

CAMBODIA

General Election 2003



Report of International Observation Missions
15th May - 31st July 2003

Asian Network for Free Elections (ANFREL)
Asian Forum for Human Rights and Development (FORUM - ASIA)

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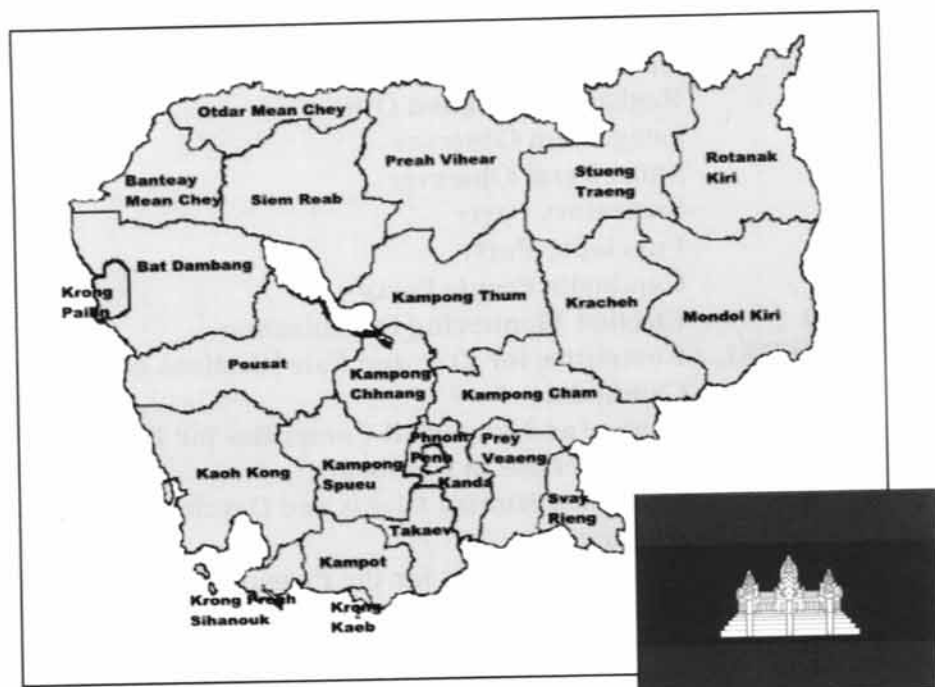
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MAP and FLAG



Abbreviations

NEC	National Election Commission
PEC	Provincial Election Commission
CEC	Commune Election Commission
RSO	Registration Station Officer
LTO	Long Term Observer
STO	Short Term Observer
SRP	Samrainsy Party
FUN	Funcinpec Party
CPP	Cambodia People Party
EMO	Election Monitoring Organization
COMFREL	Committee for Free and Fair Elections in Cambodia
NICFEC	Neutral and Impartial Committee for Free and Fair Elections in Cambodia
ADHOC	Cambodia Human Rights and Development Association
LICADHO	Cambodia League for the Promotion and Defense of Human Rights
COHCHR	Cambodia Office of the High Commissioner for Human Rights
CFF	Cambodia Freedom Fighter
ANFREL	Asian Network for Free Elections
NGO-CC	Non-Governmental Organizations Coordinating Committee
HR	Human Rights

Acknowledgements

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To the local and international media for the news coverage given on the activities of ANFREL and for taking time to attend and participate in our press conference.

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A: The Mission

1. ANFREL in Cambodia

The Asian Network for Free Elections (ANFREL) was established in 1997 as Asia's first regional network of civil society organizations to promote and support democratization at national and regional levels in Asia. It was a response from the civil society in Asia to the political crises in Cambodia after the 1997 coup, which rolled back efforts to use electoral process to consolidate democracy and reconciliation in this war-torn country. An election observation and human rights monitoring missions were organized before, during and after the National Assembly elections in 1998. In 2002, ANFREL observed the Commune Council Election of the country. The Commune Council elections constituted the first efforts to democratically decentralize administrative power in Cambodia and were seen as a ground to test the strength of political parties before the National Assembly elections in 2003.

From 1997 until today, ANFREL has also been active in contributing other efforts to the building of capacity of member and non-member organizations on issues related to election observation, voter/civic education, electoral reform and public awareness for good democratic governance. Research activities on electoral reform, democracy and good governance were also conducted jointly with civil society organizations in Cambodia.

2. Methodology

Activities regarding the election observation program are rooted in the Framework for Future Efforts at Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections adopted by the United Nations Commission on Human Rights in 1989 provides that universal and equal suffrage as well as impartial administration must be ensured in the conduct of electoral process. Apart from independent administration and supervision of electoral process by related agencies, there have to be

appropriate voter registration methods, reliable balloting procedures and effective measures for preventing frauds and resolving disputes.

Balloting and vote counting process usually form the focal point of election observation activities of ANFREL. But apart from that, election observers are also active in examining other aspects of electoral process such as the appointment of electoral officers, the registration of political parties and voters, the verification and designation of candidates, the demarcation of constituencies, the enforcement of election campaign regulations, the conduct of voting and vote counting, the review of complaints and the installation of election winners. The authority and the media deserve special scrutiny given their potential for improperly using their status to manipulate electoral process and influence election outcomes. At the end of the polls and after preliminary results are released, election observers examine the way in which complaints about cheating and irregularities are handled by related agencies.



Mr. Tun Saray and Mr. Koul Panha from COMFREL were invited to address the short term observers during the briefing session.



Poster for voter education

ANFREL believes that the use of election observers can provide an effective means of verifying the integrity and fairness of electoral process and its outcomes. In addition, the presence of observers will create an atmosphere that decreases the likelihood of intimidation, violence or fraud. Well-planned observation missions therefore can significantly instill confidence in voters, increase their

willingness to participate in electoral process and help them express their

political will at the polling station free from fears of reprisal. The aim of the mission is:

- 1) To help ensure the integrity of the electoral process and minimize election irregularities and election-related human rights violations.
- 2) To observe the entire electoral process and to provide accurate and impartial information and assessment on the conduct of the National Assembly Elections of 2003 and the surrounding environment to those concerned with the Cambodian elections, including the royal government authority, the international community, and the Cambodian people in general.
- 3) To enhance the capacity of civil society organizations to ensure an environment necessary for the conduct of free and fair elections as well as for the realization of people's aspiration for democracy.

Democratic elections that should have the following minimal conditions: franchise is genuinely universal; political parties and individual candidates are able to enjoy their legitimate rights to take part in the election; there is freedom of expression allowing possible criticism of the incumbent government; there is the right to free movement and assembly; all contesting parties and candidates have reasonable access to the media; and there is freedom of choice for voters to cast ballots.

3. Mission Activities

The ANFREL Election Observation Mission for the Cambodian National Assembly Elections 2003 was established on May 19, 2003 and ended on August 3 the same year. Mission Coordination is stationed in Phnom Penh. Major ANFREL observation activities are divided into two parts: long-term observation and short-term observation.

Why Long-term Observers (LTOs) are needed? Election is not a one-day event. Rather, it is a long process, which encompasses whole election-related activities ranging from administrative preparations to activities of

political parties and/or civil societies. In addition, it is regrettable that those who wish to manipulate the process do so long before Election Day. For these reasons, the work of LTOs is indispensable for an election observation to make an adequate assessment of the whole election process, and to ensure its integrity.



ANFREL's Long Term Observers return to Phnom Penh for an evaluation of what they have accomplished so far prior to the election.

ANFREL deployed 10 LTOs from May 26 to August 3 2003 in the strategic provinces including Phnom Penh, Battambang, Pailin, Banteay Meanchay, Kampong Cham, Kampot, Kandal and Prey Veng. (For detail of deployment, see Appendix C) These provinces were selected based on the findings by the observation missions during the 2002 Commune Council elections and two preliminary assessments done in January and February 2003. In their provinces of deployment, ANFREL LTOs met various people, ranging from provincial governors, Provincial Election Committee (PEC) officials, political party officials and activists, local election monitoring NGOs, human rights NGOs, and ordinary people. The observers produced reports for the mission coordination on a weekly basis on the province they are assigned to.

Having said that the long-term observation is important, this fact never make observation on Election Day and Counting Day less important as many frauds and irregularities still happen on this very final stage of the entire election process. ANFREL deployed about 55 short-tem observers

(STOs) during the election week to twenty provinces, where they observed the last days of the election campaign, the preparation of polling stations, the balloting and counting process. The LTOs provided STOs with logistical support as well as information on the electoral and political environment at both the provincial and the national level for a comprehensive observation. ANFREL STOs and other international observation missions coordinated their work at provincial level to achieve maximum area coverage of the observation.

4. Relations with the government and other EMOs

ANFREL observation missions never operate against the will of the host country. Since its first presence in Cambodia in 1997, the government of Cambodia, civil society organizations and the public has welcomed ANFREL. It must, nevertheless, be noted that the mandate of ANFREL observation missions rules out any kind of interference into the election process. The missions had no authority to change, improve or correct any shortcomings of the process. ANFREL only has the mandate to collect, verify and assess findings on election-related issues.



Representatives of International observer groups meeting in Phnom Penh to share experiences of their observation in their respective areas..

ANFREL worked closely with both domestic and international election observation organizations. The extensive cooperation with both the Cambodian civil society organizations and international agencies allowed ANFREL to conduct a comprehensive and detailed observation and it would like to present its sincere gratitude to these organizations for the valuable assistance and wonderful cooperation ANFREL received during the mission.

Among many civil society organizations in Cambodia, ANFREL primarily works in cooperation with COMFREL, the Cambodian Human Rights and Development Association (ADHOC) and the Cambodian League for the Promotion and Defense of Human Rights (LICADHO). These local partners will be the center points for ANFREL to conduct missions to observe, investigate, assess and document situations and conditions that affect the creation of political conditions necessary for the conduct of free and fair elections in Cambodia.

ANFREL also cooperated with the long-term international observers from the Asia Foundation (TAF) and the European Union Election Observation Mission (EU-EOM), the Cambodia Office of the United Nations High Commissioner for Human Rights (COHCHR).



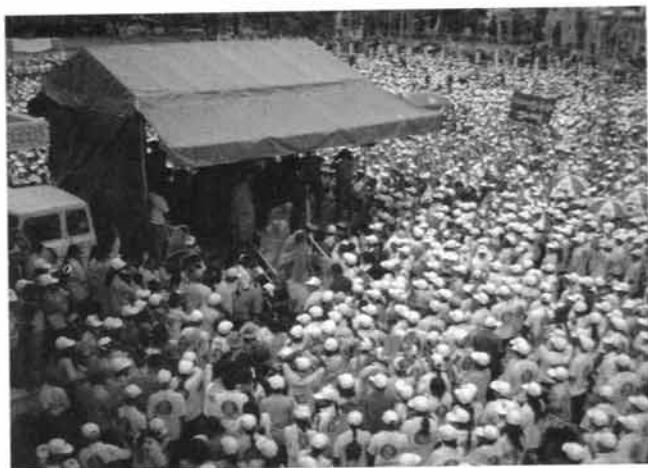
A long term observer interview villagers in Kampong Chhannng province

B: Background

1. Elections in Cambodia

Although elections have been integrated in Cambodia's politics even before the country became fully independent from the French, balloting mainly serves the perpetuation of hegemonic politics. From 1946 to 1981, ten elections of legislative assemblies were held in Cambodia. These included three elections before the country became fully independent in 1953, four elections from then on until the overthrow of Sihanouk's monarchical regime in 1970, one election under Lon Nol's Khmer Republic regime in 1972, one election under Pol Pot's Democratic Kampuchea regime (Khmer Rouge) in 1976 and one election during Hun Sen's People's Republic of Kampuchea (State of Cambodia) in 1981.

During this period, elections were at worst a means of violently strengthening the already existing political monopoly. At best, they served as a vehicle for political contest between state incumbents vying to use their control over state mechanisms, to enhance their power along the line of popular preference. From Sihanouk's monarchical regime to Hun Sen's socialist republic, elections never provided an opportunity for those who did not already enjoy access to state power to achieve their goals via ballot boxes. Put differently, for half a century, elections in Cambodia have existed in parallel with different forms of authoritarianism. Even when it is obvious that the election outcome has not shaken the position of the government in any significant way, the nominal gain of the opposition often leads to the ruling party to be worried about its decline. Prompt violent reactions to regain political equilibrium are therefore often initiated by the ruling party, while people are left in a state of powerlessness.



Prince Ranariddh of Funcinpec at a mass gathering on June 30th at a Battambang high school ground where he made a scathing attack against Hun Sen. The gathering was attended by more than 15,000 people including Buddhist monks.

Since the signing of the Paris Agreements in October 1991, the term "democratic transition" has been used to describe a drawn-out process for Cambodia and its people to leave their bitter past behind: the perpetuation of armed conflicts; the suffering under dictatorial regimes; the radical breakdown of the political order; and the absence of the rule of law.

For more than 10 years, there have been massive international efforts to promote elections as the main forum for Cambodian people to have an opportunity to choose their government in a comparatively free, fair and democratic manner. Not only are elections held on a regular basis, but they are taken seriously. A large amount of money has been spent in mobilizing voters and organizing polls. In the context of strong international support to the democratization process in Cambodia, the connection between democratic transition and elections is usually explained in one of the following forms:

Elections are essential legitimizing acts in the eyes of many governments with aid to dispense. For reasons of domestic politics and personal ideals, these governments wish to be seen assisting countries struggling to achieve democracy.

As a critical step toward political maturity in terms of self-governing capacity, elections are often required by the withdrawing colonial powers or internal transitional administration agencies, such as those of the United Nations in Cambodia.

