant government bodies to use every means to prevent Sam Rainsy from returning to Cambodia.²¹

By mid-February 2017, Sam Rainsy resigned as opposition leader under threat of the new legislation that legalized the dissolution of the opposition.²² The CPP had moved forward with legislation that, in addition to barring leaders that have been convicted of crimes, allowed disbanding a political party if they were deemed to be a threat to national security and/or national unity. This occurred despite calls for a delay allowing for a multi-stakeholder consultation to occur.²³ As noted by independent political analysts the events reaffirmed a long tendency of Cambodian politics to overlook policy debates and emphasize political maneuvering. Sam Rainsy had lead liberal opposition parties and been main voice calling for political reform for over two decades.²⁴ Before the end of February, CNRP Senator Hong Sok Hour and CNRP members Meach Sovannara and Um Sam An, all of which are currently imprisoned for what are widely perceived to be political reasons, resigned from the opposition party under threat of the party's dissolution.

During the final week of February 2017, the ruling party unilaterally moved forward with the amendments to political party law, passing it in both houses and by the Constitutional Council, and the law was signed into effect in the King's absence by Senate President Say Chhum.²⁵

Despite being opposed by the main opposition party and other minor political parties, national civil society organizations, key international donors, consolidated democratic states, and international NGOs, the proposed legislative change passed the National Assembly and was described by the ruling party as creating a proper political atmosphere consistent with democracy.²⁶ It was also claimed that change did not occur as a response to constrict and punish the CNRP, but because the political party law was outdated.²⁷

The Prime Minister had frequently warned that an opposition victory or change of PM would inevitably lead to war, and the CPP government turned to illegalizing the very concept of change by prohibiting the use of the term in campaign rhetoric and public speech. The ruling party turned to legal challenges of the election campaign slogan of the opposition: "Change the commune chief which serves the party with the commune chief which serves the people." In a speech in February the Defense Minister defined the opposition slogan for "change" as a national security threat, linking people's call for change (a frequent message in opposition rallied during and since the 2013

²¹ Huot, Vuthy and Moniroth Morm "Cambodia's Hun Sen sues rival Sam Rainsy, again", RFA 18 January 2017. Notably, Rainsy's discourse, although within the bounds of free speech accepted in consolidated democracies, has also at times been provocative and not conducive to further reconciliation between political parties. For example see, Sokchea, Meas "Rainsy 'lobs' bribery claim at PM", Phnom Penh Post, 16 January 2017.

²² Turton, Shaun "Sam Rainsy resigns as leader of CNRP", Phnom Penh Post, 11 February 2017; Naren, Kuch "Sam Rainsy resigns as opposition party president", Cambodia Daily, 11 February 2017.

²³ Sokchea, Meas "CPP sets Monday vote for party law revamp", Phnom Penh Post, 16 February 2017.

²⁴ Wallace, Julia "Top opposition leader in Cambodia resigns as election nears", New York Times, 12 February 2017.

²⁵ Handley, Erin "In the King's name: party law amendments now official", Phnom Penh Post, 10 March 2017.

²⁶ It should be noted that the PM has also publicly stated that the purpose of the legislation change was to provide him with powers to obstruct the opposition party. See Roeun, Van, Zsombor Peter and Ben Sokhean "Attacks on slogan grown; Party law takes effect" Cambodia Daily 10 March 2017.

²⁷ Vida, Taing "Senate passes amendments to Law on Political Parties", Khmer Times, 1 March 2017.

elections) as “disaster and tragedy”.²⁸ However, the process of obstructing opposition campaign messaging began when PM Hun Sen declared in a public speech that the slogan was an ‘insult’, ‘troublemaking’, and ‘incitement’.²⁹ National and international observers have found the slogan to be acceptable for consolidated democracy and in agreement with good practices for electoral competition by promoting the idea that parties/candidates be assessed according to the standards of responsiveness and accountability. It is normal in democratic systems that the party seeking to take office promotes the idea of changing the incumbent authorities.

The events surrounding the attack on the CNRP slogan demonstrate both the discretionary character of the practice of law and regulations in Cambodia, and the degree to which the ruling party focused on constricting the opposition rather than developing their own popular message. Almost immediately after the PM’s public declaration that he determined the slogan to be a crime, the ruling party released a statement condemning the slogan, demanding a change “for the peace of the country”. Within days the ruling party spokesman informed the media and public that the ruling party was in discussion with lawyers in order to take legal action against the opposition for the slogan. At the same time, multiple ruling party commune chiefs began employing their own slogan referring to opposition commune councilors as ‘fake’.³⁰

The first problem evident in the ruling party’s approach to the slogan issue was that the policy position set out sedimented an already excessive use of the charge of ‘incitement’ by governing authorities. In this case, incitement was equated with anything determined to create divisions in society, such that any disagreement or public dissent is categorized as criminal.³¹ The second problem evident was the attack on universal norms of good governance. A democratic environment with competitive deliberation on ideas and policies is fundamentally stunted when political speech that proffers and sustains norms of government accountability and responsiveness is deemed an immoral/illegal act. According to the ruling party thinking as set out by the party spokesman, the CNRP’s slogan “violates the content of the law...It’s like discrimination against the commune chiefs, who are mostly CPP. So your evaluation is against the law, and it’s an act we cannot accept.”³² Despite this, civil society organizations and human rights experts found no grounds for the claim of illegality, and the opposition political party found the slogan to be receptive to voters seeking improvements to rule of law and social services. Elections refer to choice, and it is normal practice in the elections of democratic countries that the contesting parties advocate for change of the incumbent government.

Within days of the first declaration of the slogan’s illegality by the PM, ruling party commune level officials had publicized more than 300 letters of complaint against the slogan. The National Election Committee publicly stated that it would evaluate the legality of the opposition campaign slogan. The NEC declared that it would make a determination of whether or not the slogan was a violation before election campaign period, but that it would provide a resolution to the issue when the campaign period began. However, the NEC then stated that its jurisdiction did not extend to the party slogan, and that it would only consider the issue if it received a complaint by a

²⁸ Touch Sokha and Leonie Kijewski “ ‘Change’ begets ‘disaster’: Banh” Phnom Penh Post 27 February 2017.

²⁹ Dara, Mech “Premier warns CNRP’s new poll slogan ‘incitement’”, Phnom Penh Post, 7 March 2017.

³⁰ Narin, Sun “Ruling party studies legality of opposition campaign slogan”, VOA 9 March 2017.

³¹ Chheng, Niem “CCP commune chiefs join fray against slogan”, Phnom Penh Post 9 March 2017.

³² Sokhean, Ben and Zsombor Peter “Defying CPP, CNRP to keep slogan”, Cambodia Daily, 8 March 2017.

political party.³³ By mid-March the opposition CNRP announced that it would cease using the slogan if ordered to do so by competent authorities such as the courts. The opposition also attempted to take a position which held that although the slogan was itself acceptable, it was not in fact the official slogan of the opposition, never having been officially adopted and disseminated by the party, and in that sense, the party had done nothing wrong by using the slogan.³⁴ The attempted balancing act failed to attenuate related government pressure, and it was announced that the opposition would no longer employ the slogan in order to avoid impending legal prosecution. The change demonstrated the overall effect of government pressure on the public speech and campaign related activities of the opposition, which was forced to adjust in order to survive in the new legislative context.³⁵

By the third week of March, the Interior Ministry issued a statement calling on the opposition to change the slogan, not on the grounds that it was illegal, but rather because it contradicted the values of multiparty democracy. At the same time, ministry officials stated that the slogan was illegal, but that the MOI had no rights or power to require the opposition to change it.³⁶ By that time the CNRP strategy had been to claim that the slogan was not official, but that it was not willing to prohibit party supporters from using it. The public position taken by the interior ministry had, however, become more ominous. The Minister of Interior referred to the slogan, calling for voters to support who they thought most represented the interests of the people, as “incitement, discrimination, and despotism”, asserting that it violated the rights of CPP local officials and was a cause of violence in society.³⁷

On April 2, 2017, the CNRP announced that it would drop the slogan, admitting that it had been included in the official platform of the party. The opposition party was compelled to change its slogan and conceded to the demands of the MOI and ruling party, since by that time, the choice of party officials by the opposition had been declared as illegal by the MOI on the basis of violating the opposition’s own party by-laws.³⁸ Effectively, the opposition’s choice of Kem Sokha as party leader was ruled invalid by the MOI.³⁹

The campaign slogan for which there was such concerted effort to have removed, was originally set out at the opposition party extraordinary congress held in early March, which also involved decisions on party leadership. Those decisions were being ruled invalid by the RGC on the basis that they violated the opposition party’s internal rules, which are not actually legally binding, despite opposition claims that the changes were made to comply with the amendments to the Political Party Law.⁴⁰ In the March 2 CNRP congress that Kem Sokha was elected party president,

³³ Sothoeuth, Ith “Interior ministry calls on opposition to change campaign slogan” VOA, 27 March 2017.

³⁴ Sokchea, Meas “Slogan neither official, nor illegal, CNRP says” Phnom Penh Post, 20 March 2017.

³⁵ Sokhean, Ben “Facing legal threat, CNRP set to drop campaign slogan” Cambodia Daily, 20 March 2017.

³⁶ Sothoeuth, Ith “Interior ministry calls on opposition to change campaign slogan” VOA, 27 March 2017.

³⁷ Sokchea, Meas “CPP keeps up slogan controversy” Phnom Penh Post, 23 March 2017.

³⁸ Sokhean, Ben “CNRP drops slogan amid pressure for sake of ‘fair election’” Cambodia Daily, 3 April 2017.

³⁹ Sokchea, Meas “CNRP drops contentious slogan” Phnom Penh Post, 3 April 2017.

⁴⁰ According to CNRP internal rules at the time (Art. 47), following the resignation of a party president there would be an 18-month interim period before holding a party conference to elect a new president. Nevertheless, the amended Law on Political Parties held that such a change of party leadership must occur within 90 days. The very purpose of the CNRP extraordinary congress was to amend party rules and enact a change of party leadership in compliance with the Law on Political Parties, but the effort to comply with the

the opposition amended the same by-laws⁴¹ being used by the MOI as the basis for the claim that the internal CNRP election itself was invalid.⁴² Following a meeting between the opposition party and the MOI, the MOI publicly announced that its position had not changed and that it considered invalid the CNRP internal party elections of Kem Sokha as President and Pol Ham, Mu Sochua, and Eng Chhay Eang as deputies because it violated the CNRP's internal rules. The NEC took the position that a designation of Kem Sokha as 'acting president' would be sufficient for the purposes of the upcoming elections.⁴³

The MOI recognized Kem Sokha as CNRP president only after the opposition conceded to no longer use the disputed campaign slogan, but it then affirmed that the CNRP deputies were not valid. Whereas it initially decreed the selection of party leadership to occur too early, now it claimed that the selection of the three deputies occurred too late. This forced a second amendment to the internal rules of the CNRP at another extraordinary party congress in early April.⁴⁴ Finally, after approximately two months, the Interior Ministry issued an official letter to the CNRP to confirm that it had received the new by-laws.⁴⁵ This ended a two month challenge to the major opposition party, potentially disqualifying it for the election or even disbanding it, over a minor issue. This most likely detracted from both the ability of the CNRP to prepare and organize for election campaign and from its credibility as a viable party in the eyes of voters. Most alarmingly, the issue significantly undermined rule of law necessary for democratic space and processes because it seemed to challenge and punish the very action of the opposition required for its internal policy to comply with relevant existing laws. Moreover, rather than challenging the opposition party campaign slogan on convincing legal grounds or with a competitive alternative slogan by the ruling party, the MOI made it clear that the violations that occurred in the selection of leadership would be re-categorized as acceptable if the party slogan were dropped.⁴⁶ Such a policy was found to actually challenge the credibility of the initial MOI decision that the internal party rule changes and elections by the CNRP were not legal.

The undemocratic restrictions on opposition party mobilizing and campaigning continued in the period immediately preceding the election campaign. The ruling party then determined that slogans such as "change" and "Hun Sen step down" were also illegal, as if the very suggestion of an electorally based peaceful transition of power between political parties was itself an illegal idea and that legal action would be taken through the court system.⁴⁷ It is difficult not to see the distinct but related legal maneuvers as part of an overall strategy seeking electoral success by the ruling

law was itself ruled unacceptable by the MOI without clarifying the legal grounds on which that policy was based.

⁴¹ Following changes to party internal rules, the CNRP complied with existing regulations and submitted its new regulations to the MOI. See Sokchea, Meas "CNRP vexed as CPP continues to call Sokha's presidency invalid" Phnom Penh Post, 30 March 2017.

⁴² Sokchea, Meas "CNRP drops contentious slogan" Phnom Penh Post 3 April 2017.

⁴³ Sokchea, Meas "CNRP vexed as CPP continues to call Sokha's presidency invalid" Phnom Penh Post, 30 March 2017.

⁴⁴ The new party by-laws enabled the party's central committee to select deputies at any time following the resignation of the party president.

⁴⁵ Sokchea, Meas "Interior approves CNRP's bylaws" Phnom Penh Post, 4 May 2017.

⁴⁶ Sokchea, Meas "CNRP vexed as CPP continues to call Sokha's presidency invalid" Phnom Penh Post, 30 March 2017.

⁴⁷ Sokchea, Meas "CPP warns against use of slogans" Phnom Penh Post, 19 May 2017.

party which was fundamentally undermining the level playing field necessary for a fair election. The overall message institutionalized was one of ruling party arbitrary power, through the demonstration that the CPP sets the rules and can determine who and the how of violations at its own discretion.⁴⁸

3.2 Threats and Intimidation

In the months preceding the 2017 commune election, ruling party officials increased threats of violence and instability shattering the public sense of human security. This meant that participatory rights vital to a healthy democratic context were greatly inhibited. At the same time, the security services became increasingly politicized and partisan. Practices of peaceful assembly involved in politics and public space were increasingly policed and repressed under the pretense of responding to an ever increasing threat of instability and ‘color revolution’. To a greater extent, any public expression of dissent, however peaceful, was determined to be illegal and viewed as part of some overall conspiracy to undermine the state and foment civil war. As a result, public space for deliberation had been eroded and a climate of fear cultivated, which seriously undermined the quality of civic space for participation needed for a dynamic election process. Frequent threats and intimidation have undercut political trust and polarized the public sphere. Moreover, troubling trends of increased politicization of the security services bode extremely poorly for the long-term prospects of democratization. Ruling party government officials and security sector officials which had always based CPP credibility on its successful delivery of peace, now seemed to be communicating that peace was elusive and unstable. Frequent threats of violence and civil war following a loss of support for the ruling party, were exceeded by allegations that political pluralism and exercising democratic rights were threats to national security.

In the first week of January 2017, at the same time as official government press was announcing that the CPP would continue the ‘Culture of Dialogue’, PM Hun Sen indicated that the ruling party would show no tolerance towards those whose actions were determined to divide Cambodia. The PM equated democracy and human rights with a pretext for external intervention and color revolution, even while affirming a commitment to those ideals.⁴⁹ This portrayal of democracy and human rights as less a representation of the Cambodian people’s will than outside interference would intensify leading up to the 2017 election. In early January, the RGC announced that it had acquired 3 armored personnel carriers equipped with tear gas cannons. According to defense analysts, the vehicles are also armed with machine guns. The spokesman from the national police indicated that carriers would be used for public security purposes, and security official indicated to local media that the vehicles would be used to “crack down on protestors”.⁵⁰

Toward the end of January, the RGC announced a massive plan for promotions in the RCAF, initiating a staged advancement to the rank of general for 700 personnel which had served prior to January 7 1979, which the RGC holds to be liberation day from the Khmer Rouge regime. The promotions were to be awarded by Hun Manet, according to information posted on his Facebook page and government-aligned media Fresh News. Independent analysts noted the policy was a

⁴⁸ Sokchea, Meas and Shaun Turton “CNRP slogan scandal ‘follows pattern’” Phnom Penh Post, 4 April 2017.

⁴⁹ Nika, C. “CPP opposes actions dividing Cambodia” Agence Kampuchea Presse, 7 January 2017.

⁵⁰ Dara, Mech and Shaun Turton “Military police machines” Phnom Penh Post, 12 January 2017.

continuation of long-held practice of ensuring support and patronage for the ruling party, while consolidating power in the position of the PM.⁵¹ In early February, 256 officers were promoted to the rank of general (249 army, 7 navy), implementing a policy announced via the Royal Gazette in December 2016. At this time it was also announced that the policy of promoting pre-1979 personnel would be expanded to include those who joined the military post-1979.⁵² Giving an indication of just how rampant the practice had become, the Ministry of Defense spokesman was unable provide the actual number of existing generals.

The policy was implemented further in the period leading up to the 2017 commune elections, and in March another 84 officers were promoted to brigadier general, 43 to major general, and 5 to lieutenant general. According to reports by independent media, both younger officers and senior officers found the practice to be problematic and detract from the professionalism of the armed services. Additionally, the repeated promotions have added to the problem of too many officers lacking qualifications for rank, which was a main reason for the MoD's own 2011 policy which halted promotions. Of serious concern, the policy did not take into account a history of violence against peaceful protestors as grounds to reject a candidate for promotion.⁵³ In early April, 13 Ministry of Interior officials were granted the royal title "Sante Bandit" which serves as a recognition of individual contribution to public security and police command.⁵⁴

Also in April, another round of mass promotions occurred, as 434 army officers and 4 navy officers were elevated to the rank of general, following a royal decree dated February 27, 2017. At this time, the MoD spokesman was still unable to provide media and the public with the exact total number of generals. In addition, he was unable reply to questions regarding when the last round of promotions occurred and how many officers were promoted.⁵⁵ Such a lack of transparency and accountability greatly contributes to a public sense of insecurity by undermining trust in the neutrality and professionalism of the security services. Moreover, civil society and key stakeholders found reason for concern due to the potential for the practice to be used to secure loyalty before the elections.⁵⁶

⁵¹ Dara, Mech "Promotions pledged for '79 RCAF veterans" Phnom Penh Post, 26 January 2017.

⁵² Dara, Mech "RCAF add more than 250 new generals" Phnom Penh Post, 3 February 2017. A significant concern for the quality of democratic pluralism in Cambodia in the post-UNTAC period has been partisanship of security services officials. The early February 2017 promotion of Hun Manith, a major general and the head of military intelligence, to the position of deputy-head of the CPP internal monitoring committee which is charged with party discipline (after having been appointed to the committee in December 2016), actualized a further concentration of power in the hands of the PM while reasserting the practices of nepotism and the links between the top position in the party and the top positions in the security services. See Dara, Mech and Leonie Kijewski "Manith given deputy role on CPP body" Phnom Penh Post, 13 February 2017.

⁵³ Dara, Mech "Seeing stars: Another 84 generals minted by RCAF" Phnom Penh Post 21 March 2017.

⁵⁴ The title is linked to the police academy and it functions to replace the practice of bestowing honorary degrees. "The 13 recipients include Interior Ministry secretaries of state Gen. Em Sam An, Gen. Teng Savong, Gen. Ouk Kimlek and Gen. Dul Koeun, ministry under-secretaries of state Gen. Lour Ramin, Heng Hak and Chan Ean and National Police Chief Gen. Neth Savouen. Gen. Mao Bunnarin, the director-general of logistics and finance, Gen. Sok Phal, the director-general of immigration, Gen. Mao Chandara, the director-general of identification, Chan Kimseng, the director-general of prisons, and Khieu Sopheak, the chief of the Interior Minister's cabinet." Sokha, Cheng "Top police honored with new royal title" Khmer Times, 5 April 2017.

⁵⁵ Ouch, Sony "434 more soldiers promoted to brigadier general" Cambodia Daily, 25 April 2017.

⁵⁶ Based local media sources and information disseminated by the RGC, observers estimate approximately 988 officers promoted to the rank of general or higher in the 2016-2017 time period (prior to the June 4, 2017

In addition, in late January, promotions were given to the same members of the PM's bodyguard unit that had been found guilty but released early for the 2015 serious beating of opposition MP's Nhay Chamroeun and Kong Saphea outside of parliament.⁵⁷ After serving one year of a four year sentence for the assault, one of the men was promoted to general and two were promoted to colonel. None of the men's commanders or any other government officials were investigated or punished for inciting the violence.⁵⁸ The arrest and sentencing of the assailants occurred only when PM Hun Sen called on the men to come forward, after a special investigative committee announced that it has been unsuccessful in apprehending the suspects. Despite ruling party legislative moves to disqualify opposition politicians from politics for less serious crimes such as defamation, the MoD took the position that the promotion of the perpetrators of the assault was legitimate because they had completed their punishment.⁵⁹ The ruling party spokesman stated, "When they have already served their prison term, it is time to get promoted".⁶⁰

The message communicated to the public by the policy was, at best, that such action would not be seriously challenged or punished by government officials, and at worst, that government officials organized and condoned the assault. Ultimately, significantly detracting from public trust in the ability of the state to provide security and in the justice system to provide redress, it was clear that such illegal actions were perceived by the citizenry as targeting the opposition political parties and supported and rewarded by the government. Any effective public presentation of rule of law and respect for democratic procedures for party competition were undermined, as attacks and further violence were encouraged.⁶¹

In response to outrage by the national and international communities, the opposition CNRP announced it would call security sector officials to answer questions before parliament in order to account for the merit of the promotions. An opposition party official announced that the Minister

election day). Despite MoD official's claims that all promotions were merit-based and that no nepotism existed, officers indicated to local journalists that the practice was based on nepotism and corruption, especially kickbacks in exchange for appointments. Regular troops interviewed by journalists held the same view. Moreover, MoD insiders indicated that the practice was a cause of embarrassment and problem for morale. A major negative impact of the policy is its potential to generate resentment among officials who are passed over for promotion, and among regular troops that have lost confidence in the capacity of their commanders and in the legitimacy of the procedures for distributing personnel appointments. The policy risks dividing the officer corps into a group that has advanced and enjoyed significant privileges related to their rank, and a larger group of officers that has not benefited long-term service through benefits of promotion or other informal privileges. The issue of inflated rank in contradiction to established international standards is regularly attested to at the MoD itself in the now common practice of reducing rank in order to engage with security sector counterparts or officials from other states. See: Dara, Mech and Shaun Turton "Fresh round of promotions add to RCAF's 'bloated' upper ranks" Phnom Penh Post, 29 July 2016; Dara, Mech and Shaun Turton 'Too many stars in the sky': For RCAF insiders, the proliferation of generals can be embarrassing" Phnom Penh Post, 1 March 2017; Dara, Mech "Seeing stars: Another 84 generals minted by RCAF" Phnom Penh Post, 21 March 2017.

⁵⁷ The attack occurred as approximately 1,000 ruling party supporters had gathered outside of parliament to protest in demand of the resignation of Kem Sokha as First Vice President of the National Assembly on the grounds that he had (allegedly) had an extramarital affair.

⁵⁸ Neou, Vannarin and Khemara Sok "Three Charged for Assaults on Lawmakers but no 'masterminds' arrested" VOA, 4 November 2017.

⁵⁹ Sothoeuth, Ith "Soldier implicated in lawmaker beating promoted" VOA, 30 January 2017.

⁶⁰ Narim, Khuom "Third elite's bodyguard promoted after attack on lawmaker" Cambodia Daily, 27 January 2017.

⁶¹ Khorn, Savi, Moniroth Morm, and Tha Vuthy "Soldier who beat Cambodian lawmakers is now a general" RFA, 26 January 2017.

of Defense would be called to answer questions before parliamentarians or receive a reproach in the form of a motion, on the grounds that the promotions potentially negatively impacted the nation and national security.⁶² Then CNRP parliamentarians announced plans to call the Ministers of Defense to discuss promotions and military reform, the Minister of Labor to discuss labor migration and work skill and safety, and the Minister of Agriculture, Forestry and Fisheries.⁶³ Indicative of an overall lack of parliamentary oversight of the security sector and a healthy legislative branch capable of serving as a check on the executive, the PM took extraordinary measures and instructed the four ministers not to appear before parliamentarians for questioning.⁶⁴

In early February, documents became public regarding the existence of a cross-ministry task force to deal with all protests which it had defined as ‘anarchy’ and ‘color revolutions’. The very problematic policy has linked as incitement and revolutionary insurgency, all labor strikes, land-related protests, opposition political party activities in support of freeing imprisoned activists, and civil society activities in support of freeing imprisoned activists, as well as most peaceful assemblies. The RGC formed the Committee to Solve Strikes and Demonstrations of All Targets, and strengthened it following the 2014 Veng Sreng Boulevard shootings which left 5 protestors dead, by including key figures from the military and national police. Analysis by independent media of the 2016-19 action plan for the group found the mandate of the group had been altered to emphasize eliminating “inciters” that “cheat people to join their illegal anarchic action” and “destroy peace”.⁶⁵

Also in early February, at the annual meeting of the Phnom Penh Municipal Police, a report was released contributing to the culture of perceived threats against the state and detailing the success of the government in thwarting revolutionary activity. Linking civil society solidarity and human rights activism to terrorism and cross-border crime, the report applauded activities restricting public assembly and dissent on the grounds that demonstrations (or even online campaigns), “allow the enemy to fracture national unity, cause insecurity, chaos or social turmoil”.⁶⁶ By labeling democratic participation and activism as a threat to the society, such policy and rhetoric was found to heighten citizens’ sense of insecurity and provided them clear disincentives (through fear or threat of reprisal) to refrain from exercising their democratic rights to expression and participation prior to polling day. The allegations of a vast array of threats polarizes the relationship between the security services and the public and militarizes public space, fomenting a context where healthy democratic competition is viewed as an existential threat to the state to be met with force rather than inclusion and cooperation.

In response to a land protest in mid-February, government supported security guards⁶⁷ beat land protestors that had assembled to submit a complaint to the RGC regarding their situation. Clearly

⁶² Ibid.

⁶³ Mech, Dara “CNRP plans to call labor and agriculture ministers” Phnom Penh Post, 1 February 2017.

⁶⁴ Mech, Dara and Sokchea Meas “PM Hun Sen tells ministers to ignore CNRP requests to appear at assembly” Phnom Penh Post, 2 February 2017.

⁶⁵ Dara, Mech “‘Color’ coups on group’s agenda” Phnom Penh Post, 7 February 2017.

⁶⁶ Dara, Mech “Capital police tout hard work in halting protests” Phnom Penh Post, 9 February 2017.

⁶⁷ Daun Penh security guards have an important role in the history of impunity in the 5th mandate of the National Assembly, effectively serving as an unaccountable paramilitary force with an unclear chain of command to higher level security sector officials. The security services body has been the agent of repeated violence against

signaling support for impunity of security sector officials when they use violence against the public, the police denied the beatings had occurred despite multiple witnesses and observers to the event. Demonstrative of the lack of judicial independence and oversight as well as a problematic dearth of rule of law, in early February the Phnom Penh Municipal Court charged two human rights activists with incitement, even though they had been the victims of violent assault by Daun Penh Security Guards in October 2016. Although there had been widely disseminated video documenting the illegal attacks as well as multiple witnesses, the perpetrators went unpunished and the victims were prosecuted.⁶⁸ The event contributed to a culture of impunity and the serious deficit of public trust and confidence in the criminal justice system. Also, in mid-Feb, in response to a demonstration of approximately 200 workers seeking compensation owed from the Chun Fai garment factory, the Minister of Labor called for criminal prosecution of the illegal action, linking the protest to ‘color revolution’ and indicating that such demonstrations could not be allowed at any expense.⁶⁹

In late February, political speeches by both the PM and the Minister of Defense contributed to climate of insecurity preceding the election. PM Hun Sen declared his intention to use military force to control the political opposition and the election situation. In response to a hypothetical electoral loss with the opposition party taking control of government, he asked “How can this happen if the troops are in my hand?”⁷⁰ The Minister of Defense publicly rebuked any who called for political change labeling them as threats to peace, equated non-violent social movements and civil society mobilization with revolutionary activities⁷¹, and stated the government would not allow any movement.⁷² Following that, the spokesman for the RGC Council of Ministers characterized calls for change as unconstitutional.⁷³ In early March, PM Hun Sen defended the crackdowns on civil society and opposition parties and equated democratic rights with disorder, while threatening NGOs with arrest. The prime minister also threatened political analysts and journalists with jail time for failing to “be careful”. Specifically, he singled out COMFREL for public remarks made by the Executive Director regarding the impact of leaks on the quality of political discourse and public trust.⁷⁴

Throughout the months preceding the June 2017 commune elections there were multiple leaks of private conversations through social media. Multiple invasions of privacy rights fomented the environment of intimidation generated through threats and crackdowns on assemblies and speech. According to investigations by independent media, these violations occurred through a technique of hacking accounts (both social media and email) utilizing a fake account recovery SMS. The

protestors and initiated the violence in the 2014 Freedom Park protest that has resulted in the imprisonment of key opposition party figures.

⁶⁸ “Cambodia: Beaten human rights activists become suspects in assault case” Asian Correspondent, 8 February 2017.

⁶⁹ Kimsay, Buth “Labor Minister slams road block, warns of color revolution” Cambodia Daily, 16 February 2017.

⁷⁰ Morm, Moniroth “Hun Sen hints at military action if he loses election” RFA, 22 February 2017.

⁷¹ For example he stated that the political compromise and reform following the 2013 elections was equivalent to events of 1970 and 1975 (a military coup and an armed overthrowing of a regime).

⁷² Sokha, Touch and Leonie Kijewski “‘Change’ begets ‘disaster’”, Phnom Penh Post, 27 February 2017

⁷³ Note that Article 41 of the Constitution establishes the right of citizens to freedom of expression.

⁷⁴ Dara, Mech and Erin Handley “PM defends crackdown, offers warning to analyst” Phnom Penh Post, 7 March 2017.

victims included 12 or more individuals such as opposition lawmakers, civic activists, and independent journalists.⁷⁵

In early April, the Cambodia government released a report on what it viewed as a disinformation campaign to discredit and undermine the government, led by foreign powers and linked to Cambodian civil society. Part of its alleged propaganda included criticisms of the amendment to the political party law and the LANGO law which regulated CSOs.⁷⁶ As independent analysts and observers pointed out, there was no evidence provided to support the report's assertions. Significantly, the report added to the narrative of broad-scale clandestine threats to the Cambodian state and that democratic political participation and the activities of opposition political parties, NGOs, and foreign journalists all conspired toward that end. This further polarized the political context and heightened tensions, as well as normalized a military response to democratic competition or peaceful contestation over political policies and leadership.

Also in May, the National Police celebrated its anniversary and released a significant statement. The MoI both claimed that there were was a large range of different types of threats public order, including both terrorist and revolutionary threats, with the situation of insecurity being a cause for serious concern, while at the same time applauded the police for all the success they had had in eliminating revolutionary threats. In addition, to that the National Police Chief stated that his officers had prevented 1,000 cases of demonstrations, strikes, or 'color revolutions'.⁷⁷

In the first week of May, PM Hun Sen publicly stated: "Please beware that the peace enjoyed throughout the country can be very precarious. If you want to see how fragile this peace is, you only need look to Facebook posts [by the opposition Cambodia National Rescue Party (CNRP)] ... You'll see how war is started."⁷⁸ Hun Sen declared: "I still insist that war will happen if the (ruling) Cambodian People's Party isn't in power."⁷⁹ The PM also stated publicly prior to the election: "To ensure peace and to continue the development, the only option is that the CPP must win elections at all stages...To ensure the lives of millions of people, we are willing to eliminate 100 or 200 people because we have seen bitter past experience."⁸⁰

In May, just prior to the election campaign period, the Minister of Defense publicly threatened to 'smash the teeth' of anyone involved in post-election protests.⁸¹ In his public speech, he reiterated the government position linking peaceful social movements and civil society organizing with revolutionary and insurgent activities that must stopped by any means necessary. He stated there

⁷⁵ Pavoir, Ben "Surveillance State" Cambodia Daily, 7 April 2017. Leaks critical of the government or seeming to shed light on corruption or malpractice were also released with the apparent intention of discrediting the government. This seems to have, in the eyes of the security services, given credibility claims regarding the severity of 'threats' to ruling party order. The compound effect of anti-CNRP and anti-CPP leaks has weakened the potential for compromise and the cooperation needed to resuscitate democratic political society.

⁷⁶ Keo, Sovannarith, Sokheng Saut and Samnang Rann "Cambodia slams West, NGOs for 'disinformation' undermining the ruling party" RFA, 4 April 2017.

⁷⁷ Mech, Dara "Cops commended for staving off 'color revolution'" Phnom Penh Post, 16 May 2017.

⁷⁸ Morm, Moniroth "Cambodia's Hun Sen warns of civil war ahead of elections" RFA, 9 May 2017.

⁷⁹ AFP "Cambodia PM threatens poll protestors with 'war'" The Daily Mail, 10 May 2017.

⁸⁰ Cochrane, Liam "Cambodian PM Hun Sen says local election worth sacrificing 200 lives" ABC News, 4 June 2017.

⁸¹ Muong, Narith "Cambodia's Defense Chief threatens to 'smash teeth' of political opposition" RFA, 15 May 2017.

would no longer be toleration for those who call for change, and: “To ask for change or stepping down, it will not happen anymore.”⁸² Independent analysts noted that these statements, along with the use of the military to respond to protests, and the massive deployment of security services for the election⁸³ gave an indication that the ruling party would not heed election results challenging its political control.⁸⁴ During the electoral campaign, the Commander-in-Chief of the Cambodian Armed Forces publicly instructed all armed services personnel to defend against revolutionary threats and secure order for the government. By this time, the election was presented as a threat to the state: “You must cooperate with relevant institutions in defending security [and] public order during the commune elections...The army must defend the legitimate Royal Government.”⁸⁵

Despite the clear threat from the Minister of Defense regarding bodily injury of protestors, the NEC ruled that it did not have jurisdiction over the issue because it did not happen during the campaign period or on election day.⁸⁶ The threats from key officials, commitments to partisanship, and an inability of the electoral body to regulate the security services severely detracted from public confidence in the electoral mechanism and upcoming outcome. Moreover, the impact on self-censorship of citizens and civil society was observed to be extensive, in large part because discussion of the proper standards for civil-military relations put citizens at risk. For the election campaign period and polling day, the NEC issued a Code of Conduct for the military prohibiting threats or intimidation by military personnel, mandating that military personnel must remain neutral and nonpartisan, and that violation of the code would be punished by monetary fines.⁸⁷ This policy was strongly supported by civil society organizations and key election stakeholders.

During the election campaign period, the ruling party released a presentation to parliamentary staff titled ‘Color Revolution and War Destruction’. The presentation accused the US of trying to topple the Cambodian government because it does not serve the policy of the US. The presentation attacked the National Democratic Institute (NDI), Freedom House, Open Societies Foundation, National Endowment for Democracy (NED), and USAID as tools for US intelligence services. Moreover, it stipulated that “foreign-owned” media sources were not credible and served as biased tools attack the legitimacy of the government.⁸⁸ In the presentation, the National Assembly spokesman also claimed that the US was driving the Black Monday civil society campaign⁸⁹ (an informal campaign, largely social media based, linking CSOs and citizens in support of freeing political prisoners). In addition to fomenting a dangerous and irresponsible xenophobia and increasing tensions with foreign states, especially consolidated democracies, the presentation

⁸² Pech, Sotheary “Tea Banh warns of crackdown on poll protesters” Khmer Times, 17 May 2017.

⁸³ There was also confusion and a problematic lack of transparency impacting democratic governance prior to the election in relation to the actual deployment of security services, beginning with the number of troops to be deployed. In 2016 the RGC announced that it would deploy 76,000 members of the security services for election security. (See Mech, Dara “Election Security Pushed” Phnom Penh Post, 20 April 2017) However, in April of 2017 the MoI announced that there would be slightly more than 30,000 deployed. (See Roeun, Van “RCAF Chief tells troops to fight against ‘color revolution’” Cambodia Daily, 23 May 2017.)

⁸⁴ Sek, Odom and Ben Paviour “General Banh to ‘smash teeth’ of opponents” Cambodia Daily, 17 May 2017.

⁸⁵ Roeun, Van “RCAF Chief tells troops to fight against ‘color revolution’” Cambodia Daily, 23 May 2017; Sophavy, So “RCAF Commander-in-Chief: No color revolution in Cambodia” Agence Kampuchea Presse, 23 May 2017.

⁸⁶ Sokhean, Bean “NEC won’t probe smashing teeth threat” Cambodia Daily, 19 May 2017.

⁸⁷ Amaro, Yesenia “NEC issues code of conduct for army during elections” Phnom Penh Post, 24 May 2017.

⁸⁸ Turton, Shaun “CPP calls out foreign NGOs for stirring ‘color revolution’” Phnom Penh Post, 24 May 2017.

⁸⁹ Sovuthy, Khy “US linked to color revolt” Khmer Times, 24 May 2017.

was a cause for alarm on several counts. First, it overlooked the important impact that international NGOs have had in contributing to peace, development, and democracy in post-conflict Cambodia. Moreover, these international NGOs have shown neutrality towards political parties, with evidence of past collaboration with the ruling party. Second, it is indifferent to the endogenous and organic character of Cambodian civil society (national level NGOs) and its role in advocating for the interests and values of the Cambodian people. The presentation was also found by civil society observers to categorize certain democratic values as foreign even though they are present in the Cambodian constitution. Third, it expresses disdain and suspicion towards a free and critical thinking press needed for peace, development, and democracy. Fourth, by singling out adversarial states and specific NGOs as threats, it was viewed by observers to be an increase in the overall level of threats and intimidation.

Also during the campaign period, the Head of the government Human Rights Committee warned supporting opposition groups would lead to instability, and the Director of the Cambodian Mine Action Center accused opposition supporters of actively promoting Khmer Rouge genocidal ideology.⁹⁰ Most alarmingly, PM Hun Sen threatened war, again, if he lost patience with the opposition. He argued that words by the opposition would cause war, and that war was possible even though the opposition is not armed, and threatened to burn down their homes.⁹¹ The NEC took the position that without an official complaint it could not evaluate the threats by the PM, and attempted to diffuse the tension created by the threat informally. The NEC spokesman stated: “Without a complaint, the NEC will not take any action. The important thing is harmony among the Khmers at this time.”⁹²

3.2.1 Restrictions on Civic Space and the Democratic Public Sphere

Following the surprise partial reconciliation of major parties and pardon of acting opposition leader Kem Sokha in early December 2016, many assumed that it would be possible to secure the release of political prisoners through further negotiation.⁹³ After a two-week hiatus, when the discussion of the release of the ADHOC 5⁹⁴ was not put on the agenda, land activists organized a small peaceful demonstration initiating the Black Monday advocacy campaign in 2017. As demonstrated in the discussion above, despite the peaceful character of the protests and organic

⁹⁰ Paviour, Ben and Sokhean Ben “Opposition, ruling CPP warn of dire election consequences” Cambodia Daily, 24 May 2017.

⁹¹ Naren, Kuch “Hun Sen goes on tirade against opponents” Cambodia Daily, 26 May 2017; Sokha Touch and Alex Willemyns “PM warns CPP not to test ‘patience’” Phnom Penh Post, 26 May 2017.

⁹² Tha, Vuthy, Sonorg Khe, and Maly Leng “PM Hun Sen repeats threat of war if his party loses elections” RFA 25 May 2017.

⁹³ As of August 31, 2017 the Cambodian human rights NGO Licadho listed (for the 2016-2017 time period) 19 political prisoners still incarcerated and 16 political prisoners released. See www.licadho-cambodia.org/political_prisoners/

⁹⁴ ADHOC 5 refers to four staff from the human rights NGO ADHOC (Lim Mony, Nay Vanda, Ny Sokha, Yi Soksang), and Ny Chakrya, the deputy-secretary general of the NEC. “The problems for the Adhoc 5 started in March last year, when recordings of an intimate conversation between Cambodia’s opposition leader Kem Sokha and Khom Chandaraty, believed to be Sokha’s hairdresser, were leaked. Chandaraty initially denied any involvement but later acknowledged she had an affair with the president of the Cambodian National Rescue Party, claiming Sokha had promised to pay her...Later, Chandaraty accused Adhoc officials of forcing her to lie about the affair. The authorities quickly arrested the Adhoc 5, accusing four of them of bribing the witness, and Chakrya as their accomplice.” Hoekstra, Ate “Who are Cambodia’s ADHOC 5 Activists?” DW, 28 April 2017.

solidarity among social groups on the basis of shared interests and values, expression and assembly in support of the Black Monday campaign would be increasingly labeled as a grave insurrectionary ‘color revolution’.

The Black Monday nonviolent protest assemblies resumed in small-scale⁹⁵ on January 9, 2017 because of the continuing detention of the ADHOC 5 and Tep Vanny, a land rights activist representing the Boeung Kak community who had been convicted and sentenced to 6 months incarceration on September 19, 2016, for a charge related to a protest that occurred in 2011.⁹⁶ The government’s position seemed to add confusion to the situation and highlighted the manner in which the related trials were political, when the ruling party spokesman stated both that the issue was to be resolved by the courts and that a political agreement over the release of the prisoners could still be reached. The protest organizers informed that they would continue to hold assemblies until the prisoners were released.⁹⁷ Alleging innocence, a political deal to secure their release was publicly rejected by the prisoners themselves.⁹⁸

In late February of 2017, just months prior to the commune council vote, Tep Vanny was sentenced to 30 months, this time for a charge related to a protest in 2013.⁹⁹ In this case, although approximately 60 protesters were met with force by approximately 200 security officers (military police, police, and Daun Penh security guards), Tep Vanny was found guilty of intentional aggravated violence.¹⁰⁰ During the trial Daun Penh security guards again unleashed violence on demonstrators, beating them and chasing one man into a nearby shopping center (all of which was caught on video).¹⁰¹ On September 19, 2016, the land rights activists representing displaced households of the Boeung Kak community was convicted of assaulting and obstructing officials, and sentenced to 6 months imprisonment. The charge was in relation to a protest in 2011, and her appeal was rejected in early March.¹⁰²

In a ruling deemed by civil society and international observers to be an abuse of justice, the Supreme Court upheld the pre-trial detention without bail for the four imprisoned ADHOC human rights workers. No coherent explanation of why the case had not advanced was given, or why six months of questioning and evidence collection was needed. The court ruling was based

⁹⁵ An estimated 20 protestors. See Lay, Samean “Back in Black” Phnom Penh Post, 10 January 2017.

⁹⁶ Rann, Samnang “Monday turns black again in Cambodia as protest restart” RFA, 9 January 2017.

⁹⁷ Sek, Odom “Black Monday starts again as Adhoc officers languish in jail” Cambodia Daily, 10 January 2017.

⁹⁸ Morm, Moniroth “Cambodia’s political prisoners urge the opposition to stay strong” RFA, 11 January 2017.

⁹⁹ Sek, Odom “Activist Tep Vanny sentenced to more than two years in prison” Cambodia Daily, 23 February 2017. At that time the human rights NGO Licadho listed Tep Vanny as one of 25 political prisoners.

¹⁰⁰ Baliga, Ananth and Samean Lay “Activist gets 30 months, while security guards beat man in City Hall” Phnom Penh Post, 24 February 2017.

¹⁰¹ Baliga, Ananth and Samean Lay “Activist Vanny gets 30 months, while security beat man in City Hall” Phnom Penh Post, 24 February 2017.

¹⁰² See <https://www.frontlinedefenders.org/en/case/tep-vanny-sentenced-6-months-prison>. Also found guilty at that time, but granted bail, were Kong Chantha, Bo Chorvy and Heng Mom. See Hul Reaksmye “Appeals court upholds verdict against prominent campaigner” VOA, 7 March 2017. Notably, prior to the September 2016 conviction, Tep Vanny was convicted in August 2016 (also for “insulting a public official”) when she criticized the lack of investigation by the government into the killing of political analyst Kem Ley. At that time she was sentenced to only 6 days imprisonment and a 20 USD fine. See Pech, Sotheary “Activists: Release Tep Vanny” Khmer Times, 9 December 2016. Note that in that case, when arrested, she was actually charged with incitement to commit a felony. See San, Sel, Neang Leang and Thai Tha “Cambodian court charges Boeung Kak lake activists with ‘incitement’”, RFA, 17 August 2016.

on the claim that if released the prisoners would undermine social stability.¹⁰³ At Supreme Court bail hearing for the deputy-general of the NEC, when the defendants lawyer pointed out to the court that the continued jailing of the activists resulted in multiple protests inhibiting government achievement toward its stated aim of precluding demonstrations, the Chief Prosecutor labeled it as an attempt to pressure the court.¹⁰⁴

At the beginning of April, the Supreme Court had ruled against bail in the case of the imprisoned NEC member, and by that time he had been imprisoned for 340 days without trial on charges of being an accomplice to bribery.¹⁰⁵ At the end of April, just weeks prior to the election campaign period, the Phnom Penh Municipal Court ruled to extend the detention of the ADHOC 5 (both the four human rights workers and the National Election Committee member) for another 6 months, on the grounds that (after one year) the investigation into the bribery charge had not finished, and that additional time was needed to question the suspects.¹⁰⁶ This ruling seemed to confirm the political nature of the prosecution what many in the public and international community had suspected from the beginning (due to the context and amount of the alleged ‘bribe’), and became increasingly convinced of through the process of appeals for bail, all of which were rejected by the courts. Having admitted that it was still questioning suspects held in pre-trial detention for more than a year, it was evident that the justice system had not only violated the trial and due-process rights of the accused, but also that it had failed in its due diligence, seemingly incapable of investigating a simple case in a timely and efficient manner. The case had a strong impact on civil society organizations by increasing self-censorship and citizens’ reluctance to get involved on social issues, as well as by deterring CSOs from risky activities such as taking a stand for rights or exposing corruption.¹⁰⁷

The public discontent which followed the arrest and treatment of the ADHOC5 and leading Boeung Kak activist was only heightened by the symbolism of the end of the Boeung Kak land dispute in form of an announcement that the case, which has both nationally and internationally exemplified the problem of land-grabs in Cambodia, was ‘officially’ closed. At the end of April, the Phnom Penh City Hall declared the case closed and indicated that the remaining families that had been evicted but not accepted the compensation offered, would be punished with legal measures if they protested further. Faced with drastic cuts to their plots and monetary payments insufficient for purchasing a residence in the Phnom Penh real estate markets, the remaining families had refused to accept the deal.¹⁰⁸

The pre-election climate for civil society also impacted political analysis and commentary. Political speech and analysis was seriously inhibited by the arrest and sentencing of independent analyst/commentator Kim Sok. A lawsuit was filed by PM Hun Sen against Kim Sok on January 30, 2017, for “inciting social chaos”. After comments made on radio by independent analyst Kim Sok, which the PM interpreted to be linked the PM to the murder of Kem Ley, Kim Sok gave a

¹⁰³ Lay, Samean “Adhoc detention ‘legal’”, Phnom Penh Post, 14 March 2017.

¹⁰⁴ Sek, Odom “Supreme Court scolds lawyer for mentioning ‘Black Monday’ Cambodia Daily, 24 March 2017.

¹⁰⁵ Sek, Odom “No bail for NEC’s Chakrya: Supreme Court” Cambodia Daily, 3 April 2017.

¹⁰⁶ Tittara, May “Six more months for Adhoc5” Khmer Times, 28 April 2017.

¹⁰⁷ Baliga, Ananth and Chheng Niem “NGOs’ ‘Adhoc 5’ effect” Phnom Penh Post, 28 April 2017.

¹⁰⁸ Kouth, Sophak Chakrya “Boeung Kak lake dispute ‘closed’” Phnom Penh Post, 28 April 2017; Kouth, Sophak Chakrya “Boeung Kak land talks failed” Phnom Penh Post, 6 March 2015.

second radio talk to clarify the first statement, making a criticism of government policy/performance in the Kem Ley case and not a defamatory statement.¹⁰⁹ Despite those efforts he was arrested and charged with the crimes of public defamation and incitement, as set out in articles 305, 494, and 495 of the Criminal Code.¹¹⁰ The Court spokesman told media that he was being charged for comments he made during a radio interview that PM Hun Sen believed implied the CPP was behind the 2016 assassination of political analyst Kem Ley.¹¹¹ Kim Sok voluntarily submitted himself for questioning and a large supporting crowd of citizens gathered, but the assembly was temporarily blocked from walking to the courthouse and authorities forced monks in the crowd to cease participation. The OHCHR pointed out the irregularity in the case which followed an arrest prior to the hearing.¹¹² The Court of Appeals denied bail for Kim Sok just prior to the hearing for the four ADHOC human rights workers. According to the PM's attorney, the decision of the court reflected the belief that the defendant would commit more crimes because he continued his illegal acts of incitement. Nevertheless, it was only after the hearing that Kim Sok publicly stated that the PM sent people to threaten him with a dark cell and offer him a way out if he signed an apology letter. In response to this the PM's attorney accused him of committing a new crime.¹¹³

3.2.2 Intervention and Intimidation to Observers

Training Shutdown:

On 27 of May 2017 – Mr. May Thit, the trainer from one of our NGO partners, CCFC, was detained for three hours at the District Police Headquarter after he was about to conduct election training to 32 election observers at a villager's house named Long Sophal at Romean Heak district of Svay Rieng province. Mr. May Thit was escorted by two police; and then was questioned by Chief of District Police Headquarter for more than three hours about the nature of his training, status and legal compliance which all are unlawful and an act of serious intimidation against observers and personnel.

Those officials maintain their position and threaten to again shutdown any intent to again conduct the training. Until this intimidation was widely reported by media and calculated on social media, they changed their tone and position. Members of the WGI were sent to investigate and they meet with those officials explaining their legitimacy and legal compliance, including meeting with officials of PEC seeking their intervention and assurance; ensuring that no such intimidations are made against any of observers and personnel.

¹⁰⁹ Two lawsuits were filed against Kim Sok, one for each of the radio interviews. The first lawsuit sought 500,000USD in damages alleging Kim Sok said the PM had organized the murder, and the second lawsuit sought 2,500USD in damages alleging said that a government network was behind the murder. Sek, Odom "Commentator Kim Sok jailed over defamation, incitement charges." Cambodia Daily, 17 February 2017.

¹¹⁰ Chheng, Niem and Leonie Kijewski "Analyst Kim Sok arrested, jailed after showing up for questioning" Phnom Penh Post, 20 February 2017.

¹¹¹ Morm, Moniroth "Cambodian political analyst arrested for defaming the prime minister" RFA 2 February, 2017.

¹¹² Ibid.

¹¹³ Lay, Samean "Court swats down Kim Sok bail bid", 7 March 2017.

The training was then successfully conducted on June 1, 2017 with the coordination and assistance of members of Working Group on Intervention (WGI), including the support of PEC. The presence of police official around the premise continues to present an act of intimidation and harassment towards election observers and personnel on the ground. These not only intimidate observers, but also discourage and ruin the effort of the RGC and concern institutions to encourage for the active and meaningful participation of its citizen in terms of civic and political engagement.

Detention of Observers

On 3 of June 2017 – COMFREL’s Provincial Secretary at Kandal province, Ms. Leng Channavy, reported the detention by local authorities against three of our observers – Ms. Hok Panchana, Ms. Kim Leakena, Ms. Phom Bori – at Prek Dach commune of Kandal province. These three observers were about to distribute observer cards, checklist, and T-shirts to observers, but surrounded by up to 20 CPP supporters ranging from Commune Chief to commune police officials; and others.

Those three observers were surrounded and detained from 19:30 until mid-night and forced to officially resign from their role as election observers by thumbprint on the statement written by the Commune Chief. Those observers were threatening to arrest and send to the court claiming their actions are illegal and in the nature of supporting the opposition party. The arrest and legal actions against them won’t be made unless they resign from their role as election observers.

Members of the WGI went for the intervention and investigation and keep communicating with observers ensuring that their safety is our primary concern and their action are legitimate and legal. Sadly, those observers were pressured with intimidation and legal harassment; and decided to thumbprint minutes before the arrival of the team. Members of the WGI then sent them home and explained to those villagers their mandates and legal compliance, but still facing intimidation. As the result, another 7 observers recruited by those above 3 observers also resigned out of fear of intimidation posed to their fellow observers.

In this context of serious criminalization of civil society activities, including assemblies and solidarity networks among organizations, the democratic context for the 2017 elections was severely stunted. Undoubtedly, with the increase in censorship and legal persecution, self-censorship of citizens increased, along with a decrease in their expectation for fair elections and confidence in the responsiveness the government representatives authorized by the results.

4. Election Campaign

Observation and monitoring found the election campaign was conducted smoothly and peacefully without any serious violence. Political parties participated actively in the campaign process. However, the restrictions on public spaces and freedom of political expression were a major concern. Private TV stations did not follow NEC media guidelines and the principle of equality. Reports concerning political party expenditures during the campaign were never released to the public or made available to the NEC. It was found that the imbalance in the amount of available resources between contesting political parties was high.

According to our assessment, the legal framework related the election campaign was compromised. The provisions of the new commune election law related to the election campaign were heavily criticized by civil society organizations and public.¹¹⁴ There were restrictions on the freedom of political expression of the registered contesting political parties, particularly the opposition party which faced extreme obstacles to political campaign messaging, and restrictions on campaign activities. The implementation of the law by the authorities was found to be biased in some constituencies, for example Phnom Penh when main routes blocked for the campaign period were opened to allow the ruling party to rally on the final day of the campaign. Another negative aspect concerned the prohibition of civil society organizations from expressing their opinions, conducting opinion polls during the election cycle as well during the campaign. This contrasted with the freedom of civil servants, military and police personnel and members of the judiciary to participate in election campaign. The law only allows these groups to participate in campaign activities when they are off duty or on leave. The first 2017 amendment of the law on political parties made by the ruling party had a negative impact on the campaign. The amendment to the law had been criticized as a political tool to crackdown on the opposition by placing unreasonable obstacles in their way, infringing upon the right to association and right to self-definition of a political party. These same mechanisms will likely be used in the upcoming national election in 2018. The opposition has struggled in the face of these legal challenges even before they could successfully the register for the contest.

4.1 Pre-Election Campaign

At the time of pre-election campaign, observation found that the political and security environments did not prevent or undermine the election campaign process. However, the restriction of numbers of activities of the election campaign rallies and freedom of expression was a problem. Disturbingly, threatening public messages issued by senior ruling party' leaders, especially Prime Minister Hun Sen caused great concern and fear among voters, civil society organizations, political parties and candidates.

Prime Minister Hun Sen publicly repeated, that a ruling party defeat that country would return to civil war. In addition, he threatened to 'close the doors and beat the dogs' if an opposition group

¹¹⁴ Some critical restrictions in the new Commune Election Law which led to heavily criticize such as; Articles 68 restricts political party's rallying, while the old law did not limit the number of political party's rally within the election campaign period, but the new commune election law restricted to only twice per election campaign. Article 70 mandates a reduced number of campaign days (from 15 to 14). The NEC implemented a ban on polling or surveys (including on social media) for the campaign, despite the fact that LEMNA stipulates a prohibition on such activities for only a week before Election Day. Article 73 entails provisions which support the participation of civil servants, military personnel and national police forces, and judicial officials to join campaign activities of a political party outside of working hours. However, this runs counter to the provisions of Article 72 which limit the participation of persons from those sectors in campaign support for a political party. Notably, according to Article 74, civil society organizations are prohibited from participating in some important activities during the election campaign because the provisions require NGOs and associations to be impartial and to remain non-participants. The regulations and procedures of the NEC also prohibit NGO or civil society association staff from personally participating in elections campaign or political party's rally while provisions of article 73 of the law give freedom to civil servants, military personnel, national police forces and judicial officials to join the activities.

takes to the streets to protest and demonstrate. He forcibly expressed intolerance of any opposition to the crackdown. Addressing voters, he asked a question to voters: “whether you choose live in peace time or to vote which will create civil war?” He urged voters to vote for CPP for the assurance of peace and development. Threats were not confined to the Prime Minister alone, some other senior officials behaved in similar ways especially toward the end of the election campaign. These senior officials included chiefs and in the military and national police. They promised to do whatever was necessary to protect the position of Prime Minister Hun’s Sen government and family. These messages were condemned by the public and international community as psychological and strategic threats directed at voters to discourage them from voting for the opposition.

Previous election experiences have shown that the political messages of political parties are essential tools for influencing voter’s decision making. For instance, the CNRP message “Change or Not Change” used in the 2013-national election was appealing to voters. The CPP’s message was, “If you love, believe and pity Hun Sen, please vote for CPP” or “dare to promise dare to do”. The political messages or slogan of the opposition to convince voters were not allowed, particularly Change or Not Change of the opposition party was banned from use and the focus of threats by a senior armed forces commander. The newly created 2017 political slogan “Change the Commune Chief who serves the party to Commune Chief who serves the people” was not allowed, and the opposition was also threatened with legal action if they continued to use the slogan. In the pre-election period, the NEC agreed in principle the request by the City of Phnom Penh authorities to ban any political party’s rally which will be conducted along some main roads in Phnom Penh. Some other public spaces like Freedom Park were also off limits for campaign rallies. The decision was regarded as a severe restriction of freedoms of assembly and expression. There should be no policy involving a restriction or ban on the use the main roads for political party rallies, and rallies conducted during the election campaign of a political party are provided for by law. They should be allowed to use those public spaces or main roads since only two campaigns rallied are permitted during the entire period of the campaign of the commune election. The observation found out the main political parties CPP and CNRP distributed gifts and money to residents while local authorities and high-ranking officials often acted in a systematically biased manner through the distribution of gifts. Gifts included sarongs and other materials or money (approx. 5-10 USD) for participants at CPP meetings and activities during the pre-election campaign. Such practices can be not regarded as “vote buying” during the pre-election campaign but during election campaign the practices are illegal according to Cambodian election law.

4.2 Official Election Campaign Period

It was different from the 2013-national election; the very competitive battle of 2017-election campaign was between the CPP and CNRP. The campaign rallies of the two parties were joined by thousands of people. Apart from these two parties, the LDP also mobilized large numbers of supporters during its rallies. Some other political parties did marching and/or meetings in communes where they had registered.

Those state-run media including radio and TV, and some private radio stations observed, implemented the principle of equality in allocating air time and broadcasting for all political parties. However, observers also found that private TV stations did not obey the principle of equality provided in the

regulations and the instructions of the NEC. It was found that airtime was sold unequally and in a discriminatory manner. The contents of the news of those TV stations were also found to be broadcasting in the interest of the ruling party, and even negatively presented other political parties. Political parties could not purchase airtime for broadcasting their political messages, both due to the cost and to the refusal of some stations to sell airtime. All private TV stations behaved in the same way. However, on the last day of the campaign, private TV networks broadcasted a live of the ruling party campaign rally for many hours.

The use of public spaces and opportunities for doing campaign activities such campaign in rallies, tying banners on the trees along the main roads in Phnom Penh, party's logo stickers of the opposition party, were restricted and in some cases banned and removed by the local authorities. The banning of some public spaces were solely decided among authorities themselves and not based on the decisions of the NEC. In some cases were it was legal to place banners and signs but these were removed by the authorities. Very few cases of the use of state resources like offices, buildings and vehicles were found. However, large numbers of civil servants joined political rallies. Those civil servants were joined partly voluntarily and partly due to psychological coaching to support the ruling party. At the same time, opposition party political slogans were prohibited by senior military and police forces. The NEC also issued the ban on opinion polls on facebook in which the law only prohibits one week ahead of the Election Day. All registered contested political parties did not have equal opportunities to express their platforms and convince voters to vote for them. Video clips which contained Mr. Sam Rainsy's speeches or statements were not allowed to be broadcast on national TVK. All registered contested political parties did not reveal their campaign expenses and costs of items spent on the organization and preparation of the election campaign. In short, there was no campaign finance reports made publicly available. There is also the loophole in the law of commune elections which has not provided provisions related to campaign finance reporting.

The official commencement of the election campaign began on April 20th and finished 02nd June 2017 (fourteen days only). Reports by our local observers revealed some irregularities during the election campaign period, as the follows:

All levels of authorities, military forces and national police personnel, judicial officers and village chiefs participated actively in CPP election campaign rallies. 766 cases were observed in all 25 provinces/capital and municipalities.

Harmful activities such as causing disputes and obstructing or disturbing observation were recorded, at least 153 cases of which occurred in some provinces e.g. Kampong Thom, Koh Kong, Siem Reap, Prey Veng, Kampong Chhnang, Battambang, Banteay Meanchey, Kampot, Takeo, Odor Meanchey, Phnom Penh and Ratanakiri.

Acts of intimidation threats and violence and abuse were found in 84 cases in Odor Meanchey, Kampong Chhnang, Koh Kong, Takeo, and Kampong Speu provinces.

Cases related to uniformed armed forces participating in the election campaign were found 29 times, in Kandal, Kampot, Prey Veng, Siem Reap, and Odor Meanchey provinces.

In other instances, councillors and village chiefs made threats and engaged in intimidating actions against the activities of parties other rather than the ruling party. There were 28 of these cases recorded in Koh Kong, Kratie, Phnom Penh, and Odor Meanchey province.

There were 17 cases related to failures to respond to requests for the safety and protection of the registered candidates. Those cases occurred in Koh Kong, Kratie, Odor Meanchey provinces and Phnom Penh.

There were 17 cases where authorities impeded meetings of registered candidates of some political party rather than the ruling party (at the beginning of the meeting or during the meeting). The cases occurred in Battambang, Kratie, Kampong Speu and Ratanakiri.

There were 16 cases related to the use of state resources for campaigning. In those cases the vehicles were found to have removed number plates during the election campaign. Those cases happened in Prey Veng, Battambang and Ratanakiri provinces.

There were at least 16 cases related to the matters of keeping voter information notes and discrimination against registered contesting parties in term of providing services to voters (such as the issuance of identity certificates for voters upon the request). These were found to have been committed by members of the commune councils, village chiefs, and village chief assistants. Cases of this were recorded in Koh Kong, Prey Veng and Odor Meanchey provinces.

At least 12 cases were found related to restricting and prohibiting candidates, political parties and supporters from using public spaces (such as parks and areas surrounding markets and streets). These cases occurred in Phnom Penh, Kampong Chhnang, Kampong Thom, Kampong Cham, Prey Veng, and Odor Meanchey provinces.

Other irregularities were recorded. For example, the distribution of gifts and money or awards, and the arrangement of farewell parties, promotions and discounting of services and goods, and using services free of charge at the time before and during the election campaign. At least 125 of these cases were recorded. These issues are very difficult to define as direct vote buying despite the fact they are electoral related irregularities. Observation found this was happening as systematic manipulation in the pre-election campaign period. Such bias activities were conducted by both the ruling party and opposition parties to show preference to their own party and without equal treatment for others. The majority of these cases occurred in Battambang, Koh Kong, Prey Veng, Siem Reap, Kampong Chhnang, Pailin, Odor Meanchey, Banteay Meanchey, Kampong Speu, Ratanakiri and Phnom Penh.

4.3 Campaign Finance Expenditures

The current legal framework for elections set no regulations for campaign financing or limits to campaign spending, and there are no provisions requiring contesting political parties to disclose their expenditures or sources of funding to the public. Principally political parties have the same opportunity to conduct campaign activity in accordance with the laws and regulations for commune council elections, but they had different levels ability and capacity for holding them, and as such, without sound and effective regulations equality remains absent.

Electoral campaign activities in 09 communes of 03 provinces have been observed to study the spending of 04 political parties which have registered the most candidates for the election, including the ruling Cambodian People's Party (CPP), Cambodia National Rescue Party (CNRP), FUNCINPEC party (FUN), and League for Democracy Party (LDP). The provinces and communes were chosen so as to observe 'low, medium, and high' based on the criteria of number of seats, demographics (population size), and living standard. Estimated expenditures for a single commune were calculated by averaging the expenditures for campaign activities of 09 communes. Political party estimated expenditures for campaign activities for the entire campaign period, are calculated by multiplying the estimated expenditures for a single commune with the number of communes that political party competed in for the 2017 commune elections.

