



# 2023 REPORT



the Election of Members of  
the National Assembly, 7th Legislature

October 2023

## Contents

Acronyms .....	5
Preamble .....	6
I. Introduction.....	7
2. Summary of key findings.....	8
Electoral process-related recommendations .....	12
3. Legal Framework for the election and electoral system.....	15
3.1 Constitutional amendments .....	15
3.2 The Law on the Election of Members of the National Assembly (LEMNA) .....	16
3.3 Amendments to the Law on Associations and Non-Governmental Organizations.....	18
3.4 Amendments to the Law on Political Parties .....	19
3.5 Significant developments in the election law and the participation of political parties.....	21
3.6 Regulations and procedures of the NEC.....	21
3.7 Recommendations provided by COMFREL.....	22
4. Recruitment of election officials .....	23
4.1 Recruitment of members of the Provincial/Capital Election Commission (PEC).....	23
4.2 Recruitment of Commune/Sangkat Election Commission (CEC) .....	24
4.2.1 About the announcement and dissemination .....	26
4.2.2 About the recruitment commission for CEC .....	26
4.2.3 Challenges and difficulties faced by the recruitment commission .....	26
4.2.4 Encouragement of women, youths, persons with disability, and indigenous minorities .....	27
4.2.5 Evaluation of the recruitment commission on CEC recruitment .....	27
4.2.6 Views of political party representatives on the recruitment commission .....	27
4.2.7 Views on the recruitment commission by candidates shortlisted for exam and Interview.....	28
4.2.8 Views on the recruitment committee by candidates (not shortlisted for examination and interview) .....	28
4.2.9 Relationship between CEC members and political party activities.....	28
4.3 Recruitment of Polling Station and Ballot Counting Commission (PS/BCC) .....	29
4.3.1 Announcement on the recruitment of PS/BCC .....	29
4.3.2 The recruitment commission.....	30
4.3.3 Candidates shortlisted for interview .....	30

4.3.4 Candidates' experience .....	30
4.3.5 Familial relationships among PSC members .....	30
4.3.6 Irregularities in the recruitment process.....	30
4.3.7 Activities with political parties.....	30
5. Election Management.....	31
5.1 The 2022 voter list verification, registration, and audit .....	31
5.1.1 Result of voter registration .....	31
5.1.2 Observation of the voter registration process and environment.....	31
5.2 Voter list audit .....	34
5.3 Recommendations for improvement .....	34
5.4 Indelible ink test .....	35
6. Registration of political parties and party candidates.....	36
6.1 Conditions for registration of political parties and party candidates.....	37
6.2 Announcement of provisional registration results.....	38
6.3 NEC's decision on official recognition of the number of political parties and candidate lists in constituencies.....	38
6.4 Announcement of the NEC's decision on political parties for registration.....	40
6.5 Results of the lucky draw to determine the order of political parties on the ballot paper...40	
6.6 Filing and resolving complaints.....	41
6.6.1 Rejection of the registration of political parties and party candidate list.....	41
6.6.2 Filing complaints .....	41
6.6.3 Resolving complaints lodged by both political parties.....	41
6.7 National and international views on the registration of political parties and party candidates .....	43
6.7.1 National views .....	43
6.7.2 International views .....	44
7. Election campaign.....	44
7.1. Pre-election campaign period .....	45
7.2. During the election campaign period.....	45
7.2.1 Different types of conducting election campaign .....	45
8. On the polling and counting day (July 23, 2023) .....	55
8.1 Situations surrounding the election .....	56

8.1.1 General view at the polling and ballot counting stations .....	56
8.1.2 Irregularities and issues during the voting process .....	58
8.1.3 Other irregularities during the voting process .....	60
8.1.4 Activities of political party agents.....	60
8.2 Irregularities during the ballot counting .....	61
8.3 Other observed irregularities.....	63
8.3.1 The posting of the minutes of the ballot counting (Form 1102) .....	63
8.3.2 The use of correction pen on the minute of ballot counting (F. 1102) .....	64
8.3.3 The closing of doors and windows of ballot counting stations.....	64
8.3.4 The notice prohibiting photography inside the polling station .....	65
10. Official result of the 7 <sup>th</sup> National Assembly Election.....	66
10.1 The result of the July 23, 2023 election .....	66
10.2 Number of political parties contesting in the National Assembly election.....	67
10.3 Comparison of voter turnouts .....	67
10.4 Comparison of political party results by the legislature.....	67
10.5 Evolution of supporting votes for political parties .....	68
11. Reports collected from the sample polling stations.....	69
11.1 Percentage of votes and seats received by political parties.....	69
11.2 Registered voters going to cast their ballot .....	71
11.3 Invalid ballots .....	72
11.4 Comparison of election results received from COMFREL's sample polling stations and the official results announced by the NEC.....	73
11.5 Verification of the minutes of ballot counting (Form 1102) .....	74
11.6 Political party agents.....	77
12. Women's participation in politics.....	78
12.1 Female candidates .....	78
12.2 Political parties that participated in the 6 <sup>th</sup> National Assembly election 2018.....	78
12.3 Elected women.....	78
12.4 Implications.....	79
12.5 Challenges .....	79
12.6 Recommendations.....	79



13. Issuance of Election Observation Cards to observers and political party agents.....	81
13.1 COMFREL in collaboration with partner organizations.....	81
13.2 Training observers and partner organizations .....	81
13.2.1 Training observers in the Capital and provinces .....	81
13.2.2 Training agenda for observers.....	82
13.3 Challenges faced by COMFREL observers.....	82
14. Political party agents and non-political observers.....	83
14.1 Political party agents .....	83
14.2. Non-political party observers .....	84
15. COMFREL activities contributing to voter education.....	85
Appendix .....	86

## **Acronyms**

### **Commonly used acronyms**

NEC	National Election Committee
PEC	Provincial/Capital Election Commission
PES	Provincial/Capital Election Secretariat
CSC	Commune/Sangkat Councils
CEC	Commune/Sangkat Election Commission
PS/BCC	Polling Station and Ballot Counting Commission
LOFNEC	Law on the Organization and Functioning of the National Election Committee
LEMNA	Law on the Election of Members of the National Assembly
RPEMNA	Regulation and Procedure for the Election of Members of the National Assembly
KID	Khmer Identity Card
EID	Election Identification Document
F.	Form

### **Political Parties**

CPP	Cambodian People's Party
CYP	Cambodian Youth Party
KNUP	Khmer National United Party
DP	Dharmacracy Party
CNP	Cambodian Nationality Party
KUP	Khmer United Party
FP	FUNCINPEC
KAPP	Khmer Anti-Poverty Party
CIPDP	Cambodia Indigenous Peoples Democracy Party
WWP	Women for Women Party
DPP	Democracy Power Party
GDP	Grassroots Democratic Party
PPP	People Purpose Party
FP	Farmer's Party
ECKP	Ekpheap Cheat Khmer Party
KEDP	Khmer Economic Development Party
KCP	Khmer Conservative Party
BSDP	Beehive Social Democratic Party

## **Preamble**

The Committee for Free and Fair Elections in Cambodia (COMFREL) has been actively involved in promoting multi-party democracy and participating in the electoral process through networking and collaboration with other partner organizations. Multi-party democracy is not merely about casting votes, but freedom and justice are essential conditions for a democratic society. COMFREL continues to strive further to ensure that elections are conducted in accordance with genuine democratic principles, aiming to strengthen democratic governance.

The report on the Election of Members of the National Assembly, 7<sup>th</sup> Legislature, 2023 includes the consolidation of findings but does not give an overall evaluation on whether or not the electoral process was conducted in a free and fair manner. The report incorporates joint statements from civil society organizations regarding the political situation before the election, which were publicly released, including statements on constitutional amendments, statements on political party registration, and election results. As with previous reports, recommendations were sought through prior discussions on reforms and the enhancement towards free and fair elections in Cambodia.

COMFREL is proud of and wishes to extend its high appreciation to local partner organizations involved in election observation activities as well as to other civil society organizations that collaborated voluntarily during the 2023 election. The work of observers included both long-term and short-term monitoring of the electoral process, such as voter registration, voter list audit, registration of political parties and party candidates, recruitment of local election officials of the National Election Committee (NEC), monitoring of complaints, observation of ballot casting and counting, as well as studying a sampling of polling stations. A total of 12 organizations deployed election observers, providing opportunities for their networks to participate as election observers at polling and counting stations. Some institutions also contributed financially, shared election information, provided legal services to assist in interventions, and responded promptly to various challenges encountered by election observers or to their queries.

COMFREL and partner civil society organizations deployed 5,036 observers, covering nearly ten thousand polling stations nationwide. COMFREL has been actively engaging in the advocacy process for electoral reform by providing recommendations to further enhance the legal framework, regulations, and procedures, and has also contributed to voter education through the production of animated videos, and radio broadcasting programs to deliberate on the electoral process and election-related issues, as well as organizing various provincial forums, national seminars, and information dissemination through Facebook, radio, and COMFREL's website.

COMFREL would like to express its profound gratitude with appreciation for the great efforts made and collaboration from the NEC and other relevant election-related authorities at all levels. COMFREL also extends its thanks to media agencies, political parties, and the working team, as well as other stakeholders involved in the electoral process.

COMFREL would also like to convey its profound gratitude and respect to partner organizations and donors.

## **The Board of Directors and the Executive Committee of COMFREL**

## **I. Introduction**

Cambodia has already held the elections of members of the National Assembly six times, including the 1<sup>st</sup> National Assembly election in 1993, the 2<sup>nd</sup> National Assembly election in 1998, the 3<sup>rd</sup> National Assembly election in 2003, the 4<sup>th</sup> National Assembly election in 2008, the 5<sup>th</sup> National Assembly election in 2013 and the 6<sup>th</sup> National Assembly election in 2018. The 2023 election is the 7<sup>th</sup> legislative term. The organization of this election has been consistently carried out in the Kingdom of Cambodia.

The 7<sup>th</sup> National Assembly election 2023 is a national-level election to elect parliamentarians and members of the National Assembly, the legislative body, in the Kingdom of Cambodia. This national election allows citizens to exercise their rights and express their will to participate in political life by standing for election and voting to elect their representatives. Furthermore, the election offers a chance to reinforce democracy and achieve development through power distribution with checks and balances between the ruling party and opposition parties.

On the polling day of the 7<sup>th</sup> National Assembly election held on the 23<sup>rd</sup> of July 2023, more than five thousand election observers were deployed at polling stations across the country to monitor the election process and observe election irregularities, such as the denial of the right to vote according to one's will, threats, intimidation, or the loss of secrecy in voting. The accountability of election officials through effectively performing their duties, such as organizing the election and counting ballots, allowing observer participation, completing ballot counting records, and transparently and publicly announcing election results, was also under scrutiny.

The data presented in this report is based on direct observations conducted by election observers, on the interviews with relevant electoral stakeholders, as well as on the collection of open sources/existing public documents (secondary data) carefully selected from national and international stakeholders' publications and from media outlets that closely monitor the political climate in Cambodia. All sources have been cited and included in the appendixes attached at the end of this report. The report begins with a summary of crucial election findings. The findings and evaluations, as well as the analysis and observation methodology, are based on the foundations of national and international standards such as the Constitution of the Kingdom of Cambodia, the Universal Declaration of Human Rights of the United Nations, the international covenants on civil and political rights, the Paris Peace Agreements on Cambodia, the Law on the Organization and Functioning of the National Election Committee, the Bangkok Declaration on Free and Fair Elections, the Inter-Parliamentary Union (IPU) Declaration on Criteria for Free and Fair Elections in Delhi, and other global declarations.

The report covers nine critical aspects of the election process: 1) the electoral laws and legal framework; 2) legal amendments to the Law on Political Parties; 3) boundaries of the constituency and the distribution of seats; 4) independence, impartiality, transparency, competence, and capacity of the NEC; 5) voter registration and voter lists; 6) registration of political parties and party candidates; 7) election campaigning; 8) voting and ballot counting; and 9) settlement of electoral disputes.

Its findings and impartial recommendations underscore the observers' commitment to neutrality, adhering strictly to the National Election Committee's (NEC) guidelines, including a Code of Conduct that ensures their independence from political affiliations.

By adhering to these principles, COMFREL ensured the integrity of its observation mission, even disqualifying observers found to be politically engaged on the eve of the election. This approach guarantees that the report's insights and recommendations are founded on a commitment to unbiased and factual election analysis.

## **2. Summary of key findings**

### **Legal framework**

The 2018 constitutional amendments to Articles 42, 49, and other articles in Cambodia aimed to restrict fundamental freedoms and political activities potentially harming the nation's interests. Still, they lacked detailed provisions, leading to possible political manipulation.

There has been a lack of effective implementation of Chapter 15-new (2) of the Cambodian Constitution. The chapter mandates an independent and impartial election organizing body, the NEC, to conduct elections adhering to multi-party liberal democracy principles. To ensure diverse leadership, the NEC comprises nine members, balanced between the ruling party and the opposition. However, the absence of opposition party members has led to concerns over the NEC's credibility and calls for reform in its leadership composition to maintain trust in electoral processes.

After the 2017 the National Assembly Election Law, the Law on Political Parties, Associations, and Non-Governmental Organizations, as well as the Constitution. Amendments to the law have narrowed the political rights of citizens, election-related rights, and the space of collective civil society, making it impossible to uphold the principles of free and fair elections.

Other amendment of the National Assembly Election Law on June 23, 2023, by the National Assembly with the intent of disqualifying candidates who missed two consecutive elections, denying the right to vote, and imposing additional penalties on those who incite to spoil the ballot. This law enforcement has led to arrests, fines, and the revocation of voting rights, including political interpretation hindering citizen participation.

For this 2023 National Assembly elections, the NEC revised regulations significantly from the 2013 election regulations. A notable change involves the process of ballot counting documentation that negatively affects transparency during the counting and result distribution phases.

### **Recruitment of election officials**

The recruitment process for Provincial/Capital Election Commission (PEC) members followed NEC procedures, with applications accepted in early January 2023. The NEC also initiated the recruitment of Commune/Sangkat Election Commission (CEC) officers in March 2023, selecting 8,342 individuals for various roles. The recruitment of Polling Station Commission (PSC) members was widely announced and managed by the Commune Election Commission (CEC).

The findings of COMFREL's observation on the recruitment of sub-national staff are as follow: (1) The selection of commissions at all levels followed the predetermined plans and schedules. (2) Candidates selected for the test and interview and engaged as contractual staff are primarily teachers and those with previous work experience as officials. (3) Candidates have been selected as officials, some of whom are ruling-party activists who have applied for the test. COMFREL observed that the announcements were posted in Commune / Sangkat offices, commune halls, hospital fences, some markets or towns, as well as on social media and other media outlets. The selection committee is responsible for the distribution and acceptance of applications, as well as the conduct of interviews. Efforts were made to encourage diversity, with a focus on women, youth, persons with disabilities, and indigenous minorities, despite the dominance of male applicants. (4) Some contesting political parties expressed distrust.

COMFREL did not see the report regarding candidates nominated as officers who are relatives and have worked in the same office or committee. Through the interviews with representatives from political parties, most members indicated that they did not send any candidates to run for office.



## **Election management**

### **Voter registration and voter list verification process**

COMFREL found that the voter list is still of acceptable quality, with the exception of the right to register to vote, rights to vote, and the issuance of certain voter identification documents, both of which remain challenging and have not been resolved. These require more attention from the NEC, the government, and the National Assembly, which must pave the way for the legal registration of people living abroad. COMFREL raised the issue and gave annual recommendations to the NEC on voter registration reform. However, this registration issue has never been on the National Assembly's agenda for discussion, nor has the NEC accepted or discussed the right to register abroad or the means to allow people to register outside the country. The NEC clarifies that it merely acts as an implementer of the law, not as a proponent for legislative amendments. In response to such assertions, COMFREL perceives that the NEC should report any issues related to the electoral process raised by electoral stakeholders to the National Assembly, particularly legal challenges experienced in the past implementations that require legislative facilitation. The NEC holds a significant responsibility before the National Assembly, which is to submit its annual activity report to both the National Assembly and the Senate as stipulated in Article 43 of the Law on the Organization and Functioning of the National Election Committee.

### **Indelible ink test**

The NEC conducted an indelible ink test in the NEC's conference room. A total of 100 participants came from all the institutions involved in the election, including the Constitutional Council, Senate, National Assembly, Ministry of Interior, Ministry of Information, representatives of political parties, national and international NGOs, embassies, and relevant NEC officials. The NEC announced that they had officially ordered the product from the company, a total of 52,000 bottles (1 bottle of 70 ml), at a cost of \$46,550.00, including insurance. During the indelible ink test, the NEC asked 25 representatives of political parties and other participants to try dipping their fingers in ink and then soaking them with soap and other water cleanser that they had prepared. The test's results showed that the ink is not removable.

### **Registration of political parties and candidates**

The NEC has received applications for party registration and 20 candidates and has officially accepted 18 political parties while rejecting two. The NEC rejected political parties, including the Candlelight Party and the Khmer National Unity Party. The NEC claimed that the two parties failed to attach a proclamation on political party registration at the Ministry of Interior, which was certified adequately by the Capital-Province-Municipality-District-Khan Administration at the One Window Service office in accordance with the second paragraph and first section of Article 27 of the Law on National Assembly Election even though the Candlelight Party, one of the two rejected parties, had previously participated in the registration for the Commune/Sangkat Councils election, as well as the elections of the Municipal/District/Khan and Provincial/Capital Councils.

Concerning the rejection of the registration of political parties and the candidate list, there was support from political parties and associations that had applied to participate in the election. However, 22 civil society organizations working on human rights, democracy, and elections, including COMFREL, issued a joint statement on ensuring the rights to vote and to run for election on June 1, 2023, expressing regret at this rejection. The statement expresses deep regret that the Khmer National Unity Party and the Candlelight Party lost the right to compete for election in the 7<sup>th</sup> National Assembly election due to formalities that obstructed both parties.

Overall, the refusal of the Candlelight Party to register due to incomplete documents resulted in the loss of over 1.6 million supporters and raised the question of whether the party is illegal, why it can

participate in the 2022 Commune /Sangkat Councils election, and why the Ministry of the Interior issued a letter to confirm the party registration that it is legitimate.

### **Election campaign**

During the 21-day observation of the election campaign, it was found that (1) **There** have not received any complaints or that any political parties raised issues or irregularities during the campaign. However, regarding campaign signage in public places, the 18 parties were unequal. The ruling party has erected massive billboards on the streets and sidewalks of every provincial town and capital. (2) **local authorities, members of the armed forces, and judicial officials** were actively involved in the election campaign, some of whom served on the ruling party's Standing Committee on Information and Media, or Election Commission, distributed materials (gifts) to voters intended to support a particular political party and posted or displayed signs in state buildings. Some vehicles whose license plates were temporarily removed were used in political campaigns. (3) The use of loudspeakers to disturb a party's activities or campaign, dismantling political party banners or election campaign materials, and tearing or destroying materials or banners for election campaigns were all observed. (4) Threats still occurred, especially the ones of not providing public services. (5) The activity continued to appear, including voter buying through donations or gifts, the provision of ID Poor cards or public services in exchange for membership or party support, and financial incentives. 6) **Neutrality of village/commune authorities.** COMFREL still observed Commune/Sangkat councils acting in a biased manner through the suppression of voter information (distribution of voter information cards) and discrimination in the provision of services (identification of voter identification documents) to citizens, party supporters, and political party candidates.

A hasty amendment to the law confuses activists, politicians, and citizens about the election through unclear interpretations, including the interpretation made by the NEC spokespersons.

### **Campaign financing**

In the election campaign, the political party that used the most resources, including the state resources, to organize the campaign was the CPP, which spent money on distribution to party members before the campaign, distribution after the campaign, campaign expenses, signs in public places, leaflets, documents instructing voters on how to tick and select the party's logo, gatherings, campaigns, concerts, etc. The election law does not specify how parties spend their campaign budgets. In this instance, COMFREL observed that the ruling party utilized the state fund, human resources as civil servants, media (state and private radio and television), and public roads more than any other party without disclosing whether or not this complied with the principles of equality and transparency.

### **Participation in election observation on the polling and counting day**

COMFREL, in collaboration with partner organizations, deployed 5,036 observers (2,340 women) to observe the voting and counting process. Cooperated civil society organizations that deployed observers have stated that the observations do not assess the free, fair, and transparent election procedure. Observers focused exclusively on voting irregularities, such as voter rights violations, voters' challenges, and other irregularities.

### **Overview at polling stations and counting ballots**

COMFREL observers were instructed to look for irregularities outside the polling station, including 1) the rejection of election observers and political party agents, 2) the wearing of military uniforms without a security guard logo at the polling station, 3) Armed forces intimidating electors with words or actions, 4) intimidation or use of threatening language by local authorities, 5) recording the identities of voters, 6) forcing people to vote, and 7) purchasing voters to go to or not go to the polls

and transporting voters. In accordance with the observation results, a total of 951 cases were observed at the polling stations.

### **Irregularities during the polling**

Observers found a number of irregularities in a total of 716 polling stations, including 1) eligible voters could not vote, 2) voters were not on the voter list, and 3) vote secrets were compromised

### **Irregularities during the vote count**

During the ballot counting process, observers found 540 irregularities, including (1) the difference between the number of ballots counted and the number of voters who cast ballots; (2) not allowing political party agents and/or observers to observe the vote counting process; (3) inaccuracy in announcing the results on the ballot paper; (4) ballots were counted too frequently and/or did not clearly display the ballots; (5) the acceptance of invalid/spoiled ballots without proper agreement; (6) There was no posting of the record of counting the ballots (F. 1102) in front of the polling station; (7) the record of the vote count (F. 1102) was closed without recording the election results of each political party; (8) officials at the polling station and/or NEC officials refused to allow the taking of a photograph of the vote count (F. 1102); and (9) there was an instance of destroying the record of vote counting (F. 1102) posted in front of the polling station.

### **Results of the election on July 23, 2023**

The results of the 7<sup>th</sup> National Assembly Election 2023, announced by the NEC on August 5, 2023, indicated that 8,214,430 voters went to the polls, equivalent to 84.59%. Among the 18 parties that ran in the election, only the CPP and FUNCINPEC won both ballots and seats in the National Assembly; the other 16 parties obtained votes but did not win seats in the National Assembly. According to the results of the graph above, the CPP received 6,398,311 votes, equivalent to 84.89% of the total turnout and 120 seats out of 125 seats. FUNCINPEC received 716,490 votes, equal to 9.22% of the total turnout, and won 5 out of 125 seats. The Khmer United National Party received 134,285 votes, 1.73% of the turnout. Other parties received less than 100,000 votes and did not win any seats in the National Assembly.

### **Verification and accuracy of the minute of ballot counting (F. 1102)**

COMFREL compared the results of F. 1102 from its observers with the official results released by the NEC website and found that 84.09 % of voters went to the polls, while the NEC's official results were 84.59 %, a difference of 0.5%. COMFREL observed 5.4% of invalid ballots, while the official NEC result was 5.36 %, a difference of 0.04 %.

Comparing the points on the F. 1102 form, COMFREL noticed that at least one point on 163 forms, or 9.6% of the total of 1697 forms, had distinct information recorded. COMFREL identified nine comparison points on F. 1102 and found 450 cases.

The sampling of polling stations is the research process aimed at defining and studying a statistical methodology representing each polling station across the country. The sampling of polling stations selected in this methodology maintains a confidence level of 99% and a margin of error of 0.15%.

The COMFREL has also conducted an overview of F.1102, noting that out of 21,797 Forms incorporated, it was found that 2,499 Forms contained inaccuracies in the verification of the number of ballots in accordance with the formula  $d = e = a - (b + c)$ . For instance, the forms obtained from the Polling Station 081103 in Makak commune of Kandal province were among more than two thousand other forms examined, which contained inaccurate information.

## COMFREL's Participation

COMFREL has been actively involved in numerous activities, ranging from voter registration to the announcement of election results. These activities include producing animated graphics, radio broadcasting programs through the Voice of Civil Society (VoC), participation in forums and discussions, or serving as a speaker in various radio programs of civil society organizations. COMFREL has initiated multiple topics related to elections for education and debate purposes, such as laws, regulations, procedures, and voter rights, in adherence to national and international principles.