Popular doctrines of nationalist movements explicitly articulate a view that independence means government by the people, which requires the holding of elections.

Elections are seen as a way of allowing the expression of diverse interests in pluralistic societies and preserving the rights of minorities while championing the power of majorities.

2. Political Landscape after 2002 Election

In 2002, Cambodia had a long-awaited local election (Commune Elections 2002), which was supposed to have taken place by the 1998 national election but had been postponed repeatedly. In this election, Cambodian people were given the chance to choose the commune council members, who have authority to make decision over local issues such as development program.

Although many alleged politically motivated killings and other intimidation cases were reported in the run-up for the election, the level of violence was noticeably lower than in the 1998 election¹ and majority of international observers rated overall conduct of the election as modestly acceptable.

The importance of the 2002 election, however, lies elsewhere and it became apparent soon after the result was announced. FUNCINPEC suffered a huge loss. While Cambodian People's Party (CPP) boosted its voter's share from 42% in 1998 to 61% in 2002, its coalition partner's share plunged from 32% to 22%. In a longer-term perspective, the

popularity of FUNCINPEC has been on constant decline since 1993 election, when the party got 45%. The party managed to maintain the second place but by a narrow margin (SRP gained 17% of voters). Observers raised several reasons for the party's unpopularity and major among them are lack of a strong leadership and loss of its identity because of its four-year-old coalition with CPP.

News reports suggested that intra-party differences were taking place in FUNCINPEC following the party's defeat in the election, but apparently it failed to deliver much meaningful change in the course of the party, although the party began to take slightly more critical stance to CPP. Defection started from the end of February and in total, 9 of party high-ranking officers and parliamentarian joined the Sam Rainsy Party.

	Commune Chiefs	Deputy Commune Chiefs	2 nd Deputy Commune Chiefs	Members of Commune Council	Total
CPP	1,598	789	154	5,162	7,703
FUNCINPEC	10	547	853	801	2,211
SRP	13	285	615	433	1,346
<i>Source: NDI; The 2002 Cambodia Commune Council Elections</i>					

It is well known that one of major sources of CPP's strength comes from its extensive network at commune and village level across the country. Commune office, together with village chiefs and "cell" or "group of 10 families" within villages, is believed to be one of such instruments that CPP uses to maintain its power. At the time when the prospects of the commune election was still remote some observers maintained that CPP was holding up the commune election to maintain its power base, and when the election was eventually held, a considerable change was expected in political landscape at local level. However, CPP successfully won majority of the commune council seats and secured the position of the commune chief at almost all communes, thus such change did not really happen, so far at least.ⁱⁱ It also means its extensive network at local level is intact.

SRP gave an impression that it made a relative success compared with FUNCINPEC in the last election. The party's voter's share slightly

surged from 14.3% to 16.7%, and won 13 communes while FUNCINPEC got 10. However, in reality it exceeded FUNCINPEC in voter share only in 4 out of 24 provinces and the total number of commune council seats that SRP got is far behind that of FUNCINPEC. Its strong criticism against the CPP-led government may have helped the party consolidate its position as the main opposition party, but the question whether or not it can be an opposition party with viable strength has not been answered yet.

While CPP is mobilizing people through its local network, SRP also has its targeted population: new voters and urban population. For the 2003 election, around 2 million new voters are to be registered. Most of them are young voters who became 18 years after the 1998 election. This large number of new comers can change the course of the 2003 election if successfully mobilized. The party also seems to be targeting voters in urban areas, where people are more educated and presumably more critical to the current government. Indeed, urban areas may give a larger room for the opposition to be active as it may be more difficult for CPP to control people there than in rural areas. Some point out that SRP, aware of its weakness outside the urban areas, is also trying to build up its network at rural areas. Yet how far it can achieve within just a year and a half after the commune election remains to be seen.

3. Election Administration

The process of the 2003 election was regulated by a new law and administered by a reformed election administration structure. The revised Law of Election of the National Assembly (LENA) went into force on 17 September 2002. The LENA also established a reformed National Election Committee (NEC). The LENA and regulations set by the NEC constitute legal and administrative framework for the entire election process.



NEC representatives demonstrate to the press and media as well as international observers the proper voting procedures.

The administrative structure of the election is three-tiered with the NEC at the top, national level. Provincial Election Committees (PECs) are established in all 24 provinces/ municipalities and Commune Election Committees (CECs) in 1,621 communes across the country. No election administration at district level. Polling Station Commissions are also set up to prepare and manage 13,100 polling stations on Election Day. For the election schedule, see Appendix A.

3.1 NEC Structure

When the previous NEC was established to administer the 1998 election it was designed to be neutral and independent of the government, as set out in Article 12 of the Law on the Election of the National Assembly adopted in 1997 (hereinafter referred to as 1997 Election Law).ⁱⁱⁱ However, opposition parties criticized this electoral body as well as local and international election monitors for its lack of political neutrality and its reluctance in investigating complaints and possible electoral frauds. Its questionable handling of the seat-allocation formula further tainted the credibility of the NEC after the poll,^{iv} which contributed to the civil unrest afterwards. Although NGOs proposed and lobbied hard for reform of the NEC, the same NEC was assigned to administer the 2002 election, with only a minor change in its membership. Observers reported notable progress in technical aspects of the election administration, but the NEC failed to use its power to implement the penalty provision of the election law against electoral frauds, and could not escape the persisting criticism for close affiliation with CPP when it comes to decisions with political nature.

Under 1997 Election Law, the membership of the NEC was composed of two Khmer dignitary, for Chairman and Vice-Chairman, another two Khmer citizens, a representative from each party in the assembly at the time, two high ranking officials from the Ministry of the Interior, and a representative of Cambodian NGOs for other committee members.^v The new LENA only stipulates that the members of the new NEC should be all “Cambodian (Khmer) dignitaries.”^{vi} The nominees were the former

Secretary General of the previous NEC, a deputy chief of MOI, the chairman of the former Battambang PEC, and two others.

In the process of the discussion to reform the NEC for the 2003 election, NGOs and political parties put several proposals forward. A partisan committee with equal representative from each of three major parties was proposed by FUNCINPEC and SRP, while CPP proposed five persons with experience in politics as qualification and NGOs a non-partisan committee.



A CPP membership card

In reality, however, the new NEC members are widely perceived again

as having political connection to political parties, and furthermore, NGOs proposed a Selection Committee, which nominates candidates for the new NEC to the National Assembly. In the end both CPP and FUNCINPEC agreed on a formula in which three people come from CPP and two from FUNCINPEC.^{vii}

The number of Committee members was trimmed down from previous 11 to 5, together with the number of administrative departments, which is down to 5 from 7. This downsizing is expected to reduce cost of administration.

4. Human Rights Conditions

The past Cambodian elections were always associated with violence and intimidation. The memory of the 1998 national election, which was marred by large-scale political violence and ended with crack down of the demonstrators by the authority, remained vivid in peoples' mind. The 2002 election was no exception. 18 politically motivated killings were recorded from January 2001 to the end of January 2003 and 11 out of

these 18 cases happened within three months before the election (February 4, 2002). 12 more allegedly politically motivated killings took place even after the election until January 2003.^{viii} The victims of these 12 killing cases include candidates for the commune council and party activists. The breakdown of the number of the victims by political party is: SRP 7, Funcinpec 3, and CPP 2.

Kampong Cham Province, where 3 among above-mentioned 12 killings happened, was regarded as the most problematic province by many observers. It was, however, not the numbers but rather the way the killing was carried out that worried observers. On September 6 in 2002, a SRP activist was murdered in Tbong Khamun District, Kampong Cham Province. It was reported that the perpetrators were three gunmen, in military uniform, using flashlights. They shone the flashlights on several houses as if they were looking for something before they finally reached the victim's house where they shot and killed him. *1 This description of killing resembles very much that of notorious double murder and intimidation cases in the same district last November. *2 This would be enough to remind people of the past killing and to fan people's fear.



Former Khmer Rouge soldiers present at the funeral to pay respect to the first wife of Pol Pot. Their presence posed no evident danger.

January 2003 alone had two alleged politically motivated killings. The first case was a murder case of a female Funcinpec activist in the same province on January 14, where unidentified assailant(s) set fire on her house and shot her to death when she ran out of the house. *3 Another

killing happened in the same day, January 14, in Battambang. According to a SRP press release, a SRP activist was strangled and beaten to death.

The atmosphere became further tense from the end of January to February when an anti-Thai riot erupted and several politicians including a senior adviser to Prince Norodom Ranariddh were killed.^{ix}

The anti-Thai riot happened in Phnom Penh on January 29. It started on the previous day as an anti-Thai demonstration by those angered by an alleged remark on Angkor Wat by a famous Thai actress, which was reported by a local newspaper.^x The demonstration turned violent as another false rumor spread, which said the Cambodian Embassy in Bangkok, had been destroyed. Rioters burned the Thai Embassy and rooted several Thai-owned businesses in Phnom Penh. The Thai-Cambodia diplomatic relations went down to the lowest level as the Thai government evacuated hundreds of its nationals, downgraded the diplomatic relations with Cambodia, and closed the border between the two countries.

Although slow to react, Cambodian riot police and military police finally moved in and cracked down the demonstration-turned riot within the night of January 29. During the crackdown, one person was shot dead and more than 30 including police officers were wounded.^{xi} The authority arrested around 150 rioters and others that include the owner of an independent radio station, which was accused of broadcasting false information from a listener, and the editor of a local newspaper, which first published the article about the actress.

In the aftermath of the riot, the government blamed “extremists,” and suggested involvement of the opposition party in the riot. Sam Rainsy, the leader of SRP, went into hiding claiming that the government was planning to strip his parliamentary immunity and arrest him. Later, however, Prime Minister Hun Sen gave his assurance that Sam Rainsy would not be arrested.

C. PRE-ELECTION PERIOD

ANFREL had 55 Short-term Observers. After an intensive two-day briefing on the electoral system, the election law, implementing rules and regulations, logistical arrangements, they were deployed to 20 provinces towards the tail end of the campaign period in July 23. In this briefing, the Long-term Observers presented their preliminary findings on their two-month observation. This provided the STOs an assessment of the political situation of the country. With their early deployment, the STOs were able to meet and dialogue with electoral officials of the provinces such as the PECs, party officials, activists and the voters.

I. General Political Environment

The ANFREL LTOs reported that the political climate was generally peaceful and calm. Provincial election officials, party representatives - the party in power and the opposition, NGOs and other election observers, shared this assessment. The number of reported violent incidents seems to be less than in the previous elections.

The local government officials, the police force, and the provincial election officials assured the ANFREL observers that necessary measures were taken to ensure security on Election Day. "According to the government's security plan, 38,500 police officers will be deployed to guard polling stations and thousands of military and police personnel will be on stand-by at provincial and district levels". An assurance was made too that in keeping with the implementing rules and regulations of the NEC, "A security agent in uniform, with NEC security sign but unarmed, will protect the inner perimeter of each polling station while two security agents in uniform, with



Cambodia's future leaders

NEC security sign, armed, will protect the outer perimeter” (100 meters from the polling station).

This relatively peaceful and calm situation had a great impact on the voters, the party activists and supporters and on the public. Observers at Prey Veng, Kandal and Takeo met with supporters of the opposition parties who expressed satisfaction that they felt free to campaign for their respective parties. Unlike in the Commune Election, SRP followers and supporters were now at ease wearing their SRP caps and T-shirts, something they did not dare do in the past for fear of threats and intimidations. Similarly, there was greater confidence on the part of the voters on the voting process particularly on the secrecy of the ballot. This greater confidence on and better awareness of the electoral process may be attributed to the different NGOs and the NEC for their accumulated efforts in the past elections.

A disparity however has been observed between the urban and the rural areas as far as their level of knowledge on the election process was concerned. It was observed that a number of people in the rural areas were not familiar with the voting process, where to vote, protection of the secrecy of their ballots and their rights as voters. Consequently, there were more incidents of threats and intimidations reported in the rural areas.

The generally peaceful atmosphere notwithstanding, ANFREL would like to point out serious cases of breach of the law in some provinces that the proper authorities should look into.

a). Observers noted that in Pailin, the incidence of crime and violence increased towards the end of the campaign period. A murder took place on July 21 while a grenade was found at the front of the house of an SRP activist whose son was killed in the month of May.

b). In Kampong Chhnang, a FUNCINPEC activist and two members of his family were hacked to death on the eve of July 22, at the height of the campaign period. Three suspects were arrested by the police after the massacre and reported that revenge was the motive for the killings. The suspects claimed that the slain family had been practicing on them what

the local folks call “black magic”. However, observers and human rights groups believed that the killings were indeed politically motivated since the victims were known for their involvement in politics and active participation in the campaign.

c). An English local paper reported that intimidation remained prevalent in Kampot. “Concern for future development in communities and fear for personal security were used as tools of intimidation and heavy handed treatment of opposition party supporters was sending an unmistakable message to people” the paper reported. In the same province, an ANFREL observer reported that strangers entered the house of a voter being interviewed and disrupted the interview. After the interview, CPP agents questioned people as to what was taken up in the interview. Similarly, a female teacher claimed she was forced to join the CPP campaign under threat of losing her job.

The events that took place in the aftermath of the 1998 elections continued to haunt a number of the Cambodian people. There was great expectation of trouble after the election. Hence, many panicked and stored food and other necessities that may come in handy when trouble arises.

2. Voter registration

Another major change the LENA introduced is a new voter registration system. (Article 47)



Voter card issued by NEC in 2001 on the left and a piece of paper on the right to facilitate location of polling station and the voter number as listed in the voter's list.