Every political party disseminated its propaganda activities according to its financial resources. The ruling CPP has expended five times more than the opposition CNRP on electoral campaign activity for the fourth mandate commune election. CPP's expenditures were mostly funded from the political party branch at the commune, provincial or capital level, whereas the CNRP's expenditures were mostly funded from running election candidates.

The lack of transparency and accountability mechanisms for campaign financing, including an accurate public record of specific types and amounts of expenditures, fundamentally undermines the basic democratic principle of equity which ensures the alternative information or messaging needed by voters to make a free choice. Given that political parties have not disclosed budgets and expenditures, there is a potential for state resources to be harnessed in the service of a particular political party (a non-state, private association formed for the purpose of competing, non-violently for the right to hold government elected office) for the purposes of publicity and competitive advantage.

4.3.1 Expenditure on Electoral Campaign Activities

Both the ruling party (CPP) and major opposition party (CNRP) entered candidates in every commune for the 2017 election. But it is estimated that the CPP spent five times more than the CNRP for the 14 days of the election campaign period. This estimate does not include the costs of expenses for live TV, or actors and musical instruments, during campaign activities at the district or provincial levels (including the capital).

Table1: Comparison of Expenditures on Electoral Campaign Activities







Political Party	No. of communes competing in	Estimated expenditures for a single commune (Riel/\$) ¹¹⁵	Estimated expenditures for the entire election (Riel/\$)
Cambodian People's Party (CPP)	1646	60,057,378 (R)	98,854,443,822 (R)
		15,014.34 (\$)	24,713,610.96 (\$)
Cambodia National Rescue Party (CNRP)	1646	13,849,003 (R)	22,795,459,487 (R)
		3,462.25 (\$)	5,698,864.87 (\$)
FUNCINPEC Party (FUN)	846	2,148,500 (R)	1,817,631,000 (R)

¹¹⁵ For the purposes of analysis and calculations COMFREL has utilized an exchange rate of 4,000 Riel = 1USD.

		537.13 (\$)	454,407.75 (\$)
League for Democracy Party (LDP)	844	3,682,444 (R)	3,107,983,111 (R)
		920.61 (\$)	776,995.78 (\$)

For the 2013 elections the constituency was the province so the expenses at the commune level were lower than in 2017 when each commune was being contested.

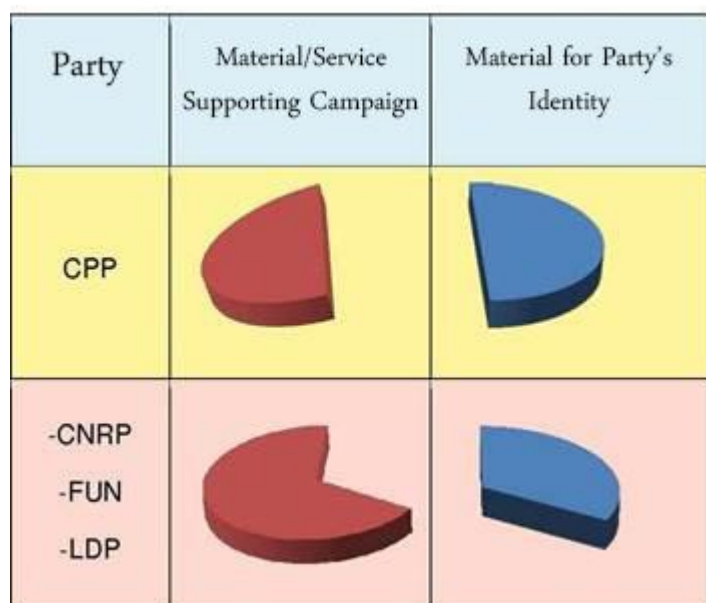
Table2: change in expenditure on election campaign from the 2012 to 2017 election

Political Parties	for Commune / whole Election	Estimate Expenditure (\$)			Change	2012-2017 (%)	2013-2017 (%)
		2012	2013	2017			
Cambodian People Party (CPP)	for a commune	9,000	3,900	15,014		40.06	74.02
	for whole election	14,697,000	15,708,400	24,713,610		40.53	36.44
Cambodia National Rescue Party (CNRP)	for a commune	1,800	1,563	3,462		48.01	54.85
	for whole election	2,743,500	3,494,025	5,698,864		51.86	38.69
FUNCINPEC Party (FUN)	for a commune	200	129	537		62.76	75.98
	for whole election	282,600	412,053	454,407		37.81	9.32
League for Democracy Party (LDP)	for a commune	N/A	N/A	920	N/A	N/A	N/A
	for whole election	N/A	N/A	776,995	N/A	N/A	N/A

Note that CNRP expenditures for 2012 are calculated by adding the expenditures of the Sam Rainsy Party and Human Rights Party. The two parties merged to form the CNRP after the 2012 commune elections on July 17, 2012.

4.3.2 Expenditures for Materials/Equipment/Facilities or Services for Electoral Campaign Activities

Figure1: Estimated allocation of expenses for the different political parties:



During 14 days of the commune electoral campaign (May 20 to June 2), contesting political parties paid for material/ facilities/ equipment and services to conduct publicity activities. They are categorized into two types. Supporting activities includes materials, facilities, equipment, and services such as, transportation, speaking/concert stage, electricity generator, loudspeakers, national flags, and foodstuffs. Transportation fee for supporters, who joined in the

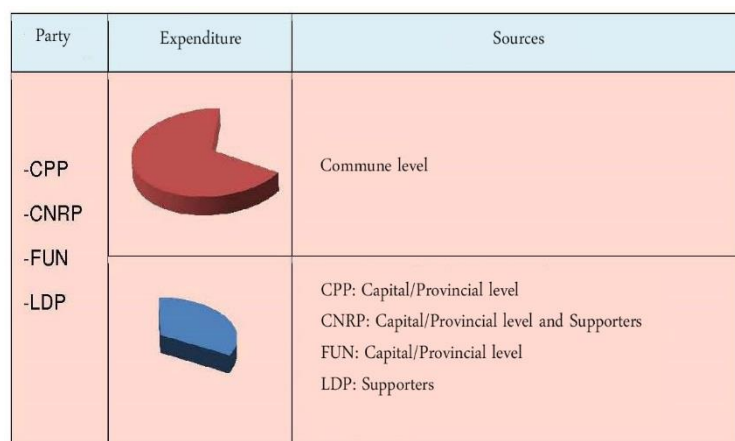
campaign event, was also considered as supporting activities categorized as services. Another type of expenditure considered is the cost of political party identity materials including T-shirts, shirts, stickers, leaflets, posters, banners, and party flags. If the two major political parties are compared, the CPP commits a larger portion of expenses on identity materials, while the CNRP focuses more resources on supporting activity materials.

Table3: Estimated allocation of expenses for the different political parties:

Political Party	Supporting Activity Materials/Services	Party Identity Materials
Cambodian People's Party (CPP)	46.12%	53.88%
Cambodia National Rescue Party(CNRP)	66.54%	33.46%
FUNCINPEC Party (FUN)	63.50%	36.50%
League for Democracy Party(LDP)	72.26%	27.74%

4.3.3 Sources of Expenditures on Electoral Campaign

Figure2: Sources of Expenditures on Electoral Campaign



For the Commune Council Election, there is no regulation requiring transparency regarding the source of expenditures on campaign activities for the contesting political parties. Estimates of sources of funding for campaign expenses based on observation and reporting by monitors are grouped into commune level, province/capital

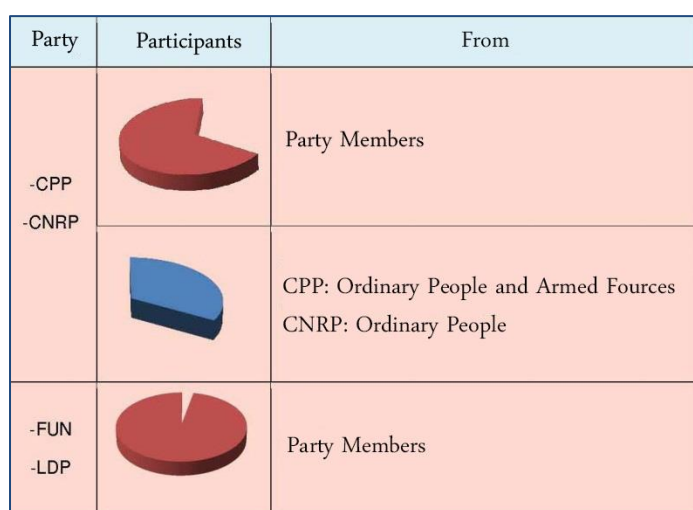
level, candidates, and party supporters. Observation and monitoring found that the larger portion of expenses was covered by the individual candidate rather than by the party.

Table4: Sources of Expenditures on Electoral Campaign

Political Party	Party at Commune	Party at Province/ Capital	Candidate	Supporter
Cambodian People's Party (CPP)	39.22%	36.14%	18.08%	6.56%
Cambodia National Rescue Party (CNRP)	10.43%	14.36%	59.11%	16.10%
FUNCINPEC Party (FUN)	20.37%	27.78%	51.85%	0.00%
League for Democracy Party (LDP)	27.50%	2.50%	32.92%	37.08%

4.3.4 Composition of Electoral Campaign Activities

Figure3: Composition of Electoral Campaign Activities



Within 14 days of the electoral campaign period, contesting political parties actively conducted their campaign events. Political party supporters, citizens, civil servants and government officer, and members of the armed forces exercised their rights to assembly and association by attending and actively participating in campaign-related gatherings. Law and procedures and regulations on elections stipulate that government officials and

members of the armed forces are permitted to join the electoral campaign activities outside of working hours, while members of civil society organizations are prohibited from such participation. Based on monitoring and observation, it is estimated that 6% of participants in attendance at CPP electoral campaign events were members of the armed forces, and 0.2% of participants in attendance at opposition campaign events were members of the armed forces.

Table5: Composition of Electoral Campaign Activities

Political Party	Party Member	Citizen	Member of the Armed Forces
Cambodian People's Party (CPP)	70.55%	23.47%	5.99%
Cambodia National Rescue Party (CNRP)	71.40%	28.41%	0.19%
FUNCINPEC Party (FUN)	90.79%	9.21%	0.00%
League for Democracy Party(LDP)	96.16%	3.84%	0.00%

4.3.5 Electoral Campaign Activities

The laws and procedures and regulations on elections set criteria for what qualifies as electoral campaign activities. Examples are public meetings of party or candidate, party marches, radio or TV broadcast, loudspeaker broadcast, in-door/out-door broadcast through VCD or DVD video, posting political party platforms/slogans, distributing political leaflets/stickers, giving caps and T-shirts or other materials, installing political banners with political platform or message in public spaces, and political concerts or sport games.

Besides NEC electoral campaign programs aired on state-owned television and radio, the most common electoral campaign activities in this election were: political party or candidate public meetings, marching, loudspeaker broadcasts, posting political platforms/slogans, and distributing political leaflets/stickers.

Table6: Electoral Campaign Activities

Political Party	Public Meeting	Parade or Marching	Loudspeaker Broadcast	Broadcast through VCD or DVD video	Posting political platforms/slogans	Distributing political leaflets	Giving caps and T-shirt /or other material	Giving gifts (every day needs)	Installing political banners	Political concerts or sport games	Others
	%	%	%	%	%	%	%	%	%	%	%
Cambodian People's Party (CPP)	21.80	15.79	30.08	5.26	9.77	11.28	3.01	0.00	2.26	0.75	0.00

Cambodia National Rescue Party (CNRP)	8.88	19.63	29.44	6.07	14.02	13.55	6.07	0.47	0.93	0.47	0.47
FUNCINPEC Party (FUN)	13.70	21.92	21.92	5.48	15.07	10.96	1.37	2.74	1.37	4.11	1.37
League for Democracy Party (LDP)	8.33	9.52	45.24	16.67	11.90	4.76	3.57	0.00	0.00	0.00	0.00

5. Use of State Resources and Access to Public Space

Within the 14 days from 20 May to 02 June 2017 of the election campaign, COMFREL's observation throughout the country found 793 cases of misuse of state resources. 766 of the total cases involved the participation of governmental officials including village chief, armed forces and court officials in election campaign activities of the ruling party. Moreover, monitors observed the use of state vehicles from which the number plaque was temporarily removed in order to be used as transport for party campaign activities. This happened in at least 16 cases in 3 provinces, including Prey Veng, Ratanakiri and Battambang. Observation also found 11 cases of posting of a political party's symbol or recognized material on state buildings or at state institution including universities.

Figure4: Use of State Resources in Campaign



6. Media Role in the Electoral Process

Besides traditional media sources such as TV, radio and paper press, social media (particularly Facebook) plays a very important role in sharing information about the electoral process and political situation to the public. Though some information on Facebook is not officially verified, much of the content is trusted by the public.

Additionally, radio and TV stations still play an important role by providing electoral and political information throughout the election process, reaching the broadest audience in Cambodia. All media are privately owned, with the exception of state owned TVK and the state owned radio stations FM 96 MHz and Wat Phnom FM 105.70 MHz.

According to democratic standards of fair competition, all political parties registered at the Ministry of Interior are allowed to broadcast their activities through media. Nonetheless to this day, no media law regulating political and electoral broadcasting has been adopted which ensures that media comply with a code of conduct in their political and election reporting. This is especially important for providing broadcasting time on equal terms to political parties and candidates during official election campaign periods, but also necessary in periods between elections when information in political news broadcasts is often colored with discriminatory, biased, insulting or defamatory language.

For the purposes of media monitoring, COMFREL utilized certain criteria to select television channels to observe, such as national coverage, popularity, and ownership (state/public or private) during the 14 days electoral campaign period from 20 May to 02 June 2017. They included TVK, Bayon News, CTN and Hang Meas. For the purpose of media monitoring during the 2017 commune elections in Cambodia, broadcast content from these stations was recorded from 17:00 to 24:00 during the period of the electoral campaign. The broadcast content was measured and evaluated in order to calculate time allocated to political party programs, voter awareness and election process programs, and programs documenting government achievements. The contents of TV broadcasts were collected and analyzed, as well as articles from 12 news organizations (online or social media based) that disseminated information using Facebook. As a result of this monitoring and measurement, COMFREL has concluded that in the 2017 election, coverage during the election campaign period was unbalanced in favor of the ruling Cambodian People's Party, especially in the case of privately owned TV stations.

6.1 Violations of Codes of Conduct and NEC Guidelines

Obstacles to a genuine level playing field for electoral competition in terms of media access and coverage resulted from the insufficient implementation of current NEC media regulations with regard to the prohibition on unfair access to media and the use of biased, discriminatory, inflammatory, insulting and defamatory language in political and electoral broadcasts. Media monitoring supports the conclusion that the NEC did not effectively enforce campaign regulations on the media in this election, because, except for current guidelines given by the NEC, no legal framework is in place for regulating the media and use of media by government, parties, and other non-state actors. For this election media guidelines were released by the NEC, however, except for the state owned TVK and affiliated radio stations, there was a lack of compliance by private broadcasters and effective enforcement of the guidelines.

In its 'Manual for Election Campaign' and 'Guidelines for Media', the NEC stipulated that in the 2017 commune council election, during the official election campaign both state and private media must provide all contesting political parties airtime on equal terms. The NEC also required private radio and TV stations that sold airtime during the campaign to report the number of hours sold. Private TV and radio stations however had been reported to claim that they do not sell airtime during election campaigns for political parties, and were therefore not required to report to the NEC.

The 'Manual for Election Campaign' outlines that private media are free to refuse to sell airtime to any political party, but only when they have not sold airtime to any other political party. In

practice, in the 2017 election, private TV stations not only affiliated their broadcast programming, but could also be observed to have sold airtime to the CPP without reporting airtime sold in compliance with NEC guidelines. According to Prime Minister Hun Sen President of the party, the CPP bought airtime from private TV which cost USD 300 per minute, to disseminate live campaign activities on the last day of campaign period.

COMFREL finds the framework of laws and regulations in place inadequate for supporting the balanced conditions of political competition required for a fair election. The media monitoring demonstrated clearly that during the election campaign one political party had a clear advantage in favorable airtime of private TV and radio stations. The NEC has not yet developed effective mechanisms to monitor and enforce media regulations for private TV stations.¹¹⁶

6.2 Content of Television Program

During the period of the election campaign, in addition to regular programming, both state and private TV stations aired segments (produced for television by political parties) covering topics such as development and governance achievements, political party policies and platforms, civics and voter awareness of the elections system and process. Programming produced by the station included as speech or text-based commentary from parties, candidates, or officials which was displayed on the ‘news ticker’.¹¹⁷

Documentary videos on the topic of national development and government achievements produced by the Council of Ministers of the RGC, was observed to be played on every observed TV station. The most notable characteristic of the content of this coverage and publicity was the personalist ideological link between the party, state and leader. Achievements were presented as accomplishments of the government belonging to the person, more so than as accomplishments of the party.

Table7: Program and time alloaction (Minute) of TV stations

TV Stations	Program and Airtime (mn)	Country Development and Gov't Achievement	Speech or Text Message about Political Parties	Political Party Platform	Voter Awareness and Election Process
National Television of Kampuchea (TVK)		64.15	10.52	803.65	507.65

¹¹⁶ It is notable that the portion of media consumption by Cambodian citizens is shifting considerably away from traditional media and towards social media, as greater numbers of eligible voters are turning to internet and Facebook for news.

¹¹⁷ Defined by Wikipedia as a: “text-based display either in the form of a graphic that typically resides in the lower third of the screen space on a television station or network (usually during news programming) or as a long, thin scoreboard-style display seen around the facades of some offices or public buildings dedicated to presenting headlines or minor pieces of news.”

Bayon Television-News (BTV News)	61.75	286.78	140.40	31.83
Cambodian Television Network (CTN)	39.15	69.07	132.85	32.65
Hang Meas television (HM HDTV)	128.68	187.70	202.05	410.10
Total airtime (minutes)	293.73	554.07	1,278.95	982.23

Figure5: Program and time allocation (Minute) of TV stations

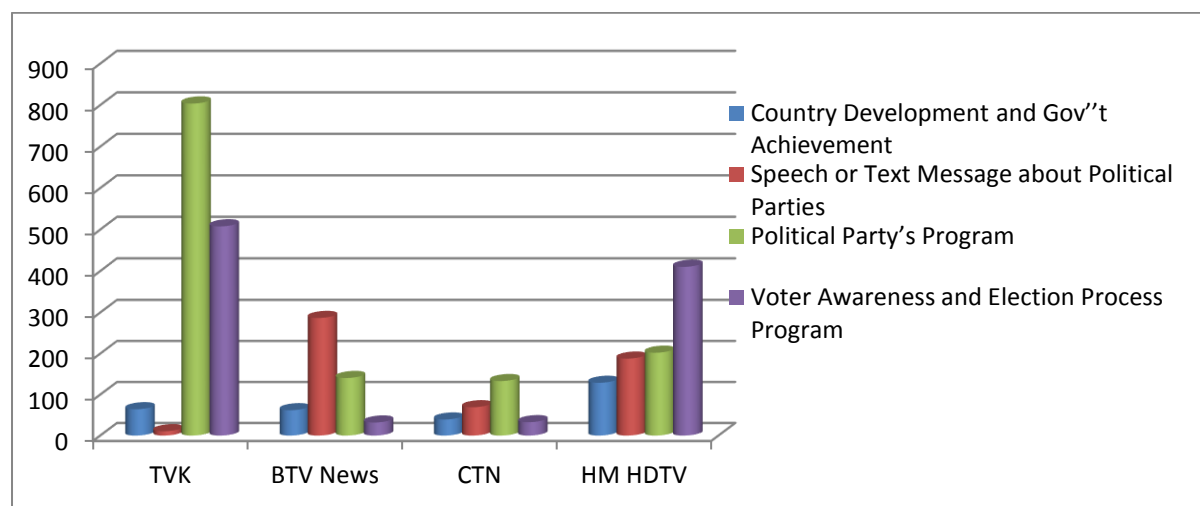
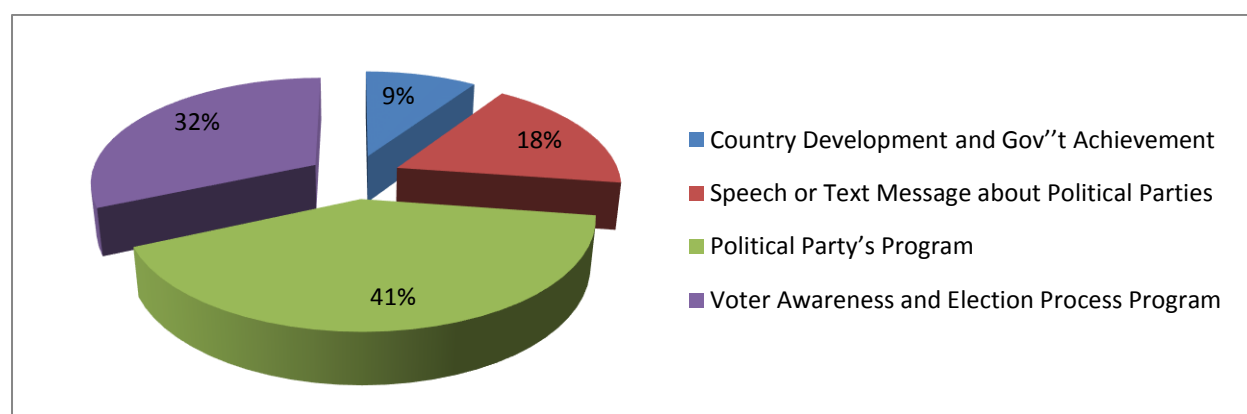


Figure6: Time allocation for Program on TVs



6.3 Access to Media, in Particular Television

6.3.1 Television Programming Related to Political Parties

Table8: Time allocation which political parties access to TVs

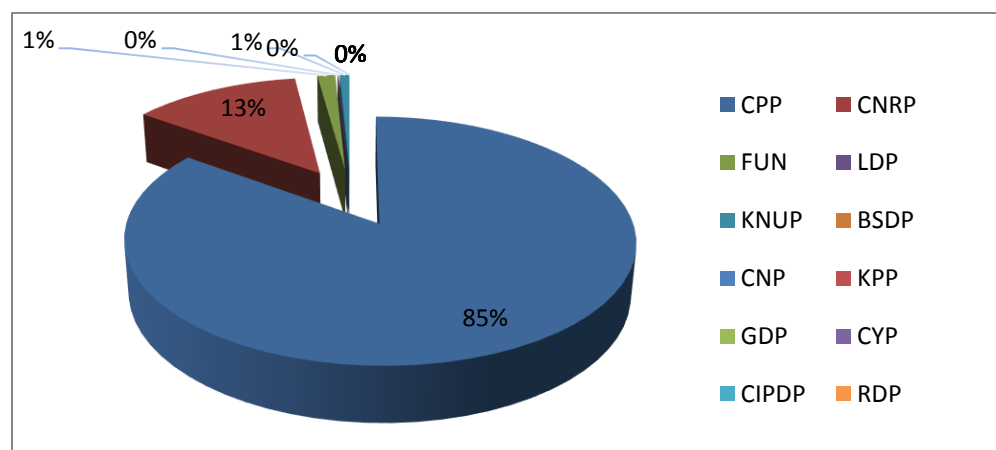
Airtime (mn) Television network	CPP	CNRP	FUN	LDP	KNUP	BS DP	CNP	KPP	GDP	CYP	CIPDP	RDP
TVK	8.93	1.25	0.00	0.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

BTV News	215.67	59.42	7.58	0.00	4.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CTN	63.95	5.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
HM HDTV	182.32	5.38	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Airtime	470.87	71.17	7.58	0.33	4.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00

During the campaign period, information related to the two major contesting political parties the CPP and the CNRP, particularly on campaign activities and political messages, was broadcasted on the all the four TV channels for about 470 minutes. Airtime could be positive or negative, however, and it was observed that generally the content of the information about the ruling part was was favorable or positive.

The airtime with content related to the CNRP¹¹⁸ was broadcasted by the four TV channels for only about 71 minutes, of which about 59 minutes was allocated by BTV News. Though BTV News was reported to allocate several minutes of airtime to CNRP-related information, in contrast to most of its CPP-related broadcast coverage, the content of information about the opposition party was mostly negative and critical. Electoral campaign activities or marches determined not to be well organized were the primary subject of broadcast coverage pertaining to the opposition displayed on BTV News.

Figure7: Percentage of time allocation which political parties access to TVs



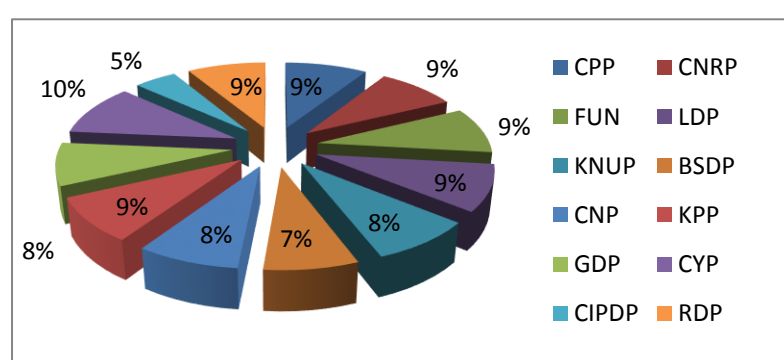
¹¹⁸ This does not refer to programing produced by the CNRP, but rather to news programs by the TV station during the campaign period discussing the CNRP.

6.3.2 Political Party Programs on Television

Table9: Time allocation of Political Party Programs on Television

Political parties and airtime (mn) for different television stations	CPP	CNRP	FUN	LDP	KNUP	BSDP	CNP	KPP	GDP	CYP	CIPDP	RDP
TVK	73.12	69.83	72.58	72.35	66.90	58.80	64.48	69.42	66.63	82.03	37.73	69.77
BTV News	140.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CTN	132.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
HM HDTV	202.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Airtime (minutes)	548.42	69.83	72.58	72.35	66.90	58.80	64.48	69.42	66.63	82.03	37.73	69.77

Figure8: Time allocation of Political Party Programs on Television of Kampuchea (TVK)



On the state-owned Television of Kampuchea (TVK) network, every contesting political party received approximately equal airtime for the purpose of broadcasting party policy platforms and political messages. Following the NEC guidelines airtime allocated to political parties focused on

documenting the political party platforms, policies and general information about party activities. According to the guidelines, all political party spots must get NEC approval for display, and the current manner of implementation entails the NEC playing the organizational role and then getting the support of TVK. It was observed that although NEC provided equal allotments of airtime, some minor political parties, did not use up their provided airtime. This was because they provided short answers and less information in the time allotted. Based on observation, in these cases the party message seemed to be less developed and mostly principle based. (Given almost equal airtime allocation on TVK.)



A CNRP video involving former CNRP leader H.E. Sam Rainsy giving a message to voters and supporters which was produced to be broadcast on TVK, was blocked by the NEC in a letter from the NEC General Secretary to the CNRP (Letter N107) issued on 23 June 2017. The letter stated that the Ministry of Information would not allow TVK to broadcast a statement by Sam Rainsy as he was legally considered a convicted criminal.

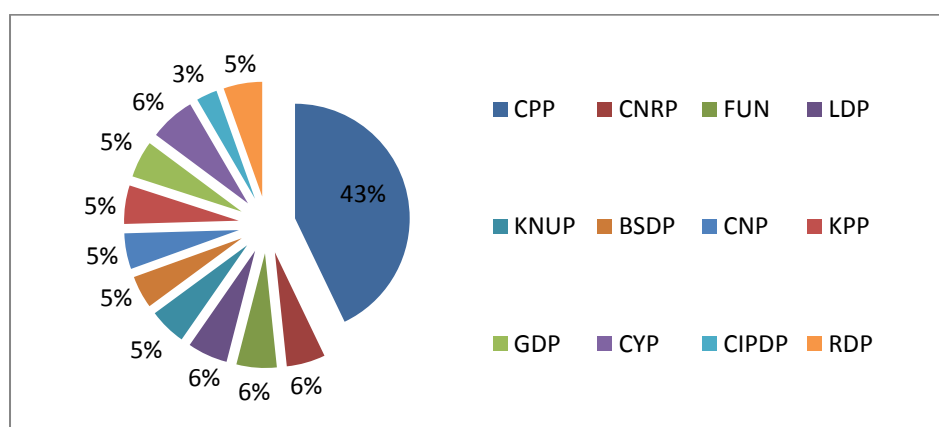


That decision, however, was not issued based on any existing legislation in place as there are currently no related existing provisions on broadcasting in Cambodia. Furthermore, the content of the video was not found to violate any laws as it focused on calling people to vote for CNRP and disseminating CNRP's political platform.

In addition to state TV, only the ruling party was able to access most of the private TV stations. According to observation, at least three private TV stations including BTV News, CTN and HM HDTV were recognized as political instruments of the ruling party. On the last day of campaign period, CPP was reported to have paid for airtime on at least 8 TV channels to disseminate its campaign activities live, lead by party president Prime Minister Hun Sen. In that event, he publicly acknowledged that the airtime cost 300\$ per minute, allowing for an estimate of the total cost of the airtime paid for by the CPP for that event at approximately 720,000 USD.

In conclusion, CPP as the ruling party had more opportunities to disseminate its political platform and message to voters through TV channels, especially private TV channels, when compared to other political parties. CPP-related content composed 43% of total airtime of four TV stations broadcasting programs by political parties.

Figure9: Airtime Allocation on Four TV networks



6.4 Press Articles on Webpage and Facebook

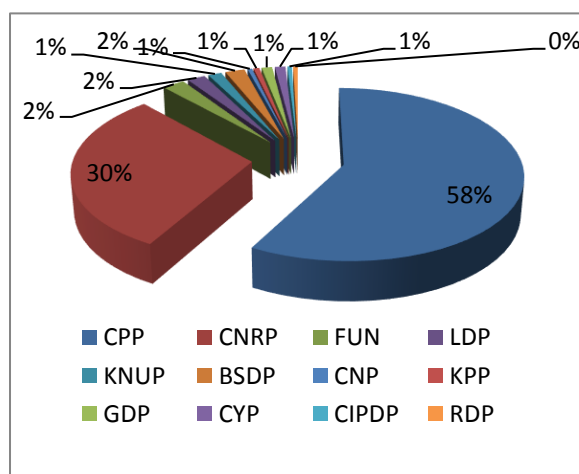
During the election campaign period, most press units produced articles focused on the election process, political party platforms, and political party election campaigns, which were disseminated both in printed or hard copy and online through webpages and social media (primarily Facebook). See the appendix1 on table1 and 2.

Articles related to political parties and their electoral campaign activities were collected, analysed, and grouped into the following categories: a) simple political party information; b) complimentary political party information (positive); and c) critical political party information (negative). During the 14-day campaign period, about 646 articles reported on the 12 contesting political parties and 166 articles focused on the electoral process.

6.4.1 Political Party Access to Online and Social Media Coverage

Figure10: Article devoted to political parties on social media

Of the 12 contesting political parties, only the two main political parties received a high level of coverage by newspaper press, as their activities and information were included in reporting every day during the campaign period. The ruling party CPP was the focus of 375 articles (equal to 58%) while the opposition CNRP was the focus of 195 articles (equal to 30%).



6.4.1.1 CPP's Accessibility to Articles

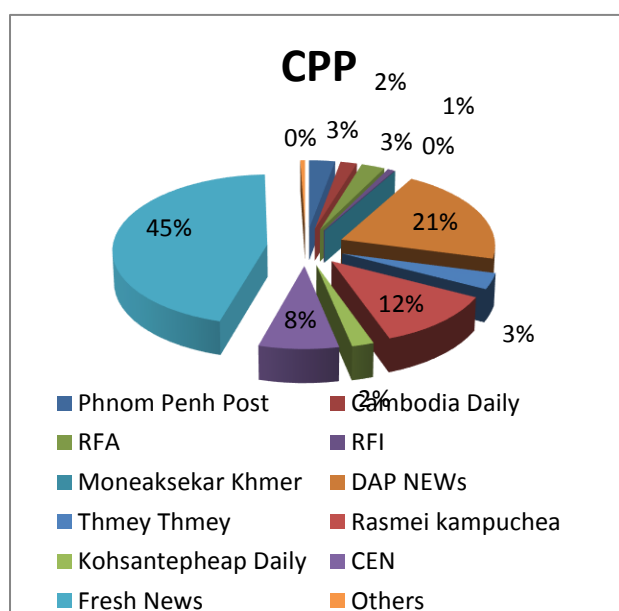
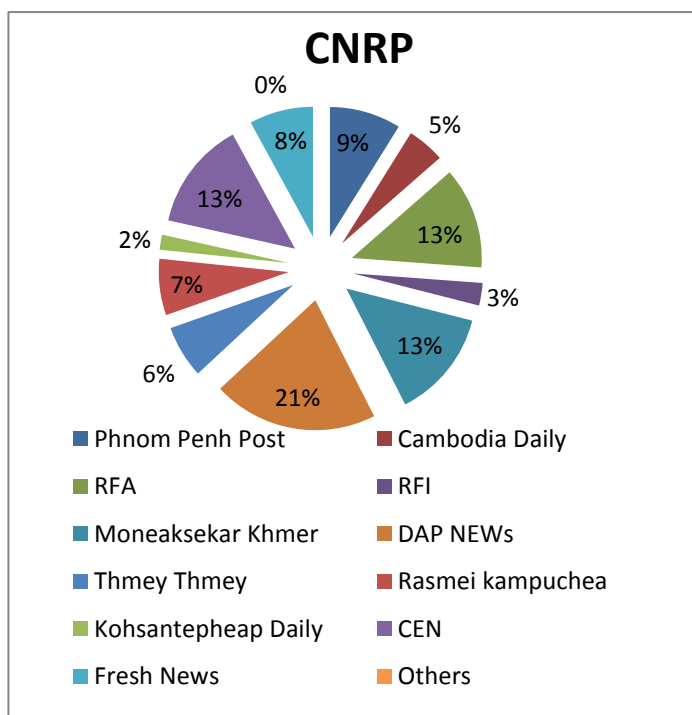


Figure11: CPP's Accessibility to Articles

CPP-related information and activities were available in 375 articles, of which 169 articles (equal to 45%) were produced by Fresh News Press Unit (which concentrated a good portion of this news to coverage related to alleged 'sex scandal' involving opposition leadership. During campaign period, Fresh News Press Unit consistently disseminated complimentary information about the ruling CPP. Another 76 articles related to the opposition (equal to 21%) were produced by DAP NEWS.

6.4.1.2 CNRP's Accessibility to Articles

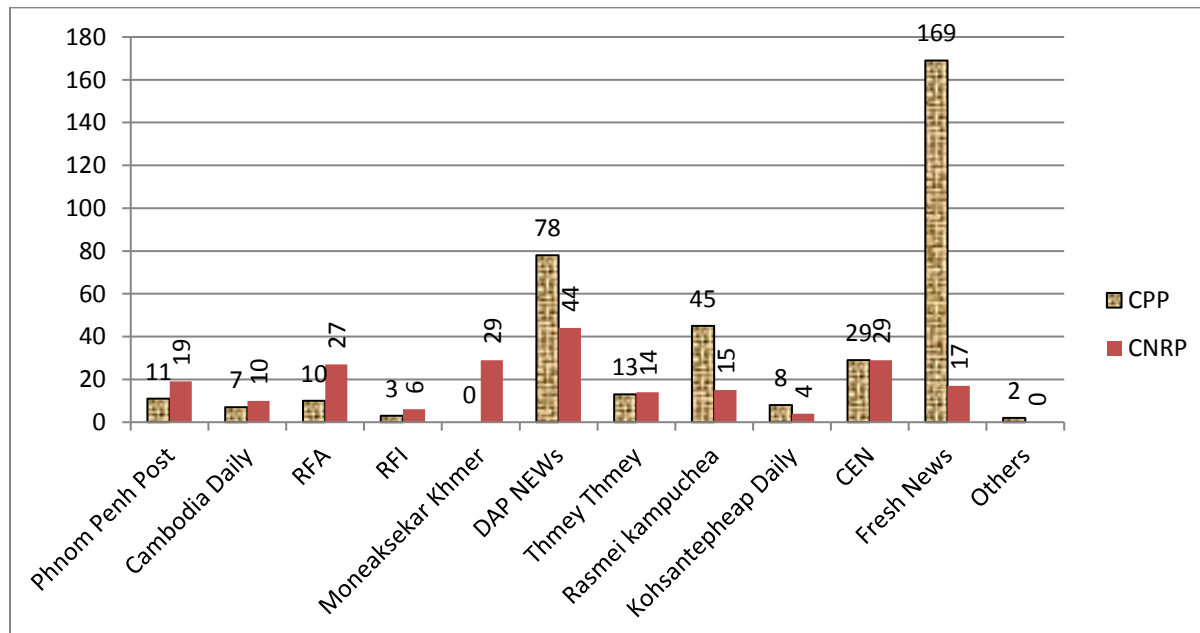
Figure12: CNRP's Accessibility to Articles



CNRP's information and activities were equally disseminated on press webpages and social media pages (Facebook) because none of newspaper press has been found to produce article about CNRP more than 25% of the total articles during campaign period.

In sharp contrast to CPP coverage by the Fresh News Press Unit, Fresh News produced only 11 articles focusing on the CNRP which were all critical. It was also noted that Moneaksekar Khmer covered only the CNRP, and at least three of 29 articles were found to be complimentary.

Figure13: Comparison of CPP and CNRP Media Accessibility



6.4.2 Fake and/or Leaked Information

During the electoral campaign period, at least four articles have been collected from social media and considered as fake and/or leaked. According the analysis and assessment conducted by COMFREL, during the election monitoring and observation during the 2017 commune election

campaign and voting day, the fake news leaked via social media did not have a significant impact on the electoral process and pre-election situation.

Table10: fake articles on social media

Impacted Institution	Title	Date	Source	Description	Assessment
CNRP	Non-governmental organizations and development partners are dissatisfied with Kem Sokha's comments	26 June	Rasmei Kampuchea https://goo.gl/nrZTYL	About 50 non-governmental organizations and more than 10 main development partners are dissatisfied with Kem Sokha as he addressed that Ministry of Rural Development will be dissolved if CNRP with the election	Leaked- No Confirmation
CPP	Members Confirm CPP-Linked 'Cyber War Room'	26 June	The Cambodia Daily https://goo.gl/GxsB4D	Documents leaked to media this week suggest Prime Minister Hun Sen, his eldest son Hun Manet and son-in-law Sok Puthyvuth, and other prominent CPP-affiliated officials, were involved in an ongoing campaign to spread CPP rhetoric, monitor opposition supporters on social media and attack CNRP leaders.	Leaked
CPP or/and the government	Justice official denies authenticity of emails	22 June	The Phnom Penh Post https://goo.gl/mmNBRS	Cambodia's embattled justice system and its alleged tight alignment with the ruling party have been thrust into the spotlight after what appeared to be a string of hacked emails were leaked from Justice Ministry spokesman Kim Santepheap's account over the weekend.	Leaked
Cambodia Civil Society Organizations	BREAKING NEWS: Leaked hatched plot which some CSOs make campaign supporting the opposition	01 June	Fresh News https://goo.gl/exe1Qv	High ranking national security official on 01 June 2017 leaked information to Fresh News that some non-governmental organizations and CSOs considered as opposition supporters, were planning to make a telephone and online campaign to affect to voter's decision.	Leaked - No Confirmation

7. Electoral Legal Framework and Election System

The Commune Council election is tentatively linked to Cambodia's election reform enacted after a political deadlock over the legal framework was broken. A constitutional amendment created a separate chapter specifically to deal with election management, making way for reform of the legal framework for elections. The National Assembly passed the law on the organization and functioning of the National Elections Committee (NEC) essentially creating a new constitutional body, and the amendment of the law on the election of members of National Assembly created the roadmap for a new voter registration system. The legal framework for the 4th term of commune

council election has been reformed with the amendment of the commune election law in 2016. The impact of the changes has been observed to be very significant. Revisions were also made to the regulations and procedures governing the 2017 commune election. In addition, the first amendment to the Law on Political Parties was a significantly negative setback for the electoral framework required for the election process. The amendment has been widely perceived to be a mechanism to further control and harass the opposition before elections in 2017 and 2018. In the final analysis the amendments of the law on commune election when compared to the previous legal framework contain more negative than positive aspects. Out of a total of 21 significant changes COMFREL finds 10 negative changes, 5 unclear provisions, and 6 positive changes.¹¹⁹

7.1 Significant changes to the commune election law

The Law on Election of Commune Councils (LECC) was almost entirely revised and those significant changes included:

1. The voter registration and organization of the voter list were significantly positive changes because they were conducted in accordance with the provisions provided in the LEMNA.
2. The number of voters allocated in each polling station was seemingly made without a detailed study. The necessity for increasing numbers was not demonstrated, and so the provisions are ambiguous.
3. Definition and scope of activities included in the election campaign as defined in the new amended commune election law have been negatively changed. The newly included provisions restrict the fundamental freedom of expression of political parties. The activities of registered contesting parties are restricted by the law, while the numbers of political party rallies and duration of election campaign have been decreased. Political parties are permitted only two major rallies compared to a possible 15 under the previous legal framework.
4. A better solution for the installation of political party's signs in public spaces was provided in the commune election law. The provisions affirm the principle of equality, and mandate that installation shall be facilitated by local authorities.
5. The change to the duration of the election campaign from 15 to 14 days and limits on the number of political party rallies (changed from unlimited to twice per election campaign) are perceived as negative.
6. There are prohibitions provided in the law, but there appears to be no penalties for the stated acts, set out in the provisions of the article 71 which establish that "Every political party, candidate or supporters shall not do any acts of intimidation, threatening and persuading someone to give fingerprint, taking an oath or forcing someone to promise of voting to any political party".
7. The provisions related to the banning of civil servants, local authorities, military and national police forces and judicial officials from participating in any of a political party's events during working hours in the election campaign period, are deemed as positive.

¹¹⁹ The assessment of Electoral Reform Alliance (ERA).

8. The provisions related to rights of civil servants, local authorities, military and national armed forces and judicial officials to participate in election campaign activities once they asked permission or outside of working hours, are seen as negative. These provisions contradict previous article 72 of commune election law and provisions of article 15 of the political party law which prohibits these groups of people from actively participating in an election campaign. These state that military and national police, armed forces and judicial officials should be banned from participating in any election campaign activities because they also involved providing security throughout the election cycle and involved in election dispute mechanisms.
9. Provisions limiting the activities of NGOs and associations participating in politics during election campaign are significantly negative, curtailing civil society's right to expression. These provisions contradict constitutional articles 35, 36, 41 and 42, violating the right to fully participate in politics, freedom of expression and the freedom association of non-governmental organizations.
10. There is uncertainty surrounding the provisions to prohibit foreigners from participating in any activity supporting a political party or a candidate. The provisions leave room for interpretation.
11. Provisions related to NEC facilitation for setting up the political parties' signs along the roads or public space, are positive from the perspective of equality. However, a restriction on the use of political messages and slogans used specifically by the opposition party is deemed as negative change. Their freedom of expression during the commune elections was restricted by authorities and protests from the ruling party which threatened legal action against them.
12. Recognition of political party's agents and election observers is clear in the law, as is the time frame of the NEC to process, verify, and recognize applications.
13. The imposition of penalties under article 188 of the law related to agents of political parties and election observers with monetary fines from one million to ten million Riel, is a negative change to the law.
14. The prohibition of collective civil society organizations in engaging with political parties during elections and in the counting process is a significantly negative change. This is because provisions in article 74 infringe upon the rights to expression and opinion during election and counting processes.
15. There provisions to punish any person who fakes or attempts to fake identity certificate documents for the purpose of registration and voting was observed as a positive change, since the old law did not impose any penalties on wrongdoers.
16. There penalties for voters who intentionally attempted to register their name twice on different voter lists are both negative and positive. However, as implemented there were no issues during the 2016 voter registration.
17. The inclusion of penalties for NGOs and associations engaged in electoral activities is regarded as a negative change. These are new provisions in law and in the previous elections such provisions were included in the code of conduct without penalties.
18. The new provisions imposing penalties on foreigners that participate in the election campaign are ambiguous and leave room for interpretation.
19. Implied penalties for publicly insulting political parties or registered candidates are seen as a negative change. The term public insult may be defined and interpreted broadly

without a specific definition. If the act is committed by the leaders of a political party, it may lead to a ban preventing the political party from participating in the election.

20. The penalties imposed on observers are significantly negative. Election observation is a voluntary job. The law should encourage citizens to actively participate in the election cycle, especially election observation.
21. The provisions related to the dissolution of a political party enact a negative change because the law connects party dissolution to the commission of a criminal offense committed by an individual and not the party itself.

7.2 Recommendations submitted by COMFREL and ERA

Based on the foregoing analysis COMFREL and the Electoral Reform Alliance made and submitted recommendations related to legal framework reform as the follows:

Keep the original text of provisions of the old law related to the right and freedom to make political party rallies without any restrictions or limitation. The proportional representation of closed party list system in Cambodia generally compels each political party leader to present himself/herself before the constituency's supporters and to join rallies in many constituencies as he/she can afford to during the campaign. The presence of the party's leader in all constituencies is very important for their supporters.

Make effective enforcement of provisions to article 15 of the law on political parties during the election campaign to ensure the neutrality of Cambodian armed forces, police, civil servants and judicial officials and prevent them from acting unfairly against any registered contesting political party. These groups of citizens play a crucial role to ensure the security and impartiality of all phases of election process.

Strike down the provisions of articles 74 and 159 which impose restrictions huge sanctions on NGOs and association, especially for NGOs or association who are working on election monitoring and recognized by the NEC. Sanctions against civil society groups engaging with political parties to improve the party system as a whole should also be struck down.

The NEC should delegate authority to PECs to recognize and issue the Identity Cards for election observers. The suggestion is made to reduce lengthy bureaucratic and administrative procedures.

Strike down article 188, related to the imposition of penalties. The participating groups should only have a moral obligation to self-regulate their behaviour, but it should not be regulated in the law and enforced with imposed penalties. In cases where election observers do something wrong or misbehave they should receive a warning or reprimand with a view to stopping them from observing the elections further.

Strike down article 190 in order to protect the rights of political parties to associate.

The election system should be amended to allow independent candidates. The mixed election system should replace the current election system.

The formula for seat calculation should be changed back to the UNTAC formula (that is, be changed from the highest averages method to the largest remainder formula or Hare-Niemeyer method).

The proportion, number, or quota of female and youth candidates should be mentioned in the law, to set the conditions for the submission of proposed candidates. At least 30 per cent of the total registered contesting candidates should be allocated to these groups, whether female or youth. The list of candidates should include male and female candidates alternatively order from the top to bottom.

The NEC should have authority to require political parties to openly reveal sources of income and expenses for their election campaigns.

The provisions related to the role of the CECs in facilitating the installation of political party signs with the local authorities should be provided clearly and with more specific detail in the law.

Acts of intimidation, threats, coercion, compelling oaths of loyalty, and fingerprinting by any individual or political party should be prosecuted under the law including the imposing of fines and penalties.

7.3 Regulations and Procedures

NEC regulations and procedures for the 2017-commune election, its fourth term, were divided into phases. First the regulations and procedure for voter registration of 2016, and second the regulations and procedures for voting in 2017. The two phases were open and transparent allowing recommendations to be submitted with input from all relevant stakeholders and national consultations.

The regulations and procedures for -voter registration in 2016 improved as the election law on members of national assembly had been amended accordingly. However, some provisions could have been improved further. These include: 1) the procedures for verification of Voter Registration Teams and the registrants; 2) procedure for issuance of registered receipt; 3) the regulations and procedure on instructions for the VRT to ensure registrants place their thumbprint properly and registrant photographs; 4) equipment such as printers for printing the receipt for registrants; 5) improving training for registration officers; and, 6) making efforts to ensure the right to vote of migrants workers. Apart from the regulations and procedures for voter registration, the regulations and procedures for the 2017 local elections improved. COMFREL appreciates the improvements and has submitted 14 recommendations to the NEC for consideration. Amongst these, five recommendations have been entirely and partly accepted by the NEC, and the other nine were rejected.

Recommendations totally or partly accepted by the NEC

1. Establishing a mechanism of coordination, supervision, and making implementation of the principle of equality more effective in the classification or listing of public spaces, theaters, sport stadiums, parks, and particularly private buildings, or spaces rented or maybe requested for using by political parties at a standard market prices.

2. Grant permission to election observers and political party's agents for verification of the voter list by comparing listed photographs with actual voters during polling. The observers and political party agents should be allowed to stand behind the secretary of the polling station to check and verify the voters details through comparison with his/her information on the voter list and his/her identity documents.
3. Allow the taking of photographs and video clips inside the polling station during counting process. Note that this was observed to be a positive move; however, confusion remains because the code of conduct is not clear about these procedures. The code of conduct specifically mentions the prohibition on observers and agents from taking pictures and video during the polling process.
4. Establish a policy wherein, once the second member of polling station posts a notification of results (form No. 1102) on the wall of building of the polling station, he/she should photograph the results and send it to the NEC database center via any possible electronic means such email or app, and the NEC should post the results received on its homepage or on its official social media pages.
5. Distribute the form 1202 presenting political party agents with the official stamp of the polling station.

Recommendations which the NEC did not accept

1. The financial campaign report of registered contesting political parties should be assessed or checked under the authority of NEC, and should be made available to the public.
2. Receiving election complaints
 - CECs and PECs should receive all complaints irrespective of the amount of available evidence.
 - The officer in-charge of receiving complaints should assist the complainant on request in filling out complaint forms (complaint application).
 - During the election dispute resolution phase, the NEC should constitute a complaint and inquiry commission composed of NEC members including officials from the Law and Dispute Department. This commission should be diverted from its normal duties in order to receive election complaints on behalf on the Secretariat-General.
 - The NEC shall have a detailed instruction book on the procedures for receiving and investigating complaints for the said commission.
3. The investigation made by the commission should be done in an appropriate period of time after the complaint is lodged.
4. Hearings
 - NEC hearings should be public and include the participation of political parties and election observers.
 - The hearings should provide an opportunity for disputants to present verbal arguments (cross argument and examination) by the NEC.
5. The punishment for violations of Section 15.5.6.2 of the Regulations and Procedure for 2017 Elections, should entail two different classifications: (1) the measure of warning (yellow card) if he/she abuse his/her power and violates the code of conduct

- and (2) the measure to impose penalties in accordance with the law (red card) for repeating violations of the code.
6. The information related to election complaints and dispute resolutions recorded by the NEC should be kept in a database system on its website and be accessible for study.
 7. Provisions related to the authority of polling station chief to request armed security forces to enter the polling station only in a case of serious offense inside the polling station.
 8. Regarding the provisions related to reorganizing the election, the regulations and procedures should clearly define the nature of the seriousness of irregularities which would determine the reorganizing of the election. The provisions should define the nature and types of irregularities which are sufficient ground to refuse the preliminary election results in a particular polling station, and would require reorganizing the election in that particular polling station. Those irregularities would include the following:
 - A very gross serious technical error in the polling process or counting process (the intentional incorrect implementation of regulations and procedures)
 - Large scale vote buying at the village level, from the start of the campaign up until Election Day.
 - Serious intimidation, threats or violence in the village or around polling stations.
 9. A rule for requiring ballot recounting in a particular polling station in any commune where margin of victory between two political parties or candidates is 0.5 percent or less. The law allows consideration of recounting the ballots if there is a complaint filed during the polling or counting process or before the deadline (not beyond 11:30 am of the day after the Election Day). However, in a commune where it is proved that there are gross irregularities during the polling or counting processes, the ballots should be recounted irrespective of the margin of victory for that polling station or commune.

8. Recruitment of members of Capital/Provincial Election Commissions

8.1 The legal framework on the recruitment of PECs

The NEC announced the recruitment of 175 PEC officials in 25 provinces and the capital to work for the 2017-commune election in various positions. PECs began operating from the 1st of February 2017 and continued until the 30th of July 2017. There were seven staff members in each capital/province. These included the head of the PEC, the deputy head of the PEC, staff in charge of administrative work, staff in charge of operations and voter lists, staff in charge of financial operations, staff in charge of training and voter education, information and public communication, and staff in charge of legal dispute resolution and security of election.

The notification issued by the NEC determined the general conditions and other separate technical experience requirements for the role and responsibility of PECs.

In the notification of the NEC on recruitment, the schedule for receiving of applications, examination day, and face to face interview was as follows:

- The receiving of applications commenced on 16 January 2017 (from 7:00 am)
- Deadline of submission of the applications, 20 January 2017 (at 5:30 pm)
- The date of notification of shortlisted candidate for the written exam (multiple choice questions) at every PEC was 21 January 2017.
- Written exams and interviews occurred from 27-30 January 2017 at the PECs.
- The notifications of results of the written examination and face-to-face interview notified at every PEC.

PEC staff who have been recruited and selected from among civil servants and the general public (citizens that are eligible to vote), except for: members of the armed forces and national police, judiciary officials, religious practitioners, municipal, provincial, districts (khan) governors, registered contesting candidates in the commune election, village chiefs, assistants to village chiefs, and persons who have been convicted of criminal offences.

After selecting and appointing the head, deputy, and staff of the PECs, any appointed person that is a political officials and/or leader of a non-governmental organization or association or trade union shall resign from their position for the new appointment until the end of the PEC post.

PECs shall have a secretary as its assistant. In the period of election days, Provincial Elections Commissions shall become the assistants of the PECs while the law says the NEC's deputies' commissions (well-known as Provincial Elections Secretariats) shall be automatically turns as Secretariat of the Provincial Elections Commissions at the election year calendar.

NEC shall constitute a National Commission responsible for the recruitment of PEC staff. The National Commission for Recruitment shall be composed of a chairman who is a member of the NEC, other members of the NEC as its members (including the NEC Secretary General and Deputy).

The National Commission for Recruitment shall have sub-national commissions, including a sub-commission on examination, a sub-commission on evaluation of the exam, and other sub-commissions if deemed necessary.

8.1.1 Recruitment Mechanism

Based on the above assessment, the legal framework related to the recruitment process has improved. PEC staff were recruited and selected openly and transparently. The previous process of appointing PEC officials by the NEC without public scrutiny was problematic.

Officers and staff of the Provincial Election Secretariats (PESs) who are appointed under a separate status as civil servants by Royal Decree or Sub-decree of the Royal Government shall not be expected to resign from the civil service in the even that they are recruited as PEC officers or staff, because all officials and staff of the PESs automatically become the PEC staff during the election period. The commune election stipulates no exception for them.

Once the election is done, they automatically return to PESs. The officials and staff of PECs are the technical experts in elections, and are given duties to assistant the PECs and they are different from general civil servants of other ministries who are required to resign from their office after they accept an appointment on the staff of the NEC in the election period.

8.1.2 The Results of COMFREL's Observation

Commission of Recruitment

The observation found that the Commission for Recruitment and Sub-commissions were constituted in accordance with the regulations and procedures, and the decisions of the NEC.

The announcement of Notification of the Recruitment

The receiving of applications, examinations and oral tests were done firmly in accordance with the notification of NEC. However, the announcement of the notification of recruitment occurred only within the offices of the PECs. Some were found to be announced at provincial departments, provincial, municipal and district halls, and commune offices. The announcements were posted only in such government offices, but not in other public spaces, which resulted in little public knowledge concerning the opportunity for recruitment. Announcements via radio, TV and social media were made, but these were not widely broadcast. The observation found that only ex-NEC staff and other civil servants received the information through the announcements.

Regarding the announcement of the recruitment, interviewed political representatives viewed the process to be lacking transparency and involving nepotism through an emphasis on recruiting relatives and friends.

The Recruitment Process

The observation found that in 13 provinces there were very few candidates for the position of the head of the PEC. Those provinces included: Siem Reap, Koh Kong, Banteay Meanchey, Prey Veng, Pailin, Tbong Khmum, Kampong Speu, Kra Ches, Mondulkiri, Preah Sihanouk, Ratanakiri, and Pursat.

In 10 provinces, there was a single candidate who applied and was shortlisted for the position of head of the PEC, and each was also the head of the Provincial Election Secretariat. These provinces including; Koh Kong, Odor Meanchey, Prey Veng, Pailin, Tbong Khmum, Kampong Speu, Stung Treng, Mondulkiri, Preah Sihanouk and Ratanakiri.

The observation found that those officially recruited for PEC staff and heads of the 25 capital/provinces for the 2017-Commune election were individuals who had worked with the previous PECs. The result revealed that heads of the PES who have been recruited and selected as the heads of the PECs were in 23 provinces. Those provinces including; Banteay Meanchey, Battambang, Kampong Chhnang, Kampong Speu, Kampong Thom, Kampot, Kandal, Koh Kong, Krat Ches, Mondulkiri, Ratanakiri, Preah Vihear, Pursat, Prey Veng, Siem Reap, Preah Sihanouk, Stung Treng, Svay Rieng, Takeo, Kep, Pailin, Odor Meanchey, and Tbong Khmum.

Regarding the submission of applications, COMFREL's observers found that there were no difficulties and challenges for the candidates. The main obstacle was for those who have no election related experience and skills as required by the NEC, as they had less chance of being selected.

The majority of political party representatives and candidates who applied expressed that the recruitment process and selection was somewhat transparent and acceptable as the selection was based on the election related experience and skill. However, a few candidates and some political party representatives stated that the recruitment and the selection was made without transparency, and involved nepotism or cronyism, because large numbers of the recruited staff were people who used to work in previous PECs and they are partisan (belonging to the ruling party). They also stated that the recruitment commission worked in an unsatisfactory manner in terms of transparency given that public awareness of the available positions was limited.

The observation found that candidates with general management experience were not given priority over those with experience in management and organization of elections. This made candidates who had no relevant experience with management and organization of election less able to compete with the experienced candidate for the opportunity. COMFREL observed that there were also some candidates who had been selected but had not fulfilled the requirements set out in the decision of NEC on recruitment. Some provincial recruitment commissions stated that they faced difficulties in recruiting candidates to fill posts due an inadequate numbers of applicants. In addition, our observers noted that that some provincial sub-national recruitment commissions acted in an unfriendly and uncooperative manner.

The observation found that the composition of PEC staff, including heads, was predominantly male. Amongst 175 PECs staff, only 14 females were recruited. Regarding the recruitment of the short-term contract staff of the PECs, COMFREL's observers found at least two provinces (Kampong Chhnang and Banteay Meanchey) where the staff recruited were relatives of existing staff.

8.1.3 Election Official Recruitment

Through the observation process we found that the recruitment for the PEC heads and staff was remarkably better than before. The recruitment commissions had implemented their duties in accordance with the regulations and procedures for the examination and interviews in order to select candidates.

The observation found that there were some points to be improved on in the future such as accessibility to information on the recruitment, the quality and means of announcement for the recruitment, the need for a requirement to ensure some of the candidates without election experience are successful, insufficient gender promotion in the recruitment process, and redressing the lack of trust in the recruitment commissions.

8.2 The Recruitment of the Commune Elections Commissions (CECs)

The NEC announced that it would recruit 8,230 staff for Commune Election Commissions (CECs) including 33 temporary contract staff. Overall the observation recorded improvements in the legal framework and the recruitment process for CECs heads and staff. The following is a summary of the advantages and disadvantages observed:

- The constitution of the national commission and sub-national commissions on recruitment were observed to accord with the regulations and procedures and decisions of the NEC.
- Those National and Sub-national Commissions have implemented recruitment as provided for in the regulations and procedures and decisions of the NEC.
- There was oversight by sub-national commission members for implementation of the work performance of the provincial recruitment commissions.
- There was a lack of public access to information related to the announcement of the recruitment processes. The information mainly reached out to prior election staff of the NEC, as well as some civil servants via the parallel lines of senior PESs.
- A majority of recruitment commissions had an insufficient number of candidates to make the process truly competitive. For example, in some communes there were only five candidates who applied for the CEC posts and the commissions recruited all of them.
- The observation found that the recruitment process was not based on real competition and instead favored of previous PEC and CEC staff as 70% were prior election staff. They were likely to be linked to the ruling party as members and supporters, and so there is a concern that they may be partisan (bias) in conducting election related duties.
- Provincial commissions and sub-commissions acted in unfriendly and uncooperative ways, especially regarding the dissemination of information about the recruitment process.
- There were a few cases found where the recruited staff was directed to work in another different unit rather than their applied position. And some recruited candidates were asked by the local authority about their tendencies or political loyalty (the case occurred in Kampong Chhnang).
- There were some instances of appointing close relatives such as siblings, parents, children, spouse, or nephew to positions on the commissions (CECs).
- There was at least one case a complaint against the results of the recruitment of candidates, which occurred in Preah Vihear province.
- The recruited candidates of the CECs were invited to attend the training on regulations and procedures for the elections before their official appointment by the NEC due to time constraints, and this caused difficulties for the sub-national recruitment teams.

8.3 The recruitment of Polling Station Officers (PSOs)

The process of recruitment of polling officers and counting officers occurred in a capable and credible manner, similar to the recruitment and selection of the PECs and CECs for the 2017 commune elections. The observation found that the recruitment and selection were better than the previous elections. The Recruitment Commission acted firmly in accordance with the regulations and procedures, and conditions set the NEC. The recruitment and selection were made openly, and candidates that passed the examination viewed it to be conducted in a fair manner.

At the same time, in its observation on the recruitment for PSOs, COMFREL found some things to be improved on for future recruitment. These included a lack of information on the announcement of the recruitment. The announcements were not widely accessible to interested applicants. There was a lack of candidates who applied for the positions in some communes in provinces such as Mondolkiri, Pailin, Preah Vihear and Kampong Chhnang. Most of the PSOs had previously worked for the NEC

especially the Chiefs of the polling stations, who were also civil servants. Some of them were suspected of being active members of the ruling party and having a close relationship with local authorities. The interviewing and examination for the recruitment and the selection of the PSOs, especially the Chief posts, could have been conducted more transparent and fair.

9. Electoral Management

9.1 Voter Registration

The National Election Committee was reformed after 2013 for the 5th mandate of the National Assembly. Following the political agreement on 22 July 2014 by the two political parties occupying seats in the National Assembly, the reform also involved the creation of a new voter list. In 2016, the NEC conducted a new voter registration with 9,664,216 eligible voters to create new voter list for the commune election in 2017, but of 9,664,216 eligible voters the NEC was only able to register 7,865,033, equal to 81.38%. The NEC's estimation of eligible voters in 2016 was similar to in 2013 which was 9,675,453 eligible voters. There has been no further proof disseminated to the public regarding the mechanisms for measuring the number of eligible voters and the grounds for the calculation which would transparently account for the similarities between the numbers in 2013 and 2016.

The new voter registration was conducted using a digitized registration system involving biometrics (photo and finger print), and with Khmer ID or identity certificate as acceptable required documentation. To reform the registration process, commune council and commune clerk are no longer responsible for voter registration, and it is now organized and conducted under the authority of the NEC through registration teams consisting of 3 members, or more based the estimated number of eligible voters for a commune. Delegated registration teams conducted registration throughout 1633 communes with 2400 complete sets of registration material.¹²⁰ The registration cost about USD 23 million. In total, 9 political parties and 07 associations or non-governmental organizations deployed observers to monitor the registration process. However, only the CPP and the CNRP were able to deploy observers to all communes while COMFREL and the Electoral Reform Alliance (ERA) were able to deploy 947 observers to 947 communes.