## Electoral process-related recommendations

No.	Recommendations	Institutions responsible
<b>a. Legal framework</b>		
1	It is imperative to re-amend the electoral laws to ensure consistency and adherence to the representative democratic system of governance based on the parliamentary system and in accordance with the Constitution, particularly guaranteeing the representatives of the electorates the ability to fulfill their duties comprehensively.	National Assembly NEC
2	There shall be an allocation of sufficient time to raise awareness and understanding of the electoral laws, including a clear and precise interpretation of those laws, among all relevant stakeholders. The urgency of law enforcement and the implementation of punitive provisions should serve as a reminder or warning.	NEC
<b>b. Recruitment of election officials</b>		
3	The criteria for the recruitment of election officials shall be defined and implemented, ensuring that there is no recruitment of activists of any political party.	NEC
<b>c. Election management</b>		
<b>Voter registration and the preparation of voter lists</b>		
4	There shall be a temporary mechanism to set up a working group responsible for registering voters and migrant workers living abroad at embassies or consulates or through online registration systems.	National Assembly Royal Government NEC
5	There shall be regular voter registration without waiting for a specific schedule set for voter registration (commune/Sangkat is obliged to update the voter list monthly or annually).	NEC
6	During the voter registration period, additional time shall be provided for mobile registration in every village, including providing information about the registration in advance ahead of reaching the village.	NEC

<b>Registration of political parties and party candidates</b>		
7	All political parties that the Ministry of Interior accredited or issue a letter to confirm their registration and those political parties have the right to stand in election without encountering any barriers.	NEC National Assembly Ministry of Interior
<b>Election Campaign</b>		
8	There shall be an examination of the installation of party signs along roads, in the middle of the roadway, or in public places to ensure equal access to public places by all contesting political parties.	NEC
9	There shall be reinforcement of the supervision over prohibited activities as stipulated in the law or procedures regarding the involvement of government officials, armed forces, and judicial officers in campaigning activities in support of any political party or candidate. For example, the prohibition mentioned in Article 82 of the Law on the Election of Members of the National Assembly.	National Assembly NEC
10	The NEC shall organize or create debate programs on the policy platform of each political party during the election campaign.	NEC
<b>Election campaign financing</b>		
11	There shall be an examination of the law on the Use and Management of Financial Resources during the election campaign period, and there shall be a provision requiring all contesting political parties to disclose their respective financial resources publicly to allow all electoral stakeholders to be aware of and monitor them in line with the principles of equality and transparency.	NEC National Assembly
<b>d. observation on the polling and counting day</b>		
<b>Irregularities occurring during the voting process</b>		
12	There shall check the use of expired documents ,make a notification to the individuals concerned to obtain new documents, and disseminate the information about the required documents for voting three months in advance to remind voters of the election on time.	NEC Ministry of Interior
13	There shall be the strengthening of the enforcement of laws, regulations, and procedures for the elections, especially prohibiting the presence of government officials or influential individuals at polling stations after voting.	NEC Ministry of Interior
14	There shall be clear procedures to prevent any activities that cause confusion, concern, or/and fear among voters going to cast their ballot through asking and taking note of their name on the way to the polling stations or through verbal communication by individuals without official	NEC



	<p>duties or as per requirement by the procedure to stay inside or outside the polling stations and at somewhere of the village road.</p> <p><i>(COMFREL previously recommended this point to the draft regulations and procedures for the 7<sup>th</sup> National Assembly Election 2023 in point 1.10.1)</i></p>	
15	<p>There shall have written step-by-step posters prohibiting using mobile phones, machines, and cameras inside the polling stations in line with the procedures in force.</p> <p><i>(COMFREL previously recommended this point to the draft regulations and procedures for the 7<sup>th</sup> National Assembly Election 2023 in point 8.10.2.4)</i></p>	NEC
<b>Irregularities occurring during the vote-counting process</b>		
16	<p>There shall foster and strengthen the roles of ballot counting station officers in posting the F. 1102 on election results in front of the polling stations immediately after concluding the ballot counting process and allow all parties to take photos of it.</p> <p><i>(COMFREL previously recommended this point to the draft regulations and procedures for the 7<sup>th</sup> National Assembly Election 2023 in point 8.10)</i></p>	NEC
17	<p>The quality of polling station officers shall be controlled and enhanced to provide accurate information on election results and use a correction pen on the minute of ballot counting.</p> <p><i>(COMFREL previously recommended this point to the draft regulations and procedures for the 7<sup>th</sup> National Assembly Election 2023 in point 8.20.1.4)</i></p>	NEC
18	<p>There shall be more specific instructions on the procedure for closing the door, closing the window, or closing the entire office door during the ballot counting process to the ballot counting officers at the ballot counting station or to CEC officers.</p> <p><i>(COMFREL previously recommended this point to the draft regulations and procedures for the 7<sup>th</sup> National Assembly Election 2023 in point 8.5)</i></p>	NEC
19	<p>There shall add more points or clauses to the procedure on the provision of F.1102 to all election observers at the office or headquarters of CEC.</p> <p><i>(COMFREL previously recommended this point to the draft regulations and procedures for the 7<sup>th</sup> National Assembly Election 2023 in point 8.13.2/3)</i></p>	NEC
<b>e. Verification and accuracy of the minute of ballot counting (Form 1102)</b>		
20	<p>There shall boldly reinforce or take specific measures against election officials at the ballot counting stations who violate ballot counting procedures or, provide incorrect or incomplete information or write differently on the Form, because based on the observation which has found that some officials at the ballot counting stations did not fill out the Form completely in accordance with Point 8.10.14.</p>	NEC
<b>f. performance of the NEC</b>		

21	The NEC asserts that it merely functions as an implementer of the law and does not advocate for legislative amendments. In response to such assertions, COMFREL perceives that the NEC shall report all issues to the National Assembly. The NEC has a significant responsibility before the National Assembly, which must submit its annual activity report to the National Assembly and the Senate, as stipulated in Article 43 of the Law on the Organization and Functioning of the National Election Committee.	NEC
----	--	-----

### **3. Legal Framework for the election and electoral system**

Following the 2013 National Assembly election, election laws, regulations, and procedures were amended in a series of political compromises. The 2015 electoral law amendments were found to have more negative than positive aspects. On the one hand, noting positive or improved changes include reform of the voter registration system and the preparation of new voter lists, the placement of political party labels in public places, the prohibition of military officers, police, civil servants, local authorities, and judicial officers from engaging in political activities with political parties during working hours or while performing duties during the election campaign, the accreditation of election observers and political party agents. All of these are clearly stated in the election law, regulations, and procedures, and there is a specific timeline to be followed by the National Election Committee (NEC). On the other hand, there have been significant negative changes, such as the lack of a comprehensive election law on election campaign activities, as well as further restrictions on the rights and freedoms of civil society organizations during the election campaign, restrictions on freedom of expression, a reduction of time for political parties to have party processions on election campaigns, and legal loopholes that allow civil servants, the armed forces, the military, and judicial officials to participate with a political party outside working hours or submit the request for leave during the election campaign. The amendment to the election law enables them to freely join election campaign activities in support of or opposing other political parties.

Civil society organizations and the public have perceived the political situation as not improving. After the 2017 Commune/Sangkat Council Election, a number of election-related laws were amended, including the Commune/Sangkat Council Election Law, the National Assembly Election Law, the Law on Political Parties, the Law on Associations and Non-Governmental Organizations, and the Constitution. Amendments to these laws have narrowed the political rights of citizens, election-related rights, and the space of collective civil society, making it impossible to uphold the principles of free and fair elections.

The political situation and political conflict continued to intensify perpetually, leading to the amendment of the National Assembly Election Law on June 23, 2023.

#### **3.1 Constitutional amendments**

The Constitution was amended, and the amendments to its Articles 42, 49, and other articles were adopted by the National Assembly on February 14, 2018, aiming to restrict the activities of political parties or Khmer citizens, whether directly or indirectly, which negatively affect the interests of the Kingdom of Cambodia and its citizens. However, the provisions of these restrictions were not detailed regarding the activities, or procedures, or clear explanations about the substance, which could provide an opportunity for politicians to gain political advantage through different interpretations of the above amended articles.

Chapter 15-new (2) of the Constitution deliberates on the election organizing body, which is constitutionally mandated to organize, manage, and administer the elections. This body exercises its authority independently and impartially to ensure that elections are conducted freely, fairly, and in accordance with the principles of multi-party liberal democracy (Article 150-new (2)). To provide a diverse leadership composition within the institution, this chapter also defines the composition of

the NEC with 9 members, of which four members are selected by the ruling party and four others by parties with seats in the National Assembly that are not part of the government, and one last member agreed upon by all parties with seats in the National Assembly. This composition did not pose strong objections during the 2017 elections, as there was still a significant presence of influential opposition party members within the NEC. Following the absence of opposition party members, the continued implementation has made political parties with no seats in the National Assembly perceive that the problem-solving and organization of elections cannot be trusted; therefore, they have recommended changes in the leadership composition of the NEC.

In summary, following a series of consultations, workshops, or forums organized by COMFREL, electoral stakeholders, particularly political parties having no seats in the National Assembly, have requested the National Assembly, the Royal government, and the NEC to reconsider these amendments to ensure that NEC members are from independent individuals, not affiliated with any political party.

### **3.2 The Law on the Election of Members of the National Assembly (LEMNA)**

The Law on the Election of Members of the National Assembly was amended and then adopted by the National Assembly on October 16, 2017 during the 9<sup>th</sup> session of the 5<sup>th</sup> legislature, particularly the amendment to its Article 138 (duplicate), to redistribute seats in the National Assembly in the event that a political party renounces its seats or is deleted from the political party list, or is dissolved by the court. This law amendment has been strongly criticized by national and international observers. Civil society organizations perceive that the implementation of this new formula for seat allocation will adversely and unjustly affect the voice of voters, the will of the voters, or their representatives, as it does not reflect the proportional representation of the votes for the members of the National Assembly. Representatives are elected by Cambodian citizens through secret ballot casting in accordance with the Constitution and other laws, not from appointments or designations by any institution. Therefore, the implementation of this article has impacted and diminished the fairness of election competition in accordance with national and international laws and justice and will lead to a significant decline in the democratic process along with the quality of multiparty in Cambodia<sup>1</sup>.

Following the Supreme Court's decision to dissolve the Cambodia National Rescue Party in November 2017, the 55 seats in the National Assembly were redistributed by the National Election Committee to other political parties despite those parties not having received support during the elections.

The implementation of this amended article on seat distribution has been strongly criticized, as the law does not guarantee elected representatives to complete their term and does not ensure the will of the voters. Moreover, this law was created after the 5<sup>th</sup> National Assembly election in 2013 and the 2017 Commune/Sangkat Councils election, but it has been applied retroactively to the results of the elections that took place before the law was enacted.

Along with the above-mentioned amendment, other articles, such as **Article 84** and **Article 159** of the LEMNA have also been contentious. These articles restrict or limit the rights and freedoms of civil society non-governmental organizations during the election campaign period, infringing upon the fundamental rights of citizens to express political opinions, particularly the rights of election monitoring organizations. The right and freedom to express opinions are crucial in the monitoring and observation of the electoral process and in providing recommendations and improvements to any deficiencies identified by them.

**Article 69 of Chapter 7** on Election Campaign stipulates the display of political party logos in public places with facilitation by the commune/Sangkat authority based on equality, security, public order,

---

<sup>1</sup> <https://shorturl.at/ftFLV>

and public beauty principles. This article grants the authorities the right to regulate the display of party signs, which has led to dissatisfaction among political parties outside the government, raising several issues regarding the implementation, including bias from the authorities and unequal treatment, as the authorities use their power to require prior permission before displaying signs or only to allow the display of signs as directed by the authorities, not based on the principle of fair coordination.

The controversy over the interpretation of legal provisions in **Article 71, Paragraph 5 of the LEMNA** displays an ambiguity in the explanation of activities related to the provision of funds/donations to attract voters and vote-buying. The provision of funds/donations by the ruling party to its activists in public both before and during the election campaign under the guise of assisting livelihoods and alleviating burdens and offering donations for fuel filling up or organizing campaign activities has been justified by politicians from the ruling party and by the National Election Committee as not illegal. However, opposition parties claim it is a form of vote-buying.

In the same chapter on Election Campaigning, **Article 80 of the LEMNA** prohibits the use of state-owned transportation means for campaigning activities of any political party. This article has been written and incorporated into the procedures by the NEC without including vehicles with National Assembly and Senate license plates. During the campaign, vehicles with both license plates were used to transport activists and campaign participants, which political parties and observers perceived as the use of state resources for political gain. In this case, the NEC has stated that there is no prohibition on the use of vehicles with these license plates. Therefore, for the interpretation of the use of these two types of vehicles as improper, as prohibited in Article 80 mentioned above, it must be found that these vehicles are those provided to parliamentarians by the state. According to the Law on the Statute of Parliamentarians, there are legal provisions in providing the “National Assembly vehicle license plate” to incumbent parliamentarians on their own vehicles only (Article 26 of the Statute of Parliamentarians).

The electoral system and the allocation of seats for the election of representatives are based on a proportional system, with the Capital and provinces serving as constituencies. This system allows voters to participate in electing a political party of their choice. Notably, the formula for distributing seats in the Capital and provinces shall follow the highest average method (Article 135 of LEMNA) based on the number of seats in the Capital and provinces and the election results received by political parties in the Capital and provinces.

In short, the number of seats allocated to elected representatives in the Capital and provinces in accordance with the democratic principles and the seat distribution formula has created issues for the representation of voters’ voices and has not encouraged a diverse range of political party candidacies or independent individuals in the National Assembly. In this regard, civil society organizations, analysts, and national and international opinion makers believe that the system and formula for seat distribution have disadvantaged political parties with fewer supporting votes while benefiting those with more support.

Prior to the polling day of the 7<sup>th</sup> National Assembly election 2023, three articles of LEMNA were amended, including Article 23-new, Article 142-new, and Article 143-new, and adopted by the National Assembly during the 9<sup>th</sup> session of the 6<sup>th</sup> Legislature on June 23, 2023. The aim was to enhance the value of liberal multiparty democracy and to promote the accountability of political leaders elected through liberal multiparty democratic elections at both national and sub-national levels.

The amendment to Article 23-new added a fourth point, stipulating “having exercised the right to vote in the last two consecutive general elections organized by the National Election Committee, except in cases where the inability to exercise this right is justified.” This is to fulfill the conditions for citizens who wish to stand as election candidates. The amendment to Article 142-new added the point “inciting or inducing voters to damage or spoil the ballot paper,” which constitutes a criminal

offense subject to punishment or additional penalties by removing the name from the voter list and/or revoking the candidacy of the individual and/or stripping off the right to stand for election for five years. The amendment to Article 143-new introduced a clause adding penalties for political parties that commit acts as described in Article 142-new, which may be prohibited from participating in elections for five years.

Concerning these legal amendments, civil society organizations, associations, and trade unions have expressed strong concerns over the amendment of the election law before the national elections<sup>2</sup>. The said amendments were made hastily and without consultation with electoral stakeholders, deviating from the democratic path that requires the engagement of electoral stakeholders in sharing opinions. Furthermore, the election law relates to the participation of various political parties in the electoral competition and citizens' voting rights; therefore, any amendment to the election law should be made at an appropriate time. The amendment of the election law in such a hasty time implies depriving the right to participate in election competition of politicians and the right to stand for election of individuals in the event that they cannot cast the ballot to fulfill their voting obligation. This amendment potentially impacts the right to vote and the right to stand for election, which are protected by the Constitution and the International Human Rights Law. Articles 142-new and 143-new of LEMNA, with a clause aiming at "striking off the right to participate in elections," are a departure from the principles and laws that protect citizens' rights to political participation as enshrined in Article 35 of the Constitution, which states that Khmer citizens of both sexes have the right to participate actively in the political, economic, social and cultural life of the nation. The legal amendment should not obstruct citizen participation; they should have the freedom at all stages to make decisions in both the present and the future. Some citizens who are unable to vote may lose their right to stand for election, contrary to Article 34-new of the Constitution, which states that citizens of both sexes have the right to vote and to stand for election.

The law enforcement of the 7<sup>th</sup> National Assembly election 2023 has been seen as **negatively impactful** because, in addition to resolving electoral disputes, authorities have lodged criminal lawsuits to the court against activists or members of political parties whose activities are not in accordance with the electoral procedures and laws. The NEC, an institution as stipulated in the Constitution's Chapter 15-new (2) on the election-organizing body and as specified in Chapter 1 of LEMNA, has been granted the authority to organize, administer, and manage elections. The NEC shall exercise its authority independently and impartially to ensure that elections are conducted freely, fairly, and justly in line with the principle of liberal, multiparty democracy (Article 3 of the Law on the Organization and Functioning of the National Election Committee and Article 4 of LEMNA).

The procedure for filing complaints by competent authorities to the court for criminal offenses against the faults arising from the implementation of electoral procedures and the act of paving the way for the engagement of government officials, armed forces, and judicial officers in election campaigning to support any political party or candidate cannot guarantee the right of all individuals to participate without fear and the law enforcement in a transparent manner.

### **3.3 Amendments to the Law on Associations and Non-Governmental Organizations**

The enactment of the Law on Associations and Non-Governmental Organizations (LANGO) in 2015 has revealed legal provisions and law enforcement by authorities that significantly impact the rights and freedoms to establish associations and non-governmental organizations. It also affects civil society organizations' operations and collaborative activities aimed at promoting democracy, human rights protection, and socio-economic development in Cambodia. Amendments were requested for a total of 14 articles, including Articles 1, 7, 8, 9, 10, 11, 20, 24, 25, 26, 30, 31, 32, and 35, due to the concerns expressed by civil society organizations on August 26, 2020. These concerns are based on an analysis that overall envisage the following: (1) a prejudgment about the impact on national security, public order, culture, and good customs of Cambodian society as a basis for denying

---

<sup>2</sup> <https://shorturl.at/mqty9>



registration of organizations and associations; (2) the imposition of obligations to provide bank account information, which infringes on the autonomy and privacy of legal entities; (3) the requirement for registration of a group of legal persons working collectively on common causes for a temporary period and without a clear organizational structure; (4) the requirement for adherence to impartiality towards all political parties; this clause has a significantly negative effect on the operations of civil society organizations, as the term “impartiality” can be interpreted variably by government officials depending on circumstances or political context; (5) the requirement by local administrations for civil society organizations to submit additional reports, which is an implementation beyond the obligations stipulated in the law in force; (6) the requirement by authorities to notify or obtain permission from competent public authorities prior to conducting any public activities, but the Law on Associations and Non-Governmental Organizations does not stipulate such obligations, and neither does the Announcement No. 2006 issued by the Ministry of Interior require associations and non-governmental organizations to obtain prior permission.

In short, following the enactment of this law, civil society organizations have faced challenges in conducting collective activities such as holding a “Situation Room,” which was prohibited by the Ministry of Interior, ordering not to continue its operations and requiring registration of the Situation Room even though its members have been registered and recognized by the Ministry of Interior. The aim of the Situation Room was merely to mobilize financial and human resources for a short-term observation of the electoral process.

### **3.4 Amendments to the Law on Political Parties**

The Law on Political Parties enacted in 1997 consists of 11 chapters and 45 articles. The law has been amended three times following the 2017 elections. The law retains its 11 chapters, but the number of articles has increased to 50, with changes in the titles of Chapters 4 and 9. In March 2017, the first amendment included changes to 22 articles. Some articles were supplemented with content or clauses, while others were entirely removed, differing from the original provisions, and new articles were also added. Articles that were removed entirely in the first amendment include Articles 18, 19, 38, 39, 40, 41, 42, 43, 44, and 45. New articles added include Articles 46, 47, 48, 49, and 50. Articles that were modified or had additional clauses include Articles 6, 11, 12, 17, 25, 26, 29, and 34.

**The first amendment to the law** added provisions such as the prohibition of incitement that could lead to the destruction of national unity (Article 17-new), the disqualification of a person convicted of a misdemeanour or a felony from holding party leadership positions (Article 18-new), and stipulations regarding the conditions leading to the loss of positions of party president or vice-president as determined in the 1997 law. This amendment also required a political party to have 4,000 members, fulfil different requirements and conditions to be legally recognized as a legal entity, and register within 180 days following the establishment of the party concerned.

In addition to defining offenses of political party legal entity, this amendment also granted the Ministry of Interior the role of filing complaints with the court to dissolve political parties (Article 38-new) and provided the Ministry of Interior with the authority to suspend the activities of political parties that failed to submit activity reports or financial reports to the Ministry (Article 39-new).

This amendment also imposed obligations on all political parties that were already legally established to re-register in compliance with the amended law, and if they failed to re-register, they would face legal consequences (Article 38-new). The amendment specified that the authority to file for the dissolution of political parties lies with the Ministry of Interior.

**The second amendment to the Law:** In July 2017, there were 5 amended articles. They include Article 6-new, Article 11, Article 44-new, Article 45-new, and Article 48-new. The amendment of this law added 4 key points to Article 6, such as 1) Prohibition of the use of voice, images, written messages, or activities of a person convicted of a misdemeanour or a felony; 2) consent by openness

or by silence, or by conspiracy with convicts of a misdemeanour or a felony; 3) Support or organize plans or conspire with any individual who acts with the intention to oppose points 1 to 5 of the Article 6-new, and added a prohibition to political parties, as well as requiring a re-registration within 90 days (Article 48-duplicate).

**The third amendment to the Law:** There was one amended article, which was Article 45-new (duplicate) adopted in December 2018, by adding a new clause with the intent to pave the way for politically banned individuals to re-enter politics as specified that “individuals who have been judicially decided to be prohibited from political activities will be able to fully regain their political rights legally after the expiration of the prohibition period set by the Supreme Court's verdict, or in cases where those individuals have been granted amnesty by the King upon the request of the Prime Minister, in line with the proposal of the Minister of Interior.”

Points 6 and 7 in Article 6-new (two) of the Law on the Amendment of the Political Party Law consider the use of voice, images, photographs, letters, etc., of convicts of a misdemeanour or felony offences as an offence leading to the dissolution or suspension of the party's activities, and if a convict speaks in support of a party, and that party remains silent without denial, Article 6-new (two) also considers it an offence.

The content of this new clause requires politically banned individuals to first submit a request to the Ministry of Interior, and then the Minister of Interior prepares a proposal to the Prime Minister, who then submits the proposal to the King to issue a royal decree granting amnesty on political rights.

Article 27 of the Law on Political Parties stipulates the sources of income of political parties, which are considered as financial resources of political parties, such as (1) contributions from members, (2) other incomes of political parties that come from legal businesses (3) money from the state budget as stipulated by law (4) donations from private Cambodian companies or philanthropists (5) the party's own assets. The points that define these sources of political party incomes are not stipulated in the election law to allow the National Election Committee (NEC) to inspect and disclose them publicly.

Article 29 (new) of the Law on Political Parties further prohibits receiving contributions from state institutions, associations, non-governmental organizations, public enterprises, public institutions, and public educational institutions, except as stipulated by law. This prohibition is absolute with foreign institutions, foreign companies, foreigners, or organizations with financial contributions from abroad.

Articles 27 and 29 (new) are related to the use of the budget for campaigning during elections, in which the election law does not receive a report or obtain public information on the sources of income and spending plans that must be set according to the principle of equality as stipulated in the Law on Political Parties. For the budget for supporting campaign activities, the Law on the Election of Commune/ Sangkat councils does not stipulate or recommend that the state can provide equal national budgets to assist every political party in campaign activities, as stipulated in the Law on Political Parties (Article 28 of the Law on Political Parties).

The three times of amendments to the Law on Political Parties show that the provisions aiming at “prohibiting individuals who have been judicially prohibited from political activities” include the following (1) not being able to form a political party, (2) not being able to join a political party (3) not being able to stand for election (4) not being able to engage in activities to support or oppose any political party, and another critical point is the creation of a mechanism for individuals who have been judicially deprived of political rights to request to re-enter politics through the request of the Ministry of Interior and the Prime Minister to the King. The consistency of the Law on Political Parties with the principles of criminal and civil responsibility as well as the responsibility between the natural person and legal entity within the political party, is a fundamental issue, and the procedures are not clearly defined for the dissolution of the legal entity of political party, including

the lack of clarity about the decision of the existence of offense (the offense that occurred) of the political party, and the measures of responses/defense in the judicial system currently in force. Another new implementation, which arose from the registration of political parties, was the refusal of the Ministry of Interior to register political parties and the filing of a court lawsuit, accusing party representatives of fingerprint forgery and public document forgery and putting them under detention under the Criminal Law as well.

Therefore, there is ambiguity and inconsistency with the principles recognized by Article 31 of the Constitution on Human Rights and Fair Hearing. Article 10 of the Universal Declaration of Human Rights stipulated in the Constitution states that “Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.” The Legislative branch should have a working group to further study the consistency between the criminal principles and civil principles of the Law on Political Parties, particularly the principles of criminal responsibility, the investigation of party offences, the assessment of facts, evidentiary rules, and the rules of the state's responsibility in cases where the newly amended law requires regularization. As of the present time, the Law on Political Parties has not yet tackled this issue.

### **3.5 Significant developments in the election law and the participation of political parties**

Following the dissolution of the Cambodia National Rescue Party and a series of amendments to the election law after the 2017 election, and in June 2023, COMFREL observed four major changes: (1) The amended Law on the Election of Members of the National Assembly following the 2017 election can not guarantee the positions of elected representatives and the will of the voters. The observation of the term “can not guarantee” is based on the amendment of Article 138 (duplicate) of LEMNA, stipulating the distribution of seats resulting from the dissolution of a political party by the court to other parties, which does not reflect the voters' stance or will. (2) The filing of the lawsuit to the court along with actions that do not fulfill all the conditions of electoral procedures. (3) The rejection of the registration of political parties and the list of party candidates due to the lack of supporting documents to meet the registration requirements. This occurred to the Candlelight Party, which was denied registration for the 7<sup>th</sup> National Assembly election 2023 because the party had lost the original registration documents at the Ministry of Interior despite the Candlelight Party having been previously allowed to register for the 2022 Commune/Sangkat Council Election by the NEC. (4) The amendments to Article 23-new, Article 142-new, and Article 143-new have led to the arrest, deprivation of rights, and imposition of penalties on many political activists while the election-related laws were urgently requested for amendment with the intention of preventing activities and penalizing dissidents. This has led to political gain-oriented interpretations by politicians through the rapid implementation of laws without sufficient time for public dissemination, resulting in further arrests, penalties, sentencing, and the revocation of the political rights of many individuals. This most recent implementation of the amended law has raised concerns about the exercise of citizens' rights to express dissenting opinions or electoral choices before the elections.

### **3.6 Regulations and procedures of the NEC**

The NEC has made numerous changes to the regulations and procedures for the 7<sup>th</sup> National Assembly 2023, compared to those in the 5<sup>th</sup> legislative term in 2013. COMFREL wishes to highlight one point that politicians have demanded to be preserved in terms of wording and implementation, specifically point 8.10.14 by deleting “The chairperson of the Ballot Counting Commission shall assign a vice-chairperson, a secretary and the first member of the Commission to fill out the minute of ballot counting (Form 1102) for their polling station in the quantity required and shall be signed by the secretary and the chairperson along with the stamp for further distribution and implementation (as specified in Article 8.10) and to be immediately distributed to political party agents present and sent to the CEC for preliminary election results” and **replacing it with** “The chairperson of the Ballot Counting Commission shall assign a secretary to fill out the minute of the ballot counting (Form 1102)

in three copies, which shall be signed by the secretary and the Chairperson of the Commission and by the political party agents present inside the polling stations (if those agents agree)”.

### **3.7 Recommendations provided by COMFREL**

The NEC has modified the regulations and procedures for the 7<sup>th</sup> National Assembly election 2023 and has requested inputs/comments and suggestions on the said modifications from electoral stakeholders.

COMFREL has studied the content of the draft regulations and procedures of the NEC and has provided recommendations, including the rationale for the requested amendments. COMFREL has provided 51 detailed recommendations for the NEC to consider and amend. These recommendations and the rationals for the requested amendments are the results COMFREL obtained from the electoral stakeholders involved in the 2022 Commune/Sangkat council election, especially from all 12 political parties contesting in the 2022 /Sangkat council election, from the competent authorities, communities, associations, civil society organizations, and experts in the fields of human rights and elections through COMFREL-organized fora, workshops, and consultative meetings.

As a result of the response by the NEC to the 51 recommendations above<sup>3</sup> provided by COMFREL, only one point was accepted for amendment, 14 points were acknowledged with thanks but remained unchanged, and the other 13 points were not agreed upon for revision, thus retaining the original content as per the draft. The point that was accepted for amendment pertains to point 3.2.3 of Article 3.2, which states, “Mobile national election observers refer to the leadership of national associations or non-governmental organizations concerned that have requested and have been acknowledged and accredited by the NEC to observe the electoral process throughout the country.” Consequently, COMFREL proposed the addition to the category of mobile national observers with the following “referring to the leadership or officers or employees, or individuals listed in the request by the institution” based on the grounds that the composition of mobile national observers should be appointed and determined by the association or non-governmental organizations concerned. Apart from the leadership of the associations or organizations, there are also specialized staff or officers appointed by the associations or non-governmental organizations to conduct field visits to observe the electoral process as well as to monitor and check their observers at the polling stations.

---

<sup>3</sup> <https://shorturl.at/fhjK7>

## **4. Recruitment of election officials**

### **4.1 Recruitment of members of the Provincial/Capital Election Commission (PEC)**

The recruitment process for PEC members was appropriately conducted according to the plan and procedures determined by the NEC. The process of distributing and receiving applications kicked off on December 31, 2022 (at 7:00 AM) and continued until January 6, 2023 (at 5:30 PM). The period for reviewing applications, shortlisting candidates, and publishing the list of candidates across the Capitals and provinces was from January 7 to January 11, 2023.

The NEC announced the recruitment of 7 members of PEC per province for the examination, including:

- 1) The chairperson of the Capital/Provincial Election Commission (PEC);
- 2) The vice-Chairperson of PEC;
- 3) The member in charge of administration;
- 4) The member in charge of financial affairs;
- 5) The member in charge of election operations and technical affairs;
- 6) The member in charge of legal services, dispute resolution, and election security; and
- 7) The member in charge of education, information, and public relations.

In this process, COMFREL observed that the recruitment of PEC members was widely announced and publicized, noting that the announcement was posted in various locations such as:

- Provincial halls, municipal halls, district halls;
- Office of PEC Secretariat;
- Radio stations and
- Social media Facebook.

The recruitment of PEC members was carried out with the distribution and receipt of applications in accordance with the procedures set forth in the NEC's announcement. COMFREL observed that the recruitment committee was composed entirely of officials from the NEC. Through interviews with the recruitment committee, it was confirmed that the majority of candidates who applied for the positions of PEC members were predominantly male and had previous experience in these roles.