Until the 2002 election, all voters should be registered for each election, which of course needed much administration work and cost. For the 2003 election, instead, the NEC uses a permanent voter list. The voter list for the 2002 election is used as the basis of this permanent list and the

NEC completes the list with the registration of those who haven't registered for the 2002 election and those who newly became eligible voters after the 2002 election. The actual registration work is commissioned to the Commune Council, unlike the previous elections where the CECs did the job. This drastically reduces the length of CEC's operation period and thereby the cost. The permanent list will be kept in the commune council office, where the list will be reviewed once every year.

The voters list for the 2002 election contains about 5.2 million people and the total number of the eligible voters for the 2003 election is estimated to be 6.7 million, which means about 1.5 million voters have to be newly registered. The registration started on January 15, 2003, and ended on February 20. The turn out was low, so the registration period was extended. In the end only around 75% of 1.5 million people actually did registration, but it managed to bring the total voter registration rate up to about 94%, as NEC reported.^{xii}

Local and international election monitors also monitored the registration process. Major problems observed were, insufficient publicity for the voter registration, irregularities in the registration process, and obstruction of registration by partisan officials and individuals.

The information of the registration process including when and where people can register was poorly publicized. Observers claimed that the voter education program by the NEC did not contain much information needed for the registration, and that the registration officers failed to provide sufficient information to people. NGOs carried out several voter education programs but the government discouraged use of broadcast media by NGOs for such programs.^{xiii} Political parties, especially SRP, too, did information dissemination to encourage voters to register by using speakers and leaflets, but it created trouble between the parties and local authorities and/or the NEC, who took it as the parties' election campaign.^{xiv}

The registration officers did not follow the set procedure or the procedures were applied unevenly. A local election monitoring organization said more than 80% of the registration centers were operated smoothly, yet reported more than 1,200 technical irregularities.

Most of these irregularities were caused by officials with insufficient training and experience, confusion over documents needed for registration. Some registration centers had to suspend registration temporarily as they run out of materials and forms necessary. Among others, reasons of these confusions are the fact that this is the first time for the commune councils to handle the voter registration, which had been done by CECs before and that the commune council clerks, who actually do the registration work, also have other works to do for the commune council.

Among these technical irregularities, lack of voter's photos turned out to be a huge problem. To register and vote, the voters need to present at least an identification document, which has their photos. However, a large number of people got registered without photos. There are two scenarios. First, people could not get their photos because the registration center did not have cameras or the quality of the cameras was poor. The second: One of identification documents is family book. Family heads can use them to register but other family members cannot because family books carry only photos of family heads. Many family members, however, actually went to register with family books and the registration officers wrongly accepted it.

Apart from these purely technical irregularities, however, problems with more serious nature, such as registration of ineligible voters, were also reported.



Villagers awaiting their turn to cast their vote

Because of the fact that CPP is dominates almost all commune chief positions, and because most of the commune clerks are believed to be CPP members/supporters, or at least under the influence of the party, there were allegations that the registration process was not entirely neutral. The opposition parties claimed some of their supporters were denied to register. There were indeed reports of intimidation, violence^{xv}, or problems that might be of political nature, including troubles between commune council officials and opposition parties' activists, who were "encouraging" people to register. However, it is difficult to assess its impact on the whole registration process. A local election monitor's report shows that the percentage of such allegedly politically-motivated problems is in reality small and much of problems observed are technical ones, as mentioned above.

3. Voter education

ANFREL very much appreciates different sectors' activities for voter education. In particular local NGOs, but also political parties, have been conducting voter education in the form of distributing materials, organizing meetings to educate the public, performing educational drama or showing films. ANFREL expects the PECs and CECs to take a stronger role in voter education during the election-campaign period.

However, ANFREL observers state that many people, in particular in the village level, party activists and even authorities do not know much about the election related regulations and laws. Therefore, many activities that authorities and political parties have been doing are not only intentionally,



but also unintentionally violating the law. Many of these actions are to be considered serious and may undermine long-term political development.

ANFREL so far found that not many people know about the regulations allowing people to use different cards and documents for the elections on July 27th, 2003. These documents are:

- Voter card 1993
- Voter card 1998, 2003
- Substitute Certificate of voter card
- ID card of Cambodia Citizen
- ID card of Civil Servant
- Personal ID Certificate
- Family Certificate with photograph
- Passport of Kingdom of Cambodia
- Certified Certificate of Identity and Age with photograph
- Family book with photograph
- Chaya Kanak Mohanika (Monk Identification Card)
- Sithibath Kanak Thamayutinika (Monk ID card)
- ID card of National Police
- ID card of Armed Force

4. The Campaign

The political parties put on their best show in the last week of the campaign period. The rallies were well attended by their respective followers and there was a festive atmosphere as each party tried to outshine the other. The CPP showed its massive organization with huge rallies participated in by its supporters wearing party t-shirts and caps. The SRP, not to be outdone held a solemn candle lighting ceremony in the evening on the last day of the campaign. The FUNCINPEC opted to concentrate its last ditch effort to win the sympathy of the voters in the provinces with the appearance of its party head, Prince Ranariddh. The campaign rallies, though lively and enthusiastic, remained civil and

orderly. Tension was not felt at all by observers, a big improvement over the past elections. An ANFREL observer described it thus:

"...I observed on two occasions the CPP and SRP crossing each other's paths but the atmosphere remained festive and jovial. They traded songs and laughters with each other. Every one agreed that the manner in which the campaign was conducted showed a big improvement over the previous elections"



*Funcinpec election campaign on the last day of the campaign period on July 25. The party's first-listed candidate **Nhek Bun Chhai** delivering a speech at a pagoda near the party's headquarters in Battambang*

The "crossing of paths" was more of a coincidence though. The PECs and the CECs saw to it that the political parties held their political rallies at different times in different places. For this we have to give credit to the local election officials for trying their best to maintain order in the campaign.

All these notwithstanding, ANFREL expresses some concerns:

a). Only the three major parties, namely, CPP, SRP and FUNCINPEC were visible in the campaign trail. However, they were not as visible in the rural areas, the places that needed greater information on the issues of the campaign. The smaller parties apparently made no effort to introduce themselves to the voters and appeal for their support except on a few occasions in Phnom Penh such as the NCPPK.

b). A disturbing development was the unmitigated use of government resources, facilities and civil servants by the parties in power. In Kandal,



Three key parties on the final campaign day.

high-ranking officials in their official cars attended a political rally by the FUNCINPEC on July 24. In Oddar Meanchey, observers reported that government offices were closed for the day so the employees can attend and participate in the CPP rally. This was repeated in Takeo. Use of government vehicles in CPP campaigns were likewise observed in Kratie, Kandal, Pursat, and Oddar Meanchey in a very surreptitious manner. The vehicle plates were detached while the official seals on the government vehicles were covered with campaign posters and banners to conceal the obvious violation of the election law. Government resources are public property and therefore should only be used to promote public welfare. Their unlawful use by any political party not only violates the election law but also goes against the principle of “a level playing field” essential in a truly free and fair election.

c). It was noted too by ANFREL observers that the party in power used infrastructure projects of the government as campaign propaganda. Ground breaking ceremonies of proposed projects as well inauguration ceremonies of completed projects were taken advantaged of by the party in power to show the people that development was indeed taking place and that they should therefore vote for the party in power if they want such improvements to continue. The construction of a bridge and the development of a park in Kampong Chhnang are but a few examples.

d). Reports of vote buying persisted in many parts of the country particularly on the eve of Election Day referred to as “the night of the barking dogs”. This took many forms such as distribution of gifts, issuing lottery tickets and coupons with the promise that they will

receive gifts or cash after the election if their respective parties win in the election. It was reported that the CPP was mainly responsible and to a lesser degree, FUNCINPEC. These incidents were said to have taken place in Battambang, Pursat, Kampong Chhnang as well as in other places. SRP party tried to curb the practice by offering rewards to people who managed to catch party activists engaged in vote buying. It is not known whether it succeeded.

It was noted however that the practice of vote buying was much less in this election compared with the past.

e). Efforts were made by the CPP to mislead voters on how to mark the ballot. With the use of fake sample (mock) ballots, CPP activists taught voters how to mark them except that only No. 17 (the CPP's number) had the correct symbol. This was reported in Banteay Meanchey, Kampong Cham, and other provinces.

f). Commune and village chiefs were reported to have been actively campaigning for the CPP. These occurred particularly in the provinces of Kampong Thoam, Kampong Cham and Banteay Meanchey. In Phnom Srok, Banteay Meanchey, two village chiefs gathered the residents at night and instructed them how to mark the ballot in favor of the CPP. Again, these village chiefs reiterated their promise to give gifts if their party won.

4.1 Procedures for Campaign

By the Code of Conduct for Political Parties, political parties have to notify "the competent authorities" and PEC or CEC within three days before they have "public meetings, parades or demonstration," which are referred as "forms of the election campaign." The observers received numerous reports about troubles or confusions, which were related to the procedures for having election campaign. The causes of these problems varied and in some cases it was simply political parties' lack of knowledge as to these procedures.

However, the observers also think that many others were caused by the lack of a shared understanding of what are “competent authorities” and/or what consists of election campaigns. The observers encountered many cases where village chiefs or police were blaming political parties for not having informed them of the parties’ election campaigns, while the political parties thought they need to inform only CECs, and were accusing these local authorities for hindering their campaigns.

ANFREL thinks that more clarification of these terms and procedures would have helped avoid many of these problems.

4.2 *Contents of election campaign*

The observers had been taking a close look at the content of speeches the candidate or party officials made in their election activities. The Code of Conduct for Political Parties states that the political parties should avoid criticism against personal characteristics of individuals. However, the line between criticism against a party’s policies and one against individuals is not that clear in reality, and political parties, PECs, and CECs tend to have different interpretations or understandings as to what constitutes “criticism against personal characteristics of individuals.” This sometimes caused trouble between election commissions and political parties, or among parties. For instance, it was reported that CPP and FUNCINPEC had disputes over alleged criticism against individuals in Battambang and Kampaong Cham respectively.

However, what worried the observers more is that some parties, mainly opposition parties, intentionally encouraged antagonism against particular nationalities, such as Vietnamese people, using strong rhetoric. Alleged involvement of foreign nationals in several economic and/or social problems, such as land dispute with neighboring countries or illegal fishery, was used to support their statements. The observer in Kampong Chhnang attended an opposition party’s meeting on June 27, where the party leadership criticized the government for turning blind eyes to the existence of alleged illegal foreign nationals. [Kg. Chhnang, Week5-6]

Although ANFREL is well aware that such antagonism to foreign nationals has its root partly in past histories in this region or current problems the Cambodian people have, ANFREL strongly feels that encouraging hostility towards a particular group of people is against the spirit of democracy, which endorses diversity and encourages tolerance for differences, and that parties should refrain from using such remarks.

4.3 Dominance of Major Parties

More than 20 political parties are supposed to be registered for the National Election and, indeed, the observers reported that some small parties are active, sometime more active than major parties, in several provinces. However, only three major parties, namely CPP, FUNCINPEC and SRP, are able to carry out their campaigns across the country while the majority of the other small parties were seen doing only spotting election campaign, if any. In addition, very few numbers of offices of these small political parties were seen and sometimes-even PECs do not know to which address they should send their letters when they need to inform small parties.



Sam Rainsy supporters attending the final campaign at Independent Monument in Phnom Penh.

ANFREL is aware that small parties have several limitations, one of which is financial constraint, in carrying out country-wide campaigning but they still should be encouraged to be more active in order to give the Cambodian people more chance to have informed choice and more option to represent their interests and political opinion.

4.4 NEC Administrative Problems

ANFREL observers have been watching closely some administrative irregularities in preparation for the coming election. In ANFREL's view, it is important to address these irregularities in an effort to create a better electoral system in Cambodia in the future.

4.4.1. Continued Problem of Voter's Registration

The observers found a few communes had more registered voters than its total population or total number of eligible voters. Such a problem should have been noticed and investigated when the registration was completed, but the observers did not meet satisfactory answers to this problem. The number of the registered voters in Don Moul Village, Rohat Tek Commune, Mongkul Borei District, Banteay Meanchey Province, is 296, almost double the number of the total population of the village, which is 149. Several similar cases were also reported from other provinces like Takeo and Siem Riep.

NEC organized mobile voter-registration centers for this election. Because the centers were open only a few days in a village, villagers who had missed the registration during that period were allowed to travel to another village in the same commune to register. The problem here is that, because people have to vote where they are registered, such people will not be allowed to vote in their villages of residence on Election Day but have to travel again to the same village where they registered. ANFREL is afraid that this would cause confusion on the Election Day.

ANFREL thinks that mobile registrations gave people more opportunities to register for sure, but also thinks some necessary arrangements should be done so that people can vote in their own villages.

4.5 Neutrality of Government Officials

ANFREL has released a press statement before the election campaign¹, which points out the lack of political neutrality of local authorities especially at the village level. Nevertheless, during the election



Long Term Observers meeting at COMFREL office in Phnom Penh

campaign, ANFREL continued to receive several reports from people, political parties and NGOs, which showed many local authorities, were still acting in favor of particular parties and/or discouraging, or stopping people from joining oppositions' activities.

In Preahnet Preas District in Banteay Meanchey, villagers were told that their names would be eliminated from the village list if they do not support the ruling party and that they will not get help from the local authorities in case of need in the future. Similar cases were also reported in the districts of Sisophon and Mongkul Borei in Banteay Meanchey.