Based on the findings of the 2016 voter list audit, COMFREL concluded that the 2016 new voter list for commune council election for 4th mandate in 2017 was significantly improved over previous lists. The findings show that 89.3% of eligible voters who reside in the country had registered and have names and personal data input successfully to the list. The NEC's eligible voter rate is only 81.38% and it most likely differs from COMFREL's finding of 89.3% because the latter considers only eligible voters inside the country which registered. Consequently, it is necessary for the NEC to get migrant workers outside the country registered on the voter list in order to fulfill universal voting rights guaranteed by law to all Cambodian citizens, and build on the considerable success improving the electoral system that the NEC has had so far. Based on List-to-People methodology, the names and data on the voter list sampled were found to be 98 percent accurate, with 2 percent confirmed as eligible voters (residents) not found on the list.

¹²⁰ Each set contains a computer, fingerprint scanner, camera, battery backup/power bank, and a modem.

Even though a better quality voter list was created, during the process of registration COMFREL found some irregularities including: failures to properly implement the procedure for scanning fingerprints, failures to ensure registering applicants received a registration receipt, and errors in data transmission, especially data transmitted to/from the department of voter data and voter list.

Following the irregularities, Cambodian civil society organizations and some political parties requested the NEC to post the voter list in each village prior to the election. This would provide registered voters more opportunities to check and verify their name and data, and make it easy for them to proceed to polling on Election Day. Responding to the request, the NEC revised the procedures for posting the voter list at communes, extending the posting to 14 days (from 03 Jan to 17 Jan 2017). Nevertheless, the observation found this policy proved to be inadequate for enabling eligible voters to verify their name and data on the list because the policy was not disseminated effectively. Ultimately, observation found that only about 30% of registered voters checked and verified their names and data.

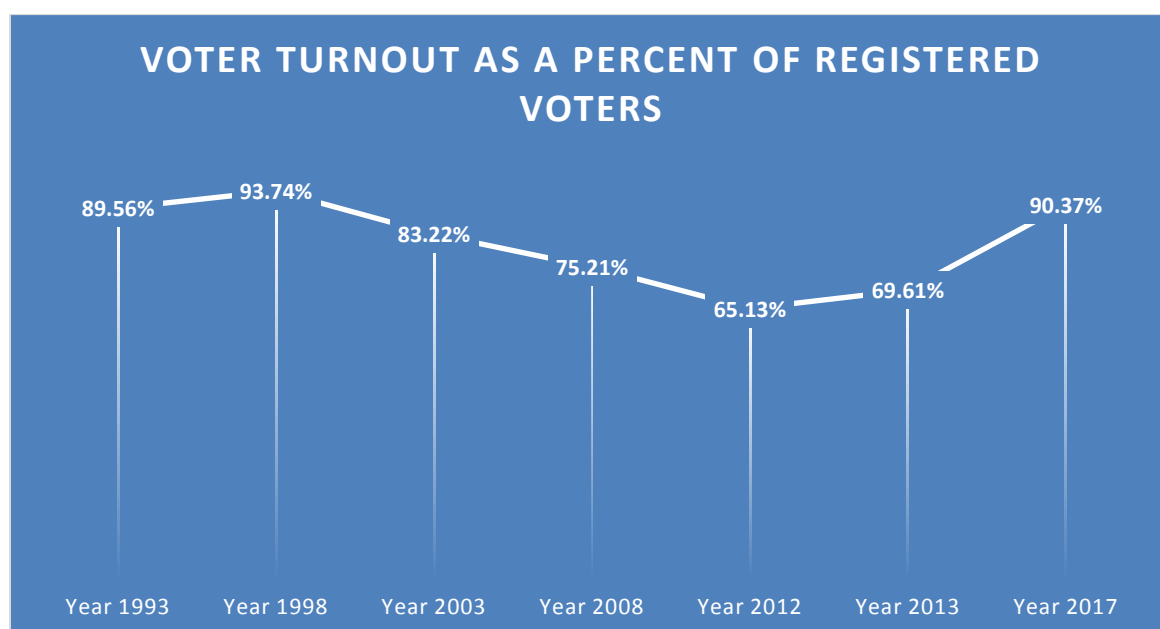
The webpage www.voterlist.org.kh was established for publishing and disseminating voter list information in order to provide a mechanism for eligible voters to access the list and verify their own name and data. In contrast to the 2013 election, for the 2017 election this webpage ran well and encountered no unexpected shutdowns.

9.1.1 New Voter List and Voter Registration

Voter registration for the 2017 commune elections took place from 01 September to 30 November 2016. The NEC set up registration teams on the basis of facilitation provided by commune councils. Registration teams consisted of three members (or more, depending on the number of eligible voters in the commune) and were formed in all 1,633 communes. The NEC estimated eligible voters at 9,664,216, but on 12 February 2017 validated the official voter list with 7,865,033 registered voters for 22,148 polling stations. It was noted that the NEC's estimate of eligible voters slightly decreased from 9,675,453 in 2012 to 9,664,216 in 2016.

Table11: Registered Voters and Voter Turnout in Commune Elections 1993-2017

Election Year	Registered Voters	Voter Turnout	Voter Turnout as a percent of Registered Voters
1993	4,764,430	4,267,192	89.56%
1998	5,395,595	5,057,830	93.74%
2003	6,341,834	5,277,494	83.22%
2008	8,125,529	6,110,828	75.21%
2012	9,203,493	5,993,992	65.13%
2013	9,675,453	6,735,244	69.61%
2017	7,865,033	7,107,395	90.37%

Figure14: Percentage of Voter Turnout compared with Registered voters

COMFREL conducted a voter list audit with 252 observers utilizing two tests to assess the quality of the voter list resulting from the registration— People-to-List (P to L) and List-to-People (L to P) methodologies. In the audit, independent monitors interviewed 5,380 eligible voters of 538 polling stations from 514 villages, 252 communes, 25 provinces/capital (2,690 eligible voters from 269 stations have been assessed with the P to L method and another 2,690 eligible voters from another 269 stations have been assessed with L to P method).

Consequently, the audit showed that 89.3% of eligible voters residing in the country had their name and data included in the 2016 registration list, whereas the figure from NEC was only 81.38%. Of those included, the names were found to be 98% accurate. Moreover, the details of individual voters were found to be highly accurate as well. The audit found that 93.7% of data including date of birth, sex, name to be accurate. A small percent (6.3%) of incorrect data means a minimal level of voter disenfranchisement, and the NEC issued additional guidelines on this problem to protect voting rights. The incorrect data mostly resulted from different consonants used in the spelling of the name, or errors from the same sound in the name of the voter, as well as incorrectly registering the sex of the voter.

The 2016 voter registration has considerably improved the quality of the voter list ensuring eligible voter rights by avoiding duplicated names, which was a major source of errors with the previous list. Though improved, some irregularities were found in the conduct of the registration process such as late data transmission or data lost during transmission to the Department of Voter Data and Voter List Management of the NEC. 2,318 registered voter's names and data were transmitted late. The NEC explained that the delay was the result of technical difficulties with the internet connection and failure of staff to transmit the information correctly.

In addition, registration teams at Tboung Kmum province and Banteay Meanchey province reported failures to properly implement guidelines, and this resulted in complaints from the political parties and commune council related to the loss of eligible voter names/data from the list.

The NEC could not confirm whether or not the same problem occurred in other areas, since conducting an investigation first requires that a complaint be submitted by eligible voters during the period of posting the preliminary voter list. Based on observation, a loss of information for a number of registered voters followed from a failure in Department of Voter Data and Voter List Management to verify the number of registered voters transmitted online through continual and updated comparison of the number of registered voters daily by registration teams. The audit found and collected some duplicated names of registered voters in the voter list and sent them to the NEC to be verified, and then the Department of Voter Data and Voter List of the NEC confirmed the duplicate names. As a result of independent auditing, it was estimated that 19,312 (around 3% of registered voters) name/data irregularities were found. Furthermore, the NEC then deleted around 3,000 names and data from the list because they were found to have registered in more than one station with their Khmer ID. The system database does not allow the registration of duplicated names/data. However, the NEC explained that duplicated names resulted from: the pilot registration, voters moving residence, more than one voter registering with the same Khmer ID card, or the same voter registering more than once using different identifications (Khmer ID and identity certificate). Eventually, the NEC responded effectively to resolve the irregularities by officially deleting the duplicated names and including lost names and data into the 2016 voter list.

COMFREL's observed no cases of voters whose names were not on the list for voting in the 2017 commune elections, after having registered in the 2016 voter registration. However, some eligible voters were unable to exercise their right to vote because they did not have or carry a Khmer ID to vote and they did not know how to apply for and obtain an identity certificate for voting. The NEC issued guidelines which allowed for the use of the identity certificate for registration (used in 2016) as the identity certificate for voting (for use in the 2017 election), but the policy was made too late to effectively disseminate the information to commune councils and voters to be properly and effectively implemented.

Additionally, COMFREL found that Buddhist monks were faced some challenges in registration, resulting in a reduction in the rate of registration for monks. Although it is estimated that there are 50,000 Buddhist monks in Cambodia, Buddhist observers informally surveying monks estimated that less than 9,000 monks registered for the commune elections. Several reasons for the low registration rate of Buddhist monks were found during COMFREL's monitoring of the process, including an official existing ban from the authorities of the monkhood which stipulated that monks were prohibited from involvement in politics. Also, many monks encountered difficulties due to not having a Khmer ID and/or obtaining an ID. Adhering to the procedure for voting for those eligible voters without Khmer IDs meant applying for an identity certificate, but monks faced significant challenges in obtaining it because the process requires a birth certificate and witness.

Migrant workers also faced considerable challenges in registering. Most migrant workers did not register at the commune level because of the cost (time and money) required for travel to and from their location of work, and because of the challenges of getting a residential certificate and identity certificate for registration. To tackle challenges, the CNRP called for possible intervention from the NEC, but the NEC responded it was neither authorized nor capable of resolving the issue. (See the Appendix for the response from the NEC.)

COMFREL observation and monitoring found some registration stations established exclusively for police or military personnel. For example, station 1026 located in Slab Kdorng village, Chob commune, Tboung Kmom district, Tboung Kmun province. Although civilians are living in the area, the registration station was reserved for 300 military personnel. Its establishment resulted in a disagreement between the two major parties on the validity such stations. Eventually, the policy was changed and the station accepted registration for both security services personnel and civilian residents. The 2012 election result for that commune was 5163 votes for the CPP and 3166 votes for the CNRP (1563 votes from SRP and 1603 votes from HRP). In contrast, according to 2017 election results, the CNRP won the election with 5422 votes, while CPP received 4184 votes.

Another example is station 0780 established in Tlouk Russey village, Setei commune Kampong Chhnang province. That station was divided from station 0624 and reserved for military personnel and their families, even though others stations still had available space for eligible voters. Stations 0616, 0617, 0614, 0615, 0625, and 0622 were established approximately two kilometers from the residence of the military personnel, and each one of them had not yet been apportioned more than 400 eligible voters. The establishment of the polling station was considered by observers to be irregular and problematic on the basis that it had the potential to impact the result for that commune, because the 2013 electoral result of 1831 votes for the CPP and 1840 votes for the CNRP was very close.

For station 0781 in Kampong Chhnang province, a request to establish the station was made by the commune council before the registration period, but it was not added to the list of registration stations for the commune until 14 September 2014. According to the commune chief, the station was created because there of a newly established village called Kdoul Apiwat located far from other villages, with the previous registration location about 27 kilometers away. The station was reserved for military personnel and other member living as a family. According to observation, however, the station was established to provide registration for 544 people and 420 of them were military personnel. In evaluating the impact to the establishment of polling stations on election results for voting districts, it is important to consider the 2013 election results. In that national assembly election, the margin of victory separating the CPP and CNRP was very small, as the CPP received 1872 votes and the CNRP received 2014 votes.

Observation and monitoring of the 2016 voter registration supported multiple recommendations oriented towards building on the considerable success made by the NEC since the 2015 reform, and the improved state-civil society relations that have developed with regard to the election process. The registration process occurred in accordance with NEC regulations and procedures and in-line with the NEC's work plan. The process was found to be an overall success, with the performance and professionalism of electoral officials much better, important improvements made in terms of voter accessibility and awareness, and higher quality of the voter list. Improvements were recorded early in the process of observation as monitors found the recruitment of registration station staff to be more transparent and to result in more capable human resources.

Most of the polling stations were found to be established in accordance with regulations and procedures, such as requirements related to geography and population density. However, polling stations in 19 communes were found to be established exclusively for security services personnel,

detracting from the secrecy of ballots for those personnel eligible to vote, and creating the risk that the relevant polling stations were politically motivated and may function to manipulate poll results. For the most part, migrant workers outside the country and Buddhist monks have not successfully registered because they did not have the required official identity documents for registration and/or could not afford the time and money needed for transportation to registration stations.

Another serious concern followed from bans on civic education efforts (outreach and public awareness) necessary to improve voter understanding, ensure inclusion through effective registration, and increase information available so that the decision of voters when casting their ballot is a free choice.

During the registration process, no serious irregularities occurred and there were only a few complaints. COMFREL and ERA observers reported 15,540 irregularities, mostly related to errors in data transmission and failures to verify data during the process of registration. 50 % of 52 complaints were resolved at level of commune councils and only a few complaints were rejected.

When developing and utilizing the new voter registration system, the NEC was found to be capable in terms of inputting the names and data of registered applicants, with a rate of error of about 3%, and then resolving errors by making corrections for approximately 20,000 eligible voters.

During the period of posting the preliminary voter list, only about 30% of registered applicants came to verify their name and data. Moreover, the preliminary voter list for some communes was not completed as the NEC had not included missing data and names on list by the time it was posted to enable individual voters to verify their information.

9.2 Issuing Identity Certificate for Registration and Voting

The issuance of identity certificates was divided into two phases. The first phase occurred during voter registration, and it fell under the authority of the commune officials (Commune chief) to provide the documentation toward the aim of fulfilling the conditions of voter registration for those who have not obtained a Khmer Identity Card (Khmer ID). The second phase occurred during the days pre-election, and the CECs and the commune chief issued the documentation for the purpose of voting on the Election Day for those who have not obtained the Khmer Identity Cards (Khmer ID).

According to an NEC report, in the first phase of the issuance of identify certificates (ICVRs), the NEC provided 321,726 ICVRs accounting for 4% of all voters on the final voter list (7,865,033 voters). In the second phase, the NEC issued 138,125 Identity Certificates for Vote (ICVs) accounting for 1.75% of all voters on the final voter list.

The issuance of ICVs in the pre-election days was carried from May 04th until June 02nd 2017. Due to the number of people who were aware of the process, the number of requests for ICV in order to be eligible to cast the vote was very low. The Ministry of Interior and the NEC then decided to make the ICVR valid for use as the ICV for voters to use on the Election Day. However, the certificates had to be sealed by the CECs to be validated, and this had to be done by June 3, 2017 (an extension of one day amending the prior decision). However, at the last minute on Election Day, the NEC made a decision to enable ICVR holders to use it for casting their vote.

The procedures and regulations surrounding the issuance of ICVs were revised in the second phase because the identity certificates were required to be co-sealed by the commune chief and the chief of the CEC (Commune Elections Commissions). The procedure created difficulties for voters who had not obtained Khmer ID because they were unaware of the issue.¹²¹ Voters who had not obtained the Khmer ID met with some difficulties. For example, they found it difficult to find two eligible witnesses from that commune with accepted proof of residence. It was also time consuming to obtain the necessary signature from the commune chief. Because the process occurred during the course of the election campaign, many commune chiefs were busy with their work on the election. In addition, the officials responsible did not provide simple and clear instructions. Thus, many ICVR holders were not well informed about the issue and procedure. What education there was available was disseminated to a narrow audience in a short space of time. That said, despite these difficulties it was found that new regulations helped eliminate previous irregularities in the issuance of ICVs by the local authorities.

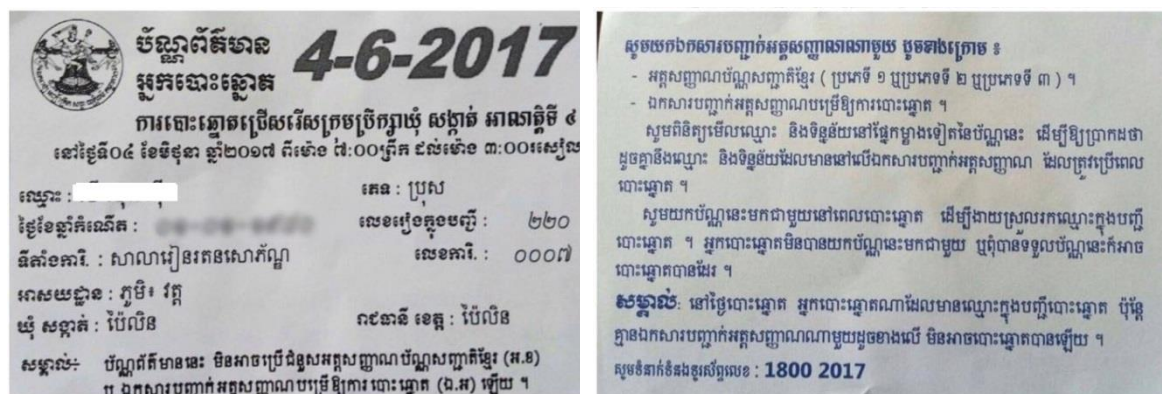
In previous elections, the issuance Identity Certificates for Elections or ICEs, was heavily criticized and subject to widespread and serious misuse. Some commune chiefs did not implement NEC decisions and instructions correctly. MoI reports on the issuance of certificates and education on the issue were made, but not within the timeframe set by the NEC. The issuing of ICEs to those whose name was not on the final list and the issuing of the certificate without a seal stamped without photo of the holder by the commune chief, was issued to a voter but it was posted with a photograph of another person for voting. They were not properly registered on the original and main list. Without transparency it was found that a very large of number of ICEs were issued and intentionally misused to serve the political interests of partisan commune authorities. (Started from 2011 until 2013-elections, the ICEs were found approximately 1.8 million certificates issued to voters by the commune authorities.¹²²

9.3 Distribution of Voter Information Notices (VINs)

The distribution of voter information notices is intended to help registered voters find their names, ranking number, location, the number of their polling station, the date and time of Election Day, and be aware of the documentation needed to cast a ballot. The NEC produced 7,865,033 Voter Information Notices approximately equal to the total number on the voter list.

¹²¹ Voters had not been informed about the issue. Many of them were under the impression the Identify Certificate for Voter Registration and on the Election was all that was needed on Election Day to vote. They were not aware of the additional required certificate to be used for the vote on the Election Day other than ICVR.

¹²² See COMFREL's 2013 National Assembly Elections: Final Assessment and Report.

Figure15: Voter Information Notices (VIN)

The process of distributing voter information cards began from April 17 to May 16, 2017 to each commune/sangkat nationwide. The remaining Voter Information Cards were retained by CECs and then continued to distribute to voters in villages. According to an NEC report, there were 7,457,591 cards provided or 94.82% of the total, and the distribution of the remaining voter information cards numbered 91,673 cards which accounted 1.17% continued the work by CECs from May 18th to May 31st 2017.

The process of distributing voter information notices was observed and found to be better than in previous elections. The distribution of voter information cards in the 2012 commune election reached 86.93%, and in the 2013 national election 84.5%. Despite the very high percentage of voter information cards distributed by the NEC for this commune election, the observation found that it was conducted in an unsatisfactory manner. The purpose and reasons for the cards was not adequately explained to voters. Some polling officers were confused about the regulations and demanded that voters show the cards.

The results of our studies in previous elections have shown that some registered voters who did not receive the voter information card did not go to vote because they it was needed for voting or because they needed the information on it for voting. The same thing happened in the 2017 commune election. COMFREL observers reported that there were some voters that could not vote because without the voter information card they could not find the polling station they were listed at, and ultimately could not vote.

COMFREL supports efforts to distribute VINs because of their vital importance to voter's ability to cast their ballots with confidence and trust. The distribution process could have reached all stakeholder expectations. However, it was regrettable that it was done with subject to political discrimination and partisanship by those authorities responsible for carrying it out for some communes/sangkats. Unclear information regarding the purpose and distribution of voter information cards caused confusion and prevented some voters from casting a ballot. Some officers who were responsible for distributing the voter information cards said "you must bring this on the Election Day otherwise you are not allowed to vote". The misunderstanding and some explanation of the officers aim with political purpose made voters feeling confusing that it's a must document for the Election Day.

9.4 NEC Measures for Ensuring One Vote One Voter and Test of Indelible Ink

First the NEC tested the indelible ink by itself on April 6, 2017 and conceded that the ink could be removed. Unlike 2013, when the public test occurred on cooling day (one day before polling), in 2017 the NEC conducted the public test on 17 May (17 days before polling). The testing by COMFREL staff also found that the indelible ink can be washed off 95% with liquid shampoo and detergent although the NEC assessed the new ink to be of adequate quality. Immediately, the NEC adopted five measures to mitigate the risk of multiple votes, utilizing the new voter list which had been found by independent observers to be 98% accurate.

COMFREL, political parties, local and international organizations, and embassies were invited by the NEC to test the indelible ink for the 2017 election at a press conference “To present and test indelible ink for the commune council election mandate 4 in 2017”, on 17 May 2017. The indelible ink was imported from a company in India called Mysore Paints and Varnish Limited, at a cost of USD 800,000.

Figure16: Testing of Indelible Ink



Indelible ink produced in India



COMFREL's testing of indelible ink

The representative of the CNRP (Mr. Morn Phalla, Executive Chief for Phnom Penh) also did testing and claimed that the indelible ink was able to be removed. The NEC Chairman Sik Bun Hok immediately responded that before conducting the public testing, the NEC had tested the ink and found that it was able to be partly washed off. The NEC decided to return the ink and renegotiate with the company to seek a solution, and ultimately issued a call for bids from other companies. Because of time and budget constraints, the NEC decided to purchase the ink from the initial company contracted on the condition that it improve the quality of the ink provided. CSO monitors and other stakeholders have observed effective and responsive policy development by the NEC on this issue. In order to develop an institutional and procedural solution to the problem, the NEC immediately issued and implemented five measures aimed at ensuring a single vote for one voter. The measures were:

1. Strengthen the process of issuing of identity certification for voting to eligible voters without a Khmer ID.
2. Strengthen the duties (including standards, oversight, and accountability) of polling station secretariat related to the verification of the photo and data of the voter, found on the ID

- card or identity certificate for voting, through comparison with the voter list before marking that they have cast their ballot.
3. Improve training, instruction and oversight to ensure that polling station officials and voters mark the correct box to record participation (the number list box for polling officials and the blank box on the voter list for eligible voters).
 4. Remind political party representatives and observers to monitor and verify the photo and data of the voter through comparison of individual identity documents with the voter list. It is noted that political party representative and registered observers are allowed to obtain and carry a copy of voter list.
 5. Disseminate and enforce article 171 of the Commune Council Election Law, which stipulates that anyone who causes confusion in the election shall be fined from 5,000,000 to 20,000,000 riels by the NEC.

Although the indelible ink was confirmed to be inadequate since it was proven to be removable¹²³, civil society organizations and other stakeholders recognize and support the policy measures undertaken by the NEC in order to ensure that one eligible voter is allowed only one vote. In its assessment of the impact of the problem of ineffective indelible ink COMFREL concluded that the ink would not result in serious irregularities or fraud because of the procedural measures put in place by the NEC. Moreover, the highly accurate and more inclusive voters list based on biometric data removes the potential for a repetition of problems evidenced in the 2013 election which resulted from the low quality voter list used at that time. The mechanisms for the formation of the voter list prevent duplicated names and ghost names. Verification of individual names/data through comparison with the voter list was possible for political party representatives and independent observers as they were authorized to obtain and use a copy of the voter list.

9.5 Political Party and Candidate Registration

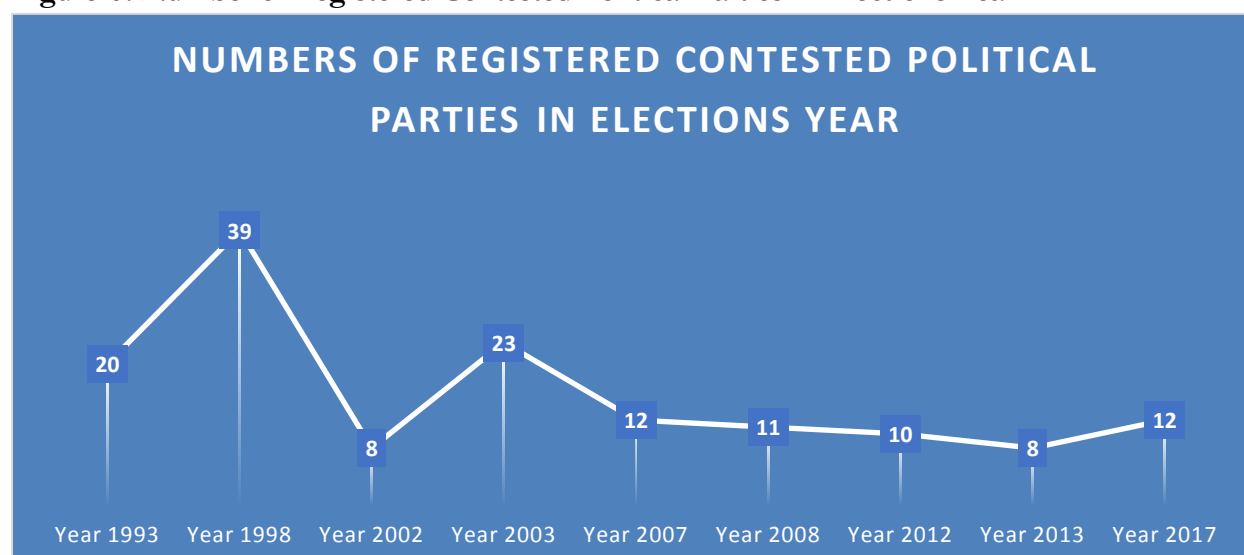
The registration of political party candidates for the 2017-commune election was conducted from March 03rd until April 18th 2017. Twelve registered political parties submitted candidate lists to the NEC. Those registered contesting political parties were: Cambodian People's Party (CPP), Cambodia National Rescue Party (CNRP), the United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC), League for Democracy Party (LDP), Khmer National United Party (KNU), Beehive Social Democratic Party (BSDP), Cambodian National Party (CNP), Grassroots Democracy Party (GDP), Cambodian Youth Party (CYP), Cambodia Indigenous People's Democracy (CIPD), Khmer Power Party (KPP) and Republic Democracy Party (RDP).

The number of political parties that participated in the 2017 commune election was the same as the 2007 commune election, but more than in the 2002 and 2012 commune elections.

¹²³ See: <https://www.cambodiadaily.com/news/129896-129896/>;
<http://www.khmertimeskh.com/news/38478/voting-ink-faces-the-acid-test/>

Table12: Numbers of Registered Contested Political Parties in both Commune and National Elections from 1993-2017

1993	1998	2002	2003	2007	2008	2012	2013	2017
20	39	8	23	12	11	10	8	12

Figure17: Number of Registered Contested Political Parties in Elections Year

The major difference from previous commune elections was that two political parties, the CPP and the CNRP, were able to register candidates in all 1,646 communes in 2017. This was historically unprecedented. In previous commune elections only the CPP could afford to register its candidates in every commune nationwide.

The result of the registration for the 2017-commune elections revealed that CPP and CNRP registered their candidacy in all 1,646 communes; FUNCINPEC registered candidates in 846 communes in 24 capital/provinces (not Pailin province); LDP registered candidates in 844 communes in 24 capital/provinces except (Stung Treng province); KNUP registered candidates in 713 communes in 24 capital/provinces (except Kep province); BSDP registered candidates in 250 communes in 16 capital/provinces; CNP registered candidates in 52 communes in 8 provinces; GDP registered candidates in 27 communes in 9 provinces, CYP registered candidates in 19 communes in Tbong Khmum province alone; KPP registered candidates in 16 communes in 5 provinces; CIPD registered candidates in 17 communes in Kratie and Mondulkiri provinces; and, RDP registered candidates in 14 communes in 8 provinces.

Problems with Candidate Registration

- Some political parties experienced difficulties in requesting and obtaining certification for their candidates to prove that they have registered their names and have their names on the voter list in the commune they are seeking to run in. Two cases were reported from the Grassroots Democratic Party (GDP). They faced these difficulties in Kampong Speu

and Ratanakiri. Only after the party sought an intervention from the PECs, did the commune chiefs make the certification documents for the candidates.

- The determination of requirements for candidate registration by the CECs differed from commune to commune. There was no unique or a single standard for the requirements. Some CECs required candidates or political parties to submit other documents which are not stipulated as necessary by the regulations and procedures of the NEC. In Kampong Cham commune, Sambour district, Krat Ches province for instance, the CEC demanded the representative of the CNRP issue two certificate letters for its candidates, but in the regulations and procedures only one is required. Other parties also reported the same problem. Some political party representatives also raised the issue of time constraints. They stated that the time-frame for candidate registration is too short to prepare the application for submission. In addition, the demand for many types of related documents was burdensome.
- Many political parties faced challenges in finding eligible candidates. For instance, the KNUP in Khchas commune, Sotra Nikum district, Siem Reap province reported difficulties in finding candidates (both primary candidates and reserve candidates), because of time constraints and required photographs of the candidates.¹²⁴ Another case was reported by the Republic Democratic Party (RDP) in Slor Kram commune, Siem Reap province where it was difficult for the party to find an eligible candidate to stand for the elections. The party later decided to withdraw the application due to an inability to fulfil the requirements and legal conditions for candidates. In the case, the party also reported challenged from time constraints. Other parties such as FUNCINPEC, LDP, BSDP, CYP, CNRP, and CIPD also raised the same issues. Moreover, some representatives of CPP in some commune encountered similar difficulties.
- There were some cases of threats made against candidates, especially those registered for the opposition party. For instance in Sambour commune, Sambour district, Kratie province, a CNRP candidate's activities and movements were watched and recorded by the local authorities. The case demonstrated threats or intimidation against the candidate registered by the opposition party, potentially faced by others as well.
- Some political party candidates withdrew their applications from a party list due intimidation, threats, fear, discrimination, or duress, and parties faced an inability to find candidates willing to take the risk and stand for the elections. In addition, some registered candidates were challenged by family members and pressured to withdraw from participation. Some were persuaded/lured to participate with another political party, after which they withdrew from the candidate list.
- Apart from the issues mentioned above mentioned, there was a case where a candidate was put on the candidate list of two different parties without that person's knowledge. In another significant case of insecurity that occurred in sangkat Slor Kram, Siem Reap municipality, Siem Reap province, the FUNCINPEC party claimed that 13 of their candidates withdrew from the registration because of threats and discrimination.

¹²⁴ In the rural areas of Cambodia, it is not easy to take and get pictures on the same day. Some communes are very far away from town or cities and roads make travel difficult. In addition to the short timeframe, it costs money to go for the photograph and return.

9.6 Polling and Counting Day (June 4, 2017)

COMFREL deployed 14,589 observers (6,153 observers were females) to monitor the polling and counting process in 9,889 polling centers (84% of the 11,781 total polling centers). The reports given by COMFREL's election observers revealed that the number of irregularities decreased when compared to the 2012 commune elections and the 2013 national elections. In 2012, COMFREL found that 3,127 cases of irregularities had occurred during the polling and counting process while in the 2013 national elections it recorded 11,139 cases. In the 2017 commune elections, the following irregularities were observed and reported: on cooling day (June 3rd) 06 cases of irregularities; on Election Day 2,276 cases of irregularities were recorded during the polling process and 768 cases were during the counting process. Irregularities occurred at 1,657 polling stations, or 9 percent of the total polling number of stations where COMFREL had deployed its electoral observers. There were of 22,148 polling stations in total.

The majority of electoral related irregularities were recorded in Takeo (554 cases), Siem Reap (419 cases), Tbong Khmum (323 cases), Battambang (273 cases), Phnom Penh (capital) (272 cases), Kampong Cham (252 cases) Prey Veng (216 cases), Kandal (140 cases), and Kampong Chhnang province (134 cases). In other provinces, the number of irregularities was less than one hundred for each province.

Most of the irregularities recorded in the 2017 commune elections were related to challenges faced by voters which prevented them from casting their ballot. These challenges included: (1) lack of Identity Certificate¹²⁵; (2) voters did not have Voter Information Cards which made it difficult for them to find their name on the voter list and the number of their polling station; (3) misspelling of name and incorrect details on the voter list; and, (4) missing names from voter list.

It is important to mention that in the 2012 commune elections, there were 1,298 cases of electoral related irregularities and in the 2013 national elections there were 8,490 cases electoral related irregularities, while for the 2017 commune elections, there were 1,276 cases electoral related irregularities.

9.6.1 Other Irregularities During Polling

COMFREL recorded 1,000 electoral related irregularities other than those mentioned in the previous paragraph amount 1,276 electoral related irregularities which were related to the challenges of voters at the time they accessed to polling stations on the election day and obstructed from voting. The observation found 2,276 electoral related irregularities associated with the time of the polling process and there were only 768 cases of electoral related irregularities that occurred during the counting process. Most cases of the electoral related irregularities found during the polling process resulted from mistakes or problems with the implementation of the regulations and procedures for voting set out by the NEC. For instance, the issue included the secrecy of the ballots, intimidation of voters, obstacles for political party agents and election observers, and some vote buying.

¹²⁵ For those who did not register their names by using Khmer ID Card and had not obtained any ID certificate for voting.

Table13: Electoral Related Irregularities recorded during the Polling and Counting Processes

Forms of electoral related irregularities	Cases
Challenges for voters at some polling stations including: (1) lack of Identity Certificate; (2) voters did not have Voter Information Cards which made it difficult for them to find their name on the voter list and the number of their polling station; (3) misspelling of voter's name or incorrect details on the voter list; and, (4) voter's name was missing from voter list. The issues prevented eligible voters from casting their ballot and exercising their voting rights	1,276
Cases where the secrecy of vote was compromised, such as walls were broken or ballot booths were put near the broken windows allow persons outside to view voters casting their ballots. Some cases related to asking question to voters or scrutinizing voters via windows or holes nearby the booth, opening windows where the voting booth was placed, and taking pictures of the voter's choice (tick sign). Also, some polling stations were placed under wood-floored houses or close to windows or walls where voters' choices could be observed.	165
Delays to the starting of the polling process caused by equipment at some polling stations. Some polling stations were found to have not arranged the table and seats as designated by the NEC.	105
Some voters were not verified the finger at the gate before allowing casting the vote or voters were not inked before leaving the polling stations.	89
Presence of off-duty local authorities (especially village chiefs and councilors) and members of the armed forces inside the polling center, or nearby to the polling station. Some were found wearing an armed forces uniform, potentially intimidating voters.	86
Preventing election observers and political party agents from entering the polling station during the polling and counting processes.	85
Delay in opening of polling stations, without reasons.	80
Failing to demonstrate an empty ballot box before starting the polling process.	80
Failing to verifying identity documents through comparison with the information on the voter list	74
Suspending access and/or closing the polling station during the polling process	70
Ignoring complaints or refusing to provide a complaint form (F.1202) to voters or political party agents.	67
Coercing voters through offers of money or gifts and instructing voter's to abstain from participation in the ballot.	03
Cases of other types of irregularities	96
Total electoral irregularities	2,276

9.6.2 Electoral related irregularities during counting

The counting process for the 2017 commune election was conducted on June 4, 2017, after the close of the polls on Election Day. It was conducted according to the regulations and procedures in a large majority of polling stations. However, COMFREL observers found 768 cases of electoral irregularities during the counting process. Those electoral related irregularities included: cases related to preventing CSO's and political parties' observers from taking photographs and

videos of the counting process and result of elections; the recognizing of spoilt or valid votes without the consents and verification of political party agents and CSO observers who had witnessed the process; doors and windows of the polling stations, and even gates of the polling centers were closed during the counting process; the counting of ballots were made quickly and observers were not able to follow; differences between the numbers of votes in the ballots box found after counting and numbers of voters presented (marked) in the voter list; delays of counting or ending the counting process; refusing to provide F.2012 (form of result of each polling station) to political party observers and not posting the results form on the wall in front of the polling station; not locking the lid of the vote ballot box at the start of the counting process; disturbances during the process and obstructing the counting process; consolidating the total result incorrectly (in some cases likely to be an intentional mistake to manipulate the result).

Table14: Electoral Related Irregularities found during the Counting Process

Forms of irregularities	Number
Preventing CSOs and political party observers from taking photographs and videos of the counting process and/or elections results	98
Recognizing spoiled ballots as valid votes without verification by and consensus from political party agents and CSO observers that had witnessed the process	96
Closing the doors and windows of the polling stations and/or the gates of the polling center during the counting process	83
Rushing the counting of the ballots while did not show the voted sign (voter's choice) and made lower voice of counting the vote.	78
A difference between the numbers of votes in the ballots box found after counting and the number of voters marked on the voter list	73
A delay in counting or ending the counting process	71
Refusing to provide the form of results for a polling station (F.2012) to political party observers and/or failing to post the form of results in front of the polling station	70
Failing to lock the lid of the ballot box at time preparing for the commencement of counting process, or disturbances during the counting process	68
Disturbances during the process and obstructing the counting process	68
Counting the results incorrectly (in some cases an intentional mistake to manipulate the result)	63
TOTAL IRREGULARITIES	768

10. Electoral Complaints and Resolution

Democratic election processes include systems for the resolution of complaints during different steps in the electoral cycle. Electoral complaint mechanisms allow voters, candidates, and political parties to formally voice their concerns and receive proper redress for grievances. An effective system for handling complaints reassures voters, candidates and political parties that their concerns are taken seriously and dealt with transparently. Systems for the resolution of electoral complaints make sure that voters, candidates and political parties all have the opportunity to voice complaints, receive a timely ruling for disputes and have the ability to appeal the decision. Systems for the

resolution of electoral complaints also build public trust, credibility and confidence in the administrative or judicial body in charge of the complaints process as it is viewed to be an impartial, transparent and independent body. Complaint mechanisms foster transparency, openness and accountability in the electoral process and political system, and promote democratic governance more broadly. With access remedy through the complaints process, voters, candidates and political parties will be able to better understand procedures, evaluate the integrity of the process, and call for increased fairness, transparency, access to information, and accountability. Political parties can make sure they receive equal treatment before the law and all relevant regulations and procedures of the law. Independent and nonpartisan election monitoring groups like COMFREL can evaluate the transparency and fairness of the complaint resolution process through monitoring in order to make an accurate record, disseminate the information and ensure public awareness, and suggest improvements for future performance.

COMFREL and Situation Room partner CSOs, observed that the election dispute resolution mechanisms, under the competent authority of the National Election Committee (NEC) and its bodies at the subnational levels it supervises, and the overall assessment made by the Situation Room members¹²⁶ is that EDR has not significantly improved. We found there are still some challenges and a need for improvements in order to ensure effective, transparent, open and legitimate electoral dispute resolution in upcoming elections. Election observation and analysis found that there was inadequate transparency in the resolution of complaints, a lack of a clear means to link decisions with the Law of Commune Council Elections and its regulations and procedure, and an absence of accountability for refusals to resolve complaints or conduct recounting in specific polling stations following complaints. The substantial grounds for the refusal to address the complaints should be more formal and evenly applied. Some provisions in the procedures and regulations of the commune elections must be revised and/or utilized as the basis of justification in decisions issued regarding complaints. Overall, the NEC and the subnational electoral bodies under its supervision are to be complimented for their hard work and efforts, as the first election held since the reform of the body bodes well for its future performance. Recognizing the potential overload resulting from the work burden of the NEC, where possible, we recommend an increased commitment to improve complaint resolution as an essential step toward furthering credibility of the electoral process and public trust in the outcome.

The legal framework for Commune Electoral Complaints and Disputes Resolution is divided into three phases. First, the filing and resolving of complaints during the election campaign period.¹²⁷ These are complaints requesting punitive measures for those who allegedly acted in violation of the provisions of the commune election law or the procedures and regulations for the elections. Second, the filing and resolving of complaints related to irregularities, or violations of the provisions of law or procedures and regulations, that occurred on cooling day (the day before polling and counting day) and on election day (polling and counting day). Such complaints are divided into two types, complaints for punitive measures and complaints requesting recounting. Third, the filing and resolving of complaints related to alleged electoral violations or irregularities which occurred after election, including complaints made requesting recounts following the

¹²⁶ See the Joint-Statement of Situation Room for 2017-Commune/Sangkat Election.

¹²⁷ The election campaign period of the 2017 Commune/Sangkat Election began on 20 May 2017, and ended on 2 June 2017.

notification of preliminary results by CECs. The provisions of the Commune Council Election Law and the regulations and procedures stipulate accessibility of interested parties (disputants) to filing complaints and utilizing the mechanisms for dispute resolution. The LECC law and Regulations and Procedures for the 2017 Commune Elections, also set out the working methods of the competent bodies in terms electoral dispute resolution. There are two types of election complaints according to the commune election law. First, complaints related to the imposing of penalties (punitive measures) once the wrongdoer is allegedly found to have violated the provisions of the law and/or regulations and procedures for elections. Therefore, the aim of filing such a complaint is to request the NEC to impose penalties according to the law. The NEC and the competent bodies it supervises at the province and commune levels are authorized to determine the substantial requirements and to some extent apply discretionary decision-making authority in refusing or accepting complaints. Second, complaints made against the decisions on the preliminary results declared by the CECs. Such complaints occur where a representative of a political party or registered voters in that commune feel that preliminary results in said commune have been marred by irregularities which occurred during the polling and counting processes or on cooling day. A political party or registered voter may submit a complaint to the PECs within a period of three days after the date of notification of the preliminary result for that commune¹²⁸. The complaints could involve, for example, requesting a recount of ballots due to certain specific irregularities which occurred in a certain number polling stations, such as a high number of spoiled votes for certain polling stations. COMFREL observed that these were the major issues in the 2017 commune council election. In the election for the 4th mandate of commune councils, political parties, particularly the major opposition party (CNRP) considered them issues to seriously detract from the quality of the poll. A large number of complaints involved requests for recounting ballots in particularly competitive communes where the margin of victors between the CPP and CNRP was less than 0.5%, as many spoiled ballots found were counted in specific polling stations in those communes. According to the NEC, there were fifty-two (52) complaints involving demands for recounts following the notification of preliminary results by the CECs (30 of these were submitted by the CNRP). Additionally, there were thirty-eight (38) complaints submitted prior to the announcement of preliminary results, which dealt with alleged irregularities on cooling day¹²⁹ and polling/counting day.¹³⁰

The Law on Election of the Commune Councils authorizes the political parties involved in election-related disputes, including the victims and other persons involved in the disputes, or any person who has their name on the voter list in the relevant commune to lodge a complaint before the competent authorities (the deputized election dispute resolution officials of the NEC). Complaints may also be submitted to the chief of the polling and counting station.¹³¹ In the phase of calculating and consolidating results, after polling and counting day, a political party agent or

¹²⁸ Article 149, Law on Commune/Sangkat Council Election, amended in 2016.

¹²⁹ See section 10.9 of Regulations and Procedure for elections, 2017.

¹³⁰ Ibid, section 10.8.

¹³¹ The complaints were related to the alleged irregularities in the voting and counting processes. The complaint could be filed against any person who was involved with the dispute, including NEC officers. The complainants normally were the political party agents tasked with observation for specific polling station(s), as they have right to file the complaint. If he/she is not available to file the complaint, he/she shall make provide an authentication letter to his/her representative. The complaint must be filed before 11:30 am on the day after Election Day (polling and counting day).

authorized representative may also lodge a complaint to the chief of the relevant CEC, on the basis of an alleged irregularity, involving the imposition of penalties (punitive measures).¹³² Political parties are allotted a time period of three days to submit complaints related to results for specific communes or polling stations, after the primary election results are posted.¹³³

COMFREL observed that there has been considerable improvement, when compared to previous elections, in the performance of the NEC in terms of receiving, reviewing and resolving election complaints in 2017. However, some problems have been found which demonstrate the need for policy changes and adjustments to working methods. Political parties and their representatives claimed to have encountered difficulties in the process of lodging complaints to the relevant election bodies. The election officials responsible for receiving complaints are now gaining a better understanding and working more carefully in accordance with the law and its regulations and procedures. Generally, authorized officials make a decision on whether or not to receive a complaint by considering a number of conditions, such as: (1) the name and address of the plaintiff or the representative, and (2) the subject of the complaint and the statute of limitations (time limit) for filing. The time limit for submitting complaints means that the complaint must be received within the time period set out in the regulations and procedures for elections. For instance, if the complaint relates to alleged irregularities which occurred on cooling day or polling and counting day, the complainant has to lodge the complaint before 11:30 am on the day after Election Day.¹³⁴ In addition, if the authorized election official finds the complaint to be lacking information, they will require the complainant to provide it and complete the submission, and if this does not occur the submission of the complaint will not be accepted. COMFREL found the number of complaints has significantly reduced compared to previous elections, particularly the 2012 commune election. In the campaign period, a number of complaints were lodged by the CPP against the opposition CNRP¹³⁵, but during cooling day and polling and counting day, and the days after notification of primary results by the CECs, the CNRP lodged a number of complaints. Additionally, the CPP lodged a significant number of complaints related to punitive measures against the CNRP, while the CNRP lodged a significant number of complaints requesting recounts.¹³⁶

¹³² Section 10.2.3.1 of Regulations and Procedure for Elections, 2017

¹³³ The complainant has three days (the statute of limitations) to file the complaint.

¹³⁴ See section 10.8 of Regulations and Procedures for 2017 Elections.

¹³⁵ In the entirety of the election campaign period, the CPP lodged 58 complaints and the CNRP lodged 23 complaints.

¹³⁶ The CPP lodged 41 complaints to CECs and the CNRP lodged 43 complaints to CECs, related to irregularities allegedly occurring on cooling day or polling and counting day. For complaints related to election results of communes declared by the CECs, the CPP lodged 20 complaints while CNRP lodged 34 complaints to the PECs. At the NEC, the CPP submitted 10 appeals regarding the decisions of the PECs and CNRP submitted 27 appeals regarding the decisions of the PECs. See NEC's drafted Report on the Organization and Functioning of the Commune Election 2017 (hardcopy provided to select NGOs, no soft copy available).

10.1 Receiving and Resolving Complaints from the phase of “Election Campaign”

10.1.1 Receiving and Resolving complaints at CECs

The election campaign for the 2017 commune election was held from 20 May to 02 June 2017 (14 days). The election campaign was conducted very peacefully and few incidents were reported. In the 2012 election, the opposition parties played the key role in initiating complaints against the CPP, however, in 2017 the ruling CPP played the key role in initiation the complaints against the opposition. A few cases involving violence have been brought to the criminal court and one municipal councilor from the opposition and other elected commune councilors in Takeo province, were charged with criminal offenses. The cases followed complaints brought by the ruling party, and are now are proceeding in the criminal court, but the charges have been criticized as politically motivated measures. The NEC has tried to mediate the disputes, but the attempts failed, in part because the complainant was unwilling to compromise.

During the election campaign, the CECs received (eighty-eight) 88 complaints.¹³⁷ All the complaints recorded involved requests for the imposition of penalties (punitive measures) for alleged violations, in accordance with the provisions of the Law on Election of Commune Councils (LECC). Of the (eighty-eight) 88 complaints, there were (fifty-eight) 58 complaints lodged by the CPP, (twenty-three) 23 complaints lodged by the CNRP, (one) 1 complaint lodged by FUNCINPEC, and (six) 6 complaints lodged by registered voters (citizens). The resolutions decided by CECs for all provinces and the capital were:

- 32 complaints were resolved (through mediation and reconciliation) by CECs;
- 23 complaints were not effectively resolved by CEC reconciliation/mediation;
- CECs issued notifications of decisions to the disputants for 26 complaints¹³⁸;
- 4 complaints were withdrawn by the complainants;
- 2 complaints were not accepted due to late submission¹³⁹;
- 1 complaint was dropped by the CEC due to the absence of the complainant from the scheduled hearing.

When compared to the previous 2013-national election, the number of complaints decreased considerably¹⁴⁰, and even more so when compared to the 2012 commune election¹⁴¹. The large

¹³⁷ NEC's drafted Report on the Organization and Functioning of the Commune/sangkat Election 2017.

¹³⁸ “Notification” is not defined by the NEC, however, “Notification” literally, means the decision of the CEC, PEC, or NEC, issued in its form of decision “Form 1203”. It is an official administrative letter for responding to complainants and informing them about the decision of the Dispute Resolution Bodies (CEC or PEC or NEC). The decision could be: refusal to solve the complaints, the decision to rule out the complaint, the decision to reject an appeal, the decision accepting the validity of the complaint. By law, the decisions are made by the members of the Dispute Resolution Bodies, and ultimately by the members of the NEC.

¹³⁹ The decision is made by the officer in charge of receiving complaints, generally issued directly before the complainant, particularly related to complaints received past the deadline for submissions.

¹⁴⁰ COMFREL's Final Assessment and Report on the 2013 National Assembly Election, December 2013 at p.64. For the 2013 elections 373 complaints were received (285 more than in 2017).

¹⁴¹ The COMFREL Final Assessment and Report on the 3rd Commune Election 2012 recorded that during the entire campaign period of 15 days, there were 91 complaints filed by the SRP, 3 filed by the HRP, 12 filed by the CPP, three filed by FUNCINPEC, 1 filed by Norodom Ranariddh Party, 1 filed by citizens, and 1 filed by authorities.

decrease in complaints may be due to the following reasons. First, there was a decrease in the amount or frequency of violence. This may have resulted from better regulations and enforcement regarding the stricter provisions for commune elections. Notably, the imposed penalties are much more serious than in the previous law. Political parties demonstrated behavior with conscious and consistent effort to abide by pertinent regulations and avoid confrontations with opponents. The lower number of complaints submitted by the opposition parties during the early phase of electoral dispute resolution (EDR), demonstrates a strong effort by the CNRP to avoid confrontation. In this phase of EDR, the opposition party lodged only (twenty-three) 23 complaints¹⁴², whereas the CPP lodged (fifty-eight) 58 complaints. The second reason for the decrease in complaints could be restrictions on the number of days allowed for rallies by political parties during the 14-day campaign period. In the previous law, political parties were able to hold political party rallies without any limitation or restrictions, but in the 2017 commune election, political parties were permitted to hold rallies only twice during the election campaign.

The figures for complaints in the 2012 Commune Election, showed that (seventeen) 17 complaints were not approved to proceed (rejected) by CECs, while in the 2017 commune elections, there were only two complaints that were not accepted for the resolution process. Refusals to accept complaints to the resolution process followed from the late submission of the complaints, in accordance with established regulations. The observation and analysis of EDR in the 2017 election also found the hearings conducted at the level of CECs to be more transparent and improved in terms of accessibility and acceptability for the complainants, as well as interested civil society organizations, which are permitted by policy and law to make observations about the process. CECs have attempted to mediate disputes, and in most of the cases, the CECs issued reprimands or written warnings demanding wrongdoers make an apology to the victims/opponent rather than deciding to impose punitive measures. In some cases the CECs attempted to persuade the parties to the dispute to desist.

10.1.2 Receiving and Resolving Complaints at PECs

In this phase of EDR, PECs received (twenty-one) 21 complaints in total.¹⁴³ Amongst all complaints, there were (thirteen) 13 complaints lodged by the CPP, (seven) 7 complaints lodged by the CNRP, and (one) 1 complaint lodged by FUNCINPEC. Of these (twenty-one) 21 complaints, (twenty) 20 complaints were appeals of decisions rendered by CECs, and (one) 1 complaint was submitted directly to the PEC.¹⁴⁴ The resolutions made by the PECs are as follows:

¹⁴² In the 2012 Commune Election, the CPP filed only 12 complaints at the CEC level, while the opposition (SRP+HRP together) filed 71 complaints.

¹⁴³ The numbers complaints also decreased when compared to the 2013 National Election. In the 2013 National Election, there were 122 complaints filed at PECs. Among these 122 complaints, 78 complaints were resolved by the PECs while for 44 complaints appeals were submitted to the NEC. In the 2012 Commune Election, there were 26 complaints filed at the PECs, and 13 were not accepted for the resolution.

¹⁴⁴ The complaint related to performance of NEC officers. The complaints are usually filed against the NEC's officers on their performance of the work by political party. The complaint against the polling officials (POs) shall be lodged before the CECs, the complaint against the CECs shall be lodged before the PECs, complaints against the PECs shall be lodged before the NEC, and complaints against the NEC shall be submitted to the National Assembly. See also Section 15.3 of Regulations and Procedures for Commune/Sangkat Election 2017.

- 4 complaints were successfully resolved through mediation/reconciliation
- 3 complaints were not successfully resolved through mediation/reconciliation
- 2 complaints were not accepted by the PEC for the resolution process
- 12 complaints involved notifications submitted to the relevant parties¹⁴⁵

EDR procedures and mechanisms worked well at this stage, and the process was observed to be transparent and accessible. Parties to disputes, especially the complainants, were able to present their position and reasoning during the hearings and election observers were also able to attend the hearings to provide for independent non-partisan monitoring and disseminate results to the public. Only two cases were not accepted by the PECs because the submission did not occur within the required time and the deadline had passed.¹⁴⁶ Monitors observed genuine effort on the part of the PECs to conduct EDR through successful mediation of disputes. COMFREL observed that no decisions involving punitive measures were rendered by the PECs in favor of the claimants.

10.1.3. Receiving and Resolving complaints at the NEC

In the phase of EDR conducted by the NEC, for the complaints lodged during the election campaign, the NEC received (eight) 8 complaints in total.¹⁴⁷ Amongst these, five (5) complaints were lodged by the CPP and (three) 3 complaints were lodged by the CNRP. The NEC decided not to proceed for (one) 1 complaint because submission had not met the deadline, and the NEC issued notifications of decisions for seven (7) others. Some notification letters set out the reasoning for the NEC rejection of the complaint in that case (such as insufficient evidence, or limits to the jurisdiction of the NEC), and in some cases the notification was a warning or reprimand issued by the NEC. NEC decisions are final and further appeal is not possible.

When compared to the 2012 Commune Election, the number of complaints decreased approximately one hundred percent.¹⁴⁸ The number of cases in which the NEC has taken into consideration for EDR involving notifications issued to complainants rather than refusal to proceed with the resolution process has increased. COMFREL's election report on the 2013 National Election showed that during the period of the one-month election campaign, 44 complaints involved decisions by PECs which were appealed before the NEC, of which (thirty-two) 32 complaints were resolved and twelve (12) complaints were submitted as appeals to the

With regards to the complaint resolution in the 2013 national election, of the (three hundred and seventy-eight) 378 complaints received by CECs, (forty-seven) 47 complaints were resolved and (one hundred and forty-six) 164 were denied by the CECs.

Denial means refusal to hear the complaint. Complaints are immediately rejected if they are not submitted within the required time, and complaints that meet the deadline are reviewed and can be rejected after further examination.

¹⁴⁵ Ibid.

¹⁴⁶ In 2012 Commune Election, 26 complaints were filed at PECs, of which 13 were not accepted for the process of resolution.

¹⁴⁷ Ibid.

¹⁴⁸ In the 2012 Commune Election, there were only four (4) complaints submitted to the NEC. Three of these complaints were rejected and one was resolved by the NEC.

Constitutional Council for final ruling.¹⁴⁹ Therefore, if we compare the 2013 situation for complaints with the 2017 Commune Election, it has improved significantly.

Observation and analysis of the 2017 Commune Election found the procedures for dispute resolution to be insufficiently formalized and disseminated. Notably, the NEC did not use public hearings (or cross examination) to deal with cases related to complaints seeking for punitive measures received as appeals of decisions by PECs. Instead, the NEC used closed-door hearings (concluding hearing), meaning that the hearings served to discuss only the application of law related to the complaint decision being appealed, and did not hear the facts of the case. The hearings were also found to lack transparency as public access was barred, creating obstacles for the related parties and independent elections observers monitoring the cases. The reasoning of the NEC was that it could not proceed with public hearings due to time constraints. Very few complaints were found to have been investigated by the NEC. For example, the case related to the allegation that the opposition CNRP distributed mosquito nets in Kampong Speu province. The CPP lodged a complaint against a candidate of the CNRP based on the accusation that a violation of the rules had occurred during the campaign period. The complaint sought punitive measures imposed by the NEC, however, the NEC decided to reprimand the wrongdoer and issue a warning. The monetary fine was not issued in any complaints calling for punitive measure resolved by the NEC for the entire period of the 2017 election cycle.

10.2. Receiving and Resolving Complaints from Cooling Day and Polling/Counting Day

10.2.1 Receiving and Resolving Complaints at CECs

Many complaints were lodged by political party agents and representatives of political parties regarding alleged irregularities and offenses committed on both cooling day and polling and counting day.¹⁵⁰ The complaints could be lodged either in relation to requests for the imposition of penalties (punitive measures) or lodged in relation to perceived irregularities during the polling and counting processes and entail a request for a recount. Such complaints could be submitted by political party agents, candidates, or authorities including NEC officers. Regarding the complaints at the CEC level, the process of dispute resolution is divided into two sub-phases. First, the receiving of complaints and decisive resolutions made by the Polling and Counting Commissioner during the polling and counting processes.¹⁵¹ Second, the receiving of complaints lodged by

¹⁴⁹ Ibid.

¹⁵⁰ Cooling Day is the day before Election Day. Law on election keeps this one day for break before election. All election campaign activities shall be stopped 24 hours before Election Day, so it is called *Cooling Day* or *another term Electoral Silence Day, or Campaign Silence Day*. The idea of the law is to balance out the campaigning and maintain a free voting environment unpressured by party activities.

¹⁵¹ Political party agents have the right to challenge any person perceived to have violated the provisions of the commune election law and NEC regulations and procedures, by submitting a complaint to the Chairman of the Election Commission (Chairperson of the Vote Counting Committee). In the event that a person causes irregularities during the voting or counting processes, the political party agents stationed at the polling station may orally express their concern to the commissioner of the polling/counting station or submit a written complaint to the commissioner of the polling/counting station. If Commissioners are unwilling or unable to resolve the issue in cases when an oral complaint has been made, the political party agents may also file another complaint against the Commissioners before the CEC. When receiving complaints from political party agents,

political party agents or interested individuals (before 11:30 am on the day after Election Day), regarding irregularities alleged to have occurred on cooling day or polling/counting day. For the complaints received by the Polling Station Commissioners, if the complaint is not resolved by the relevant Commissioner, then it shall be addressed by the CECs in the following hours or day(s).¹⁵²

According to the NEC's report, in this phase, CECs received eighty-eight (88)¹⁵³ complaints in total, including forty-one (41) complaints lodged by the CPP, forty-three (43) complaints lodged by the CNRP, and four (4) complaints lodged by voters (ordinary citizens). Of the eighty-eight (88) complaints received by CECs, there were thirty-eight (38) complaints seeking recounts in specific polling stations or entire communes, and fifty (50) complaints seeking the imposition of punitive measures based on alleged violations of provisions in the commune election law. The decisions of the CECs and results of the EDR process at this level were:

- 29 complaints resolved through mediation/reconciliation
- 9 complaints not resolved through effective mediation/reconciliation
- 13 complaints were rejected by EDR officials (based on lack of evidence or failure to meet conditions required by law)
- 7 complaints were withdrawn by the complainants
- 2 complaints cancelled because the complainant did not attend the hearing
- 8 complaints were not accepted for the EDR process because of late submission
- 20 complaints were ruled on and the relevant parties were given notification of the resulting resolution.

When compared to the 2012 Commune Election, the number of complaints has been reduced by (fifty-seven) 57.¹⁵⁴ The numbers of complaint rejected from the resolution process by the CECs decreased from 61 to 21.¹⁵⁵ In this phase of the 2017 Commune Election, the CPP and the CNRP were both active in filing complaints against each other, while in the 2012 Commune Election, the SRP and HRP together were primarily responsible for submitting complaints (lodged against the CPP). COMFREL also observed that CECs did not attempt to resolve a large number of

the Commissioner of the polling or counting station shall manage to resolve the complaints as much as he/she can, including mediation or reconciliation between the parties of disputes.

¹⁵² During collation of 1202 forms by the CEC, NEC has authority to resolve complaints. According to law, complaints submitted during the polling and counting process can be addressed by the NEC in the hours following counting or the next day. In practice, the complaint resolution occurred by the Commissioner in the hours following counting.

¹⁵³ See note 11.

¹⁵⁴ The 2012 Commune Election report recorded that for "Cooling Day" and "Polling and Counting Day" there were 145 complaints, of which three were related to "Cooling Day" and 142 complaints were related to "Polling and Counting Day" filed at the CECs.

¹⁵⁵ Sixty of the complaints related to alleged irregularities and violations occurring on Polling and Counting Day and one complaint related to alleged irregularities and violations occurring on the Cooling Day were rejected by CECs. In total, there were sixty-one complaints related to cooling and polling/counting days. For thirteen (13) complaints, the CECs decided against the complainants (perhaps due to lack of evidence of irregularities, failure to provide documents, or meet required conditions as stipulated by law). For another eight (8) complaints, the CECs made the decision not to proceed with hearings. The reasons for this included: (1) deadline of status of limitation of complaints, (2) person who were not qualified as representative and (3) subject of the complaint involves a criminal case in nature, and the electoral body does not have jurisdiction.

complaints related to alleged irregularities and requesting recounts. There is no record that CECs recounted any polling stations in response to complaints lodged by political party agents or representatives, but there were cases of complaints including requests for recounting denied by the CEC, such as Klaeng Commune, Sandan District, Kampong Thom province.

10.2.2 Receiving and Resolving complaints at PECs

In this phase, PECs have received (twenty-four) 24 complaints appealing decisions made by CECs. Of these (twenty-four) 24 complaints, (three) 3 complaints were lodged by the CPP, (eighteen) 18 complaints were lodged by the CNRP, and three (3) complaints were lodged by registered voters (citizens). Amongst all complaints, there were (fourteen) 14 complaints requesting recounts and (ten) 10 complaints requesting penalties (punitive measure) for those accused of committing infractions. The resolutions decided on by the PECs were as follows:

3 complaints requesting recounts were accepted by PECs. The first case

concerned a complaint submitted by the CNRP for Beoung Bram commune of Battambang province. The second case was related to a complaint submitted by the CPP for sangkat Svay Pak commune, Russeykeo, Phnom Penh. The third case related to a complaint for Rorkap Bram commune, Tboung Khmum province.¹⁵⁶

- 3 complaints were resolved through mediation/reconciliation
- 8 complaints were rejected from further consideration on the basis that they
- lacked substantial evidence and or failed to adhere to the requirements of the complaint resolution procedure.
- 1 complaint was rejected for further consideration on the basis that it was not
- submitted on time.
- 9 complaints were given notification following the decision of the PEC.

According to the opposition CNRP's officer in charge of complaints, at least (thirty) 30 complaints¹⁵⁷ requesting recounts were submitted to PECs, appealing the announcement of results made by the CECs and also appealing the decisions of the CECs. However, the report did not distinguish complaints lodged following polling day from complaints lodged after the notification of elections results by the CECs. In the 2012 Commune Election, (one hundred and four) 104 complaints were submitted to the PECs. Of those, one-hundred (100) were submitted by the SRP, (two) 2 complaints were lodged by the CPP, and 2 (two) complaints were lodged by authorities. Of 104 total complaints, (eighty-two) 82 were rejected from further consideration by the PECs.