Regarding the recruitment process, COMFREL noted the following: 1) in Ratanakiri province alone, a candidate recruited for the position in charge of legal services, dispute resolution, and election security has a kinship (daughter) with the current PEC vice-chairperson; 2) the majority of candidates appointed as PEC chairpersons for 2023 were those who served as chairpersons of PEC secretariat in 2022, such as in the provinces of Banteay Meanchey, Battambang, Kampong Cham, Kandal, Koh Kong, Monduliri, Preah Vihear, Prey Veng, Ratanakiri, Siem Reap, Preah Sihanouk, Stung Treng, Takeo, Oddar Meanchey, and Tboung Khmum; 3) the majority of vice-chairpersons of the PEC secretariat became PEC vice-chairpersons, such as in the provinces of Battambang, Kandal, Koh Kong, Pursat, Ratanakiri, and Svay Rieng.

Through direct interviews with the candidates who were shortlisted for the next round of examination and then interview, the majority perceived that the recruitment committee was independent and impartial. Those who were appointed as chairpersons after passing the examination indicated that the recruitment was indeed trustworthy as it involved a thorough verification process through six essential steps to obtain a score of 100, including 1) certificates, 2) experiences, 3) oral interview questions, 4) personality, 5) answer to the exam questions, and 6) writing test. Further, they mentioned that the recruitment committee members were from the NEC and they did not know each other. Despite the majority expressing that the recruitment was trustworthy, a few successful candidates raised concerns that the recruitment committee was not yet fully impartial because 1) the selection had a partisan bias, and the interviews with candidates seemed pre-arranged with predetermined outcomes of passing or failing; 2) all of them came from



the ruling party; 3) individuals without experience and from outside could not be appointed at will, but had to apply and be selected according to the legal procedures. Some positions might be new for some candidates, but considering the experience of serving in the institution, they were all veterans, depending on the duration of their short or long-term contracts (according to the candidates appointed as vice-presidents of PEC secretariat).

Regarding the candidates who were not shortlisted for interviews, the majority of them viewed the recruitment process as fair and without any irregularities. They further underscored that the recruitment committee was independent and impartial for the following reasons: 1) all candidates who applied were neither affiliated with nor had prior engagements with any political party, and 2) there was a commitment to impartiality throughout the selection process. However, few candidates perceived that the recruitment committee lacked independence and impartiality because 1) the composition of the recruitment committee was not diverse and lacked representation from multiple parties; the interviews and scoring were biased; 2) all the older candidates were selected, while the newer ones were not, and 3) the recruitment process was flawed since it only shortlisted older candidates for the examination. Furthermore, some candidates came to get the application forms but did not submit them, believing they lacked the qualifications or that the recruitment committee was partisan.

COMFREL also interviewed political party representatives at the grassroots level in the Capital and provinces to gather their perspectives. Many party representatives said that they did not send candidates to apply for the positions of PEC members due to a lack of experience in election-related work and insufficient qualifications, and the conditions did not require party members to apply for positions within the committee. Additionally, there was a lack of confidence in the examination process. However, some party representatives expressed confidence in the candidates who were recruited as PEC members, while others did not trust the recruited candidates.

COMFREL also interviewed the recruitment committee members, who reported that there were no notable issues or difficulties during the recruitment process, as the majority of applicants who came to receive and submit applications were few and were primarily individuals with extensive work experience in the field, leading the recruitment committee to decide that all applicants who submitted forms were entitled to participate in the examination. Some provinces reported that there were few applicants for each position.

Notably, in the recruitment process, the recruitment committee encouraged the participation of women, youth, people with disabilities, and ethnic minorities. However, even with policies encouraging the involvement of these groups, the number of women and people from these groups who came to receive and submit applications was lower than that of men, and there was no presence of people with disabilities or ethnic minorities.

Overall, the recruitment committee evaluated the recruitment process positively, as the candidates who came to receive and submit applications mainly were experienced in these fields. Therefore, the committee decided to give priority to experienced individuals. Newcomers were few and lacked experience, making them a last resort.

## **4.2 Recruitment of Commune/Sangkat Election Commission (CEC)**

According to the announcement on the recruitment of CEC by the National Election Committee (NEC) dated March 9, 2023, a total of 8,342 individuals were selected as short-term contract officers to serve at Commune/Sangkat Election Commissions. The recruitment of these short-term officers was for key positions in each CEC, including:

- One chairperson responsible for overall management and financial affairs;
- One vice-chairperson assists the chairperson and is in charge of operational and technical tasks;
- One member is responsible for administrative tasks;

- One member responsible for legal services, dispute resolution, and election security; and
- One to three members are responsible for information, education, and public relations.

The announcement on the above recruitment and its selection criteria was published starting April 3, 2023, at PEC and public places in communes/Sangkats. All the positions listed above require candidates to take a written multiple-choice questionnaire (MCQ) and undergo an interview. For the administrative position, candidates must take three tests: a computer-based MCQ, a computer test, and an interview. The subjects of the examination include:

- General knowledge related to elections;
- The Law on the Organization and Functioning of the NEC;
- The Law on the Election of Members of the National Assembly; and
- The regulations and procedures for the election of members of the National Assembly.

The timelines for the recruitment of CEC officers are as follows:

- Distribution and receipt of applications starting from April 17, 2023, and ending on April 23, 2023;
- The publication of the candidate lists between April 24 and 26, 2023;
- The examination on April 28, 2023 at district, Khan exam centres designated by the NEC; and
- The commencement of duties of the required CEC officers from May 17 to August 16, 2023.

**Image 1: Activities of candidates taking an exam for the positions of CEC officers**



During the recruitment process for CEC officers, COMFREL deployed observers to monitor the process in 18 provinces, including Kampong Cham, Siem Reap, Kandal, Koh Kong, Kampong Chhnang, Kampong Thom, Kampong Speu, Kampot, Takeo, Tboung Khmum, Banteay Meanchey, Battambang, Pursat, Preah Sihanouk, Ratanakiri, Stung Treng, Svay Rieng, and Pailin. In each

province, COMFREL observed two communes/Sangkat, except for Kampong Cham and Pailin, where only one commune was observed.

#### **4.2.1 About the announcement and dissemination**

COMFREL observed that the recruitment of CEC officers was widely announced and disseminated throughout the country. Notices were posted at the following places:

- Each PEC secretariat and each district/town hall;
- Commune/Sangkat halls;
- Provincial teacher training centers, schools, and universities; and
- On social media, Facebook.

Specifically, in Siem Reap's Doun Kaev and Samrong Ya communes, the notices were posted at commune/Sangkat halls and disseminated through social networks. In Kandal province's Takhmao and Prek Russey commune, the notices were posted at commune/Sangkat halls and the Kandal Provincial Teacher Training Center. In Kampong Thom province's Kampong Svay and Prey Kuy communes, notices were disseminated through Facebook and Telegram channels of the commune, district, and province; they were also posted at secondary and primary schools. In Kampong Speu province's Prey Krang and Krang Chek communes, dissemination was through Facebook as well as at schools, commune/Sangkat halls, CEC office, district hall, and provincial hall. In Stung Treng's Srah Russei commune, the notices were posted and disseminated at the Stung Treng Provincial Teacher Training Center.

Through the announcement and dissemination of information regarding the recruitment of CEC officers, it was evident that PEC indeed prioritized disseminating these notices to the public.

#### **4.2.2 About the recruitment commission for CEC**

The Sub-Committee for the recruitment of CEC officers consists of officials appointed by the NEC, the PEC chairperson, the vice-chairperson, and all its members, as well as the vice-chairperson and officers of the PEC secretariat who participated in recruiting CEC officers. Among them, the course trainers and computer instructors were also part of the Sub-commission for the recruitment.

#### **4.2.3 Challenges and difficulties faced by the recruitment commission**

Among the provinces where observations and interviews with the recruitment commission were conducted, several challenges were highlighted:

- In Koh Kong province, it was confirmed that there were a total of 145 CEC members for 29 communes, with 5 positions per commune. In the first phase, the recruitment commission distributed 198 applications, but only 192 applications were received. A total of 189 candidates were shortlisted for the examination, while the remaining 3 were disqualified due to non-compliance with the conditions set by the NEC, as they had applied through "**party and family**" affiliations.
- In Kampong Speu province's Prey Krang and Krang Chek communes, it was noted that there were no more than 3 applicants for each position, resulting in minimal competition.
- In Tboung Khmum province's Chiro and Suong communes, it was observed that the majority of applicants were teachers, and there was a low number of applications since those teachers had to teach in two shifts. Those who had never worked before were hesitant to apply for these short-term positions, leading to the reappointment of the same individuals.
- In Preah Sihanouk province's Sangkat 4 and 1, the recruitment commission conducted dissemination at primary and secondary schools, universities, and administrative offices, but there was little interest in participating in this work. Some who had previously served in these positions requested not to retake part due to their old age. Youths, government officials, teachers, and private company employees were not interested in serving in these

positions as they lacked experience . At the same time, the work involved high responsibility and was time-consuming with no days off, and the remuneration was not commensurate with the workload.

- In Battambang province's Knach Romeas commune, few candidates were applying, with some communes (mostly) having only one candidate per position. The scarcity of candidates made it difficult to find qualified individuals.

#### **4.2.4 Encouragement of women, youths, persons with disability, and indigenous minorities**

The recruitment commission, which provided interviews with COMFREL, mentioned that during the selection process, they encouraged and motivated women, youths, persons with disabilities, or indigenous minorities to take part. For instance, most applicants and those who submitted applications were men. The recruitment commission also encouraged women, stating that if women and men obtained equal scores, the commission would decide in favour of the women. The commission emphasized that if there were female, youth, people with disability, or indigenous minority candidates, it would accept all qualified applicants without discrimination, provided they could pass the examination and score higher than others.

#### **4.2.5 Evaluation of the Recruitment Commission on CEC recruitment**

The recruitment commission (with interviewed 21 individuals) evaluated the overall CEC recruitment process, stating that the work was carried out in accordance with the legal principles, regulations, and procedures to recruit competent candidates based on their qualifications, capabilities, and work experience, in an impartial and non-partisan manner. The commission encouraged all potential candidates to receive and submit applications for various positions of CEC members.

#### **4.2.6 Views of political party representatives on the recruitment commission**

A total of 52 representatives from various political parties expressed various views on the recruitment commission. Among them, 36 interviewees believed that the recruitment commission for CEC officers was independent and impartial due to the high level of responsibility and adherence to the law in force. Conversely, 16 political party representatives could not assess the commission's independence and impartiality. Representatives from certain provinces expressed differing views, such as a representative from Ratanakiri who confirmed that he did not receive information about recruiting CEC officers in the province and that the recruitment never included diverse individuals outside of their own party members. Meanwhile, a party representative from Koh Kong expressed a lack of trust in the recruitment commission on the grounds of unfair treatment in the past practice. A representative from Kampong Chhnang mentioned that he could assess whether the recruitment commission was independent due to the absence of an observation team.

However, 36 interviewed political party representatives expressed confidence in the recruited CEC officers, while the other 16 representatives expressed distrust against them.

**Image 2: Interview activities with political party agents**



#### **4.2.7 Views on the recruitment commission by candidates shortlisted for exam and Interview**

32 candidates mentioned that the recruitment commission for CEC officers was independent and impartial because the examination was conducted following NEC guidelines with non-discriminatory distribution of application forms and sealed examination papers that were opened in front of the candidates at the time of the exam. The candidates who were shortlisted highlighted that from the moment they received the application forms until they were successfully appointed as CEC members, they did not encounter any difficulties, and the selection process was fair, with all candidates receiving the same examination papers for the same positions.

#### **4.2.8 Views on the recruitment committee by candidates (not shortlisted for examination and interview)**

7 candidates expressed their views that the recruitment commission for CEC officers was independent and impartial because the commission had a high responsibility and conducted activities in accordance with the law. Their failure to be recruited was due to their limited knowledge. They believed the recruitment process was transparent, trustworthy, and fair as there was no discrimination. One candidate from Koh Kong Province mentioned that the examination was strict; he was not shortlisted because he could not sufficiently meet all the application requirements.

#### **4.2.9 Relationship between CEC members and political party activities**

Observations of specific activities related to political party engagement are as follows:

- 1) In Svay Rieng province's Kampong Chamlang Commune: Mr. Ek Choty, a member responsible for education, information, and public relations, is a former primary school principal and has consistently attended monthly meetings with the Cambodian People's Party in Kampong Chamlang Commune.
- 2) In Preah Sihanouk province's Sangkat No. 4: Almost all teachers are members of the CPP. They had been engaged in the party's past election campaign before fulfilling their duties as CEC officers.



- 3) In Ratanakiri province's Labansiek and Boeng Kanseng communes,, positions within the CEC are held mainly by supporters of the CPP.
- 4) In Battambang province's Khnach Romeas commune, The CEC chairperson is a member of the CPP in the commune, which has recently undergone a composition adjustment.

#### 4.3 Recruitment of Polling Station and Ballot Counting Commission (PS/BCC)

During the recruitment process of Polling Station and Ballot Counting Commission (PS/BCC), COMFREL deployed 21 observers to monitor 23 communes/Sangkats across 21 provinces, namely Ratanakiri, Takeo, Kampong Cham, Battambang, Kampot, Kandal, Svay Rieng, Koh Kong, Tboung Khmum, Preah Vihear, Kampong Chhnang, Stung Treng, Siem Reap, Banteay Meanchey, Pursat, Kampong Thom, Kampong Speu, Prey Veng, Kratie, Preah Sihanouk, and Oddar Meanchey.

**Image 3: Candidates preparing for the examination and interview to serve as PS/BCC officers**



COMFREL observed that the recruitment process of PS/BCC officers was appropriately conducted according to the plan and procedures established by the NEC. The recruitment process began with the distribution and receipt of applications on June 28, 2023, at 7:00 AM and concluded on July 4, 2023, at 5:30 PM. The timeline for announcing the list of candidates to be interviewed was from July 5 to July 7, 2023, at the NEC headquarters. The interviews were to be conducted at the CEC office on July 9, 2023.

##### 4.3.1 Announcement on the Recruitment of PS/BCC

The announcement or dissemination of the notice regarding the recruitment of the Polling Station Commission (PSC) was extensive and nationwide. The announcement was made at the headquarters of PEC and CEC as well as at district/khan halls, municipal halls, commune/Sangkat halls, schools, high schools, universities, and public places such as pagodas, and through radio broadcasts such as FM90 in Kampong Chhnang, National Radio of Kratie FM 98.5 MHz, Bopha Kratie Radio FM 105 MHz and also through social media platforms.

#### **4.3.2 The Recruitment Commission**

The recruitment commission for PSC consists entirely of the chairperson, vice-chairperson, and members of CEC. This recruitment commission was responsible for distributing and receiving applications as well as interviewing candidates.

#### **4.3.3 Candidates shortlisted for interview**

Through observation, it was noted that in 13 communes/Sangkats, there were many candidates shortlisted for interviews for each respective polling station, while in other 9 communes/Sangkats, there were fewer candidates shortlisted for interviews for each respective polling station. The lower number of candidates shortlisted for interviews was due to the lack of applicants, as well-off civil servants and company employees showed little interest in applying for the said posts of PSC officers, which demanded high responsibility. Some individuals lacked experience, deterring them from applying.

#### **4.3.4 Candidates' experience**

The results of the observation indicate that in 19 communes, the majority of the candidates shortlisted for interviews were those who had served in previous terms, with most roles being teachers.

#### **4.3.5 Familial relationships among PSC members**

Among the communes/Sangkats observed, it was not noted that candidates appointed as CEC members had connections or relatives such as siblings, parents, children, or spouses within the same commission. However, the report revealed connections among the commission compositions, such as the CEC chairperson being a school principal hence most applicants were his school staff and teachers who were often given priority due to their perceived capabilities and experience in the field (Kampong Cham) in the past. In some cases, spouses were appointed as PSC members but served in different polling stations far from each other, not in the same location (Kampot). There were instances where a parent served at CEC while his son was a member of PS/BCC responsible for counting ballots (Siem Reap). Cases included a husband serving as the chairperson of PEC and his wife as the head of PSC. A father worked in the legal dispute unit while his son was part of PSC (Kampong Speu).

#### **4.3.6 Irregularities in the recruitment process**

Among the communes/Sangkat observed, there was one case of irregularity. In the commune of Kan Chum, Pea Rang district, Prey Veng province, a candidate submitted an application by himself upon seeing the announcement but failed. Nonetheless, another individual who was appointed as a PSC member was noted to be illiterate and had their name written by someone else.

#### **4.3.7 Activities with political parties**

At least four communes/Sangkats were known to have candidates appointed as PSC members who had previously engaged in activities with political parties, including one in each of the provinces of Svay Rieng, Stung Treng, Banteay Meanchey, and Prey Veng, where some members of PS/BCC had been members of the CPP due to their participation in party processions.

In short, both shortlisted and interviewed candidates expressed their difficulties in participating in this work as follows:

- fear while taking an exam and answering the questions;
- little financial support and high responsibilities;
- difficulty in preparing relevant documents for application submission and

- traveling to different locations for work at PSC and for casting his/her ballot.

Despite all the aforementioned issues, electoral stakeholders did not express or reveal any irregularities related to this recruitment process. Many of them underscored that the recruitment process, both in terms of procedures and implementation, was considerably improved and acceptable, despite minor irregularities.

## **5. Election Management**

### **5.1 The 2022 voter list verification, registration, and audit**

During the last voter list verification and voter registration procedure, COMFREL deployed its provincial secretary observers to 92 communes/Sangkats across 23 provinces to monitor the registration process and other irregularities. COMFREL also audited the 2022 voter list during the observation period. The voter list audit was centred on the study of 2022 preliminary voter list quality to examine cases such as verification of the correct residences of voters on the voter list, duplicated names of eligible voters, and the accuracy of the information on the voter list, including the use of registry documents and other challenges faced by eligible voters during voter registration.

Based on the findings related to the voter list study and observation, COMFREL finds that the voter list was still of acceptable quality, except for the right to register, rights to vote, and the issuance of certain voter identification documents, both of which remain challenging and have not been resolved. This requires more attention from the NEC and the government, as well as the National Assembly, which shall pave the way for the legal registration of Cambodian nationals living abroad.

The findings from the observation of the registration procedure and the study of the voter list were summarized as follows:

#### **5.1.1 Result of voter registration**

According to the NEC's estimate, compared to the previous year's registration, COMFREL discovered that the NEC had drastically reduced its estimate. COMFREL saw no specific reason for dropping this estimate. The NEC projected that there were 10,877,017 eligible voters over the age of 18, with an estimated number of 23,760 polling stations and 409,056 new registrants. The number of registered voters on the 2022 voter list was 9,710,645, accounting for 89.28% of the expected turnout of eligible voters over the age of 18.

#### **5.1.2 Observation of the voter registration process and environment**

**Registration locations and the disclosure of the final registration list:** COMFREL has found that in certain observed communes and Sangkat, voter registration officials were registering voters of all ages in certain village locations but not in all of them. The schedule for the voter registration teams at all locations seemed to be adequately announced on the information board for citizens to verify their election information (COMFREL observed in 92 communes across 23 capital and provincial locations).

**Arrangement of the disclosure of the final registration list:** There was no public announcement for the disclosure of the final registration list at the registration venues. This lack of notice made verifying their election information inconvenient for registered voters. Additionally, the posting of the list had a negative impact on individuals in wheelchairs at certain registration locations. These locations did not have a ramp or slope to allow people with disabilities to access their identities, and in some instances, the platforms were even higher than 1.5 meters.



**Image 4: name verification on the voter list during voter registration**



Activities of people verifying their registered information on the voter list

**Overview of the registration offices:** Based on the observations of voter registration teams in 92 communes/Sangkats, the observers discovered a number of notable cases, such as: 1) Some registration offices had operational materials damaged, such as faulty cameras, chargers, and power banks, while computers were unable to start up. 2) The registration teams were mobile, but some village offices were not present of Commune/Sangkat Councilors. 3) In certain registration offices, observers from associations, party agents, and commune/Sangkat councillors were on hand to take down the names of those who had registered and copy their ID cards. 4) Observers from a few associations assisted in transporting the registry documents of individuals to Sangkat chiefs to get sealed for use in the registration procedure. 5) Some commune halls were open during the registration process, but no officials showed up to work there. Furthermore, no notice about the voter registration procedure was given to the public.

**Providing information on the voter registration procedure:** The study findings in 92 communes/Sangkats 289 times at 245 locations, or 84.78% of the registered population, showed that people were aware of the previous voter registration information. Meanwhile, in 23 locations/times, or 7.96%, they learned about this matter only when the registration teams showed up. In an interview with 289 people at registration offices about the expired Khmer identity cards version I and II, which the NEC had previously announced could not be used for registration or voting, it was discovered that 121 people, or 41.87% of the respondents, had never received any information about the invalidity of these IDs. Some people had migrated from their homes. In this case, 125 respondents, or 48.45%, indicated they knew nothing about how to handle the situation.

**Image 5: Interviewing citizens and authorities involved in the electoral process**



**OMFREL observers interview stakeholders engaging in voter registration**

**Activities of associations and civil society organizations:**



**Activities of COMFREL observers monitoring the registration process**

During the registration process, COMFREL observers made 298 visits to 92 communes/Sangkat in 23 provinces, and it was found that 58 visits, or 19.8% of the total voter registration observers, were watched by associations and NGOs. Nonetheless, the NEC chose to register observers from eight associations and civil society organizations.

**Political party agents:** During the voter registration process, CPP agents made up the majority of the political party agents that were seen. In actuality, 226 times, or 76.35% of the target locations that COMFREL observed 298 times, showed the presence of these party agents.

**Operation of voter registration teams:** According to COMFREL observers, 35 issues were encountered by the voter registration teams, making up 12% of all observations. The issues encountered by the registration teams in the voter registration process included the absence of voter registration officials and, in some cases, equipment malfunctions.

## 5.2 Voter list audit

**Identical/ duplicated names compared with four criteria in the voter list:** The study was based on four criteria 1) voter identification number (KID or EID) EA 2) gender information 3) date of birth information; and 4) surname and given name. The results showed that, out of the 9,710,645 names on the voter list, only 36 registered identical/duplicated names. The number of duplicated names was calculated using the 18 registered eligible voters, 10 of them were registered with different types of Khmer ID cards, while the remaining names were registered with the third version or new type of Khmer ID cards. Of the 18 identical/ duplicated registered voters (or 36 names) on the list, some were duplicated in the same polling station, while others were duplicated in the same commune but in separate polling stations. Furthermore, some were duplicated within the same province but in separate communes/Sangkat, while others were duplicated in separate provinces.

**Identical/duplicated names compared with one criterion:** In terms of the criterion, based on the documents of voter identification (KID or EID) on the primary voter list 2022, there were 16,369 duplicated numbers, of which 15, 696 were Khmer ID cards (KID).

**Identical/duplicated names compared with name criteria:** In terms of one criterion, the names of registered voters (surname and first name) on the primary voter list for 2022 were comprised of 29,358 duplicated names, equal to 14,679 registered voters. In this case, COMFREL chose the five names to investigate. As a result, it was discovered that four names were marked as follows: 1) Their last names were identical. 2) Their sex was identical. 3) Their dates of birth were identical. 4) Their residences were in the same village. 5) However, they were incorrect in the Khmer ID card number. 6) Their photos appeared identical (the local authority must verify pre- or post-photos). In addition, another registered name was recorded, using the identical registry document as before, except for the Khmer ID card number.

**Using election identification documents for voter list registration:** Among the 9,710,645 eligible voters, 405,774 registered voters used the Khmer ID version I, accounting for 4.2%. The 244,400 registered voters used the Khmer ID version II, accounting for 2.5%, whereas the 8,268,681 registered voters used the Khmer ID version III, accounting for 85.2%. The remaining 296,348 registered voters who used the new version of Khmer ID accounted for 3.1%, while the 495,442 registered used the election identification document, accounting for 5.1%.

The Khmer ID versions I and II and the election identification documents had a total of 1,145,616 registered names, accounting for 11.8% of the eligible voters on the 2022 voter list whose data needed to be updated to meet all voter list and election conditions. In the case of the 11.8% registered voters, COMFREL discovered that the Ministry of Interior actively assisted in providing paperwork to persons at the grassroots level; nonetheless, these operations occurred after the voter registration. This could neither significantly alter the update of voter documents on the 2022 voter list nor be used for the upcoming election 2023.

## 5.3 Recommendations for improvement

Based on the summary report of the observations and findings from the voter registration and verification procedure, COMFREL would like to offer the following recommendations:

- The NEC shall further strengthen the dissemination of information to vulnerable groups, especially people with disabilities, and help them access documents for their review.
- The NEC shall find ways to inform local residents about the registration process, including identifying focal-point players and procedures for those in charge of this matter to ensure that eligible voters are informed.
- The NEC shall explore the possibility of identifying registered voters with expired Khmer identity cards and guide them in correcting their information before voter registration.



- The NEC shall further review the identical/ duplicated names submitted by COMFREL, including duplicated names with the same information (36 names) and 5 cases of the same names taken from the name list (surnames and first names), recording over 20,000 registered voters with identical names.
- The NEC shall cooperate with the Ministry of Interior and local authorities at all levels to prepare and distribute Khmer Identity Cards to people before the registration process.
- The NEC shall continue to discuss with legislators, the National Assembly, and the Government of Cambodia about obstructing the voter registration process for Cambodian migrants living abroad, ensuring their rights to vote as enshrined in the Constitution. The NEC shall also strengthen its capacity to register citizens for voting as part of its mandate.
- The NEC shall review rules for any parties that confuse the voter registration process, as in the cases of non-voter registration groups, citing citizens' names when enrolling to vote.

COMFREL sent its reports and recommendations to all electoral stakeholders, especially the NEC, for review and revision by letter No. 09/2023, dated 17 February 2023. The letter has been sent to the NEC, attached to the report, along with recommendations, but COMFREL did not receive a response.

#### 5.4 Indelible ink test

On Thursday, July 6, 2023, at 10:00 AM, the NEC held a conference on the quality test of the indelible ink. Participants were asked to try dipping their fingers in the ink and exhibiting to the relevant parties the indelible ink that would be used in the general election<sup>4</sup>. Representatives from the Constitutional Council, the General Secretariat of the Senate, the Ministry of Interior, the Ministry of Information, the General Commission of the National Police, the Indian Embassy, political parties, associations, and non-governmental organizations were among the approximately 100 journalists in attendance.

#### Image 6: Indelible Ink



The NEC confirmed that this indelible ink was produced by Indian firm MYSORE PAINTS & VARNISH LTD, which specializes in the production of ink and has been supplying it to the NEC for every election.

The NEC has opted to use the indelible ink with a level of 20% silver nitrate solution, considering that it is of good quality, especially the blackness on the skin and nails and the rapid drying in the environment cannot be instantly removed.

The NEC had purchased 52,000 bottles (1 bottle of 70 ml). A single bottle of ink came to \$ 17.63 (seventeen dollars and sixty-three cents), accounting for \$ 916,760, and additional shipping and insurance fees of \$ 46,550.00.