In Prey Veng district in Prey Veng Province, village SRP activists reported that they were not allowed to stick posters or banners for fear of CPP and village chiefs. Most of the places in the province were reported to have only CPP banners and posters. Posters that have been pasted before were reported taken down and destroyed by village officials.

¹ ANFREL Third Statement, "ANFREL Observers Have Great Concern on Problems Created by Chief of Villages and Commune Council Members that might Ruin the Cambodia Election Transparency," Phnom Penh, June 17

Sometimes, this problem appears not in a direct way, but takes a form of the fear for local authorities. At a village in Phnom Srok District, Banteay Meanchey Province, the villagers are afraid to vote for parties other than CPP because they feel that the village leader always knows about their political activities.

More directly connected to the election is the role of village chiefs on the Election Day. On July 18, ANFREL sent a recommendation to NEC jointly with other three Cambodian and international election observation NGOs and missions, which calls for the NEC and Ministry of Interior to issue a directive that prohibits village chiefs and deputies from working as party agents in the polling stations and counting centers. In response to this, Co-Ministers of Interior sent a letter, which acknowledges its agreement to the recommendation, and NEC followed with a directive, which confirms the prohibition on village chiefs and deputy chiefs.

In order to help the readers have a more balanced picture, it should be noted that some problems between local authorities and political parties during the campaign period happened because of political parties' poor understanding of the procedures to have public meetings and rallies. In Kampong Chhnang, an opposition party informed the observer of a commune chief stopping people from attending their meetings. The observer, however, found that the party had not informed the CEC of the meeting, which might explain much why the trouble happened in the first place. A similar case was observed in Takeo as well.

4.5.1 Provincial governors

The Governor in one district of Siem Reap province organized a ceremony of paddy seeds-giving to a village. In a speech, he mentioned about the ruling party (CPP) bringing prosperity. The people must thank them.

The provincial governor of Kratie was addressing the public on the road in Tamar commune, Preap Prasap district, using loudspeakers. The ANFREL observer learned that he was talking about the future development in the area and that he used phrases such as "if CPP wins", "if you vote for CPP" in his speech. There were nearly 100 people

gathered at the place and they were treated with Cambodian traditional noodles.

The district leader in Poipet of Bantaey Meanchey reported to the observer that he has not been getting help from the provincial governor's office for the preparation of the coming election. He reported that the police and military do not support him to maintain peace in the district

Government officials in Pailin are widely recognized as hardcore pro-CPP affiliates among local NGOs and SRP supporters. A strong sense of alert was perceived particularly towards the ex-Pailin governor, who is running as a CPP candidate for the election.

Observers learned that many villagers who face problems do not file official complaints to local authorities and the authorities will not investigate the cases even if they know the problem. Observers have informed ANFREL that many cases are raised personally to the observers and official complaints were filed to the COMFREL offices in many provinces. Problems related to village leaders, commune chiefs and police chiefs have been reported to observers in Ou Chrov district of Banteay Meanchey as well as Koch Andaet district and Treng district of Takeo.

4.5.2 Village and commune chiefs

ANFREL is very much concerned about the village and commune chiefs activities throughout the provinces. Village and commune chiefs are expected to be impartial and respected laypersons for all villagers. ANFREL has many reports of village and commune chiefs controlling, influencing or even threatening people. Such activities are, listing down people who attend political party meetings, going into peoples houses and threatening people who are involved in certain party activities, collecting voter cards of villagers or tearing photos from such cards, or cooperating with CPP activists to exclude people who support other parties from receiving gifts (while gift-giving is considered to be a problem itself, as mentioned earlier). In many cases, village chiefs have in fact become political agents and use their status not only to influence people but also intimidate and harass the potential opposition voter.

A village chief in Chang Krang commune in Kratie threatened an active FUNCINPEC member and his wife not to work or vote for FUNCINPEC; otherwise their voter cards may be confiscated. In Bos Leav commune in Kratie one village chief told people they would be removed from the villagers list if they join FUNCINPEC, and those who would like to be with CPP must come and tell him.

In many cases, village and commune chiefs abused illiteracy and the very limited knowledge of people about the election process and related regulations. On the other hand it needs to be considered that even village and commune chiefs themselves are in some cases not aware about their wrongdoing. In Kaoh Thum district in Kandal, a commune chief denied permission for putting up an SRP sign since no permission from the district level was available, while neither the applicant nor the commune chief were aware about the fact that no permission is needed for putting up a party sign in the compound of the activists own house. ANFREL suggests that more voter education, particularly taking into account the limitations of illiterate people; need to be conducted before the elections in July.

Another problem, as it has been reported from Anlong Samnar Commune in Siem Riep province and several districts in Takeo and Kandal, Commune Council members who are members of SRP are facing problems to carry out their duties since other members or CPP Village Chiefs avoid them and do not cooperate.

ANFREL learned that many cases of irregularities villagers and local organizations reported to the village chiefs and/or the chairman of the Commune Councils were delayed or suspended. Several stories have been distorted by claiming the case to be some personal conflict, thus denying any political relevance of the incident. There is much more impunity related to election-related incidents embedded in the remote areas than we expected.

4.5.3 Police

During the pre-election campaign period, police in the provinces has been as a whole conducting their duties according to the law without abuses or untoward incidents. However, several demonstrations in Phnom Penh were violently dispersed by police, denying the demonstrator's democratic rights. These incidents also need to be blamed to government officials, exaggerating "security threats" and abusing such allegations to limit or deny peaceful demonstrations that may criticize government policies. It was reported though that some policemen were involved in misconduct in some provinces.

In Prey Yutaka Commune, Kaoh Andaet District of Takeo Province, a police chief hit and punched a member of SRP for no reason. The police chief reportedly said to him "if you fight back, I will shoot and kill you. All of you (SRP members) are traitors to the country." An ANFREL observer visited the village and the commune chief, and the police station (Police Chief was not there). All authorities knew this story but they did not investigate the case. They told the observer that the victim had not filed his complaint to them in writing, so it was not their role to do investigation.



Policemen on duty in Phnom Penh on polling day.

In Chol Kiri district in Kampong Chhnang police banned an SRP meeting and a visit by representatives of the Cambodian Center for Human Rights. From the same area it was also reported that police was collecting the names of people who joined a protest in Phnom Penh in May.

According to a complaint filed to the Kratie PEC, in Kou Loab commune, a policeman threatened an SRP activist who was

preparing to raise SRP flags in their party office.

4.6 Incident Reports

4.6.1 Early Campaigning

The official starting date of the election campaign is June 26. However, major political parties, namely CPP, FUNCINPEC and SRP, started their campaigns well ahead of this date. Large advertisement signboards are put in premises of party main offices, urging people to “vote for our party.” Observers received from other local NGOs or villagers that political parties are touring around country side, pledging people to bring a better standard of living, and to build new infrastructure or communal facilities, asking people to vote for the party, and criticizing other parties.

SRP national leaders actively made many visits to several provinces including Battanbang, Banteay Meanchey, Siem Reap, Pailin, Kandal, while CPP parliamentarians met CPP activists/supporters in several province like Kampong Chhnang, Prey Veng. On 10th June, a candidate of SRP in Kratie province was campaigning at a temple in Thma Kreae commune, Kratie District. The observer saw around 300 people there. The candidate addressed the people using loudspeakers and he answered people’s questions.

Each political party maintains that they are not doing election campaigns because they are only meeting its party activists or because they held meetings only in private houses. However, in Mongkul Borei district, Bantaey Meanchey, province an ANFREL observer saw nobody



CPP campaign rally in Kampong Chhnang province before the quiet day.

checking people for the party membership cards in one of these meetings. In another incident, the observer saw a whole village population attending a party meeting on one day and another party meeting on second day. Another SRP party official in Kompong Chhnang told an ANFREL observer that they did not deny anyone who

wanted to join their meetings.

Those early campaigns caused disputes between local authorities and political parties, especially opposition parties, and sometimes, like reported from the SRP in Kandal, were involving police.

4.6.2 *Vote-buying*

In many of the above-mentioned early election campaigns, parties were giving gifts and money to people who attended. Vote buying and gift-giving are very common practice in Cambodian elections and ANFREL has noticed that they are even taken as "tradition" by the public. ANFREL believes these practices are essentially meant to lure, convince, and sometime coerce people to support parties they don't necessarily want to support. These practices are not in line with international standards of free and fair elections.

4.6.3. *Gift-giving*

The new election law and the Code of Conduct for Political Parties explicitly prohibit vote buying and gift giving by political parties as means of election campaign. However, ANFREL still received many reports from its observers on the alleged cases of gift giving and vote buying. In Battambang and Banteay Meanchey, the observers even reported an increase of gift giving activity compared to the past election and that this problem was a major issue of PEC meetings in the latter province.

In Battambang, ANFREL observed that since the election campaign started on June 26th, CPP has been distributing "coupons" in several communes in various districts, with which the party's supporters will be able to receive provisions three days after the Election Day. The provisions will be distributed on condition that the party proves to win the election in the province. "If you keep this coupon and our party proves successful, you will receive a great deal three days after the poll." CPP officials have told the supporters.



*Party members
distribute money,
rice and Sarong to
potential voters.*

In Kampong Chhnang, CPP distributed kromar to people who attended a meeting during the campaign period. The party denied that the distribution was illegal on the ground that the meeting had taken place in the party office's premises and the distribution was only for the party's activists and "supporters." PEC, in response to a complaint filed by FUNCINPEC, handed its ruling which was basically in the same line with the CPP's argument.

In Kratie, FUNCINPEC party distributed free lottery forms among their members. Participants were required to write their name, age, address, voter card number and party member number. Though these forms are claimed to be only distributed among party members, ANFREL views this to be a strong incentive to gain new party supporters through gift giving.

In early June, a CPP parliamentarian from Kampong Chhnang visited several communes in at least two districts of the province to have meetings with its supporters where the party gave scarves and 1,000 Riels to each family who attended. Chiefs of villages or so called "leaders of 50 families" visited people from door to door one day before the meetings, asking them if they would go to the meeting or if they support CPP, and gave paper strips to those who replied that they would join the meeting. The party gave gifts to people who presented the paper strips in the meetings. FUNCINPEC is apparently using similar methods. The party provided rice, purified water, medicine, and notebooks to FUNCINPEC supporters in Ek Phnom District, Battambang, in mid-June. In Kratie District, Kratie, FUNCINPEC party officials distributed parcels of Krama, a traditional Cambodian cloth. SRP is also giving out a pack of medicine with the party logo on it and/or packed instant noodle to people who attended its several meetings in Siem Riep, Kampong Chhnang, Prey Veng and other provinces.

Gift giving is also used to prevent people from participating into other parties' activities. In a village of Kantout Commune, Kratie District, Kratie Province, the ruling party's members informed the villagers that those who had received gifts from the party should not join opposition parties.

In Kampot, Ms. Bun Ravi, Chairperson of the Cambodian Red Cross led a rice distribution in the name of the Red Cross. ANFREL has raised in its pre-election campaign report the problem of public investment utilized by CPP officials. Red Cross is established by law, and should be regarded as a governmental institution. With the presence of such a premier public figure, which got strong ties with a political party, it can be perceived as some kind of gift giving. The observers think that the Red Cross should have abstained from such distribution during election time.

ANFREL thinks that such distributions are clearly gift giving and calls for the NEC to interpret and implement strictly Article 124 of the election law, and Section IX, Paragraph 1.2 of the Code of Conduct for Political Parties. The code of conduct prohibits political parties from organizing any kind of gift giving activity in order to enhance party

support. The code of conduct states “(e) very political party, candidate and its representatives shall avoid... giving contributions, gifts or incentives either in monetary or material by whatever means to an institution, organization or individual during the election campaign up to the polling day in order to gain support or votes from that institution, organization or individual.”

4.6.4. Threat and Intimidation

Threat and intimidation were very effective tools since the last two elections, and such tactics were used again for this election. In many villages, CPP supporters outnumbered opposition parties’ supporters. Thus, those who supported the ruling party and were backed up by the local authorities were intimidating them. ANFREL paid much attention to this problem since it could easily turn into violence during the campaign period, especially in those communes where the opposition parties were active.

An observer was informed that a village leader at Kralanh district, Siem Reap province, asked people to pledge by drinking magic water. After the pledging, people were given a gift by the village chief. Intimidation was used on the villagers to vote for CPP, if not they will have problems in the future. Similar activities have been reported from several villages in Kralanh district.

It is reported that CPP had asked village chiefs in Takeo to tell people not to cooperate with SRP. If they do, village chiefs will not register for their marriage, or their farm will be confiscated. In the same province, a village chief in Leaybo commune in Pormkor district of Takeo told villagers that those who did not support CPP would not be given gifts and will not be treated well. In Siem Reap, a village chief threatened villagers not to socialize with SRP members or they might have trouble in the future.

Village officials at Sheing Commune threatened villagers who had a photo of Prince Ranariddh in their houses. The village officials said that they would not get any kind of gift from the government and when problems arise, these people would not get help from the commune

leader. In Ou Beichan and Somrong commune the village officials used the same tactics to threaten SRP's members and/or supporters.

A village chief of Tbong Krong district, Roca Pop Ram commune in Kampong Cham did not inform members of the FUNCINPEC party of the registration time. During the registration period one young man could not register because the commune council said he was not 18 according to the Khmer calendar, but he is 20 according to the international calendar. However, his registration was accepted later on.

Meanwhile, a SRP activist in Ponhea Krack District, Tra Pealong Plong Commune in Kampong Cham received a death threat from the police. Another threat took place at Kanhcham commune, Pea Reang District in Prey Veng. One SRP member got an anonymous note that said if he continues his relation with the party he would disappear like his pig.