The Case of Boeung Bram Commune:

The Battambang Provincial Election Commission (PEC) received four (4) complaints related to irregularities allegedly occurring on Cooling Day or Polling and Counting Day, and related to appeals of the notification of results by the CECs. One of the most controversial cases concerned complaints submitted for Boeung Bram Commune where, after the PEC recounted the spoiled

¹⁵⁶ The identity of the party or person submitting this complaint was not given by the NEC.

¹⁵⁷ Van Roeun "NEC Finishes Complaints; Voter Registration Prep Continues" Cambodia Daily, 21 June 2017.

ballots, large numbers of spoiled votes in (nine) 9 polling stations turned into valid votes. Observation and monitoring found the determination of spoiled ballots as valid, constituted a potential irregularity. Among the (four) 4 complaints, (three) 3 involved requests for recounts submitted by the CNRP, and (one) 1 complaint submitted by the CPP against the CNRP entailed a request for punitive measures. The complaint requesting penalties was accepted for resolution by the PEC. With regards to the complaints requesting recounts, two were lodged by the CNRP against the chiefs of polling stations, and it based the request for recount on the claim that the chief of the polling station rushed the counting process. These two complaints requesting recounts were not accepted by the PEC. They occurred in Daun Ba commune, Kaors Kralor district and in Boeung Pring commune, Thmor Kol district. The PEC did not provide a coherent and public account of the reasoning or reference to existing standards as the basis of its decision in the case.

Another case involved a complaint submitted against the decision of the CEC which rejected the allegations of irregularities occurring at (nine) 9 polling stations (0662, 0663, 0664, 0666, 0667, 0668, 0669, 0670 and 0672) in Boeung Bram commune, Borvel district. The results declared by the Beoung Bram CEC found 608 votes for the CNRP and 631 votes for the CPP. After recounting spoiled ballots votes for (nine) 9 polling stations (especially for polling station 0667, where 85 out of a total of 132 spoiled votes were counted as valid), the CNRP gained 163 votes and the CPP gained 73 votes from the total of 255 spoiled votes for the entire commune. Effectively, the result was changed by the PEC with the CNRP receiving 771 votes and the CPP receiving 704 votes. In polling station number 0667, following the decision of the CEC, there were (eighty-five) 85 ballots determined to be spoiled, but after recounting by the PEC, the number was reduced to (zero) 0. According to the 1202 form for polling station number 0667, based on the decision of the Chief of the polling station and agreed to by the CED, the CNRP received 25 votes while the CPP received 22 votes.¹⁵⁸ However, after recounting for that polling station (0667) by the PEC, the CNRP gained 69 votes and the CPP gained 16 votes from a total of 85 ballots previously deemed spoiled. The CPP appealed the decision of the PEC to the NEC.¹⁵⁹

The Case of Klaeng Commune:

In Kampong Thom, according to the official results declared by the NEC in late June, the CNRP won (forty-one) 41 communes with (two hundred eighty-five) 285 commune councilors in total, the CPP won forty (40) communes with 173 commune councilors in total, and other parties won (nineteen) 19 total commune councilors seats. There are five councilor seats in Klaeng and, according to the official result declared by the NEC, the CNRP received (three) 3 seats and the CPP received 2 (two) seats. The dispute followed from alleged irregularities at polling station No. 0666, where CNRP political party agents claimed to have found that many ballots for the CNRP were categorized as invalid or spoiled. According to the official 1202 form for polling station 0666 issued by the CEC on 04 June 2017, there were (thirty-six) 36 ballots deemed spoiled out of a total of 406 votes. At that polling station, the CPP received 133 votes, the CNRP received 219 votes, FUNCINPEC received 12 votes, and the KNUP received 6 votes. The result for the entire

¹⁵⁸ See the annex for a copy of the 1202 Form.

¹⁵⁹ See Appendix for the NEC's resolution.

commune declared by the CEC was 832 votes for the CPP and 831 votes for the CNRP, a difference of only one vote determining the political party of the commune chief.

CNRP political party agents lodged a complaint to the CEC regarding alleged irregularities at polling station 0666, after polling and counting day. However, the CEC denied the request for a recount on the grounds that the CNRP political party agent did not file the complaint to the chief of the polling station during polling and counting, and instead submitted the complaint afterwards. The CEC in this case did not follow section 10.8 of the regulations and procedures which sets the deadline for making complaints related to irregularities on cooling day and polling/counting day as 11:30 am on the day after polling/counting day (election day). After the notification of the preliminary result of the commune on June 09, 2017 (the last day of submission of complaints contesting the results declared by the CEC was on June 10, 2017)¹⁶⁰, another complaint was lodged by CNRP representatives Mr. Lim Kim Ya and Mr. Sun Chanthly on June 06, 2017, in order to appeal the decision of the CEC and request a recount for polling station No. 0666. In that case, the complaint was filed before the deadline, but the PEC ruled that the complaint was not filed on time, and the PEC thereby violated the law/regulations.

On June 08, 2017, the PEC issued a 1203 form with its decision. The electoral dispute resolution body made clear that it: recognized the authorized letter as Mr. Kim Ya is the relevant political party representative, authorized to submit a complaint requesting a recount for polling station 0666; recognized that the complaint was submitted in accord with existing regulations and procedures; decided to reject the complaint on the basis that it had no legal standing, and rendered the decision of the Klaeng commune CEC as valid.

Observation and analysis of EDR by COMFREL has found that the PEC did not have reasonable grounds to deny the appeal of the CNRP given that the irregularities were specifically clarified in the written submission of the complaint paper and clearly identified in connection to polling station 0666. Moreover, the complaint included substantial evidence and followed the relevant regulations and procedures. Three points should be made regarding the rejection of what was observed to be a valid complaint. First, the complaint was lodged by the political party agent that had witnessed the entire polling/counting day, in accordance with sections 8.2 and 11.7 of the regulations and procedures. Second, the complaint was submitted in a timely manner, in accordance with the deadline stipulated in section 8.2 of the regulations and procedures. Third, the content of the complaint met the criteria set out in the regulations and procedures section 11.7, which establishes the standard for requesting a recount as a margin of victory of less than 0.5 percent of the votes in a specific commune. As noted, only one vote separated the two major parties in that case (CPP 832 votes and CNRP 831 votes). Fourth, the alleged electoral related irregularities witnessed and identified by the political party agent submitting the complaint, concerned 36 spoiled votes, which was communicated in the complaint submitted to the competent electoral dispute resolution body. After the decision of the PEC for Kampong Thom, CNRP appealed to NEC for recounting ballots for polling station 0666.¹⁶¹

¹⁶⁰ See the attached complaint made by Mr. Sun Chanthly, representative of CNRP in Kampong Thom submitted to the PEC to appeal the decision of the Klaeng commune CEC.

¹⁶¹ See further in NEC's resolution on Klaeng Commune in the following description

10.2.3 Receiving and Resolving complaints at the NEC

The NEC received (nineteen) 19 complaints (appeals). Amongst these, three were lodged by the CPP, (fifteen) 15 complaints were lodged by the CNRP, and (one) 1 complaint was lodged by registered voters (citizens). There were (eleven) 11 complaints requesting recounts, and (eight) 8 complaints seeking punitive measures. In this phase, the NEC decided to accept recounting for only (two) 2 of the eleven (11) complaints appealing the prior decisions by PECs. The two cases where a recount was approved by the NEC were Beoung Bram commune Battambang province and Klaeng commune Kampong Thom province. In the Beoung Bram case, the PEC agreed to recount only the suspicious counted spoiled votes, not the entirety of the ballots), and the CPP appealed the PEC's decision which favoured the CNRP. In that case, the PEC recount changes the results, reflecting an agreement with the complaint submitted by the CNRP. Due to the recount by the PEC, the results changed, and then a complaint was submitted by the CPP to the NEC requesting a second recount. The second case was related to the CNRP's complaint appealing the Kampong Thom PEC's decision on the case of Klaeng commune, in which the PEC ruled against the claim of the CNRP. Another (seventeen) 17 complaints appealing prior EDR decisions were given notifications by the NEC.

The Case of Boeung Bram Commune:

The NEC accepted recounts for (nine) 9 polling stations of the total (sixteen) 16 polling stations, in response to the complaint submitted by the CPP appealing the decision of the Battambang PEC. The recount occurred on June 14, 2017 at the NEC headquarters. The result of the recount by the NEC was that the CPP received 427 votes and the CNRP received 512 votes from the results of the (nine) 9 polling stations recounted. The final result of the entire commune was 707 votes for the CPP and 776 votes for the CNRP, and the decision of the NEC is final. The recounting process was observed to be very transparent as the NEC announced the schedule for recounting to the public and opened the recounting process to the public and observers.

The Case of Klaeng Commune:

The NEC also accepted a recount on June 14, 2017 of all votes for polling station 0666, following the complaint submitted the CNRP appealing the decision of the Kampong Thom PEC. Following the recount conducted by the NEC for polling station 0666, it was decided that the CNRP received 225 votes, the CPP received 136 votes, FUNCINPEC received 13 votes, and the KNUP received 9 votes. Effectively, the recount resulted in a change in the winning party for that commune with the CNRP receiving 837 votes and the CPP receiving 835 votes, meaning the commune chief would be from the opposition party. Two other parties received votes: FUNCINPEC 56 votes and KNUP 51 votes. Observation and analysis conducted by the nonpartisan civil society observers from COMFREL and Situation Room partners, found that the NEC decision to conduct a recount was sound because the CNRP fulfilled all requirements and conditions provided in articles 149 and 152 of the Law on Commune Elections. Moreover, the recounting process was observed to be very transparent as the NEC announced the schedule for the hearing to the public and opened the recount to the public and observers.

10.3. Receiving and Resolving complaints against the “Preliminary Election Result Notification”

10.3.1 Receiving and Resolving complaints at PECs

PECs received (fifty-four) 54 complaints concerning appeals of the preliminary results declared by the CECs. Of the (fifty-four) 54 complaints, (twenty) 20 complaints were lodged by the CPP and (thirty-four) 34 complaints were lodged by the CNRP. Of the (fifty-four) 54 complaints, (fifty-two) 52 complaints requested recounts and 2 (two) complaints requested penalties (punitive measures) in accordance with the commune election law.

Of the (fifty-four) 54 complaints, PECs decided to resolve (seven) 7 complaints by recounting ballots in four communes: Daung commune and Svay Thom commune, in Svay Rieng province; and, Banteay Chhmar and Kumru communes, in Banteay Meanchey province. PECs decided not to proceed for (four) 4 complaints, and (five) 5 complaints were not accepted by PECs because they missed the deadline for submission, and for (thirty-eight) 38 complaints, notifications were given to the complainants by the PECs.

The complaints submitted in response to the notifications of preliminary results for communes announced by the CEC shall be lodged to the PEC. It must be a written complaint and be made within three days. If the complaint is submitted after a period of three days the complaint will be nullified on the basis of not meeting the deadline for submission. Any person who has registered his/her name on the voter list and is listed for voting in that commune, political party which has registered its candidacy in that commune/sangkat, and its representative shall have right to make the complaint against the decision of the CECs. Complaints can be submitted appealing the decisions of CECs on preliminary election results if the complainant has sufficient evidence of alleged irregularities serious enough to impact the results of that polling station or commune.

Section 11.3 of the Procedures and Regulations for Commune Elections has been found to be limited in its capacity to provide for electoral dispute resolution in a transparent and accountable manner. Effectively, it has enabled significant controversy which detracts from the credibility of the process by raising doubts about the validity of the official results of the poll. The provisions of Section 11.3 provide significant room for interpretation by the EDR bodies, rendering the final decision excessively discretionary. This is particularly a problem with regard to the provisions on required information set out in Section 11.3.3¹⁶², and the absence of clarification of those requirements in Section 11.3.4. This leaves complainants uncertain and lacking a secure mechanism for complaint resolution because they must, in an ad hoc manner, appease and entertain the electoral officials to obtain consideration of the case. The Procedures and Regulations in section 11.3.4 do not state clearly and specifically what the prerequisites and

¹⁶² Section 11.3.3 provides the types of information complainants are required to include. They are: (1) name and residence of the complainant; (2) identity of commune/sangkat or/and polling and counting station, (3) time the irregularities occurred, (4) subject of the complaint; (5) provisions of articles/sections in the law or regulations and procedure of commune/sangkat election which had been violated; (6) persons involved in irregularities; (7) name and residence of witness if available; (8) other evidence or statement of proof, if available; (9) name and residence of observers in that polling or counting station when the irregularities occurred, if available.

essential information are. Observation and analysis from monitoring the electoral process found significant ambiguity in the laws/rules regarding dispute resolution significantly detracting from the quality of participation. This became clear from the many cases where EDR bodies refused to resolve the complaints on the basis that the information was not clearly communicated in the complaint submitted, and cases where party agents signed results and that signature was then considered a recognition of the results which disqualified that party agent from submitting a complaint related to those results.

Section 11.3.3 sets out the information requirements that must be fulfilled by the complainant as follows: (1) name and residence of the complainant; (2) identity of commune/sangkat or polling and counting station; (3) time that alleged irregularities occurred; (4) subject of the complaint; (5) provisions of articles in the law or regulations and procedures of commune/sangkat election which had been violated; (6) persons involved in alleged irregularities; (7) name and residence of witness, *if available*; (8) other evidence or statement of proof, *if available*; (9) name and residence of observers in that polling or counting station when the irregularities occurred, *if available*.

It is imperative that electoral officials, political party agents and representatives understand that requirements 7, 8, and 9 are necessary when the information is available, and exhibit that understanding in practice. The observation and analysis of findings from monitoring of the 2017 commune elections by independent and nonpartisan civil society organizations, including COMFREL and Situation Room CSO partners, has determined that, in violation of existing rules and procedures, multiple cases of complaints were rejected on the grounds that they did not include the information described in requirements 7, 8, or 9. Moreover, the problem seems indicative of a broader systemic inadequacy for electoral dispute resolution as the CECs, PECs and even the NEC have ruled in some cases that the complaints did not contain the information required to proceed or be considered further by the electoral body. The ruling of PECs was found to be overly discretionary, as they differed in their interpretations for applying rules and procedures and arriving at decisions in cases of complaints requesting recounts. Some PECs were found to interpret the provisions more liberally and accepted to recount the ballots. The guidelines for PECs when considering appeals requesting recounts were not clear, detailed, and unambiguous. As observed, some PECs decided to recount the ballots because the complaints was first initiated by political party agents before the polling and counting chiefs or received by the CECs before 11:30 am on the day after Election Day.¹⁶³ Such complaints made by the party agents must be related to irregularities which occurred during the polling and counting processes.¹⁶⁴ It was evident that in this case the definition of irregularities proved to be ambiguous or inadequate. There may be different types of irregularities happening during the polling and counting processes like counting ballots too fast, problems or discretion in the determination of certain voted ballots as spoiled or valid, a suspicious numbers of spoiled votes at the polling stations, or forms of official misconduct.

¹⁶³ Section 10.8 of regulations and procedure of Commune Election establishes the deadline for submission of such a complaint as 11:30 am on the day after Election Day.

¹⁶⁴ The Battambang PEC decided to recount ballots following an appeal by the CNRP in Boeung Bram commune because they the complaints described the irregularities occurred in nine (9) polling stations in commune and the subject of the complaint was a specific request that the PEC recount polling stations No. 0662, 0663, 0664, 0666, 0667, 0668, 0669, 0670 and 0672, particularly, the suspicious numbers of spoilt votes in polling No. 0667. This complaint was also submitted to the CEC but the CEC did not consider the case. However, some complaints requesting recounts in this province were not rejected by the PEC. It may be due to the reasons given above.

Moreover, some heads of PEC decided to recount even though no complaint had been submitted by party agents (at the CEC during polling or counting before 11:30 am of the day after election day)¹⁶⁵ or they lodged the complaints before the polling and counting stations' chief because the gaps of biased votes less than 0.5 per cent was proved. In Daung commune, Romeas Haek district the CPP submitted a complaint alleging that irregularities had occurred at (nine) 9 polling stations¹⁶⁶, in relation to a total of 125 votes counted as spoiled. In Svay Thom commune, representatives of both the CNRP and the CPP lodged a complaint following the notification of preliminary results. The CNRP lodged a complaint requesting a recount for (seventeen) 17 polling stations, and CPP lodged complaint requesting a recount for (eight) 8 polling stations. The preliminary result issued by the CEC was 2817 votes for the CPP and 2826 votes for the CNRP, and after recounting at the PEC each party lost 4 votes, giving a result of 2813 votes for the CPP and 2822 votes for the CRNP. The CPP appealed to the NEC for recounting.

Another case observed by monitors occurred in Svay Pak, Khan Russeykeo, Phnom Penh. In that case, Mr. Lin Nhak, a CPP party agent, lodged the complaint against the preliminary result notification of the CEC on June 08, 2017, claiming that irregularities had occurred in all 13 polling stations in that commune. However, no specific name or polling station number was included in the written complaint submitted to the PEC. The Phnom Penh Election Commission accepted the complaint recognizing it to accord with requirements and provisions set out in the procedures of the law and regulations for commune elections. On June 12, 2017, Mr. Chhor Paon, head of the PEC, overruled the Svay Pak CEC and decided to recount the ballots of those polling stations. Following the recount, the result was changed. The CEC had declared the results to be 2811 votes for the CNRP and 2806 votes for the CPP. After recounting at the PEC, the result was changed to 2792 votes for the CPP and 2785 votes for the CNRP. The CNRP later appealed the decision of the PEC to the NEC.

¹⁶⁵ The complaints concerned Svay Phak commune, and Daung commune and Svay Thom commune in Svay Rieng province. These three complaints were filed by the CPP the in order to appeal the preliminary results released by the CECs. However, the complainants had provided the specific names of the polling stations where the alleged irregularities occurred. In Daung commune, following the primarily notification of result which held the CNRP to be the victor, the CPP filed a complaint to the PEC and the PEC decided to recount the ballots in six polling stations. After the decision of the Svay Rieng PEC in favor of the CPP, the CNRP appealed to the NEC requesting a recount, and also submitted a complaint seeking punitive measures against the Head of the PEC. The complaint alleged that Mr. Em Soth committed election fraud by manipulating ballots while they were stored behind closed-doors in his office, prior to recounting by the PEC. After recounting was made at the PEC, the result changed and the CPP was determined to win the commune chief position in Daung commune. According to the Daung CEC preliminary notification the result was 2596 votes [CPP] vs. 2599 votes [CNRP] and after recounting at the PEC on 7 June 2017 it changed to 2602 votes [CPP] vs. 2601 votes [CNRP] (the CPP won by one vote). The CNRP filed an appeal against the decision with the Svay Rieng PEC requesting recounts for 23 polling stations in this commune, and another complaint for penalties. The NEC decided to recount upon the requested complaint. The result decided by the NEC was 2611 votes [CPP] vs. 2609 votes [CNRP]. Related to the recounting process, as reported by the COMFREL's provincial secretariat and her colleagues, it was observed that the situation was chaotic and disordered, making it difficult to implement the required procedures according to best practices, in a calm and controlled manner, in order to ensure the count was uncorrupted by the PEC and without pressure from party representatives. See also the complaint against Svay Rieng's Head of PEC, Mr. Em Soth accusing him being involved in the election fraud ("Niem Cheng, NEC investigation on complain against Svay Rieng PEC" Phnom Penh Post, 22 June 2017.

¹⁶⁶ The disputed polling stations were 0388, 0390, 0392, 0393, 0395, 0402, 0403, 0407, and 0408.

In Kumru commune of Banteay Meanchey province, the CNRP lodged a complaint against the notification of preliminary results on 06 June 2017. Before recounting at the PEC, the result was 1122 votes for the CNRP and 1125 votes for the CPP, and after recounting the CPP lost 46 votes and the CNRP lost 35 votes, and the results became the 1087 votes for the CNRP and 1079 votes for the CPP. The CPP appealed the PEC's decision to accept the request for recount by the CNRP. The NEC, however, then overruled the decision of the Banteay Meanchey PEC and upheld the Kumru CEC as valid, and the CPP secured the commune chief position for Kumru commune.

In that case, it was observed that the PEC decided to resolve the complaint because the PEC deemed the case to meet the conditions of a margin of victory of less than 0.5 percent as provided in article 152 of commune election law and in 11.7 (11.7.2) of the procedures and regulations of commune election 2017 and the large numbers of spoilt votes in the commune were counted. The PEC did not explicitly base its decision on article 149 of the commune election law and section 10.8 of the procedure and regulations alone, while other PECs did base their decisions, in part, on those provisions and did not link with the provisions of article 152 of the law and section 11.7 (11.7.2) together when ruling to refuse or accept the request for recounting. In doing so, they took provisions of article 152 and section 11.7 (11.7.2) as the reasons for recounting the controversial ballots or polling stations. Generally, however, the NEC and its many deputized dispute resolution bodies, especially the PECs, took article 149 and section 10.8 and 11.1.9.2 seriously as the grounds to consider the complaints which were lodged after the notification of preliminary election of a commune. In other words, without the first complaint lodged by the political party's agents before 11:30 am of the day after Election Day, they would not consider complaints lodged after notification of preliminary results and implement the regulations set out in article 149 of the election law. According to the NEC's rulings refusing to resolve the complaints for recounts, the provisions of article 149 and 152 of the commune election have to be implemented together. Therefore, to implement the provisions of article 152, it is necessary that the provisions of article 149 be implemented simultaneously, including its requirements regarding the deadline for the submission of complaints. Not only does this risk overlooking a significant amount of valid complaints related to irregularities occurring after the morning after polling itself, but compels irrational action on the part of political party representatives by providing a strong incentive to submit complaints for potential irregularities before they have even occurred, as the only way to get consideration of the case at a later time by the electoral bodies.

10.3.2 Receiving and Resolving Complaints at the NEC

The NEC received (thirty-seven) 37 complaints in this phase. 10 (ten) complaints were lodged by the CPP and (twenty-seven) 27 complaints were lodged by the CNRP. There were (thirty-five) 35 complaints related to requests for recounts appealing decisions issued by PECs, and 2 (two) complaints related to requests for punitive measures. In its resolution, there was 1 (one) complaint accepted by the NEC resolved on the basis of a decision to recount, following an appeal by the CNRP, which pertained to Daung commune, in Svay Rieng province.¹⁶⁷ The NEC decided not to

¹⁶⁷ It is important to note that this complaint was filed after the notification of preliminary results for the relevant commune.

proceed with (three) 3 complaints, (thirty two) 32 complaints were issued notification letters, and (one) 1 complaint was withdrawn by the complainant.

In the case of Daung commune, the NEC decided to resolve the complaint by the CNRP requesting an appeal by recounting (twenty-three) 23 polling stations. After recounting on 12 June 2017, the NEC found 141 votes to be spoiled ballots of the total vote for (twenty-three) 23 polling stations. Of the 141 spoiled votes, there were 66 controversial ballots for which the Head of the Recounting Commission of the NEC was unable make a ruling over their validity, and the issue was put to the NEC for the electoral body to decide. On 13 June 2017, the NEC found 75 ballots to be spoiled. The result declared by the NEC was that the CPP received 2611 votes and the CNRP received 2609 votes. The decision of the NEC is final.

To sum up, the process of electoral dispute resolution was found to lack transparency and accountability, particularly when deciding whether or not to recount the ballots... The grounds for decisions were vague and not clearly rule-based. As declared by the NEC, if the majority of the following conditions are alleged to have occurred and communicated in the complaint, then the NEC may decide to resolve the complaints:

1. If serious irregularities, particularly spoiled votes, are alleged to have occurred at specific polling stations or communes.
2. If the margin of victory is less than 0.5 percent.
3. If the complaint is lodged by political party agents who had observed/monitored the particular polling station related to the complaint, by 11:30 am of the day after Election Day.¹⁶⁸
4. If the complaint is made within the statute of limitations for complaints provided in the law and lodged by the competent representative.

These criteria have resulted in both ambiguity and restrictions leading observation and analysis to conclude that they do not provide for an inadequate mechanism to manage (receiving, considering, and resolving) complaints involving requests for recounts. The result is excessive discretionary powers on the part of EDR bodies most evident in the form of refusals to consider complaints. Particularly, the third criterion is too stringent and risks excluding valid complaints from the resolution process at the outset. The first, second, and fourth criteria should be considered sufficient to warrant proceeding with the consideration of a complaint as a mandatory procedure.

COMFREL found that many complaints which have not been considered for resolution by the NEC failed to meet requirement number (3). For the majority of complaints submitted that were rejected from further consideration by the NEC, the requirements were met except for requirement number (3), and it was on the basis the other requirements that PECs and the NEC based their decisions. Detailed, comprehensive, formal and interpretable procedures must be developed in order to improve the system for consideration of complaints. We learned that the NEC and PECs don't have unique requirements for considering the complaints. For example, in Daung commune, the NEC upheld the Svay Rieng PEC's decision on ballots recounting upon the request of CPP's complaint, even though the complaint did not comply with requirement number

¹⁶⁸ For the 2017 commune election the complaint should have been filed by a political party agent that had observed the polling and counting process or his/her representative before 11:30 am on 5th June 2017.

(3)^{169, 170} The NEC decided to recount 23 polling stations in Daung commune as requested by the CNRP. This decision to recount the ballots was in contrast with the decisions refusing to recount the disputed ballots which has been appealed by the CPP against the decisions of the Banteay Meanchey's PEC on the case of Kumru commune, and Phnom Penh PEC decision on the Svay Pak commune case appealed by the CNRP against the decision of the PEC, and Siem Reap PEC decision on the Keo Pour commune case appealed by CNRP all those communes/sangkat, the margin of victory of 0.5 percent was proved but requirement number (3) was not proved. However, it should also be noted that cases such as the complaint related to Klaeng commune demonstrate that the NEC showed willingness and capacity to correct mistaken rulings by subsidiary electoral bodies, when the complaint did in fact include the information detailed in the requirements found in the regulations and procedures for the election.

11.Election Results: Verification and Analysis

11.1 Verification and Accuracy of Election Results

The verified electoral result notes (form 1102) posted on the NEC's website compared with the electoral result notes (1102) collected by the COMFREL from 481 stations sampled randomly, with a level of confidence of 95% and level of margin error of 4.3% The following are our significant findings:

- The NEC has announced a permanent rate of voter turnout twice. First, on 04th June 2017, it is about 85.74% (equal to around 6,7 million voters) and second, on 25 June 2017, it is 90,37% (equal to around 7 million voter) of registered voters. Situation Room's verification has confirmed that the rate of voter turnout is 89.9% of registered voters.
- Ballots for 1.8% of the voters were not counted as they were considered invalid. The process of invalidating ballot papers possibly included irregularities as invalid ballot papers were found high in number and many did not meet conditions of invalidation. For instance, They occurred at station 0016 in Sam Khouy commune Steung Treng Province, Leap commune Banhteay Meanchey province and Roessey Srok commune Siem Reap province. These cases are found in polling/counting station from which preliminary electoral result have been rejected and pertain to 28 complaints by political parties for recounting out of 47 stations according to NEC as of 06 June 2017.
- Verification on Electoral Result Note (1102 a comparison based verification of vote results notes (form 1102) disseminated by the NEC, utilizing copies/records of the electoral result notes (form 1102) collected by Situation Room. The electoral result notes collected by COMFREL and the situation room are 88.1% the same as the electoral result notes posted on the NEC's website(it is 11.9% which is not the same). For verification of number of voter for political party1 , 93.1% of Situation Room sample are as the same as

¹⁶⁹ The Svay Rieng's PEC decided to recount the ballots upon the complaint made by CPP while the decision of Daung Commune was in favor of CNRP. However, after the recounting made, the victory was still the CNRP's side.

¹⁷⁰ The party or representative of the party did not file the complaint during the stipulated time period which requires submission before 11:30 am on the day after Election Day. The representative only filed the complaint concerning irregularities at specific polling stations after the date preliminary results were announced for that commune.

electoral result note posted by NEC while 6.9% of them were found not the same. These cases include not recording the number of valid or invalid vote and unintentionally recording wrong number of vote for political party². For verification of ballot paper number for a station³, 93.6% of the COMFREL's sample are as the same as NEC's figures. These result from performance errors by electoral officials which made many copies of forms by hand or did not understand how to fill forms properly⁴. For verification of stakeholder's authorization on electoral result note (form 1102), 1.7% of the Situation Room sample is not as the same as NEC's note. They include different number of political party agents and observers' signature.

- For verification of irregularities on electoral result note (form 1102) posted on NEC's website and on electoral result note (form 1102) collected by COMFREL and the Situation Room, 30 electoral result notes were found to have irregularities. Recorded copies were taken for comparison-based verification with 30 electoral result notes from the same stations posted on the NEC website, and we have found only one 1102 form looks the same as the NEC's. The incongruity between the two records include an electoral result note without vote for particular party at polling station 0155 in Ratanakiri province, recording the candidate's name instead of the political party name at polling station 0495 in Kampong Cham Province, not writing down the political party name at station 0063 in Kampong Chhnang province, wrong number of valid and invalid vote resulting to fail consolidation, and adding more clarification or correction with pen correction liquid.
- Verification of preliminary electoral result for a particular commune (form 1105): Political party's preliminary electoral result for a commune which is from consolidating vote in electoral result note (1102) collected by the Situation Room of relevant polling station were verified with NEC's preliminary electoral result for a commune note (1105). For instance verification of preliminary electoral results for 30 communes, only one case of different number of vote for political party was found at station 0304 in Samroungthom commune, Kien Svay district, Kandal province. Different Preliminary electoral results for commune at were found for two commune according to verification of consolidation of form 1102 collected by the Situation Room with form 1105 posted on NEC's website. Though there are a few faults in preliminary results for communes, the NEC's corrected figures are plausible.

Therefore The election results confirm the continued dominance of the ruling CPP. Since the year 1979, the ruling party has established a one-dominant party system of commune chiefs, which makes it extremely difficult for other political parties to challenge its position. By 2017 the number of communes (sangats) has increased from 1,633 to 1,646. According to the election results, the CPP won the election with 1,156 seats, 14 of which were not previously controlled by the ruling party. In 37 communes, the CPP occupies all councilor seats and commune chief seats, although in the election for those seats there were at least two contesting political parties. However, it is also the first time that another party shares 30% of the commune chief seats, with 489 commune chief seats of 1,646 communes occupied by the CNRP (one commune chief position is occupied by KNUP). Four other political parties including FUN, GDP, BSDP and LDP did not have enough votes to win a commune chief seat, but did gain commune councilor seats.

The CPP won a slight majority with 50.76 percent of the total votes, occupying 6,503 councilor seats, closely followed by the CNRP which won 43.83 percent of the total votes, occupying 5,007 councilor seats. Other political parties were not able to contest all communes. Of those parties, the FUN won 1.9 percent of the total votes and obtained 28 councilor seats, the KNUP won 1.13 percent of the total votes and obtained 24 councilor seats. The GDP won 0.07 percent of the total votes and obtained 4 councilor seats. The LDP won 1.76 percent of the total votes and obtained 4 councilor seats. The BSDP won 0.45 percent of the total votes and obtained 1 councilor seat. The other political parties won less than 1 percent of the vote, and did not obtain a councilor seat.

Figure18: Party's Shares of Councilor Seats in the 2017 Election

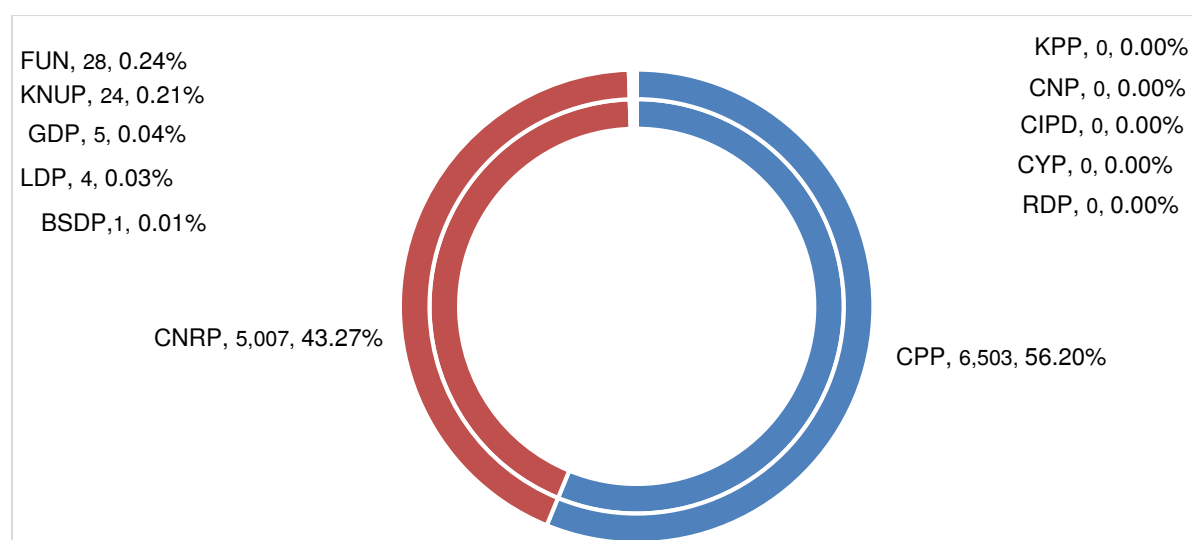
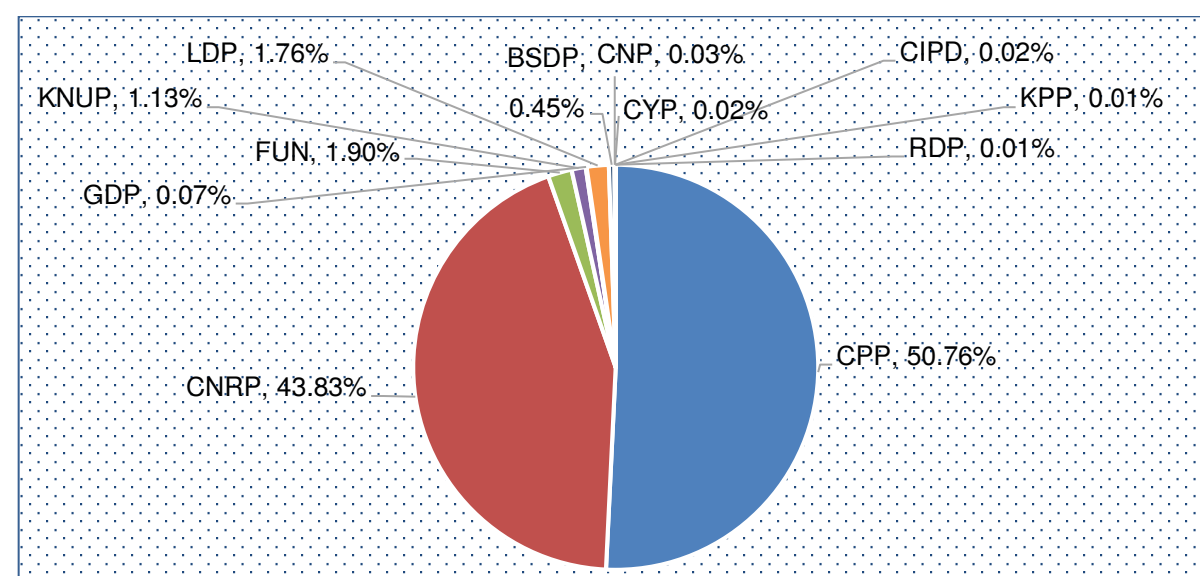


Figure19: Percentage of Votes per Political Party in the 2017 Commune Election



The CPP won the majority of commune councilor seats in 21 provinces. The CPP occupies most of the commune chief seats in Kep, Pursat, Stung Treng, Ratanakiri and Mondulakiri provinces. These were less contested provinces as opposition parties won less than 30% of the council seats in each province. However, there were nine provinces where the CPP victory was slight, winning

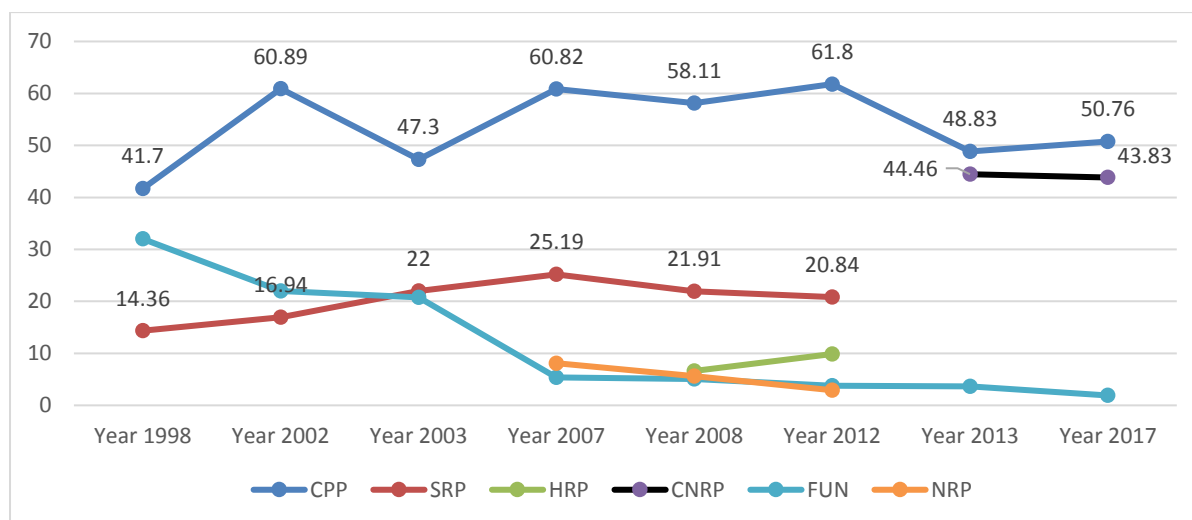
50% to 60% of council seats. These were Banteay Meanchey (55.5%), Battambang (50.05%), Kampong Chhnang (59.7%), Kampot (65.5%), Kandal (52.9%), Prey Veng (54.6%), Takeo (56.7%), Pailin (57.7%) and Tboung Khmum (52.6%). Other provinces where opposition parties took between 60% to 70% of the vote included Kampong Speu (60.3%), Koh Kong (67.1%), Kratie (60.3%), Preah Vihear (60%), Preah Sihanouk (64.4%), Svay Rieng (64.1%) and Odor Meanchey (67.1%). There were 04 provinces that the CNRP won more the 50% of council seats, including Kampong Cham, Kampong Thom, Siem Reap and Phnom Penh. The CPP won 46.5% in Kampong Cham, 47.3% in Kampong Thom, 47.6% in Siem Reap, and 47.9 at Phnom Penh. (See Appendix2 for Election results for different political parties in each province)

11.2 Election Results Analysis

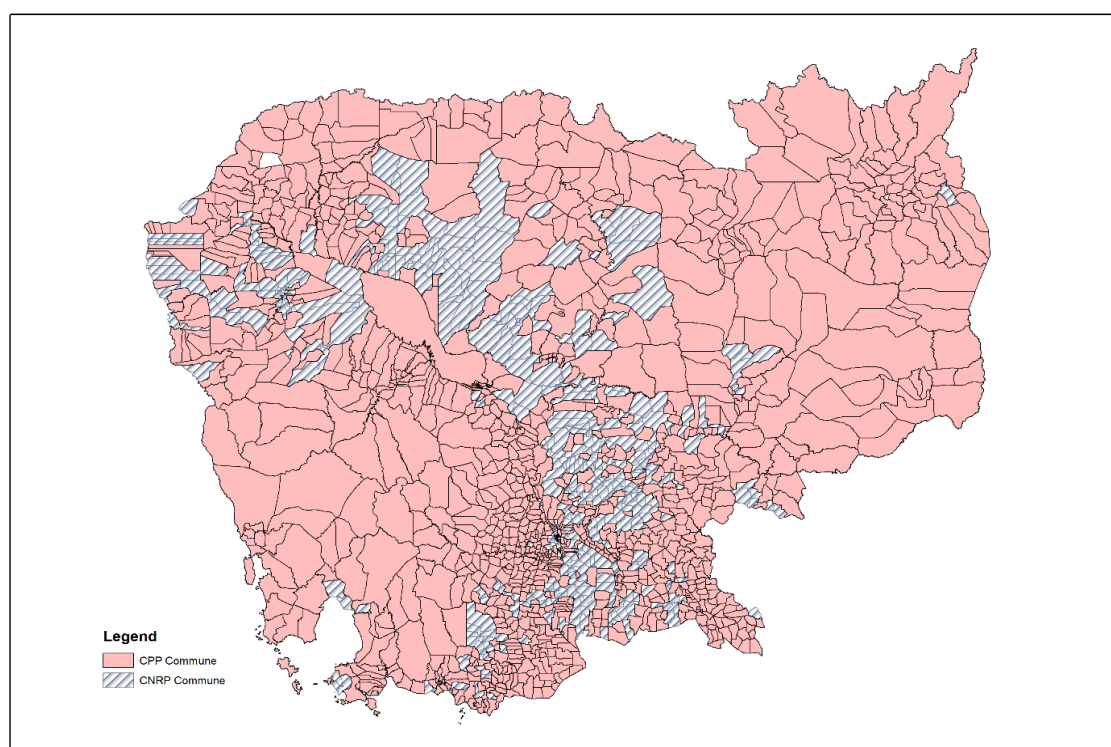
The 2017 election results show that only the ruling party CPP and the opposition CNRP party were able to strengthen their support among voters when compared to their performance in the previous 2012 commune council election and 2013 national assembly elections. In the 2017 election, the CPP gained 3,540,056 votes, a decrease of 91,026 votes from the 2012 commune council election when the CPP gained 3,631,082 votes. However, the CPP vote in 2017 has increased by 304,087 votes when compared to the 2013 national assembly election, when CPP gained 3,235,969 votes.

The major opposition party gained in support from voters in 2017 if compared to the 2012 commune council elections and the 2013 national assembly elections. The CNRP gained 3,056,824 votes in the 2017 election, an increase of 1,251,881 votes from the 2012 commune council elections when CNRP gained only 1,804,943 votes (consolidation of 580,483 votes for HRP and 1,224,446 votes for SRP).

The CNRP results increased by 110,648 votes when compared to the 2013 national assembly election in which the CNRP gained 2,946,176 votes. In addition to the two major political parties, in 2017 FUN gained 132,319 votes, a decrease of 90,352 votes when compared to the 2012 commune council election in which FUN gained 222,671 votes. Furthermore, if compared to the 2013 election which FUN gained 242,413 votes, FUN's vote decreased by 110,094 votes. Three new political parties which competed for the first time in the 2017 commune council election included the KNUP, the GDP and the BSDP. Although newly established, they successfully won some council seats. In contrast, other contesting political parties were not able to gain enough votes to occupy council seats.

Figure20: Percentage of Voting for Political Parties 1993-2017

Contesting opposition political parties other than the CNRP and the newly established political parties, did not gain commune council seats and commune chief seats. The ruling CPP lost 436 commune chiefs seats, when compared to the results of the 2012 election. Consequently, the CNRP gained these seats. They included: 10 seats in Banteay Meanchey, 49 seats in Battambang, 80 seats in Kampong Cham and Tboung Khmum, 6 seats in Kampong Chhnang, 8 seats in Kampong Speu, 39 seats in Kampong Thom, 21 seats in Kampot, 48 seats in Kandal, 3 seats in Koh Kong, 8 seats in Kratie, 48 seats in Phnom Penh, 2 seats in Preah Vihear, 31 seats in Prey Veng, 1 seat in Ratanakiri, 54 seats in Siem Reap, 1 seat in Preah Sihanouk, 7 seats in Svay Rieng, 18 seats in Takeo, 1 seat in Pailin, and 1 seat in Odor Meanchey province.

Figure21: Map of Commune Chief by Political Party

In addition, the CPP lost 1,789 commune council seats in the 2017 election when compared to the 2012 election. The CPP won 8,292 commune council seats in 2012 but won only 6,503 seats in the 2017 election. For the 2017 election, the CPP was not able to win an absolute majority of commune chief seats of Phnom Penh, Kampong Cham, Kampong Thom or Siem Reap provinces. In 2012, the CPP was able to do so in those provinces. The election results show that the ruling party, CPP lost more seats and votes if compared to the 2012 elections. The results for the CPP support the hypothesis of a public loss of confidence as a result of lack of judicial reform and a failure to adequately provide justice in key cases such as the murder of independent political analyst, Kem Ley, and high profile persecution of civil society and opposition activists. The CPP used its resources including state resources and control over local level officials to create a restrictive political environment for other parties. At the same time, the CPP which has a majority of seats in the national assembly, has made amendments to the Law on Political Parties (LPP), and Law on Association and Non-Governmental Organization (LANGO), and both these changes have detracted from participatory political rights reducing the quality of the electoral environment and reducing individual free choice.

Table15: Comparing political party seats in 2012 and 2017

No	Province	CPP		CNRP		FUNCINPEC		LDP	
		2012	2017	2012	2017	2012	2017	2012	2017
1	Banteay Meanchey	405	286	72	211	35	0	0	0
2	Battambang	641	411	160	399	10	3	0	0
3	Kg. Cham	812	380	294	435	4	0	0	0
4	Kg. Chhnang	300	252	87	170	4	0	0	0
5	Kg. Speu	410	367	100	242	0	0	0	0
6	Kg. Thom	363	273	158	285	36	15	0	2
7	Kamptot	428	317	101	240	3	3	0	1
8	Kandal	651	484	165	431	0	0	0	0
9	Koh Kong	145	112	22	55	0	0	0	0
10	Kratie	203	178	70	116	3	1	0	0
11	Mondulkiri	94	86	12	21	1	0	0	0
12	Phnom Penh	570	431	234	468	0	0	0	0
13	Preah Vihear	243	203	83	129	5	0	0	0
14	Prey Veng	532	487	151	405	0	0	0	0
15	Pursat	315	251	25	92	0	0	0	0
16	Ratanakiri	223	207	30	51	7	0	0	2
17	Siem Reap	490	318	147	347	19	0	7	0
18	Preah Sihanouk	142	114	25	63	1	0	0	0
19	Stung Treng	149	132	19	39	7	5	0	0
20	Svay Rieng	425	332	63	186	3	0	0	0

21	Takeo	555	417	108	318	4	1	0	0
22	Kep	31	24	0	7	0	0	0	0
23	Pailin	41	30	11	22	0	0	0	0
24	Odor Meanchey	124	102	18	49	9	0	1	0
25	Tboung Khmum	0	309	0	226	0	0	0	0
Total		8292	6503	2155	5007	151	28	8	5
Change		decrease	1789	increase	2852	decrease	123	decrease	3

In addition to the CPP, both FUN and LDP have lost votes and council seats if compared to election results in 2012. In the 2017 election, FUN won only 28 council seats, while FUN won 151 council seats in the 2012 election (a loss of 123 council seats). It is likely that internal conflict caused FUN to lose people's support. Before 2012, FUN was led by Samdech Norodom Ranariddh, but later he left and formed another political party. However, in the 2017 election he came back to lead the party. LDP has lost three council seats, when compared to the 2012 election. LDP won eight council seats in 2012 election but only five council seats in the 2017 election.

Following the merger between the Sam Rainsy party and the Human Rights Party in 2013, the CNRP became a major opposition party in Cambodia. In the 2017 election the CNRP dramatically increased its number of commune councilors and chiefs. In 2017, the CNRP gained commune chief seats in four provinces which were won by the CPP in 2012, including Phnom Penh, Kampong Cham, Kampong Thom and Siem Reap. Besides the four provinces, the CNRP has increased its number of seats on average 50 percent.

However, COMFREL observed that overall the CPP performed better than competing political parties because 37 communes of seven provinces are occupied by councils completely controlled by the CPP. These provinces include Koh Kong, Kratie, Mondulhiri, Preah Vihear, Pursat, Ratanakiri, Stung Treng and Svay Rieng. For previous elections, the CPP won all the council seats and completely controlled 148 communes in 2002, and 166 communes in 2007 and 233 commune in 2012.

Figure22: Communes/Sangkats with councils from only one political party

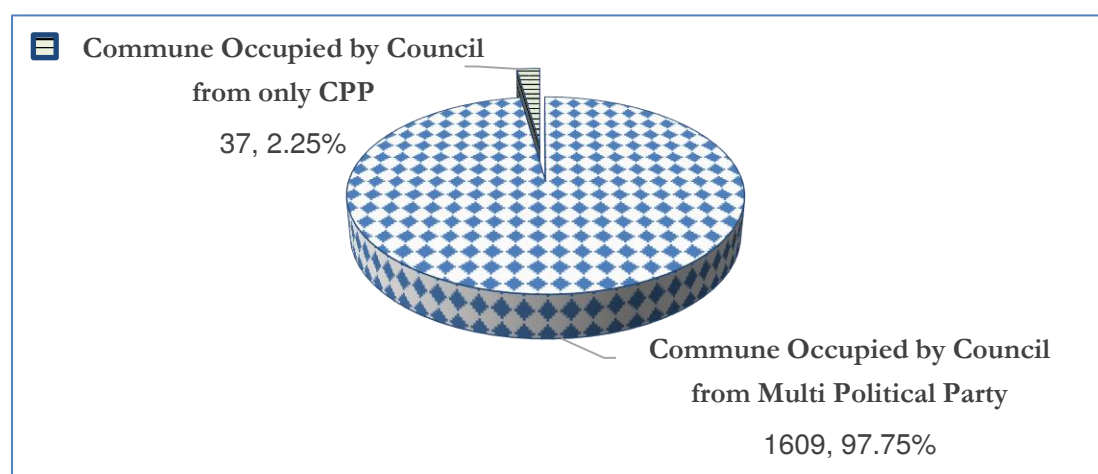


Figure23: Commune Occupied by Council from only Single Political Party for Every Commune Election:

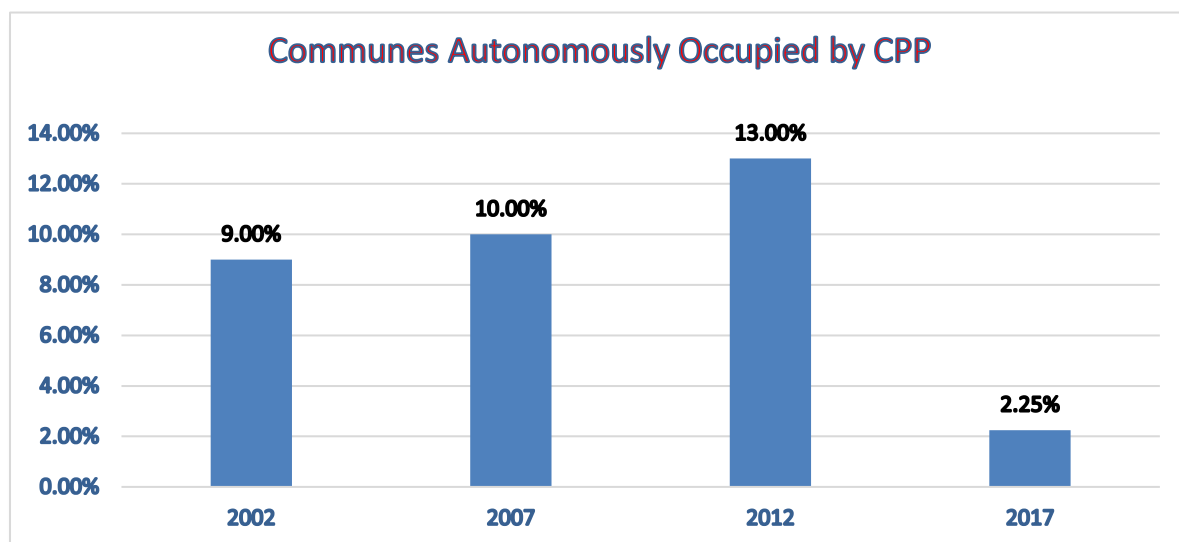
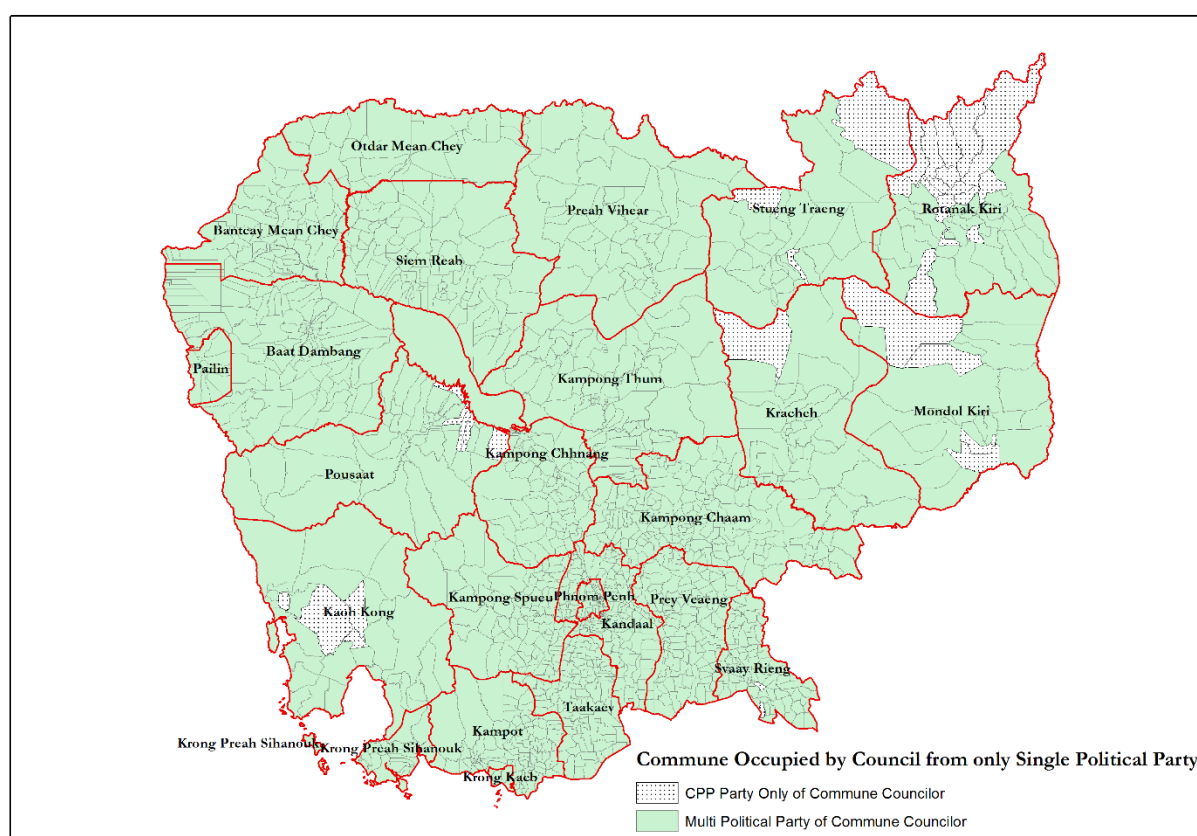


Figure24: Map of Commune Occupied by Council from only Single Political Party



Basic election related policies can be an obstacle to advancing democratization and through inclusive and accurate representation. A specific concern for COMFREL is that the current technical formula used to transfer votes into seats, the “Highest Average Formula”, is widely considered to lead to less proportional election results than other formulas like the “Greatest

Remainder Formula”, which was used in the first parliamentary elections in 1993, but was changed in 1997. The current formula ensures that seat distribution does not accurately reflect the number of votes for commune chief and commune councilor obtained per political party. Although the CPP won 50.76 percent of the votes, which is equal to an absolute proportionality of 5,874 commune councilor seats and 836 commune chief seats, based on the current formula the CPP won 6,503 of the total 11,572 commune councilor seats and 1,156 of the total 1,646 commune chief seats. The CNRP won 43.83 percent of the votes which is equal to an absolute proportionality of 5,072 commune councilor seats and 722 commune chief seats, but based on the current formula, the opposition party obtained only 5,007 councilors and 489 commune chief seats.

Although the disproportionality is also explained by the district magnitude (how many seats are contested per commune, the larger the number the larger proportion of seats), because the technique to consolidate major and minor party’s seats, an absolute proportionality can never be reached. The current election results support the conclusion that the formula used favors the CPP and disadvantages other contesting parties.

Table16: Total Votes and Percentage of Councilor/Commune Chief Seats in 2017

Political Party	Total Votes	Commune Councilors	Commune Chiefs
CPP	3,540,056 (50.76%)	6,503 (56.20%) Disproportionality: + 5.44%	1,156 (70.23%)
CNRP	3,056,824 (43.83%)	5,007 (43.27%) Disproportionality: - 0.56%	489 (29.71%)
FUN	132,319 (1.90%)	28 (0.24%) Disproportionality: - 1.66%	0 (1%)
KNUP	78,724 (1.13%)	24 (0.21%) Disproportionality: -0.92%	1 (0.06%)
GDP	4,981 (0.07%)	5 (0.04%) Disproportionality – 0.03%	0 (0%)
LDP	122,882 (1.76%)	4 (0.03%) Disproportionality – 1.73%	0 (0%)
BSDP	31,334 (0.45%)	1 (0.01%) Disproportionality – 0.44%	0 (0%)
Source: COMFREL’s calculations			

12. Prospects for the 2018 Senate and National Assembly Elections

Presuming that the opposition CNRP is not dissolved, the political competition for the upcoming National Assembly elections 2018 is likely to intensify between the Cambodian people’s Party (CPP) and Cambodia National Rescue Party (CNRP), which was created through a merger of the Human Rights Party (HRP) and the Sam Rainsy Party (SRP) in 2013. Three newly established political parties ran in the 2017 election and intended to compete in the upcoming 2018 election. They include the Khmer National Unity Party (KNUP), the Beehive Social Democracy Party (BSDP), and the Grassroots Democracy Party (GDP).

Furthermore, following the commune council election in 2017, serious democratic regressions ensued. The changes to the Law on Political Party have been seriously detrimental to citizen's rights to vote and representation, and already increasing processes of rule by law to control and eliminate political competition as well as consolidate power in the person of the PM. The space for civil society organizations and media outlet have been so narrowed that the government both incarcerated CSO actors and initiated the closure of CSOs on the basis of violation of the LANGO law. It has shown its intention to use the LANGO law to halt operating activities of international and national NGOs when they present information or analysis considered to be overly critical by the government. The closure of NDI, a key international civil society organization supporter of democracy and human rights efforts, as well as good governance and political party development since the Paris Peace Agreements, also bodes poorly for the 2018 election. Independent and impartial media outlets, including Radio Free Asia (RFA), Voice of America (VOA), Voice of Democracy (VOD) and radio FM 93.5 MHz which have played a significant role to inform the public about election, democracy, and social issue, have been banned from re-broadcasting all programs. The Cambodia Daily newspaper has had to shut down its operations following measures set in place by the authorities of the Royal Government of Cambodia. In addition, some leaders of parties were arrested including Mr. Kem Sokha, the president of CNRP, Mr. Nhek Bun Chhay, the president of KNUP, and Mr. Soun Sery Ratha, the president of KPP.

Mr. Sam Rainsy, the former President of CNRP, has fled abroad to avoid imprisonment on charges, of the many brought against him in different cases, of destroying public property and incitement. Mr. Kem Sokha, a member of parliament with immunity and the President of the CNRP is now being prosecuted for treason. The unfortunate assault on political competition and liberal pluralism has drawn reproach and condemnation from the international community including the UNOHCHR, the EU Delegation and the U.S. Embassy. They noted serious concerns regarding the quality of the 2018 polls and the criminal persecution of both members of opposition parties. Mr. Nhek Bun Chhay, President of the Khmer National United Party (KNUP), which is considered as a political party partner of the ruling party, was arrested and accused of crime that allegedly occurred in 2007, soon after he was rumored to be in communication with or show sympathies toward the opposition CNRP. Moreover, at the same time Cambodia had a border dispute with Laos. Soun Serey Ratha, the president of KPP, was sentenced to five years in prison in relation to comments made on social media for over inciting military personnel to disobedience (as stipulated in Articles 471, 472, 494, and 495 of the Cambodia Criminal Code).

These parties (KNUP and KPP) can be predicted to be a prominent contesting party to the ruling CPP party and especially to the opposition CNRP party.

One question is whether or not the situation and results of the commune council election results can predict to the outcome of the upcoming National Assembly elections. Based on the commune council election results which the ruling CPP party got 3,540,056 votes equal to 50.76% and the opposition CNRP party got 3,056,824 votes equal to 43.83 %, the upcoming National Assembly election in 2018 will also entail a small margin of victory.

Based on the calculation of the 2017 election result, the CPP can gain 70 seats (a gain of one seat), while the CNRP would gain 54 seats (a loss of one seat compared to its current standing in the NA) for 2018 national elections.

However, voting patterns between commune and national elections have differed significantly in the past. In the 2012 commune elections, the CPP won 3,631,082 votes (62%). The opposition, at this time was not united (HRP and CNRP but current CNRP) won 1,804,943 votes (31%). By contrast, in the 2013 national elections, the CPP won only 3,235,969 votes (48.83%) around 400,000 votes less or 10% than 2012 while the newly formed united opposition of SRP and HRP calling themselves the CNRP, won 2,946,176 votes (44.46%), almost one million votes more than in the 2012 commune elections or increase 10%.

Reasons for the difference in the voting pattern might be that commune elections are more a personality vote as citizens interact closely with their commune councilors and commune chiefs. National elections are by contrast more impersonal and might be perceived among Cambodian voters to not have a direct impact on local policy issues and their relationship with local authorities. Another reason could be that the voter turnout for commune elections is generally lower than for national elections, making it easier for the governing party to mobilize its supporters through its strong local party networks. There are additional numbers of registered voters at least 525,000 new voters and youth voters will be able to vote in July 2018.

The cross-tabulation found the possible electoral outcome of the next national elections as about very close race votes between the CPP and the CNRP.

If the CNRP was dissolved for any reason, the elected seats it occupies would be lost to other contesting political parties, including the CPP, FUN, KNUP, BSDP, LDP and GDP. If the CNRP still remains united it will play a role as the main political competition to the CPP. The CNRP's gains in the 2013 and 2017 elections also make clear that the CNRP is the only opposition party with the potential to compete with the ruling CPP party.

Moreover, in event of a failure to adhere to constitutional and international standards for equal political participation of contesting parties in the election, or the CNRP is dissolved or boycotts the election, there would be no prominent contesting party to compete with the ruling CPP. As a result, the CPP would still dominate the National Assembly almost total control of the seats. Based on the 2017 election results, it is extremely unlikely that in 2018 the FUN or KNUP (known as the Royalist parties) will gain the large share of votes that was won in the 1993 election.

Senate elections: it is that the same or similar voter patterns evidenced in the 2017 commune elections will recur in 2018 senate election.

The electoral system in Cambodia is a proportional system which entails parties (with lists of candidates) running for election rather than individual candidates. The result of the 2017 commune councilors does allow for a fairly exact prediction for the results of the senate election and sub-national council election, since only elected commune councilors and elected national assembly members participate in the selection process for those elections, and they will vote for the party that belongs to their own political party.

The senate consists of 62 members. Two senators are appointed by the King and two senators are appointed by the National Assembly with approval by the majority of parliamentarians. The remaining 58 senators are elected to serve for 08 constituencies. They include Phnom Penh; Kampong Cham and Tboung Khmum provinces; Kandal province; Battambang, Banteay

Meanchey, Siem Reap, Odor Meanchey and Palin provinces; Takeo, Kampot, and Kep provinces; Prey Veng and Svay Rieng provinces; Kampong Speu, Kampong Chhnang, Pursat, Koh Kong, and Preah Sihanouk provinces; and, Kampong Thom, Preah Vihear, Kratie, Stung Treng, Ratanakiri, and Mondulakiri provinces. 393 councils are to be elected for the capital and provinces, and 2,931 councils are to be elected as city/district councils. The voting constituency for the election will be 11, 572 commune councilors (6,503 from the ruling CPP party, 5,007 commune councils from the opposition CNRP party, another 62 commune councils from other political parties, and 123 members of parliament (68 parliamentarians from the CPP and another 55 parliamentarians from the CNRP).