---

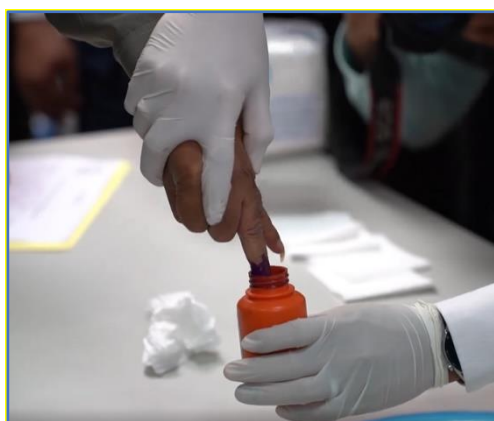
<sup>4</sup> <https://shorturl.at/copY2>, <https://shorturl.at/mCDOR>

The NEC stated that this indelible ink was divided as follows:

- Each polling station was provided with 2 bottles.
- 800 bottles were reserved at the Capital and Provincial Election Commission (PEC) 800.
- The rest was kept at the NEC.

The NEC asked representatives of political parties and 25 other participants to try dipping their fingers in the indelible ink. After dipping their fingers in the ink, the testers acknowledged that the ink used for the upcoming election was still of good quality.

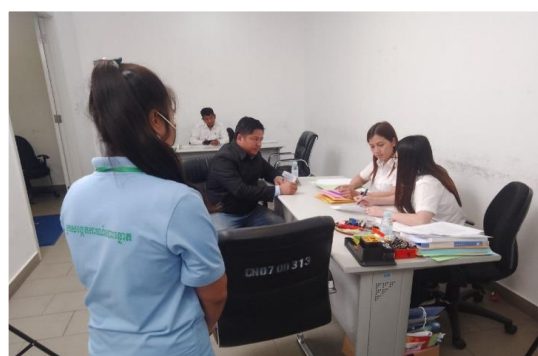
**Image 7: Activities of taking the indelible ink test**



## **6. Registration of political parties and party candidates**

The 7<sup>th</sup> National Assembly Election Calendar published by the NEC stated that political parties and candidates could register with the NEC for fifteen days, beginning on April 24, 2023, and ending on May 8, 2023<sup>5</sup>. In this regard, COMFREL dispatched one of its observers to investigate the political party and candidate registration procedure at the NEC headquarters (Department of Legal Services and Dispute Services). As a result of the observation during the registration process, journalists and other observers from different associations were present, along with representatives of political parties who came to get registered and NEC staff who received and reviewed the application.

**Image 8: Activities of registering political parties and party candidates**



---

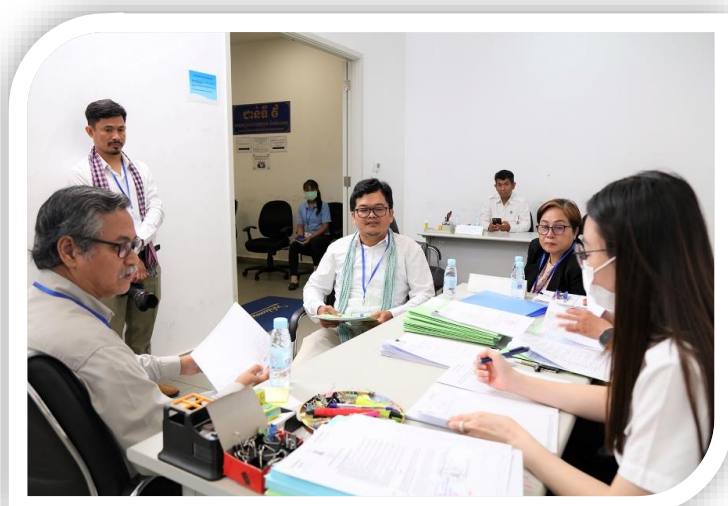
<sup>5</sup> <https://shorturl.at/qCDEQ>

The scrutiny of the registration process was conducted for two primary purposes: (1) to check the irregularities in the registration of political parties and candidates and (2) to observe the process of examining and registering the political parties and candidates.

COMFREL interviewed representatives from the National Election Committee (NEC) and Khmer Anti-Poverty Party to learn more about the registration procedure. **According to the NEC's representative** (Recipient) on May 8, 2023, he stated that the NEC was still reviewing the applications and that, as of yet, no applications for political party and candidate registration have been rejected.

**According to the representative from the Khmer Anti-Poverty Party**, the party had no difficulty

meeting the registration requirements. She said there were threats against some candidates in the villages and communes, but a solution was reached. There was no longer a problem (as of May 6, 2023); however, some candidates in the designated constituencies had requested their withdrawal. The party representative further stated that, despite removing candidates, her political party still had a full slate of candidates in the specified constituencies.



Activities of representatives of political parties to get registered

## 6.1 Conditions for registration of political parties and party candidates

All political parties wishing to join the election shall abide by the rules and procedures outlined in the NEC Form 1008<sup>6</sup>. Each political party is required to fill out 2 (two) copies of the registration application and enclose them with the 10 (ten) documents listed below<sup>7</sup>:

**Table 1: Conditions for registration of political parties and party candidates**

No.	Attached documents
1	A copy of the certificate of registration of the political party issued by the Ministry of Interior (1 piece);
2	The full name of the political party, together with its acronym and logo;
3	The address of the headquarters of the political party;
4	A list of all candidates throughout the country. The list shall include a number of full-right candidates equal to at least 1/3 (one-third) of the seats in the National Assembly and a number of reserved candidates equal to those of full-right candidates;

<sup>6</sup> <https://shorturl.at/gkjKW>

<sup>7</sup> <https://shorturl.at/jvOR0/> <https://shorturl.at/djuY5>

5	The names of the constituencies corresponding to those constituencies where the party wishes to run and the corresponding lists of candidates. The number of candidates on the list for a constituency shall be the same as the number of the [parliamentary] seats allocated for that constituency and shall conform with the form provided by the National Election Committee. There shall be at least 3 (three) reserve candidates for the constituency that has only 1 (one) or 2 (two) seats;
6	A bank statement indicating the party's bank account in which revenue, including contributions from whatever sources, has been deposited by the political party in any bank in the Kingdom of Cambodia accredited by the National Bank of Cambodia;
7	The statute of the political party and other documents certifying the formation of the political party;
8	A statement of the political party's commitment to participate in and accept the result of the Election conducted in a free and fair manner as well as participate in complying with the Law on Election of Members of the National Assembly, the Code of Conduct, and the Law on Political Parties;
9	A list of members of the Party's Executive Committee or Standing Committee or an equivalent organization of the political party; and
10	A receipt for a deposit of 15,000,000 (fifteen million) Riels issued by the National Treasury.

## 6.2 Announcement of provisional registration results

According to Press Release No. 056, NEC, dated May 9, 2023, on the provisional results of the registration of political parties and list of candidates for the 7<sup>th</sup> National Assembly Election 2023, the NEC decided to officially recognize the list of 18 political parties while rejecting the list of two political parties<sup>8</sup>. The NEC rejected two political parties: the Candlelight Party and the Khmer United Great Nation Party. As per the second paragraph and the first point of Article 27 of the Law on the Election of Members of the National Assembly, the NEC asserted that the two parties failed to attach a Prakas on the registration of political parties at the Ministry of Interior, which was certified by the Capital, Province, Municipality, District, and Khan Administrations at the OWSO.

## 6.3 NEC's decision on official recognition of the number of political parties and candidate lists in constituencies

The table below shows the data for each political party that the NEC has officially recognized and officially rejected.

**Table 2: List of registered political parties**

No.	Political Party	Number of Constituencies	Number of Seats	Candidates	
				Total	Female
Officially Recognized Political Parties					
1	Cambodian People’s Party	25/25	125/125	274	54
2	Cambodian Youth Party	25/25	125/125	266	90

<sup>8</sup> <https://shorturl.at/anpP7>

3	Khmer National United Party	25/25	125/125	266	50
4	Dharmacracy Party	25/25	125/125	266	163
5	Democracy Power Party	12/25	66/125	138	75
6	Cambodian Nationality's Party	25/25	125/125	266	64
7	Khmer United Party	25/25	125/125	266	120
8	Khmer Conservative Party	7/25	49/125	100	52
9	FUNCINPEC Party	25/25	125/125	278	29
10	Beehive Social Democratic Party	6/25	57/125	114	32
11	People's Purpose Party	9/25	45/125	96	48
12	Ekpheap Cheat Khmer Party	7/25	47/125	94	22
13	Women's Party for Women	18/25	68/125	152	121
14	Khmer Anti-Poverty Party	25/25	125/125	266	146
15	Khmer Economic Development Party	7/25	58/125	116	46
16	Cambodia Indigenous People's Democracy Party	22/25	95/125	206	45
17	Grassroots Democratic Party	12/25	83/125	170	38
18	Farmer's Party	8/25	46/125	៩៤	40
<b>Officially rejected political parties</b>					
1	Candle Light Party	25/25	125/125	271	29
2	Khmer United Great Nation Party	7/25	46/125	92	39

Eight political parties, including the Cambodian People's Party, Cambodian Youth Party, Khmer National United Party, Dharmacracy Party, Cambodian Nationality's Party, Khmer United Party, FUNCINPEC, and the Khmer Anti-Poverty Party, had nominated candidates for all constituencies and seats, as shown in the above table. Separately, the Candlelight Party nominated candidates for all constituencies and seats, but the NEC chose not to register its list of candidates.

According to the table above, only two political parties have nominated more than half of the female candidates: the Khmer Anti-Poverty Party and the Dharmacracy Party. COMFREL argues that all political parties have yet to support and promote women's full participation in politics. The ruling Cambodian People's Party has failed to field more than half of its female candidates.

It is critical to have more female candidates since women have enormous potential to contribute to the country's development and are also the backbone of the national economy.

However, in response to the rejection of the Candlelight Party's registration, Kim Sour Phirith, the party's spokesman, stated that the party would continue to use the letter from the Ministry of



Interior, confirming that the Candlelight Party was indeed registered in the Ministry of Interior's list of political parties, which was issued on May 5, 2023, and would resubmit it to the NEC and await its ruling<sup>9</sup>.

#### 6.4 Announcement of the NEC's decision on political parties for registration

The National Election Committee (NEC) has made public its ruling regarding the political parties' official registration as well as the list of candidates from 18 political parties, which includes<sup>10</sup>:

- The Khmer Anti-Poverty Party received official recognition on May 15, 2023.
- The Farmer's Party received official recognition on May 15, 2023.
- Women's Party for Women received official recognition on May 15, 2023.
- Khmer Economic Development Party received official recognition on May 15, 2023.
- Cambodia Indigenous People's Democracy Party received official recognition on May 15, 2023.
- Ekpheap Cheat Khmer Party received official recognition on May 11, 2023.
- Grassroots Democratic Party received official recognition on May 11, 2023.
- Beehive Social Democratic Party received official recognition on May 8, 2023.
- People's Purpose Party received official recognition on May 8, 2023.
- FUNCINPEC Party received official recognition on May 8, 2023.
- Khmer Conservative Party received official recognition on May 4, 2023.
- Khmer United Party received official recognition on May 1, 2023.
- Cambodian Youth Party received official recognition on May 1, 2023.
- Dharmacracy Party was officially recognized on May 1, 2023.
- Khmer National United Party received official recognition on May 1, 2023.
- Democracy Power Party received official recognition on May 1, 2023.
- Cambodian Nationality's Party received official recognition on May 1, 2023.
- Cambodian People's Party received official recognition on May 1, 2023.

#### 6.5 Results of the lucky draw to determine the order of political parties on the ballot paper

Following the Constitutional Council's upholding of the NEC's decision to reject the Candlelight Party's application, the NEC conducted a drawing lot to determine the order of the political parties' names on the ballot paper. Pursuant to letter No. 065, dated May 29, 2023, it was used to determine the order of political parties on the ballot paper, joining the Election Member of the National Assembly, 7<sup>th</sup> Legislature, 2023<sup>11</sup>.

**Table 3: Order of political parties on the ballot paper**

No.	Names of Political Parties	No.	Names of Political Parties
1	Beehive Social Democratic Party	10	Dharmacracy Party
2	Khmer United Party	11	Grassroots Democratic Party
3	Cambodian Nationality's Party	12	People Purpose Party
4	Khmer National United Party	13	Khmer Economic Development Party

<sup>9</sup> <https://bit.ly/45NEN2j>

<sup>10</sup> <https://shorturl.at/ensE3>

<sup>11</sup> <https://shorturl.at/hlwX9>

5	Democracy Power Party	14	Ekpheap Cheat Khmer Party
6	Farmer's Party	15	Khmer Conservative Party
7	Women's Party for Women	16	Cambodian Youth Party
8	Khmer Anti-Poverty Party	17	Cambodia Indigenous People's Democracy Party
9	FUNCINPEC Party	18	Cambodian People's Party

## 6.6 Filing and resolving complaints

### 6.6.1 Rejection of the registration of political parties and party candidate list

The NEC denied the registration of the Candlelight Party and the Khmer United Great Nation Party during the process of registering political parties and a list of candidates standing for the election. The Candlelight Party's rejection was based on the NEC's Resolution No. 233, dated 15 May 2023<sup>12</sup>, which denied political party registration for the Election Member of the National Assembly, 7<sup>th</sup> Legislature, 2023. The Candlelight Party was rejected because it failed to attach a Prakas on the registration of political parties at the Ministry of Interior, which had been certified by the Capital, Province, Municipality, District, and Khan Administrations at the OWSO in accordance with the second paragraph and first point of Article 27 of the Law on the Election of Members of the National Assembly. The Khmer United Great Nation Party's registration<sup>13</sup> was rejected for the same reason as the Candlelight Party.

### 6.6.2 Filing complaints

On May 19, 2023, the Candlelight Party, represented by Mr. Hong Sochua and Mr. Kim Sour Phirith, filed a complaint to the Constitutional Council about the NEC's decision to reject the registration. Within the complaint, the Candlelight Party requested that the NEC accept the registration of political parties and the list of candidates for each constituency in each of the 25 (twenty-five) capitals and provinces. On May 19, 2023, at 16:20, the Constitutional Council's General Secretariat received the Candlelight Party's complaint.

Simultaneously, on May 22, 2023, at 14:20, the Khmer United Great Nation Party also submitted a complaint to the Constitutional Council. The lawsuit's content was no different from that of the Candlelight Party.

It is worth noting that the **Constitutional Council** is the supreme body enshrined in the 1993 Constitution responsible for safeguarding the observance of the Constitution, interpreting its provisions and laws passed by the National Assembly and Senate, and resolving conflicts pertaining to the election of members of the National Assembly and Senate<sup>14</sup>.

### 6.6.3 Resolving complaints lodged by both political parties

On May 25, 2023, at the White-Building Chamcar Mon State Palace in Phnom Penh, the Constitutional Council convened in a plenary session to consider and rule on the complaints filed by both parties.

In connection with this meeting, COMFREL contacted officials from the Constitutional Council's General Secretariat to inquire about the possibility of observing the settlement process. However, officials from the Constitutional Council's General Secretariat stated that observers were not

<sup>12</sup> <https://shorturl.at/qvxEK>

<sup>13</sup> <https://shorturl.at/iCFG0>

<sup>14</sup> <https://shorturl.at/AJX29>

permitted in the plenary session, adding that if COMFREL needed additional information, it might contact a spokeswoman for the Secretary General of the Constitutional Council.

The Constitutional Council decided both parties' complaints in accordance with the law; however, they were rejected in accordance with the law, based on the Constitutional Council Judgments No. 220/002/2023 and No. 221/003/2023, dated May 25, 2023, respectively.

However, the Candlelight Party and the Khmer United Great Nation Party's denial of registration was supported by 11 political parties and six associations, as COMFREL noted in their statements<sup>15</sup>.

In response to the denial of registration of political parties and lists of candidates, despite the support of some political parties and associations, other 22 civil society organizations working on human rights, democracy, and elections, including COMFREL, issued a joint statement on June 1, 2023, guaranteeing the rights to vote and the rights to stand for election<sup>16</sup>. The letter expressed deep regret over the loss of the rights of the Khmer United Great Nation Party and the Candlelight Party to join the upcoming Election Members of the National Assembly, 7<sup>th</sup> Legislature due to the obstruction of these two parties' registration procedure. The statement noted that in the past practice, the NEC had only accepted a copy of a political party's registration certificate issued by the Ministry of Interior. In fact, the NEC allowed the Candlelight Party to use a copy of the Ministry of Interior's registration letter to join the Commune/Sangkat Council Election 2022, as well as the newly established District/Municipal Council Election in early April 2023. The aforementioned implementation aimed to promote the right to vote and stand for election. In the absence of both parties, the candidates lost their right to stand for the election, and some voters lost their right to vote for the political party they had previously supported.

**Image 9: Statement from the Ministry of Interior on the legitimacy of the Party**



**Certificate issued by the Ministry of Interior**

<sup>15</sup> <https://bit.ly/3Ig6jvc>, <https://bit.ly/3o7Be64>, <https://bit.ly/3MvO2wy>, <https://bit.ly/3IdUpC4>, <https://bit.ly/3o5gQTe>, <https://bit.ly/3IBCw75>, <https://bit.ly/41IgiAt>, <https://bit.ly/3Wb4nds>, <https://bit.ly/3Ig0huN>, <https://bit.ly/3IeqxFY>, <https://bit.ly/3O8yMad>, <https://bit.ly/42FqXNn>, <https://bit.ly/3o1vB9I>, <https://bit.ly/3O8yqiT>, <https://bit.ly/42Ck6oj>, <https://bit.ly/3pHT0IT>, <https://bit.ly/3pNWNci>

<sup>16</sup> <https://bit.ly/3D9Ksmu>

## 6.7 National and international views on the registration of political parties and party candidates

Following the NEC's decision and the Constitutional Council's decision to reject the Candlelight Party's and the Khmer United Great Nation Party's party registration and candidate lists, many people from both national and international communities expressed their views on this issue, both positive and negative.

### 6.7.1 National views

Regarding the denial of party registration and candidate lists, Prime Minister Hun Sen said in a public forum with workers that he did not believe the Candlelight Party's original party registration letter had been lost. The Prime Minister analyzed that the original letter of registration for the Candlelight Party was with someone abroad who did not want the Candlelight Party to participate in the election, which was a ploy used to encourage foreigners to oppress Cambodia<sup>17</sup>.

Mr. Sok Isan, a spokesman for the Cambodian People's Party, said: ***"The NEC has done the right thing according to the law because the NEC is an institution that guarantees law and order. All parties wishing to join the election must meet all required documents. It is the fault of the candlelight party"***<sup>18</sup>.

Mr. Kong Monika, acting secretary general of the Candlelight Party, told CamboJA that the NEC's decision was "intentionally putting pressure" on the Candlelight party<sup>19</sup>.

Mr. MOK Serey Sopheap, a governance specialist, said in the Hello VOA program that if the Candlelight Party joined the 23 July 2023 election, it would be unlikely to defeat the ruling party. However, he believed that the presence of Candlelight Party's legislators in the National Assembly was critical to Cambodia's democratic process. He stated that the presence of the Candlelight Party, and especially its legislators in the National Assembly, no matter how many, was paramount so that the ruling party could not run the government like riding a horse with hands free<sup>20</sup>.

Dr. Meas Ny stated that rejecting this sizable opposition party and not allowing it to partake in the election would jeopardize the democratic process. The Candlelight Party's absence from the July election would impact the government's legitimacy following the election<sup>21</sup>.

The Association for Environmental and Social Lovers stated: "We are all leaders, members of the Association of Environmental and Social Lovers, and all of us are university students studying environmental and social sciences. We enthusiastically endorsed the National Election Committee's (NEC) press release since the Candlelight Party failed to meet the legal requirements<sup>22</sup>.

However, before the Constitutional Council's ruling, representatives of the Candlelight Party revealed to the French press (RFI) on May 31, 2023, that they planned to gather more than 10,000 of their supporters at Freedom Park to protest against the NEC's decision, which denied the Candlelight Party's participation in the 7<sup>th</sup> parliamentary election 2023.<sup>23</sup> In addition, Prime Minister Hun Sen warned to provoke the arrest order again if the Candlelight Party dared to demonstrate<sup>24</sup>.

---

<sup>17</sup> <https://bit.ly/3ITZv6P>

<sup>18</sup> <https://khmer.cambojanews.com/nec-rejects-candlelight-partys-registration-for-july-elections/>

<sup>19</sup> <https://khmer.cambojanews.com/nec-rejects-candlelight-partys-registration-for-july-elections/>

<sup>20</sup> <https://bit.ly/3QSLZER>

<sup>21</sup> <https://khmer.cambojanews.com/nec-rejects-candlelight-partys-registration-for-july-elections/>

<sup>22</sup> <https://bit.ly/43wcmUY>

<sup>23</sup> <https://bit.ly/3WN1vUa>

<sup>24</sup> <https://bit.ly/3WN1vUa>

### **6.7.2 International views**

- 1) Press Statement by Matthew Miller, Spokesman for the State Department, on Undemocratic Actions Ahead of Cambodian Elections<sup>25</sup>.
- 2) On May 26, 2023, the Ministry of Foreign Affairs of Japan issued a statement confirming the situation concerning Cambodia's 7<sup>th</sup> National Assembly Election process for 2023. This situation arose due to the denial of registration for the Candlelight Party and its candidate list. The statement emphasized the necessity of creating an environment that allows individuals to freely express their opinions on the path to building a democratic society. The Japanese government has been actively assisting in developing Cambodian democracy, engaging in communication with the Royal Government, ruling and opposition parties, civil society, and other stakeholders in Cambodia. It expressed genuine concerns and provided ongoing assistance. The development of Cambodian democracy is crucial not only for Cambodia itself, but also for the regional and international community. The Japanese government will continue to support Cambodia's democratic development<sup>26</sup>.
- 3) UN Secretary-General Antonio Guterres also condemned the 7<sup>th</sup> National Assembly election 2023 after the NEC chose to reject the registration of opposition parties. He claimed that the Candlelight Party would be the only genuine rival to the ruling Cambodian People's Party in the July election, but Cambodia's Constitutional Council refused to overturn the party's registration prohibition. It was a non-appealable ruling<sup>27</sup>.
- 4) The Asian Network for Free Elections (ANFREL) also expressed deep concern over the disenfranchisement of the Candlelight Party from joining Cambodia's upcoming general election in July 2023. The National Election Committee's (NEC) decision undermines the democratic process in Cambodia, including the denial of Cambodian citizens' rights<sup>28</sup>.

## **7. Election campaign**

The election campaign for the 7<sup>th</sup> National Assembly election 2023 took place over a period of 21 days, starting from Saturday, the 1<sup>st</sup> to the 21<sup>st</sup> of July 2023. The election campaign activities commenced from 6:00 AM until 10:00 PM, and all campaigning activities had to cease from 10:00 PM until 6:00 AM the following morning. Loudspeakers for campaigning are prohibited from 12:00 PM until 2:00 PM. Specific locations were also banned from campaigning, such as areas near hospitals, schools, or educational institutions during school hours.

The goal of the election campaign, as defined by law, is to allow political parties and candidates running in the Election to publicize their political platforms to voters. The defined meaning of election campaigning refers to some activities carried out in public to convince voters to vote in favour of a candidate or a political party. These activities include the following:

- Public meetings held by political parties or candidates;
- Marches or rallies organized by groups of pedestrians or vehicles of all kinds in the capitals, provinces, municipalities, districts, and Khan not more than 4 (four) times during the electoral campaign period;
- Door-to-door meetings or visits;
- Broadcasts on radios or televisions or the media;
- Broadcasts on air or propaganda on loudspeakers or playing tape recorders, videos or, VCDs or DVDs in public cinemas/theatres or public spaces;
- Public display of banners with slogans or political platform or campaign pictures;
- Distribution of political party's leaflets;
- Distribution of the political party's logo or caps, clothes, and other materials printed or drawn or produced with the political party logo or candidate to the voters;

---

<sup>25</sup> <https://bit.ly/43HeSYa>

<sup>26</sup> <https://bit.ly/3pKS1wL>

<sup>27</sup> <https://bit.ly/43j7sdT>

<sup>28</sup> <https://bit.ly/3pGxvNI>

- Putting up banners in any public places or/and installing bulletin boards for displaying papers of notice;
- Concerts organized at any place or singing campaign songs or electoral campaign musical performances; and
- Organizing sports tournaments.

### **7.1. Pre-election campaign period**

COMFREL deployed observers in 23 provinces to monitor and observe the electoral process at each phase. Before the election campaign began, COMFREL observed that the ruling party was leading ahead in conducting field visits to engage with people at the grassroots. This included gathering with factory workers<sup>29</sup> and students. During these gatherings, party leaders highlighted their past achievements and leadership and took the opportunity to attack political opponents. The activities of the ruling party leaders' engagement were not distinctly presented as separate from their roles as government officials or as political party figures. Overall, COMFREL observed that the substance/core messages of the public appearance of government officials mostly conveyed the merits of the party's or their own leadership and took the opportunity to attack political opponents.

Nevertheless, these leaders are within the period of leading the country, which requires adherence to principles of transparency and equality for all political parties, especially in using state resources, including financial and human resources. Article 80 of the LEMNA prohibits using budget, materials, equipment, and means of transportation belonging to the State to carry out campaign activities for any political party or candidate.

### **7.2. During the election campaign period**

During the election campaign period, COMFREL deployed long-term observers in 23 capital cities and provinces to monitor and observe the campaign process.

Based on observations over the 21-day campaign period, COMFREL noted the following results and remarks:

#### **7.2.1 Different types of conducting election campaign**

COMFREL observed that the campaigning of each political party took different forms, with some involving large numbers of participants and others with fewer.

---

<sup>29</sup> <https://shorturl.at/bxOSU>



**Image 10: Different types of election campaign activities**



**The type of political party processions in provinces**



**The type of election campaigning through the use of loudspeakers and megaphones in villages**



COMFREL, through its monitoring and observation of the election campaign, identified several points related to election campaign activities, including:

**a. Equality in carrying out campaign activities (access to locations and security):**

COMFREL did not receive or observe any complaints lodged by political parties regarding issues or irregularities related to locations or security during the election campaign. In the case of displaying political party logos in public, there was facilitation from the commune/Sangkat authorities based on the principles of equality, security, public order, and public beauty (Article 69 of LEMNA).

**Image 11: putting up political party logos in public spaces**



An image displaying political party logos erected along some provincial roads and in Phnom Penh.



**Image of party campaign logos along roads and road medians in the Capital and provinces**

Despite the absence of complaints, COMFREL observed that the participation in campaign activities related to the location of campaigning by all 18 political parties was not equal in the display of campaign logos in public spaces. It was noted that the ruling party had excessively more logos displayed along road medians and roadsides in all provinces and the Capital.

**b. The impartiality or interference from local authorities, armed forces, and judicial officers**

The impartiality of civil servants, local authorities at all levels, the Royal Cambodian Armed Forces, the National Police, and judicial officials is mandated by various laws, such as the General Statutes of the Royal Cambodian Armed Forces and the General Statutes of Civil Servants, prohibiting them from conducting activities in support of any political party. However, this impartiality is also subject to



the Election Law, Article 83, which permits civil servants, local authorities at all levels, the Cambodian Royal Armed Forces, the National Police, and judicial officials to participate in electoral campaign activities supporting a political party or a candidate.

Despite the Election Law permitting the involvement of local authorities at all levels, the Royal Cambodian Armed Forces, the National Police, and judicial officials in the electoral campaign activities, some forms of participation are still prohibited, such as engaging in activities while performing work in their formal capacity, as stipulated in Article 82 of the Election Law, which prohibits civil servants and members of local authorities at all levels, members of the Royal Cambodian Armed Forces, National Police and court officials from becoming members of the Standing Committee for Information and Media or Campaign Committee of a political party.