Observers found that dispute over natural resources, for instance water and land resources, are closely connected to this election. In some case it takes a form of discrimination based on political reason while political parties utilize the other cases and turned into political issues.



A case of harassment where this family from a rival party at Treng District, Takeo province is warned by a CPP supporter not to use the water pump installed by them.

In Malai Commune, Mongkol Borei District Banteay Meanchey Province, people complained to an observer that people were having disputes with local authorities over land, that the commune chiefs had influence over the allocation of land to people and that they misused the power for their political motivation. In the same commune it was reported that supporters of opposition parties had been told not to use a well nearby

their houses on the basis that the well belongs to CPP supporters but to use another one in far away place.

At Srangae Commune, Treng district, Takeo province, a SRP member has been prevented from using water resources. The CCP village chief and commune chief have confiscated a water pump of one villager, just because his family is not CPP member. The Commune chief said that the SRP supporters must pay money while the CPP supporters do not need to pay because one CPP member has paid for them. Questioned by the ANFREL observer, they could not show any evidence for the payment from CPP.

Another land dispute between people and local authorities was reported from Chri Kiri District, Kampong Chhanang Province. Seemingly this case has been disputed for almost decades but became a major political issue last year when opposition parties went into the district and used this issue as part of its campaign.

The observers found that quite a number of participants of campaign rallies were intimidated later, after they returned from these party campaigns.

In Anhchanh village, Dar commune in Kratie district a villager who participated in Sam Rainsy Party campaign on 30th June was threatened to give up the SRP membership and was prevented from doing campaigns for SRP. Then the perpetrator used a knife to intimidate the victim.

Other cases of intimidations were also reported during the campaign period. Most of these cases have dampened political parties' efforts to project and promote themselves for the coming election. ANFREL views this as a disruption to the process of greater democratization in Cambodia, which in many ways has limited the democratic space for the Cambodians and has created conditional political freedom in the villages².

² The word 'conditional' is used intentionally to express reports showing that villagers who conform to chief of village's political inclination enjoy greater political freedom than others.

On the 8th July, an officer from the local authority in Kampong Leang District, paid an amount of money to children to collect a political party leaflets, which had been dropped from an airplane. The leaflets collected were later burned.

In Prek Chrey commune in Prey Veng province, villagers reported that nearly 270 families' voter card's photo has been taken out and tucked on family books by village chief and 2nd deputy police chief. The damaged voter's cards were later thrown in a pond. This incident happened during the process of family book preparation early this year. When interviewed, the police chief said that he does not think that this would affect the voters as they could still vote using the family book. On the contrary, article 8.7.9.1 of the election regulation and procedure clearly stated that only the person who bears the photo in the family book would be allowed to vote. This opens the possibility of some of the villagers whose cards were taken will not be able to vote because the family book only have one photo in it. ANFREL observer also found out that the villagers were unaware of the 1018 form.

In Phnom Srok district in Banteay Meanchey, low participation in opposition party campaigns was reported because the village leaders intimidated the villagers. They were told not to vote for other parties except for CPP or they will not get any kind of development for their village in the future.

An armed policeman in charge of border control in Trang Commune, Kamrieng District in Battambang, assaulted an SRP activist June 28 as the activist was distributing SRP leaflets in the commune. The victim received physical injuries from the attack. The Provincial Police Commissioner however prematurely announced that the assault has nothing to do with politics simply because the two guys turned out to be relatives as well as co-workers.

There are several reports concerning damaging of political parties' signboards and banners, which might have intimidating effect on people. In Saob Commune, Kratie

Province, an opposition's party signboard was found destroyed into pieces one day after it was put up.



Cambodia People Party (CPP) billboard of key party leaders

4.6.5. Collection of ID Cards

Several cases of Village Leaders collecting identification cards and voter cards were reported. A farmer in Chol Kiri District, Kampong Chhnang, told an observer that his mother had given her identification card to “people from CPP.” A NGO activist from Baribour District in the same province claimed that CPP had collected identification cards in two communes. In Snoul District, Kratie Province, voter cards were collected not by village chiefs but by groups of people working for a CPP leader and were returned after the serial numbers of the cards and the names of the card holders were recorded.

It is claimed by an opposition party official that card collection had happened in ceremonies at pagodas in 6 villages in Kralanh district, Siem Riep. During the ceremonies people who attended were asked to drink water and pledge to vote for CPP, he said. One village chief told the observer for Siem Reap that he had collected the cards for statistical purposes.

Villagers at Doung district of Takeo Province told an observer that the chief of their village had visited people house-to-house collecting identification cards from around 50 villagers. An English newspaper reported on June 20 that a commune official in Prey Veng had collected 280 voting cards from people to enroll villagers with FUNCINPEC.



ANFREL called for NEC to investigate the cards confiscation in Kandal province. Long term observers handed all 31 cards to H.E. Im Soudsey, Chairman of NEC and made a request that NEC or the Ministry of Interior to return them to the rightful owners.

Collecting identification cards is a well-known technique intended to force people to support particular parties. ANFREL thinks this practice has an intimidating effect on people because it can lead people to think that their secrecy of voting might be compromised although it is not the case if all the procedures in polling and counting stations are strictly followed. ANFREL believes these practices should be stopped immediately.



An ANFREL and COMFREL observer and a lawyer from Khmer Kampuchea Krom Human Rights Association (KKKHRA) visited villagers at Kandal village Doung district, Takeo province to investigate reports of registration card collection by a Village Chief on the 6th of June.

Collection of voter cards and other ID cards continued into the campaign period. In Preaek Prasap District, Kratie, an opposition party collected around 100 voter cards from people. Those who collected the cards told the observer that they had collected to record names and numbers on these cards.

4.6.6. False information

ANFREL observers have received numerous reports mainly from political parties the observers found out were not accurate or intentionally manipulated. ANFREL strongly feels that all parties must stop immediately disseminating false information to election observers for their political benefits as the continuation of such practice might undermine the credibility of the activities of both international and local election observers. ANFREL would like to stress that it follows strictly several basic principles that includes political neutrality and impartiality in its activities.

4.6.7 Partisanship of Civil Servants

The observers also noticed civil servants, such as schoolteachers or public hospital staffs joined or were mobilized for the campaign meetings of the ruling party in large numbers. Some meetings were held after 5pm or at weekends and therefore did not violate the election law, which prohibits civil servants joining political parties' activities during work hours, but the observer in Kampong Cham reported that large number of government officials attended a party's meeting, which was held during office hours. There is also some doubt as to whether they all joined the meeting at their own will as the observers met several participants who claimed they had been told by their superiors to come to the meetings.

5. PEC/CEC Polling Stations Preparation

Observers met with the PECs and CECs in their respective areas of deployment. The observers found them adequately prepared and ready for the election. The Polling Station Officers were recruited and properly trained for the job. Likewise the polling stations were properly set up in accordance with the implementing rules and guidelines of the NEC. Most of these were found in schools, pagodas (temples) and in some instances where there were no schools or pagodas in the area; private houses were designated as polling stations.



All ballot boxes were put in plastic bags and transported by local vehicles to a storage room at a counting center where they are kept behind sealed and guarded doors. Party agents are allowed to stay overnight to guard.

A few observations however must be looked into.

a). While the polling station officers were adequately trained, we have observed that some were not up to the job. Some of them prepared the polling stations only in the early morning of the Election Day, as they were not too sure of what they were doing.

b). The weather was likewise a factor that caused some delays in the delivery of election materials as well as inconvenienced a number of voters on Election Day due to flooding. Voters had to wade through floodwaters or walk through mud to get to the polling station.

c). For the most part, private houses that were used as polling stations belonged either to the village chiefs or the commune chiefs. It is common knowledge that they were not neutral as most of them supported and actively campaigned for the party in power.

d). While the law allows reconciliation as a means of settling disputes and complaints, observers found out that the manner in which these conciliation meetings were conducted were far from being transparent. As a result, there were fears that the law may have been compromised.



Members of various observer groups

D. ELECTION DAY

On July 27, 2003, the people of Cambodia went to the polls to elect their representatives in the National Assembly for the next five years. It was the second parliamentary election since the UNTAC administered election in 1993.



ANFREL's Chairman with observers from the Norwegian Embassy in Bangkok who visited several polling stations in Phnom Penh.

The ANFREL observers started the day early at 6:30 am to observe the polling process. They observed the pre-polling activities such as the meeting of the PSOs; inventory of the voting materials such as indelible ink, ballot papers, the special ballot stamp, and other forms needed. The chairman then showed that the ballot box was empty after which it was sealed. Almost all polling stations visited

by observers started voting at 7:00 am.

1. Conditions at the Polling Stations

The general atmosphere was peaceful and calm. The voters exhibited much enthusiasm about the election. By the time voting started, there were long queues already at the polling stations. The greater majority of the voters went to cast their votes in the morning. There was much excitement among the voters and none of the tension observed in the past.

Security arrangements were adequate as earlier assured by the government and the electoral officials. However, the Code of Conduct for the National Police was not exactly followed. A number of armed policemen were seen near the polling stations. The polling officers did not seem to mind their presence. Some of them even said that they were not responsible for the outer perimeter of the polling stations. It must be noted though that ANFREL did not receive any report on security personnel intimidating voters or interfering with the voting process.

ANFREL observers though, reported a few incidents on Election Day.

a). In Phnom Penh, a hand grenade exploded in front of the FUNCINPEC headquarters. Likewise two unexploded grenades were found near the Royal Palace.

b). Almost all the observers noted the presence of village chiefs and some commune chiefs in the polling stations. Some of them had lists of voters, others were merely checking on the people voting while others were not exactly doing anything. It was reported though that in Kep, a commune chief was telling voters to mark No. 17 on the ballot, which is the CPP number.

While the law does not specifically bar the village chiefs from the premises of the polling stations, it must be noted here that they are the single biggest influence in the community with power and authority over the daily lives of the people. This being said, the law should restrict their presence in the polling places only when they go to cast their votes. More we should consider reports that a number of them were involved in the intimidation of voters during the campaign period.



*A grenade exploded in front of
FUNCINPEC headquarters
in Phnom Penh on polling day.*

c). Alternate party agents were inside the polling places despite the presence of the party agents already. An ANFREL observer thus reported:

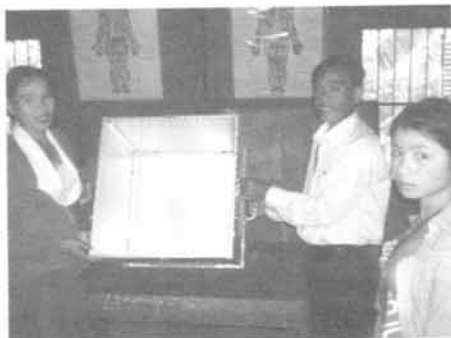
“...Alternate party agents were sitting on windows or near doors, actively participating in the process, thereby giving their respective parties additional representation”

Some alternate party agents were seen arranging transportation for voters to the polling stations. Unlike their alternates, the party agents were observed to have been too passive. Most of them simply watched the proceedings making a headcount of people that cast their votes. They did not raise questions nor did they raise objections.



Registration cards found by local residents in a dumpsite at Kendal

2. Polling Station Management



Preliminaries to the voting in a Polling station.

The overall management of the polling stations was satisfactory. The process went on smoothly and in a few cases such as in Streung Treng, the polling officers would consult their manuals. Otherwise the polling officers were knowledgeable and dealt with problems properly. If most of the PSOs were found to be up to the job, this could be explained by the fact that most of them had already acquired experience from the past election. However, a few PSOs were not properly trained. This is where problems and difficulties were observed.

3. Casting of Votes

Some minor problems were observed by ANFREL.

a). Since most voters trooped to the polling stations in the early morning, there was chaos at the entrances of most polling stations. Voters were pushing each other, shoving one another, each trying to enter the polling station. Queues were not observed. As a remedy, some PSOs distributed pieces of paper with numbers while others collected the IDs of voters. The voters then waited for their numbers or names to be called. Still others used the list of voters to call the names which was not fair because those who came in first were not necessarily called first.



Voters check their numbers at the voters' lists in front of the polling station

b). The secretary of the polling station was supposed to check the index fingers of voters before they are given a ballot. This was ignored in most polling stations. Similarly, they did not check if the fingers were marked with ink before they left the polling station.

c). Ballot papers were delivered in bundles. However, since numbers were punched through them, the ballot papers stuck to each other. As a result, a lot of ballot papers were spoiled.

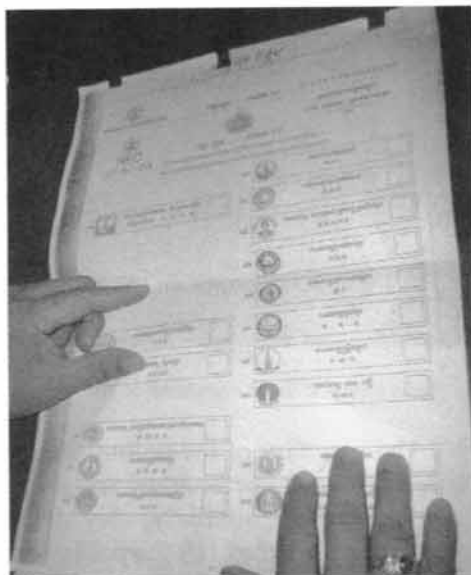
3.1. Voter's List

The biggest problem encountered on Election Day had something to do with the voters' list. Many could not find their names or if they did, it took them a long time. This resulted in the unruly crowding of the polling stations. There are a number of reasons that explain this:

a). Some voters were not aware that if they did not vote in the last commune election and failed to register for the 2003 election, they were not allowed to vote even if they voted in the 1998 election.

b). In some cases, voters who registered for this election cannot find their names in the polling centers where they registered because they were assigned to another polling station and they were not informed of the transfer.

c). The listing of names of voters was not systematic so that voters had difficulty finding their names even if their names appear in the list. The voters' list was arranged according to the time they registered so that the voter who registered first had his name first on the list while the voter who registered last was listed last in the registry. In a list of 700 voters, if the voter did not know his number on the list, it took him sometime to find his name.