Based on electoral result of the 2017 commune council election and the 2013 National Assembly election, in the Senate election the CPP is expected to take 33 seats while the CNRP is expected to take 25 seats. Consequently, the CPP will continue to dominate in the senate. Therefore trends indicate a slight decrease of CPP seats in the senate, whereas the CNRP will increase their number of seats in the senate (without becoming the majority).

13. Post-election Climate and Political Developments

13.1. Views on Election Quality and Results

The political developments in the post-election environment entailed an increase in tension including events such as the threatening denunciation of the major opposition party's statement on the commune election result, the second amendment of the law on political party, and the criminalizing of the Situation Room, an ad hoc platform of civil society organizations joined for monitoring of elections. However, no political party rejected the results, providing for peaceful conditions and a credible mandate for commune authorities. The organization and administration of the polling and counting process were widely accepted by all registered contested parties¹⁷¹, and local civil society organizations that observed the process, and key stakeholders from the international community (including intergovernmental organizations, invited foreign embassies, international non-governmental organizations). The Royal Government itself has accepted and applauded the process, stating publicly that "the elections were conducted peacefully and without violence". However, there was some controversy and debate related to the overall assessment of the 2017 commune elections process. The basic question was whether the elections were conducted in free and fair manner and in accordance with the core principles of elections in a democratic society, not only on polling/counting day but also during the broader time-frame. In addition to applauding the participation of the Cambodian people, the Situation Room and some regional and international organizations expressed congratulatory messages to the NEC and RGC regarding the organization and administration of the elections. Specifically, the polling and counting processes were significantly improved when compared to the previous elections. However, national and international independent observers were unable to categorize the elections

¹⁷¹ The second place winner, the opposition CNRP, expressed dissatisfaction with the electoral dispute resolution process because many of the electoral complaints were refused by the NEC's electoral dispute resolution bodies, particularly the NEC itself.

as fully free and fair because of shortfalls in key areas needed for consolidated democratic elections.¹⁷²

Groups belonging to the national community, including civil society organizations, registered contesting political parties, and experts, have expressed different opinions regarding the election process and the elections results. On the Election Day (polling and counting day) there were 74,680 national election observers from 21 NGOs and associations, and 425 international observers from 39 from international supporters (states and IOs).¹⁷³ These local and international stakeholders expressed some amount of disagreement over the quality of the elections at both the national and international levels. The Union of Youth Federation of Cambodia (UYFC), which had deployed the largest number of local observers, and two other NGOs (the CWPDP and CDSIF), expressed congratulatory statements and acknowledged the results of the elections. They determined the election, as organized and administered by the NEC and its subsidiary bodies, to be free and fair, genuine, impartial and transparent. However, they also expressed finding some electoral related irregularities in the process of electoral dispute resolution.¹⁷⁴ These three organizations/associations are well-known as pro-government civil society organizations, supporting if not formally allied with the ruling CPP. The same sentiments of support and confirmations of fairness were expressed by the three invited foreign non-governmental organizations/institutions known to be closely linked and consistently supportive of the ruling party, the (ICAPP), CAPDI, and CDI.¹⁷⁵ All three concluded very shortly after observing a minimal number of polling stations that the elections had been and fair and transparent. The three international observer groups issued separate statements endorsing the election results and praising Cambodia in its endeavor to strengthen democratic institutions. Similar endorsements were issued by foreign embassies including the Embassy of China, the Embassy of Russia, the Embassy of India, as well as some embassies from ASEAN.

On June 24, 2017, COMFREL and Situation Room partners released their assessment of the elections process. Their assessment expressly applauded the absence of violence, the professionalism of electoral authorities, and the maturity and democratic commitment of the

¹⁷² See the Joint Statement of Situation Room on Overall Assessment of 2017-Commune Election, dated June 24th 2017.

¹⁷³ See the Drafted Report of the NEC on Administration and Organizing of Commune and Sangkat Council Elections, 2017, at p. 63. The top six NGOs and Associations that deployed election observers were: the Union of Youth Federations of Cambodia (UYFC) deployed 31, 431 observers; the Cambodian Women for Peace and Development (CWPDP) deployed 20,792 observers; the Committee for Free and Fair Elections in Cambodia (COMFREL) deployed 14580 observers; the Cambodian Democratic Student Intellectual Federation (CDSIF) deployed 2,642 observers; Transparency International Cambodia (TI-Cambodia) deployed 1,239 observers; and, the Neutral & Impartial Committee for Free & Fair Elections in Cambodia (NICFEC) deployed 1, 052 observers. The following foreign institutions deployed 20 or more election observers: the Embassy of the United States of America in Phnom Penh deployed 98 observers; the Asian Network for Free Elections (ANFREL) deployed 60 observers; the Australian Embassy in Phnom Penh deployed 26 observers; the European Union deployed 22 observers; the Centrist Democrats International (CDI) deployed 22 observers; the International Conference of Asian Political Parties (ICAPP); and, the National Democratic Institute (NDI) deployed 20 observers.

¹⁷⁴ UYFC Statement on the Result of 2017-Commune Elections, dated on June 27th 2017.

¹⁷⁵ The CDI statement on the result of the election “We welcome the use of multiparty, free, fair and regular elections as a democratic means to compete for public offices has become Cambodia’s destiny.” Suos Yara, Letter to Editor – Cambodia’s elections: Another milestone in democracy, June 8, 2017, Khmer Times; <http://www.khmertimeskh.com/news/39127/letter-to-editor---cambodia---s-elections--another-milestone-in-democracy/>

competing parties, exhibited by adhering to the rules of the game. However, their appraisal also took into account the broader context lacking in liberal pluralism, democratic governance, and rule of law, which compelled the conclusion that the election failed to attain some of the core elements of a free and fair election.¹⁷⁶ COMFREL and Situation Room partners stressed the problem of the legal framework, the political environment prior to the commencement of the election, unequal access to media, and infringements of the freedom of political expression during the campaign.

Some reputed transnational civil society organizations such as ANFREL and Human Rights Watch also expressed mixed reviews of the elections process. ANFREL said the elections were held under a restrictive legal regime. The Law on Associations and Non-Government Organizations (LANGO) and the amended Law on Political Parties effectively limited the liberties of civil society and opposition political parties. Such legislation has further aggravated the human rights conditions in the country, characterized by arrests of human rights activists, legal charges brought against opposition party members, and threats of violence and civil war from government leaders, all of which adversely affected the climate of the campaign. But ANFREL also witnessed a smooth and efficient electoral system attributable to the NEC's polling rules and their effective implementation.¹⁷⁷

All political parties accepted the commune elections result. However, the opposition party, CNRP expressed dissatisfaction with the political environment and with the process of electoral dispute resolution. It reported restrictions on freedoms to participation and expression, and held that ambiguity in the provisions related to dispute resolution resulted in a process bias in favor of the ruling party. However, overall the opposition party accepted the election results.

Japan and EU embassies did not issue formal statements regarding the poll, but did express commitment to assist and contribute to the NEC for the upcoming 2018 national elections in support of free and fair elections in Cambodia. The US embassy had 40 election observer teams deployed throughout Cambodia on the Election Day, in coordination with the NEC. These teams visited more than 300 locations in Phnom Penh and 13 provinces. The statement released by the U.S. embassy on June 5th 2017 said “in general, the polling stations observed by these teams were orderly and peaceful.”

13.1.1 Legislative Regression

Serious setbacks to the legislative framework needed for democracy in the post-election 2017 period occurred with further amendments electoral laws. Changes to the Law on Political Parties and election laws, are a direct assault on liberal democratic pluralism. The Law on Political Parties constricts all political parties by forcing them to control the speech of any individual, regardless of their position as a party official. It establishes a slippery slope toward a one-party system and authoritarian rule by providing for the dissolution of any party. Through its influence over the judiciary, the executive branch effectively can regulate political competition with discretion. The second 2017 amendment to the Law on Political Parties, built on the momentum to constrain

¹⁷⁶ See Situation Room & COMFREL Final Assessment Statement on 2017-Commune/Sangkat elections.

¹⁷⁷ The 2017 International Election Observation Mission (IEOM) of the Asian Network for Free Elections (ANFREL) to the Kingdom of Cambodia's Commune and Sangkat Council Elections Final-Report, ANFREL; <http://anfrel.org/wp-content/uploads/2017/07/The-2017-Cambodia-IEOM-Final-Report.pdf>

democratic competition (without evolving the capacity to compete in terms of credibility and on the basis of policy achievements) which was initiated with ‘culprit clause’ involved in the first 2017 amendment to the Law on Political Parties. To key electoral stakeholders, the law clearly signaled an attempt to disassociate former major opposition party leader Sam Rainsy from not only any association with the CNRP, but also from any voice in politics.¹⁷⁸ The political process of legislative change was initiated in a public speech by PM Hun Sen at the 66th anniversary celebration of the ruling CPP on June 28, in which he also accused the CNRP of trying to brand the late monarch as a traitor.¹⁷⁹ While the entire opposition contingent to the National Assembly boycotted the session, the amendment passed with 65 CPP votes (PM Hun Sen did not attend) on July 10, 2017.¹⁸⁰

It enacted a prohibition on any association between a political party and an individual that has been convicted of a criminal offense, including using voice, image or written documentation. Article 44(2) also stipulates that it is illegal for a political party to organize plans or carry out “actions against the interest of the Kingdom of Cambodia”, which has been found by electoral stakeholder and CSOs to be overly vague, lending itself to abusive implementation. The punishments stipulated include banning political activities for up to five years disallowing participation in elections, or even the dissolution of a political party. The change was categorized by opposition parties as an illegitimate legal mechanism used to constrain challenges to the ruling party from increased popular support of alternatives.

COMFREL and CSO partners expressed serious concerns about the manner in which the legislation was enacted, as no consultation with key stakeholders took place. The law has been found to be contrary to the principle of multiparty democracy affirmed in Art. 31 of the Cambodian Constitution. It counteracts the progress toward the achievement of full participation and inclusive institutions articulated in Art. 35. It stands in clear antagonism to the free expression of all citizens, which must extend to the ability to freely and openly support the candidate of their choosing, as affirmed in Art. 41. Finally, it also evidently violates Art. 42 and the right of citizens to form and/or support a political party. The Law also represents a failure of the RGC in the fulfillment of its duties under international law. The amended Law on Political Parties would be permissible on the terms of the ICCPR only if it could demonstrate that suspension of Art. 19 was necessary. However, it has been found that the situation did not convincingly meet the requirements for the suspension of Art. 19 of the ICCPR, as no clear threat to national security/public order or to the rights of others were demonstrated.

Advocating strongly against the proposed legislation, CSOs noted that the changes to the law were “an affront to the principle of inclusive, transparent and participatory democracy”. COMFREL and partner CSOs have communicated their view to all relevant government bodies, the people’s representatives in parliament, and to the international community, that the new political party law was a “fundamental threat” to authentic democracy and the multiparty system needed for real

¹⁷⁸ Meas, Sokchea and Erin Handley “Breaking: Assembly passes Party Law changes targeting Rainsy” Phnom Penh Post, 10 July 2017.

¹⁷⁹ Alex Willems and Dara Mech “As CPP marks 66th anniversary, Hun Sen takes opportunity to accuse CNRP” Phnom Penh Post, 29 June 2017. Note that this occurred just days after the call for reform speech given by the PM which is mentioned below.

¹⁸⁰ Thai, Tha “Cambodia amendment effectively cuts ties Sam Rainsy ties to the CNRP” RFA, 10 July 2017.

citizen choice and genuine representation. The criteria and wording entailed in the law were found to be vague and subjective, and CSOs noted: “In essence, the proposed amendment would provide the ruling party with the power and pretext to suspend democracy itself.”¹⁸¹

13.1.2 Organized and Broad-scale Repression of Civil Society, NGOs and Independent Media

An alarming threat to democracy in the post-election period occurred with the investigation and criminalization of independent electoral monitoring. In early June, within a week of the commune election, the MoI spokesman admitted to the media and public that his threatening accusation of illegal links between civil society and the opposition CNRP, made just before the elections, was misleading. He noted the Ministry’s intent to instill fear among CSOs: “I just said the Interior Ministry started an investigation because we wanted to threaten those organizations to be scared. Otherwise they will do anything they want that breaks the law.”¹⁸² However, it was following the release of final election results and the refusal of a coalition of CSOs (COMFREL and partner organizations) to label the elections as fully free and fair, that civil society was accused of being and enemy of the state. In a public speech, PM Hun Sen categorized the peaceful, non-violent and legal group of CSOs that had collaborated to conduct independent electoral observation as exceeding its rights and serving as a base for color revolution. He said: “Some of the problems we have to handle soon are: What is this Situation Room that has in recent days been dirtying the election results? Has the Situation Room registered with the Interior Ministry?...Do they have the rights to create this or that place, or take it as the base for orders with the principles of a color revolution? If so, the Interior Ministry must take immediate action against what they are doing under the pretext of election observing.”¹⁸³ The MoI informed media that it would investigate and conduct a study into the group.¹⁸⁴

Just prior to the PM’s denunciation of the group as being illegal, the COMFREL and CSO partners forming the ‘Situation Room for the 2017 Commune Council Elections’ released their final assessment of the 2017 commune elections, designating them as less than free and fair because of the lack of independent judiciary, political suppression and intimidation of civil society groups.¹⁸⁵ COMFREL and partner CSOs noted problems with key laws such as the Law on Political Parties, the imprisonment of opposition party figures, and threats by government officials. Also, campaign financing was found to lack transparency and adequate regulation, while access to media was significantly unbalanced.¹⁸⁶ It issued eight recommendations for the 2018 elections, three of which were: eliminate controversial provisions to electoral laws and the amended Political Party Law; free

¹⁸¹ Savi, Khorn “Cambodia signs controversial amendment into law” RFA, 28 July 2017.

¹⁸² Aun, Pheap and Ben Paviour “Government spokesman admits to NGO scare” Cambodia Daily, 8 June 2017.

¹⁸³ Alex Willems and Dara Mech “As CPP marks 66th anniversary, Hun Sen takes opportunity to accuse CNRP” Phnom Penh Post, 29 June 2017.

¹⁸⁴ Tin, Zakariya, Vuthy Tha and Sopheak Chin “Cambodia’s Hun Sen pushes for tighter restrictions on political opposition” RFA, 28 June 2017.

¹⁸⁵ Reuters “Cambodia’s PM Hun Sen orders probe into rights group” The Indian Express, 28 June 2017.

¹⁸⁶ Van, Roeun “Hun Sen bites back at critics of commune election process” Cambodia Daily, 27 June 2017.

political prisoners and rights workers; and, maintain neutrality of armed forces and court officials.¹⁸⁷

COMFREL and former Situation Room partner CSOs are reputed NGOs with a long history of contribution to civil society and the public sphere, as well as successful cooperation with different government bodies including with the NEC, aimed at fortifying of the electoral system in the 2013-2017 period. According to the accusations, the only proof that NGOs were seeking a revolution was the “gloomy” environment that they had created around the election result.¹⁸⁸ Because of its criticism of the pre-election climate, the PM labeled the CSOs instruments of a foreign orchestrated plot with an agenda to topple the government, and accused them of defining freedom as the ability to murder the PM himself. He then threatened to arrest foreigners suspected of espionage.¹⁸⁹ He stated, “A political party and an NGO did not consider it free...I say that it will be considered free for them when they enter the prime minister’s home or assassinate the premier on the spot—then it would be free.” He also claimed that the political situation could easily descend into civil war, and publicly explained that this was possible even though the opposition had no weapons and no soldiers, because their words could cause war.¹⁹⁰ Referring to EU Ambassador George Edgar, he stated: “Your Excellency Edgar, you and your people are the ones who fund the Situation Room. The Situation Room is no different from a military control center. Why was it established in Cambodia in the first place? My Minister of Interior shall never allow it to exist anymore.”¹⁹¹ COMFREL’s Coordinator for Election Observers engaged with media to ensure key stakeholders of the legal and peaceful intentions of the informal CSO grouping.

By the first week of July the MoI had completed an investigation into the Situation Room. Its decision made it clear to all civil society and citizens that the LANGO would be used to control and even remove NGOs that were found to express views contrary to the government’s position. The political climate prior to the election was criticized by UN bodies, key donor countries and established democratic states, and reputed international non-governmental organizations. Despite the absence of a connection between the CSOs and any political party, the MoI found that CSO criticism demonstrated bias and a violation of Art.24 which requires neutrality in relation to political parties. The Interior Minister stated that the group assessment “had no legal value and does not reflect on neutrality”. The MoI spokesman indicated that the findings were similar to those of the opposition CNRP, implying collusion.¹⁹² Although the Situation Room CSOs had indicated multiple improvements in the election, it also maintained that restrictions on political freedom remained. The MoI argued that the Situation Room had violated the law by failing to

¹⁸⁷ See: https://www.comfrel.org/eng/index.php?view=article&catid=188%3Aother&id=821%3Astatement-overall-and-ultimate-assessment-on-commune-council-election-for-the-4th-mandate-restrictions-on-political-freedom-and-limits-to-fairness-but-improved-election-management-&format=pdf&option=com_content

¹⁸⁸ Hul, Reaksmey “Hun Sen uses CPP anniversary to attack election monitors” VOA, 3 July 2017.

¹⁸⁹ Touch, Sokha and Ananth Baliga “Hun Sen slams watchdog for saying commune elections ‘not completely free, fair’” Phnom Penh Post, 27 June 2017.

¹⁹⁰ Without showing any connection, he linked CSOs the false news facebook post of an individual that claimed he had died in a plane crash. PM Hun Sen stated, “They come out and wish me dead. Is this still freedom of expression?”

¹⁹¹ Yang, Chandara “Hun Sen threatens to shut down Cambodia Daily amid tax allegations” RFA, 22 August 2017.

¹⁹² Ben, Sokhean and Ben Paviour “NGOs warned to comply with law or face action” Cambodia Daily, 6 July 2017.

register as a single entity.¹⁹³ Along with the situation MoI also issued a directive to implement LANGO warning to all CSOs shall submit the required information according to Art. 10 (bank accounts and finances, by-law changes, leadership, location, and information on any donation within 30 days of receiving it.

COMFREL and NICFEC, as well as other partners increased outreach to media and key stakeholders to disseminate information on the non-violent, legal, and non-partisan activities of the group. The cooperating CSOs stressed that they are not affiliated with any political party, but rather committed to the international standards of best practices for democratic elections.¹⁹⁴ In a public statement collaborating CSOs noted that the situation room was not a formal organization but rather a collaborative effort of approximately 40 CSOs which, through voluntary cooperation and dialogue, sought to achieve three main aims: strengthening capacity and mobilizing financial and material support for deployment of domestic election observers; information sharing related to the election situation; and, making an assessment and verification of the election result following the standards set out in the national laws and policies, as well as in applicable international norms.¹⁹⁵

Multiple independent analysts and civil society organizations voiced concerns of the application of LANGO law to restrict civic participation and erode public space.¹⁹⁶ Cooperating CSOs also engaged in outreach with media to explain the aim and internationally accepted standards for electoral observation utilized in their work, as well as the international law and human rights basis for monitoring and CSO cooperation. These include the right of citizens and citizens groups to observe and evaluate the election process.

By the third week of July COMFREL and NICFEC (Neutral and Impartial Committee for Free and Fair Elections in Cambodia) submitted a letter signed by 24 Situation Room CSOs requesting a meeting with the Ministry of Interior to discuss the MoI ban on Situation Room election monitoring and other activities for the 2018 election. Through Pro Government media Fresh News, the MoI spokesman indicated that the Interior Minister had agreed to meet with the representatives of the group.¹⁹⁷ However, by the beginning of August MoI officials informed media that they were too busy to meet with Situation Room CSO representatives.¹⁹⁸ COMFREL and partner CSOs have consistently indicated to key stakeholders that they will abide by the decision of the MoI.¹⁹⁹

The case demonstrates an abuse of the LANGO law, wherein legitimate evaluation or commentary concerning the political situation and expression of voices by independent organizations in civil society (citizens groups) is restricted when it is critical of political policies. Transnational human rights organizations also rejected clear efforts to exclude and undermine civil society, when a healthy and robust public sphere is necessary for a prosperous society based on rule of law and

¹⁹³ Khy, Sovuthy “Ministry declines to meet with poll watchdogs” Khmer Times, 22 August 2017.

¹⁹⁴ Handley, Erin “Election monitors get warning over law on neutrality” Phnom Penh Post, 5 July 2017.

¹⁹⁵ See:

https://www.comfrel.org/eng/index.php?view=article&catid=188%3Aother&id=822%3Aannouncement-situation-room-for-the-2017-election-purposes-and-activities&format=pdf&option=com_content

¹⁹⁶ Baliga Ananth, and Chheng Niem “NGOs parse LANGO warning” Phnom Penh Post, 7 July 2017.

¹⁹⁷ Ben, Sokhean “Situation Room seeks meeting with minister” Cambodia Daily, 21 July 2017.

¹⁹⁸ Khy, Sovuthy “Ministry declines to meet with poll watchdogs” Khmer Times, 22 August 2017.

¹⁹⁹ Khuon, Narim “Election watchdog group banned” Khmer Times, 25 July 2017.

accountable governance.²⁰⁰ They concluded the stop order issued by the MoI: “suggests that LANGO will become a more prominent tool in the government’s campaign against critics, civil society groups, and other perceived threats to its rule, particularly as next year’s elections draw near.”²⁰¹ In its assessment of the 2017 Cambodian commune council elections, the Asian Network for Free and Fair Elections noted that MoI investigation and sanctions of the Situation Room CSO coalition obstruct legitimate civil society activities necessary for independent oversight of the election process.²⁰² At the same time, civil society organizations consistently stressed cooperation and engagement with policymakers. NGOs indicated to media and other stakeholders that they were taking logistical steps and preparing all documentation and reports to submit to the MoI in accordance with the law and regulations.²⁰³

The process of constricting public space and criminalizing civil society intensified further with ejection of the National Democratic Institute (NDI). The NDI office in Cambodia shut down after 25 years in operation following allegations that it had provided a strategy to the main opposition to the ruling party.²⁰⁴ On August 23, 2017 the Ministry of Foreign Affairs and International Cooperation ordered NDI to close and all staff to leave Cambodia within 7 days. The statement by the Ministry claimed that NDI had been ordered to leave because of failing to register with the government. Registration for NGOs is required under the LANGO law of 2015, and NDI submitted its application on June 21, 2016. The RGC stated that: “Pending the ministry’s decision on its application, the NDI has continued carrying out its activities with total contempt.”²⁰⁵ NDI was accused of violating Art. 34 of the LANGO law which stipulates an NGO may be closed if it does not register or obtain a memorandum of understanding. It also claimed that NDI had violated the tax law by failing to register employees within 15 days of initiating operations.²⁰⁶

Observation and monitoring found NDI to operate with accountability, and in a transparent and impartial manner. This was demonstrated clearly in the statement from the Head of NDI in Cambodia: “During the months of January, February, March, and April 2017, NDI provided training for CPP, CNRP and three smaller parties on a wide variety of political party strengthening topics. NDI offered each party the opportunity to indicate what issues they wanted to receive training on. We can refer you to the specific parties for more detail on the trainings. NDI is strictly non-partisan and partners with all major political parties. NDI’s work is focused on strengthening democratic processes, benefiting candidates and voters alike.”²⁰⁷

In addition to training provided to different opposition parties in 2017, the NDI also worked with the CPP to support its capacity-building in relation to external communications, campaign management, electoral monitoring, and voter outreach.²⁰⁸ The US Embassy statement pointed out that NDI had a legitimate memorandum of understanding with the National Election Committee

²⁰⁰ See the comments by Amnesty International and Human Rights Watch. Ben, Sokhean and Ben Paviour “NGOs warned to comply with law or face action” Cambodia Daily, 6 July 2017.

²⁰¹ “Cambodia: Revoke ban on election monitors” Human Rights Watch, 9 July 2017.

²⁰² Khy, Sovuthy “Ministry declines to meet with poll watchdogs” Khmer Times, 22 August 2017.

²⁰³ Khuon, Narim “NGOs to meet deadline” Khmer Times, 22 August 2017.

²⁰⁴ Khuon, Narim “Government to close NDI, expel foreign staff” Khmer Times, 23 August 2017

²⁰⁵ Khuon, Narim “US poll body told: Get out” Khmer Times, 24 August 2017.

²⁰⁶ “Cambodia orders U.S.-backed National Democratic Institute to leave country” Xinhua, 23 August 2017.

²⁰⁷ “NDI replies but fails to answer questions”, Khmer Times, 22 August 2017.

²⁰⁸ Khuon, Narim “US poll body told: Get out” Khmer Times, 24 August 2017.

and had a history of successful collaboration with the NEC and the MoI, and that the aims of NDI were limited to ensuring government accountability and a fully inclusive election process.²⁰⁹ NDI manages US AID's 8.5 million USD four-year program 'Cambodia Democratic Reforms' aimed at supporting improvements in political competition and government accountability. On its website NDI stated: "The governing Cambodian People's Party continues to dominate after 30 years under the same leader. Citizens are limited in their engagement with elected officials, and mistrust between civil society and government impedes a fully inclusive and participatory democracy."²¹⁰ In response to CNRP concerns about the impact on the fairness of elections, the ruling party spokesman was dismissive and did little to buttress public confidence in the electoral process. He stated, "We can't make a prediction about the election in future, whether it is free and fair or not."²¹¹

On September 4, 2017 The Cambodia Daily newspaper closed after 24 years of operating as an independent voice in support of a healthy free press and its essential oversight role in a democratic society. It was announced in the first week of August that the Cambodia Daily was accused of tax evasion. On the same day as a cabinet meeting where the issue of payroll taxes for civil society was discussed (April 4), a letter from the Tax Department (Ministry of Economy and Finance General Department on Taxation) to the Cambodia Daily newspaper was leaked by government-aligned Fresh News, which stated the business owed 6 million dollars in back taxes. The letter was first leaked via the hacked facebook account of a CNRP lawmaker²¹², and then distributed via government-aligned Fresh News. According to notes from the meeting obtained by independent media, tax-related investigations into NGOs more broadly mandated. Grouping non-for-profit NGOs and private businesses, the Council of Ministers spokesman alleged: "A number of NGOs, they don't pay taxes. Everyone making money in the country has to pay taxes."²¹³

The PM accused the paper of being a 'thief' and rejected critics who claimed the case was politically motivated. Independent analysts pointed out that all private businesses should pay taxes according to law, but focusing solely of civil society voices critical of the government made the policy look bias and unjust. The owner and publisher of the newspaper noted the irregular treatment in the case: "If the general tax department believes the Cambodia Daily owes taxes, they need to tell us why or ask us to provide information. So far none of that happened. It appears they pulled \$6.1 million out of a hat without any justification and gave us 30 days to respond. Normally when a

²⁰⁹ Khuon, Narim "US poll body told: Get out" Khmer Times, 24 August 2017.

²¹⁰ Beech, Hannah "Cambodia orders expulsion of foreign staff members with American nonprofit" New York Times, 23 August 2017

²¹¹ Khuon, Narim "US poll body told: Get out" Khmer Times, 24 August 2017.

²¹² Lost control of the account when it was hacked in April, at time when several opposition lawmakers were hacked.

²¹³ Hang, Sokunthea and Ben Paviour "Government digs into tax returns of NGOs, Cambodia Daily" Cambodia Daily, 7 August 2017. "All Cambodian and foreign employees who make more than 1 million riel a month, or about \$250, are liable to pay salary tax, according to the tax department's website. But some salaries are exempt from the tax, according to a 2015 booklet prepared by international professional services firm PricewaterhouseCoopers, including the salaries of lawmakers and senators as well as 'certain employees of approved diplomatic, international and aid organizations.'"

company or individual disagrees, the process of an audit begins where a review and re-examination of the financials are conducted.”²¹⁴

The owner of the newspaper commented to national media: “If [the PM] wishes the people in Cambodia to have confidence in its tax system, he needs to show that his officials at the tax department follow their own laws and act fairly. Hun Sen can stop the shutdown of the *Cambodia Daily* and allow us a fair legal process. If at the end of the process, it is determined that we owe taxes, then we will pay [them]. However, he must first allow us the right to that process.”²¹⁵ It is important to note that proper review and evaluation of taxes submitted each year by the Tax Department would have made it aware of any unpaid taxes after the first year. The Daily ownership also made the argument that the calculation of back taxes should consider its charity work and donations. Since its founding, the Cambodia Daily has contributed 39 million USD in charity funds. The Daily also served as voice for Cambodia all around the world as it was one the main conduits for people to access information and keep up with events inside Cambodia.²¹⁶ International media noted that the Cambodia Daily has been criticized several times by the Cambodian government since its founding in 1993 because of its coverage of human rights violations, environmental degradation, and corruption.²¹⁷ Notably, indications that certain media would be silenced after being labeled as fake news came as early as February.²¹⁸

The final issue of the Cambodia Daily labeled the CPP government a clear dictatorship, citing the correlation between the dismantling of democracy and concentration of power in the executive. The Daily had been ordered to pay the tax or shut down, but then the tax department claimed that even after closure it would be held liable. In an alarming gesture of government power, the head of the Tax Department issued a ‘request’ from immigration to ensure that they did not leave the country.²¹⁹ “The General Department of Taxation would like to request high cooperation from the General Department of Immigration by taking a measure to ban any travel attempt out of Cambodia by Ms. Deborah [sic] Krisher Steele and Mr. Douglas Eric Steele in order to place burden on them and foster the two individuals to come to settle tax debts...”²²⁰

²¹⁴ Khuon, Narim “PM labels critical newspaper a thief” Khmer Times, 23 August 2017.

²¹⁵ Yang, Chandara “Hun Sen threatens to shut down Cambodia Daily amid tax allegations” RFA, 22 August 2017.

²¹⁶ Sel, San “Cambodia Daily shuts down amid government threat of closure for tax debt” RFA, 5 September 2017.

²¹⁷ “Cambodia PM orders English-language newspaper to pay taxes or close” Reuters, 22 August 2017; Steger, Isabella “Cambodia’s leader has told a newspaper to pay a \$6.3 million tax bill or shut down” Quartz, 24 August 2017; Wright, George “Cambodia’s crumbling democracy” The Diplomat, 16 September 2017; “‘Cambodia Daily’ newspaper may be shut over taxes” Bangkok Post, 21 August 2017. For example: “In February the Cambodia Daily [reported on an academic paper](#) that alleged Hun Sen’s rule was a “personalist dictatorship”. A week ago it published an [investigation](#) revealing that top staff members at Cambodia’s largest human rights organisations were suffering “intensifying levels of harassment, surveillance, intimidation and threats” before the general election.” Holmes, Oliver “Cambodia threatens purge of critical media and US charity” The Guardian, 23 August 2017.

²¹⁸ Gallo, William “Cambodia threatens media outlets, using Trump as justification” VOA, 27 February 2017.

²¹⁹ Khuon, Narim “Daily publishers banned from leaving the country” Khmer Times, 5 September 2017.

²²⁰ Sel, San “Cambodia Daily shuts down amid government threat of closure for tax debt” RFA, 5 September 2017.

Proper procedure, in the interest of transparency, rule of law and public trust, would entail the conduct of a full audit giving the news organization an explanation of how the back taxes were calculated and time to produce documentation. The Daily's own calculations vastly differed from those of the Tax Department, leading the organization's management to conclude that the government's calculation was seriously incorrect and violated the established tax regulations. The letter from the Cambodia Daily owner to the Tax Department reiterated, to both policy-makers and the public, the rights and responsibilities to the transparency of a public review and accountability of the evidence provided by a full audit.²²¹ The view presented by the President of the Cambodian Club of Journalists²²², among others, that the issue was not politically motivated but rather an example of rule of law, was undermined by the failure to conduct the review requested by the accused business and ensure further negotiations in good faith. Civil society strongly support compliance with the tax law for all organizations, and emphasizes that the basis for achieving that is a fair and balanced application of the tax law consistent with the principle of rule of law and constitutionally mandated equality under the law.

In a letter dated August 11, the Tax Department asks the Ministry of Information to sanction the RFA and VOA media organizations for back taxes owed and for not being licensed. It claimed that the organizations had failed to pay taxes for both their institution and individual employees. The initial response of the Minister of Information was that taxes were to be paid by the radio station which rents airtime, rather than the programming producer. Nevertheless, the Ministry spokesman informed media that the two organizations would have to pay taxes.²²³ The Tax Department informed the Ministry of Information that information regarding rented airtime from the Ministry had been reviewed and RFA and VOA were in violation of the tax law. The letter noted that neither media organization had its own transmitters and that both operate by renting broadcast airtime, but compelled the Ministry of Information to take action if the organizations do not cooperate.²²⁴

By the end of August, a total of 19 radio stations had been shut down.²²⁵ On the one hand, the MoI contended that the infraction warranting closure was a failure to ask permission from the Ministry. The MoI cited among their violations, broadcasting outside programs without their authorization.²²⁶ On the other hand the Minister clearly indicated that the policy responded to PM Hun Sen's directive that the 2013 election not be allowed to repeat, by ensuring media reports do not foment dissent.²²⁷ The spokesman for the Council of Ministers also branded the Director of Voice of Democracy radio as a "foreign agent", whose offenses were listed as accepting donations from foreigners and joining the CSO coalition for electoral monitoring, "The Situation

²²¹ Baliga, Ananth "Daily calls for 'true audit' as Tax Department refutes challenges" Phnom Penh Post, 24 August 2017.

²²² Yeang, Sothearin "Shuttered Cambodian radio stations appeal to Hun Sen for reinstatement" RFA, 28 August 2017.

²²³ Chheng, Niem and Ananth Baliga "After Cambodia Daily's \$6 million bill, tax authorities target RFA, VOA" Phnom Penh Post, 14 August 2017.

²²⁴ Khuon, Narim "Foreign radio under tax scrutiny" Khmer Times, 14 August 2017.

²²⁵ Leng, Len and Ben Paviour "Anger mounts as radio purge knocks 19 stations off-air" Cambodia Daily, 28 August 2017.

²²⁶ Yeang, Sothearin "Shuttered Cambodian radio stations appeal to Hun Sen for reinstatement" RFA, 28 August 2017.

²²⁷ Mech, Dara and Ananth Baliga "Government closes 15 radio stations" Phnom Penh Post, 25 August 2017.

Room’ (see above).²²⁸ The Ministry of Information had stated to media that offenses of the RFA and VOA media included being “insolent” and having “an attitude to violate the law”.²²⁹ The purge on critical media earned international attention, which noted the link between media closure and critical discussion of issues such as corruption, land grabs, and election related irregularities.²³⁰

The same day that the Cambodia Daily issued its final edition, two more Phnom Penh radio stations were ordered to cease broadcasts of RFA and VOA on the basis that they were operating illegal and prohibited from being aired.²³¹ As of mid-September, Radio Free Asia (RFA) announced the closure of its reporting bureau in Phnom Penh. In a public statement, RFA announced “The government has instead seized on every opportunity to go after critics, political opponents, NGOs, and independent media committed to reporting the truth. Using a thin pretext of tax and administrative violations.”²³² One media source reported that, of the radio stations recently closed by the RGC, 13 stations in 10 provinces broadcast RFA programming.²³³ In total, in the month preceding its shutdown, it was accused of failure to pay taxes, operating without a license, and 30 radio frequencies that carried its programs had been closed.²³⁴ The spokesman for the Ministry of Information had accused of RFA of incitement and ‘acting like spies’.²³⁵ In the weeks preceding the shutdown of RFA and radio stations, many facebook posts making accusations were given coverage by Fresh News linking RFA to color revolutionary efforts, in what seemed to be an attempt to present them as credible evidence-based insights, but did little more than make vague assertions.²³⁶ Despite all that, the spokesman for the Ministry of Information expressly denied that the Ministry had anything to do with RFA closing.²³⁷

Referring to recent crackdown on free press and the space for citizen expression, the CPP spokesman stated “There is no choice but to take legal action in order to protect democracy and strengthen the rule of law in Cambodia.”²³⁸ However, it clearly undermines the ability of all parties other than the ruling party to disseminate information and get feedback from voters. The opposition CNRP estimated their listener base reduced by 10 million people.²³⁹ Despite claims that the actions were not political, it was evident that independent and critical civil society voices were being repressed. Citizens have seen restrictions on both right to expression and right to access to information which undermines public trust and weakens the social capital required for a

²²⁸ Len, Leng and Ben Paviour “Anger mounts as radio purge knocks 19 stations off-air” Cambodia Daily, 28 August 2017.

²²⁹ Niem, Chheng “More stations told to stop VOA, RFA shows” Phnom Penh Post, 4 September, 2017.

²³⁰ Holmes, Oliver “Cambodia threatens purge of critical media and US charity” The Guardian, 23 August 2017.

²³¹ Niem, Chheng “More stations told to stop VOA, RFA shows” Phnom Penh Post, 4 September 2017.

²³² Kann, Vicheika “Radio Free Asia closes reporting hub, Cambodian miss critical coverage” VOA, 18 September 2017.

²³³ Mom, Sophon “Radio Free Asia shuts Phnom Penh office after 20 years” Khmer Times, 13 September 2017.

²³⁴ Baliga, Ananth, Dara Mech and Chheng Niem “RFA shuts down Cambodia operations amid media crackdown” Phnom Penh Post, 12 September 2017.

²³⁵ Mom, Sophon “Radio Free Asia shuts Phnom Penh office after 20 years” Khmer Times, 13 September 2017.

²³⁶ Paviour, Ben and Roeun Van “CNRP to be investigated for ‘Color Revolution’” Cambodia Daily, 30 August 2017.

²³⁷ Baliga, Ananth, Dara Mech, and Chheng Niem “RFA shuts down Cambodia operations amid media crackdown” Phnom Penh Post, 12 September 2017.

²³⁸ May, Titthara “Media crackdown under fire” Khmer Times, 30 August 2017.

²³⁹ Len, Leng and Ben Paviour “Anger mounts as radio purge knocks 19 stations off-air” Cambodia Daily, 28 August 2017.

peaceful and prosperous society. Interviews by media with radio station owners showed a clear consensus that they viewed the moves to be political, irrespective of government statements to the contrary.²⁴⁰ The president of the Overseas Press Club of Cambodia asserted, said the move against RFA was “part of a wide-ranging tactic to clear out dissenting voices ahead of next year’s election.”²⁴¹ The drastic reduction in independent and critical media has increased public skepticism and mistrust, and rather than further stability and positive peace, it has increased resentment and weakened the legitimacy of key policymakers in the eyes of a significant portion of the public, and the international community, who see the moves as excessively forceful. As one citizen asserted “They are abusing our right to access information. If the only news outlets left are pro-government, there is no balance.”²⁴² Almost all of the commentary on the US embassy facebook page has been critical of the closure of NDI. Moreover, communities and citizens have expressed their discontent with the restrictions on critical media addressing real challenges for development and social welfare issues.²⁴³ The restrictions placed on independent media and civil society organizations have been categorized by international analysts as part of anti-Western strategy to control the election situation for 2018.²⁴⁴

The UN Office of the High Commissioner of Human Rights has noted the problems for the 2018 election in terms of attaining “full political and civil rights, and media freedoms”. In addition, political analysts have noted that proper role of the media is to present the truth to the public and when the government forces some media to close, it is limiting information that contradicts the government narrative in order to control public opinion. It was pointed out that only media critical of the government was penalized with sanctions. This creates the appearance of unprofessionalism and bias on the part of government bodies.²⁴⁵ Representatives from Human Rights watch described policies to control media and wipe out opposition dictatorial. The Southeast Asia Press Alliance (SEAPA) labeled the situation a systematic attack on independent media and free press. The Overseas Press Club of Cambodia (OPCC) described events as a crackdown on all opposing voices because the ruling party is threatened by the 2018 elections.²⁴⁶ While some analysts have argued that the government is implementing a purge of all organizations on a blacklist, eliminating some now and some later, one expert on political systems in Southeast Asia described it as a transition from competitive authoritarianism to a more despotic hegemonic authoritarianism. In outreach to media, the COMFREL law and monitoring officer asserted: “The space of freedom of expression is in a critical situation. This is the work and life of rights advocates.”²⁴⁷

²⁴⁰ Yeang, Sothearin “Shattered Cambodia radio stations appeal to government for reinstatement” RFA, 28 August 2017.

²⁴¹ Kann, Vicheika “Radio Free Asia closes reporting hub, Cambodian miss critical coverage” VOA, 18 September 2017.

²⁴² Yon, Sineat and Shaun Turton “Public skeptical of media attacks” Phnom Penh Post, 30 August 2017.

²⁴³ Oung, Sereyvuth and Sokheng Saut “Cambodia denies radio closure tied to US broadcasters” RFA, 24 August 2017; Len, Leng and Ben Paviour “Anger mounts as radio purge knocks 19 stations off-air” Cambodia Daily, 28 August 2017.

²⁴⁴ “Cambodia orders US-funded group to leave in new anti-American move” Nikkei Asian Review, 24 August, 2017.

²⁴⁵ May, Titthara “Media crackdown under fire” Khmer Times, 30 August 2017.

²⁴⁶ Corben, Ron “Cambodian media crackdown seen as key step by government ahead of 2018 elections” VOA, 31 August 2017.

²⁴⁷ Paviour, Ben “Observers warn of new era of repression in Cambodia” Cambodia Daily, 24 August 2017.

In a democratic society, the concept of a social contract represented by the constitution demands that lawmaking authorities derive their mandate from the will of the people demonstrated in free and fair elections. Without political competition and real multi-party pluralism in the parliament, the body fails in the two essential functions of providing oversight of the executive and ensuring responsive lawmaking on the basis of the interests and will of the people as a whole. The assault on opposition parties and civil society (including NGOs, CSOs, independent media, and independent unions) aims to not only disagree with them, but to challenge their existence entirely by propagandizing their illegitimacy and illegality. This has weakened the fourth estate and threatens public awareness, resulting in impaired mechanisms for government accountability. Furthermore, it has created conditions where civic space and the public sphere are diminished by mistrust and obstacles to the growth of social capital. Organic mobilizing into community groups, or issue-based interest groups, as well as the development of more enduring and organized non-governmental organizations, are being fundamentally challenged on the basis of being a threat to stability. Without affording citizens the space for free expression, through creating a climate of insecurity and threats and by policing solidarity amongst groups who disagree with policies, there is no means left by which the public can mobilize advocacy campaigns on social issues. Without providing the opportunity for reasonable critical voices to be heard, responsive governance becomes impossible and there is less information available for policymakers and officials to make decisions. Stabilizing a status quo of high rankings on international corruption and autocracy scales and establishing a political context without real multiparty pluralism, mean solidifying formidable obstacles to further democratization and sustainable development in Cambodia.

13.2 Commune Chief Succession

During 14 days after the release of the NEC final election result on 25th June 2017, Ministry of Interior MoI started to conduct meetings for validation of new elected commune councilors and commune chiefs. There was large number of transfer of power from CPP commune chief to new CNRP commune chiefs.

Based on the current formula the CPP won 6,503 of the total 11,572 commune councilor seats and 1,156 of the total 1,646 commune chief seats. The CNRP obtained 5,007 councilors and 489 new commune chief seats.

COMFREL selected 23 communes for observation that were transferred from the previous commune chief to the new commune chief (both from the ruling party to the opposition party and from the opposition party to the ruling party) whether smooth or not according to the law. The observation found out 14 communes had some problems with the transfer of the office related to working office space, equipment, and difficulties working with the commune clerk.²⁴⁸ The observation study found that in some communes, the properties of the commune have been seized by the former commune chiefs that belonged to ruling party.²⁴⁹ Those communes were:

Commune Veal Vong, Khan 7 Makara, Phnom Penh: the former CPP commune chief refused to give the commune chief's room to the newly elected CNRP commune chief. She said that the

²⁴⁸ For example, in one case that happened in Sihanoukville, the newly elected commune chief and commune clerk (responsible for keeping the commune seal) were unable to cooperate.

²⁴⁹ Case happened

room was built and used by her for a long time, and asked the newly elected commune chief to set up a new room for himself, but the newly elected commune chief did not agree.

Commune Chak Angrae Laer, Kan Meanchey, Phnom Penh: the former CPP commune chief removed all office equipment or items from the working office of the commune chief.

Commune Lek 1, Preah Sihanouk, Preah Sihanouk province: the former CPP commune chief refused to transfer the working office to the new CNRP elected commune chief, saying that the office was built and set up using generous funds and his CPP contribution fund. He added that the office had been used by him for many years, and due to the large amount of documents, office equipment, and other items, he could not move out. CNRP's elected commune chief was forced to utilize a different room for an office.

Communes Lek 4 and Bet Trang of Prey Noup district, Preah Sihanouk province: the commune chief refused to exit the office upon the arrival and request of the new CNRP elected commune chief. The newly elected commune chiefs did not demand the removal of the former chief, and they set up new rooms for themselves. Other problems then happened because the former commune chief continued to refuse cooperation and was unwilling to transfer equipment, materials, documents, items, or records to the newly elected commune chief.

Communes Ba Korng and Kamraek in Siem Reap district, Siem Reap province: the former CPP commune chiefs refused to move out the commune chief's room. In sangkat Kamraek, the former CPP chief locked his room for a few days. After reactions from social media and news reported on the situation, he unlocked the door for the new CNRP elected commune chief.

Seven communes of Chum Kiri district including Chres, Chumpu Vaon, Snay Anhchit, Srae Chaeng, Srae Khnong, Srae Samraong, and Trapang Raing: the former CPP commune chiefs refused to move away from the commune chief's room and told the new CNRP elected commune chiefs to set up their rooms for themselves. They also refused to hand over the equipment, documents, documentation records and other items to the newly elected commune chiefs. This meant that they could not provide public services to citizens due to lack of resources and required documents and records.

For the other nine (9) communes, observation found there was a smooth transfer of power and taking of offices by the newly elected commune chiefs. Those communes included: sangkat Veal Vong of Kampong Cham municipality, Kampong Cham province; Chyro commune of Tbong Khmum district, Tbong Khmum province; sangkat Sangkhor of Svay Rieng municipality, Svay Rieng province; Sangkat Srar Yov of Steung Sen municipality, Kampong Thom province; Steung Kach commune of Sala Krao district, Pailin province; Rum Tum commune of Ror Veang district, Preah Vihear province; Sangkat Laban Siek of Banlung district, Ratanakiri province; Sangkat Samraongya of Pouk district, Siem Reap Province; and Sangkat Kampong Svay of Serei Sophaon municipality, Banteay Meanchey province.

The commune councilors shall have a five-year term, and the term expires once the new elected commune councils have taken office.²⁵⁰ 14 days after the declaration of the official results of the

²⁵⁰ Art. 11 of the Law on Administration Management of Commune/Sangkat, 2001.

commune elections, the commune councils shall have their first meeting. It shall be chaired by a person delegated by the Ministry of Interior to declare the validity of the new term of the commune council and announce the names of the newly elected councilors, including the newly elected commune chief and his/her first and second deputies.²⁵¹ The official result for the elections for the 4th mandate of the commune councils was declared on June 25th 2017. In accordance with the provisions of the law, the Ministry of Interior instructed to its subnational government bodies to organize and prepare for the commencement of the new term of commune councils on July 03rd 2017.

The MoI instructed former commune councils to make a report on the achievements during the course of the past five-year term and the remaining challenges for the newly elected commune councils. Exiting commune councilors were also instructed to inform new councilors about priority tasks to focus on. The MoI also instructed the commune clerks to document, organize, and maintain the records of the previous commune council administration for the new elected commune councils to ensure the sustainability of the task of administration.

Each commune council shall ensure adequate of human resources and equipment, materials or items for the operation of administration of the commune.²⁵² The commune chief shall be the person who is responsible for the exercising of the decisions and deika (bylaws) of the commune council, and the MoI failed to anticipate the irregularities. The MoI spokesperson said that there is no law which stipulates punishment of the former commune chiefs that commit such irregularities or misbehavior, and he took the position that it was not a serious issue. CSOs observing the electoral situation contend that the MoI response risks the appearance of condoning such behavior. The MoI urged the parties involved in the dispute to solve the problem by themselves. The MoI also stressed that this is not a new issue, and has been happening for all long time. This clearly indicates to the public and key stakeholders that the MoI has intentionally neglected to resolve the issue.

Civil society organizations and political parties do not view these issues to be minor. They have to be taken into consideration and responded to with solutions by the MoI as the competent authority over commune administration. The communes are state-entities, and all properties belonging to the commune administration are state properties, regardless of whether or not they were funded by private donations. Therefore, the former commune chiefs who lost the election must hand over all those properties (office, documents, items...etc.) to the new elected commune chiefs.

Even though the law or other related regulations do not provide clear provisions on arrangement of the office space of commune chiefs (or for deputies or councilors), the MoI should issue instructions or guidelines to prevent and resolve such conflicts. The MoI should not dismiss the issue and allow conflicts continue, without taking active measures toward a solution. The continued inaction on the part of the MoI gives it the appearance of partisanship and disinterest in the smooth and harmonious workings of government at the local level. Different political parties should work together peacefully, without discrimination, for the sake of interests of people

²⁵¹ Art. 19 of the Law on Administration Management of Commune/Sangkat, 2001.

²⁵² Art. 13 of the Law on Administration Management of Commune/Sangkat, 2001.

who are living in the commune. Toward that end the highest priority should be that local governance administration is representative and sustainable.

14. Popular Participation and the Right to Vote

14.1 Voter Turnout and Disenfranchised Voters

Table17: Voter turnout and Registered Voters Since 1993 to 2017

Election Years	Eligible Voters	Registered Voters		Voter Turnout	
		#	%	#	%
1993	4,654,000	4,764,430	102%	4,267,192	89.56%
1998	5,488,029	5,395,595	98%	5,057,830	93.74%
2002	6,251,832	5,190,307	83%	4,543,974	87.55%
2003	6,749,876	6,341,834	94%	5,277,494	83.22%
2007	7,291,084	7,799,371	107%	5,293,327	67.87%
2008	7,828,161	8,125,529	104%	6,100,884	75.08%
2012	8,894,219	9,203,493	104%	5,993,992	65.13%
2013	9,509,732	9,675,453	102%	6,735,244	69.61%
2017	9,664,216	7,865,033	81.38%	7,107,395	90.37%

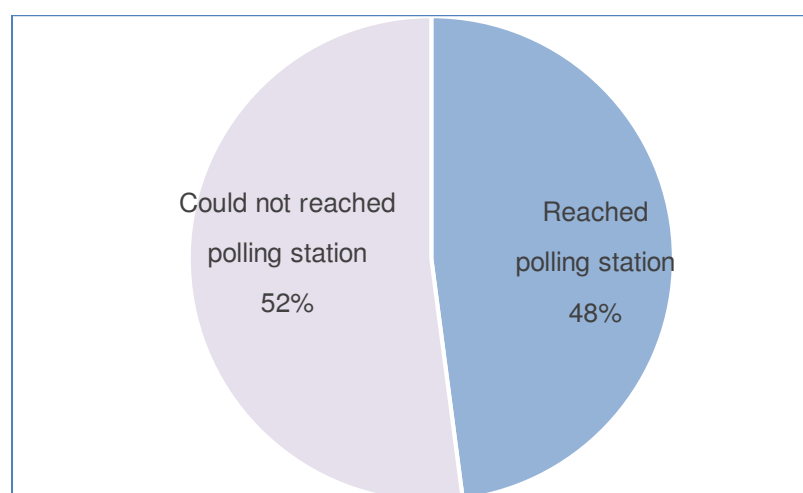
The table above shows that the voter turnout has steadily decreased since the 2002 elections. In 2012, the number of voters reached its lowest, 65.13%. In 2013, the number increased slightly to 69.61%, and in 2017, it rose to a high of 90.37%.

There are number of possible reasons for the significant increase in turnout, including: NEC reform resulting in a new computerized voter list system using voter photographs and biometric fingerprints; active participation of the opposition in the National Assembly committees in calling incumbent government ministers to account; field visits to promote political platforms; and, participation of civil society organizations and other stakeholders in the election process. In addition, the voter list provided a means to ensure past problems were reduced such as misspellings, duplicated names, and missing names.

In relation to the voter list, COMFREL observed that in registrations from 2007 to 2013, the numbers of registered voters exceeded NEC pre-registration estimates. This means that the number of registered voters was more than NEC's estimated number because number of eligible voters that changed address was not taken into account. The 2016 registration rate, in contrast, was not more than the estimated number. According COMFREL's voter list audit, 89% of eligible voters living in country were registered, and 98% of voter names on the official voter list have been verified with people living at the address stated on voter list. COMFREL thus concluded that the quality of the voter list was of an acceptable standard for the elections. Regarding, registration documents and voting documents, the NEC regulations require voters to present a valid Khmer ID to register and/or Identity Certification for Registration and Voting (ICR and ICV), if they have no Khmer ID at the time. COMFREL election monitoring, which deployed about 14,500 observers on Election Day, did not find any case where a registered voter lost their name or their name was used by others to cast a ballot.

Other factors which may have contributed to an increase in turnout were the placement of polling stations closer to voters' place of residence, and allowing eligible voters to register and vote at residential addresses. On Election Day, the weather was favorable to the election process as well. Nearly all polling stations reported no heavy rain or other 'acts of god' that could have disrupted the election. A crucial factor was the campaign on voter awareness through media outlets such as radio, TV and social media.

Figure25: Percentage of reason of Eligible Can't Vote



Some eligible voters, however, did not exercise their right to vote. A COMFREL rapid survey of 757 voters without indelible ink on their finger on the day after the Election Day confirmed these findings. The survey revealed that 48% of the eligible voters interviewed could not vote but they reached the polling station and another 52% of the eligible voters interviewed did not vote and did not reach the polling station. Of the latter, 85% stated they would have been willing to vote, while another 15% were not.

Among those who could not vote but reached the polling station, 46% had no Khmer ID or ICV, and 43% of them had no voter identity notification (VIN), meaning they could not find their polling station and name on the voter list. For the remainder they were unable to vote for other reasons, such as missing matching data and disorganised polling stations.

For those who could not vote but were willing to vote, 60% of them did not receive proper election information and did not go to register, while 16% of them were not able to access the polling station because of distance and lack of free time (mostly work commitments). The remaining eligible voters were unable to vote because of being busy their daily routine. For those who did not want to vote, 36% of them said they were not interested/motivated, and another 36% said they were busy with other tasks. Others stated they were not satisfied with any political party, and so decided not to vote.

14.2 Women's Participation in Politics

COMFREL found women still face difficulties in the electoral process and challenges toward equal political participation, in terms of having the opportunity to run as a candidate in the fourth mandate commune council election in 2017 and in achieving a successful career as a politician. During the three earlier mandates, the number of women candidates elected as commune councilors increased steadily, and women were found to be more active in political activities. However, the number of elected women candidates, in the 2017 election has decreased.

COMFREL's report *Assessment on Women's Political Participation in the 2017 Commune Council Election* found that women are still afraid of getting involved in political activities and elections. They have raised three main concerns: first, there is no a particular written policy that is an affirmative measure and/or an article in election law, to support and promote equal opportunity for women to engage in political activities and to run as a candidate in elections; second, there is still discrimination against women in terms of candidate selection for political parties; and third, key aspects of the political atmosphere during the process of election were not supportive of the participation of women, including intimidation, (death) threats, insults, legal harassment through the courts of candidates and political activists from opposition parties.

14.2.1 Women Candidates

The NEC's record on 18 April 2017 for candidate list registration of political parties for the 4th mandate commune election held that 25,788 of 94, 595 of eligible candidates were women, from 12 contesting political parties (only the ruling CPP and the opposition CNRP ran for the election in all 1,646 communes). Compared to the 2012 election, the number of women candidates increased by 1.62%.

The number of women candidates placed in the first line of the candidate list was 481 (equal to 7.89%) of a total of 6,092 candidates. This meant an increase of 1.17%, if compared to the 2012 rate of 6.72%. Prominent political parties having seats in the National Assembly were found to nominate women candidates in the 2017 election more than in the 2012 election. The ruling CPP nominated 131 women candidates (equal to 7.96 %) an increase of 38 when compared to the 2012 election (93 candidates and equal to 5.69%). The opposition CNRP nominated 103 candidates (equal to 6.25%); an increase of 15 when compared to the 2012 election in which the number of women candidates from SRP and HRP combined was 87.

Though the number of women candidates has been found to have increased, the rate for women candidates still remains much lower than the rate for men candidates. It can be concluded that there is an imbalance between men and women in exercising and promoting their political rights in Cambodia, despite the existence of affirmative commitments including joining the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), accepting the Sustainable Development Goals, and the national development plan for active women's participation and equality between men and women in terms of promotion and opportunity.

14.2.2 Women Voters

4,210,914 eligible women voters were registered on the 2016 voter list. That was 53.53% of the total of 7,865,033 registered voters. Therefore the voter turnout rate for women was higher than

men's voter turnout rate. Some women, however, failed to exercise their registration and voting rights stipulated in the constitution for different reasons, including old age, maternity, being in prison, or migration. Mobile voter registration teams were not authorized to conduct voter registration for marginalized eligible voters at their home or other accessible location.

According to COMFREL's women's observation report from five provinces (including Kampong Cham, Kampong Chhnang, Kampong Thom, Takeo and Preah Vihear) 38.46% of eligible women voters, who did not or could not vote, provided one or more of the following reasons for not voting: being busy with their household/farming job or business, losing their Khmer ID, and not getting registered.

14.2.3 Elected Women Candidates

The rate of women candidates elected as commune councilors slightly decreased by 1.02% (equal to 98 candidates). For the 2012 election, of the total elected candidates, the rate of women candidates was 17.78% (2,038 candidates), while for the 2017 election it was 16.76% (1,940 candidates). However, the rate of women candidates elected as commune chiefs increased by 1.96% (33) from 5.81% to 7.77% (from 95 to 128 women commune chiefs). The two major contesting political parties, the ruling CPP and the opposition CNRP, received votes in support of women candidates. According to election results, the CPP had 1,387 (equal to 21.33%) women elected to commune councils, 92 of which (equal to 7.96%) are commune chiefs. The CNRP had 553 (equal to 11.04%) women elected to commune councils, 36 of which took a commune chief seat.

Consequently, Cambodia still faces significant challenges in its efforts to achieve the Sustainable Development Goals (SDGs), which stipulate that by 2030 there should be gender equality and empowerment of women at decision-making levels. Cambodia failed in its attempt to achieve the Cambodia Millennium Development Goal (CMDG). In order to succeed in it achieving the SDG, the government should initiate specific affirmative action measures to increase the number of women in leadership. In addition to, the number of women, more attention should be paid to the quality of women's participation to bring their voice into the process of decision-making and to fully authorize them to perform their role without any form of discrimination from their male colleagues or supervisors.

14.3 Youth

For the 2013 and 2017 election, COMFREL observed youth (defined as eligible voters from 18 to 35 years old) participation has steadily increased, and large numbers of youth were getting involved with the election and politics. The NEC report says that for 2016 registration there were 2,621,190 youth, equal to 33.3% of the 7,865,033 of the eligible voters that registered. 1,369,046 (52.3%) of the total youth were female.

During the election campaign, participation of youth voters in campaign activities was found to be active, resulting in a new trend for political parties toward seeking supporters among a younger and better educated post-war generation. Political parties have reacted to a significant demographic change with new campaign strategies to attract youth voters, including nominating

more youth candidates for the election and motivating them to participate in election process and public space.

According to the NEC, the number of election candidates from 25 to 35 years-old nominated by political parties was 10,285 (4,261 female, equal to 41.4%). However, only 4,535 youth candidates (1,713 of them female) were eligible candidates on the list. According to official election results, 862 youth candidates were elected, but only 324 of them are 25 to 30 years old.

It is noted that the opposition CNRP's youth candidates achieved the highest rate of success when compared to other political parties. 436 youth candidates from the CNRP and 422 youth candidates from the CPP were elected. Youth turnout has increased by 10% to 15% if compared to 2012 election. Youths are more active in the election process, and if compared to the 2012 election, the number of youth elected in this election has slightly increased.

Figure26: Youth participating in the election campaign



15. Accreditation of Observers and Party Agents

15.1 Number of Accredited Independent Election Observers

It took less than two days for COMFREL to prepare the observer list to apply for accreditation as an election observer from the NEC. Checks and verification were conducted of all applicants' data, such as name spelling, date of birth including duplicated name in observer list to meet the NEC's requirements. After applying, it took about a week (including holiday) to get approval as an election observer by the NEC. It was observed that there was some bureaucratic redundancy in the process of approval for accreditation. For example, it was required that the observer list get approval by both the director of department of legal service and conflict and the president of the NEC.

In contrast to previous elections, it was reported that an unfilled accreditation observation card was inadequate at provincial election committees, resulting in COMFREL's accredited observers facing difficulties getting the identity card. For the 2017 commune council election, it was observed that the NEC accredited 74,671 electoral observers of which 14, 580 were applied from COMFREL. Union Youth Federations of Cambodia (UYFC) under of leadership as the president

of the UYFC²⁵³ Prime Minister son and a CPP member of plalimanet namely HUN Mony and Cambodian Women for Peace and Development (CWPD) with leadership²⁵⁴ Permanent Deputy Prime Minister of CPP, Mrs. Men Sam An as the President of CWPD and a secretary of state of the ministry of interior namely Mrs. CHOU Bun Eng as vice president of the CWPD. It is first time that both organizations were able to orgnaise large numbers of 52,000 obsevers (UYCF 31,431 observers and CWPD 20,793 observers). UYFC has youth networks connecting with the government minitries and local authirties. For more detail, see the below table:

Table18: Organizations Deploying Election Observers in 2017²⁵⁵

No.	CSO or Association	Domestic Election Observers		
		Total	Women	Mobile Election Observers
01	Union of Youth Federations of Cambodia (UYFC)	31,431	9,293	0
02	Cambodian Women for Peace and Development (CWPD)	20,793	20,717	10
03	The committee for Free and Fair Elections in Cambodia (COMFREL)	14,580	6,153	10
04	Cambodian Democratic Student Intellectuals Federation (CDSIF)	2,642	1,407	10
05	Transparency International in Cambodian (TIC)	1,239	560	10
06	Neutral and Impartial Committee for Free and Fair Elections in Cambodia (NICFEC)	1,052	411	10
07	The Cambodian NGO Committee on CEDAW (NGO-CEDAW)	567	304	10
08	Cambodian for Confederation Development Association (CCDA)	438	19	0
09	Youth Association and Social Affairs	407	145	0
10	United National Development (UND)	265	45	3
11	People Center for Development and Peace (PDP-Center)	228	107	10
12	Democracy and Human Rights Organization in Action (DHRAC)	201	104	8
13	The Human Right for Development and Take Care Orphans Poverty Women Association (COPA)	162	45	7
14	Cambodian Disabled People's Organization (CDPO)	141	61	0
15	Democratic Service Organization (DSO)	134	48	6
16	Cambodian Youth Economiz Association	119	51	0
17	Voluntary Intellectual and Youth Association(VIYA)	64	27	10

²⁵³ <http://www.uyfc.org/category/activities/new-activities/>

²⁵⁴ <http://www.cwpd.net/pages/about-us/our-team.php>

²⁵⁵ Information provided by the National Election Committee.