During the election campaign period, COMFREL observed several cases related to this impartiality, including the following instances:

**Case 1:** Local authorities at all levels, the Royal Cambodian Armed Forces, the National Police, and village chiefs were involved in election campaign activities by becoming members of the Standing Committee for Information and Media or Campaign Committee of the ruling party, with at least 158 cases in 12 provinces, including Tboung Khmum, Svay Rieng, Ratanakiri, Prey Veng, Preah Sihanouk, Kampot, Kampong Cham, Kampong Thom, Oddar Meanchey, Pailin, Preah Vihear, and Kratie.

**Case 2:** local authorities at all levels, the Royal Cambodian Armed Forces, the National Police, and village chiefs distributed materials (gifts) to voters, aiming to gain their support for a political party and/or candidates, with 175 cases occurring in provinces such as Kampong Cham, Kampot, Ratanakiri, Kampong Chhnang, and Pailin.

**Case 3:** Political party logos and campaign materials were displayed or raised within the premises of state buildings in 3 cases.

**Image 12: A party flag erected at a primary school in Svay Rieng province**



**Case 4:** There were 40 cases of vehicles suspected to be state-owned, which had their license plates removed, participating in the campaign for the ruling party.

**Image 13: Vehicles with license plates removed or covered in Tboung Khmum province**



vehicle without a license plate in Tboung Khmum



Vehicle with covered license plate in Kampong Thom

A party procession on July 21, 2023 in Kampong Cham's downtown area.

**c. Ensuring the absence of conflict (disputes, obstructions, and disturbances):**

Measures to ensure the absence of conflict involve preventing disputes, obstructive activities, or disturbances against candidates, political party representatives, or the political parties themselves, either directly or indirectly, or in any written form. COMFREL observed such cases as follows:

- The use of loudspeakers caused disturbances at the locations where campaign activities were being carried out or at other political party processions occurred in 2 cases.
- The removal or destruction of political party banners or campaign materials occurred in 10 cases.

- The tearing or destruction of distributed media materials or the destruction of banners for election campaigning occurred in 9 cases.

**d. Ensuring the absence of fear, threats, violence, and coercion:**

COMFREL observed and received information on at least one case in Kampong Cham province involving a 58-year-old woman named Chh.S, a resident of Tangil village, Chealea commune, Banteay district, serving as COMFREL election observer, who was summoned by the Tagnil village chief and was then told to meet the commune chief. The commune chief said to her that the commune would reject her participation in the commune or exclude her from any public services if she continued to work as an observer with COMFREL or ADHOC. This case caused her to feel fearful and request to resign from her work with COMFREL and ADHOC.

**e. Ensuring the absence of vote-buying activities:**

COMFREL observed some cases related to activities conducted by political parties, candidates, or party representatives with the intention of luring voters as follows:

- The provision of donations or gifts in 1 case, where a village chief wearing a party shirt distributed party cards and gave 30,000 riels to each person who had a party membership card (in Pailin province).
- The distribution of various gifts or materials in 15 cases.
- The provision of ID-poor cards or public services in exchange for membership or support of a party in 11 cases.
- The offering of financial incentives as encouragement in 4 cases.
- The organizing of receptions or the provision of free services to lure voters in 2 cases. For instance, a party representative organized a small-scale party for the citizens in Tabein village, Pongro commune, Chong Kal district, Oddar Meanchey province. In Tboung Khmum province, a party representative taught voters to mark on a sample ballot paper number 18 (marking for the Cambodian People's Party) and received 20,000 riels per person.

**f. The impartiality of commune/Sangkat and village authorities**

COMFREL observed several instances of irregularities as follows:

- Cases where commune/Sangkat council members withheld voter information (not distributing voter information cards) or discriminated in providing services (verification of election identification document) to citizens, supporters, or political party candidates, totaling 26 instances (1 case in Oddar Meanchey Province and 25 cases in Ratanakiri Province).
- Instances where village chiefs or their assistants withheld voter information, not distributing voter information cards to citizens, supporters, or candidates of any political party, amounting to 24 cases (1 case in Oddar Meanchey Province and 23 cases in Ratanakiri Province). For example, on July 2, 2023, the village chief denied Mr. Chea Eng and his wife, Mrs. Yem Saru, from Kok Wat village, Chong Kal district, Oddar Meanchey province, voter information cards. When they inquired about the cards, the village chief claimed their names had been deleted from the voter list, and they could not vote. However, upon checking the National Election Committee's website, their names were still listed.

**h. The engagement of schools and educational institutions**

COMFREL noted that at least five educational institutions were involved in election campaigning with the ruling party. These activities took place in Kampong Cham and Kampong Speu provinces as well as in Phnom Penh, where students or teachers participated in party processions or stood along the roadsides in front of schools to celebrate the party's campaign processions.



**Image 14: Dun Penh school students standing outside the school fence along the roadside**



At Bak Touk High School<sup>30</sup>, students and teachers played music to celebrate the party procession in front of the school. In some universities, the management mobilized students to participate in party campaigns by offering money.

**Image 15: Bak Touk High School students and teachers coming outside the school to join the celebration of the party procession**



Campaigning activities during school hours are prohibited, as stipulated in Article 73 of the Law on the Election of Members of the National Assembly.

<sup>30</sup> <https://shorturl.at/itvEK>

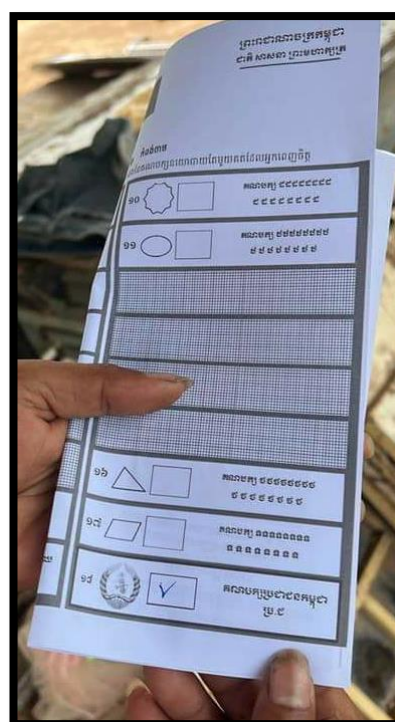
## i. Activities that could confuse the voting process

**Guiding or instructing citizens on how to mark the ballot paper:** Teaching supporters how to “tick” on a sample ballot paper is a strategy to familiarize them with their party. Such activities are not prohibited or regulated by the electoral procedures for the Election of Members of the National Assembly. While some legal experts have different views, the pro-opinion is that the law does not prohibit such activities; hence they are not illegal. However, others argue that even if not explicitly prohibited by law, such activities are inconsistent with the principles outlined in the chapters that determine the direction and forms of election campaigns. COMFREL viewed it as a way of campaigning on how to instruct supporters. Nonetheless, if the instruction is found to be coercive, leads to confusion about the voting process, or is explained with an implied threat, then it is inappropriate. COMFREL has received reports that instructors used additional language during the instruction, such as “If you don't tick that number, your ballot will be spoiled...”

**Image 16: Party activists instructing supporters on how to mark the ballot paper**



Activities of instructing supporters how to mark the sample ballot paper



On Thursday, July 20, 2023, Pech Chreada, Mondulkiri Province's district governor helped farmers plant rice and taught citizens how to mark the ballot paper.



**Legal interpretations leading to confusion:** The trend of legal interpretations from politicians and related institutions has caused confusion, including 1) the raising of the new legal amendments in Articles 142 and 143 regarding penalties for those who instruct citizens to mark the ballot with cross sign and the stripping of the right of individuals wishing to stand for election, but failing to go to vote two times; and 2) a trend of explaining voters or supporters to go to vote, but only to spoil the ballot. Regarding the instructing of people not to mark the ballot with the cross sign, there is an effort to clarify by linking to legal penalties, which has led to confusion and the perception that voters do not have secrecy, contrary to what is stated in Article 106 of the Law on the Election of Members of the National Assembly.

**Image 17: A video footage instructing voters before the polling day**



The picture above is a video footage produced by a political party activist trying to explain to voters “How do they know we spoiled the ballot paper?” during the election campaign period. It was viewed by approximately 100,000 people. In the video, the activist explained, “The ballot is scrutinized, leading to the discovery of voter name through finger print affixed on the ballot paper, etc” This explanation by the activist has severely impacted the secrecy of the voting and caused various confusions.

**The NEC spokesperson raised the issue of spoiling the ballot paper:** During the day near the conclusion of the election campaign period, the encouragement of voters to exercise their right to vote or to spoil the ballot (render it invalid) led to various interpretations and increased confusion among citizens in understanding the explanations from politicians.

In this case, Mr. Hang Puthea, the NEC spokesperson, responded to a question from Mr. Tha Thai, a t Radio Free Asia news anchor, during the night of July 20, 2023, which asked: “whether it is punishable if citizens go to cast their ballot by voting of disapproval for any political party they dislike”. The response was that the law allows citizens to vote to support the political party they love. If one votes to cause destruction, it violates the law. However, sometimes the law is not fully understood, leading to incorrect interpretations. The follow-up question was raised about “whether it is a right for citizens to spoil their ballot if they cannot find a party they love”. Mr. Hang Puthea explained that spoiling a ballot paper is intended to cause destruction and is different from a ballot paper that is not valid. To spoil with the intent to destroy means to violate the law because the law does not permit destruction but to vote in support. The question was further asked about which law this violates, and Mr. Hang Puthea clarified that it violates Article 142-new, which gives penalties along with fines, and also goes against the idea of His Majesty the King, who has called upon Cambodian voters to vote for the political party they prefer<sup>31</sup>. This issue made voters worry about the consequences if they spoil their ballot.

<sup>31</sup> <https://shorturl.at/gisuV>

**Image 18: The interview with the NEC spokesperson regarding citizens spoiling their ballot**



**The interview took place on Wednesday, July 20, 2023 (in the recorded time of 1:14:00)**

In addition to the irregularities of the election campaign, as mentioned above, COMFREL also noted that the NEC had organized programs to broadcast each party's political platform through state media and the NEC website. However, COMFREL did not see the NEC offering opportunities for debates between candidates from different parties on their political platform broadly broadcast by either state or private media.

Regarding the guarantee and promotion of the right to participate freely in political activities during the election period, COMFREL observed continued restrictions by authorities and ongoing challenges for citizens to engage in political activities and discuss political issues due to authorities' surveillance, photographing, and questioning of citizens at gatherings or meetings.

Furthermore, the amendments of the election law during the election period have significantly impacted the rights to stand for election and vote. The law was amended hastily during the election campaign period, leaving many voters and politicians, including law enforcers, without a clear understanding of the law's content. After the law's adoption and towards the end of the election campaign, there were arrests of activists and leaders of political parties, causing fear among officials or activists of other parties, including voters who support opposition parties.

In summary, the trend of encouraging citizens to go to vote by spoiling the ballot paper and the criminalization of ballot spoiling became a heated topic before the polling day, stemming from the rejection of the registration of the Candlelight Party due to insufficient documentation. The initial issue was the loss of choice for over 1.6 million voters who had previously chosen the Candlelight Party in the 2022 Commune Council elections. The overseas movement invigorated voters not to go to vote until the law amendments, aiming to deprive the rights of politicians wishing to stand for election but failing to go to vote. After the law amendment, the overseas political movements

campaigned to encourage voters who supported them to go to vote, but only to spoil their ballot as a sign of dissatisfaction with the election. The hasty implementation of Articles 142-new and 143-new led to arrests, fines, and the revocation of voting rights. The election campaign, instructing citizens to mark on their party's sample ballot paper using intimidating language, led to confusion. Moreover, the political activists' guidance on valid voting and ballot spoiling, the lack of understanding of the newly amended law, and unclear explanations by the NEC spokesperson have caused voters to fear and further increased confusion.

## **8. On the polling and counting day (July 23, 2023)**

COMFREL, in collaboration with partner organizations, deployed 5,036 observers (2,340 of whom were women) to participate in the general observation of the voting and ballot-counting process. During this observation, COMFREL and other civil society organizations collaborated in deploying election observers and decided to engage in monitoring the electoral process without making an overall assessment of whether the electoral process was free, fair, and just. The participation of the election observers covered only the watching of issues encountered by voters, such as voter rights violations, their challenges, and other election irregularities. Among the observers deployed by COMFREL and its partners, at least 4,912 polling stations were to be observed. An observer was able to observe the atmosphere at a polling station location according to the guiding procedures. All deployed election observers underwent training on the regulations and procedures for voting and ballot counting.

On the polling day, COMFREL's central office arranged for 40 volunteers to communicate with the observers deployed at 1,337 polling stations to inquire about various issues such as irregularities, location of observation, and personal safety.

One of the questions asked to the observers was, "Did you witness any irregularities occurring?" As a result of their responses, it was noted that there were instances of unauthorized authorities present at polling stations, including village and commune chiefs recording voter names upon their arrival, the use of expired voter identification cards, and cases of voters attempting to vote more than once.

COMFREL observers were instructed to monitor both inside and outside the polling stations, including moving around the premises and within the commune/Sangkat offices. Out of the total 5,036 observers registered with the NEC, 3,795 observers submitted their observation report of the observation form for the polling and counting day (Form 12) to the central office. Among these 3,795 forms, 1,144 forms indicated that at least one type of irregularity had occurred at a polling station.

### **Image 19: a COMFREL observer observing the situation at a polling station**



**The location of the polling station is at Wat Vongkot Borei, Sangkat Ou Baek K'am, Khan Sen Sok, Phnom Penh**



## 8.1 Situations surrounding the election

### 8.1.1 General view at the polling and ballot counting stations

Outside the polling stations, COMFREL observers were advised to check for several irregularities, including 1) denial of access to observers or political party agents; 2) armed forces personnel wearing uniforms without election security badges present at the polling stations; 3) armed forces personnel using language or behaviour that could intimidate voters; 4) intimidation or use of threatening language by local authorities; 5) standing to record voter names; 6) coercion of citizens to go to vote; 7) vote-buying to lure voters to go or not to go to vote and systematically organized transportation of voters. The results of the observation indicated that a total of 951 cases of irregularities occurred at the observed locations.

**Table 4: Security issues and irregularities surrounding the polling and ballot counting stations**

No.	Description of irregularities	Amount
1	<b>Denial of access to election observers or political party agents</b> at polling and/or ballot-counting stations	24
2	Vote-buying incidents	22
3	<b>Armed forces personnel wearing uniforms without election security badges present</b> outside or near polling or ballot counting stations	94
4	<b>Individuals identified as armed forces personnel not wearing uniforms or powerful persons present</b> outside or near polling or ballot counting stations, using language or behaving in a way that could intimidate or cause concern to voters	79
5	<b>Presence or use of threatening and intimidating language by local authority officials</b> (village chief, commune/Sangkat councils...) outside or near polling or ballot counting stations	206
6	<b>Individuals waiting to question</b> or standing to record voter names	287
7	Cases of coercion or pressure on citizens to go to vote	60
8	Cases of systematically organized transportation of citizens to vote	179
<b>Total (number of polling stations identified with issues: 1,144)</b>		<b>951</b>

According to the results of the above table, a total of 951 cases of irregularities taking place outside the 3,000 polling stations observed, including:

- 24 cases where observers were denied entry to observe within the polling or ballot counting stations, specifically at polling station No. 0413 at Bak Touk High School, where the head of the polling station asked a COMFREL observer, "Which organization are you from?"; That COMFREL observer replied, "I am from Comfrel," and the head of the polling station looked at the observer's card and then instructed the observer to request permission from the NEC to be allowed to observe. In another case at 2:55 PM, another COMFREL observer was prohibited by the head of the polling station located at the primary school inside Por Knung pagoda, Ratanak commune, Battambang province, from entering the polling station during the ballot counting process.
- 22 cases of vote buying to lure voters on the polling and counting day. For instance, at the polling station No. 0986 inside the Chrey Muoy primary school in Sambo Meas commune, Mok Kampoul district, Kandal province, between 8:03 AM and 10:07 AM, there were cases of offering money to voters if they had brought along the party counterfoil attached. Another

case occurred in the polling station in Bos Snaor village, Trapaing Pring commune, Tambe district, Tboung Khmum province, where a youth party member distributed 20,000 riels to individuals, but the distribution was not made to everyone.

- 173 cases involved **armed forces personnel** with uniforms, not wearing security armbands, standing in the vicinity or near the polling and ballot counting stations, and exposing behavior that caused concern among voters. For instance, there were cases where the commune police chief and his subordinates stood at the polling station inside the Angk Khvav primary school in Khvav commune, Samrong Tong district, Takeo province, from the start to the end of the voting process. Another case involved approximately four village guards patrolling the vicinity of the ballot counting station, chasing away citizens from standing near the polling station. At the same time, they walked around and peered through the windows of every polling station at the Bro Srae primary school in Boeung Preah commune, Ba Phnom district, Prey Veng province. At the location of polling station No. 0397, Chamkar Rong commune, Battambang district, Battambang province, a police officer with a weapon was found entering the polling station.
- 206 cases involved **local authority officials** such as commune/Sangkat councils, village chiefs, and deputy village chiefs being present and standing in the vicinity or near the polling and ballot counting stations from the beginning to the end of the voting process.
- 287 cases involved **individuals waiting to question** or standing to note voter names.
- 60 cases involved coercion or pressure on citizens to go to vote, such as the case at the polling station inside the Cheam Ksan primary school in Toeuk Krohom commune, Cheam Ksan district, Preah Vihear province, where commune councils went to voters' homes to urge them to go to vote. Another case occurred at the Tasou school in Tasou commune, Chey Sen district, Preah Vihear province, where authorities waited to transport voters to the polls, including a police officer who told villagers, "If I don't see you, I will fail all students studying in the province."
- 179 cases involved the mobilization or systematically organized transportation of citizens to go to vote.

**Image 20: Authorities standing inside the polling station, waiting for voters to cast their ballot**



The village chief of Pu Treng in Dak Dam commune, Ou Raing district, Mondulhiri province, and village members assisted in verifying and noting voter names.



At polling station No. 1013 inside the Kmuong Pagoda, Tboung Khmum province, a representative of the ruling party was sitting and waiting to list down voters coming to cast their ballot.

### 8.1.2 Irregularities and issues during the voting process

The voting process took place from 7:00 AM to 3:00 PM. All COMFREL observers conducted observations both inside and sometimes outside the polling stations as per the schedule. As a result of their observations, a number of cases of irregularities were observed within the polling stations, including 1) eligible voters not being able to cast their ballot, 2) voters whose names were not on the voter list, and 3) individuals who disclosed the secrecy of the vote.

**Table 5: Cases of irregularities during the voting process**

No.	Case of irregularities	Amount
1	Cases of eligible voters not being able to cast their ballot	407
2	<b>Cases of voters whose names were not on the voter list</b> being allowed to vote	28
3	Cases of individuals wanting to know or revealing the secrecy of the vote	70
4	Other (notable) irregularities that occurred	211
<b>Total (number of polling stations identified with issues: 1,144)</b>		<b>716</b>

The above table is the result of observations during the voting process, in which COMFREL observers noted a total of 716 cases of irregularities, including:

- 407 cases of eligible voters not being able to cast their ballot, occurring in various situations, such as having only a photocopy of the Khmer ID, lacking documents, or having incorrect documents. For example, at the polling station in Srolop village hall (ceremonial hall), Srolop commune, Tboung Khmum district, Tboung Khmum province, a voter reported, "He has the voter information stub but did not vote because the Khmer ID card had expired." Other voters had their names on the voter lists but did not vote because they had not brought their Khmer ID cards. At the polling station No. 2161 in Sangkat Ponhea Pun, Khan Prek Pnov Phnom Penh, 10 voters came to vote, but some lacked identification documents, and others only had photocopies of their Khmer ID cards; consequently, the polling officers did not allow them to vote.
- There were 28 instances **where voters were allowed to cast their ballot despite their names not being on the voter list**. One such case occurred at the Kdey Kandal Kang Tboung polling station No. 1562 in Kampong Leav commune, Prey Veng town, Prey Veng province, where two voters had incorrect names on the voter list, but the election officers affirmed that they knew them and then allowed them to vote.
- In 70 cases, there were observations of individuals revealing or indicating the secrecy of their vote to others, such as the incident at the polling station No. 0570 inside the Nak Ta Jai primary school in Kanhchriech Commune, Kanhchriech District, Prey Veng province, where a male and a female voter disclosed to each other the secrecy of their vote. Another case took place at the polling station inside the Ou Don Pov primary school in Khlang Meas commune, Bavel district, Battambang province, where a female voter stood and shouted at the polling station while marking her ballot, exclaiming, "Mark number 18 in front of the polling station".
- There were 211 miscellaneous cases, such as being unable to vote but still able to dip their index finger into the indelible ink bottle at locations such as the Wat Somsakosol polling station, Boeung Tompun 1 commune, Mean Chey district, Phnom Penh. Voters without Khmer ID cards were allowed to vote with the facilitation of local commune hall officials in coordination with the head of the polling station, as seen in polling station No. 1296 in Kok Khlang commune, Sen Sok district, Phnom Penh, where voters could cast their ballot without the Khmer ID card. There were instances of observers being forced to sign form T.1102, as specifically occurred in the polling station No. 0825 where COMFREL observers were compelled by the head of the polling station to sign Form 1102 despite their refusal. There were cases of improper queue management, allowing voters to continuously enter the polling station, not in accordance with the guidelines.

### 8.1.3 Other irregularities during the voting process

**Image 21: Queue management at the polling station**



**Improper queue management at polling station No. 1359 in Phnom Penh**

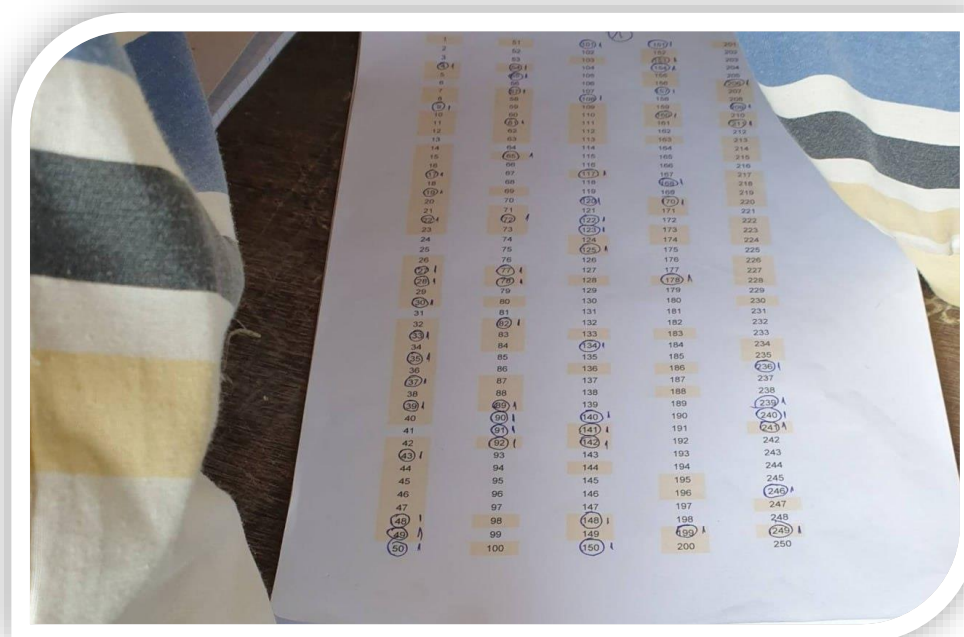
### 8.1.4 Activities of Political Party Agents

It is worth noting that COMFREL observers did not see agents from opposition parties in most of the observed polling stations.

COMFREL noted that agents from the ruling party had active and close relationships with local authorities, such as villages, communes, or other influential individuals. In every polling station observed by COMFREL observers, only agents from the ruling party used lists with ordinal numbers similar to the voter lists with ordinal numbers issued by the NEC, and other forms to mark the sequence of voters as they came to vote. In addition to these activities, agents from the ruling party contacted village chiefs or village members outside the polling stations to report or confirm which citizens had voted and which had not yet. In this regard, village authorities, especially village chiefs, knew who had not yet voted and would go to remind or transport them to vote. The good coordination of these activities was not only conducted by these agents, but also, in some places, individuals were seen sitting and waiting to record voter names inside or outside the polling stations to identify who had voted or had not yet voted.



**Image 22: The list with ordinal numbers that ruling party agents used to mark voters**



**The list with ordinal numbers used by ruling party agents to mark voters already casting their ballot**

## 8.2 Irregularities during the ballot counting

The ballot counting commenced at 3:00 PM and continued until completion. All COMFREL observers were present inside the polling stations to observe the ballot-counting process. Through the observation of the ballot counting, COMFREL noted that among the observed 3,795 polling stations, there was a total of 540 cases of irregularities occurring at 1,144 polling stations.

**Table 6: Summary of irregularities during the ballot counting process**

No.	Case of irregularities	Amount
1	There were announcements of discrepancies between the number of ballots counted in the secret box and the number of voters who had voted.	21
2	There were instances where political party agents and/or observers were not allowed to observe the ballot-counting process.	17
3	Inaccuracies in announcing results on the ballot papers.	27
4	There were instances of ballots being counted too quickly and/or not clearly displaying the mark on the ballot papers.	113
5	There were acknowledgments of incorrectly marked/invalid/damaged or counterfeit ballots or rejections of correctly marked ballots without proper verification or agreement.	66
6	There were cases where the minute of the ballot counting (Form 1102) was not publicly displayed in front of the ballot counting stations.	172

7	There were instances where the minute of the ballot counting (Form 1102) was closed without recording the vote results by parties.	43
8	There were cases where polling station officers and/or CEC officers did not allow the photographing of the minutes of the ballot counting (Form 1102).	60
9	There were instances where the minutes of the ballot counting record (Form 1102) which had been posted in front of the ballot counting stations, were torn apart just less than half an hour after being posted.	21
<b>Total (number of polling stations with identified issues: 1,144)</b>		<b>540</b>

Based on the results of the table above, among the total of 540 observed cases, there were various incidents as follows:

- 21 cases were reported where polling station officers announced discrepancies between the number of ballots counted in the secret box and the actual number of voters who voted. A polling station inside the Prasat primary school in Prasat commune, Santuk district, Kampong Thom province, recorded 278 voters casting their ballot, but only 273 ballots were found. Another polling station located inside the Chong Prek primary school in Kdol Don Teav commune, Battambang district, and Battambang province, reported a discrepancy between 407 ballots counted in the secret box and the actual number of 408 voters casting their ballot.
- 17 cases did not allow political party agents and/or observers to enter and observe the ballot counting process. This occurred at a location in Phnom Montyr village, Prek Kak commune, Stung Trong district, Kampong Cham province, where the head of the polling station did not allow COMFREL observers to enter to observe the ballot counting. At polling station No. 0367 located inside the Wat Po Knong primary school in Rattanak commune, Battambang district, Battambang province, COMFREL observers were not allowed by the head of the polling station to enter the station during the ballot counting process, and they were also prohibited from taking pictures of the ballot counting.
- 27 cases involved incorrect announcements of results on the marked ballot. Specifically, at the polling station inside the Prey Mneas primary school in Somley commune, Kampong Ror district, Svay Rieng province, the head of the polling station announced the results correctly, but his member marked the wrong number three times. At the polling station inside the Sralao village ceremonial hall in Ampil commune, Kampong Siem district, Kampong Cham province, the PS officer did not show the invalid ballots.
- 113 cases involved ballot counting being too hasty and/or the marks on the ballot not being clearly displayed. For example, at the polling station No. 1810 located inside the Snguon Pech pagoda in Kantoak commune, Phnom Penh, the head of the ballot counting station announced the results too quickly and did not clearly display the marks on the ballot while not permitting observers to take photos during the ballot counting process.
- 66 cases were recognized where ballots were improperly marked/invalid without proper verification or clear approval from political party agents. This was evident at the polling station inside the Dey Dos primary school in Veal Vong commune, Kampong Cham town, Kampong Cham province, where two votes were marked beyond the boundary lines, and the head of the polling station considered them invalid.
- 172 cases of not displaying the minutes of the ballot counting record (Form 1102) in front of the ballot counting station.
- 43 cases involved the closing of the minutes of the ballot counting record (Form 1102) without recording the vote results by political parties.