A picture of ballot paper used at Odar Meanchey province indicating that not all parties participated in the election.

3.2. Acceptable Voter's ID

More possible source of confusion was also observed in relation with the allowed voters identification in order for a voter to cast his/her vote during polling day. Although the NEC has come out with the poster stating that if a person loses his voters card, he/she can still vote using other form of identity proof as showed in the poster. However, from the observations, it is clear that the villagers were not aware of the basic need that will enable them to vote; which is the photo on these cards. This means, although a person has all the cards but none of them has a photo on, he/she will still not be allowed to vote. Furthermore, this problem relates to the misunderstanding of the usage of family book for voter's identification on polling day. As mentioned in article 8.7.9.1 only the person who bears the photo in the family book will be allowed to vote on polling day. From observations, many villagers are unaware of

this regulation. ANFREL is concerned that this may cause serious problems on polling day.



Many voters were unable to vote because they could not find their names on the list.

ANFREL is also concerned on the findings of the number of people who have already applied to fill the 1018 form because they either have lost their voters card and have no other identification or their photo in these identification cards are missing.

In Malai District, approximately 400 1018 forms have been collected. This huge number concerns ANFREL because these forms were distributed by the commune leader and endorsed by the commune office only; there is no check and balance from PEC or CEC is sought in the endorsement of this form. If the commune office then endorsed application of non-registered voters on polling day, this might cause havoc if they are not allowed to vote even when they carry endorsed 1018 forms (because their names are not listed on the polling stations). This is however an assumption of what might happen because of this shortsighted electoral administrative procedure.



Confidential stamps with different signs were used to stamp the back of the ballot papers. Only one stamp is provided in each polling station.

3.3. *Voter Secrecy*

For the most part, the secrecy of the vote was observed. The booths were properly set up and secured so that the voters enjoyed the privacy necessary to vote freely. The PSOs did not hesitate to call the attention of voters passing behind other booths by mistake.

However, there were a few instances reported wherein the secrecy of the vote was compromised. Some polling booths were facing windows, some polling stations had gaps on the walls, and some were too close to the windows and the voters were talking with the people outside. An incident in Kampot was reported wherein there were three voters inside the booth while a voter showed his marked ballot to a party agent.

3.4. *Minor Problems*

In Kandal, an ANFREL observer was presented with 31-registration card allegedly retrieved from a garbage dumpsite. These cards were issued for the 1998 as well as for the 2003 elections. When confronted, the NEC refused to investigate the incident because voters can use other documents when they vote. However, in Kampong Chhanang, party officials from the opposition reported that village chiefs had been confiscating registration cards from the voters. We were not able to confirm though.

The outer environment of many polling stations was chaotic. Voters were trying to enter the station as soon as possible, rather than waiting patiently in queues, creating confusion at entrance. Sometime the observers had to push their way to get inside the polling stations to observe. In most polling stations, their queue controllers barely managed to hold people at the entrance and to keep the polling stations orderly, but not successful in some other polling stations, where the observer saw more than necessary people roaming around inside, bumping into each other. To tackle this problem, in some polling stations PSOs gave people slips of paper with numbers or collected ID cards, and people waited for their numbers and names to be called. In rare cases, PSOs decided to call in people according to the order of names in the voters list.



Voters show their right index fingers dipped with indelible ink after casting their votes at a polling station in Battambang

PSOs were supposed to check voter's index fingers for indelible ink before they issued ballot papers. This was totally neglected or done only causally in so many polling stations observed.

Ballot papers were delivered in bundles but ballots were clinging to each other because of numbers punched through them. It caused many spoiled

ballots, as ballot issuers tend to tear ballot papers when he/she tried to separate them.

4. Close of Polling

There was a lot of confusion in the closing of the polling stations. Apparently, many were not properly trained on the steps and procedures to be followed for the closing. Many of the PSOs took a lot of time accomplishing Form 1101. They had difficulties reconciling the number of ballots received with the number ballots used, ballots unused and spoiled ballots. Quite a number of PSOs referred to their manuals to help them go through the process.

The problem at closing could be traced to two factors. First, the procedures followed for this election was different from the last commune election wherein the ballots were counted at the polling station. For this election, the ballots were brought to a counting center and the count was made the next day. Secondly, it would appear that a number of the PSOs were not properly trained on the procedures to be followed.

5. Counting Day

The ballots were counted the following day after the election (July 28). The counting centers opened at 7:00 am and the party agents and other accredited observers were on hand to watch the counting. Most ANFREL observers visited the counting centers of polling stations wherein they have experienced problems in the polling and closing processes the day before.

In general, the counting process went on very smoothly in most of the counting centers. The counting teams were familiar with the various steps of the process from the verification stage to the actual recording of the results in FORM 1108. Likewise, the overall management of the counting centers was satisfactory.



A disabled voter exercising his right to vote at a polling station in Takeo province.

Observers however noted that some counting teams took too much time in the verification stage of the process. These happened in cases wherein the data reported in FORM 1108 did not match with the actual number of ballots in the boxes. For instance, in Banteay Mancheay, observers noted that the total number of ballots reported in the form did not tally with the actual number of ballots found in the box. In many cases, the counting teams recounted repeatedly the number of ballots, causing further delays in the actual counting. This notwithstanding, there is no evidence to suggest fraud either on the part of the PSOs or the counting teams. This was observed to be a result of the erroneous recording of data at the time

of the closing of the polls. Likewise the numerous forms to be accomplished added to the confusion experienced by the counting teams. To a certain extent, there was inadequate training for the polling officers as well as the members of the counting teams.



At the counting centre, all ballot boxes had been taken out of plastic bags and ballot papers were sorted to consist of 25 ballots before the tally begins. Observers were allowed to observe the counting process inside the counting centre.

While the manner of marking the ballot was clearly illustrated in the manuals, the counting teams found some ballots not properly marked. This caused a problem on the appreciation of ballots. Too often the chief of the counting team exercised discretion in determining which ballots

were valid and which were not. In other cases, the teams arrived at a consensus.

The three major parties sent their respective party agents to observe the vote count. However, as in the polling, these party agents were observed to be too passive. They limited themselves to recording the votes as they were counted which was unnecessary since they were asked to certify and sign the final vote count as recorded in the Vote Record Table. These party agents did not raise objections or complaints on the appreciation of valid from invalid ballots.

6. Observers

All in all there were 580 observers from 13 International Organizations as well as from the Embassies in Cambodia. Some provinces had as many as 20 observers that made up 10 teams. The observers from the different groups, in most cases, coordinated their activities to maximize the area of coverage to be monitored. Sharing of information was easy as most of them were staying in the same hotels or guesthouses. The Long Term Observers from ANFREL, The Asia Foundation and the European Union properly oriented the different observers on conditions in the provinces, the political climate obtaining as well as logistical arrangements.



(R) Mr. Tim Meisburger from the Asia Foundation and (L) Mr. Sok Sam Ouen from COMFREL facilitate an ANFREL organized briefing session and mock election for observers from several teams held at the Russian Cultural Centre.

E. OTHER OBSERVATIONS AND RECOMMENDATIONS

1. Access to Media

Access to broadcast media has been an issue pressed hard by both domestic and international election monitors. Cambodia has a high-level of illiteracy^{xvi} and the main sources of information for the majority of the people are TV and radio.^{xvii} In 2002, Cambodia had at least 6 TV channels and 15 radio stations. However, most of them “were tied to political groups or government associates and editorial independence was rare,”^{xviii} and most media are believed to be under the control of the government or CPP. Introduction of a new press law in 1995 and closure of one TV station owned by FUNCINPEC at the time of 1997 coup created a de-facto monopoly of media by the CPP-led government.

Inequality in the access to media by parties was apparent in 2002 election. COMFREL, which monitored 6 TV and 7 radio stations during 2002 Commune Election, reported that most of their airtime was used to report the government’s activities (85%).^{xix} This eventually means that CPP had more opportunities to have their



The Cambodian Daily, the only English and widely-read daily that gave a balanced coverage of the election.

activities (and its message) broadcasted to voters than other parties for the government activities are usually identified with that of CPP. Another media monitoring conducted by the EU showed TVK, the state-owned TV that covers 90 % of the population used 65% of its airtime during a month before the election to cover government news and 22% for CPP while FUNCINPEC received only 3% and SRP 0%.^{xx}



ANFREL Press Conference for local and foreign media held on the 30th July, 2003 at the Goldiana Hotel. A copy of the press statement can be read in Appendix G.

The performance of the previous NEC during 2002 election was not impressive or even worse than in 1998 election, when at least limited airtime in a state-run TV was provided for each party. The NEC came under fierce criticism when it prohibited private media to air debate programs based on dubious legal basis and dropped its plan to air a series of voter education roundtable program, in which each political party had equal time to present its view.^{xxi}

In the early of 2003, certain improvement was seen as NEC made clear its will to rectify the imbalance in media access. For state media, it requested MOI that TVK, the state TV, give equal coverage or spot time

to all political parties, which was accepted in a way. For private media, although it abandoned an idea of buying airtime from private media and distributing it evenly to all political parties, NEC allowed political parties to buy airtime from private media and directed private media to accept offers from any party if they agree to sell its airtime to one party. However, this positive development was frustrated when several private media refused to sell their airtime to any political party.

2. Women's Participation

The changes in Cambodia have greatly influenced the role of women in society where they can now speak freely and take active participation in discussions. Yet very few get elected to government posts or have very limited representations in government institutions.

Even if party membership is equal among men and women, men still



Female voters queuing in front of polling station in Odar Meanchey province

dominate party membership even if all parties have included women as candidates to the National Assembly.

Various factors can be cited. According to statistics in Cambodia, women outnumber men but on the one hand, literacy rate is higher among men. Such factor therefore has greatly discouraged their

participation in the election process, more so, the understanding of election related matters. Political parties do not specifically target women during voters' education. Their chances to be elected is mainly due also to the order in the listing of names where their names are either in the middle or the end of list thus affecting name recall which often limits their chances to get into the National Assembly.

3. Political Patronage

It has been observed that the ruling party used infrastructure developments and projects as campaign propaganda. Voters were given the impression that schools, hospitals, roads and other public works were made possible only by the ruling party in general and Hun Sen in particular. Many voters were made to believe that personal resources of Hun Sen were used for these projects. This promotes the culture of political patronage too prevalent in many underdeveloped countries. This has to be nipped in the bud. This practice distracts the voters from the real issues of the campaign as it focuses attention on the personality of the candidate instead of his program of government. The candidate is perceived as the source of all growth and development when in fact these were made possible by the taxes that the citizens pay, if not from funds generously given by donor countries.

As example, inauguration ceremonies of completed projects were so timed with the meetings and rallies of the CCP to remind the voters that these projects were made possible by the party. In Khsach Kandal, a renovated hospital and a new library were inaugurated at the time the CPP had its party meeting. When voters were asked who financed these projects, many answered, Hun Sen and the CPP. On the other hand, it was reported that people were prevented from using certain public facilities after they were found out to be sympathetic to the opposition party. In Malai commune, Banteay Mancheay, SRP supporters were not allowed to draw water from a well simply because they were not supportive of the ruling party.

In extreme cases, CPP supporters, village chiefs and other government officials issued warnings to the people that if they did not vote for the CPP, they will not be given new schools, roads and other infrastructure developments. Villagers in Kampong Svay reported likewise that agricultural land was confiscated to compel them to support the CPP. People were threatened that unless they voted for the CPP, they will be deprived of their land ownership.

Cambodia is a relatively new democracy. Hence, this early, the politics of patronage must be corrected otherwise political representation will be

perpetuated by those in power now or limited to the rich with resources to dispense.

4. Suffrage for Monks

Buddhist monks and activities in the pagodas are very important in the Cambodian society. Observers note, that mainly the ruling party organized political activities at the pagoda. Such activities include religious ceremonies in the presence of monks, i.e. swearing to vote for a certain party, collecting thumbprints for the same purpose, collecting voter ID cards, gift-giving, as well as casting votes. Temples will be a place to set up polling stations in the provinces



Buddhist monks casting their votes in Takeo province

Considering monks participating in the elections, the discussion with the chief incumbent in Kratie temple in Kratie commune, revealed that the Buddhist monks in his temple did not go to register this time, because they received information from high ranking Buddhist monks in Phnom Penh that voting is ethically wrong for Buddhist monks. The chief incumbent in the temple further said that even though they did vote in previous elections, they would not go to vote this time because it is considered being biased, which is against the rules in the religion. However, the discussions with the other monks in Kohtrong commune of Kratie and Duan Keo of Takeo found that they have not received such regulations from Phnom Penh and over there monks have their individual freedom to do what they like. Nevertheless, some young

monks who just qualified as eligible voters stated that they did not register because they are not interested.