18	Cambodian Federation for Human Rights and Development (C.FHRAD)	60	30	0
19	Cambodian Pharmacists Association (C.P.A)	60	26	0
20	Institute of Human Resources Development (Non-Governmental Organization)	50	2	0
21	The Pagodas Childrens Intelligentsia and Students Association (PCISA)	38	0	0
Total		74,671	39,555	104

15.2 Number of Political Party Agents

Only twelve political parties competed in the commune council 2017 election. However, for the 2017 election, the NEC accredited a total of 105,076 electoral observers considered to be agents from one of the 12 contesting political parties. The Ruling Cambodian People's Party (CPP) deployed 44,614 observers and the opposition Cambodia National Rescue Party (CNRP) deployed 43,596 observers. FUNCINPEC deployed 4,988 observers, LDP deployed 5,166 observers (most of which were youth), KNUP deployed 5,199 observers, BSDP deployed 834 observers, CNP deployed 9 observers, GDP deployed 344 observers, CYP deployed 56 observers, CIDP deployed 108 observers, KPP deployed 98 observers, and DRP deployed 64 observers.

Table19: Number of Party Agents per Political Party accredited for the Election 2017

No.	Political Party	Number of Political Agent	
		Total	Women
01	Cambodian People's Party (CPP)	44,614	7,369
02	Cambodia National Rescue Party (CNRP)	43,596	10,058
03	FUNCINPEC Party ²⁵⁶	4,988	1,819
04	League for Democracy Party (LDP)	5,166	1,364
05	Khmer National United Party (KNUP)	5,199	1,876
06	Beehive Social Democratic Party (BSDP)	834	219
07	Cambodian Nationality Party (CNP)	9	6
08	Grassroots Democracy Party (GDP)	344	108
09	Cambodian Youth Party (CYP)	56	20
10	Cambodian Indigenous Democracy Party (CIDP)	108	19
11	Khmer Power Party (KPP)	98	50
12	Democratic Republic Party (DRP)	64	16
Total		105,076	22,924

The NEC also accredited a total of 384 international observers from 34 international organizations, embassies, and donor countries. The highest number of observers deployed was from the Embassy

²⁵⁶ FUNCINPEC is an acronym for Front uni national pour un Cambodge indépendant neutre, pacifique et coopératif (United national front for an independent, neutral, peaceful, and cooperative Cambodia).

of United States of America in Phnom Penh, with a total of 98 observers. In addition, the Asian Network for Free Election (ANFREL) deployed 51 observers.

Table20: International Election Observer Mission Accredited for the Election 2017

No.	Name of International Donor or NGO	Number of Observers	
		Total	Women
01	Embassy of United States of America in Phnom Penh	98	28
02	Asian Network for Free Elections (ANFREL)	51	14
03	Australian Embassy in Phnom Penh	26	13
04	EU (including 3 interpreters)	22	9
05	Centrist Democrats International (CDI)	22	4
06	International Conference of Asian Political Parties (ICAPP)	18	6
07	National Democratic Institute (NDI)	17	8
08	Centrist Asia-Pacific Democrats International (CAPDI)	16	3
09	Sweden Embassy in Phnom Penh	14	9
10	Japan Embassy in Phnom Penh	11	4
11	Germany Embassy in Phnom Penh	11	4
12	People's Republic of China Embassy in Phnom Penh	9	2
13	DAN Church Aid	7	2
14	Swiss Cooperation office and Swiss Consular Agency in Cambodia	6	2
15	Inter Band Organization	6	2
16	Royal Thai Embassy in Phnom Penh	6	2
17	Canada Embassy in Phnom Penh	5	2
18	British Embassy in Bangkok	5	1
19	The Socialist Republic of Vietnam Embassy in the Kingdom of Cambodia	4	
20	International For Electoral Systems (IFES)	4	1
21	French Embassy in Cambodia	4	1
22	The Embassy of the Republic of the Philippines in PP	3	1
23	Poland Embassy in Bangkok	2	1
24	Indonesian Embassy in PP	2	1
25	GIZ	2	1
26	The Democratic Republic of Timor Lester Embassy in PP	2	
27	Singapore Embassy in Phnom Penh	2	
28	Brunei Darussalam Embassy in Phnom Penh	2	1
29	Japan International Cooperation Agency in Cambodia (JICA)	2	
30	Belgium Embassy in Bangkok	1	1

31	New Zealand Embassy in Bangkok	1	1
32	Finland Embassy of Phnom Penh	1	
33	Malaysia Embassy of Phnom Penh	1	
34	Embassy of Switzerland in Thailand	1	
Total		384	124

15.3 NEC Cooperation in the Process of Election Observation Accreditation

Coping with difficulties and challenges in applying accreditation for electoral observers, the NEC has revised and efficiently improved its regulations and procedures in the following ways:

It is no longer required that the applicant sign the identity card before getting the signature and stamp from the PEC.

The deadline for applying was delayed allowing for revisions, in response to COMFREL's request. As a result, 233 electoral observers for Kampot province were added to the list and accredited by the NEC.

The NEC directly provided unfilled identity cards to make the process more efficient than sending them first to the PEC.

The NEC provided feedbacks and comments for correction before rejecting an application.

16. Civil Society Advocacy and Engagement with Policymakers COMFREL's Election-Related Activities

The preliminary (still subject to complaints and deletions) voter list was released on January 3, 2017. The NEC announced that it had successfully registered 7,864,429 eligible voters (80% of approximately 9.7 million). It also notified the public and key stakeholders that it was ready to delete 8,346 names from the list, of which 2,737 were names that were left over from pilot registration program used to assess implementation of the new MVR system.²⁵⁷ The NEC announced through media and key stakeholders that the list would be available to voters by being posted publicly until January 14, after which it would still be available online. CSOs recommended that the NEC support an internet/social media campaign to improve voter awareness and increase the rate of voters verifying their information on the list.²⁵⁸

At the beginning of the year the website for the NEC was hacked. Given the potential to corrupt the database or impact the data collected related to upcoming election results posed in the website, and the importance of the modernized voter registration based on the new system with biometrics, this was a serious issue for electoral integrity. Nevertheless, the NEC acted in a capable and transparent manner, by publicly disseminating information related to the problem and explaining to key stakeholders why the hack did not corrupt the system and voter list. COMFREL and

²⁵⁷ "Preliminary voter lists made available to the public" Cambodia Daily, 4 January 2017.

²⁵⁸ Hean, Socheata "New voter registration list released ahead of local elections" VOA, 5 January 2017.

partner CSOs observed and analyzed the situation and found the NEC had appropriately managed the issue, and informed media that it supported the assessment of the NEC.²⁵⁹ The NEC also announced a problem at that time related to visitors to the website, and that an increase in speed was being arranged to manage the unexpected demand from interested voters.²⁶⁰ Many visitors were unable to access the website, encountering both login problems and connection/speed difficulties. The NEC was found to improve access showing responsiveness to citizen demand, and the high demand from eligible voters was a good sign of intention to participate in the June vote. COMFREL informed media and the government electoral body of its deployment of 269 monitors, trained to observe the process and record irregularities with the list reported by voters.²⁶¹

At the end of January, the NEC completed its review of complaints submitted regarding the 2016 voter registration and resulting voter list. 142 total complaints were submitted by CNRP agents/supporters related to an approximate 2,500 foreigners that allegedly registered to vote. In addition to halving the initial number of almost 5,000 names to review, an initial investigation of a set of 181 names submitted by the opposition party, found 14 names that had never been on the list.²⁶² The NEC found that only 2 of the complaints warranted further investigation. By that time the MoI had announced that of a list of 179 names that it had received on January 15, 152 names had been cleared through verification with the MoI database.²⁶³ Observers found that the issue did not result in large disagreements between the two major parties or significantly threaten to undermine the credibility of the voter list. Moreover, it was found that the NEC acted in a capable and professional manner, and issued its rulings in accordance with the limits to its mandate.²⁶⁴ COMFREL advocated for greater transparency regarding the manner of the acquiring IDs as a solution to the contested or ambiguous cases.²⁶⁵ COMFREL also issued supporting recommendations for improving the procedure, as the review process was deemed to be undertaken too quickly, without full verification that provided some evidence or measure for the plaintiff, and to potentially be based on an insufficient sample size.²⁶⁶

On January 30, the Constitutional Council began its review of the complaints about the voter list submitted to the NEC by the opposition CNRP and rejected by the NEC. Of a total of 2,441 complaints the set of complaints was rejected on the grounds that there was insufficient evidence, in agreement with the ruling of the NEC.²⁶⁷ By mid-February the Constitutional Council announced the results of a 9-day investigation into complaints by the CNRP of the more than 2,000 alleged illegal names on the voter list. The Constitutional Council ruled to support the NEC's decision and rejected the CNRP's complaints (78 in total). The spokesman for the Council

²⁵⁹ Lay, Samean "NEC says website hacked" Phnom Penh Post, 6 January 2017.

²⁶⁰ Khuon, Narim "Police probe hack of voter list website" Cambodia Daily, 6 January 2017.

²⁶¹ Taing, Vida "Technical issue mars voter list publication" Khmer Times, 4 January 2017.

²⁶² Lay, Samean "CNRP's voter roll challenged rebuffed" Phnom Penh Post, 17 January 2017.

²⁶³ Lay, Samean "NEC end complaint review" Phnom Penh Post, 27 January 2017.

²⁶⁴ A CNRP official expressed the view that the solution provided by the MoI was inadequate because it did not investigate the legitimacy of the Khmer ID cards in those cases. Nevertheless, such an investigation would fall under the authority of the MoI, rather than the NEC, and so the NEC acted within its mandate by seeking to ensure valid identification (rather than assessing citizenship) in the disputed cases.

²⁶⁵ Lay, Samean "CNRP's voter roll challenged rebuffed" Phnom Penh Post, 17 January 2017; Lay, Samean "NEC end complaint review" Phnom Penh Post, 27 January 2017.

²⁶⁶ Lay, Samean "Comfrel critiques opacity of the voter review process" Phnom Penh Post, 18 January 2017.

²⁶⁷ Khuon, Narim "Council starts rejecting CNRP voter complaints" Cambodia Daily, 31 January 2017.

informed media and key stakeholders that they had investigated names through verification with national identity cards, and determined the voter registrations to be legal.²⁶⁸

By the third week of February, the NEC disseminated pre-election plans including key dates for registration of parties, candidates, and observers.²⁶⁹ The NEC only provided 3 days (March 3 to 5) for parties to register candidates, so it was necessary that they were prepared. The NEC also instructed political parties to submit a reserve candidate for every council seat, in case of problems such as resignations. The announcement and timeline were found by independent monitors and civil society organizations to be acceptable, despite the short candidate registration window. COMFREL and partner organizations worked to disseminate the information through networks and media platforms to maximize awareness among voters and parties/candidates.

In late February, COMFREL and civil society partners engaged with media and other key stakeholders to disseminate a collaborative plan for the monitoring and observation of the 2017 elections, and ensure that related CSO activities were conducted in a fully transparent manner and in accordance with best practices for election monitoring. As reported by national media:

“The operation, titled Situation Room on Cambodia Commune Council Election 2017, was launched will run until July. The ballot takes place on June 4. The situation room will be a gathering of the Election Reform Alliance, independent civil society organizations and experts to gather resources, improve capacity, and contribute with funds or support to deploy observers on election day. Organizers say the situation room is a forum to share and update information, create an evaluation study, verify the election results and intervene immediately in the event of problems and any risk of insecurity and harassment... The situation room was open to the wide participation of organizations, associations and other unions to contribute to the work and monitor the commune election process.”

With EU support through UNOPS, COMFREL announced a plan to train and deploy 12,000 monitors, and along with CSO partners, provided information on the costs and basic functions of observers. The NEC had already announced that it would be accepting applications for national observers until May 24 and international observers until May 30. Working within the parameters of relevant election law and regulations, and with strict adherence to non-partisanship and best practices for election monitoring independent (civil society) electoral observation necessary for a free and fair election was carried out. COMFREL worked with partner CSOs to train, equip and deploy a national network of competent electoral monitors (both long-term and short-term) to ensure fairness and guard against irregularities on election day, while continually engaging with and informing the NEC regarding its activities and its policy positions.

By March 7, the NEC had announced the results of candidate registration.²⁷⁰ 88,216 candidates had registered from 12 political parties, two more parties than the last commune council elections in 2012. However, only the CPP and CNRP would compete in all communes. They would compete for 11,572 seats of 1,646 communes. Approximately, one week later the NEC announced

²⁶⁸ Lay, Samean “Council back NEC in rejecting CNRP claims” Phnom Penh Post, 13 February 2017.

²⁶⁹ Lay, Samean “NEC lays out timeline ahead of local elections” Phnom Penh Post, 21 February 2017.

²⁷⁰ Ouch, Sony and Sokhean Ben “Over 88,000 candidates register for upcoming election” Cambodia Daily, 7 March 2017.

that two national organizations would be allowed to participate as observers. It indicated that 521 total observers had been approved: 293 from COMFREL and 228 from the Union of Youth Federation of Cambodia.²⁷¹ As such, in the months preceding the election COMFREL and partners acted in a wholly transparent manner, in close collaboration with the NEC, and complied with pertinent regulations for the deployment of independent monitors. A serious issue found by independent observers and of concern to national and international stakeholders was the fact that, according to the MoI, of the 45 total registered political parties in Cambodia, 12 parties were subject to complaints in the courts.

On April 5, 2017 COMFREL and partner CSOs released a report detailing the findings of an audit of the voter list which also provides some measures related to voter awareness and citizen participation.²⁷² The survey for the purposes of auditing the voter list entailed interviews of 2,690 voters from all provinces. The audit of the voter list sample included 514 villages of 252 communes. COMFREL disseminated findings to government and key stakeholders showing that 89 percent of the eligible voting population inside the country had registered, and that 92 percent of respondents were aware of the documentation needed to vote on election day. However, it also found a concerning deficit in voter awareness of the date of the elections.²⁷³ COMFREL and partner CSOs advocated for increased outreach and awareness-raising by the NEC, and collaborated to improve the efficiency and outputs of the CSO networks related to civic education. COMFREL and partner CSOs expressed confidence in the quality of the new voter list to media and key stakeholders, and pointed out the significant improvements from list used in the 2013 elections (which lead to major problems regarding the credibility of the poll). By disseminating findings in support of the accuracy of the voter list from a neutral and independent source, public confidence was strengthened prior to election time, giving voters greater incentive to exercise participatory rights and supporting the NEC in the fulfillment of its mandate.²⁷⁴

Failing to accord with the standards for elections evident in consolidated democracies, and potentially severely restricting public discussion and debate, in early April, the NEC enacted and disseminated a policy of prohibiting opinion polling or surveys during the election period. This followed media dissemination of a discussion on local radio by COMFREL staff, of a poll with results that predicted a strong performance by the opposition in the elections. Based on the reasoning that the NEC was the only body authorized to release election results, and that voters would not be able to differentiate information from the NEC and the results of independent polls, the NEC claimed that polling would lead to social instability. COMFREL partner CSOs issued a comment to media noting the benefits of polls, such as enabling parties to refine their campaign and message to better reflects interests of voters.²⁷⁵ COMFREL findings on the impact of polls did not agree with the NEC conclusion, but COMFREL and partner CSOs indicated to the NEC and media that it would comply with the policy in order to support the mandate of the NEC.²⁷⁶ No clear legal basis for the policy was found in the relevant election laws, and the LEMNA law

²⁷¹ Pech, Sotheary “NEC says 12 parties contesting in elections” Khmer Times, 16 March 2017.

²⁷² Ben, Sokhean and Hannah Hawkins “Election day coming, many voters unsure” Cambodia Daily, 6 April 2017.

²⁷³ Ven, Rathavong “Voter list given the green light” Khmer Times, 6 April 2017.

²⁷⁴ Touch, Soka “Voter rolls accurate: Comfrel” Phnom Penh Post, 6 April 2017.

²⁷⁵ Yeang, Sothearin, Maly Leng and Moniroth Morm “Cambodia electoral body to ban opinion polls ahead of June local elections” RFA, 31 March 2017.

²⁷⁶ Ben, Sokhean and Ben Paviour “Opinion polls banned ahead of election” Cambodia Daily, 2 April 2017.

only stipulated a period of 7 days before the election with no surveying or dissemination of survey results. Nevertheless, given the 7-day period in the LEMNA law as well as a 5-day period without surveys that was mandated in 2013 for the NA elections, the increased period of prohibition on surveys was not found to significantly impact the fairness of elections or the political climate prior to the election period.

On April 30, the NEC spokesman announced that 9.4 million ballots would be printed and distributed for 7.8 million voters, at a total cost of 2 million USD, with 50 extra or reserve ballots being distributed to each polling station.²⁷⁷ Based on analysis, COMFREL and partner CSOs issued recommendations to the NEC to reduce the number of reserve ballots distributed, in order to preclude the potential for misuse and irregularities. It was noted that because of the manner of calculating the number of ballots distributed to polling stations, it was possible for some polling stations end up with 99 extra ballots, and printing overall 20 percent more ballots than the number of listed voters. Also, the total cost of USD 330,000 for reserve ballots was found to be excessive.²⁷⁸

In mid-April, the voter list was hacked for the second time in 2017. Public confidence in the electoral process was challenged and tensions increased between the ruling party and opposition parties (in a climate of increasing mistrust brought on by leaks) when a hacker announced that the voter list was vulnerable. Explaining the security deficit as the ‘SLQ injection’, the hacker asserted that anyone with basic expertise could corrupt the database. The hacker even explained the procedure on a YouTube video as well as gave suggestions about how it could be fixed.²⁷⁹ The NEC bolstered public confidence by immediately responding and noting the countermeasures taken to avoid corruption of the list, such as keeping the original list offline and using the original list on polling day, as well as changing the passwords on polling day. COMFREL advocated for continued transparency regarding the voter list and accountability in the process of maintaining voter list integrity. COMFREL recommended the NEC accept more external assistance in the form of technical expertise to strengthen the security of the system.

On May 9, the NEC issued a notice of a policy prohibiting campaign marches on main roads/avenues, and at parks, market and other public spaces. This was found to limit the ability of political parties to outreach and engage with voters and provide voters with an account of the party platform. This ban reduced the areas in which campaigning could take place, new electoral laws reduced the campaign period overall. In addition, COMFREL and CSO partners advocated for a change in the law and policy which allows for only two campaign marches during the campaign period. Moreover, COMFREL and partner CSOs spearheaded engagement with policymakers to address potential bans on party supporters and took steps to disseminate accurate information regarding the electoral rules to the public.²⁸⁰

²⁷⁷ Touch, Sokha “EU sends experts to assess the environment” Phnom Penh Post, 1 May 2017.

²⁷⁸ Touch, Sokha and Ananth Baliga “NEC defends printing of extra ballots for vote” Phnom Penh Post, 5 May 2017.

²⁷⁹ Van, Roeun and Zsombor Peter “Hacker warns of serious vulnerability plaguing online voter lists” Cambodia Daily 14 April 2017.

²⁸⁰ Tin, Zakariya and Sokheng Saut “Cambodia election watchdog slams capital ban on campaign marches” RFA, 11 May 2017.

A very important policy change in support of full enfranchisement by the NEC came just before the election at the end of the campaign period. Unfortunately, the decision on the new policy was made very late essentially limiting information dissemination to raise voter awareness on the issue. The identification requirements were changed and simplified, increasing access for those eligible voters without a national identification card ('Khmer ID'). Previously, the voter had to take obtain an affidavit or residential letter from the commune chief by bringing two witnesses that were also residents of the commune, but with the change in policy the eligible voter only needed the commune election committee to sign the identification document that was used in the 2016 voter registration. COMFREL made a recommendation to the NEC to initiate the policy at the beginning of the week, but the NEC delayed in establishing the policy. While noting its concerns regarding time constraints, COMFREL supported the policy change and utilized its network and media platforms to disseminate information to voters. COMFREL also supported the announcement by the NEC to inform voters that that they did not need an information brochure to enter the polling station (a misunderstanding that had confused voters in prior elections).²⁸¹

COMFREL monitoring found the campaign and election day to be a mostly smooth and peaceful process. Both major political parties were found to act in accordance with the relevant laws and organized marches and assemblies in a peaceful manner, effectively avoiding conflicts and ensuring a positive experience for the citizenry. Building on the success achieved in 2016 and the national voter registration, the NEC was found to perform in a capable and fair manner. Some serious concerns arose for CSOs and national and international stakeholders because of the increasingly undemocratic and menacing political climate that preceded the election. Despite that, the NEC carried out its mandate effectively, and good collaboration with CSOs and media was maintained. It was observed that, on the basis of improved working methods, regulations and training, and utilizing the accurate voter list and the MVR system, polling day was a success and the electoral results were accurate.²⁸² COMFREL and partner CSOs supported the legitimacy of the outcome, necessary for reconciliation between parties to be achieved and maintained, in the broader national interests of peace and democratization.

16.1 COMFREL's Training, Deployment and Observation Activities

Monitoring the polling and counting day:

COMFREL, in cooperation with Situation Room members, consisting of 40 CSOs members, its network and provincial secretaries, recruited and selected 14,580 observers (6,153 female) accredited by NEC including 1,587 mobile observers (750 female). After conducted 1,346 trainings in the communes to teach those observers how to observe on polling and counting days, as well

²⁸¹ Hawkins, Hanna and Sony Ouch "NEC announces shortcut for voter's without ID's" Phnom Penh Post, 2 June 2017.

²⁸² Ben, Sokhean and Zsombor Peter "Independent observers say 'smooth' vote still marred by problems" Cambodia Daily, 5 June 2017.

as to collect a record of the electoral result note (1102 form) and transmit it to the central office, COMFREL deployed in 1,646 communes which were supervised by the provincial secretaries and central office staff. The central office of COMFREL was a place where the members of the Situation Room worked together to collect the information regarding the election irregularities and result, made analysis and released the information to the public. These works also assisted by 150 volunteers who contacted directly to each provincial secretary to gather the result data through app. The intervention group of the Situation Room was responsible for deal with the observers' issues on that day.

Monitoring the Broadcast Media

During the 14-day electoral campaign period from 20 May to 02 June 2017, COMFREL conducted television media monitoring including TVK, Bayon News, CTN and Hang Meas. For the purpose of media monitoring during the 2017 commune elections in Cambodia, broadcast content from these stations was recorded from 17:00 to 24:00 during the period of the election campaign. The broadcast content was measured and evaluated in order to calculate time allocated to: regular TV programs, political party programs, voter awareness and election process programs, and programs documenting government achievements. In addition to the content of TV broadcasting, the articles of 12 new presses, disseminating via social media (Facebook), were also collected and analyzed.

As a result of this monitoring and measurement, COMFREL has concluded that in the 2017 election, coverage during the campaign period was unbalanced in favor of the ruling Cambodian People's Party, especially in the case of privately owned TV stations.

Monitoring Election Campaign Financing

Electoral campaign activities in 09 communes in 03 provinces (large, medium and small depending on seats, demographics and living standards of citizens) have been observed and studied. Campaign spending as assessed for the 04 political parties who registered the most candidates for the election, including the ruling Cambodian People's Party (CPP), Cambodia National Rescue Party (CNRP), FUNCINPEC party (FUN) and League for Democracy Party (LDP). Estimated expenditures for a single commune were calculated by averaging the expenditures for campaign activities of 09 communes. Political party estimated expenditures for campaign activities, for the entire campaign period, are calculated by multiplying the estimated expenditures for a single commune with the number of communes that political party competed in for the 2017 commune elections.

Every political party disseminated its propaganda activities according to its financial resources. The ruling CPP is estimated to have expended five times more than the opposition CNRP on electoral campaign activity for the fourth mandate commune election. CPP's expenditures were mostly from the political party branch at commune, provincial or capital levels, whereas the CNRP's expenditures were mostly from the candidates running.

The lack of transparency and accountability mechanisms for campaign financing, including an accurate public record of specific types and amounts of expenditures, fundamentally undermines the basic democratic principle of equity which ensures the alternative information or messaging

needed by voters to make a free choice. Given that political parties have not disclosed budgets and expenditures, there is a potential for state resources to be harnessed in the service of a particular political party (a non-state, private association formed for the purpose of competing, non-violently for the right to hold government elected office) for the purposes of publicity and competitive advantage.

Rapid Voter Survey after on Election Day

All long-term (D-LTOs) observers were assigned to conduct interviews with eligible voters in the polling stations that they observed after Election Day. The main purpose was to gain insight into voter opinion as to why they did not vote.

Women and Ethnic Minority Voters

During the 2017 Commune Council Elections, COMFREL trained and deployed 10 female short-term observers to observe in 6 districts and 10 Communes. There were 112 female long-term observers deployed, including 12 districts and 57 communes in five provinces: Kampong Cham, Kampong Chhnang, Takeo, Preah Vihear and Kampong Thom. The scope of the deployment included monitoring of the electoral campaign, cooling day, and polling and counting day.

16.2 COMFREL's Voter Education Activities

During the Commune Council Election 2017, COMFREL hosted 540 (356 live and 184 rebroadcast) sessions of “VOC” radio programs with a total of 561 speakers (14.43% female), which facilitated outreach and public awareness on a multitude of issues. In addition, 1,932 people (20.96% female) called the program to express their opinions, make requests and ask questions to the speakers. These broadcasting were also uploaded those on to the website. Besides radio programmed, COMFREL used the social media to disseminate the information to the public including its website and Facebook page. There were 2,195 articles/press releases posted related to elections, democracy, the National Election Committee, and voter registration.

More importantly, COMFREL also produced 45 animation video spots produced by COMFREL staff, which reached 2,827,465 views, 81,265 shares, and 149,620 likes on COMFREL’s Facebook page. One of the animation videos reached more than 1 million Facebook accounts and more than 10 thousand shares. It focused on encouraging the public to take a photo of the election result (1102 form) and send it to COMFREL’s Facebook page using messenger. As a result, COMFREL received 3,042 election result forms (1102 forms) from the public.

The ‘Situation Room’

The situation room assembled members of the Electoral Reform Alliance (ERA), other independent civil society organizations (CSOs) and expert individuals together solidarity to do the following: a) pool resources to maximize capacity and cooperatively contribute funding or support for carrying out a joint plan for domestic election observation on election-day; b) provide a nonpartisan collaborative platform.

During the reporting period, COMFREL held 23 meetings with all Situation Room members at the COMFREL office. These functioned for dialogue and collaboration related to the generous fund, the recruitment, training and deployment of observers, the intervention group, the bidding and printing of observer T-shirts, and a press conference on polling and counting day. COMFREL and the situation room fielded more than 14,580 local observers, covering more than 86% of all polling center in the 2017 Commune Council elections.

17. Critical Events in the Fourth Mandate Commune Council Elections (2017)

- **July 2017** - controversy and debate among governmental branches, the NEC, political parties, trade unions and civil society organizations over offering 1-3 days off from work to vote for factory workers. Civil society organizations and trade unions urge the NEC to guideline to relevant institutions in the RGC, particularly to the ministry of Labor and Vocational training to offer workers special days off to cast their vote. Responding to the issue, governmental institutions and NEC just called for owner of factory and enterprise to facilitate workers' exercising voting right.
- **04 July 2017** - the Ministry of Interior issued and released an administrative letter to COMFREL and NICFEC stating that the informal cooperation-based grouping of CSOs for election monitoring known as the Situation Room was in violation if the LANGO law and that the group was prohibited from further independent electoral monitoring or analysis..
- **28 June 2017** - at the 66th anniversary of the Cambodian People's Party, Prime Minister Hun Sen had alleged the Situation Room for the 2017 election, an informal collaboration of non-government organizations, pooling resources to conduct election monitoring and analysis, of violating law on Association and Non-Governmental Organization (LANGO) and being a base for color revolution efforts.
- **17 May 2017** – the NEC conducted testing indelible ink to public and the NEC immediately issued and implemented five measures aimed at ensuring a single vote for one voter.
- **March and April 2017** - the Ministry of Interior refused to recognize the new leadership of the CNRP. The Ministry accused the CNRP of failing to implement its own party by-laws. Soon after, the CNRP held two extraordinary congresses to amend its by-laws and meet the demands of the ministry. - the Ruling CPP Party and - the Ministry of Interior pressured and coerced the opposition CNRP party to drop its electoral campaign slogan called on voters to “Replace the commune chief that serves the party with the commune chief that serves the people”. The opposition CNRP party decided to drop it and advised party's member to avoid playing any political message or slogan interpreted as an insult by other political parties or candidates in order to minimize tension in the political environment prior to the election.
- **February 2017** -, European Union (EU), the United States, ASEAN Parliamentarian for Human Rights (APHR), the United Nations, and national and international non-governmental organizations had expressed their concern increasing political tensions and rule by law. They denounced the amendment on political party which as undermining the conditions for a free and fair election in 2018.

- **20 February 2017** - The National Assembly had a plenary extraordinary session with CNRP's boycott over the approval on proposed amendment on political party law which mainly is devoted to empower ministry of interior to suspend and dissolve political party.
- **February 2017** - Mr. Sam Rainsy officially resigned as President of the CNRP.
- **02 February 2017** - a six-day coalition of the Cambodian Youth Party and Khmer Consolidation Party broke up because of loss of trust.
- **27 January 2017** - the Cambodian Youth Party and Khmer Consolidation Party created a coalition to provide a good example to other political parties of tolerant behaviour and working methods to avoid internal conflict.
- **18 January 2017** - Khmer National United Party (KNUP) and Khmer National Justice Party established a coalition to seek for support from voters in the elections.
- **10 January 2017**, the President of 7th Expert National Assembly Commission, through the Ministry of Cults and Religions, urged the government should offer the Khmer ID to Buddha Monk for the 2017 and 2018 election.
- **02 December 2016** - Mr. Kem Sokha, CNRP's vice president, was given a Royal pardon following a request by PM Hun Sen.
- **05 October 2016** - Mr. Kem Sokha, acting president of the CNRP, after self-imposed detention to avoid arrest, for 132 days at the party's headquarters, went to voter registration at Chak Areng Leu commune, Meanchey district, Phnom Penh.
- **12 September 2016** - the government mobilized massive show of military capacity through troop deployment the CNRP headquarters. The CNRP consider it harassment and intimidation but those claims were rejected by the ruling CPP party.
- **09 September 2016** - the Phnom Penh Municipal Court sentenced Mr. Kem Sokha, CNRP's acting president, to five years in prison and eight hundred thousand riels (800,000 Riel =USD 200) stipulated in article 538 of the criminal code for not presenting himself at hearings –following a court summons.
- **07 September 2016** - the CPP MPs issued a statement to the international community that CNRP efforts to seek support from signatory states to the Paris Peace Agreement, was an unacceptable and illegitimate threat to state institutions and the democratic process in Cambodia.
- **06 September 2016** - the UN Office of the High Commissioner for Human Rights urged the government to create a favourable space for exercising the freedom of expression, assembly, and association prior to 2017 and 2018 elections.
- **01 September 2016** - during registration at Ta Kmao commune, Kandal Province, Prime Minister Hun Sen warned against criticizing voter ink because it can be washed off or criticizing the loss of voter's names from the voter list.

Appendix1: Comparison of Election Results

ឧសម្ព័ន្ធ១៖ ប្រៀបធៀបលទ្ធផលឆ្នោត

Table1: Percentage of Voting for Political Parties 1993-2017

(តារាងទី១៖ ភាគរយនៃសម្លេងឆ្នោតសម្រាប់គណបក្សនយោបាយនីមួយៗដែលទទួលបានលក្ខន្តិកៈការបោះឆ្នោតពីឆ្នាំ១៩៩៣ ដល់ ២០១៧)

Party		1998		2002		2003		2007		2008		2012		2013		2017	
		No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%
CPP		2,014,912	41.7	2,647,849	60.89	2,445,177	47.3	3,148,533	60.82	3,492,374	58.11	3,631,082	61.8	3,235,969	48.83	3,540,056	50.76
SRP	CNRP	694,169	14.36	736,454	16.94	1,137,308	22	1,303,906	25.19	1,316,714	21.91	1,224,460	20.84	2,946,176	44.46	3,056,824	43.83
HRP		-	-	-	-	-	-	-	-	397,816	6.62	580,483	9.88				
FUN	FUN	1,547,767	32.01	955,200	21.97	1,072,136	20.74	277,545	5.36	303,764	5.05	222,671	3.79	242,413	3.66	132,319	1.9
NRP		-	-	-	-	-	-	419,791	8.11	337,943	5.62	170,962	2.91				
KNUP		-	-	-	-	-	-	-	-	-	-	-	-	-	-	78,724	1.13
GDP		-	-	-	-	-	-	-	-	-	-	-	-	-	-	4,981	0.07
LDP														-	-	122,882	1.76
BSDP		-	-	-	-	-	-	-	-	-	-	-	-	-	-	31,334	0.45
Others		578,794	11.97	9,061	0.21	514,751	9.96	27,094	0.52	161,666	2.69	46,069	0.78	202,601	3.05	140,275	0.1
Total		4,835,642	100	4,348,564	100	5,169,372	100	5,176,869	100	6,010,277	100	5,985,458	100	6,627,159	100	7,107,395	100

Figure1: Comparison of election results in 1993-2017 by year

(រូបភាពទី១៖ ប្រៀបធៀបលទ្ធផលបោះឆ្នោតតាមឆ្នាំចាប់តាំងពីឆ្នាំ១៩៩៣ ដល់ឆ្នាំ២០១៧)

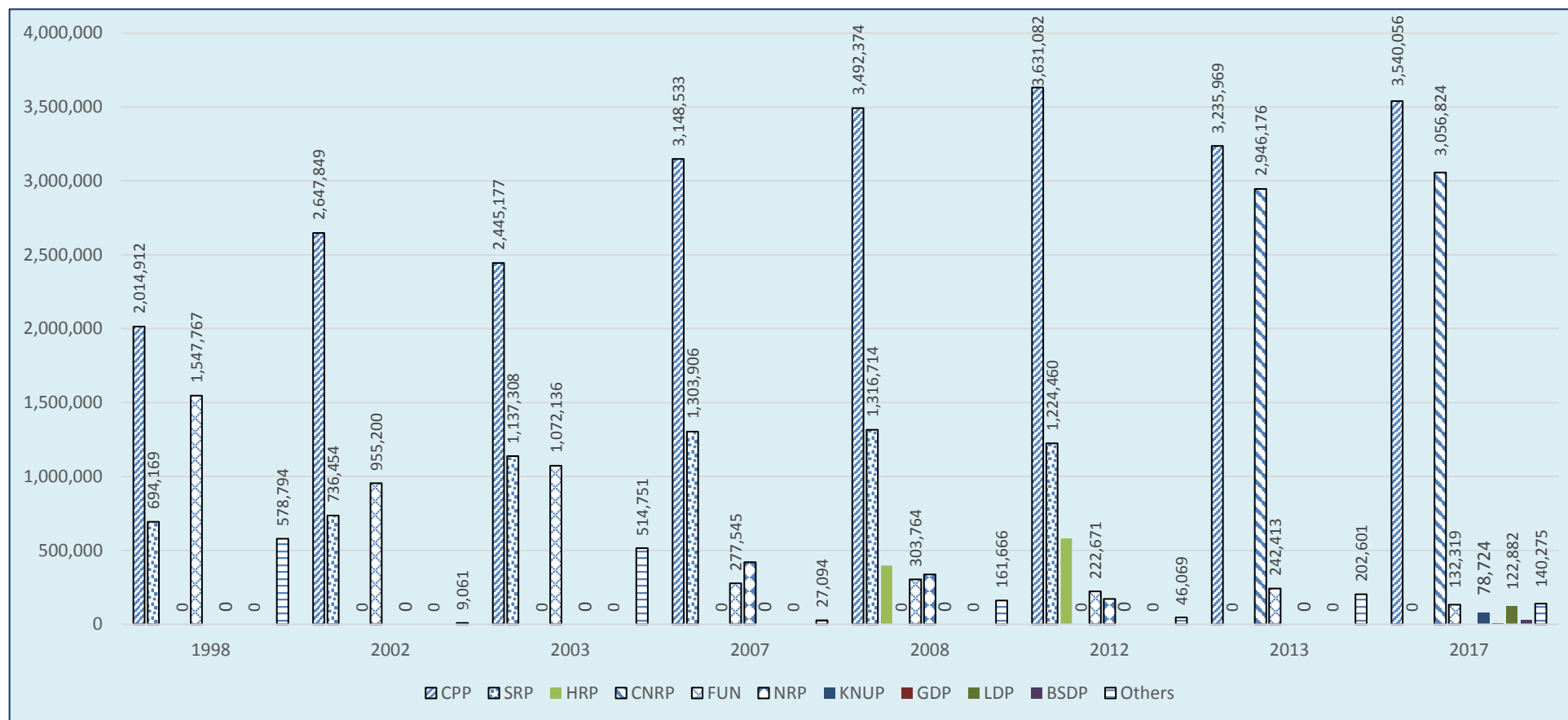


Figure2: Election results for different seat of political parties in each province

រូបភាពទី២៖ ប្រៀបធៀបចំនួនអាសនៈរបស់គណបក្សនយោបាយតាមរាជធានីខេត្ត

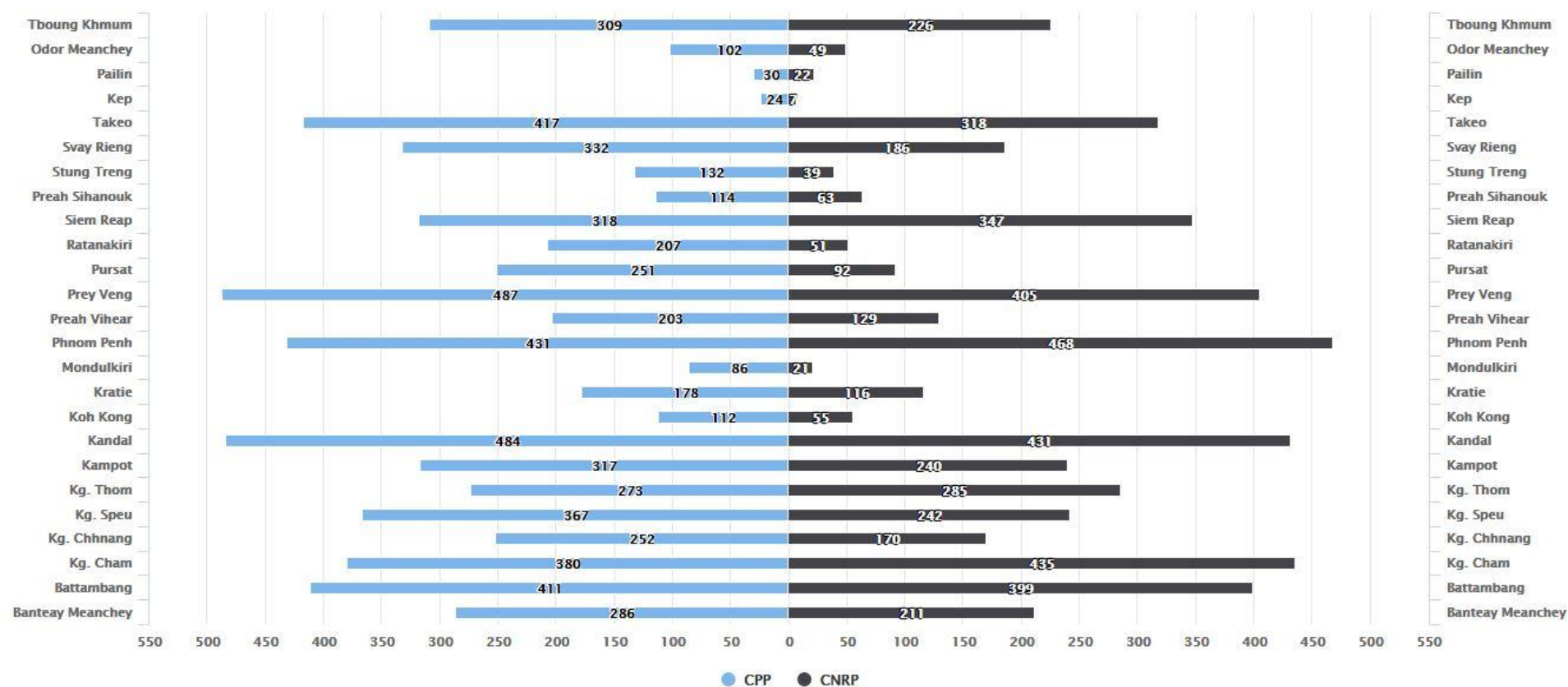


Table2: Number and content of Political parties' article on Press Media

(តារាងទី២៖ ចំនួនអត្ថបទរបស់គណបក្សនយោបាយលើប្រព័ន្ធផ្សព្វផ្សាយ)

Political parties	Phnom Penh Post				Cambodia Daily				អាស៊ីសេរី (RFA)				បារាំង (RFI)				Moneakar Khmer				DAP News			
	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Total	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Total	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Total	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Total	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Total	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Total
CPP	11	0	0	11	7	0	0	7	10	0	0	10	3	0	0	3	0	0	0	0	76	2	0	78
CNRP	19	0	0	19	10	0	0	10	27	0	0	27	6	0	0	6	26	3	0	29	44	0	0	44
FUN	1	0	0	1	0	0	0	0	2	0	0	2	0	0	0	0	0	0	0	4	0	0	4	
LDP	1	0	0	1	0	0	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
KNUP	0	0	0	0	0	0	0	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0
BSDP	1	0	0	1	0	0	0	0	3	0	0	3	1	0	0	1	0	0	0	0	0	0	0	0
CNP	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
KPP	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
GDP	1	0	0	1	0	0	0	0	2	0	0	2	0	0	0	0	0	0	0	2	0	0	2	
CYP	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	4	0	0	4	
CIPDP	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
RDP	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Total article	34				17				54				10				29				132			

Table3 : Number and content of Political parties' article on Press Media

(តារាងទី៣៖ ចំនួនអត្ថបទរបស់គណបក្សនយោបាយលើប្រព័ន្ធផ្សព្វផ្សាយ)

Political Party	Thmey Thmey				Rasmei Kampuchea				Kohsantepheap Daily				CEN				Fresh News				Others				Sub Total Article for political party (tab 1 + table2)
	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Tot al	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Tot al	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Tot al	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Tot al	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Tot al	Simple Political information	Complimentary political party information (Positive)	Critical political party information (Negative)	Tot al	
CPP	13	0	0	13	45	0	0	45	8	0	0	8	29	0	0	29	163	6	0	169	2	0	0	2	375
CNRP	14	0	0	14	15	0	0	15	4	0	0	4	10	0	0	10	6	0	11	17	0	0	0	0	195
FUN	3	0	0	3	5	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15
LDP	4	0	0	4	3	0	0	3	0	0	0	0	1	0	0	1	0	0	0	0	1	0	0	1	12
KNUP	1	0	0	1	4	0	0	4	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	9
BSDP	3	0	0	3	4	0	0	4	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	13
CNP	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
KPP	2	0	0	2	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	4
GDP	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
CYP	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
CIPDP	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
RDP	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Sub Total article	50				76				13				42				186				3				

Table4: Election results for different Seat of political parties in each province

(តារាងទី៤៖ លទ្ធផលអាសនៈរបស់គណបក្សនយោបាយតាមរាជធានីខេត្ត)

No	Province Name	CPP Seat	CNRP Seat	Other Party Seat	Total
1	Banteay Meanchey	286	211	18	515
2	Battambang	411	399	4	814
3	Kampong Cham	380	435	2	817
4	Kampong Chhnang	252	170	0	422
5	Kampong Speu	367	242	0	609
6	Kampong Thom	273	285	19	577
7	Kampot	317	240	4	561
8	Kandal	484	431	0	915
9	Koh Kong	112	55	0	167
10	Kratie	178	116	1	295
11	Mondol Kiri	86	21	0	107
12	Phnom Penh	431	468	0	899
13	Preah Vihea	203	129	1	333
14	Prey Veng	487	405	0	892
13	Pursat	251	92	0	343
16	Ratanakiri	207	51	2	260
17	Seim Reap	318	347	3	668
18	Preah Sihanuk	114	63	0	177
19	Steung Treng	132	39	5	176
20	Svay Rieng	332	186	0	518
21	Takeo	417	318	1	736
22	Kep	24	7	0	31
23	Pailin	30	22	0	52
24	Oddor Meanchey	102	49	1	152
25	Tboung Khmom	309	226	1	536
Total		6503	5007	62	11572

Appendix2: NEC Election Result and Schedule

ឧស្ស័ន្ធ២៖ កាលវិភាគ និងលទ្ធផលបោះឆ្នោតសម្រាប់ការបោះឆ្នោតឆ្នាំ២០១៧ របស់ គ.ជ.ប

Table1: Schedule for Commune/Sangkat Council Elections in 2017

តារាងទី១៖ កាលវិភាគសម្រាប់ការបោះឆ្នោត



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ



គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

រាជធានីភ្នំពេញ ថ្ងៃទី ០៧ ខែ ធ្នូ ឆ្នាំ២០១៦

ប្រតិទិននៃការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ អាណត្តិទី ៤ ឆ្នាំ២០១៧

ល.រ	ការរៀបចំប្រតិទិនបោះឆ្នោត	កាលបរិច្ឆេទ
១	ការផ្តល់សុពលភាព និងប្រកាសផ្សាយបញ្ជីបោះឆ្នោតផ្លូវការដោយ គ.ជ.ប	ថ្ងៃទី១២ ខែកុម្ភៈ ឆ្នាំ២០១៧
២	ការចុះឈ្មោះអ្នកសង្កេតការណ៍បោះឆ្នោតជាតិនៅ គ.ជ.ប	ថ្ងៃទី១៥ ខែកុម្ភៈ - ២៨ ខែឧសភា ឆ្នាំ២០១៧
៣	ការចុះឈ្មោះអ្នកសង្កេតការណ៍បោះឆ្នោតអន្តរជាតិនៅ គ.ជ.ប	ថ្ងៃទី១៥ ខែកុម្ភៈ - ៣១ ខែឧសភា ឆ្នាំ២០១៧
៤	ការបិទផ្សាយបញ្ជីឈ្មោះទីតាំងការិយាល័យបោះឆ្នោតនៅ គ.ជ.ប	ថ្ងៃទី០១ ខែមីនា ឆ្នាំ២០១៧
៥	ការទទួលពាក្យសុំចុះបញ្ជីបេក្ខជននៃគណបក្សនយោបាយឈ្មោះបោះឆ្នោតដោយ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី០៣-០៥ ខែមីនា ឆ្នាំ២០១៧
៦	ការពិនិត្យ សម្រេចរបស់ គ.ជ.ប លើពាក្យសុំចុះបញ្ជីបេក្ខជននៃគណបក្សនយោបាយ រយៈពេល ៧ថ្ងៃ	ថ្ងៃទី១២ ខែមីនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
៧	ការកែតម្រូវលើពាក្យសុំចុះបញ្ជីបេក្ខជនដោយសាមីគណបក្សនយោបាយ រយៈពេល ៥ថ្ងៃ	ថ្ងៃទី១៧ ខែមីនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
៨	ការប្តឹងតវ៉ាទាក់ទងនឹងការចុះបញ្ជីបេក្ខជនទៅ គ.ជ.ប រយៈពេល ៥ថ្ងៃ	ថ្ងៃទី២៣ ខែមីនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
៩	ការសម្រេចលើពាក្យបណ្តឹងដោយ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី២៦ ខែមីនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
១០	ការប្តឹងតវ៉ាទាក់ទងនឹងការចុះបញ្ជីបេក្ខជនទៅ គ.ជ.ប រយៈពេល ៥ថ្ងៃ	ថ្ងៃទី៣១ ខែមីនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
១១	ការសម្រេចលើពាក្យបណ្តឹងដោយ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី០៣ ខែមេសា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
១២	ការបិទផ្សាយបញ្ជីបេក្ខជនដំបូងនៅ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី០៥-០៧ ខែមេសា ឆ្នាំ២០១៧
១៣	ការប្តឹងតវ៉ាទាក់ទងនឹងបញ្ជីបេក្ខជនដំបូងទៅ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី១០ ខែមេសា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
១៤	ការដោះស្រាយពាក្យបណ្តឹងលើបញ្ជីបេក្ខជនដំបូងដោយ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី១៣ ខែមេសា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
១៥	ការបិទផ្សាយបញ្ជីបេក្ខជនផ្លូវការនៅ គ.ជ.ប រយៈពេល ៧ថ្ងៃ	ថ្ងៃទី១៨ ខែមេសា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
១៦	ការចុះឈ្មោះភ្នាក់ងារគណបក្សនយោបាយនៅ គ.ជ.ប	ថ្ងៃទី០១ ខែឧសភា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
១៧	ការចែកប័ណ្ណព័ត៌មានអ្នកបោះឆ្នោតនៅតាមភូមិក្នុងឃុំ សង្កាត់	ថ្ងៃទី១៧ ខែមេសា - ១៦ ខែឧសភា ឆ្នាំ២០១៧
១៨	ការយោសាទបោះឆ្នោត រយៈពេល ១៨ថ្ងៃ	ថ្ងៃទី២០ ខែឧសភា - ០២ ខែមិថុនា ឆ្នាំ២០១៧
១៩	ការបិទផ្សាយបញ្ជីបោះឆ្នោតនៅការិយាល័យបោះឆ្នោត	ថ្ងៃទី០៣ ខែមិថុនា ឆ្នាំ២០១៧
២០	ការបោះឆ្នោត ការរាប់សន្លឹកឆ្នោត និងការបិទផ្សាយលទ្ធផលនៅការិយាល័យបោះឆ្នោត	ថ្ងៃទី០៤ ខែមិថុនា ឆ្នាំ២០១៧
២១	ការប្រកាសផ្សាយលទ្ធផលបឋមនៃការបោះឆ្នោតដោយ គ.ជ.ប	ថ្ងៃទី០៤-០៥ ខែមិថុនា ឆ្នាំ២០១៧
២២	ការត្រួតពិនិត្យ ការប្រកាស និងការបិទផ្សាយលទ្ធផលបណ្តោះអាសន្ននៅ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី០៥-០៧ ខែមិថុនា ឆ្នាំ២០១៧
២៣	ការប្តឹងតវ៉ាលើលទ្ធផលបណ្តោះអាសន្នតាមឃុំ សង្កាត់ ទៅ គ.ជ.ប រយៈពេល ៣ថ្ងៃ	ថ្ងៃទី១០ ខែមិថុនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
២៤	ការសម្រេចលើពាក្យបណ្តឹងទាក់ទងដោយ គ.ជ.ប រយៈពេល ៥ថ្ងៃ	ថ្ងៃទី១៥ ខែមិថុនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
២៥	ការប្តឹងតវ៉ាលើសេចក្តីសម្រេចរបស់ គ.ជ.ប ទៅ គ.ជ.ប រយៈពេល ៤ថ្ងៃ	ថ្ងៃទី២០ ខែមិថុនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
២៦	ការសម្រេចលើពាក្យបណ្តឹងតវ៉ាដោយ គ.ជ.ប រយៈពេល ៤ថ្ងៃ	ថ្ងៃទី២៤ ខែមិថុនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
២៧	ការប្រកាសផ្សាយលទ្ធផលផ្លូវការនៃការបោះឆ្នោត	ថ្ងៃទី២៥ ខែមិថុនា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)
២៨	ការបោះឆ្នោតសាជាថ្មី (បើមាន)	ថ្ងៃទី២៨ ខែកក្កដា ឆ្នាំ២០១៧ (ថ្ងៃចុងក្រោយ)

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Table3: The Result of Commune/Sangkat Elections Council in 2017 by Votes


តារាងទី៣៖ លទ្ធផលបោះឆ្នោតជាសម្លេងតាមគណបក្សនយោបាយ

ល.ក		ឈ្មោះ សមាជិក/ខេត្ត	គណបក្សនយោបាយ																				សរុបសង្កាត់																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
			ប្រជាជនកម្ពុជា		សមរង្ស៊ីជាតិ		ប្រជាជនកម្ពុជា		សមរង្ស៊ីជាតិ		ប្រជាជនកម្ពុជា		សមរង្ស៊ីជាតិ		ប្រជាជនកម្ពុជា		សមរង្ស៊ីជាតិ		ប្រជាជនកម្ពុជា		សមរង្ស៊ីជាតិ		សរុប	សមរង្ស៊ីជាតិ	សរុប	សមរង្ស៊ីជាតិ																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
			សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា					សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ	ប្រជាជនកម្ពុជា	សមរង្ស៊ីជាតិ

រាជធានីភ្នំពេញ ថ្ងៃទី ២៥ ខែ វិច្ឆិកា ឆ្នាំ២០១៧

Table4: The Result of Commune/Sangkat Elections Council in 2017 by Commune Chief


តារាងទី៤៖ លទ្ធផលបោះឆ្នោតក្រុមប្រឹក្សាឃុំសង្កាត់ឆ្នាំ២០១៧ ដែលគណបក្សនិមួយៗទទួលបានអាសនៈមេឃុំ ចៅសង្កាត់



គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

លទ្ធផលនៃការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ រោងចក្រទី៨ (តារាងគណបក្សនយោបាយទទួលបានអាសនៈ)

ល.ក	ឈ្មោះ រាជធានី/ខេត្ត	គណបក្សប្រជាជនកម្ពុជា					គណបក្សសង្គ្រោះជាតិ					គណបក្សស្ថាប័ន ស៊ីន ហ៊ុយ					គណបក្សសម្ព័ន្ធដើម្បីប្រជាជនកម្ពុជា					គណបក្សស្រីរួមជាតិ					គណបក្សសម្ព័ន្ធមុតន្ត្រី					គណបក្សប្រជាប្បជាន ឬលទ្ធផល					សរុបតាមខេត្ត	
		ចំនួនអាសនៈ					ចំនួនអាសនៈ					ចំនួនអាសនៈ					ចំនួនអាសនៈ					ចំនួនអាសនៈ					ចំនួនអាសនៈ											
		សរុប	ប្រាំ	ប្រាំ	ប្រាំ	ប្រាំ	សរុប	ប្រាំ	ប្រាំ	ប្រាំ	ប្រាំ	សរុប	ប្រាំ	ប្រាំ	ប្រាំ	ប្រាំ	សរុប	ប្រាំ	ប្រាំ	ប្រាំ	ប្រាំ	សរុប	ប្រាំ	ប្រាំ	ប្រាំ	ប្រាំ	សរុប	ប្រាំ	ប្រាំ	ប្រាំ	ប្រាំ	អាសនៈ	ប្រាំ					
01	បន្ទាយមានជ័យ	286	59	54	43	11	211	29	10	21	43						18	1	1	11															515	88		
02	បាត់ដំបង	411	86	53	53	47	399	62	49	49	51	3			3	1					1															814	148	
03	កំពង់ចាម	380	52	35	37	72	435	54	74	72	35						1				1	1				1										817	106	
04	កំពង់ឆ្នាំង	252	52	62	62	8	170	21	8	8	62																										422	73
05	កំពង់ស្ពឺ	367	74	78	78	9	242	16	9	9	78																										609	90
06	កំពង់ឆ្នាំង	273	57	40	45	30	285	35	41	36	34	15			14		2				2						2				2		1			577	92	
07	កំពត	317	86	71	67	22	240	15	22	25	68	3		1	2												1					1				561	101	
08	កណ្តាល	484	95	79	79	48	431	40	48	48	79																										915	135
09	កោះកុង	112	27	26	26	7	55	7	3	3	22																										167	34
10	ក្រចេះ	178	46	38	37	10	116	16	9	10	36	1			1																						295	62
11	មណ្ឌលគីរី	86	20	21	21	4	21				17																										107	20
12	ព្រៃវែង	431	128	48	48	57	468	79	57	57	48																										899	207
13	បន្ទាយមានជ័យ	203	51	42	41	10	129	12	9	10	40						1				1																333	63
14	កែវ	487	92	73	73	43	405	32	43	43	73																										892	124
15	កោះកុង	251	48	49	49	5	92	9			44																										343	57
16	កោះកុង	207	40	48	47	19	51	3	2	2	31																	2			1						260	43
17	សៀមរាប	318	68	44	45	54	347	53	56	55	43		2			2	1				1																668	121
18	បន្ទាយមានជ័យ	114	21	26	26	3	63	7	3	3	26																										177	28
19	ស្ទឹងត្រែង	132	34	33	29	4	39	4	1	5	25	5			5																						176	38
20	ស្វាយរៀង	332	81	73	73	9	186	11	7	7	71																										518	92
21	កោះកុង	417	78	82	81	18	318	14	18	19	81	1			1																						736	92
22	កែប	24	5	5	5		7	2			5																										31	7
23	ប៉ៃលិន	30	8	7	7	1	22	7	1	1	7																										52	15
24	បន្ទាយមានជ័យ	102	28	23	22	1	49	8	1	2	22		1			1																					152	36
25	ក្រចេះ	309	50	46	45	18	226	17	18	18	46						1				1																536	67
សរុបរួម		6,503	1,386	1,156	1,139	510	5,007	553	489	503	1,087	28		1	26	4					4	24		1	2	16	1				1	5		1	2	11,572	1,939	



រាជធានីភ្នំពេញ ថ្ងៃទី ២៩ ខែ មិថុនា ឆ្នាំ២០១៧

Table5: Percentage of Seat and Votes of Political Party in Elections 2017

តារាងទី៥៖ គណបក្សនយោបាយទទួលបានសម្លេងឆ្នោត និងអាសនៈ គិតជាភាគរយ

ល.ក		ឈ្មោះ ក្រសួង/អង្គភាព	គណបក្សសមរង្ស៊ី				គណបក្សសមរង្ស៊ី				គណបក្សសមរង្ស៊ី				គណបក្សសមរង្ស៊ី				គណបក្សសមរង្ស៊ី				គណបក្សសមរង្ស៊ី				សរុបគ្រប់គណបក្ស					
			សំឡេង		សំឡេង		សំឡេង		សំឡេង		សំឡេង		សំឡេង		សំឡេង		សំឡេង		សំឡេង		សំឡេង		សំឡេង									
			សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ	សរុប	ភាគរយ		
01	បន្ទាយមានជ័យ	125,549	45.45	286	55.53	112,021	40.55	211	40.97	7,797	2.82	0.00	0.00	6,242	2.26	0.00	0.00	14,674	5.31	18	3.50	0.00	0.00	0.00	0.00	0.00	0.00	515	88	17.09		
02	បាត់ដំបង	207,428	45.00	411	50.49	207,669	45.05	399	49.02	10,659	2.31	3	0.37	18,983	4.12	1	0.12	2,594	0.56	0.00	0.00	292	0.06	0.00	0.00	172	0.04	0.00	814	148	18.18	
03	កំពង់ចាម	205,614	41.49	380	46.51	245,810	49.60	435	53.24	12,230	2.47	0.00	0.00	6,096	1.23	0.00	0.00	3,365	0.68	1	0.12	4,306	0.87	1	0.12	0.00	0.00	817	106	12.97		
04	កំពង់ឆ្នាំង	143,204	52.68	252	59.72	101,705	37.41	170	40.28	5,152	1.90	0.00	0.00	2,764	1.02	0.00	0.00	4,802	1.77	0.00	0.00	1,721	0.63	0.00	0.00	282	0.10	0.00	422	73	17.30	
05	កំពង់ស្ពឺ	241,935	53.33	367	60.26	171,083	37.71	242	39.74	4,291	0.95	0.00	0.00	6,667	1.47	0.00	0.00	8,101	1.79	0.00	0.00	5,383	1.19	0.00	0.00	680	0.15	0.00	609	90	14.78	
06	កំពង់ធំ	130,075	42.77	273	47.31	133,201	43.79	285	49.39	17,909	5.89	15	2.60	3,543	1.16	0.00	0.00	6,323	2.08	2	0.35	721	0.24	0.00	0.00	1,129	0.37	2	0.35	577	92	15.94
07	កំពត	156,526	49.66	317	56.51	125,770	39.90	240	42.78	9,947	3.16	3	0.53	5,054	1.60	0.00	0.00	1,597	0.51	0.00	0.00	341	0.11	0.00	0.00	491	0.16	1	0.18	561	101	18.00
08	កណ្តាល	325,758	48.69	484	52.90	305,483	45.66	431	47.10	6,958	1.04	0.00	0.00	8,093	1.21	0.00	0.00	1,497	0.22	0.00	0.00	2,576	0.39	0.00	0.00	0.00	0.00	915	135	14.75		
09	កោះកុង	31,759	56.69	112	67.07	20,628	36.82	55	32.93	360	0.64	0.00	0.00	489	0.87	0.00	0.00	233	0.42	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	167	34	20.36		
10	ក្រចេះ	82,322	52.29	178	60.34	58,602	37.22	116	39.32	3,349	2.13	1	0.34	3,798	2.41	0.00	0.00	2,467	1.57	0.00	0.00	454	0.29	0.00	0.00	0.00	0.00	295	62	21.02		
11	ឧត្តុង្គ	21,923	64.74	86	80.37	8,164	24.11	21	19.63	175	0.52	0.00	0.00	691	2.04	0.00	0.00	96	0.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	107	20	18.69		
12	ភ្នំពេញ	351,414	43.73	431	47.94	416,013	51.77	468	52.06	1,930	0.24	0.00	0.00	9,156	1.14	0.00	0.00	2,138	0.27	0.00	0.00	287	0.04	0.00	0.00	0.00	0.00	899	207	23.03		
13	បន្ទាយមានជ័យ	59,046	53.57	203	60.96	38,040	34.51	129	38.74	1,696	1.54	0.00	0.00	123	0.11	0.00	0.00	4,079	3.70	1	0.30	0.00	0.00	0.00	0.00	0.00	0.00	333	63	18.92		
14	ប៉ៃលិន	278,107	49.49	487	54.60	237,301	42.22	405	45.40	7,245	1.29	0.00	0.00	11,069	1.97	0.00	0.00	1,761	0.31	0.00	0.00	8,804	1.57	0.00	0.00	342	0.06	0.00	892	124	13.90	
15	ពោធិ៍សាត់	136,679	64.28	251	73.18	60,941	28.66	92	26.82	5,264	2.48	0.00	0.00	1,333	0.63	0.00	0.00	681	0.32	0.00	0.00	653	0.31	0.00	0.00	0.00	0.00	343	57	16.62		
16	ពោធិ៍	51,438	62.49	207	79.62	20,305	24.67	51	19.62	40	0.05	0.00	0.00	1,187	1.44	0.00	0.00	1,433	1.74	0.00	0.00	0.00	0.00	0.00	0.00	869	1.06	2	0.77	260	43	16.54
17	សៀមរាប	176,771	39.15	318	47.60	215,492	47.73	347	51.95	10,603	2.35	0.00	0.00	19,385	4.29	2	0.30	10,423	2.31	1	0.15	897	0.20	0.00	0.00	0.00	0.00	668	121	18.11		
18	ប្រាសាទ	57,937	52.43	114	64.41	41,738	37.77	63	35.59	3,548	3.21	0.00	0.00	1,203	1.09	0.00	0.00	1,412	1.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	177	28	15.82		
19	ស្ទឹងត្រែង	41,055	61.64	132	75.00	16,702	25.08	39	22.16	3,793	5.69	5	2.84	0.00	0.00	0.00	0.00	197	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	176	38	21.59		
20	ស្វាយរៀង	174,975	57.72	332	64.09	107,022	35.30	186	35.91	4,096	1.35	0.00	0.00	1,796	0.59	0.00	0.00	1,207	0.40	0.00	0.00	1,255	0.41	0.00	0.00	455	0.15	0.00	518	92	17.76	
21	តាកែវ	264,576	51.12	417	56.66	215,329	41.61	318	43.21	3,059	0.59	1	0.14	7,611	1.47	0.00	0.00	2,873	0.56	0.00	0.00	2,644	0.51	0.00	0.00	561	0.11	0.00	736	92	12.50	
22	តែប	14,092	64.58	24	77.42	5,576	25.55	7	22.58	784	3.59	0.00	0.00	378	1.73	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	31	7	22.58		
23	ថ្មបាំង	15,527	49.40	30	57.69	13,487	42.91	22	42.31	0.00	0.00	0.00	0.00	925	2.94	0.00	0.00	358	1.14	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	52	15	28.85		
24	ឧត្តរមានជ័យ	57,430	54.47	102	67.11	32,767	31.08	49	32.24	1,788	1.70	0.00	0.00	2,237	2.12	1	0.66	4,035	3.83	0.00	0.00	291	0.28	0.00	0.00	0.00	0.00	152	16	23.68		
25	ត្បូងឃ្មុំ	188,916	51.30	309	57.65	145,975	39.64	226	42.16	9,646	2.62	0.00	0.00	4,059	1.10	0.00	0.00	2,378	0.65	1	0.19	709	0.19	0.00	0.00	0.00	0.00	536	67	12.50		
សរុប		3,540,056	50.76	6,503	56.20	3,056,824	43.83	5,007	43.27	132,319	1.90	28	0.24	122,882	1.76	4	0.03	78,724	1.13	24	0.21	31,334	0.45	1	0.01	4,981	0.07	5	0.04	11,322	1,939	16.76