- 60 cases involved PS officers and/or CEC officers not allowing the photography of the minutes of the ballot counting record (Form 1102).
- 21 cases involved the destruction of the minutes of the ballot counting record (Form 1102), which were posted in front of the ballot counting station within less than half an hour.

### 8.3 Other observed irregularities

#### 8.3.1 The posting of the minutes of the ballot counting (Form 1102)

When the polling station officers announced the election results following the completion of the ballot counting, COMFREL observers noted that out of ten thousand polling stations with the posting of Form 1102, there were 357 forms, equivalent to 3.6%, having no record on the election results by each political party (verified by COMFREL observers). However, COMFREL also reviewed the minutes of the ballot counting record (Form 1102) posted on the NEC website. As a consequence of this review, it was discovered that only 16 forms, equivalent to 0.1% of the 23,789 polling stations, did not have recorded election results by each political party. The failure to post the minutes of the ballot counting record (Form 1102) is a practice that does not comply with the NEC guideline on the regulations and procedure for the election of members of the National Assembly under point 8.10.15.1. In relation to this point, the NEC provided clarification through its letter dated July 29, 2023,<sup>32</sup> in response to the website of Sam Rainsy, stating that it was an oversight by the ballot counting officers (please refer to Appendix 1).

**Figure 23: The posting of the minutes of the ballot counting record (Form 1102) without the election results by political parties.**

Form 1102 for Polling Station No. 0640. The form is partially filled out, showing the name of the polling station and the names of the candidates. The results section is mostly blank, indicating that the election results have not been recorded.

Polling Station No. 0640 located near Sorn Sita's house in Svay At commune, Pursat province

Form 1102 for Polling Station No. 0526. The form is partially filled out, showing the name of the polling station and the names of the candidates. The results section is mostly blank, indicating that the election results have not been recorded.

Polling station No. 0526 located inside the Sakream Tboung school in Sakream commune, Kampong Thom province

<sup>32</sup> <https://shorturl.at/qAKU1>

### 8.3.2 The use of correction pen on the minute of ballot counting (F. 1102)

After reviewing the minutes of the ballot counting displayed on the NEC website, COMFREL observed that 1,144 forms, equivalent to 4.8 % of the total 23,789 forms, had a correction pen applied to erase certain information on forms. COMFREL had no idea at which phase the correction pen was applied or who were aware of or witnessed it. Further, the reasons for using the correction pen were unclear, leading to suspicions about the integrity of the implementation process if the observers or political party agents were not involved or aware of it. However, no individual or institution has asserted, confirmed, raised, or filed complaints about the issue affecting the ballot papers. Using a correction pen is the review result of various points on Form 1102 as found by COMFREL.

Image 24 Form 1102 with the use of a correction pen

The image shows two copies of Form 1102, which is used for recording the results of the counting of ballot papers. The form is divided into several sections, including a table for the results of the counting of the ballot papers and a table for the results of the counting of the ballot papers by the counting station. The corrections are made in the 'Results of the counting of the ballot papers' section, where the original numbers are crossed out and new numbers are written in. The form is dated 23/07/2023 and signed by the counting station.

The form was altered with the correction pen to modify the information

### 8.3.3 The closing of doors and windows of ballot counting stations

During the ballot counting phase, COMFREL observers randomly observed 10 polling stations and noted that 3 polling stations had their doors closed. Besides closing doors, other polling stations also had their windows shut without specifying the reason for the lack of security during the ballot counting process. COMFREL noted the ambiguities in the guideline as stipulated in point 8.10.1.3, which states, "The second and third members shall cooperate to guard the door or window that is open to prevent unauthorized entry." This led to officers exceeding the guidelines and eventually closing all access to the ballot counting stations.



**Image 25: The closure of polling station gates**



*A center of Polling stations inside the Hun Sen Phnom Sampov High School and other stations along the road from Phnom Sampov to Battambang had their doors closed during the ballot counting.*



*The closure of the gate to a center of polling stations inside Veal Sbov primary school, Meanchey district, Phnom Penh*

#### **8.3.4 The notice prohibiting photography inside the polling station**

The notice allowing the use of photography devices inside the polling station was allowed by the NEC to be posted at the entrance of the polling stations and inside the stations with the primary aim of not allowing photography inside the stations during the voting process. However, the notice did not clearly align with the election law and procedures in points 8.7.1.5 and 8.10.2.4, leading to confusion among the polling and counting station officers and resulting in a prohibition of photography from the time of voting until the ballot counting.

**Image 26: The notice on the banning of photography issued by the NEC**



*All polling stations always had this notice posted at the entrance or inside the stations.*

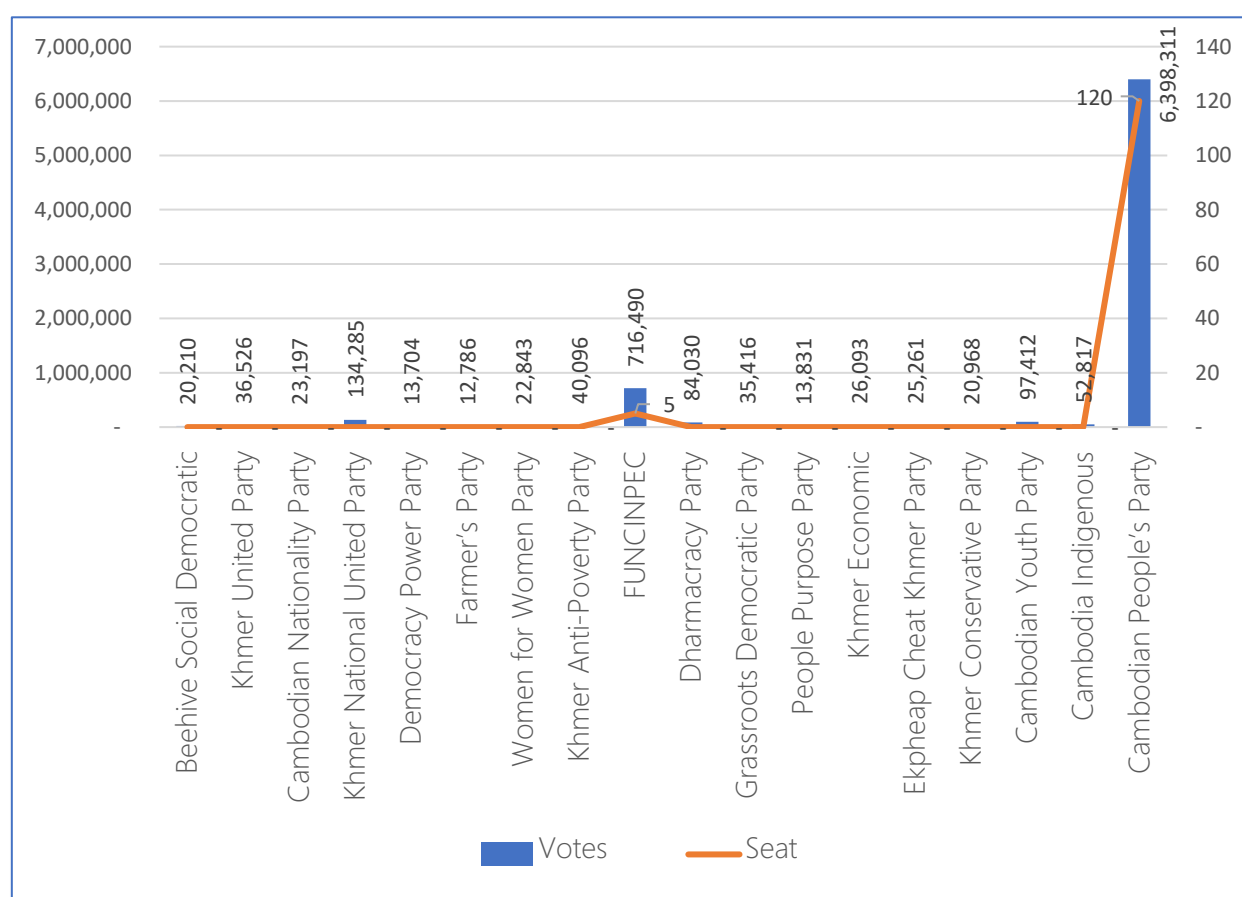
## 10. Official result of the 7<sup>th</sup> National Assembly Election

The result of the 7<sup>th</sup> National Assembly Election 2023 released by the NEC on August 5, 2023, indicated that 8,214,430 voters, equivalent to 84.59%<sup>33</sup>, went out to vote.

### 10.1 The result of the July 23, 2023 election

The election result showed that among the 18 political parties contesting, only the CPP and the FUNCINPEC received the most votes and gained seats in the National Assembly, while the other 16 political parties received vote support but did not secure any seats.

**Graphic 1: The number of votes and seats obtained by political parties**



According to the graphic above, the CPP received 6,398,311 votes, equivalent to 84.89 % of the voter turnout, and secured 120 out of the total 125 seats in the National Assembly. The FUNCINPEC Party received 716,490 votes, equivalent to 9.22 % of the voter turnout, and obtained 5 seats. The Khmer National United Party received 134,285 votes, equivalent to 1.73 % of the voter turnout. Other parties received less than 100,000 votes each and did not secure any seats in the National Assembly.

<sup>33</sup> <https://shorturl.at/MX149>

## 10.2 Number of political parties contesting in the National Assembly election

The 7<sup>th</sup> National Assembly Election 2023 saw the participation of 18 political parties competing in the election and nominating their respective party candidates.

**Table 7: Number of political parties participating in the elections.**

Legislature /Election Year	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>
	1993	1998	2003	2008	2013	2018	2023
Number of contesting political parties	20	39	23	11	8	20	18

## 10.3 Comparison of voter turnouts

Since the 1993 election, there has been a notable percentage increase in voter turnout.

**Table 8: Comparison of voter turnouts**

No.	Election year	Eligible voters	Registered voters		Voter turnout	
			Number	Percentage	Number	Percentage
1	1993	4,654,000	4,764,430	102	4,267,192	89.56
2	1998	5,488,029	5,395,595	98	5,057,830	93.74
3	2003	6,749,876	6,341,834	94	5,277,494	83.22
4	2008	7,828,161	8,125,529	104	6,100,884	75.08
5	2013	9,509,732	9,675,453	102	6,735,244	69.61
6	2018	9,908,243	8,544,885	86.24	6,956,900	81.40
7	2023	10,877,017	9,710,645	89.28	8,214,430	84.59

The table above indicates that since the 1993 election up to 2023, a consistently high number of voters have been participating in the National Assembly elections.

## 10.4 Comparison of political party results by the legislature

Each legislative term has seen a different number of contesting political parties as well as different political circumstances. The 5<sup>th</sup> National Assembly election 2013 had 2 competing political parties winning seats in the National Assembly, namely the CPP and the Cambodia National Rescue Party (CNRP), the main competitor with almost similar supporters. In the 6<sup>th</sup> legislative term in 2018, the CNRP was dissolved by a Supreme Court ruling, losing the opportunity to participate in the election. The 7<sup>th</sup> legislative term saw the Candlelight Party as a potential competitor to the ruling party, but the NEC rejected its registration due to insufficient documentation for party registration. Consequently, the results of the last two elections reveal that no significant potential political party challenged the CPP in the polls.

**Table 9: Comparison of political party results by the legislature**

No.	Political party	CPP	Funcinpec	Khmer National United Party	Grassroots Democratic Party
1	2003	2,447,259	1,072,313	-	-
2	2008	3,492,374	303,764	-	-
3	2013	3,235,969	242,413	-	-

4	<b>2018</b>	4,875,189	308,292	99,377	70,567
5	<b>2023</b>	6,398,311	716,490	134,285	35,416
Ratio of the 2023 and 2018 elections		1,523,122	408,198	34,908	-35,151
Ratio of the 2013 and 2008 elections		256,405	-61,351	-	-

The above table shows that the supporting votes for the CPP increased by 1,523,122 when comparing the results from the 6<sup>th</sup> National Assembly election 2018 and the 7<sup>th</sup> National Assembly election 2023. The FUNCINPEC saw an increase of 408,198 votes between the 6<sup>th</sup> National Assembly election 2018 and the 7<sup>th</sup> National Assembly election 2023. The Khmer National United Party experienced an increase of 34,908 votes between these two elections. The Grassroots Democracy Party saw a decrease of 35,151 votes during the same period.

### 10.5 Evolution of supporting votes for political parties

COMFREL analyzed the evolution of supporting votes for political parties since 2013, examining how the supporting votes in a commune have changed. In this regard, COMFREL analyzed the data of supporting votes for political parties in O'Char commune, Battambang town, Battambang province. The results are shown in the table below.

**Table 10: Supporting votes for political parties in O'Char Commune**

No.	Party	O'Char commune, Battambang, and the election year					
		2008	2013	2017	2018	2022	2023
1	Funcinpec	140	129	95		0	950
2	CPP	3668	2908	2638		4765	6607
3	Candlelight Party	2007	0	0	0	2575	0
4	CNPR	0	3972	5064	0	0	0
5	Other parties	575	152	210		59	550
<b>Total</b>		<b>6390</b>	<b>7161</b>	<b>8007</b>	<b>0</b>	<b>7399</b>	<b>8107</b>
<b>Number of polling stations</b>		<b>16</b>	<b>28</b>	<b>23</b>		<b>24</b>	<b>24</b>

The results of the table above show that the supporting votes for the CPP continued to decline from 2008 until the 2017 election. In the aftermath of the dissolution of the CNRP by the Supreme Court after the 2017 election, the supporting votes for the CPP started to increase until 2023. The CNRP, a coalition of the Human Rights Party and the Sam Rainsy Party, which contested in 2013, saw a significant increase in supporting votes in O'Char commune over the CPP and continued to soar up until the 2017 Commune/Sangkat Council election. After the 2017 election, the CNRP was absent from the subsequent elections, as in the 2018 election and until the 2023 election.

The Candlelight Party, which transformed from the Sam Rainsy Party, formed an alliance with the Human Rights Party to create the Cambodia National Rescue Party. After the dissolution of the CNRP,



the Candlelight Party, renamed from the Sam Rainsy Party, participated in the 2022 commune/Sangkat council election and received a significant number of votes, securing seats in the commune councils and becoming the party with the second-highest vote after the CPP. The analysis and observation of this party's supporting votes suggest a potential increase in support for the 2023 election. However, this party was denied registration by the NEC and did not participate in further elections.

The FUNCINPEC Party, a royalist party that once led the government in 1993 and had the most supporting votes, has continuously experienced internal divisions. The leadership of the Sam Rainsy Party (Candlelight) also split from this party. FUNCINPEC continued to struggle with internal disputes over party leadership. At that time, Prince Norodom Ranariddh left Funcinpec and established the Norodom Ranariddh Party, while FUNCINPEC was under the leadership of Nhek Bun Chhay. Subsequently, there were changes in FUNCINPEC's leadership, with Prince Norodom Ranariddh retaking control, and Nhek Bun Chhay establishing a new party called the Khmer National United Party, which continues to the present. These continuous internal divisions and leadership changes have led FUNCINPEC to lose support and its parliamentary seats from 2008 until the 2018 national elections. Specifically, the 2017 commune/Sangkat council election saw the least support for FUNCINPEC compared to those for the CPP and the Candlelight Party, and it also failed to secure any seats. In the 2022 commune/Sangkat council election, FUNCINPEC did not field any candidates. Following the denial of political party and party candidate registration for the 2023 election, FUNCINPEC saw an increase in votes, surpassing other parties in the commune.

## 11. Reports collected from the sample polling stations

COMFREL organized the sample polling stations (PVT) with a total of 1,697 stations across the Capital and provinces. The sample polling stations (PVT) is a statistical scientific sample station organized according to a precise formula for selecting representative polling stations. The number of sample polling stations represents a total of 23,789 stations nationwide. These stations have established a 99% confidence level with a 0.15% margin of error. Observers at the sample polling stations are required to follow special procedures and requirements different from those of regular observers.

In the 1,697 designated sample polling stations, COMFREL received 1,673 observation forms, missing 24 forms because COMFREL could not find observers to place at the targeted locations.

Through the verification and analysis of the minutes of the ballot counting records (Form 1102), the results are shown as follows:

### 11.1 Percentage of votes and seats received by political parties

**Table 11: The vote results and seats received by political parties in the sample polling stations**

No.	Political party	Votes received by parties		
		Votes	Percentage	Seat
1	Beehive Social Democratic Party	1577	0.29%	0
2	Khmer United Party	2523	0.47%	0
3	Cambodian Nationality Party	1566	0.29%	0

4	Khmer National United Party	9222	1.72%	0
5	Democracy Power Party	974	0.18%	0
6	Farmer's Party	841	0.16%	0
7	Women for Women Party	1517	0.28%	0
8	Khmer Anti-Poverty Party	3035	0.57%	0
9	FUNCINPEC	48408	9.05%	5
10	Dharmacracy Party	6415	1.20%	0
11	Grassroots Democratic Party	2250	0.42%	0
12	People Purpose Party	976	0.18%	0
13	Khmer Economic Development Party	1828	0.34%	0
14	Ekpheap Cheat Khmer Party	1691	0.32%	0
15	Khmer Conservative Party	1400	0.26%	0
16	Cambodian Youth Party	6993	1.31%	0
17	Cambodia Indigenous Peoples Democracy Party	3547	0.66%	0
18	Cambodian People's Party	439863	82.27%	120
<b>Total</b>		<b>534626</b>	<b>100%</b>	<b>125</b>

The results of the table above show that the CPP received 82.27 % of the total votes and obtained 120 seats. The FUNCINPEC Party received 9.05% of the votes and obtained 5 seats. The Khmer National United Party received 1.72% of the votes and did not obtain any seats. The Cambodian Youth Party received 1.31 % of the vote and obtained no seats. The Dharmacracy Part received 1.2 % of the votes and did not obtain any seats. Apart from the parties mentioned, others received less than 1 % of the votes and did not obtain any seats.

In total, only two parties obtained seats, namely the CPP, which won 120 seats, and the FUNCINPEC Party, which won 5 seats.

## 11.2 Registered voters going to cast their ballot

**Table 12: Voter turnout by province within the sample polling stations**

No.	Name of Capital/Province	Voter turnout		voters with names on the voter list
		Amount	Percentage	
1	Banteay Meanchey	18,724	73.12%	25,606
2	Battambang	35,366	77.00%	45,927
3	Kampong Cham	38,727	84.59%	45,784
4	Kampong Chhnang	22,137	87.30%	25,358
5	Kampong Speu	40,338	90.93%	44,362
6	Kampong Thom	26,223	81.65%	32,118
7	Kampot	24,776	84.39%	29,360
8	Kandal	47,202	88.59%	53,282
9	Koh Kong	4,712	78.30%	6,018
10	Kratie	11,550	81.48%	14,175
11	Mondulhiri	2,871	82.17%	3,494
12	Phnom Penh	58,468	84.14%	69,492
13	Preah Vihear	8,786	80.22%	10,953
14	Prey Veng	46,933	84.03%	55,853
15	Pursat	18,174	85.99%	21,134
16	Ratanakiri	6,353	79.33%	8,008
17	Siem Reap	31,788	78.54%	40,472
18	Sihanoukville	8,936	85.50%	10,451
19	Stung Treng	5,757	82.74%	6,958
20	Svay Rieng	25,469	88.07%	28,918
21	Takeo	42,832	90.31%	47,426
22	Kep	1,884	89.71%	2,100
23	Pailin	2,346	83.40%	2,813
24	Oddar Meanchey	8,238	73.11%	11,268
25	Tboung Khmum	28,564	86.12%	33,169
<b>Total</b>		<b>567,154</b>	<b>84.09%</b>	<b>674,499</b>

The results of voter turnout compared with the voter list show that an average of 84.09 % of voters went to vote across the country. The voter turnout in the Capital and provinces ranged from 70% to 91%.

### 11.3 Invalid ballots

**Table 13: The number of invalid ballots by province**

No.	Name of Capital/province	Invalid ballots		Total ballots
		Amount	%	
1	Banteay Meanchey	768	3.9%	19641
2	Battambang	1653	4.6%	36234
3	Kampong Cham	2481	6.4%	38727
4	Kampong Chhnang	1073	4.7%	22730
5	Kampong Speu	1363	3.6%	38275
6	Kampong Thom	1183	4.5%	26223
7	Kampot	1073	4.6%	23124
8	Kandal	3175	6.6%	47896
9	Koh Kong	159	3.2%	4953
10	Kratie	765	5.1%	15058
11	Mondulhiri	136	4.2%	3237
12	Phnom Penh	4382	7.5%	58358
13	Preah Vihear	433	4.7%	9133
14	Prey Veng	3539	7.4%	47991
15	Pursat	409	2.4%	16870
16	Ratanakiri	211	4.1%	5097
17	Siem Reap	1900	5.5%	34523
18	Sihanoukville	343	3.8%	8936
19	Stung Treng	195	3.4%	5757
20	Svay Rieng	1480	5.6%	26374
21	Takeo	2497	5.5%	45286
22	Kep	57	3.0%	1884
23	Pailin	71	3.0%	2346
24	Oddar Meanchey	310	3.6%	8546
25	Tboung Khmum	1577	5.5%	28478
<b>Average</b>		<b>31,233</b>	<b>5.4%</b>	<b>575,677</b>

The results show that an average of 5.4 % of the total ballots cast were invalid across the country.

#### 11.4 Comparison of election results received from COMFREL's sample polling stations and the official results announced by the NEC

COMFREL compared the election results in Form 1102 obtained from COMFREL observers with the results published by the NEC on its website as follows:

- The voter turnout found by COMFREL was 84.09%, while the voter turnout officially announced by the NEC was 84.59 %, a difference of 0.5%.
- Invalid ballots found by COMFREL were 5.4 %, while the invalid ballots officially announced by the NEC were 5.36 %, a difference of 0.04%.

**Table 14: Comparison of election results by political parties**

No.	Name of political party	Votes and seats obtained by political parties			
		Votes received by COMFREL	Votes announced by NEC	Seats calculated by COMFREL	Seats announced by NEC
1	Beehive Social Democratic Party	0.29%	0.26%	0	0
2	Khmer United Party	0.47%	0.47%	0	0
3	Cambodian Nationality Party	0.29%	0.30%	0	0
4	Khmer National United Party	1.72%	1.73%	0	0
5	Democracy Power Party	0.18%	0.18%	0	0
6	Farmer's Party	0.16%	0.16%	0	0
7	Women for Women Party	0.28%	0.29%	0	0
8	Khmer Anti-Poverty Party	0.57%	0.52%	0	0
9	FUNCINPEC	9.05%	9.22%	5	5
10	Dharmacracy Party	1.20%	1.08%	0	0
11	Grassroots Democratic Party	0.42%	0.46%	0	0
12	People Purpose Party	0.18%	0.18%	0	0
13	Khmer Economic Development Party	0.34%	0.34%	0	0
14	Ekpheap Cheat Khmer Party	0.32%	0.32%	0	0
15	Khmer Conservative Party	0.26%	0.27%	0	0
16	Cambodian Youth Party	1.31%	1.25%	0	0
17	Cambodia Indigenous Peoples Democracy Party	0.66%	0.68%	0	0
18	Cambodian People's Party	82.27%	82.30%	120	120
<b>Total</b>		<b>100%</b>	<b>100%</b>	<b>125</b>	<b>125</b>

The table above shows that the comparison of the election results received by COMFREL's sample polling stations and the official results announced by the NEC has a variance of no more than 0.2 %, while the comparison of the number of seats won by each party is the same.

### 11.5 Verification of the minutes of ballot counting (Form 1102)

COMFREL verified the data in the minutes of ballot counting record (Form 1102) published on the NEC website after the polling day with the minutes of ballot counting record (Form 1102) that COMFREL received from its observers at the polling stations on the polling day. The number of minutes of ballot counting (Form 1102) verified was 1,697 polling stations.

The table below shows the comparison results between Form 1102, posted on the NEC website, and Form 1102, received by COMFREL observers.

**Table 15: Summary of discrepancies in Form 1102**

No.	Type of discrepancies	Amount
1	a. Discrepancy in the point “actual ballots received.”	21
2	b. Discrepancy in the point “spoiled ballots.”	30
3	c. Discrepancy in the point “number of unused ballots”	40
4	d. Discrepancy in the point “number of voters who cast their vote”	34
5	e. Discrepancy in the point “number of ballots in the secret box	47
6	The discrepancy in the point “number of valid ballots”	69
7	The discrepancy in the point “number of invalid ballots”	67
8	The discrepancy in the point “number of ballots in the box”	68
9	The discrepancy in the point “vote results by each political party”	74
<b>Total</b>		<b>450</b>

The results of the comparison show that Form 1102, which the NEC posted on its website, had information than the forms that polling station officers posted in the front of the polling station or distributed to political party agents and observers to photograph. Among all the points on Form 1102 that were compared, COMFREL found that 163 forms, equivalent to 9.6% of the total 1697 forms compared, had discrepancies, with at least one point on the form being different. COMFREL identified 9 points on Form 1102 for comparison and found 450 cases of discrepancies.

The images of Form 1102 received by COMFREL observers at the polling stations were photographs taken with approval by the ballot counting station officers or taken from the forms posted in front of the polling station. In the procedure, the ballot counting station officers shall make three copies of the minutes of the ballot counting, Form 1102. All forms, whether sent to the NEC or the CEC, shall have identical results in every copy. The cases of Form 1102 that were found to have discrepancies are evidence that ballot counting station officers did not perform their duties with due responsibility or did not fully comply with the regulations and procedures. In such cases, there may be complaints about the election results if the agents of contesting political parties are fully deployed at the polling stations.

Below is Form 1102 from some polling stations, which were taken for comparison, and their discrepancies are shown as follows:



Image 27: The discrepancies in the total valid ballots in Form 1102

Form posted on the NEC website

Form 1102 posted on the NEC website. The form is titled 'Form 1102' and contains various sections for reporting election results. The total number of valid ballots reported is 307. The form includes sections for the number of voters, the number of ballots, and the number of valid ballots. The total number of valid ballots is 307, which is highlighted in red.

Form received from observers

Form 1102 received from observers. The form is titled 'Form 1102' and contains various sections for reporting election results. The total number of valid ballots reported is 332. The form includes sections for the number of voters, the number of ballots, and the number of valid ballots. The total number of valid ballots is 332, which is highlighted in red.

The Form posted on the NEC website was completed with the number 307 while the Form received from the COMFREL observers at the polling station was filled with 332.







## **12. Women's participation in politics**

### **12.1 Female candidates**

According to the official result of the registration of political party and party candidates for the 7<sup>th</sup> National Assembly election 2023 announced by the NEC on June 6, 2023, the Women Group for All of civil society organizations, including SILAKA, COMFREL, Gender, and Development for Cambodia, and the Committee to Promote Women in Politics, noted an increase in the number of female candidates for the 7<sup>th</sup> National Assembly election, which is a commendable positive change. For instance, there were a total of 523 female candidates contesting in the 7<sup>th</sup> legislative term in 2023, accounting for 32.4% of the total number of male and female candidates, which is 1,614, an increase of 7.2% compared to the 6<sup>th</sup> legislative term in 2018, which was only 25.2%. The number of female candidates fielded in the first place on the candidate list was 55 (18%), roughly equivalent to 17.8% in 2018. However, there is still a significant gap between the total percentage and number of female and male candidates, with female candidates numbering 523, or 32.4%, while male candidates number 1,091, or 67.6%.