5. Suffrage for Political Detainees

ANFREL is looking forward to seeing that the right to vote will be considered for all eligible voters and nobody will be excluded. According to the Election Law, detainees have a right to vote. In addition, people who need to stay in hospitals should have the opportunity to participate in the elections. We are hoping that some mobile teams will be collecting votes from such groups of people and are happy, that in some provinces officials seem to take care of this matter. In Sisophon in Banteay Meanchey, the prisons' head warden confirmed that the PEC would come to the prison to get the detainees' votes cast (in fact in this prison detainees are placed together with prisoners). In Kompong Cham, the PEC confirmed that mobile polling stations would be deployed to serve the detention centre and the hospital to enable people to vote.

6. Electoral Reforms

ANFREL is committed to the promotion of democracy in the region. Hence, it will continue to monitor developments and conditions in Cambodia on a long-term perspective. The observation teams, both the LTOs and the STOs have come out with the following recommendations to improve the Election Law with the hope that these will be seriously considered by all parties concerned specifically the Cambodian Legislature, the NEC, the political parties, civil society and the Cambodian citizens.

1. The National Election Committee

1.1. Composition

For an electoral body to remain independent and free from external pressures and influences particularly from the political parties, the NEC must be a constitutional body i.e. its structure, its mandate as well as the tenure of office of

the NEC commissioners are defined in the constitution. This is one big step to ensure that it is non-partisan. Further, the selection and appointment of the commissioners must be transparent. To achieve this, it is proposed that a selection committee composed of representatives from NGOs, the legal profession, the academy, the media as well as from the political parties, be formed to receive applications from the public and serve as a screening committee to scrutinize the qualifications of the applicants. In addition, the committee members in its deliberations should observe consensus.

1.2. Continuity

The appointed members of the NEC should enjoy a defined tenure of office to ensure its continuity. Besides, security of tenure will strengthen the independence of the electoral body. It must be provided with all the necessary logistical support such as a permanent office and a career staff down to the provincial and municipal levels. As it is the NEC has been run as an ad hoc organization.

1.3. Scope of Authority

The Election Law needs to broaden the authority of the NEC to deal with violations of the election code more effectively as well as to empower it to issue rules and regulations to promote free and fair elections.

a). There is a need for NEC to regulate media during the election period. Experience in the region particularly Thailand, the Philippines, Sri Lanka, and Bangladesh showed that reasonable media regulations provide the political contestants with equal access to media, thereby contributing to a freer election. This is important since even some private media outfits are under the control of certain politicians.

b). The Election Law should likewise enable the NEC to deal with all infractions of the law such as, but not limited

to, ruling on the qualifications of candidates, relocating polling stations, the power to postpone elections whenever necessary, as well as to file cases in the local courts. Under this proposal, trial of criminal cases shall remain with the judiciary while all election related matters remain within the jurisdiction of the NEC.

c). There is need for the Election Law to define all possible violations of the law and to spell out accordingly their corresponding penalties. This way, all the political contestants are properly guided.

d). Finally, the independence of the NEC need not be overemphasized. As in most democracies the independence of the electoral body in the exercise of its functions, promotes not only free and fair elections but contributes to the credibility of the results of the election.

2. The PEC and the CEC

Currently, the Election Law is vague on the scope of power and authority of the PEC and the CEC. At best, their functions are a result of delegation from the NEC. This does not provide them with the proper stature and legitimacy to perform a vital function such as election administration. Hence, it is recommended that the law define the duties, responsibilities as well as the corresponding authority necessary to carry out these duties. As an example, the investigation as well as resolution of complaints should be vested with the PECs and the CECs. This is without prejudice to the prerogative of the NEC to review on appeal their resolutions and decisions.

ANFREL realizes the difficulties of selecting PEC and CEC officers who are non-partisan considering the culture and the history of Cambodia. However, certain rules can be promulgated to cushion the impact of what appears to be lack of neutrality. Hence, a period should be considered from the resignation of the

prospective appointees and their appointment to the electoral body.

3. Partisanship of Civil Servants

ANFREL observers noted the active participation of civil servants in partisan politics. They were seen wearing t-shirts and caps of political parties mostly of the ruling party and actively participating in rallies and other campaign activities. Civil servants are precisely called so because their principal duty is to serve the people. They are paid from the resources of the government, which come from the public through payment of taxes. Therefore, to engage in partisan politics is a disservice to the public that pays them. It is recommended then that the law prohibit their active participation in partisan activities. Most democracies in the region prohibit their civil servants from engaging in partisan politics. It is an election offense to do so. Civil servants are career employees that should maintain the highest degree of professionalism in their conduct.

Likewise it is recommended that the "General Statute of Cambodian Armed Forces" be amended to prohibit military and personnel from becoming political party members.

F. Chronology of Events

: February 2002 to October 2003

2002

February 3: The Commune Council Elections were held.

February 25: The NEC announced the official results of the Commune Council Elections.

April 21: Funcinpec submitted to the standing committee of the National Assembly its draft proposal for the law on the Election of Members of the National Assembly.

May 20: Prince Norodom Chakrapong established the “Prince Norodom Chakrapong Khmer Spirit Party”

July 26: The Council of Ministers submitted the Draft Law on the Election of Members of the National Assembly, prepared by Ministry of Interior.

August 2: The Draft Law on Election of Members of the National Assembly prepared by the Ministry of Interior was submitted to the standing committee of the National Assembly.

August 19: The National Assembly started its discussion on the Draft Law on the Election of Members of the National Assembly.

August 21: The Draft Law on the Election of Members of the National Assembly was passed by the National Assembly.

September 25: The Ministry of Interior announced the names of the newly appointed members of the National Election Committee (NEC).

2003

January 2: The NEC began the training of PEC officials.

January 3: Funcinpec President Prince Norodom Ranariddh confirmed earlier that the party controls one radio station.

January 6: The NEC announced that factory workers will be given paid leaves to register and vote in the assembly election of July.

January 13: The NEC announced that more than 6.8 million Cambodians are eligible to vote in the 2003 election.

January 13: The NEC revealed that a Buddhist leader has said that the NEC cannot use Buddhist temples as registration sites or polling stations for the general election

January 13: It was announced that a new government radio station will begin broadcasting before the July election. A government official said that the new radio station was planned to inform Cambodians on democracy and human rights.

January 15: The wife of a slain Funcinpec commune election candidate was shot and killed by unknown assailants in Kompong Cham.

January 15: A NEC spokesman said that NGOs planning to conduct voter education programs should submit their video or audio tapes to the NEC for review.

January 16: Commune Council offices started posting lists of registered voters.

January 20: The Hang Dara Democratic Movement Party reported that two of its members left their homes to escape harassment by the police.

January 13-19: The Ministry of Interior permitted the Democratic Front of Khmer Students and Intellectuals to form the Khmer Front Party.

- The Cambodian government presented its election security plans. The plan will be implemented by the Central Bureau for Security which will

be established at the municipal, provincial, district and commune levels. According to the plan, more than 8,000 unarmed police officers will be deployed for the voter registrations.

- The Mohanikaya sect Supreme Patriarch Buddhist leader said that the NEC may use Buddhist temples for the elections.

January 20-29: An anti-Thai riot erupted in Phnom Penh, leaving the Thai Embassy burned along with several Thai business establishments.

- Mam Sonando, the owner of Beehive Radio, an independent Cambodian radio station, was charged with inciting the anti-Thai riots in Phnom Penh and accused of broadcasting in one of its programs, false reports of attacks in Thailand against Cambodians.
- Funcinpec President Prince Norodom Ranariddh accused Keo Remy, a Funcinpec official, of defecting to SRP.
- SRP supporters held protests in Phnom Penh against election registration irregularities, accusing the international community of turning a blind eye on the problem.

February 3-9: Hun Sen made clear in a letter to King Norodom Sihanouk that Sam Rainsy would not be arrested in connection with the anti-Thai riot. Sam Rainsy went into hiding, claiming the government was preparing to strip him of his parliamentary immunity and arrest him.

- Governor Chea Sophara was removed from his post, for his alleged involvement with the January 29 anti-Thai riot.
- Prime Minister Hun Sen appealed to those eligible to vote to register for the 2003 election in his speech aired on Apsara Radio.
- The NEC decided to extend registration throughout the country for two to five days as the turnout was lower than expected.

- The NEC ordered SRP to stop its broadcasts and distribution of leaflets aimed at encouraging citizens to register. The NEC considered these activities as violations of the election law.

February 10-16: Om Radsady, a senior adviser to Funcinpec President Prince Norodom Ranariddh, was shot and killed in Phnom Penh.

- A CPP official was beaten to death in Siem Reap province. Police officials said the motive of the killing was personal dispute.

- “Cambodia Voices”, a new talk show program was aired on TV3. The program brought together experts and officials to discuss current affairs.

- The NEC said that more than 70 percent of the new eligible voters registered for the election, bringing the total percentage of eligible voters who registered to around 92%.

- King Norodom Sihanouk said in a letter that he could not prohibit monks from registering to vote because their right to vote was guaranteed by the Cambodian constitution.

- Funcinpec President Prince Norodom Ranariddh called the killing of his adviser, Om Radsady, political, dismissing an Interior Ministry report that blamed robbers for the killing.

February 17-23: A coalition of more than 60 NGOs issued a joint statement expressing concern that recent violence including the killing of a high-ranking Funcinpec official could “cast a dark cloud over the upcoming national elections.”

- A Sam Rainsy Party activist was injured by a grenade blast in Kampot after he had an argument on politics with his brother-in-law, a CPP supporter.

- Funcinpec Interior Ministry Secretary of State Kieng Vang defected to the Sam Rainsy Party. He said he lost confidence in Prince Norodom Ranariddh, Funcinpec President.

- Voter registration ended. The NEC said that 1,164,751 new voters registered and that nearly 95 percent of the total eligible voters in Cambodia were registered.

February 24-28: A commune council in Meanchey district stopped the registration of 130 people after one commune official filed a complaint that they were non-resident Vietnamese.

- UN human rights envoy Peter Leuprecht said that the political climate in Cambodia was tense, expressing concern about the January 29 anti-Thai riots and the killing of Om Radsady.

March 3-9: A survey conducted by the Youth Council of Cambodia - a group of five NGOs - showed that about 87 percent of the youth plan to vote in the elections.

March 10-16: The European Parliament adopted a resolution which condemned the acts of violence and intimidation taking place in Cambodia in the run-up to the July elections.

- Funcinpec Secretary of State Ahmad Yahya announced his departure from Funcinpec to join SRP.

- The Committee for Free and Fair Elections (COMFREL) stated in its report that the result of the registration for the 2003 election was worse than in past elections. The report said that about 400,000 eligible voters did not register due to a complicated registration process coupled with an irregular implementation of the process.

March 17-23: Seven more senior Funcinpec members left the party to join SRP, bringing the total number of Funcinpec officials who defected to the opposition to 12.

March 24-30: Four SRP parliamentarians, Lim Shun, Hong Sock Hang, Hour So heap, and Sun Kim Hun defected to Funkiness.

March 31-April 6: Prime Minister Hum Sen appealed to all political parties to conduct their campaigns during the national election in

accordance with the law and urged local authorities to provide full security to all political parties.

- UN human rights envoy Peter Leuprecht told the UN Commission on Human Rights in Geneva that all cases of alleged political killings should be seriously investigated. He also told the commission that the country's progress on judicial and legal reforms remained slow. The Ministry of Foreign Affairs of Cambodia later countered saying that the country had made significant progress on the issues of human rights.

- National Assembly First Deputy President Heng Samrin called on the NEC to provide all NGOs and independent institutions with the voters' list for their verification.

April 14-20: The NEC started recruiting provincial election officials in the provinces and municipalities.

April 21-27: Prime Minister Hun Sen warned against vote-buying in a speech aired on Apsara Radio.

- Neutral Impartial Committee for Free and Fair Elections (Nifec) decried in its report the recent selection of PEC members as lacking in transparency and fairness. It criticized the NEC for its decision to re-appoint PEC members from the previous PEC staff, who are aligned with the ruling parties.

- SRP lawmaker Sith Ybrahim joined Funcinpec.

May 17: The NEC released a draft on the rules for campaign advertisement, which was aimed at ensuring equal access to media by all the political parties. According to this draft, all parties can buy equal airtime from the private broadcast media at uniform rates.

May 21: The National Democratic Institute (NDI) presented a draft code of conduct for the national election campaigns. The institution said that it was expecting the political parties to give their comments and recommendations.

- SRP sent a letter to the NEC complaining that commune officials refused to give opposition party members their voter registration cards.
- Police crushed an opposition rally, organized to protest a move to strip the parliamentary immunity of opposition lawmaker Cheam Channy.

May 25: The NEC approved the registration of 23 political parties for the 2003 National Assembly Election. 39 parties run in the 1998 election.

End of May: Six private media companies issued a statement that they will refuse to sell airtime to political parties for fear of being accused of political bias. TVK, the state-owned TV station will give airtime to all political parties, allotted as follows: 44% to CPP, 29% Funcinpec, and 19% SRP.

June 1: Ta Prohm, the Funcinpec-controlled radio station, aired a program accusing the Hun Sen government as responsible for the 1997 factional fighting. This drew a strong response from the CPP, causing tension between the parties in the coalition government.

June 4: The Central Security Bureau released a report which said that none of the 18 killings of political party officials or activists in the past months was politically motivated.

June 5: 230 students filed a petition which denounced the Pagoda Boys Association, a CPP-backed youth group.

- A NDI delegation finished a one-week observation visit to Cambodia and released a report which said that the run-up to the coming election had serious flaws. It focused mainly on the unequal access to media by the political parties.

June 6: The US State Department deputy spokesman Philip Reeker released a statement which implied that Cambodia could expect more aid from US if the coming election was free and fair.