រាជធានីភ្នំពេញ ថ្ងៃទី ២៥ ខែ វិច្ឆិកា ឆ្នាំ២០១៧

Appendix3: NEC Press Statement

ឧសម្ព័ន្ធ៣៖ សេចក្តីប្រកាសព័ត៌មានរបស់ គ.ជ.ប



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

អគ្គលេខាធិការដ្ឋាន
លេខ ០៩០ / គ.ជ.ប/អគ្គ/ប្រ.ក.ព
១៦

រាជធានីភ្នំពេញ, ថ្ងៃទី ០៩ ខែវិច្ឆិកា ឆ្នាំ២០១៦

សេចក្តីប្រកាសព័ត៌មាន

នៅថ្ងៃទី០៩ ខែវិច្ឆិកា ឆ្នាំ២០១៦ វេលាម៉ោង ០៩:០០នាទីព្រឹក នៅសាលសន្តិសីទ គណៈកម្មាធិការជាតិ រៀបចំការបោះឆ្នោត (គ.ជ.ប) មានជំនួបពិភាក្សាក្របខ័ណ្ឌកិច្ចសហប្រតិបត្តិការរវាង គ.ជ.ប ដឹកនាំដោយ ឯកឧត្តម **ស៊ុន ម៉ុងហុក** ប្រធាន គ.ជ.ប និងអង្គការសង្គមស៊ីវិលចំនួន ១០ ដឹកនាំដោយលោក **គង់ បញ្ញា** នាយកប្រតិបត្តិ អង្គការខុមហ្វ្រែល (COMFREL) ។

របៀបវារៈនៃកិច្ចពិភាក្សាមានចំនួន ០៣ សំខាន់ ដែលអង្គការសង្គមស៊ីវិលដាក់មកកាន់ គ.ជ.ប ៖

- ១- ការបង្ហាញនូវរបាយការណ៍ចុះឈ្មោះបោះឆ្នោត ដែលអង្គការខុមហ្វ្រែល បានរកឃើញ
- ២- ផែនការ និងវិធីសាស្ត្រធ្វើសវនកម្មបញ្ជីបោះឆ្នោត និងក្របខ័ណ្ឌកិច្ចសហប្រតិបត្តិការ
- ៣- ការសម្រួលគោលការណ៍សម្រាប់ការចេញប័ណ្ណដល់អ្នកសង្កេតការណ៍

កិច្ចពិភាក្សានេះអ្នកចូលរួមមាន៖ តំណាងអង្គការ COMFREL តំណាងអង្គការ NDI តំណាងអង្គការ NICFEC តំណាងអង្គការ ADHOC និងតំណាងអង្គការសង្គមស៊ីវិលចំនួន ០៦ ផ្សេងទៀតរួមទាំងមន្ត្រី គ.ជ.ប សរុបចំនួន ៥៥នាក់។

គ.ជ.ប យល់ឃើញថា ការបង្ហាញនូវរបាយការណ៍ចុះឈ្មោះបោះឆ្នោត ដែលអង្គការខុមហ្វ្រែលបានរកឃើញ គឺមានចំណុចមួយចំនួន គ.ជ.ប បានធ្វើការកែសម្រួលរួចអស់ហើយ ប៉ុន្តែចំពោះការស្នើ គ.ជ.ប ជួយអន្តរាគមន៍ ដើម្បីឱ្យប្រជាពលករខ្មែរធ្វើការនៅប្រទេសថៃ បានចុះឈ្មោះបោះឆ្នោត នៅតាមការិយាល័យចុះឈ្មោះបោះឆ្នោត ដែលស្ថិតនៅក្នុងឃុំ សង្កាត់ តាមបណ្តោយព្រំដែនកម្ពុជា ថៃ ចំណុចនេះ គ.ជ.ប មិនអាចជួយធ្វើអន្តរាគមន៍បាន ទេ ព្រោះ គ.ជ.ប អនុវត្តទៅតាមច្បាប់។ ពលករទាំងអស់អាចចុះឈ្មោះបោះឆ្នោតបាននៅតាម ឃុំ សង្កាត់ ដែល គាត់មានទីលំនៅ ឬទីសំណាក់នៅក្នុងប្រទេស នឹងម្យ៉ាង គ.ជ.ប និងក្រសួងមហាផ្ទៃក៏បានណែនាំដល់អាជ្ញាធរ ឃុំ សង្កាត់ ឱ្យពង្រឹងការអនុវត្តនីតិវិធី និងបែបបទនៃការចេញលិខិតបញ្ជាក់ទីលំនៅ ដើម្បីគោលដៅនៃការចុះឈ្មោះ បោះឆ្នោត។

គ.ជ.ប យល់ឃើញថា ការធ្វើសវនកម្មបញ្ជីបោះឆ្នោតជាការចាំបាច់ ដើម្បីបង្កើនជំនឿទុកចិត្តពីអ្នកបោះឆ្នោត និងដើម្បីឱ្យដឹងអំពីភាពពេញលេញ សុក្រឹតភាព និងបច្ចុប្បន្នភាពនៃបញ្ជីបោះឆ្នោត។ ចំពោះការធ្វើនេះ ប្រសិន

សូមទំនាក់ទំនង : 023 214 231 / 012 855 018 ; E-mail: necinfo@forum.org.kh ; www.necelect.org.kh

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ព្រះរាជាណាចក្រកម្ពុជា ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត
អគ្គលេខាធិការដ្ឋាន

លេខ 124 គ.ជ.ប/អគ្គ/ប្រ.ក.ព

រាជធានីភ្នំពេញ, ថ្ងៃទី 29 ខែឧសភា ឆ្នាំ២០១៧

សេចក្តីប្រកាសព័ត៌មាន

នៅព្រឹកថ្ងៃច័ន្ទទី២៩ ខែឧសភា ឆ្នាំ២០១៧ វេលាម៉ោង ០៩:០០នាទី គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) ដឹកនាំដោយឯកឧត្តម **ស៊ុក ម៉ែនហុក** ប្រធាន គ.ជ.ប បានជួបពិភាក្សាការងារជាមួយគណៈប្រតិភូសង្គមស៊ីវិល ដឹកនាំដោយលោក **គល់ មញ្ញា** នាយកប្រតិបត្តិអង្គការ **ខមហ្វ្រែល** នាទីស្តីការ គ.ជ.ប ។

ឯកឧត្តម **ស៊ុក ម៉ែនហុក** ប្រធាន គ.ជ.ប បានជម្រាបជូនព័ត៌មានមួយចំនួនដល់សង្គមស៊ីវិល អំពីទស្សនៈវិស័យថា ដំណើរការរៀបចំការបោះឆ្នោតដែល គ.ជ.ប សម្រេចបាននាពេលកន្លងមក និងការងារចំពោះមុខ ។ បន្ទាប់ពីបានស្តាប់ការពន្យល់ណែនាំរបស់ឯកឧត្តមប្រធាន គ.ជ.ប គណៈប្រតិភូសង្គមស៊ីវិលបានកោតសរសើរ គ.ជ.ប ថា៖

- មានការបើកទូលាយដល់ភាគីពាក់ព័ន្ធការបោះឆ្នោតទាំងអស់ ដែលការបើកទូលាយនេះហើយសង្គមស៊ីវិលមើលឃើញថា មានតម្លាភាពល្អប្រសើរ
- គុណភាពបញ្ជីបោះឆ្នោតដែលរៀបចំដោយ គ.ជ.ប មានលក្ខណៈល្អប្រសើរ
- ការចេញវិធានការ ៥ ចំណុចទប់ស្កាត់មិនឱ្យបោះឆ្នោតលើសពីមួយដង ជាវិធានការល្អបំផុត
- ការសម្រេចឱ្យថតទម្រង់ ១១០២ និង ១១០៥ ដាក់នៅលើវេបសាយ ជាការបង្ហាញពីតម្លាភាព
- ការចេញសេចក្តីណែនាំទៅអ្នកគ្រប់គ្រងផ្សារ ដែលអនុញ្ញាតឱ្យមានការចូលចែកខិត្តប័ណ្ណនៅក្នុងផ្សារពេលយោសនាបោះឆ្នោត ជាការប្រសើរដែលទប់ស្កាត់នូវបញ្ហាទំនាស់បាន ។

នៅក្នុងជំនួបពិភាក្សានេះសង្គមស៊ីវិលក៏បានស្នើឱ្យ គ.ជ.ប ចេញនូវវិធានការមួយចំនួនដូចជា៖

- សូមឱ្យ គ.ជ.ប បោះត្រាបញ្ជាក់លើ ឯ.អ សម្រាប់បម្រើឱ្យការចុះឈ្មោះបោះឆ្នោតជាការស្រេចសម្រាប់យកទៅបោះឆ្នោត មិនចាំបាច់ធ្វើ ឯ.អ សម្រាប់បម្រើឱ្យការបោះឆ្នោតទេ
- សូមឱ្យ គ.ជ.ប ចេញសេចក្តីប្រកាសបញ្ជាក់បន្ថែម អំពីប័ណ្ណព័ត៌មានអ្នកបោះឆ្នោតថា អ្នកគ្មានប័ណ្ណព័ត៌មានក៏បោះឆ្នោតបានដែរ ហើយមន្ត្រីការិយាល័យបោះឆ្នោតមិនត្រូវឱ្យទាមទារ ប័ណ្ណព័ត៌មានអ្នកបោះឆ្នោតពីអ្នកបោះឆ្នោតទេ
- សូមឱ្យ គ.ជ.ប អនុញ្ញាតឱ្យអង្គការសង្គមស៊ីវិលមានបញ្ជីបោះឆ្នោតក្នុងដៃ ដើម្បីផ្ទៀងផ្ទាត់ដូចភ្នាក់ងារគណបក្សនយោបាយដែរ
- ស្នើឱ្យ គ.ជ.ប ចាត់តាំងជនបង្គោលណាម្នាក់នៅថ្នាក់ គ.ជ.ប និងថ្នាក់ គណ.ខប ដើម្បីងាយស្រួលដល់សង្គមស៊ីវិលក្នុងការទំនាក់ទំនង
- ស្នើឱ្យ គ.ជ.ប ជួយសម្រួលដល់ប្រព័ន្ធផ្សព្វផ្សាយព័ត៌មាន បានផ្សាយព័ត៌មាននៅថ្ងៃបោះឆ្នោតផង ពីព្រោះកន្លងមកក្រសួងព័ត៌មាន មិនអនុញ្ញាតឱ្យប្រព័ន្ធផ្សព្វផ្សាយព័ត៌មាន ធ្វើការផ្សាយព័ត៌មាននៅថ្ងៃបោះឆ្នោតទេ

សូមទំនាក់ទំនង : 023 214 231 / 012 855 018 ; E-mail: necinfo@forum.org.kh ; www.necelect.org.kh

- សូមឱ្យ គ.ជ.ប ជួយជំរុញបន្ថែមទៀតទាក់ទងនឹងពេលវេលាលេខសម្រាកមកចូលរួមបោះឆ្នោតរបស់ពលករខ្មែរធ្វើការនៅប្រទេសថៃ តើគួរសម្រួលបែបណា ដើម្បីឱ្យពួកគាត់បានចូលរួមបោះឆ្នោត
- សូមឱ្យ គ.ជ.ប ជួយសម្រួលចំពោះគ្រឹះស្ថានហិរញ្ញវត្ថុ ដើម្បីឱ្យប្រគល់អត្តសញ្ញាណប័ណ្ណសញ្ជាតិខ្មែរ ដែលដាក់បញ្ចាំ ឬបាត់ នៅតាមបណ្តាគ្រឹះស្ថានមួយចំនួនឱ្យប្រគល់មកប្រជាពលរដ្ឋវិញ ដើម្បីឱ្យពួកគាត់ធ្វើជាឯកសារបោះឆ្នោត សម្រាប់ប្រើនៅថ្ងៃបោះឆ្នោត ។

បន្ទាប់ពីបានស្តាប់ការស្នើសុំរបស់គណៈប្រតិភូអង្គការសង្គមស៊ីវិល ឯកឧត្តមប្រធាន គ.ជ.ប បានបញ្ជាក់ថា រាល់ការលើកជាអាទិសាសន៍ទាំងនេះវាទាក់ទងនឹងច្បាប់បោះឆ្នោតផង និងបច្ចេកទេសផង ដូចនេះ គ.ជ.ប នឹងដាក់បញ្ចូលទៅក្នុងរៀបរៀងប្រជុំរបស់ គ.ជ.ប ដើម្បីពិនិត្យមើលថាតើត្រូវធ្វើបែបណា ហើយ គ.ជ.ប នឹងធ្វើការឆ្លើយតបវិញនៅពេលក្រោយ ។ ។





ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត
អគ្គលេខាធិការដ្ឋាន

លេខ ១៣០ គ.ជ.ប/អគ្គ/ប្រ.ក.ត

រាជធានីភ្នំពេញ, ថ្ងៃទី ០២ ខែមិថុនា ឆ្នាំ២០១៧

ចំនួនអ្នកសង្កេតការណ៍ជាតិ ចូលរួមសង្កេតមើលដំណើរការបោះឆ្នោតជ្រើសរើស
ក្រុមប្រឹក្សាឃុំ សង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧

ចំនួនអ្នកសង្កេតការណ៍ជាតិ ចូលរួមសង្កេតមើលដំណើរការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧ មានដូចខាងក្រោម ៖

ល.រ	អង្គការ	ចំនួនអ្នកសង្កេតការណ៍		
		សរុប	ស្រី	ចល័ត
១	សហភាពសហព័ន្ធយុវជនកម្ពុជា (UYFC)	៣១,៤៣១	៩,២៩៣	០
២	សមាគមនារីកម្ពុជាដើម្បីសន្តិភាព និងអភិវឌ្ឍន៍ (CWPD)	២០,៧៩៣	២០,៧១៧	១០
៣	គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា (COMFREL)	១៤,៥៨០	៦,១៥៣	១០
៤	សហព័ន្ធនិស្សិត បញ្ញវន្ត ប្រជាធិបតេយ្យកម្ពុជា (CDSIF)	២,៦៤២	១,៤០៧	១០
៥	អង្គការគម្លាតភាពកម្ពុជា (TIC)	១,២៣៩	៥៦០	១០
៦	គណៈកម្មាធិការអព្យាក្រឹត និងយុត្តិធម៌ដើម្បីការបោះឆ្នោតដោយសេរី និងត្រឹមត្រូវនៅកម្ពុជា(NICFEC)	១,០៥២	៤១១	១០
៧	គណៈកម្មាធិការនៃអង្គការមិនមែនរដ្ឋាភិបាលកម្ពុជា ដើម្បីអនុសញ្ញាលុបបំបាត់រាល់ទម្រង់នៃការរើសអើងលើស្ត្រីភេទ (NGO-CEDAW)	៥៦៧	៣០៤	១០
៨	សមាគមរួមគ្នាដើម្បីអភិវឌ្ឍន៍កម្ពុជា (CCDA)	៤៣៨	១៩	០
៩	សមាគមយុវជនកិច្ចការសង្គម	៤០៧	១៤៥	០
១០	សហគមន៍អភិវឌ្ឍន៍ជាតិ(UND)	២៦៥	៤៥	៣
១១	មជ្ឈមណ្ឌលប្រជាពលរដ្ឋដើម្បីអភិវឌ្ឍន៍ និងសន្តិភាព (កីឌីកី), (PDP-Center)	២២៨	១០៧	១០
១២	អង្គការប្រជាធិបតេយ្យ និងសិទ្ធិមនុស្សក្នុងប្រតិបត្តិការ(DHRAC)	២០១	១០៤	៨
១៣	សមាគមសិទ្ធិមនុស្សដើម្បីអភិវឌ្ឍន៍ និងថែរក្សាកុមារកំព្រាស្ត្រីក្រ(CO.P.A)	១៦២	៤៥	៧
១៤	អង្គការជនពិការកម្ពុជា (C.D.P.O)	១៤១	៦១	០
១៥	អង្គការសេវាប្រជាធិបតេយ្យ(D.S.O)	១៣៤	៤៨	៦
១៦	សមាគមយុវជនសេដ្ឋកិច្ចកម្ពុជា (ស.យ.ស.ក)	១១៩	៥១	០
១៧	សមាគម បញ្ញវន្ត និងយុវជនស្ម័គ្រចិត្ត (VIYA)	៦៤	២៧	១០
១៨	សហព័ន្ធសិទ្ធិមនុស្ស និងអភិវឌ្ឍន៍កម្ពុជា(C.FHRAD)	៦០	៣០	០
១៩	សមាគមអ្នកលក់ឱសថកម្ពុជា (C.P.A)	៦០	២៦	០
២០	វិទ្យាស្ថានអភិវឌ្ឍន៍ធនធានមនុស្ស, Institute of Human Resources Development (Non-Governmental Organization)	៥០	២	០
២១	សមាគម សិស្ស និស្សិត បញ្ញវន្តក្មេងវត្ត (PCISA)	៣៨	០	០
សរុប		៧៤,៦៧១	៣៩,៥៥៥	១០៤



សម្រាប់ព័ត៌មាន : 023 214 231 / 012 855 018 ; E-mail: necinfo@forum.org.kh ; Website: www.ncelect.org.kh



ព្រះរាជាណាចក្រកម្ពុជា ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

អគ្គលេខាធិការដ្ឋាន

លេខ ១២៧ គ.ជ.ប/អគ្គ/ប្រ.ក.ព

រាជធានីភ្នំពេញ, ថ្ងៃទី ០១ ខែមិថុនា ឆ្នាំ២០១៧

សេចក្តីប្រកាសព័ត៌មាន

នៅថ្ងៃទី០១ ខែមិថុនា ឆ្នាំ២០១៧ គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) បានចេញលិខិត សេចក្តីណែនាំ និងសេចក្តីជូនដំណឹងមួយចំនួនដល់ស្ថាប័នពាក់ព័ន្ធ ដើម្បីជួយសម្រួលដល់ដំណើរការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧។

លិខិត សេចក្តីណែនាំ និងសេចក្តីជូនដំណឹងទាំងនោះរួមមាន ៖

- លិខិតលេខ ៨០៩ ចុះថ្ងៃទី០១ ខែមិថុនា ឆ្នាំ២០១៧ ទៅក្រសួងការបរទេសកម្ពុជា ដើម្បីស្នើសុំពិនិត្យលទ្ធភាព សម្រួលដល់ពលករ និងនិស្សិតខ្មែរដែលបានស្នាក់នៅបរទេស បានមកបោះឆ្នោតនៅកម្ពុជាវិញ ដែលប្រព្រឹត្តទៅនៅថ្ងៃអាទិត្យ ទី៤ ខែមិថុនា ឆ្នាំ២០១៧។
- សេចក្តីណែនាំរួមបន្ថែម លេខ ០១២ ចុះថ្ងៃទី០១ ខែមិថុនា ឆ្នាំ២០១៧ ស្តីពីនីតិវិធីនៃការស្នើសុំ និងការចេញឯកសារបញ្ជាក់អត្តសញ្ញាណ បម្រើឱ្យការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧។
- សេចក្តីណែនាំលេខ ៨១០ ចុះថ្ងៃទី០១ ខែមិថុនា ឆ្នាំ២០១៧ ស្តីពីការពង្រឹង សន្តិសុខសណ្តាប់ធ្នាប់ និងរបៀបរៀបរយ ក្នុងការិយាល័យបោះឆ្នោត និងរាប់សន្លឹកឆ្នោត ក្នុងដំណើរការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧។
- សេចក្តីជូនដំណឹងលេខ ៨១១ ចុះថ្ងៃទី០១ ខែមិថុនា ឆ្នាំ២០១៧ ស្តីពីឯកសារផ្លូវការរបស់ប្រជាពលរដ្ឋ ដែលមានឈ្មោះក្នុងបញ្ជីបោះឆ្នោតផ្លូវការឆ្នាំ២០១៦ សម្រាប់យកទៅប្រើប្រាស់ក្នុងការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧។

សាធារណជនអាចស្វែងរកលិខិតទាំងនោះ នៅលើគេហទំព័ររបស់គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) www.ncelect.org.kh ។



Appendix4: MoI Statement

ឧសម្ព័ន្ធ៤៖ សេចក្តីប្រកាសព័ត៌មានរបស់ក្រសួងមហាផ្ទៃ

រាជរដ្ឋាភិបាលកម្ពុជា
ក្រសួងមហាផ្ទៃ
លេខ:



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

សេចក្តីប្រកាសព័ត៌មានរបស់ក្រសួងមហាផ្ទៃ

នៅក្នុងកម្មវិធីផ្សាយរបស់វិទ្យុអាស៊ីសេរីកាលពីថ្ងៃទី០៧ ខែមិថុនា ឆ្នាំ២០១៧ បានធ្វើការផ្សាយព័ត៌មានថា អង្គការសង្គមស៊ីវិល និងគណបក្សសង្គ្រោះជាតិ ព្រួយបារម្ភអំពីការប្រើប្រាស់ថវិកាជាតិ ដោយគ្មានប្រសិទ្ធភាព ជុំវិញគម្រោងតែងតាំងមន្ត្រីឃុំ សង្កាត់ចាញ់ឆ្នោតរបស់គណបក្សប្រជាជនកម្ពុជា ជាជំនួយការ ឬទីប្រឹក្សាមន្ត្រី រដ្ឋាភិបាល។ ការផ្សាយព័ត៌មាននេះ ជាការលើកឡើងក្នុងគោលបំណងបំភាន់ការពិត និងធ្វើឲ្យសាធារណមតិ មានការយល់ច្រឡំមកលើរាជរដ្ឋាភិបាលដែលដឹកនាំដោយគណបក្សប្រជាជនកម្ពុជា។

ពាក់ព័ន្ធនឹងការផ្សាយព័ត៌មានខាងលើនេះ អ្នកនាំពាក្យក្រសួងមហាផ្ទៃសូមធ្វើការបដិសេធទាំងស្រុង និង សូមធ្វើការគូសបញ្ជាក់ជូនសាធារណមតិជាតិ និងអន្តរជាតិ ដូចតទៅ៖

១-កន្លងមករាជរដ្ឋាភិបាលមានតែគោលការណ៍ក្នុងការរៀបចំតែងតាំងមុខតំណែងជាទីប្រឹក្សា ឬជំនួយការ នៅតាមក្រសួង ស្ថាប័ននានារបស់រាជរដ្ឋាភិបាលចំពោះតែមេឃុំ ចៅសង្កាត់ ជំទប់ ចៅសង្កាត់រងមួយចំនួន ដែល មិនបានឈរឈ្មោះជាបេក្ខជនសម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់អាណត្តិទី៤ តែប៉ុណ្ណោះ។

២-ចំពោះការតែងតាំងមេឃុំ ចៅសង្កាត់ ជំទប់ ចៅសង្កាត់រងដែលមិនឈរឈ្មោះជាបេក្ខជនក្រុមប្រឹក្សាឃុំ សង្កាត់ទៀតនោះ គឺសំដៅប្រើប្រាស់ធនធានមនុស្សដែលមានបទពិសោធន៍ និងសមត្ថភាពសម្រាប់ជួយការងារ តាមក្រសួង ស្ថាប័នដើម្បីលើកកម្ពស់ប្រសិទ្ធភាពការងារនៅតាមអង្គភាព និងនៅថ្នាក់មូលដ្ឋាននីមួយៗ។

៣-រាជរដ្ឋាភិបាល ពុំមានគោលការណ៍ក្នុងការតែងតាំងមុខតំណែងបេក្ខជនដែលមិនបានជាប់ឆ្នោតជា សមាជិកក្រុមប្រឹក្សាឃុំ សង្កាត់អាណត្តិទី៤ ឲ្យធ្វើជាទីប្រឹក្សា ឬជំនួយការនៅតាមក្រសួង ស្ថាប័ននានា ដូចជាការ ផ្សាយរបស់វិទ្យុអាស៊ីសេរី កាលពីថ្ងៃទី០៧ ខែមិថុនា ឆ្នាំ២០១៧នោះឡើយ។

ធ្វើនៅរាជធានីភ្នំពេញថ្ងៃទី ០៨ ខែមិថុនា ឆ្នាំ២០១៧ គ





ក្រសួងមហាផ្ទៃ

ឧទ្ធរាន៍យសម្តេចក្រឡាហោម ស ខេង
ឧបនាយករដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

ភ្នំពេញ, ថ្ងៃទី ០២ ខែ មិថុនា ឆ្នាំ ២០១៧

លេខ :/.....

សេចក្តីប្រកាសព័ត៌មាន

ឧទ្ធរាន៍យសម្តេចក្រឡាហោម មានកិត្តិយសសូមជម្រាបជូនសាធារណជនជ្រាបថា កាលពីថ្ងៃទី ០១ ខែ មិថុនា ឆ្នាំ២០១៧ កន្លងទៅនេះ លោក គង់ គាំ ទីប្រឹក្សាជាន់ខ្ពស់គណបក្សសង្គ្រោះជាតិ នាឱកាសចុះធ្វើយុទ្ធនាការយោសនាបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ-សង្កាត់ អាណត្តិទី៤ នៅសង្កាត់អូរឫស្សី ក្រុងក្រចេះ ខេត្តក្រចេះ បាននិយាយទៅកាន់អ្នកគាំទ្ររបស់ខ្លួនថា «...បើសង្គ្រោះជាតិឈ្នះឆ្នោតឆ្នាំ២០១៨ ដឹកនាំរាជរដ្ឋាភិបាលធ្វើនាយករដ្ឋមន្ត្រី ទុក សម្តេចក្រឡាហោម ធ្វើឧបនាយករដ្ឋមន្ត្រីដដែល តែសង្គ្រោះជាតិធ្វើរដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ...» ។

ពាក់ព័ន្ធនឹងការលើកឡើងនេះ ឧទ្ធរាន៍យសម្តេចក្រឡាហោម សូមទាត់ចោលទាំងស្រុងនូវការផ្តើមផ្តួងតាម អារម្មណ៍ក្នុងការយល់សប្តិខាងលើនេះ និងសូមធ្វើការបញ្ជាក់ជូនដូចតទៅ៖

១- ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ-សង្កាត់ អាណត្តិទី៤ ដែលនឹងប្រព្រឹត្តទៅនៅថ្ងៃទី ០៤ ខែមិថុនា ឆ្នាំ ២០១៧ ខាងមុខនេះ មិនមែនជាការបោះឆ្នោតជ្រើសតាំងតំណាងរាស្ត្រ ដែលនឹងត្រូវមានការរៀបចំជ្រើសតាំងសមាជិករាជរដ្ឋាភិបាលសម្រាប់អាណត្តិថ្មីនោះទេ ។ ការលើកឡើងដែលបង្កប់នូវគំនិតទុច្ចរិតរបស់លោក គង់ គាំ គឺជាការយោសនាបោកប្រាស់ បន្លំយកឈ្មោះ **សម្តេចក្រឡាហោម ស ខេង** ទៅប្រើប្រាស់ បង្កឲ្យមានការភ័ន្តច្រឡំ ក្នុងគោលបំណងកេងចំណេញនយោបាយដើម្បីទាក់ទាញសម្លេងឆ្នោតតែប៉ុណ្ណោះ ។

២- ការលើកឡើងរបស់លោក គង់ គាំ គឺជាការមាក់ងាយមកលើគណបក្សប្រជាជនកម្ពុជា ដែលជាគណបក្សនយោបាយដ៏ចាស់ទុំ ធ្លាប់បានរំដោះប្រទេសជាតិ និងបានរួមសុខរួមទុក្ខជាមួយប្រជាពលរដ្ឋនៅគ្រប់កាលៈទេសៈ ព្រមទាំងបានធ្វើពលិកម្មគ្រប់បែបយ៉ាងដើម្បីជាតិ និងប្រជាជន ។

៣- សំដីរបស់លោក គង់ គាំ ក៏ជាការប្រមាថមាក់ងាយយ៉ាងធ្ងន់ធ្ងរមកលើកិត្តិយស និងសេចក្តីថ្លៃថ្នូររបស់ **សម្តេចក្រឡាហោម ស ខេង** ក្នុងនាមជាថ្នាក់ដឹកនាំជាន់ខ្ពស់មួយរូបរបស់រាជរដ្ឋាភិបាល និងគណបក្សប្រជាជនកម្ពុជា ដែលតែងទទួលបាននូវការគោរពស្រឡាញ់ពីសំណាក់មន្ត្រីរាជការស៊ីវិល កងកម្លាំងប្រដាប់អាវុធគ្រប់ប្រភេទ និងប្រជាពលរដ្ឋទូទៅគ្រប់ស្រទាប់ក្នុងសង្គម ។

ឧទ្ធរាន៍យសម្តេចក្រឡាហោម សូមបដិសេធយ៉ាងដាច់អប្បបរមាចំពោះសំដីមាក់ងាយរបស់លោក គង់ គាំ និងសូមអំពាវនាវដល់សាធារណជនកុំបាញ់បោកឧបាយកលដ៏ពិតសព្វល បម្រើឲ្យមហិច្ឆតាផ្ទាល់ខ្លួន និងផលប្រយោជន៍នយោបាយរបស់លោក គង់ គាំ និងគណបក្សសង្គ្រោះជាតិ ។ ឧទ្ធរាន៍យសម្តេចក្រឡាហោម សូមគូសបញ្ជាក់ជូនសាធារណជនជ្រាបថា ជាតិ សាសនា ព្រះមហាក្សត្រ ដោយឥតងាករបស់ **សម្តេចក្រឡាហោម ស ខេង** តាមរយៈគណបក្សប្រជាជនកម្ពុជា ដែលជាគណបក្សស្នូលធានាបាននូវការថែរក្សាសនិភាព ការបង្រួបបង្រួមជាតិ និងការអភិវឌ្ឍន៍ប្រទេស ទាំងក្នុងពេលបច្ចុប្បន្ន និងតទៅអនាគត ។

ឧទ្ធរាន៍យសម្តេចក្រឡាហោម ស ខេង



រាជរដ្ឋាភិបាលកម្ពុជា
ក្រសួងមហាផ្ទៃ

លេខ: ១០១៥ សជណ



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

រាជធានីភ្នំពេញ ថ្ងៃទី ០៥ ខែកក្កដា ឆ្នាំ២០១៧

ជម្រាបជូន

លោក គង់ បញ្ញា នាយកប្រតិបត្តិ

គណៈកម្មាធិការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា
(COMFREL)

កម្មវត្ថុ ៖ ករណីបន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ ឆ្នាំ២០១៧។

យោង ៖ - ព្រះរាជក្រមលេខ នស/រកម/០៨១៥/០១០ ចុះថ្ងៃទី១២ ខែសីហា ឆ្នាំ២០១៥ ដែលប្រកាស
ឲ្យប្រើច្បាប់ស្តីពីសមាគម និងអង្គការមិនមែនរដ្ឋាភិបាល

- លិខិតលេខ ១១៨១ សជណ ចុះថ្ងៃទី២២ ខែធ្នូ ឆ្នាំ១៩៩៧ របស់ក្រសួងមហាផ្ទៃ ស្តីពីការសុំ
បង្កើតគណៈកម្មាធិការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា។

តបតាមកម្មវត្ថុ និងយោងខាងលើ ក្រសួងមហាផ្ទៃ សូមជម្រាបជូន លោកនាយកប្រតិបត្តិ នៃ
គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា (COMFREL) ថា ការបង្កើត បន្ទប់
ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ ឆ្នាំ២០១៧ ដោយមានការចូលរួមពីអង្គការ និង
សមាគម ប្រមាណចំនួន៤០ ជាសមាជិក គឺអនុវត្តផ្ទុយទៅនឹងបទប្បញ្ញត្តិនៃច្បាប់ស្តីពីសមាគម និងអង្គការ
មិនមែនរដ្ឋាភិបាល។ ចំពោះសេចក្តីថ្លែងការណ៍របស់ បន្ទប់ស្ថានការណ៍ មិនមានតម្លៃគតិយុត្ត និងមិនបាន
ឆ្លុះបញ្ចាំងពីអព្យាក្រឹត្យភាព ដូចមានចែងក្នុង មាត្រា ២៤ នៃច្បាប់ស្តីពីសមាគម និងអង្គការមិនមែនរដ្ឋាភិបាល។

អាស្រ័យហេតុដូចបានជម្រាបជូនខាងលើ សូមគណៈកម្មាធិការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌
នៅកម្ពុជា ត្រូវបញ្ឈប់សកម្មភាពខុសច្បាប់របស់បន្ទប់ស្ថានការណ៍ និងត្រូវអនុវត្តសកម្មភាពរបស់ខ្លួនឲ្យបាន
ត្រឹមត្រូវ ស្របតាមច្បាប់ស្តីពីសមាគម និងអង្គការមិនមែនរដ្ឋាភិបាល ច្បាប់ និងលិខិតបទដ្ឋានគតិយុត្តនានា
ជាធរមាន។

អាស្រ័យហេតុនេះ សូមលោកនាយកប្រតិបត្តិជ្រាប និងចាត់ចែងអនុវត្តឲ្យមានប្រសិទ្ធភាព។

ចម្លងជូន

- ទីស្តីការគណៈរដ្ឋមន្ត្រី
- ក្រសួងយុត្តិធម៌
- អគ្គលេខាធិការដ្ឋានព្រឹទ្ធសភា
- អគ្គលេខាធិការដ្ឋានរដ្ឋសភា
- គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត
- សាលាដំបូងរាជធានីភ្នំពេញ
(ដើម្បីជូនជ្រាប)
- ឯកសារ-កាលប្បវត្តិ



សម្តេចក្រុងហោម ស ខេង

Appendix5: COMFREL Statement

ឧបសម្ព័ន្ធ៥៖ សេចក្តីថ្លែងការណ៍របស់ខុមហ្វ្រែល

1. Press Statement on overall assessment on pre-election day situation

បន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ឆ្នាំ២០១៧

Situation Room on Cambodian Commune Council Election in 2017

រាជធានីភ្នំពេញ, ថ្ងៃទី០២ ខែមិថុនា ឆ្នាំ២០១៧

សេចក្តីថ្លែងការណ៍

ស្តីអំពី

ការវាយតម្លៃលើស្ថានភាព មុនថ្ងៃបោះឆ្នោត ជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់រាជធានីភ្នំពេញ

សមាគម និងអង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧យល់ឃើញថា ការចាត់ចែងការបោះឆ្នោតជាបច្ចេកទេស ដោយ គ.ជ.ប មានចំណុចវិជ្ជមានច្រើន។ បរិយាកាសនយោបាយ និងសន្តិសុខ គឺស្ថិតនៅស្ថានភាពគ្មានអំពើហិង្សាធ្ងន់ធ្ងរ ដែលធ្វើឲ្យប៉ះពាល់ជាអវិជ្ជមានដល់ការចាត់ចែងការបោះឆ្នោត សេរីភាពសិទ្ធិនយោបាយនៃគណបក្សប្រកួតប្រជែង សមាគម អង្គការសង្គមស៊ីវិល និងម្ចាស់ឆ្នោត។ យើងមានជំនឿថា នឹងមានសន្តិសុខ សុវត្ថិភាពសម្រាប់ដំណើរបោះឆ្នោត និងការប្រកាសលទ្ធផលបោះឆ្នោត។ ខាងក្រោមនេះ ជាការវាយតម្លៃលើចំណុចសំខាន់នៃស្ថានភាព និងដំណើរការចាត់ចែងមុនថ្ងៃបោះឆ្នោត៖

• ក្រមខណ្ឌច្បាប់៖

មានចំណុចវិជ្ជមានខ្លះ និងអវិជ្ជមានខ្លះដែលទាក់ទងនឹងច្បាប់ ស្តីពីការបោះឆ្នោត និងច្បាប់ស្តីពីការរៀបចំ និងការប្រព្រឹត្តិទៅនៃ គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត។ មានតែច្បាប់ ស្តីពីវិសោធកម្មគណបក្សនយោបាយមានចំណុចអវិជ្ជមានជាងមុន។

• គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត៖

គ.ជ.ប ចាត់ចែងការងាររបស់ខ្លួនបានល្អប្រសើរជាងមុនដូចជា៖ ការជ្រើសរើស និងតែងតាំងមន្ត្រីបោះឆ្នោត ការបំពេញភារកិច្ច ការរៀបចំផែនការ និងវគ្គបណ្តុះបណ្តាល ការអនុវត្តច្បាប់ និងបទបញ្ជា និងនីតិវិធី។

• បញ្ជីឈ្មោះបោះឆ្នោត៖

បញ្ជីឈ្មោះបោះឆ្នោតមានគុណភាព និងភាពត្រឹមត្រូវល្អប្រសើរជាងមុន។

• ការចុះឈ្មោះបញ្ជីបេក្ខជនគណបក្សនយោបាយ៖

ការចុះឈ្មោះបញ្ជីបេក្ខជនគណបក្សនយោបាយ មានលក្ខណៈវិជ្ជមាន ព្រោះមានគណបក្សនយោបាយចំនួន១២ បានចុះបញ្ជីបេក្ខជន ដើម្បីឈរឈ្មោះប្រកួតប្រជែង។ ហើយគណបក្សប្រជាជនកម្ពុជា និងគណបក្សសង្គ្រោះជាតិបានចុះបញ្ជីបេក្ខជនរបស់ខ្លួនគ្រប់ឃុំ/សង្កាត់។ បេក្ខជនស្ត្រីនៃគណបក្សប្រជាជនកម្ពុជា និងគណបក្សសង្គ្រោះជាតិ ស្ថិតនៅលំដាប់លេខរៀងខ្ពស់នៃបញ្ជីបេក្ខជន។

• **ការយោសាសនាបោះឆ្នោត**

ការយោសាសនាបោះឆ្នោតមានលក្ខណៈវិជ្ជមាន និងមានដំណើរយ៉ាងរលូន ដោយមិនមានហិង្សា និងទំនាស់រវាងគណបក្ស រហូតរាងដល់សកម្មភាពយោសាសនាឡើយ ហើយមានការចូលរួមយ៉ាងសកម្មពីអ្នកគាំទ្រគណបក្សនយោបាយ។ ប៉ុន្តែនៅមានការរឹតត្បិតពីអាជ្ញាធរ ក្នុងការប្រើប្រាស់ទីធ្លាសាធារណៈ និងសេរីភាពបញ្ចេញមតិ។ ទូរទស្សន៍ឯកជនមិនអនុវត្តតាមគោលការណ៍សមភាព និងសេចក្តីណែនាំរបស់ គ.ជ.ប។ គណបក្សនយោបាយមិនមានរបាយការណ៍ ឬព័ត៌មានច្បាស់លាស់អំពីប្រភពចំណាយ និងខ្ទង់ចំណាយក្នុងការរៀបចំសកម្មភាពយោសាសនាបោះឆ្នោត។

• **ការត្រៀមរៀបចំការបោះឆ្នោត និងរាប់សន្លឹកឆ្នោត**

ការត្រៀមរៀបចំការបោះឆ្នោត និងរាប់សន្លឹកឆ្នោតមានលក្ខណៈល្អប្រសើរច្រើនដូចជា ការចេញវិធានការ០៥ចំណុច ដើម្បីធានាអ្នកបោះឆ្នោតម្នាក់បោះឆ្នោតបានតែម្តង ដើម្បីទប់ស្កាត់ការបោះឆ្នោតលើសពីចំនួនម្តង(១) ការត្រៀមសំភារៈសម្រាប់ការបោះឆ្នោត និងរាប់សន្លឹកឆ្នោត ការផ្តល់សុពលភាពដល់អ្នកសង្កេតការណ៍ និងភ្នាក់ងារគណបក្សនយោបាយ ការបិទផ្សាយទម្រង់ ១១០២ នៅមុខការិយាល័យបោះឆ្នោត ស្នាក់ការ គយ.សប និងផ្សព្វផ្សាយនៅលើគេហទំព័រ គ.ជ.ប ។ ការបោះពុម្ពសន្លឹកឆ្នោតបំរុងទុកចំនួនប្រមាណ ២០% ដែលធ្វើឱ្យមានការព្រួយបារម្ភអំពីការគ្រប់គ្រងភាពមិនប្រក្រតី ដែលអាចកើតមានឡើង។

• **បរិយាកាសនយោបាយ**

តាមការសង្កេតជាទូទៅ បរិយាកាសនយោបាយ និងសន្តិសុខមិនមានអំពើហិង្សាធ្ងន់ធ្ងរ។ ប៉ុន្តែមានការប្រើប្រាស់សារនយោបាយរបស់មន្ត្រីរដ្ឋាភិបាលជាន់ខ្ពស់មួយចំនួន ដែលនាំឱ្យមានការព្រួយបារម្ភ និងភ័យខ្លាចដល់ប្រជាពលរដ្ឋ។

សមាគម និងអង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្តានការណ៍អំពាវនាវដល់គ្រប់គណបក្សនយោបាយ ដែលចូលរួមប្រកួតប្រជែងក្នុងការបោះឆ្នោតចូលរួមអនុវត្តតាមច្បាប់ បទបញ្ជា និងនីតិវិធីសម្រាប់ការបោះឆ្នោត និងទទួលយកលទ្ធផលនៃការបោះឆ្នោតនាពេលខាងមុខនេះ និងអំពាវនាវពលរដ្ឋជាម្ចាស់ឆ្នោតចេញទៅបោះឆ្នោតតាមឆន្ទៈរបស់ខ្លួន និងចូលរួមធ្វើជាសាក្សីនៃលទ្ធផលឆ្នោត ក្រោយពីសន្លឹកឆ្នោតត្រូវបានរាប់ និងប្រកាសលទ្ធផលនៅការិយាល័យបោះឆ្នោតនាថ្ងៃបោះឆ្នោត។

ទំនាក់ទំនងព័ត៌មាន៖

1. លោក គល់ បញ្ញា	នាយកប្រតិបត្តិ COMFREL	០១២ ៩៤ ២០ ១៧
2. លោក សំ គន្ធាមី	នាយកប្រតិបត្តិ NICFEC	០១២ ៨២ ២២ ៧៣
3. លោក យង់ គឹមអេង	នាយកប្រតិបត្តិ PDP-Center	០១៦ ៨២ ៨២ ១១
4. លោក ជាង សុខា	នាយកប្រតិបត្តិអង្គការ YRDP	០១២ ៣៦ ០៤ ៦៤
5. លោក មឿន តុលា	នាយកប្រតិបត្តិ Central	០៩៣ ៥៥ ៦៦ ៤៣

2. Press Statement on overall assessment on election day

បន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ឆ្នាំ២០១៧
Situation Room on Cambodian Commune Council Election in 2017

រាជធានីភ្នំពេញ ថ្ងៃទី០៤ ខែមិថុនា ឆ្នាំ២០១៧

សេចក្តីថ្លែងការណ៍
ស្តីអំពី
ការវាយតម្លៃលើស្ថានភាព ថ្ងៃបោះឆ្នោត
ជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់អាណត្តិទី៤

អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ យល់ឃើញថា បរិយាកាសដំណើរការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់អាណត្តិទី៤ នាថ្ងៃទី០៤ ខែមិថុនា ឆ្នាំ២០១៧ នៅការិយាល័យភាគច្រើន បានប្រព្រឹត្តទៅដោយល្អ សុវត្ថិភាព និងសន្តិវិធី ប៉ុន្តែយើងក៏បានឃើញថា មានភាពមិនប្រក្រតីបន្តិចបន្តួចក្នុងដំណើរការបោះឆ្នោតនេះផងដែរ ដូចជា៖ ការខ្វះខាតសំភារៈបោះឆ្នោតក្នុងការិយាល័យខ្លះ វត្តមានរបស់អាជ្ញាធរធានាការកិច្ចក្នុងបរិវេណការិយាល័យបោះឆ្នោត ការហាមឃាត់អ្នកសង្កេតការណ៍ ឬភ្នាក់ងារគណបក្សនយោបាយចូលក្នុងការិយាល័យបោះឆ្នោត។ ជាក់ស្តែង អ្នកសង្កេតការណ៍បោះឆ្នោតប្រចាំឃុំ ព្រែកដាច់ និងឃុំព្រែកទន្លាប់ ស្រុកលើកដែក ខេត្តកណ្តាល បានរងការគំរាមកំហែងពីអាជ្ញាធរហូតដល់បោះបង់ការចូលរួមសង្កេតការណ៍បោះឆ្នោត។

អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ ក៏បានសង្កេតឃើញថា ប្រជាពលរដ្ឋចង់មើលដំណើរការរាប់សន្លឹកឆ្នោតនៅតាមការិយាល័យភាគច្រើន ប៉ុន្តែការអនុវត្តន៍បទបញ្ជា និងនីតិវិធីក្នុងដំណើរការរាប់សន្លឹកឆ្នោតដែលតម្រូវឲ្យប្រជាពលរដ្ឋចេញក្រៅទីតាំងការិយាល័យបោះឆ្នោត ធ្វើឲ្យប្រជាពលរដ្ឋមិនពេញចិត្ត។

ជារួម អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ សូមអបអរសាទរចំពោះការចេញទៅបោះឆ្នោតរបស់ប្រជាពលរដ្ឋច្រើនជាង៨០ភាគរយនៃប្រជាពលរដ្ឋក្នុងបញ្ជីឈ្មោះបោះឆ្នោតនាថ្ងៃនេះ។

ព័ត៌មានបន្ថែមសូមទាក់ទង៖

1. លោក គល់ បញ្ញា	នាយកប្រតិបត្តិ COMFREL	០១២ ៩៤ ២០ ១៧
2. លោក សំ គន្ធាមី	នាយកប្រតិបត្តិ NICFEC	០១២ ៨២ ២២ ៧៣
3. លោក យង់ គឹមអេង	នាយកប្រតិបត្តិ PDP-Center	០១៦ ៨២ ៨២ ១១
4. លោក មឿន តុលា	នាយកប្រតិបត្តិ Central	០៩៣ ៥៥ ៦៦ ៤៣
5. លោក អ៊ី សំអាត	អ្នកគ្រប់គ្រងបច្ចេកទេសស៊ីបអង្កេត LICADHO	០១២ ៣២ ៧៧ ៧០

Situation Room's members: COMFREL, NICFEC, ADHOC, LICADHO, CLEC, SILAKA, YRDP, KYSD, PDP-Center, CCFC, CENTRAL, STT, CCIM, CYN, BPO, GADC, CCC, NGO Forum, HRTF, DPA, KYA, FACT, WMC, YCUD, CIYA, YEDP, CYWEN, IDEA, CFSWF, PBO, NGO CEDAW, CVS, TIC, CGCN, YFP, CPN, ANSA-EAP, CCHR, CLC, CDPO.

3. Press Statement on situation assessment on counting process and announcement of electoral result note

បន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ឆ្នាំ២០១៧

Situation Room on Cambodian Commune Council Election in 2017

រាជធានីភ្នំពេញ ថ្ងៃទី០៥ ខែមិថុនា ឆ្នាំ២០១៧

**សេចក្តីថ្លែងការណ៍ ស្តីពី
ការវាយតម្លៃលើស្ថានភាព ដំណើរការរាប់សន្លឹកឆ្នោត
និងប្រកាសកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត
នៃការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់រាជធានីភ្នំពេញ**

អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ យល់ឃើញថា បរិយាកាសដំណើរការរាប់សន្លឹកឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់រាជធានីភ្នំពេញ នាថ្ងៃទី០៤ ខែមិថុនា ឆ្នាំ២០១៧ នៅការិយាល័យភាគច្រើន បានប្រព្រឹត្តទៅស្របតាមនីតិវិធី។ រហូតមកដល់ពេលនេះ យើងសង្កេតឃើញថា មិនទាន់មានពាក្យបណ្តឹងទាក់ទងនឹងកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត ប៉ុន្តែយើងក៏បានរកឃើញថា មានភាពមិនប្រក្រតីខ្លះៗក្នុងដំណើរការរាប់សន្លឹកឆ្នោត និងការប្រកាសកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោតដូចជា៖ ការពន្យារពេលចាប់ផ្តើមដំណើរការរាប់សន្លឹកឆ្នោត ការមិនអនុញ្ញាតអ្នកសង្កេតការណ៍ចូលក្នុងការិយាល័យរាប់សន្លឹកឆ្នោត ដំណើរការរាប់នៅទីងងឹត និងដោយបិទទ្វារ និងបង្អួច ការអានប្រកាសសម្លេងឆ្នោត ឬបង្ហាញកំណត់ហេតុក្នុងដំណើរការរាប់សន្លឹកឆ្នោតមិនច្បាស់លាស់ ភាពមិនប្រក្រតីក្នុងការកំណត់សន្លឹកឆ្នោតបានការ ឬមិនបានការ ការបំពេញកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោតមានកំហុស និងការមិនចែក ឬការបិទផ្សាយកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (៩.១១០២)។

តាមរយៈរបាយការណ៍ដែលទទួលបានមកដល់ពេលនេះ បន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោត ឆ្នាំ២០១៧ វាយតម្លៃលើលទ្ធផលនៃការបោះឆ្នោតជាបឋមថា គណបក្សប្រជាជនកម្ពុជា ទទួលបាន ៤៨% និងគណបក្សសង្គ្រោះជាតិទទួលបាន ៤៥% នៃសម្លេងឆ្នោតបានការសរុប និងក្រៅពីនេះ ជាលទ្ធផលនៃគណបក្សផ្សេងៗទៀត។ យើងមានជំនឿចិត្តភាពត្រឹមត្រូវ ៩៥% ចំពោះការវាយតម្លៃនេះ ខណៈដែលកំរិតលំអៀងប្រមាណ +/- ៥%។ យើងបាន និងកំពុងបន្តប្រមូលកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (៩.១១០២) និងទិន្នន័យផ្សេងៗជាមួយកំណត់ហេតុ ដែលចេញផ្សាយនៅក្នុងគេហទំព័រ របស់គ.ជ.ប។

ព័ត៌មានបន្ថែមសូមទាក់ទង៖

1. លោក គល់ បញ្ញា	នាយកប្រតិបត្តិ COMFREL	០១២ ៩៤ ២០ ១៧
2. លោក សំ គន្ធាមី	នាយកប្រតិបត្តិ NICFEC	០១២ ៨២ ២២ ៧៣
3. លោក យង់ តឹមអេង	នាយកប្រតិបត្តិ PDP-Center	០១៦ ៨២ ៨២ ១១
4. លោក មឿន តុលា	នាយកប្រតិបត្តិ Central	០៩៣ ៥៥ ៦៦ ៤៣
5. លោក អ៊ី សំរាត	អ្នកគ្រប់គ្រងបច្ចេកទេសស៊ីបអង្កេត LICADHO	០១២ ៣២ ៧៧ ៧០

Situation Room's members: COMFREL, NICFEC, ADHOC, LICADHO, CLEC, SILAKA, YRDP, KYSD, PDP-Center, CCFC, CENTRAL, STT, CCIM, CYN, BPO, GADC, CCC, NGO Forum, HRTF, DPA, KYA, FACT, WMC, YCUD, CIYA, YEDP, CYWEN, IDEA, CFSWF, PBO, NGO CEDAW, CVS, TIC, CGCN, YFP, CPN, ANSA-EAP, CCHR, CLC, CDPO.

4. Press Statement on assessment on preliminary electoral result

បន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ឆ្នាំ២០១៧

Situation Room on Cambodian Commune Council Election in 2017

រាជធានីភ្នំពេញ, ថ្ងៃទី១២ ខែមិថុនា ឆ្នាំ២០១៧

**សេចក្តីថ្លែងការណ៍
ស្តីពី**

**ការវាយតម្លៃចំពោះលទ្ធផលបោះឆ្នោតបឋម នៃការបោះឆ្នោតជ្រើសរើសក្រុម
ប្រឹក្សាឃុំសង្កាត់រាជធានីភ្នំពេញ**

សមាគម អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ រកឃើញថា ការរៀបចំផ្ទាំងកំណត់ហេតុនៃការបោះឆ្នោតនៃ លទ្ធផលបោះឆ្នោតបឋមនៃការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់រាជធានីភ្នំពេញ គឺមានភាព ត្រឹមត្រូវដូចគ្នា ៩៣,១% នៃលទ្ធផលនៃការបោះឆ្នោតសម្រាប់គណបក្សនយោបាយនីមួយៗ¹ បើទោះបីមានកំហុសខ្លះ គ.ជ.ប អាចត្រួតពិនិត្យ និងកែតម្រូវ។ ភាពមិនប្រក្រតី និងភាពខុសគ្នានៃកំណត់ហេតុនៃការបោះឆ្នោត(១១០២) មិនប៉ះពាល់ លទ្ធផលបោះឆ្នោតនៅតាមឃុំ/សង្កាត់ឡើយ។

សមាគម អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ ស្នើឲ្យ គ.ជ.ប ខិតខំក្នុងការដោះស្រាយបណ្តឹងរបស់គណបក្សនយោបាយទាក់ទងនឹងការបោះឆ្នោតឡើងវិញ ពិសេសដោយសារកម្រិតលំអៀងសម្លេងឆ្នោតតិចពេកដែលមិនលើសពី០,៥% ហើយមានបញ្ហានៃសន្លឹកឆ្នោតមិនបានការមានចំនួនច្រើន ដែលអាចឲ្យគូភាគីអស់ចិត្ត និងទទួលយកលទ្ធផលបោះឆ្នោតតាមឃុំសង្កាត់ទាំងនោះ។

សមាគម អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ យល់ឃើញថា នេះជាលើកទីមួយ គឺស្ថិតក្នុងស្ថានភាពវិជ្ជមាន ដែលគណបក្សប្រកួតប្រជែងសំខាន់ៗបានខិតខំប្រមូលទិន្នន័យ ហើយបានរកឃើញលទ្ធផលបោះឆ្នោតបឋមរបស់ខ្លួន។ បើទោះមានបណ្តឹងតិចតួចទាក់ទងនឹងលទ្ធផលបោះឆ្នោត គណបក្សប្រកួតប្រជែងសំខាន់ៗមិនមានសេចក្តីថ្លែងការណ៍បដិសេធលទ្ធផលនៃការបោះឆ្នោតទេ។

សមាគម និងអង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ ជាដំបូងសូមកោតសរសើរជាខ្លាំងដល់អ្នកសង្កេតការណ៍របស់ខ្លួនទាំងអស់ដែលបានចូលរួមសង្កេតការណ៍បោះឆ្នោត គ្រប់ដំណាក់កាលនៃដំណើរការបោះឆ្នោតដូចជាការឃោសនាបោះឆ្នោត ថ្ងៃបោះឆ្នោតជាដើម និងដែលបានបញ្ជូន និងផ្ទៀងផ្ទាត់កំណត់ហេតុនៃការបោះឆ្នោតក្នុងស្មារតី ទទួលខុសត្រូវ និងអត់ធ្មត់។

សមាគម និងអង្គការសង្គមស៊ីវិល នៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ សូមអរគុណដល់ម្ចាស់ជំនួយ រួមទាំងអ្នកបានផ្តល់វិភាគប្រសើរឧបត្ថម្ភដល់កិច្ចការងារអ្នកសង្កេតការណ៍។

¹ ទិន្នន័យទី៤ នៃកំណត់ហេតុការបោះឆ្នោត (១១០២)

Situation Room's members: COMFREL, NICFEC, ADHOC, LICADHO, CLEC, SILAKA, YRDP, KYSD, PDP-Center, CFCF, CENTRAL, STT, CCIM, CYN, BPO, GADC, CCC, NGO Forum, HRTF, DPA, KYA, FACT, WMC, YCUD, CIYA, YEDP, CYWEN, IDEA, CFSWF, PBO, NGO CEDAW, CVS, TIC, CGCN, YFP, CPN, ANSA-EAP, CCHR, CLC, CDPO.

សមាគម និងអង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ សូមវាយតម្លៃខ្ពស់ចំពោះការផ្តល់ កិច្ចសហការរបស់ គ.ជ.ប ជាមួយអង្គការសមាគមនៃបន្ទប់ស្ថានការណ៍ ក្នុងការចូលរួមស្រ្ទីយ៍ទំនាក់ទំនង និងការសម្រួលកិច្ចការ ជាច្រើនក្នុងបុព្វហេតុតម្លាភាព សុចរិតភាព និងភាពត្រឹមត្រូវនៃការបោះឆ្នោត។

សមាគម និងអង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ ក៏សូមកោតសរសើរចំពោះនគរបាល និងកងម្ចាស់រក្សាសន្តិសុខសម្រាប់ការបោះឆ្នោត ដែលបានខិតខំរក្សាសុវត្ថិភាព និងសន្តិសុខក្នុងសម័យបោះឆ្នោត។

សមាគម និងអង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ សូមវាយតម្លៃខ្ពស់ចំពោះស្ថានទូត អង្គការសហប្រជាជាតិ និងអង្គការអន្តរជាតិនានា ដែលដាក់អ្នកសង្កេតការណ៍អន្តរជាតិ ហើយបានផ្តល់កិច្ចសហការ និងផ្តល់ភាព កក់ក្តៅដល់អ្នកបោះឆ្នោត និងអ្នកសង្កេតការណ៍ជាតិ ។

សមាគម និងអង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ សូមអបអរសាទរជាថ្មីម្តងទៀត ចំពោះម្ចាស់ឆ្នោតទាំងអស់ ដែលបានចូលរួមសកម្ម និងអត់ធ្មត់ក្នុងការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់កាលពីថ្ងៃទី០៤ ខែមិថុនា ឆ្នាំ២០១៧ ដែលជាដំណើរការប្រជាធិបតេយ្យនៅកម្ពុជា។

ព័ត៌មានបន្ថែមសូមទាក់ទង៖

1. លោកស្រី ធីតា ឃី៖	នាយកប្រតិបត្តិ SILAKA	០១២ ៨៣ ៨៤ ៦៤
2. លោក គល់ បញ្ញា	នាយកប្រតិបត្តិ COMFREL	០១២ ៩៤ ២០ ១៧
3. លោក សំ គន្ធាមី	នាយកប្រតិបត្តិ NICFEC	០១២ ៨២ ២២ ៧៣
4. លោក យង់ គឹមអេង	នាយកប្រតិបត្តិ PDP-Center	០១៦ ៨២ ៨២ ១១
5. លោក មឿន គុណ	នាយកប្រតិបត្តិ Central	០៩៣ ៥៥ ៦៦ ៤៣
6. លោក អ៊ី សំអាត	អ្នកគ្រប់គ្រងបច្ចេកទេសស៊ើបអង្កេត LICADHO	០១២ ៣២ ៧៧ ៧០

Situation Room's members: COMFREL, NICFEC, ADHOC, LICADHO, CLEC, SILAKA, YRDP, KYSD, PDP-Center, CCFC, CENTRAL, STT, CCIM, CYN, BPO, GADC, CCC, NGO Forum, HRTE, DPA, KYA, FACT, WMC, YCUD, CIYA, YEDP, CYWEN, IDEA, CFSWF, PBO, NGO CEDAW, CVS, TIC, CGCN, YFP, CPN, ANSA-EAP, CCHR, CLC, CDPO.

5. Press Statement on verification on preliminary electoral result

បន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ឆ្នាំ២០១៧

Situation Room on Cambodian Commune Council Election in 2017

រាជធានីភ្នំពេញ, ថ្ងៃទី១២ ខែមិថុនា ឆ្នាំ២០១៧

របាយការណ៍សង្ខេប

ស្តីអំពី

ការផ្ទៀងផ្ទាត់លើលទ្ធផលបោះឆ្នោតបឋម

នៃការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ អាណត្តិទី៤

សមាគម អង្គការសង្គមស៊ីវិលនៃបន្ទប់ស្ថានការណ៍ ស្តីពីការបោះឆ្នោតឆ្នាំ២០១៧ បានធ្វើការផ្ទៀងផ្ទាត់ទិន្នន័យ និងកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលផ្សាយក្នុងគេហទំព័ររបស់ គ.ជ.ប ក្រោយពេលបោះឆ្នោត ជាមួយនឹងកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលប្រមូលបានដោយបន្ទប់ស្ថានការណ៍។ កំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលប្រមូលបានដោយបន្ទប់ស្ថានការណ៍ចំនួន ៤៨១ការិយាល័យបោះឆ្នោតដែលជាការិយាល័យសំណាក ក្នុងកំរិតជាក់ ៩៥% ជាមួយកំរិតលំអៀង ៤.៣% ត្រូវបានជ្រើសរើសដោយចៃដន្យ(Sample Random) និងយកមកផ្ទៀងផ្ទាត់ ហើយរកឃើញ ចំណុចមួយចំនួនដូចខាងក្រោម៖

1. បើទោះបីជា គ.ជ.ប បានចេញផ្សាយចំនួន០២លើក អំពីអត្រានៃចំនួនបណ្តោះអាសន្ននៃអ្នកបានទៅបោះឆ្នោត លើកទី១ នៅថ្ងៃទី០៤ ខែមិថុនា ២០១៧ គឺមានចំនួន ៨៥,៧៤% (ស្មើប្រមាណ ៦,៧លាននាក់) និងលើកទី២ នៅថ្ងៃទី០៥ ខែមិថុនា ឆ្នាំ២០១៧ គឺមានចំនួន ៨៩,៥២% (ស្មើប្រមាណ ៧លាននាក់)។ ការផ្ទៀងផ្ទាត់ទិន្នន័យដែលប្រមូលបានដោយបន្ទប់ស្ថានការណ៍រកឃើញថា អត្រានៃចំនួននៃអ្នកបោះឆ្នោតបានទៅបោះឆ្នោតមានចំនួន ៨៩,៩% នៃប្រជាពលរដ្ឋមានឈ្មោះក្នុងបញ្ជីឈ្មោះបោះឆ្នោតនៃការិយាល័យសំណាក។
2. ការសង្កេត និងការផ្ទៀងផ្ទាត់របស់បន្ទប់ស្ថានការណ៍ រកឃើញទំហំ «សន្លឹកឆ្នោតមិនបានការ» នៅក្នុងដំណើរការរាប់សន្លឹកឆ្នោតមានចំនួន ១,៨% នៃសន្លឹកឆ្នោតដែលមានក្នុងបិទសរសេរ។ ការកំណត់សន្លឹកឆ្នោតមិនបានការ អាចក្លាយជាភាពមិនប្រក្រតី ដូចជាករណីខ្លះ ការកំណត់សន្លឹកឆ្នោតមិនបានការមានចំនួនច្រើនពេក ហើយមិនស្របតាមការណែនាំរបស់ គ.ជ.ប ដូចជានៅការិយាល័យ០០១៦ ឃុំសាមយូយ ខេត្តស្ទឹងត្រែង ឃុំភ្នំលៀប ខេត្តបន្ទាយមានជ័យ ឃុំស្បៀស្រុក ខេត្តសៀមរាប និងកន្លែងផ្សេងទៀត។ ករណីនេះអាចប៉ះពាល់លទ្ធផលបោះឆ្នោតបឋម ដែលនាំឱ្យមានបណ្តឹងនៃការរាប់សន្លឹកឆ្នោតឡើងវិញចំនួន២៨នៅ៤៧ការិយាល័យតាមសេចក្តីប្រកាសព័ត៌មានរបស់ គ.ជ.ប នៅថ្ងៃទី០៦ ខែមិថុនា។

៣. ការផ្ទៀងផ្ទាត់កំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត(១១០២)៖

៣.១. ការផ្ទៀងផ្ទាត់ទិន្នន័យនៃកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ប្រមូលដោយបន្ទប់ស្ថានការណ៍ ជាមួយនឹងកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលបានផ្សាយក្នុងគេហទំព័ររបស់ គ.ជ.ប មានភាពត្រឹមត្រូវដូចគ្នានឹងកំណត់ហេតុដែលប្រមូលដោយបន្ទប់ស្ថានការណ៍មានចំនួន ៨៨,១% នៃទម្រង់ការិយាល័យសំណាក(ខុសគ្នា ១១,៩%)។ ទោះជាយ៉ាងណា លទ្ធផលនៃការរាប់សន្លឹកឆ្នោតសម្រាប់គណបក្សនយោបាយនីមួយៗតាមការិយាល័យ

Situation Room's members: COMFREL, NICFEC, ADHOC, LICADHO, CLEC, SILAKA, YRDP, KYSD, PDP-Center, CCF, CENTRAL, STT, CCIM, CYN, BPO, GADC, CCC, NGO Forum, HRTF, DPA, KYA, FACT, WMC, YCUD, CIYA, YEDP, CYWEN, IDEA, CFSWF, PBO, NGO CEDAW, CVS, TIC, CGCN, YFP, CPN, ANSA-EAP, CCHR, CLC, CDPO.