Despite the increase in the number of female candidates, civil society organizations noted that all 18 parties had different numbers and percentages of female candidates, with some parties increasing the number of female candidates to equal male candidates and others having more female than male candidates. Some parties, however, reduced the number of female candidates for the 7<sup>th</sup> National Assembly election 2023.

### **12.2 Political parties that participated in the 6<sup>th</sup> National Assembly election 2018**

Parties with the commendably increased number of female candidates are the following: the Khmer United Party, 61.6% in 2023 compared to 22.8% in 2018; the Grassroots Democratic Party, 44.8% compared to 36% in 2018; the Cambodian Youth Party, 27.2% compared to 16.2% in 2018; the Cambodian Nationality Party 22.4% compared to 12% in 2018; the Grassroots Democratic Party 22.9% compared to 17.6% in 2018; and the Dharmacracy Party maintained a high number of female candidates at 50.4%.

Two parties that reduced the number of female candidates are the Cambodian People's Party 12.8% in 2023 compared to 15.2% in 2018, and the FUNCINPEC Party 6.4% compared to 7.2% in 2018, which is a significant deviation from the request proposed by the Women Group for All of the civil society organizations for equal representation of male and female candidates contesting in the 7<sup>th</sup> National Assembly election.

### **New political parties that just joined the competition in the 7<sup>th</sup> National Assembly election 2023:**

Parties that nominated more female candidates are the Women for Women Party 80.9%; the Democracy Power Party 45.5%; the Khmer Conservative Party 42.9%; the Farmer's Party 41.3%; and the People Purpose Party 37.8%.

### **12.3 Elected women**

The official election result released by the NEC on August 5, 2023, showed that among the 18 political parties that participated in the election, only two parties received a significant number of votes and won seats in the National Assembly, namely the Cambodian People's Party with 120 seats and the FUNCINPEC Party with 5 seats. Of these, only 16 women were elected as members of the National Assembly, accounting for 12.8% of the total number of elected male and female members, 125. All elected women came from the Cambodian People's Party, and the number of elected women decreased by 8% compared to the end of the 6<sup>th</sup> mandate, which had 26 women, or 20.8%.

## **12.4 Implications**

It has been observed that the above numbers indicate that there is still an inadequate response to the representation of women and highlight the lack of firm commitment from leaders to increase the number of elected women, which has several impacts: (1) failure to achieve gender equality goal, particularly the promotion of women's participation in politics as part of the national strategic plan and sustainable development goals; (2) discouragement of women who are preparing and engaging in national-level politics, especially young women, due to the perception that opportunities for women and role models are still limited; (3) issues of social inclusion of the people, especially women's and children's issues as well as the issue of gender equality at the national level and across the country, which will not be adequately addressed and responded to effectively and comprehensively; and (4) the lack of response to gender need and inclusion in the process of discussion, creation, and adoption of various laws and political decision-making due to the absence of gender diversity in the National Assembly.

## **12.5 Challenges**

Female politicians continue to face various forms of discrimination and violence against them in their participation and political benefits, a problem that persists despite the full guarantee of political rights and participation of women by the Constitution of the Kingdom of Cambodia and the International Convention on the Elimination of All forms of Discrimination against Women (CEDAW).

Although there has been a notable increase in the number of female candidates, civil society organizations remain concerned due to the significant gap between the number of female and male candidates (female candidates 32.4% and male candidates 67.6%), indicating that gender balance in the political arena remains a persistent issue a problem that requires further attention and specific measures from political party leaders and leaders of the government and the National Assembly. The tiny number and gradual decline of elected female MPs are due to several main contributing factors and challenges as follows: (1) the lack of political will committed by political parties and of high commitment by leaders, especially the leaders of political parties receiving the most support from voters (obtaining National Assembly seats), to promote gender equality in politics and decision-making. The CPP and FUNCINPEC, for instance, fielded too few female candidates running for the 7<sup>th</sup> Legislative election; (2) lack of written form of specific gender equality policies within political parties, including no particular measures articulated in some articles of the Election Law to support and give women equal access as men to politics, especially to running as election candidates and being elected as leaders; (3) male-excessively dominated management structure and men continuously holding their positions, which narrows women's chances in gaining positions; (4) The issue of budget constraint to stand as election candidates required by their respective political party for the election campaign, which remains one of the most significant obstacles facing women; (5) Some cultural and social norms that have a negative mindset in promoting women's leadership and are the root cause of the problem, posing barriers to the equal and effective participation of female politician.

## **12.6 Recommendations**

To achieve sustainable development goals and enhance inclusive participation, the Women Group for All would like to propose the following key recommendations to the National Assembly, the Royal Government, and political parties:

### **➤ For political parties**

Winning political parties should include alternate female candidates to be elected as representatives for this 7<sup>th</sup> legislature when elected male and female representatives move to take office within the government.

All political parties should ensure the creation of gender equality policies within their parties and implement these policies effectively to promote equal participation of women without discrimination within their political parties, such as women in the policy-making process, decision-makers, leaders, female candidates standing for election, elected female representatives, and increasing gender equality at all levels within the political parties, especially by incorporating a sandwich system from top to bottom between women candidates and men candidates into their political party candidate list.

➤ **For the Royal Government of Cambodia**

The Royal Government of Cambodia should increase the number of women in leadership roles and decision-making positions in each ministry and institution to reach at least 35%. The positions starting from the position of department director up to ministers and deputy prime ministers, ensure that women can participate in discussions, seek solutions, and make inclusive decisions per CEDAW and Cambodia's Sustainable Development Goals (CSDG).

The Royal Government of Cambodia (relevant ministries) should increase investment and provide all forms of systematic support such as budget, material resources, and human resources to female leaders and elected women to facilitate and enhance the effectiveness and quality of their political participation, work, and leadership.

➤ **For the National Assembly and the Senate**

Ensure that election laws, including the Law on the Election of Members of the National Assembly and the Law on the Election of Commune/Sangkat Councils, respond to gender, stipulating special measures to promote gender equality and provide equal opportunities for women to participate in politics by encouraging all political parties to nominate more female candidates on their candidate lists. The encouragement for this policy implementation should be within the legal framework aimed at amending the election laws.

Amend the election laws to improve the conditions for registering party candidate lists, requiring a sandwich system from top to bottom between women candidates and men candidates on the political party's candidate list.

Amendments to the election laws should include the Law on the Election of Members of the National Assembly, Chapter 4, Articles 27 and 28 "The list of political party candidates in each constituency shall use a sandwich system from top to bottom between women candidates and men candidates" as well as the Law on Elections of Commune/Sangkat Council's Chapter 6, Article 39 "Candidate lists of each political party shall alternate female candidates and male candidates from the top to bottom ranking."



## 13. Issuance of Election Observation Cards to observers and political party agents

COMFREL has cooperated with partner organizations to deploy observers to examine and monitor the 7<sup>th</sup> National Assembly Election 2023. According to a report provided by the NEC on 22 July 2023, COMFREL sent a total of 5,036 observers, including 2,340 women.

### 13.1 COMFREL in collaboration with partner organizations

The number of observers deployed by COMFREL at the polling stations, as shown above, was made up of 12 partner organizations that shared their network of local human resources. The 12 civil society organizations had permitted their local networks to register as volunteer election observers.

To register as a COMFREL observer, all applicants must sign a contract indicating that they would abide by COMFREL's Code of Conduct and requirements (see Appendix 2).

### 13.2 Training observers and partner organizations

#### 13.2.1 Training observers in the Capital and provinces

COMFREL provided 261 training sessions for 5,036 NEC-recognized observers in the Capital and provinces, involving 4,286 trainees.

**Image 30: Training activities for election observers in provinces**



**Training Observers in Kampong Cham Province**



**Training Observers in Kampong Thom Province**

**Image 31: Training activities at partner organizations**



**Training focal point trainers at YRDP**



**Training focal point trainers at CENTRAL Organization**

### Image 32: Training activities for focal point trainers



Training focal point trainers with about 50 Participants at COMFREL

### 13.2.2 Training agenda for observers

All COMFREL observers received training on the guidelines for observers and monitors in the parliamentary election process, which included:

- 1) The procedure of the election process: It shows the process of voting and counting the ballots, how the process is run, and who is responsible for it.
- 2) Areas to be examined are relevant to the implementation of election law, regulation or election procedure: As a guideline for observers, what is considered improper practice in the polling and counting-ballot process, including creating an atmosphere unsuitable for polling and counting day.
- 3) The substance of the questionnaire for observers and sections outlined in the law: A questionnaire was created for observers to study, monitor, and record in an easy-to-report format.
- 4) Observer ethics: A set of rules or moral guidelines that observers shall follow.
- 5) How to Submit a Report: This is a method of submitting a report that should be submitted in three stages: (1) Submit Form 1102 to the group immediately after receiving it from polling station officials after the ballots have been counted. (2) Telephone reporting with the team contacted by the head office. (3) Send all paper reports to the assigned observers in the polling communes / Sangkat, who will forward them to the head office.

### 13.3 Challenges faced by COMFREL observers

To avoid the same problems that had occurred in previous elections, in addition to registering observers recognized by the NEC, COMFREL had also sent a letter to the NEC informing about the opening of the observer training course with purpose and time for the relevant NEC's officials at all levels to facilitate so as to avoid any disruptions, as stated in a letter No. 48/2023 dated 13 June 2023 (see Appendix 3). In this situation, the NEC responded by giving information and confirming that all capitals and provinces would cooperate in opening the training course, as stated in letter No. 605 NEC dated 17 June 2023 (see Appendix 4).

In practice, from the recruitment process until the completion of their job, the observers and working group of COMFREL confronted the following challenges:

- |  |          |
|--|----------|
| - The training was interrupted by local authorities      | 6 cases  |
| - Observers resigned following pressure from authorities | 50 cases |
| - Observers resigned without specifying a clear reason   | 51 cases |

## 14. Political party agents and non-political observers

### 14.1 Political party agents

The party agent is a representative of the political party that owns the list of candidates for the Election Members of the National Assembly, 7<sup>th</sup> Legislature, 2023. Each political party could nominate two representatives: 1 (one) full agent and 1 (one) reserve agent.

According to Article 8 of the LEMNA, political party agents who are permitted to observe in Sangkat or commune polling stations must be chosen from the commune voter list. In this regard, political parties cannot send a member who resides in commune/Sangkat "A" to register as a party agent in commune/Sangkat "B" because that person's name is already on the voter list in commune/Sangkat "A." After the necessary requirements (outlined in Articles 7 and 8 of the LEMNA) are met, the Commune/ Sangkat Election Commission (CEC) issues the political party agent's ID card.

As per the NEC's official results, which were released on 3 July 2023, 18 political parties had nominated a total of 57,012 agents. Ten of the 18 registered political parties sent no agent to the polling stations. Among them were 1) Dharmacracy Party 2) Cambodian Nationality's Party 3) Khmer United Party 4) Cambodia Indigenous People's Democracy Party 5) Women's Party for Women 6) Democracy Power Party 7) Grassroots Democratic Party 8) People's Purpose Party 9) Farmer's Party and 10) Khmer Conservative Party.

Of the 18 parties, only the CPP had 23,789 party agents in all constituencies throughout the country. This was followed by the other two parties: FUNCINPEC, with 4,862 (18 constituencies), and the Khmer United National Party, with 3,399 (20 constituencies)<sup>34</sup>. Aside from the above three parties, the remaining parties had no more than 160 party agents.

**Table 18: Results of the study on the sample polling stations**

No.	Observation Result on Party Agents	Number of Sample polling stations	Percentage
1	Only Cambodian People's Party agents	1319	77.8
2	No political party agents	30	1.8
3	Agents from more than one political party	347	20.5
<b>Total</b>		<b>1696</b>	<b>100.0</b>

According to COMFREL's study of sample polling stations, out of the 1,697 polling stations, 1,319 polling stations, or 77.8 %, were exclusively represented by Cambodian People's Party agents. 20.5 % of the polling stations had agents from various political parties standing by, and 1.8 % of the polling stations were operated without the presence of the party agents.

Overall, COMFREL noted that, aside from the CPP, other parties had also dispatched some of their agents to the constituencies; nevertheless, COMFREL appears to have noticed their absence from those designated constituencies. The lack of political party agents could compromise the safeguarding of their interests in the event that competing voices arise, or it could result in the loss of information or the chance to express disapproval of the election results.

<sup>34</sup> <https://shorturl.at/evwDG>

## **14.2. Non-political party observers**

According to Article 10 of the LEMNA, observers are representatives of associations or non-governmental organizations who wish to join and supervise elections. In order to get an observer card, observers shall register as observers with the National Election Committee through an association or non-governmental organization (see Article 10 of the LEMNA). Observers are classified into 2 (two) categories: mobile observers and ordinary observers. Each institution may have no more than ten mobile observers. Ordinary observers are only permitted to observe at any polling stations within the province upon request for a card.

According to the NEC's official figures, 89,617 national observers from 134 institutions participated in the deployment of observers to monitor the Election Members of the National Assembly, 7<sup>th</sup> Legislature, 2023. Among the institutions mentioned above, the two with senior government officers as leaders had the most observers—41,361 from the Union Youth Federations of Cambodia (UYFC) and 26,695 from the Cambodian Women for Peace and Development (CWPD).

On the voting and ballot counting day, COMFREL deployed a total of 5,036 observers (2,340 women) in 25 constituencies to observe the Election Members of the National Assembly, 7<sup>th</sup> Legislature, 2023.

The NEC presented a list of 586 international observers representing 52 institutions. The observers came from Sri Lanka, Nepal, the Philippines, Guinea-Bissau, the Chinese Communist Party, and a few Asian regional election commissions. Still, there were no representatives from the European Union, Western countries, or the United States.

Overall, for those who participated in the election observation, it was noted that COMFREL's observers were understaffed and unable to observe all polling stations across the country, in contrast to associations or organizations with senior government officers as leaders, which deployed large numbers of observers to all polling stations, excluding ruling party agents who were seen to have close ties to those associations and organizations. As a result, the number of observers and agents supporting the ruling party at polling stations was at least three times larger than the number of other observers.

Although the NEC declared that the international community had sent numerous observers to assess the election process, COMFREL noted that neither Western countries nor the United States were represented.

## **15. COMFREL activities contributing to voter education**

COMFREL was involved in educating voters and the public during the Election of Members of the National Assembly, 7<sup>th</sup> Legislature, 2023, which covered everything from voter verification and registration to ballot casting and counting. 44 topics were broadcast live and rebroadcast 65 times on the Voice of Civil Society (VOC).

These topics covered a wide range of themes, including laws, electoral regulations and procedures, the principles of free and fair elections, electoral challenges and solutions, voting rights and obligations, the importance of elections, and many other election-related topics. For each topic session, COMFREL invited speakers from the NEC and election-related civil society organizations to participate in the discussion.

For all 65 broadcasts in civil society radio programs, there were a total of 237,983 views on COMFREL's Facebook page and Telegram, with 9,300 likes, 1,979 shares, and 1,024 comments. This data did not include the number of listeners tuned in to the 102MHz FM radio COMFREL leased for live Facebook broadcasting.

Meanwhile, COMFREL produced and released 28 animated videos related to education and raising public awareness about the electoral process.

The 28 animated videos had 49,252 views, 1,985 likes, 629 shares, and 86 comments.

In early 2023, preceding the parliamentary election, COMFREL organized four workshops in the provinces of Takeo, Kampong Cham, Battambang, and Siem Reap, with a total of nearly 500 participants. The workshops were attended by various election stakeholders, including representatives of provincial governors, provincial police commissioners, Provincial and Municipal Election Secretariats, Commune/ Sangkat Election Commissions, Commune/ Sangkat Councils, representatives of political parties, civil society organizations, communities, students, and residents. All participants were allowed to express their opinions, raise challenges based on past practices for discussion, and seek solutions.

Additionally, some staff members of COMFREL shared their work experiences with different target groups, such as youth, political party representatives, communities, and the general public, on topics related to elections, democratic principles, and the exercise of rights and civic engagement in politics. This sharing occurred through radio programs, forums, seminars, and discussions organized by other civil society organizations.



Appendix

ឧបសម្ព័ន្ធទី១ សេចក្តីបំភ្លឺពីការមិនបំពេញកំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត ទ.១១០២



គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

គណៈកម្មការរៀបចំការបោះឆ្នោត ខេត្តកណ្តាល

លេខ : ២២ គ.ប/គ.ណ

**ព្រះរាជាណាចក្រកម្ពុជា**  
**ជាតិ សាសនា ព្រះមហាក្សត្រ**

ថ្ងៃសៅរ៍ ១២ កើត ខែទុតិយាសាធា ឆ្នាំថោះ បញ្ចស័ក ព.ស.២៥៦៧  
ខេត្តកណ្តាល ថ្ងៃទី២៩ ខែកក្កដា ឆ្នាំ២០២៣

**សេចក្តីបំភ្លឺ**

**អំណាចមិនបានកត់ត្រាសំឡេងឆ្នោតរបស់គណបក្សនយោបាយក្នុងកំណត់ហេតុនៃការ  
រាប់សន្លឹកឆ្នោត(ទ.១១០២) នៅការិយាល័យលេខ ១៥៨៤, ១៥៨៨ និង ១៥៩៦**

កាលពីថ្ងៃទី២៦ ខែកក្កដា ឆ្នាំ២០២៣ ឈ្មោះ សម រង្ស៊ី បានបង្ហាត់កំណត់ហេតុនៃការរាប់សន្លឹកឆ្នោត ទ.១១០២ នៃការិយាល័យបោះឆ្នោត ចំនួន ៣ ស្ថិតក្នុងសង្កាត់ស្វាយរលំ ក្រុងតាខ្មៅ ខេត្តកណ្តាល រួមមាន ការិយាល័យលេខ ១៥៨៤, ១៥៨៨ និង ១៥៩៦ ដោយអះអាងថា ការិយាល័យបោះឆ្នោតទាំងនោះមិនបាន កត់ត្រាចំនួនសន្លឹកឆ្នោតរបស់គណបក្សនយោបាយ ដែលបានចូលរួមឈរឈ្មោះបោះឆ្នោតនៅការិយាល័យទាំងនោះ ត្រាន់តែកត់ត្រាចំនួនសន្លឹកឆ្នោតសរុបតែប៉ុណ្ណោះ ដែលជាការស្មុគស្មាញមួយបញ្ជាក់ថាសន្លឹកឆ្នោតទាំងនោះត្រូវ បានគេលួចបង្លំ។

តាមការបញ្ជាក់របស់ប្រធានការិយាល័យបោះឆ្នោតនិងរាប់សន្លឹកទាំង ៣ ខាងលើ គណៈកម្មការ រៀបចំការបោះឆ្នោត ខេត្តកណ្តាល សូមធ្វើការបំភ្លឺចំពោះសាធារណមតិសូមជ្រាបថា បន្ទាប់ពីបញ្ចប់ការរាប់ សន្លឹកឆ្នោតភ្លាម លេខាធិការនៃការិយាល័យរាប់សន្លឹកឆ្នោតទាំង ៣ ខាងលើ បំពេញ ទ.១១០២ ចំនួន ២ ច្បាប់ ត្រឹមត្រូវ ដោយឡែក ១ ច្បាប់ ដែលយកទៅបិទផ្សាយនៅមុខការិយាល័យ មិនបានកត់ត្រាសម្លេងឆ្នោតគាំទ្រ របស់គណបក្សនយោបាយ។ ស្របពេលនោះ ដោយដឹងពីចំណុចខ្វះចន្លោះរបស់ខ្លួន មន្ត្រីការិយាល័យក៏បាន កត់ត្រាបន្ថែមនូវសំឡេងឆ្នោតគាំទ្ររបស់គណបក្សនយោបាយនីមួយៗ ភ្លាមៗដែរ។ នេះបញ្ជាក់ថាករណីខាង លើ គឺជាការធ្វេសប្រហែសរបស់មន្ត្រីការិយាល័យរាប់សន្លឹកឆ្នោត។

ដូច្នេះគណៈកម្មការរៀបចំការបោះឆ្នោត ខេត្តកណ្តាល សូមបំភ្លឺដល់សាធារណជនស្របនូវពាក្យបញ្ជាក់នេះ ខាងលើ ដែលលើកឡើងថាសន្លឹកឆ្នោតនៅការិយាល័យទាំង ៣ ខាងលើត្រូវបានគេលួចបង្លំ។

សូមជូនភ្ជាប់៖ ទ.១១០២ ទាំង ៣ ការិយាល័យ។



## ឧបសម្ព័ន្ធទី២ កិច្ចសន្យាអ្នកសង្កេតការណ៍ និងលក្ខខណ្ឌអ្នកសង្កេតការណ៍

គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា (ឧបសម្ព័ន្ធ)

### ប្រមាញ់ប្រសិទ្ធភាព និងលក្ខខណ្ឌអ្នកសង្កេតការណ៍ ថ្ងៃបោះឆ្នោត និងរាប់សន្លឹកឆ្នាំ២០២៣

បិទរូបថត

៣ x ៤

#### I. ទិន្នន័យផ្ទាល់ខ្លួន

១. ខ្ញុំបាទ/នាងខ្ញុំឈ្មោះ.....ភេទ.....ថ្ងៃខែឆ្នាំកំណើត.....  
២. អាសយដ្ឋានបច្ចុប្បន្ន ភូមិ.....ឃុំ/សង្កាត់.....  
ក្រុង/ស្រុក/ខណ្ឌ.....រាជធានី/ខេត្ត.....។  
៣. ទីកន្លែងសង្កេតការណ៍ : ខេត្ត.....ស្រុក.....ឃុំ.....ភូមិ.....  
ទីកន្លែងសង្កេតការណ៍.....សេវាអ៊ិនធឺណេត : ☐ មាន ☐ គ្មាន  
៤. លេខទូរស័ព្ទ :..... ( ☐ តេឡេក្រាម ) ហ្វេសប៊ុក.....លេខ អ.ខ.....

#### II. លក្ខខណ្ឌ : សូមគូសសញ្ញា (✓) ក្នុងប្រអប់ ( ) នៃលក្ខណៈសម្បត្តិ ដែលអ្នកមានដូចខាងក្រោម :

លក្ខណៈសម្បត្តិដែលខ្លួនមាន	
<input type="checkbox"/> ក. ចេះអាន និងសរសេរភាសាខ្មែរ	<input type="checkbox"/> ច. សន្យាមិនបោះបង់ការងារជាអ្នកសង្កេតការណ៍
<input type="checkbox"/> ខ. មានអាយុចាប់ពី ១៨ឆ្នាំឡើងទៅ	ក្នុងថ្ងៃបោះឆ្នោត និងរាប់សន្លឹកឆ្នោត
<input type="checkbox"/> គ. មិនមែនជាសកម្មជននៃគណបក្សនយោបាយណាមួយ	<input type="checkbox"/> ឆ. ស្ម័គ្រចិត្តការងារ និងទទួលយកចំណែកណាមួយ
<input type="checkbox"/> ឃ. មាន និងចេះប្រើស្មាតហ្វូន (ហ្វេសប៊ុក ឆ្លើសារ ចតរូប)	<input type="checkbox"/> ជ. ស្ម័គ្រចិត្តការងារ តែមិនទទួលយកចំណែកណាមួយ
<input type="checkbox"/> ង. ត្រូវចូលរួមគ្រប់បណ្តាញសង្គមជាអ្នកសង្កេតការណ៍បោះឆ្នោត	

**សាមីខ្លួន :** ត្រូវអាន ឬស្តាប់មុនចុះហត្ថលេខាលើប្រមាញ់ប្រសិទ្ធភាព និងលក្ខខណ្ឌអ្នកសង្កេតការណ៍ រួមមាន : ១) ត្រូវមានជំហរអព្យាក្រឹត មិនគាំទ្រ ឬប្រឆាំងគណបក្សនយោបាយណាមួយ និងបេក្ខជនឈរឈ្មោះបោះឆ្នោតណាម្នាក់ ២) ហាមខ្លួន ឬជ្រៀតជ្រែកគ្រប់ដំណើរការបោះឆ្នោត ៣) ហាមយកតាមខ្លួននូវអាវុធ ជាកិច្ចៈ ឬវត្ថុដែលអាចបង្កគ្រោះថ្នាក់ ៤) ហាមចូលរួមគ្រប់សកម្មភាពយោធនាគារស៊ីវិល គណបក្សនយោបាយ ៥) គោរពច្បាប់ដែលមានជាធរមាននៅកម្ពុជា ៦) អព្យាក្រឹត ឥតលម្អៀង និងឯករាជ្យពីគណបក្សនយោបាយ និងរដ្ឋាភិបាល ៧) មានប័ណ្ណសង្កេតការណ៍សម្គាល់ខ្លួនចេញដោយ គ.ជ.ប ដែលអង្គការឧបសម្ព័ន្ធក្រុមប្រឹក្សាជាតិស្ម័គ្រចិត្ត គ.ជ.ប និង ៨) ហាមក្លែងបន្លំអ្នកសង្កេតការណ៍ ឧបសម្ព័ន្ធ ។ **លក្ខខណ្ឌនេះ មានសុពលភាពចាប់ពីថ្ងៃចុះហត្ថលេខា និងផុតក្រោយថ្ងៃទី២៤ ខែកក្កដា ឆ្នាំ២០២៣។**

ខ្ញុំបាទ/នាងខ្ញុំ សូមប្រកាសថា ព័ត៌មានដែលបានបំពេញខាងលើនេះ ពិតជាត្រឹមត្រូវប្រាកដមែន ។ ប្រសិនបើមានការក្លែងបំពេញព័ត៌មាន ឬល្មើសពីព័ត៌មានខាងលើ ខ្ញុំបាទ/នាងខ្ញុំ សូមទទួលខុសត្រូវចំពោះមុខច្បាប់ដោយផ្ទាល់ ។

#### III សូមភ្ជាប់មកជាមួយនូវ :

រូបថត ៣ x ៤ ចំនួន ២សន្លឹក (១សន្លឹកបិទក្នុងប្រវត្តិរូប ១សន្លឹកទៀតភ្ជាប់មកជាមួយ ដោយមានសរសេរឈ្មោះ ថ្ងៃខែឆ្នាំកំណើត នៅខាងរូបថត ដើម្បីយកមកបិទនៅប័ណ្ណសង្កេតការណ៍)

**ឧតាមរយៈតំណាង :** ឈ្មោះ.....តួនាទី..... ឈ្មោះស្ថាប័ន.....  
លេខទូរស័ព្ទ :.....

បានឃើញ និងឯកភាព

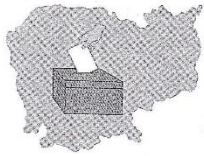
ធ្វើនៅ....., ថ្ងៃទី.....ខែ.....ឆ្នាំ២០២៣

ធ្វើនៅ....., ថ្ងៃទី.....ខែ.....ឆ្នាំ២០២៣

ឈ្មោះ និង ស្នាមមេដៃស្តាំសាមីខ្លួន

លេខាធិការ/អ្នកសម្របសម្រួលខេត្ត

ឧបសម្ព័ន្ធទី ៣ ការផ្តល់ជាព័ត៌មានក្នុងការបើកវគ្គបណ្តុះបណ្តាលអ្នកសង្កេតការណ៍



ខុមហ្វ្រែល COMFREL

គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌នៅកម្ពុជា (គ.ប.ស.ប)  
Committee For Free And Fair Elections In Cambodia (COMFREL)

ទីស្នាក់ការកណ្តាល ផ្ទះលេខ ១៣៨ ផ្លូវ ១២២ សង្កាត់ទឹកល្អក់១ ខណ្ឌទួលគោក រាជធានីភ្នំពេញ ព្រះរាជាណាចក្រកម្ពុជា  
Central Office: #138, St.122, Teuk Laak I, Toul Kork, Phnom Penh, CAMBODIA.

P.O. Box 1145, Tel:(855) 23 884 150 / 12 942 019, Fax: (855) 23 883 750, E-mail:comfrel@online.com.kh,  
comfrel@comfrel.org, Site: http://www.comfrel.org

គណៈកម្មាធិការដឹកនាំ  
BOARD OF DIRECTORS

1. លោក សុក សំរឿន  
Mr. SOK Sam Oeun  
ប្រធានគណៈកម្មាធិការជាតិ  
និងជាប្រធានក្រុមប្រឹក្សា អភិវឌ្ឍន៍

2. លោក យ៉ុង គីម អេង  
Mr. YONG Kim Eng  
អគ្គប្រតិភូ និងជាប្រធាន  
ប្រតិបត្តិ PDP-Center

3. លោកស្រី ប៉ុក ប្រាហ្វិច  
Ms. POK Panhavithe  
នាយិកាប្រតិបត្តិ CWCC

4. កញ្ញា ប្រាក់ មុនីរ៉ុត  
Miss. Prak Moniroth  
ប្រធានសមាគម KYA

5. លោក ជាន់ សុខា  
Mr. CHEANG Sokha  
ទីប្រឹក្សា បច្ចេកទេសជាតិ  
VRDP

6. លោក យ៉ឹម ប៉ូ  
Mr. YIM Po  
នាយករងអង្គការ CPDEW

7. លោក គីម សុវណ្ណ  
Mr. KIM Sovann  
នាយកប្រតិបត្តិអង្គការ  
VIGILANCE

8. លោក សែន សេត  
Mr. SEN Set  
សម្រាប់ - Dignitary

9. លោក នី សុខា  
Mr. Ny Sokha  
ប្រធានសមាគម ADHOC

លេខ: ៤៤/.....គ.ប.ស.ប  
២០២៣

គោរពជូន

ឯកឧត្តម ប្រាជ្ញ បន្ទ

ប្រធានគណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប)

កម្មវត្ថុ: ការផ្តល់ជាព័ត៌មានក្នុងការបើកវគ្គបណ្តុះបណ្តាល និងការចុះសម្ភាសន៍ប្រជាពលរដ្ឋ ស្តីពីការ  
យល់ឃើញទូទៅលើបរិយាកាសជុំវិញមុនការបោះឆ្នោត ការយោសាសនាបោះឆ្នោត ការបោះឆ្នោត  
និងការរាប់សន្លឹកឆ្នោត សម្រាប់ការបោះឆ្នោតជ្រើសតាំងតំណាងរាស្ត្រ នីតិកាលទី៧ ។

តបតាមកម្មវត្ថុខាងលើ យើងខ្ញុំមានកិត្តិយស សូមជម្រាបជូន ឯកឧត្តមប្រាជ្ញ មេត្តាជ្រាបថា  
គណៈកម្មាធិការខុមហ្វ្រែល នឹងរៀបចំវគ្គបណ្តុះបណ្តាលអ្នកសង្កេតការណ៍ជា ៣វគ្គ ដូចខាងក្រោម ៖

- ពីថ្ងៃទី១៣ ដល់ ថ្ងៃទី ២៣ ខែមិថុនា ឆ្នាំ២០២៣ នឹងធ្វើការបណ្តុះបណ្តាលអ្នកសង្កេតការណ៍  
ប្រចាំស្រុកខណ្ឌក្រុង នៅគ្រប់រាជធានី ខេត្ត ។
- ពីថ្ងៃទី១ ដល់ ១៥ ខែកក្កដា ឆ្នាំ២០២៣ នឹងធ្វើការបណ្តុះបណ្តាលអ្នកសង្កេតការណ៍ប្រចាំឃុំ  
សង្កាត់ នៅតាមស្រុក ខណ្ឌ ក្រុង គ្រប់រាជធានី ខេត្ត ។
- ពីថ្ងៃទី១០ ដល់ ២០ ខែកក្កដា ឆ្នាំ២០២៣ នឹងធ្វើការបណ្តុះបណ្តាលអ្នកសង្កេតការណ៍តាម  
ការិយាល័យ នៅតាមឃុំសង្កាត់ គ្រប់រាជធានី ខេត្ត ។

អាស្រ័យដូចបានជម្រាបជូនខាងលើ សូម ឯកឧត្តមប្រាជ្ញ មេត្តាជម្រាបជាព័ត៌មាន និងស្នើផ្តល់ជូន  
នូវកិច្ចសហការតាមរាជធានី ខេត្ត ដូចជម្រាបជូនខាងលើ ដល់គណៈកម្មាធិការខុមហ្វ្រែល ដោយក្តីអនុគ្រោះ ។

សូម ឯកឧត្តមប្រាជ្ញ មេត្តាទទួលនូវការគោរពដ៏ខ្ពង់ខ្ពស់ អំពីយើងខ្ញុំ ។

ថ្ងៃអង្គារ ១០រោច ខែជេស្ឋ ឆ្នាំថោះ បញ្ចស័ក ព.ស.២៥៦៧  
រាជធានីភ្នំពេញ ថ្ងៃទី១៣ ខែមិថុនា ឆ្នាំ២០២៣



សូមមេត្តាឆ្លើយតបតាមរយៈ  
ទូរស័ព្ទលេខ: ០១១ ៨៨ ៤៨ ៤០



ឧបសម្ព័ន្ធទី៤ លិខិតឆ្លើយតបរបស់ គ.ជ.ប ស្តីពីការផ្តល់កិច្ចសហការ



គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

លេខ: ៦០៩ គ.ជ.ប

ព្រះរាជាណាចក្រកម្ពុជា  
ជាតិ សាសនា ព្រះមហាក្សត្រ

ជម្រាបជូន

លោក លោកស្រី ប្រធានគណៈកម្មការរាជធានី ខេត្តរៀបចំការបោះឆ្នោត (គប.ខប)

កម្មវត្ថុ ៖ អំពីការផ្តល់កិច្ចសហការដល់គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌ នៅកម្ពុជា (COMFREL) ក្នុងការរៀបចំវគ្គបណ្តុះបណ្តាលអ្នកសង្កេតការណ៍ សម្រាប់ការបោះឆ្នោតជ្រើសតាំងតំណាងរាស្ត្រ នីតិកាលទី៧ ឆ្នាំ២០២៣។

យោង ៖ លិខិតលេខ ៤៨/២០២៣ គ.ប.ស.យ ចុះថ្ងៃទី១៣ ខែមិថុនា ឆ្នាំ២០២៣ របស់ COMFREL។

សេចក្តីដូចមានចែងក្នុងកម្មវត្ថុ និងយោងខាងលើ គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) សូមជម្រាបជូន លោក លោកស្រី ជ្រាបថា គ.ជ.ប អនុញ្ញាតឱ្យ គប.ខប ផ្តល់កិច្ចសហការដល់ COMFREL ដើម្បីរៀបចំវគ្គបណ្តុះបណ្តាលដល់អ្នកសង្កេតការណ៍ ប្រចាំក្រុង ស្រុក ខណ្ឌ ប្រចាំឃុំ សង្កាត់ និងនៅតាមការិយាល័យបោះឆ្នោត គ្រប់រាជធានី ខេត្ត។ ដោយឡែក ចំពោះការចុះសម្ភាសន៍ប្រជាពលរដ្ឋ ស្តីពីការយល់ឃើញទូទៅលើបរិយាកាសជុំវិញមុនការបោះឆ្នោត ការយោសាសបោះឆ្នោត ការបោះឆ្នោត និងការរាប់សន្លឹកឆ្នោត សម្រាប់ការបោះឆ្នោតជ្រើសតាំងតំណាងរាស្ត្រ នីតិកាលទី៧ ឆ្នាំ២០២៣ គឺតម្រូវឱ្យ COMFREL ស្នើសុំការអនុញ្ញាតពីអាជ្ញាធរដែនដី ដែលមានសមត្ថកិច្ច។

អាស្រ័យហេតុនេះ សូម លោក លោកស្រី ជ្រាប និងសហការអនុវត្តតាមការគួរ។

សូម លោក លោកស្រី ទទួលនូវការគោរពរាប់អានពីខ្ញុំ។

ថ្ងៃព្រហស្បតិ៍ ១៦ ខែសីហា ឆ្នាំថោះ បញ្ចស័ក ព.ស.២៥៦៧

រាជធានីភ្នំពេញ ថ្ងៃទី១៧ ខែសីហា ឆ្នាំ២០២៣

គ.ប.គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

អគ្គលេខាធិការ



លោក-នីថា

បម្រុងជូន៖

- ឧទ្ធរណ៍យង់កន្ត្រមប្រធាន គ.ជ.ប  
"ដើម្បីជូនជ្រាប"
- COMFREL  
"សហការដើម្បីអនុវត្ត"
- ឯកសារ-កាលប្បវត្តិ

## ឧបសម្ព័ន្ធទី៥ លក្ខខណ្ឌអប្បបរមាសម្រាប់ការបោះឆ្នោត

### លក្ខខណ្ឌអប្បបរមា

#### សម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់ ដោយសេរី និងយុត្តិធម៌

#### ក្នុងឆ្នាំ២០២២

អង្គការសង្គមស៊ីវិលកម្ពុជាបង្កើតនូវអនុសាសន៍អំពីលក្ខខណ្ឌអប្បបរមាសម្រាប់ភាពស្របច្បាប់នៃការបោះឆ្នោតឃុំសង្កាត់ឆ្នាំ២០២២ ដែលអនុលោមតាមគោលការណ៍សំខាន់ៗនៃការបោះឆ្នោតពិតប្រាកដដោយសេរី និងយុត្តិធម៌។ គោលការណ៍ទាំងនេះត្រូវបានដកស្រង់ចេញពីរដ្ឋធម្មនុញ្ញកម្ពុជា ច្បាប់ និងកតិកាសញ្ញាអន្តរជាតិ កិច្ចព្រមព្រៀងសន្តិភាពទីក្រុងប៉ារីស អនុសាសន៍ជាច្រើនដែលផ្តល់ដោយស្ថាប័នអង្គការសហប្រជាជាតិ និងភាគីពាក់ព័ន្ធផ្សេងៗទៀតមាន ស្តង់ដារ IPU ស្តីពីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌។ លក្ខខណ្ឌទាំងនោះឆ្លើយតបទៅនឹងស្ថានភាពនយោបាយបច្ចុប្បន្នសម្រាប់ដំណោះស្រាយរួមផ្នែកនយោបាយ។

#### ១- បរិយាកាសនយោបាយសេរី

ការស្តារឡើងវិញនូវសេរីភាពនៃការបញ្ចេញមតិ ការជួបជុំដោយសន្តិវិធី សមាគម និងសារព័ត៌មាន និងសិទ្ធិនយោបាយយ៉ាងហោចណាស់ចាប់ពីពេលនេះតទៅ និងក្រោយការបោះឆ្នោត៖

- ១.១ រដ្ឋាភិបាល និងតួអង្គនយោបាយដទៃទៀតរួមទាំងគណបក្សទើបតែបង្កើតថ្មី ឬគណបក្សបង្កើតឡើងវិញ ត្រូវបើកការសន្ទនាការផ្សះផ្សានយោបាយ ដើម្បីកាត់បន្ថយភាពតានតឹង និងលើកទឹកចិត្តឱ្យមានការជជែកជែកក្នុងសាធារណៈឱ្យកាន់តែទូលំទូលាយ។
- ១.២ រដ្ឋាភិបាលធានានូវសេរីភាពពីការភ័យខ្លាចដែលអនុញ្ញាតឱ្យប្រជាជនអនុវត្តសិទ្ធិជាមូលដ្ឋានរបស់ពួកគេមុនពេល អំឡុងពេល និងក្រោយពេលបោះឆ្នោត។

#### ២- សិទ្ធិនយោបាយ និងសិទ្ធិឈរឈ្មោះបោះឆ្នោត

ការស្តារឡើងវិញនូវសិទ្ធិនយោបាយដែលអនុញ្ញាតឱ្យមានការចូលរួមយ៉ាងសកម្មនៅក្នុងជីវិតនយោបាយនិងឈរឈ្មោះបោះឆ្នោត៖

- ២.១ ដោះលែង និងទម្លាក់បទចោទប្រកាន់ក្រោមហេតុផលនយោបាយ ចំពោះអ្នកនយោបាយ និងសកម្មជនក្នុងសង្គម និងផ្តល់សិទ្ធិនយោបាយឱ្យអ្នកនយោបាយប្រឆាំងវិញដោយមិនមានការរើសអើង។
- ២.២ លើកលែងទោសឱ្យអ្នកនយោបាយដែលត្រូវបានផ្ដន្ទាទោសដោយហេតុផលនយោបាយ។
- ២.៣ ផ្តល់សិទ្ធិឱ្យគ្រប់គណបក្សនយោបាយក្នុងការចូលរួមដោយសេរីក្នុងដំណើរការនយោបាយឡើងវិញ។

លក្ខខណ្ឌអប្បបរមា សម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់ ដោយសេរី និងយុត្តិធម៌ ក្នុងឆ្នាំ២០២២



**៣. ឆន្ទៈអ្នកបោះឆ្នោត និងសិទ្ធិបោះឆ្នោត**

ការការពារនូវការឆន្ទៈរបស់អ្នកបោះឆ្នោតដែលបានផ្តល់ឱ្យអ្នកតំណាងដែលត្រូវបានជ្រើសរើសតាមរយៈការបោះឆ្នោត។ អ្នកតំណាងទាំងនោះប្រើប្រាស់អំណាចរបស់ខ្លួនស្របតាមរដ្ឋធម្មនុញ្ញ និងច្បាប់ និងទទួលបានភាពស្របច្បាប់តាមរយៈការបោះឆ្នោត ដើម្បីអនុវត្តអំណាចនោះ។

អ្នកតំណាងជាប់ឆ្នោត ដែលទទួលបានអាសនៈរបស់ខ្លួនដោយផ្ទាល់ ឬតាមរយៈតំណាងដោយអាណត្តិនៃគណបក្សនយោបាយ មិនអាចបាត់បង់អាសនៈ ដោយសារការរំលាយគណបក្សនយោបាយរបស់ពួកគេនោះទេ។ រាល់បទប្បញ្ញត្តិ ឬមាត្រាច្បាប់ស្តីពីគណបក្សនយោបាយ និងការបោះឆ្នោតដែលបានវិសោធនកម្មជាឯកតោភាគីដោយគណបក្សកាន់អំណាច ចាំបាច់ត្រូវធ្វើវិសោធនកម្មសាជាថ្មី ដើម្បីឆ្លុះបញ្ចាំងពីនីតិវិធីកាលមុនឆ្នាំ២០១៧ ហើយធានានូវការអនុវត្តនៃការសម្រេចចិត្តបែបច្នៃភាគីដោយគោរពនូវវិធាននៃការបោះឆ្នោត។

**៤. សមាសភាពគណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត**

យោងតាមជំពូក១៥ នៃរដ្ឋធម្មនុញ្ញ និងច្បាប់ស្តីពីការរៀបចំ និងប្រព្រឹត្តិទៅនៃគណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) មានសមាជិក គណៈកម្មការចំនួន ៤រូប ដែលត្រូវបានជ្រើសរើសដោយគណបក្សកាន់អំណាច និង ៤រូបទៀតត្រូវបានជ្រើសរើសដោយគណបក្សប្រឆាំងដែលមានអាសនៈនៅក្នុងរដ្ឋសភា និង ១រូបបានពីការទទួលយកដោយគណបក្សទាំងពីរ។ គណបក្សប្រឆាំងសំខាន់ចាំបាច់ត្រូវបានអនុញ្ញាតឱ្យពិនិត្យ និងជ្រើសរើសសមាជិក ៤រូប។

**៥- កងកម្លាំងប្រដាប់អាវុធនិងតុលាការឯករាជ្យ និងអព្យាក្រឹត**

ពង្រឹងការអនុវត្តច្បាប់គណបក្សនយោបាយ ច្បាប់លក្ខន្តិកៈនៃមន្ត្រីយោធា នៃកងយុទ្ធពលខេមរភូមិន្ទ និងច្បាប់ស្តីការបោះឆ្នោត ដើម្បីធានាថា យោធា ប៉ូលីស និងតុលាការ មិនប្រកាន់និន្នាការនយោបាយ។ សមាជិកមន្ត្រីយោធា ប៉ូលីស និងមន្ត្រីតុលាការ មិនត្រូវទទួលបានការតែងតាំងឬផ្លាស់ប្តូរនៃគណបក្សនយោបាយណាមួយឡើយ រួមទាំងការតែងតាំងក្នុងមុខដំណែង ឬផ្តល់សិទ្ធិអំណាចចាត់ចែងការងារនៅគ្រប់រចនាសម្ព័ន្ធគណបក្សនយោបាយ។ ពួកគេមិនត្រូវអនុវត្តសកម្មភាពដែលគាំទ្រគណបក្សនយោបាយ ឬប្រឆាំងនឹងគណបក្សនយោបាយមួយផ្សេងទៀតឡើយ។

**៦. តួនាទីរបស់អង្គការសង្គមស៊ីវិល និងប្រព័ន្ធផ្សព្វផ្សាយឯករាជ្យ**

ប្រព័ន្ធផ្សព្វផ្សាយឯករាជ្យ និងអង្គការសង្គមស៊ីវិល អាចអនុវត្តសិទ្ធិ និងតួនាទីរបស់ពួកគេដោយសេរីនៅក្នុងសង្គមប្រជាធិបតេយ្យ៖

លក្ខខណ្ឌអប្បបរមា សម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់ ដោយសេរី និងយុត្តិធម៌ ក្នុងឆ្នាំ២០២២

៦.១ អង្គការសង្គមស៊ីវិលរាជសហការគ្នាដោយគ្មានឧបសគ្គផ្នែកច្បាប់ ក្នុងការរៀបចំសកម្មភាព ឬសម្ព័ន្ធរួមគ្នា សហការគ្នាក្នុងការឃ្លាំមើល និងបង្ហាញរបាយការណ៍ការបោះឆ្នោត និងបង្ហាញចេញនូវទស្សនៈរបស់ខ្លួនចំពោះសកម្មភាព ឬសេចក្តីសម្រេចចិត្តរបស់រាជរដ្ឋាភិបាលដោយគ្មានការយាយី។

៦.២ ការវាយតម្លៃ ដ៏សំខាន់មួយអំពីដំណើរការនៃការបោះឆ្នោតដែលមានលក្ខណៈប្រជាធិបតេយ្យ គឺត្រូវពិនិត្យមើលលំហសម្រាប់អ្នកសារព័ត៌មាន និងអ្នកការពារសិទ្ធិមនុស្ស ដែលបានបំពេញការងារស្របច្បាប់របស់ពួកគេដោយគ្មានការយាយី និងការបំភិតបំភ័យពីសំណាក់រដ្ឋាភិបាល និងអាជ្ញាធរ។

៦.៣ ប្រព័ន្ធផ្សព្វផ្សាយឯករាជ្យ អាចទទួលបានអាជ្ញាប័ណ្ណបើកការិយាល័យ និងស្ថានីយរបស់ពួកគេ។

**ស្ថាប័នដែលគាំទ្រលក្ខខណ្ឌអប្បបរមាខាងលើមានដូចជា៖**

1. មជ្ឈមណ្ឌលសម្ព័ន្ធភាពការងារ និងសិទ្ធិមនុស្ស (សង់ត្រាស់)
2. សមាគមការពារសិទ្ធិមនុស្ស និងអភិវឌ្ឍន៍នៅកម្ពុជា (អាដហុក)
3. សមាគមសម្ព័ន្ធសហគមន៍កសិករកម្ពុជា (CCFC-Association)
4. សមាគមប្រជាធិបតេយ្យឯករាជ្យនៃសេដ្ឋកិច្ចក្រៅប្រព័ន្ធ (IDEA)
5. អង្គការសម្ព័ន្ធភាពការពារសិទ្ធិមនុស្សកម្ពុជា(CHRAC)
6. សម្ព័ន្ធគណនេយ្យភាពសង្គម កម្ពុជា (ANSA)
7. សម្ព័ន្ធដើម្បីសុចរិតភាព និងគណនេយ្យភាពសង្គម (CISA)
8. មជ្ឈមណ្ឌលកម្ពុជាដើម្បីប្រព័ន្ធផ្សព្វផ្សាយឯក (CCIM)
9. មជ្ឈមណ្ឌលប្រជាពលរដ្ឋដើម្បីអភិវឌ្ឍន៍ និងសន្តិភាព (PDP-CENTER)
10. បណ្តាញយុវជនកម្ពុជា (CYN)
11. អង្គការតម្លាភាពកម្ពុជា (TIC)
12. សមាគមធាងត្នោត (STT)
13. អង្គការក្រុមការងារដើម្បីដោះស្រាយ (ACT)
14. វិទ្យាស្ថានប្រជាធិបតេយ្យកម្ពុជា (CID)
15. កម្មវិធីអភិវឌ្ឍន៍ធនធានយុវជន (YRDP)
16. គណៈកម្មាធិការដើម្បីការបោះឆ្នោតដោយសេរី និងយុត្តិធម៌ នៅកម្ពុជា (ឧបប្រែល)
17. សម្ព័ន្ធយុវជនដើម្បីឯកភាព និងអភិវឌ្ឍន៍ (YCUD)
18. អង្គការយេនឌ័រនិងអភិវឌ្ឍន៍ដើម្បីកម្ពុជា (GADC)
19. បណ្តាញពហុវិស័យនៃប្រជាជនមូលដ្ឋាន (CGCN)
20. សហជីពកម្មករចំណីអាហារ និងសេវាកម្ម (CFSWF)
21. គណៈកម្មាធិការអព្យាក្រឹត និងយុត្តិធម៌ ដើម្បីការបោះឆ្នោត ដោយសេរី និងត្រឹមត្រូវនៅកម្ពុជា (NICFEC)
22. សមាគមមន្ត្រីរាជការឯករាជ្យកម្ពុជា (CICA)

លក្ខខណ្ឌអប្បបរមា សម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់ ដោយសេរី និងយុត្តិធម៌ ក្នុងឆ្នាំ២០២២

23. អង្គការស្ម័គ្រចិត្តដើម្បីសង្គម (CVS)
24. ក្រុមប្រឹក្សាយុវជនកម្ពុជា (YCC)
25. សមាគមសម្ព័ន្ធនិស្សិតបញ្ញាវន្តខ្មែរ (KILA)
26. "អង្គការស្ថានសន្តិភាព (PBO)
27. សម្ព័ន្ធទំរើនខ្មែរ និងការពារសិទ្ធិមនុស្ស (លីកាដូ)
28. អង្គការគណៈកម្មាធិការសហប្រតិបត្តិការដើម្បីកម្ពុជា (គ.ស.ក)
29. សមាគមខ្មែរកម្ពុជាក្រោម ដើម្បីសិទ្ធិមនុស្ស និងអភិវឌ្ឍន៍ (KKKHRDA)
30. សម្ព័ន្ធភាពដើម្បីអភិរក្សធនធានផលជល (FACT)
31. សមាគមយុវជនខ្មែរ (KYA)
32. អង្គការសហគមន៍អភិវឌ្ឍន៍មិត្តជនបទ
33. អង្គការស្ដារកម្ពុជា
34. អង្គការអភិវឌ្ឍន៍សំលេងសហគមន៍ (BCV)
35. អង្គការគាំទ្របច្ចេកវិទ្យានៅជនបទក្នុងប្រទេសកម្ពុជា (RCTSO)
36. សមាគមសម្ព័ន្ធយុវជនជនបទ (CYRA)
37. មជ្ឈមណ្ឌលកម្ពុជាដើម្បីការពារសិទ្ធិកុមារ (CCPCR)
38. មជ្ឈមណ្ឌលអប់រំច្បាប់សម្រាប់សហគមន៍ (CLEC)
39. សមាគមសម្ព័ន្ធអ្នកសារព័ត៌មានកម្ពុជា (Cambodia)
40. អង្គការយុវសន្តិភាព (YFP)
41. សម្ព័ន្ធសហជីពប្រជាធិបតេយ្យកម្មករកាត់ដេរកម្ពុជា(CCAWDU)
42. សហភាពការងារកម្ពុជា (CLC)
43. សហជីពទ្រទ្រង់សិទ្ធិការងារបុគ្គលិកកម្មករខ្មែរនៃក្រុមហ៊ុនកាស៊ីណូណាហ្គា វើលដ៍ (LRSU)
44. សម្ព័ន្ធសហជីពកម្ពុជា (CATU)
45. សហព័ន្ធសហជីពឯករាជ្យ
46. សហព័ន្ធសហជីពកម្មករនិយោជិតវិស័យរទេះសំបកកម្ពុជា (C.T.W.U.F)
47. សហព័ន្ធសហជីពកម្មករសំណង់និងព្រៃឈើកម្ពុជា (BWTUC)
48. សហព័ន្ធសហជីពជាតិនៃឧស្សាហកម្មវាយនភណ្ឌកាត់ (NIFTUC)
49. សម្ព័ន្ធសហជីពសេរីស្ត្រីកាត់ដេរ (CFTUWT)
50. សហព័ន្ធសហជីពសេរីឯករាជ្យ (FUFI)
51. សមាគមកម្មករកម្ពុជាសេដ្ឋកិច្ចក្រៅប្រព័ន្ធ (CIWA)
52. សមាគមជំរុញកម្មករសេដ្ឋកិច្ចក្រៅប្រព័ន្ធ (CIERA)
53. សហគមន៍ដីធ្លី ១៩៧ (កោះកុង)
54. សហគមន៍ជនជាតិដើមភាគតិច ចាវ៉ាយ (រតនគិរី)
55. សហគមន៍ដីធ្លីជីខក្រោម
56. សហគមន៍ទ្រទ្រង់ធម្មជាតិ (ពោធិ៍សាត់)

លក្ខខណ្ឌអប្បបរមា សម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់ ដោយសេរី និងយុត្តិធម៌ ក្នុងឆ្នាំ២០២២

- 57. សហគមន៍ជនជាតិភាគតិចគូយ (ព្រះវិហារ)
- 58. សហគមន៍ឃ្លាំងទឹក៧៨ (សៀមរាប)
- 59. សហគមន៍ដីធ្លីខេត្តប៉ៃលិន
- 60. សហគមន៍ឡពាង (កំពង់ឆ្នាំង)
- 61. សហគមន៍អូរវល្លិព្រៃង (បាត់ដំបង)
- 62. សហគមន៍ភ្នំក្រោម (សៀមរាប)
- 63. សហគមន៍ដីធ្លីភូមិសិលាខ្មែរ (បន្ទាយមានជ័យ)

លក្ខខណ្ឌអប្បបរមា សម្រាប់ការបោះឆ្នោតជ្រើសរើសក្រុមប្រឹក្សាឃុំ/សង្កាត់ ដោយសេរី និងយុត្តិធម៌ ក្នុងឆ្នាំ២០២២