រាប់សន្លឹកឆ្នោត^១ ខុសគ្នាចំនួន ៦,៩% (ចំនួន ៩៣,១% ដូចគ្នា) ដែលទាក់ទងការបំពេញសន្លឹកឆ្នោតបានការ ឬមិនបានការ ហើយខ្លះទៀតបូកលេខខុសតែម្តងដោយសារតែភាពធ្ងន់ស្របហែស^២។ រីឯលទ្ធផលនៃការផ្ទៀងផ្ទាត់ចំនួនសន្លឹកឆ្នោត តាមការិយាល័យបោះឆ្នោត និងរាប់សន្លឹកឆ្នោត^៣ រកឃើញថា ៩៣,៦% ដូចគ្នា (៦,៤% រកឃើញថាមានតួលេខខុសគ្នា)។ ការខុសគ្នាអាចកើតឡើងដោយការធ្ងន់ស្របហែស ឬការមិនយល់ក្នុងការគណនា និងកត់ត្រា (វាអាចបណ្តាលមកពីមន្ត្រីចម្លងច្រើនសន្លឹក និងមិនប្រើក្រដាសកាល់)^៤។ សាក្សីដែលជាភ្នាក់ងារគណបក្សនយោបាយ រកឃើញថា ១,៧% ខុសគ្នាត្រង់សាក្សីនៃភ្នាក់ងារទម្រង់ខ្លះមិនចុះហត្ថលេខា^៥។

៣.២. ការផ្ទៀងផ្ទាត់កំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលមានភាពមិនប្រក្រតី ប្រមូលដោយអ្នកសង្កេតការណ៍បន្ទប់ស្ថានការណ៍ ជាមួយនឹងកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលផ្សាយក្នុងគេហទំព័ររបស់ គ.ជ.ប រកឃើញថា ក្នុងចំណោម ៣០ទំរង់ ១.១១០២ មានតែមួយទំរង់ទេ ដែលមានភាពមិនប្រក្រតីដូចគ្នា ហើយ ២៩ទំរង់ទៀតរបស់ គ.ជ.ប គឺមានភាពត្រឹមត្រូវ^៦។ ភាពមិនប្រក្រតីទាំងនោះ មានដូចជា៖ ការបិទប្រកាសដោយមិនបានកត់ត្រាសំឡេងឆ្នោតរបស់គណបក្សនយោបាយ នៅការិយាល័យ ០១៥៥ ខេត្តរតនៈគិរី ការសរសេរឈ្មោះបេក្ខជនក្នុងសំឡេងគណបក្សនយោបាយ (ការិ.០៤៩៥ នៅខេត្តកំពង់ចាម) ការមិនបំពេញឈ្មោះគណបក្សនយោបាយ(ការិ.០០៦៣ ខេត្តកំពង់ឆ្នាំង) ការមិនបំពេញតួលេខឱ្យបានត្រឹមត្រូវក្នុងចំណុចសន្លឹកឆ្នោតបានការ និងមិនបានការ ចំនួនសន្លឹកឆ្នោតសរុបមិនស្មើគ្នា មានតួលេខលើស និងខ្វះ ឬច្រឡំកន្លែងដែលត្រូវចុះរាងសន្លឹកឆ្នោតខូច ជាមួយសន្លឹកឆ្នោតមិនបានការកន្លែងខ្លះមានប្រើទឹកលុប ការគូសសញ្ញាបញ្ជាក់លើចំណុចផ្សេងៗជាដើម។

៤. ការផ្ទៀងផ្ទាត់លើលទ្ធផលបឋមនៃការបោះឆ្នោតក្នុងឃុំ សង្កាត់ (១១០៥)
លទ្ធផលបោះឆ្នោតបឋមនៅតាមឃុំសង្កាត់ ដែលបានមកពីការបូកសំឡេងឆ្នោតរបស់គណបក្សនៃកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលប្រមូលដោយបន្ទប់ស្ថានការណ៍ ហើយយកទៅផ្ទៀងផ្ទាត់ជាមួយកំណត់ហេតុ ១១០៥ របស់គ.ជ.ប ចំនួន៣០ឃុំ រកឃើញថា មានមួយករណីនៅឃុំសំរោងធំ ស្រុកកៀនស្វាយ ខេត្តកណ្តាល ក្នុងការិយាល័យ ០៣០៤ មានសន្លឹកឆ្នោតរបស់គណបក្សនយោបាយខុសគ្នារវាង គ.ជ.ប និងក្នុងកំណត់ហេតុលទ្ធផលឆ្នោត(១១០២) ដែលបានប្រមូលដោយបន្ទប់ស្ថានការណ៍ នៃលទ្ធផលបឋមនៃការបោះឆ្នោតក្នុងឃុំ សង្កាត់^៧។ បើទោះបីមានកំហុសខ្លះ នៃលទ្ធផលបឋមដែលកំពុងត្រួតពិនិត្យ គ.ជ.ប អាចមានលទ្ធភាពកែតម្រូវភ្លាមៗ។ ការសង្កេតរកឃើញថាលទ្ធផលបឋម(កំពុងត្រួតពិនិត្យ)យ៉ាងហោចខុសពីរឃុំ បើផ្ទៀងផ្ទាត់កំណត់ហេតុ ១.១១០២ និង ១១០៥។

៥. បញ្ហាផ្សេងៗ៖

៥.១. ការមិនបិទផ្សាយការប្រកាសកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២) នៅតាមគណៈកម្មការឃុំ/សង្កាត់រៀបចំការបោះឆ្នោតជាច្រើនឃុំ/សង្កាត់ ដូចជា៖ ខេត្តត្បូងឃ្មុំ ឃុំជីរោទ៍១ ក្នុងទីតាំងការិយាល័យ បឋមសិក្សាហ៊ុនសែនរកាធំ ០៩៩០ ០៩៩៥ ០៩៨៩ ខេត្តបាត់ដំបង សង្កាត់ព្រែកព្រះស្តេច ខេត្តបន្ទាយមានជ័យ ឃុំបន្ទាយឆ្មារ ការិយាល័យ

¹ ឯកសារទី៩ តែងកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២)

² រកឃើញតែមួយករណី (១.១១០២) ខ្វះសំឡេងគណបក្សហ៊ុនសែន រកឃើញកំណត់ហេតុ ០៨៨៩ ខេត្តកំពង់ចាម។

³ ឯកសារទី២ តែងកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២)

⁴ ដូចជាការិយាល័យ ០៣៨០ និង១២៨១ ក្នុងខេត្តកំពង់ចាម និងកំណត់ហេតុផ្សេងទៀត។

⁵ ដូចជាការិយាល័យ ០៦៨៣ ខេត្តកំពង់ឆ្នាំង ការិយាល័យ ០៨៦០ ខេត្តកំពង់ចាម។

⁶ ត្រង់កំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត(១.១០០២)ផ្នែក២៣០ ឬខ្វះតែ១២មួយ គ.ជ.ប

⁷ ឯកសារទី៩ តែងកំណត់ហេតុនៃការបោះឆ្នោតក្នុងឃុំ សង្កាត់ (១១០៥)

- ០៧៧៦(សូម្បីតែលក្ខណៈយោបាយក៏មិនចែកឱ្យគេដែរ) ខេត្តកំពង់ធំ ខេត្តកំពង់ឆ្នាំង និងខេត្តរតនគិរី អត់មានបិទនៅ គយ.សប ស្មើគ្រប់ទីកន្លែង ដោយប្រធាន គយ.សប ថាមិនមានការណែនាំ ឬមិនតម្រូវឱ្យបិទ ទោះបីចែងនៅក្នុងចំណុច ១០.៤.៣.១ នៃបទបញ្ជា និងនីតិវិធីសម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ សង្កាត់ (ប.ន.យ.ស) ក៏ដោយ។
- ៥.២. ការប្រកាសលទ្ធផលបោះឆ្នោតបឋមដោយ គ.ជ.ប យឺតយ៉ាវការគ្រោងទុក។ ការផ្សាយលទ្ធផលបោះឆ្នោតបឋមតាម រយៈទូរទស្សន៍ជាតិកម្ពុជា (ទទក) ពិបាកយល់ និងមិនបានពេញលេញ។ ការផ្សាយលទ្ធផលបោះឆ្នោតបឋមបានតែ ចំនួន៦១៦ឃុំ/សង្កាត់ ហើយមិនត្រូវបានផ្សាយបន្តទៀត ចាប់ពីថ្ងៃទី០៦ ខែមិថុនា ឆ្នាំ២០១៧។
- ៥.៣. បណ្តឹងទាក់ទងការរាប់សន្លឹកឆ្នោតឡើងវិញមានចំនួន២៨បណ្តឹង ដោយសារកំរិតលំអៀងនៃសំឡេងឆ្នោតរបស់គណបក្សពីរមានចំនួនតិចតួច ប៉ុន្តែសន្លឹកឆ្នោតមិនបានការនៃការិយាល័យនោះមានចំនួនច្រើនជាងសំឡេងលំអៀងនោះ។ ការរាប់សន្លឹកឆ្នោតឡើងវិញបានធ្វើឱ្យប្រែប្រួលលទ្ធផលបឋមនៃការបោះឆ្នោតនៃឃុំ សង្កាត់ចំនួនបួន។

សេចក្តីសន្និដ្ឋាន កំណត់ហេតុ នៃការរាប់សន្លឹកឆ្នោត (១១០២) ដែលប្រមូលដោយបន្ទប់ស្ថានការ និងផ្សាយដោយ គ.ជ.ប ត្រឹមត្រូវដូចគ្នា ៩៣,១%នៃលទ្ធផលនៃការរាប់សន្លឹកឆ្នោតសម្រាប់គណបក្សនយោបាយ^៨ និង ៩៣,៦% នៃលទ្ធផលនៃការផ្ទៀងផ្ទាត់ចំនួនសន្លឹកឆ្នោត^៩។ ការខុសគ្នា និងភាពមិនប្រក្រតីនៃកំណត់ហេតុ១១០២ មិនអាចនាំឱ្យមានការសង្ស័យប៉ះពាល់លទ្ធផលបោះឆ្នោតបឋមនោះទេ។

ព័ត៌មានបន្ថែមសូមទាក់ទង៖

1. លោក គល់ បញ្ញា	នាយកប្រតិបត្តិ COMFREL	០១២ ៩៤ ២០ ១៧
2. លោក កន សាវ៉ាង	អ្នកសម្របសម្រួលផ្នែកអង្កេត COMFREL	០១១ ៨៨ ៤៨ ៤០
3. លោក យឿង សុធារ៉ា	មន្ត្រីច្បាប់ និងអង្កេត COMFREL	០៧០ ៤០ ០១ ៣១

⁸ ឯកសារទី៤ នៃកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២)

⁹ ឯកសារទី២ នៃកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត (១១០២)

6. Press Statement on overall and ultimate assessment on election

បន្ទប់ស្ថានការណ៍ស្តីពីការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ឆ្នាំ២០១៧

Situation Room on Cambodian Commune Council Election in 2017

រាជធានីភ្នំពេញ, ថ្ងៃទី២៤ ខែមិថុនា ឆ្នាំ២០១៧

សេចក្តីថ្លែងការណ៍

ស្តីអំពី

ការវាយតម្លៃទំលាប់ និងចុះក្រោយលើការបោះឆ្នោត

ជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់រាជធានីភ្នំពេញ

« ខ្វះយុត្តិធម៌ និងរឹតត្បិតសេរីភាព ប៉ុន្តែការចាត់ចែងនៃការបោះឆ្នោតប្រសើរជាងមុន»

បន្ទប់ស្ថានការណ៍សម្រាប់ការបោះឆ្នោតឆ្នាំ២០១៧ វាយតម្លៃថា ការចាត់ចែង និងការអនុវត្តន៍ភារកិច្ចរបស់ គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) លើបញ្ជីឈ្មោះបោះឆ្នោត ការចុះបញ្ជីបេក្ខជនគណបក្សនយោបាយ ការបោះ និងការរាប់សន្លឹកឆ្នោត និងការប្រកាសបិទ និងដាក់ផ្សាយលើគេហទំព័រនូវលទ្ធផលបោះឆ្នោតថា «វិជ្ជមាន និងប្រសើរជាងមុន» ទាក់ទិនតម្លាភាព បើទោះបីជា ការឃោសនាបោះឆ្នោត និងការដោះស្រាយបណ្តឹងបោះឆ្នោត មិនទាន់ប្រសើរដែលត្រូវកែលម្អ។ គ្មានអំពើហិង្សាទាក់ទិនបោះឆ្នោតធ្ងន់ធ្ងរ ក្នុងសម័យបោះឆ្នោតបានកើតឡើងទេ ប៉ុន្តែមានបញ្ហាមួយចំនួនកើតមុនថ្ងៃបោះឆ្នោតដូចជា៖ បរិយាកាសដែលមានការគាបសង្កត់ខាងនយោបាយ ហិរញ្ញវត្ថុឃោសនាបោះឆ្នោត និងការប្រើប្រាស់ធនធានរដ្ឋ ដែលខ្វះសមធម៌ និងតម្លាភាព ទីលានប្រកួតប្រជែងនយោបាយ (Level of playing field) ដែលខ្វះសមភាព និងបទបញ្ញត្តិបដិវាទ (Controversial) ខ្លះនៃក្របខ័ណ្ឌច្បាប់បោះឆ្នោត និងច្បាប់ ស្តីពីវិសោធនកម្មនៃច្បាប់គណបក្សនយោបាយ និងការខ្វះឯកភាពរវាងមន្ត្រីតុលាការ និងការលំអៀងនយោបាយនៃមន្ត្រីជាន់ខ្ពស់កងកម្លាំងប្រដាប់អាវុធ ដែលដាក់សម្ពាធដល់សេរីភាពបញ្ចេញមតិ និងគំរាមដល់ សកម្មភាពគណបក្ស ប្រកួតប្រជែង និងសមាគម សហជីព និងអង្គការសមាគមមិនមែនរដ្ឋាភិបាល។ ទាំងនេះ នាំឲ្យបរិយាកាសសម្រាប់ដំណើរការបោះឆ្នោតស្ថិតនៅក្នុងកំរិតរឹតត្បិតសេរីភាព និងខ្វះយុត្តិធម៌ពេញលេញនៅឡើយ។

សម្រាប់ការបោះឆ្នោតខាងមុខ ជាពិសេសការបោះឆ្នោតជ្រើសតាំងតំណាងរាស្ត្រឆ្នាំ២០១៨ បន្ទប់ស្ថានការណ៍ស្នើយោបល់ និងអនុសាសន៍ ដើម្បីឲ្យការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌ដូចខាងក្រោម៖

១. ដកបញ្ញត្តិបដិវាទនៃក្របខ័ណ្ឌច្បាប់បោះឆ្នោត ច្បាប់ ស្តីពីវិសោធនកម្មច្បាប់គណបក្សនយោបាយ ដែលអាចត្រូវបានបកស្រាយមិនច្បាស់លាស់ ក្នុងការលុបបេក្ខភាពឈរឈ្មោះរបស់គណបក្សប្រកួតប្រជែង និងការរំលាយគណបក្សនយោបាយ។
២. ដោះលែងអ្នកជាប់ឃុំទាំងឡាយ ទាក់ទិននយោបាយ មនសិការ និងការពារសិទ្ធិមនុស្ស ដើម្បីឲ្យពួកគេបានចូលរួមជីវភាពនយោបាយ និងដំណើរការបោះឆ្នោត។
៣. ពង្រឹងគោលការណ៍សមធម៌ និងតម្លាភាពនៃហិរញ្ញវត្ថុឃោសនាបោះឆ្នោតរបស់គណបក្សនយោបាយ និងការប្រើប្រាស់ធនធានរដ្ឋសម្រាប់សកម្មភាពនយោបាយ។

Situation Room's members: COMFREL, NICFEC, ADHOC, LICADHO, CLEC, SILAKA, YRDP, KYSD, PDP-Center, CCFC, CENTRAL, STT, CCIM, CYN, BPO, GADC, CCC, NGO Forum, HRTF, DPA, KYA, FACT, WMC, YCUD, CIYA, YEDP, CYWEN, IDEA, CFSWF, PBO, NGO CEDAW, CVS, TIC, CGCN, YFP, CPN, ANSA-EAP, CCHR, CLC, CDPO.

៤. ជំរុញស្ថានីយ៍ទូរទស្សន៍ឯកជន ឲ្យគោរពក្រមសីលធម៌ វិជ្ជាជីវៈ និងគោលការណ៍ណែនាំរបស់ គ.ជ.ប នៅក្នុងសម័យយោសនាការបោះឆ្នោត។
៥. ពង្រឹងអព្យាក្រឹត្យ ឥតលម្អៀងខាងនយោបាយនៃមន្ត្រីកងកម្លាំងប្រដាប់អាវុធ និងមន្ត្រីតុលាការ ដែលមានចែងនៅ ក្នុងក្រមសីលធម៌ ច្បាប់ បទបញ្ជា និងសេចក្តីណែនាំផ្សេងៗ។
៦. ពង្រឹងការផ្តល់កិច្ចសហប្រតិបត្តិការរបស់អាជ្ញាធរជាមួយ គ.ជ.ប តែបន្ថយការជ្រៀតជ្រែក និងឥទ្ធិពលលំអៀង នយោបាយទៅលើដំណើរការបោះឆ្នោត ពិសេសយុទ្ធនាការយោសនា និងនៅថ្ងៃបោះឆ្នោតដែលច្បាប់បោះឆ្នោត បទបញ្ជា និងសេចក្តីណែនាំផ្សេងៗបានកំណត់។
៧. បង្កើតគោលនយោបាយ ឬយន្តការ និងរកមធ្យោបាយ ដើម្បីធានាការអនុវត្តសិទ្ធិចុះឈ្មោះបោះឆ្នោត និងសិទ្ធិបោះឆ្នោតរបស់ពលករចំណាកស្រុកទាំងនៅក្នុងប្រទេស និងនៅក្រៅប្រទេស។
៨. ពង្រឹងនីតិវិធីនៃការពិនិត្យ និងការធ្វើបច្ចុប្បន្នភាពប្រចាំឆ្នាំនូវបញ្ជីបោះឆ្នោត និងលេខការិយាល័យបោះឆ្នោតឲ្យមានតម្លាភាពដោយពង្រឹងការត្រួតពិនិត្យរបស់មន្ត្រី គ.ជ.ប ទៅលើអាជ្ញាធរមូលដ្ឋាន និងក្រុមប្រឹក្សាឃុំសង្កាត់។
៩. ពង្រឹងការដោះស្រាយបណ្តឹងនៃការរាប់សន្លឹកឆ្នោតឡើងវិញ នៅឃុំ/សង្កាត់ណាដែលមានការលំអៀងសម្លេងឆ្នោតយ៉ាងច្រើន ០.៥ភាគរយ (០.៥%) រវាងបញ្ជីបេក្ខជនពីរ ឬច្រើន នៅពេលរកឃើញថា សន្លឹកឆ្នោតមិនបានការច្រើន ព្រោះថា សន្លឹកឆ្នោតមិនបានការច្រើន អាចចាត់ទុកជាទម្ងន់ករណីនៃភាពមិនប្រក្រតី។ ត្រូវបង្កើតការពិភាក្សាជាមួយភាគីពាក់ព័ន្ធការបោះឆ្នោត និងគណបក្សនយោបាយប្រកួតប្រជែង អំពីការកំណត់សន្លឹកឆ្នោតមិនបានការឲ្យបានលំអិត និងច្បាស់លាស់។
១០. បន្ថយចំនួនសន្លឹកឆ្នោតបម្រុងនៅត្រឹម៥% (យ៉ាងច្រើន) នៃប្រជាពលរដ្ឋដែលបានចុះឈ្មោះបោះឆ្នោត ដែលត្រូវបោះពុម្ព។
១១. ពង្រឹងតម្លាភាពនៃការរាប់សន្លឹកឆ្នោត ដោយមិនត្រូវមានការបិទបង្អួច និងទ្វារនៃការិយាល័យរាប់សន្លឹកឆ្នោត។
១២. ពង្រឹងការអនុវត្តសេចក្តីណែនាំ អំពីការរាប់សន្លឹកឆ្នោតទប់ស្កាត់មន្ត្រីការិយាល័យ ទាមទារភ្នាក់ងារគណបក្សនយោបាយចុះហត្ថលេខាលើកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត១១០២ជាមុន នៅពេលមិនទាន់បានបញ្ចប់ការរាប់សន្លឹកឆ្នោត និងពង្រឹងការយកចិត្តទុកដាក់នៃការសរសេរលទ្ធផល នៃការផ្ទៀងផ្ទាត់សន្លឹកឆ្នោតឲ្យបានត្រឹមត្រូវក្នុងទម្រង់១១០២ និងការបិទផ្សាយទម្រង់១១០២ និងទម្រង់១១០៥ នៅតាមការិយាល័យគណៈកម្មការឃុំ/សង្កាត់រៀបចំការបោះឆ្នោត។
១៣. ជំរុញការចេញអត្តសញ្ញាណប័ណ្ណសញ្ញាតិខ្មែរ និងសំបុត្រកំណើត ឲ្យអ្នកមានសិទ្ធិបោះឆ្នោតបានគ្រប់គ្នា១០០ភាគរយ។
១៤. បង្កើតយន្តការរួម ដើម្បីចែករំលែកព័ត៌មាន ជួយអន្តរាគមន៍ និងកែតម្រូវករណីភាពមិនប្រក្រតី ការអនុវត្តខុសក្រមសីលធម៌ និងទំនាស់បោះឆ្នោតដែលមានសមាសភាពពីសមាជិកគ.ជ.ប មន្ត្រីគ.ជ.ប មន្ត្រីនៃគណៈអចិន្ត្រៃយ៍សន្តិសុខបោះ បោះឆ្នោត មន្ត្រីនៃគណបក្សចុះឈ្មោះប្រកួតប្រជែងក្នុងការបោះឆ្នោត និងតំណាងអង្គការសមាគម មិនមែនរដ្ឋាភិបាលសង្កេតការណ៍បោះឆ្នោត។ យន្តការរួមនេះ គួរតែត្រូវបង្កើតនៅកំរិតថ្នាក់ជាតិ និងថ្នាក់ខេត្តក្រោមការដឹកនាំរបស់សមាជិក គ.ជ.ប។
១៥. ដាក់ចេញនូវវិធានការពិសេសបណ្តោះអាសន្ន ដែលតម្រូវឱ្យគណបក្សនយោបាយទាំងអស់ បង្កើនចំនួនបេក្ខជនជាស្ត្រី និងបង្កើនចំនួនស្ត្រីជាបេក្ខជននៅជូរមុខ ។

សូមភ្ជាប់មកជាមួយនូវតារាងវាយតម្លៃលើកត្តា/ស្ថានភាពក្នុងដំណើរការបោះឆ្នោត៖

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កត្តាវាយតម្លៃ	ការវាយតម្លៃ			
	វិធាន	វិធាន ផ្នែកខ្លះ	វិធាន ផ្នែកខ្លះ	វិធាន
១- ក្របខ័ណ្ឌច្បាប់បោះឆ្នោត ១.១ ការបង្កើត ឬរៀបចំការបោះឆ្នោតដោយសេរី ១.២ សិទ្ធិបោះឆ្នោត និងឈរឈ្មោះបោះឆ្នោត		✓	✓	
២- ច្បាប់ ស្តីពីវិសោធនកម្មច្បាប់គណបក្សនយោបាយ ២.១ សិទ្ធិគណបក្សប្រឆាំង ឬគណបក្សប្រកួតប្រជែង			✓	
៣- ព្រំប្រទល់មណ្ឌល និងការបែងចែកអាសនៈ ៣.១ របបបុរេបក្ស និងភាពស្មើភាពនៃគណបក្សប្រឆាំង ឬគណបក្សមិនកាន់អំណាចដទៃ និងគណបក្សកាន់អំណាច		✓		
៤- គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (ឯករាជ្យ អព្យាក្រឹត្យ តម្លាភាព វិជ្ជាជីវៈ) ៤.១ ការជ្រើសរើស ឬការតែងតាំង ៤.២ តួនាទី/ការអនុវត្តន៍ ៤.៣ ផែនការ/ការបណ្តុះបណ្តាល ៤.៤ ការគាំទ្រធនធាន ៤.៥ ការអនុវត្តន៍ដោយប្រសិទ្ធភាព ៤.៦ ការរៀបចំកិច្ចសហប្រតិបត្តិការផ្នែកសន្តិសុខ		✓	✓	
៥- ការចុះឈ្មោះ និងបញ្ជីឈ្មោះបោះឆ្នោត ៥.១ ភាគរយអ្នកបានចុះឈ្មោះ ប្រៀបធៀបចំនួនអ្នកមានសិទ្ធិចុះឈ្មោះបោះឆ្នោត ៥.២ ភាពត្រឹមត្រូវ/គុណភាព ៥.៣ សវនកម្ម និងការកែតម្រូវ		✓		
៦- ការចុះបញ្ជីគណបក្ស និងយេកូជនរបស់គណបក្ស ៦.១ លក្ខខណ្ឌច្បាស់លាស់ និងសមហេតុផល ៦.២ ការរើសអើង (គណបក្សប្រឆាំង ឯករាជ្យភាព សមភាពយេនឌ័រ ជំនឿសាសនា និងពូជសាសន៍)		✓		
៧- យុទ្ធនាការយោសាសនាបោះឆ្នោត ៧.១ សមភាពនៃការប្រើប្រាស់ប្រព័ន្ធផ្សព្វផ្សាយ ៧.២ ភាពស្មើភាពនៃការប្រើប្រាស់ធនធានរដ្ឋទីត្រួតពិនិត្យសាធារណៈ/ អាគារ ៧.៣ តម្លាភាពនៃការចំណាយការយោសាសនា ៧.៤ សេរីភាពបញ្ចេញមតិ ការជួបជុំ និងប្រមូលផ្តុំ		✓	✓	

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<p>៨. ដំណើរការបោះ និងរាប់សន្លឹកឆ្នោត និងថ្ងៃបោះឆ្នោត</p> <p>៨.១ ភាពសម្ងាត់នៃការបោះឆ្នោត</p> <p>៨.២ ការរៀបចំបោះឆ្នោត និងរាប់សន្លឹកឆ្នោត ស្របតាមនីតិវិធី</p> <p>៨.៣ វត្តមានអ្នកសង្កេតការណ៍បោះឆ្នោត និងភ្នាក់ងារគណបក្សនយោបាយ</p> <p>៨.៤ ការបោះឆ្នោត រៀបចំ ដឹកជញ្ជូន និងរក្សាទុកសន្លឹកឆ្នោត ឲ្យមានប្រសិទ្ធភាព និងតម្លាភាព</p> <p>៨.៥ សិទ្ធិបោះឆ្នោត ជនជាតិភាគតិច ជនងាយរងគ្រោះ និងជនពិការ</p> <p>៨.៦ បង្ហាញលទ្ធផលបោះឆ្នោត តាមពេលវេលាដែលបានកំណត់ត្រឹមត្រូវ ដោយមិនមានការពន្យារពេលដោយមូលហេតុណាមួយឡើយ</p> <p>៨.៧ បរិយាសន្តិភាពដើម្បីឲ្យអ្នកបោះឆ្នោតសំដែងនូវការសម្រេចចិត្តរបស់ខ្លួន</p>		√		
<p>៩. ការដោះស្រាយទំនាស់បោះឆ្នោត (ឯករាជ្យភាព មិនលំអៀង តម្លាភាព ទាន់ពេលវេលា)</p> <p>៩.១ មានព័ត៌មានគ្រប់គ្រាន់អំពីនីតិវិធីបណ្តឹងបោះឆ្នោត</p> <p>៩.២ ការទទួលពាក្យបណ្តឹង</p> <p>៩.៣ ការស៊ើបអង្កេតលើពាក្យបណ្តឹង</p> <p>៩.៤ សវនាការសាធារណៈ</p> <p>៩.៥ ការចេញសេចក្តីសម្រេចដែលសមហេតុផល និងមានការពន្យល់</p>		√	√	

អង្គការគាំទ្រ និងទំនាក់ទំនងព័ត៌មានបន្ថែម៖

1. លោក គល់ បញ្ញា	នាយកប្រតិបត្តិ COMFREL	០១២ ៩៤ ២០ ១៧
2. លោក សំ គន្ធាមី	នាយកប្រតិបត្តិ NICFEC	០១២ ៨២ ២២ ៧៣
3. លោកស្រី ជីតា ឃី៖	នាយិកាប្រតិបត្តិ SILAKA	០១២ ៨៣ ៨៤ ៦៤
4. លោក យ៉ង់ គឹមអេង	នាយកប្រតិបត្តិ PDP-Center	០១៦ ៨២ ៨២ ១១
5. លោក ជាង សុខា	នាយកប្រតិបត្តិអង្គការ YRDP	០១២ ៣៦ ០៤ ៦៤
6. លោក មឿន គុណ	នាយកប្រតិបត្តិ Central	០៩៣ ៥៥ ៦៦ ៤៣
7. លោក ថាវ គឹមសាន	នាយកប្រតិបត្តិ LICADHO	០១២ ៨០ ៧៧ ៦៣
8. លោក ចេង សារ៉េន	អគ្គលេខាធិការ CCFC	០៧៨ ២២ ៥០ ៨៨
9. លោក ឡាយ សុវត្ថារ៉ា	អ្នកគ្រប់គ្រងកម្មវិធី CLEC	០១២ ៨០ ៣៨ ២៧
10. លោក ប៉ា ងួនឡឿង	នាយកប្រតិបត្តិ CCIM	០៦០ ៤០ ៩៩ ៩៩
11. លោក សៅ កុសល	ប្រធានកម្មវិធីបច្ចេកទេស STT	០១៧ ៥៥ ៥៨ ៨៧
12. លោក ទឹម ម៉ាឡៃ	ប្រធាន CYN	០១៧ ៩៩ ០៦ ៩០
13. លោកស្រី រស់សុភាព	នាយិកាប្រតិបត្តិ GADC	០១២ ៦២ ៧៨ ៥៧
14. លោកស្រី ចក់ សុភាព	នាយិកាប្រតិបត្តិ CCHR	០១១ ៩៤៣ ២១៣

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15. លោកស្រី មី សម្ពុស្ស	អគ្គលេខាធិការ YCUD	០៨១ ៣២ ៤៦ ៩១
16. លោក ស ម៉ូរ៉ា	ប្រធានសហព័ន្ធ CFSWF	០១៦ ៥២ ៥៧ ៨១
17. លោក សៀ ការម្យ	នាយកប្រតិបត្តិ HRTF	០១២ ៨៥ ២៣ ២៥
18. លោក ឡុង ខែត	នាយកប្រតិបត្តិ FYP	០១២ ៤០ ២៨ ៨០
19. លោក ប៉ែន សុមុនី	ប្រធាន CVS	០១២ ៧០ ៨០ ៩៣
20. លោក សៀង សារ៉េន	នាយកប្រតិបត្តិ CCC	០១៦ ៩០ ០៥ ០៣
21. លោក វ៉ាន់ ពៅ	ប្រធានសមាគម IDEA	០៩៣ ៦២ ៩២ ៩៨
22. លោក ស៊ីង សែនកុណា	មន្ត្រីស៊ើបអង្កេតជាន់ខ្ពស់ ADHOC	០៨៩ ៦៦ ៦៣ ១២
23. លោក ឌឹម សារ៉ាត	នាយកប្រតិបត្តិ FACT	០១២ ៨៥ ៨៤ ២០
24. លោក អ៊ឹម សុផី	នាយកប្រតិបត្តិ YCC	០៧៧ ៧២ ៣២ ៦៧
25. លោក ហេង សុជាតិ	ទីប្រឹក្សាបច្ចេកទេស CGCN	០១២ ៣៩ ០២ ២៩
26. លោក សន ជ័យ	អ្នកសម្របសម្រួល ANSA	០១២ ៤៤ ៥៦ ៤២
27. លោក ឆិន សៅវ៉ៃត្ត	នាយកប្រតិបត្តិ CDPO	០១៦ ៨៥ ១៨ ៤១
28. លោក អាត់ ធន់	ប្រធាន C.CAWDU	០១២ ៩៩ ៨៩ ០៦
29. លោកស្រី ជឹម ចាន់នាង	អគ្គលេខាធិការ NGO CEDAW	០១២ ៦៦ ៨៨ ៥៣

Situation Room's members: COMFREL, NICFEC, ADHOC, LICADHO, CLEC, SILAKA, YRDP, KYSD, PDP-Center, CCFC, CENTRAL, STT, CCIM, CYN, BPO, GADC, CCC, NGO Forum, HRTF, DPA, KYA, FACT, W/MC, YCUD, CIYA, YEDP, CYWEN, IDEA, CFSWF, PBO, NGO CEDAW, CVS, TIC, CGCN, YFP, CPN, ANSA-EAP, CCHR, CLC, CDPO.

7. Press Statement on objectives and missions of the Situation Room for the 2017 election



**សេចក្តីប្រកាសព័ត៌មាន
ស្តីពី
សកម្មភាព និងគោលបំណង «ប្រឆាំងបង្កប់ស្ថានភាព»**

ភ្នំពេញ, ថ្ងៃទី២៨ ខែមិថុនា ឆ្នាំ២០១៧

សូមជម្រាបជូនជាព័ត៌មានថា «បង្កប់ស្ថានភាព» គឺជាវេទិកាអព្យាក្រឹត្យឥតលំអៀង ដែលរៀបចំ និងចាត់ចែងដោយ គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា ហៅកាត់ថា «ខុមហ្វ្រែល» និងគណៈកម្មាធិការ អព្យាក្រឹត្យ និងយុត្តិធម៌ដើម្បីការបោះឆ្នោតដោយសេរី និងត្រឹមត្រូវនៅកម្ពុជា ហៅកាត់ថា «និកហ្វីច» ដែលមានការចូលរួម ដោយស្ម័គ្រចិត្តពីអង្គការ និងសមាគម ចំនួន៤០ ទៀត ក្នុងគោលបំណងសម្របសម្រួល និងសហការរួមគ្នាដើម្បី៖

- ប្រមូលផ្តុំធនធាន ដើម្បីបង្កើនសមត្ថភាព និងការរួមចំណែកសហការជាមូលនិធិ ឬគាំទ្រ ដើម្បីដំណើរការ ផែនការដាក់ពង្រាយអ្នកសង្កេតការណ៍ក្នុងស្រុកនៅថ្ងៃបោះឆ្នោត
- ចែករំលែក និងធ្វើបច្ចុប្បន្នភាពព័ត៌មាន ទាក់ទងការបោះឆ្នោត
- ធ្វើការវាយតម្លៃ និងផ្ទៀងផ្ទាត់លទ្ធផលនៃការបោះឆ្នោត ដោយផ្អែកលើបទដ្ឋានច្បាប់ជាតិ និងអន្តរជាតិក្នុង អំឡុងពេលបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំសង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧។

ខុមហ្វ្រែល និងនិកហ្វីច បានដាក់ពង្រាយអ្នកសង្កេតការណ៍ដែលមានការទទួលស្គាល់ដោយគណៈកម្មាធិការជាតិ រៀបចំការបោះឆ្នោត (គ.ជ.ប)។

ក្រោយពីការបោះឆ្នោតត្រូវបានបញ្ចប់រួចរាល់ សកម្មភាពវេទិកាបង្កប់ស្ថានភាពត្រូវបានប្រកាសបញ្ចប់នៅក្នុង ថ្ងៃទី២៤ ខែមិថុនា ឆ្នាំ២០១៧ ក្នុងវេទិកាសាធារណៈ ស្តីពីការវាយតម្លៃចុងក្រោយលើការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សា ឃុំសង្កាត់ អាណត្តិទី៤ ឆ្នាំ២០១៧ នៅស្ថានីយការពារព្រលឹងខុមហ្វ្រែល នៅចំពោះមុខអ្នកសារព័ត៌មានជាតិ និងអន្តរជាតិ។

ព័ត៌មានបន្ថែមសូមទាក់ទង៖

១. លោក គឹម ឈន	អ្នកសម្របសម្រួលជាន់ខ្ពស់នៃកម្មវិធីខុមហ្វ្រែល	០១២ ៩៤២ ០១៩
២. លោក សំ គន្ធាធី	នាយកប្រតិបត្តិអង្គការនិកហ្វីច	០១២ ៨២២ ២៧៣

8. Press Statement on rejection of implication of COMFREL's election observation to revolutionary activities



រាជធានីភ្នំពេញ, ថ្ងៃទី២៧ ខែតុលា ឆ្នាំ២០១៧

**សេចក្តីប្រកាសព័ត៌មាន ស្តីពី
ការបដិសេធចំពោះការផ្សារភ្ជាប់សកម្មភាពសង្កេតការណ៍បោះឆ្នោត
របស់ខុមហ្វ្រែលជាមួយ «បដិវត្តន៍ពណ៌»**

គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា (ខុមហ្វ្រែល) សូមបដិសេធទាំងស្រុង ចំពោះការផ្សារភ្ជាប់សកម្មភាពសង្កេតការណ៍បោះឆ្នោតរបស់ខុមហ្វ្រែល ជាមួយការបកស្រាយមិនច្បាស់លាស់នៃសកម្មភាពបដិវត្តន៍ពណ៌ តាមរយៈខ្លឹមសារនៃវីដេអូរបស់អង្គការព័ត៌មាន និងប្រតិកម្មរហ័សនៃទីស្តីការគណៈរដ្ឋមន្ត្រី ដែលបានចេញផ្សាយកាលពីថ្ងៃទី២៣ ខែតុលា ឆ្នាំ២០១៧ មានចំណងជើងថា «តើកម្ពុជាពិតជាមានបដិវត្តន៍ តាមគំរូបដិវត្តន៍នៅតាមបណ្តាប្រទេសនៅក្នុងពិភពលោកមែនឬទេ?» ។

ខ្លឹមសារវីដេអូ បានលើកឡើងសកម្មភាពសង្កេតការណ៍បោះឆ្នោតរបស់ខុមហ្វ្រែលបម្រើ ឬជាអង្គការសម្ព័ន្ធមិត្តរបស់គណបក្សនយោបាយមួយ ដែលបានយកឧទាហរណ៍នៃការបង្ហាញអំពីការរកឃើញពីការសង្កេតការណ៍បោះឆ្នោតអំពីភាពមិនប្រក្រតី និងការវាយតម្លៃនៃការបោះឆ្នោត។ ខុមហ្វ្រែលមិនអាចទទួលយក និងសម្តែងការខកចិត្តចំពោះការផ្សព្វផ្សាយអំពី ការផ្សារភ្ជាប់ជាមួយសកម្មភាពបែបនយោបាយនេះទេ ហើយខុមហ្វ្រែលសូមបញ្ជាក់សារជាថ្មីថា ខុមហ្វ្រែលជាអង្គការសង្គមស៊ីវិលមិនមែនរដ្ឋាភិបាល មិនទទួលតួនាទី និងបម្រើគណបក្សនយោបាយណាមួយឡើយ។ សកម្មភាពសង្កេតការណ៍បោះឆ្នោតរបស់ខុមហ្វ្រែល តាំងពីការបោះឆ្នោតឆ្នាំ១៩៩៨ ត្រូវបានទទួលស្គាល់ផ្លូវការដោយគណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប)។ ការសង្កេតគឺ ដើម្បីចូលរួមចំណែកក្នុងការពង្រឹងជំនឿលើសុចរិតភាពទៅលើការចាត់ចែង និងការប្រើប្រាស់សំភារៈបោះឆ្នោតដែរ។ ឧទាហរណ៍ជាក់ស្តែង គឺការចូលរួមសាកល្បងរបស់ខុមហ្វ្រែលនៅទីស្តីការ គ.ជ.ប នូវទឹកខ្មៅជ្រលក់ម្រាមដៃសម្រាប់ការបោះឆ្នោត ថាតើលុបលាងជ្រះ ឬអត់នោះ ដែលមានការអញ្ជើញជាផ្លូវការពី គ.ជ.ប នៅក្នុងការបោះឆ្នោត និងមានអ្នកសារព័ត៌មានជាតិ និងអន្តរជាតិបានចូលរួមយកជាព័ត៌មាន និងធ្វើជាសាក្សីផងដែរ។ នៅការបោះឆ្នោតឆ្នាំ២០១៣ ខុមហ្វ្រែលបង្ហាញពីការរកឃើញនូវហានិភ័យនៃការលុបលាងច្រាសទឹកខ្មៅជ្រលក់ម្រាមដៃ និងភាពមិនប្រក្រតីនៃបញ្ជីឈ្មោះបោះឆ្នោតនិងផ្តល់អនុសាសន៍ ទៅគ.ជ.ប ដើម្បីរកវិធានការទប់ស្កាត់ហានិភ័យ។ សម្រាប់ការបោះឆ្នោតឆ្នាំ២០១៧ នេះ គ.ជ.បថ្មីបានទទួលស្គាល់នូវការប្រឈមនៃទឹកខ្មៅជ្រលក់ម្រាមដៃដែលអាចលុបលាងជ្រះ ហើយក៏បានចេញវិធានការប្រាំចំណុចឆ្លើយតបនឹងការប្រឈមនេះ ដើម្បីធានានូវសម្លេងឆ្នោតមួយពីម្ចាស់ឆ្នោតម្នាក់ៗ ខុម ហ្វ្រែលអនុវត្តត្រឹមត្រូវនូវសិទ្ធិស្របច្បាប់របស់ខ្លួនក្នុងការធ្វើរបាយការណ៍អំពីការរំលោភច្បាប់ បទបញ្ជា នីតិវិធី និងភាពមិនប្រក្រតីបោះឆ្នោត យោងតាមក្រមសីលធម៌អ្នកសង្កេតការណ៍ ចេញដោយគណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត។ ទោះបីយ៉ាងនេះក្តី ខុមហ្វ្រែលក៏ធ្វើរបាយការណ៍ការសង្កេត និងវាយតម្លៃដើម្បីរក

ចំណុចវិជ្ជមាន ឬ/និងអវិជ្ជមាន និងផ្តល់អនុសាសន៍នានាដើម្បីនៃដំណើរការបោះឆ្នោតសេរី និងយុត្តិធម៌ ដែលប្រើវិធីសាស្ត្រ និងស្របតាមនិយាមជាតិ និងអន្តរជាតិ¹ យ៉ាងច្បាស់លាស់ ដោយមិនឆ្លុះបញ្ចាំងពីទស្សនៈ ឬបម្រើឲ្យគណបក្សនយោបាយណាមួយឡើយ។ ក្រៅពីនេះ ខុមហ្វ្រែលក៏បានសហការណ៍ជាមួយ គ.ជ.ប ដើម្បីអប់រំ និងផ្តល់ព័ត៌មានបោះឆ្នោតផងដែរ។

ខុមហ្វ្រែលស្នើសុំឲ្យអង្គភាពព័ត៌មាន និងប្រតិកម្មរបស់នៃទីស្តីការគណៈរដ្ឋមន្ត្រីមេត្តាបញ្ឈប់ការផ្សារ ភ្ជាប់សកម្មភាពស្របច្បាប់នៅក្នុងការសង្កេតការណ៍បោះឆ្នោតរបស់ខុមហ្វ្រែលថា ជាសកម្មភាពបដិវត្តន៍ណា តទៅទៀត។

ខុមហ្វ្រែលមានមោទនភាពចំពោះការបំពេញតួនាទី និងការអនុវត្តសិទ្ធិស្របច្បាប់របស់ខ្លួនដើម្បីពង្រឹង ការទុកចិត្ត និងការចូលរួមរបស់ម្ចាស់ឆ្នោតក្នុងដំណើរការបោះឆ្នោត ។

សម្រាប់ព័ត៌មានបន្ថែម សូមទាក់ទង៖

០១១ ៨៨៤ ៨៤០/០១១ ៥៣ ៥៣ ៥៤/០៧០ ៤០០ ១៣១/០១២ ៩៤២ ០១៧

¹ រដ្ឋធម្មនុញ្ញនៃព្រះរាជាណាចក្រកម្ពុជា សេចក្តីប្រកាសជាសកលរបស់អង្គការសហប្រជាជាតិ ស្តីអំពីសិទ្ធិមនុស្ស កតិកាសញ្ញាអន្តរ ជាតិ ស្តីពីសិទ្ធិពលរដ្ឋ និងសិទ្ធិនយោបាយ កិច្ចព្រមព្រៀងទីក្រុងប៉ារីស ស្តីអំពីកម្ពុជា ច្បាប់ស្តីពីការរៀបចំ និងប្រព្រឹត្តទៅនៃគ.ជ.ប ច្បាប់បោះឆ្នោត សេចក្តីប្រកាស ស្តីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌ នៅទីក្រុងបាងកក សេចក្តីថ្លែងការណ៍នៃការបោះឆ្នោត ដោយសេរី និងយុត្តិធម៌របស់សហភាពអន្តរសភា (IPU) សន្ទស្សន៍នៃការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌ នៅទីក្រុងឌីលី ប្រទេសទីម័រ ខាងកើត សេចក្តីថ្លែងការណ៍ជាសកលសម្រាប់អ្នកសង្កេតការណ៍ជាតិ (DOGP) និងក្រមសីលធម៌របស់អ្នកសង្កេតការណ៍។

9. Press Statement on Strengthening national and international legitimacy of election following democratic principle and respect of voters' will

រាជធានីភ្នំពេញ, ថ្ងៃទី១៩ ខែតុលា ឆ្នាំ២០១៧

សេចក្តីថ្លែងការណ៍ ស្តីអំពី
ពង្រឹងភាពត្រឹមត្រូវតាមច្បាប់ជាតិ និងអន្តរជាតិ (Legitimacy)
នៃដំណើរការបោះឆ្នោតបែបប្រជាធិបតេយ្យសេរី និងយុត្តិធម៌
និងការគោរពសម្លេងឆន្ទៈរបស់ម្ចាស់ឆ្នោត

សមាគម អង្គការសង្គមស៊ីវិលមិនមែនរដ្ឋាភិបាលនៅកម្ពុជាដូចមានឈ្មោះខាងក្រោមនេះ មានការព្រួយបារម្ភខ្លាំង ចំពោះការប្តឹងដើម្បីរំលាយគណបក្សសង្គ្រោះជាតិជាគណបក្សប្រជាជន និងចំពោះការអនុម័តដោយតំណាងរាស្ត្រតែងក្របខណ្ឌនៃគណបក្សដឹកនាំរដ្ឋាភិបាល លើការកែប្រែប្រមូលនូវការបែងចែកអាសនៈតំណាងរាស្ត្រ សមាជិកព្រឹទ្ធសភា ក្រុមប្រឹក្សាថ្នាក់ក្រោមជាតិ និងក្រុមប្រឹក្សាឃុំសង្កាត់នៃគណបក្សត្រូវរំលាយ ដែលមានចែងក្នុងសេចក្តីស្នើវិសោធនកម្មច្បាប់ដោយតំណាងរាស្ត្រមកពីគណបក្សដឹកនាំរដ្ឋាភិបាលគណបក្សប្រជាជនកម្ពុជា។ សមាគម អង្គការសង្គមស៊ីវិលមិនមែនរដ្ឋាភិបាលយល់ឃើញថា ជាយថាហេតុការរំលាយគណបក្សប្រជាជននេះ រហូតមិនអាចចូលរួមប្រកួតការបោះឆ្នោតនឹងនាំឲ្យមានបញ្ហានៃភាពត្រឹមត្រូវតាមច្បាប់ជាតិ និងអន្តរជាតិនៃការបោះឆ្នោតឆ្នាំ២០១៨ខាងមុខនេះ។ ម្យ៉ាងទៀត ការអនុវត្តន៍ប្រមូលនូវការបែងចែកអាសនៈនេះ នឹងធ្វើឲ្យប៉ះពាល់ជាអវិជ្ជមាន និងអយុត្តិធម៌ធ្ងន់ធ្ងរចំពោះសម្លេងម្ចាស់ឆ្នោត តំណាងឆន្ទៈម្ចាស់ឆ្នោតដែលមិនឆ្លុះបញ្ចាំងសមាមាត្រសន្តិភាពនៃភាពជាតំណាងរាស្ត្រ។

ករណីការរំលាយ និងការបែងចែកអាសនៈនៃគណបក្សសង្គ្រោះជាតិបែបនេះ គឺមិនគោរពសម្លេងឆន្ទៈប្រជាពលរដ្ឋប្រមាណ ០៣លាននាក់ដែលបានបោះឆ្នោតគាំទ្រគណបក្សនេះ។ ក្នុងរដ្ឋធម្មនុញ្ញជំពូក៤ ប្រជាពលរដ្ឋជាម្ចាស់អាសនៈនៃប្រទេសខ្លួន និងអំណាចទាំងអស់ជារបស់ប្រជាពលរដ្ឋ។ រាជរដ្ឋាភិបាលកម្ពុជាអនុវត្តនយោបាយបង្រួបបង្រួមជាតិ ដើម្បីការពារឯកភាពជាតិ។ ច្បាប់សិទ្ធិមនុស្សអន្តរជាតិ សេចក្តីថ្លែងការណ៍ជាសកលស្តីពីសិទ្ធិមនុស្ស និងកតិកាសញ្ញាអន្តរជាតិ ស្តីពីសិទ្ធិពលរដ្ឋ និងសិទ្ធិនយោបាយក៏បញ្ជាក់ថា ឆន្ទៈរបស់ប្រជាពលរដ្ឋត្រូវសម្តែងចេញតាមរយៈការបោះឆ្នោត ហើយឆន្ទៈរបស់ប្រជាពលរដ្ឋជាមូលដ្ឋាននៃអំណាច។

ការរំលាយគណបក្ស នាំមកនូវការរំលាយតំណាងរាស្ត្ររបស់ម្ចាស់ឆ្នោត ដែលរដ្ឋធម្មនុញ្ញកម្ពុជាមាត្រា៧៧ បានហាមអនុវត្ត ឬទុកជាមោឃៈនូវអាណត្តិរាជ្យបញ្ជាទាំងឡាយចំពោះតំណាងរាស្ត្រ។ ម្យ៉ាងទៀត មាត្រា៧៦នៃរដ្ឋធម្មនុញ្ញបញ្ជាក់ថា តំណាងរាស្ត្រត្រូវបានជ្រើសតាំងដោយការបោះឆ្នោត។ នោះនាំឲ្យកើតមានចំណោទបញ្ហានៃភាពត្រឹមត្រូវតាមរដ្ឋធម្មនុញ្ញ ដែលតំណាងរាស្ត្រនៃគណបក្សគ្មានអាសនៈក្នុងសភា ត្រូវបានជ្រើសតាំងចេញពីការរំលាយនៃគណបក្សដែលបានអាសនៈសភាទៅវិញ។

ការកែប្រែច្បាប់ទាក់ទងនឹងការបោះឆ្នោតបែបប្រជាធិបតេយ្យ សេរីពហុបក្ស តម្លាភាព និងសុចរិតភាព ត្រូវមានការចូលរួមពិភាក្សាជាមួយគណបក្សនយោបាយនានា និងការអនុម័ត យ៉ាងហោចពីគណបក្សដឹកនាំរដ្ឋាភិបាល និងគណបក្សមានអាសនៈក្នុងរដ្ឋសភាដែលមិនចូលរួមដឹកនាំរដ្ឋាភិបាល ដូចមានចែងក្នុងជំពូក៥នៃរដ្ឋធម្មនុញ្ញ និង

ការអនុវត្តក្នុងមក។ សមាគម អង្គការសង្គមស៊ីវិលមិនមែនរដ្ឋាភិបាលនៅកម្ពុជានឹងជួបការលំបាកក្នុងការសង្កេតការណ៍ និងការវាយតម្លៃថា ការបោះឆ្នោតមានភាពត្រឹមត្រូវតាមច្បាប់ ដោយសេរី និងយុត្តិធម៌មួយ ដែលគ្មានការចូលរួមរបស់គណបក្សប្រជែងសំខាន់ ដោយសារការរំលាយជាមួយនឹងការចោទប្រកាន់មេដឹកនាំរបស់គណបក្សបែបនេះ។

ការរំលាយគណបក្សប្រកួតប្រជែងការបោះឆ្នោត និងការអនុវត្តនៃការបែងចែកអាសនៈតាមរូបមន្តថ្មីនៃការធ្វើវិសោធនកម្មច្បាប់នឹងនាំឲ្យបាត់បង់ការប្រកួតប្រជែងការបោះឆ្នោត ដោយភាពត្រឹមត្រូវតាមច្បាប់ជាតិ និងអន្តរជាតិ និងយុត្តិធម៌ ហើយក៏នឹងនាំឲ្យធ្លាក់ចុះខ្លាំងនៃដំណើរការប្រជាធិបតេយ្យជាមួយគុណភាពពហុបក្ស នៅកម្ពុជា។

សមាគម និងអង្គការសង្គមស៊ីវិលគាំទ្រសេចក្តីថ្លែងការណ៍៖

1. គណៈកម្មាធិការ ដើម្បីការបោះឆ្នោត ដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា (COMFREL)
2. គណៈកម្មការអព្យាក្រឹត្យ និងយុត្តិធម៌ ដើម្បីការបោះឆ្នោតដោយសេរី និងត្រឹមត្រូវនៅកម្ពុជា (NICFEC)
3. សមាគមធាងត្នោត (STT)
4. សម្ព័ន្ធសហជីពកម្មករចំណីអាហារ និងសេវាកម្មកម្ពុជា (CFSWF)
5. កម្មវិធីអភិវឌ្ឍន៍ធនធានយុវជន (YRDP)
6. បណ្តាញកសាងសន្តិភាពសហគមន៍ (CPN)
7. មជ្ឈមណ្ឌលសម្ព័ន្ធភាពការងារ និងសិទ្ធិមនុស្ស (CENTRAL)
8. មជ្ឈមណ្ឌលប្រជាពលរដ្ឋដើម្បីអភិវឌ្ឍន៍ និងសន្តិភាព (PDP)
9. អង្គការស្ម័គ្រចិត្តដើម្បីសង្គម (CVS)
10. សម្ព័ន្ធសហគមន៍កសិករកម្ពុជា (CCFC)
11. មជ្ឈមណ្ឌលកម្ពុជាដើម្បីប្រព័ន្ធផ្សព្វផ្សាយឯករាជ្យ (CCIM)
12. ក្រុមការងារពិសេសសិទ្ធិលំនៅឋាន (HRTF)

សម្រាប់ព័ត៌មានបន្ថែម សូមទាក់ទង៖

០១៦ ៨២ ៨២ ១១/០១២ ៨២ ២២ ៧/០៩៣ ៥៥៦ ៦៤៣/០១១ ៥៣ ៥៣ ៥៤/០៧០ ៤០០ ១៣១

Appendix6: Activities on the 2017 Elections Commune Sangkat

ឧបសម្ព័ន្ធទី៦៖ កំរងរូបភាពសកម្មភាពការងារសម្រាប់ការបោះឆ្នោតឆ្នាំ២០១៧

សកម្មភាពទី១៖ សកម្មភាពជួបជាមួយគណបក្សនយោបាយទាំង១២ របស់ក្រុមអង្គការសង្គមស៊ីវិល ដើម្បីស្វែងយល់ពីស្ថានភាពក្នុងការចូលរួមការបោះឆ្នោតក្រុមប្រឹក្សាឃុំ សង្កាត់ឆ្នាំ២០១៧

ជួបជាមួយគណបក្សខ្មែររួបរួមជាតិ (Meeting with Khmer National United Party)



ជួបជាមួយគណបក្សសាធារណរដ្ឋប្រជាធិបតេយ្យ (Meeting with Republican Democratic Party)



ជួបជាមួយគណបក្សប្រជាធិបតេយ្យមូលដ្ឋាន (Meeting with Grassroots Democratic Party)



ជួបជាមួយគណបក្សអំណាចខ្មែរ (Meeting with Khmer Power Party)



សកម្មភាពទី២៖ ជួបជាមួយស្ថាប័ន គ ប.ជ.

Activity2: Meeting with NEC

កិច្ចពិភាក្សារវាងសង្គមស៊ីវិល និងស្ថាប័ន គ.ជ.ប ស្តីពីកិច្ចសហប្រតិបត្តិការរវាងស្ថាប័នទាំងពីរ

Meeting between NGOs and NEC on Cooperation activities of the 2017 Commune/Sangkat Elections



សកម្មភាពចូលរួមសាកល្បងទឹកខ្មៅលុបលាងមិនជ្រុះ រៀបចំដោយ គ.ជ.ប

Join testing Indelible ink at NEC



សកម្មភាពទី៣៖ សន្និសីទសារព័ត៌មាន

Activity3: Press Conferences

សន្និសីទសារព័ត៌មាននៅថ្ងៃទី១៧ ខែមករា ឆ្នាំ២០១៧ ស្តីពីការបង្ហាញលទ្ធផលទាក់ទងការចុះឈ្មោះបោះឆ្នោត និងបញ្ជីឈ្មោះបោះឆ្នោត

17 Jan, 2017, Press conference at the COMFREL office, on the findings and recommendations of voter registration monitoring



សន្និសីទសារព័ត៌មាននៅថ្ងៃទី២៨ ខែមីនា ឆ្នាំ២០១៧ នៅសណ្ឋាគារសាន់វេ បង្ហាញពីផែនការសកម្មភាពរបស់ក្រុមអង្គការសង្គមស៊ីវិលចូលរួមសង្កេតការណ៍បោះឆ្នោតឃុំ សង្កាត់ឆ្នាំ២០១៧

28 March, 2017, Press conference at Sunway Hotel, on a Launch of Situation Room for a CSOs' joint observation on the 2017 Commune/Sangkat Election



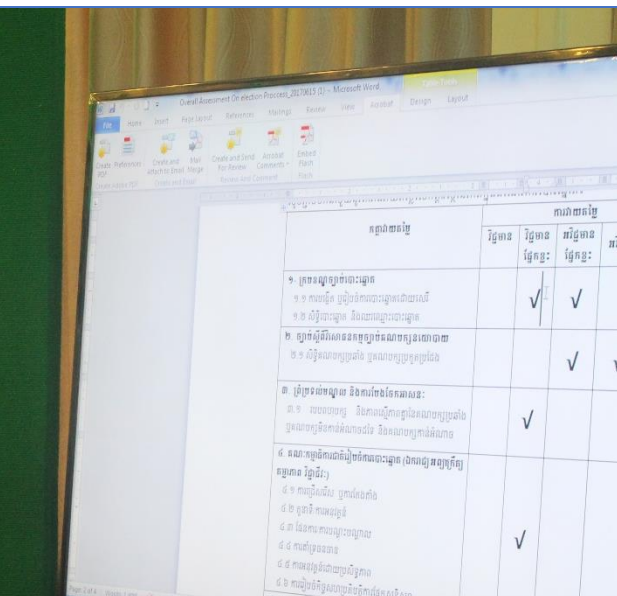
សន្និសីទសារព័ត៌មាននៅថ្ងៃទី០៥ ខែមេសា ឆ្នាំ២០១៧ បង្ហាញពីលទ្ធផលចុះឈ្មោះបោះឆ្នោត និងបញ្ជីឈ្មោះបោះឆ្នោតឆ្នាំ២០១៦ សម្រាប់ការបោះឆ្នោតឃុំ សង្កាត់ឆ្នាំ២០១៧

Press Conference on 05 April 2017 at COMFREL Head Office, on Finding of the 2016 Voter Registration and Voter List for the 2017 Commune Election



ការចូលរួមវាយតម្លៃដំណើរការបោះឆ្នោតរបស់អង្គការសង្គមស៊ីវិល សម្រាប់ការបោះឆ្នោតឆ្នាំ២០១៧

CSOs' Assessment on the 2017 Election Process



សន្និសីទសារព័ត៌មាននៅថ្ងៃទី០២ ខែមិថុនា ឆ្នាំ២០១៧ បង្ហាញពីលទ្ធផលសង្កេតការណ៍សន្មាបោះឆ្នោត

Press Conference on 02 June 2017 at COMFREL Head Office, on Finding of Electoral Campaign



សន្និសីទសារព័ត៌មាននៅថ្ងៃទី០៤ ខែមិថុនា ឆ្នាំ២០១៧ បង្ហាញពីស្ថានភាពក្នុងថ្ងៃបោះឆ្នោត

Press Conference on 04 June 2017, on Election Day Situation



សន្និសីទសារព័ត៌មាននៅថ្ងៃទី១២ ខែមិថុនា ឆ្នាំ២០១៧ លទ្ធផលបឋមក្នុងការសង្កេតក្រោយការបោះឆ្នោត

Press Conference on 12 June 2017 at COMFREL Head Office, on Preliminary Electoral Result



សន្និសីទសារព័ត៌មាននៅថ្ងៃទី២៤ ខែមិថុនា ឆ្នាំ២០១៧ សន្និសីទសារព័ត៌មានស្តីពីការវាយតម្លៃដំណើរការបោះឆ្នោតឃុំសង្កាត់ឆ្នាំ២០១៧

Press Conference on 24 June 2017 at COMFREL Head Office, on Overall and Ultimate Assessment on the 2017 Commune Election





កិច្ចប្រជុំកុម្មុលនៅថ្ងៃទី១៩ ខែកក្កដា ឆ្នាំ២០១៧ ស្តីពីអនុសាសន៍សម្រាប់ការចុះឈ្មោះបោះឆ្នោតខាងមុខ

Roundtable Discussion on 19 July 2017 on Recommendations on Voter Registration for Next Elections