June 12: The NEC released the voter-tally form to be used in the election. The form was similar to the one used in 1998.

June 17: ANFREL issued a statement of concern regarding acts undertaken by village and commune chiefs, favoring particular parties to the discrimination of others during the election campaign. Its observers claimed that their actions violated the election law, undermined basic human rights and cast doubts on the holding of free and fair election. ANFREL appealed to the NEC and the PECs in all provinces to take swift action on this issue.

June 26: Official election campaign period started. Many incidents were reported during the first week of the campaign.

June 29: A debate program among the three major political parties; CPP, Funcinpec, and SRP, was organized by NDI in Kompong Cham Province. The program was sponsored by NDI and will be aired on Radio Free Asia and TV9.

July 2: Human rights NGOs and election monitoring groups issued a joint statement that called for the cessation of politically motivated killings and intimidations.

July 8: A UN Human rights envoy released a report in which he criticized the NEC and law-enforcement officials for not investigating fully reports of voter intimidation, election-related violence, and vote-buying.

July 9: The NEC issued warnings with threats to suspend broadcasting media, particularly Ta Prohm and Beehive Radio, for using abusive language in their political coverage. Later, however, it was revealed that the NEC had no legal power to shut down broadcast media.

- Cambodian religious leaders from the Buddhist, Muslim, and Christian faiths jointly urged political parties to ensure a peaceful election.

July 15: The NEC announced that it would hold next week its first hearing on the complaints filed by the political parties.

Mid-June: The NEC announced that it had accredited more than 28,000 observers, including 400 international observers, for the coming election.

July 18: Human Rights Watch released its report and said that CPP was using “more sophisticated forms of intimidation.”

July 21: Director General Hok Kundy of the National Police warned against possible violence after the election results were announced.

July 22: Three Funcinpec activists and supporters were hacked to death in Kampong Chhnang. In Pursat, a SRP activist and his wife were shot and killed.

- Chea Sim, the CPP president, said CPP wished to maintain the coalition with Funcinpec after the election.

- In a press conference, Sam Rainsy made known his refusal to work in coalition with Hun Sen.

- Authorities in Banteay Meanchey revealed that the police confiscated about 100 guns and other weapons in the province.

June 23: A complaint lodged by Funcinpec against CPP over alleged gift giving in Kampong Chhnang was dismissed by the NEC

July 25: Official campaign period ended.

July 26: Quiet Day

July 27: ELECTION DAY: A grenade exploded near the Funcinpec Headquarters in Phnom Penh. The voter turnout was estimated at 83%, ten percent less than that of the 1998 election.

July 28: Counting Day. Police tightened security in Phnom Penh.

July 29: Funcinpec Secretary General Norodom Sirivudh and SRP leader Sam Rainsy said in a joint press conference at the Hotel Cambodiana that they would form a coalition.

July 30: Sam Rainsy proposed to form a three-party coalition government to break the political deadlock. Meanwhile, Hun Sen vowed to stay for another five years as Prime Minister.

August 2: Funcinpec and SRP confirmed they would maintain an alliance to push for a three-party government.

August 3: The NEC said it received five complaints on the voting. Nearly 1000 complaints had been filed with the CECs and PECs, but only 27 of them were examined by the NEC. The rest were dismissed for lack of evidence.

August 4-8: Funcinpec and SRP signed an agreement to form an "Alliance of Democrats."

- Funcinpec released its proposal for a new government that would have a neutral Prime Minister and three deputy prime ministers from the three major parties.
- Tep Nitha, the NEC Secretary General, said that complaints recorded by independent election monitors, such as the UN or the Asian Network for Free Elections (ANFREL) would not be considered by the NEC. Election results may be contested only by political party complaints at the national level.
- NEC dismissed a claim filed by SRP for a re-vote in Poipet.
- King Norodom Sihanouk, in a letter, proposed Hun Sen as the Prime Minister.

August 11: The Cambodia Watchdog Council, a coalition of five SRP supporter groups, said it was planning to stage a demonstration against the results of the election.

- Funcinpec Deputy Secretary General Nhiek Bun Chhay sent a letter to the Constitutional Council, asking to invalidate the result of the election.

August 12: Sam Rainsy was denied entry to Thailand, where he planned to attend a press conference of the Foreign Correspondents Club of Thailand (FCCT).

- A CPP spokesman said that CPP was adhering to a two-party government with Hun Sen as its Prime Minister.
- The Cambodia government denied permission to the Cambodia Watchdog Council to hold its protest against the result of the election.
- Funcinpec Deputy Secretary General Nhiek Bun Chhay said Funcinpec and SRP will merge as one party in 2008.

August 16: Prince Norodom Ranariddh reiterated his demand for a three-party government without Hun Sen as Prime Minister.

August 18: Funcinpec and SRP criticized the Constitutional Council for being politically biased.

August 18 - 22: The Constitutional Council started preparations for its public hearings on the complaints filed by Funcinpec and SRP against the NEC.

August 19: 14 SRP and 31 Funcinpec parliamentarians signed a petition demanding a reshuffle of the NEC.

August 19: The Royal Family, the Government of Cambodia and the UN paid tribute to the late Sergio Vieira de Mello. At the time of his death, he was the UN's top envoy to Iraq. Sergio Vieira de Mello was also the former head of the repatriation program in Cambodia. He worked in Cambodia during the UNTAC from 1991 to 1993, helping stabilize the country in the light of the Paris Peace Accords. He was responsible for the repatriation of more than 260,000 refugees from Thailand. He died in a suicide bombing attack in Baghdad.

September 6: The NEC announced the official result of the election. **CPP won 73 seats, Funcinpec 26, and SRP 24.**

September 9: King Norodom Sihanouk said he will not open the third term of the National Assembly as a reaction to opposition leader Sam Rainsy's refusal to attend the parliament's inauguration ceremony.

September 15: Civil Society leaders urged the three main parties to establish a common goal and resolve the political standoff for the sake of the nation. LICADHO Director Kek Galabru urged political parties to put their differences aside and unite for a tough judicial system and a domestic violence law. Chea Vannath, director of the Center for Social Development said the political deadlock not only is causing bureaucratic problems within the capital but is trickling down to the provinces as well.

September 22: The 621 Cambodian illegal immigrants repatriated from Thailand arrived on board four C-130 cargo planes at the air force base near Phnom Penh International Airport. This is part of Bangkok's efforts to clean up its streets ahead of the Asia Pacific Economic Cooperation (APEC) summit in October.

October 4: 123 parliamentarians were sworn in by King Norodom Sihanouk at a ceremony outside the Royal Palace. Leaders of the three main parties joined the ceremony which formally gave birth to a new National Assembly but offered no solution to the standoff between the ruling CPP and the Alliance of Democrats.

October 8: Khieu Kanharith, CPP spokesman, said that the convening of the Assembly and the formation of a new government should be negotiated together but Funcinpec and the Sam Rainsy Party officials refuse to join a coalition government unless Hun Sen steps down. Ung Bun-Ang, SRP spokesman, countered that high illiteracy and child mortality rates are indicators that the country needed a new leader. Since Cambodia is one of the worst and poorest countries in the world, a new Prime Minister is needed, he said.

October 14: Popular singer Touch Srey Nich and her mother were shot dead at a flower shop on Monireth Boulevard. Funcinpec officials said the star identified herself with the royalist party, singing songs in the Funcinpec general election campaigns and in the film "Raj Borei," the directorial debut of Funcinpec President Prince Norodom Ranariddh.

October 18: Chuor Chetharith, an editor and reporter with the pro-Funcinpec radio station Ta Prohm FM 90.5 was shot dead by gunmen outside the station's offices in the Chamkar Mon district of the capital. The execution-style killing came just days after P.M. Hun Sen publicly warned the radio station that it should cease broadcasting insulting programs that specialized in critically dissecting and pouring scorn on his speeches.

October 29: The three main political parties agreed to form a tripartite government and accepted Hun Sen's nomination for prime minister, ending a standoff that has lasted more than three months. Under the agreement, Prince Ranariddh will become the new president of the National Assembly but no decision was made as to Sam Rainsy's position, although he was offered the post of deputy prime minister.

(This chronology was compiled based on articles from the Cambodia Daily and the Cambodia Daily Weekly Review, and a seminar paper presented by Hiroshi Yamada, People's Forum on Cambodia, Japan.)

G. APPENDICES

Appendix A: Election Schedule

Events	Date
Members of the NEC take office	November 15, 2002
Revisions of Voters Lists starts (Voter Registration)	January 17, 2003
Posting of Provisional Lists of Voters	February 19, 2003
Publication of the Official Voters Lists	April 27, 2003
Registration of political parties starts	April 28, 2003
Registration of political parties ends	May 17, 2003
Posting of provincial registers of political parties and candidates	June 18, 2003
Publication of the list and locating of Poling Stations	June 26, 2003
Beginning of the Election Campaign Period (30days)	June 26, 2003
End of the Election Campaign Period	July 25, 2003
Election Day	July 27, 2003
Vote counting and posting of results at CEC	July 28, 2003
Publication of Preliminary Results	August 8, 2003
Publication of Official Results (If there is no appeal)	August 12, 2003
Publication of Official Results (If there is any appeal)	August 14 to September 2003
Seat allocation and publication of elected candidates list	August 15 to September 7, 2003

Source:

NEC Public Information Bureau, National Assembly Election 2003 in Cambodia, Press Kit

Appendix B: ANFREL Cambodian National Assembly Election Observation Mission Schedule

ANFREL Mission Office at Goldiana Hotel, No. 10+12, Rd.282, Sangkat Boeng Keng Kong I, Khan Chamkarmon, Phnom Penh, Cambodia,
Tel. (855) 23 219558-9 and Fax. (855) 23 219558, 218490

Monday, 21 July 2003

Moderator: Mr. Damaso MAGBUAL, Ms. Somsri HANANUNTASUK

Opening Address ANFREL	8.30-8.45	General Saiyud KERDPHOL, Chairperson ANFREL	<ul style="list-style-type: none"> ☞ Welcome Address ☞ Introducing ANFREL and its involvement in Cambodia
Welcome Address of COMFREL	8.45-9.00	Mr. Thun SARAY, President of COMFREL	<ul style="list-style-type: none"> ☞ Welcome as the ANFREL host ☞ Relationship with ANFREL ☞ Introducing COMFREL and its monitoring system
Overview about the election situation	9.00-10.00	Mr. Thun SARAY, President of COMFREL and Mr. KOUL Panha, Executive Director COMFREL	<ul style="list-style-type: none"> ☞ General assessment on pre-election campaign and campaign period ☞ Voter registration and voter education ☞ Major areas of concern ☞ Media
Questions/Answers / Discussion	10.00-10.30		
Break	10.30-10.45		

Introduction into Short-term Election Observation	10.45-11.15	Ms. Somsri HANANUNTASUK, Coordinator ANFREL Mr. Denis DRESSEL, Assistant Coordinator ANFREL	☞ Brief overview about ST election observation activities ☞ Presentation of STO Manual and Guidelines ☞ Distribution of Manual and Guidelines
Questions/Answers	11.15-12.00		
Lunch	12.00-14.00		
The NEC and its role in the Cambodian elections	14.00-14.30	Dr. SIN Chumbo, Member of the NEC	☞ NEC, PEC, CEC, party agents, (complaints procedure)
Questions, Answers	14.30-15.00		
Break	15.00-15.15		
Some outsider views on Cambodian politics and dominant Cambodian parties in the election	15.15-17.00	Dr. Kristina CHHIM	☞ Overview on politics and dominant political parties profile ☞ Power Point presentation
Questions, Answers and Discussion	17.00-17.30		

Tuesday, 22 July 2003

Moderator: Mr. Kingsley RODRIGO and Mr. Hideyuki ANDO

Briefing Schedule			
Election Law <i>(Russian Cultural Center!)</i>	8.00-9.00	Mr. SOK Sam Oeun, COMFREL Executive Committee Member	☞ Overview about the Election Law and important regulations
Break	9.00-9.15		

Election Observation <i>(Russian Cultural Center!)</i>	9.15-11.15	Mr. Tim MEISBURGER, Election Advisor The Asia Foundation	<ul style="list-style-type: none"> ☞ Roles and duties of international observers ☞ Election environment observation ☞ Polling Station and Counting Station Observation ☞ Review of Observation Forms ☞ Questions and Answers
<i>Questions and Answers</i> <i>(Russian Cultural Center!)</i>	11.15-12.00	Ms. Somsri HANANUNTASU K Mr. Denis DRESSEL ANFREL	☞ Continue: Questions and Answers
Lunch	12.00-14.00		
Deployment, logistical arrangements, security	14.00-16.00	Ms. Somsri HANANUNTASU K Mr. Denis DRESSEL Mr. DAV Ansan	
Break	16.00-16.15		
Code of Conduct, Announcements	16.15-17.00	Mr. Sunai PHASUK, ANFREL Advisor, ANFREL LTO	<ul style="list-style-type: none"> ☞ CoC ☞ Questions, Answers concerning observation
LTO Briefing for STO	17.00-18.00	All ANFREL LTOs	<ul style="list-style-type: none"> ☞ LTO briefing for STO ☞ In small groups according to area of deployment ☞ Each LTO briefs STO on his/her own province and the province he/she investigated
Dinner	18.30		

Appendix C: List of Deployment

	PROVINCE	NAME	PROVINCIAL CONTACT PERSON
1.	Phnom Penh	Gen. Saiyud Kerdphol (Thailand) Ms. Somsri Hananuntasuk (Thailand) Ms. Shimizu Maiko (Japan) Ms. Takahashi Risa (Japan) Ms. Vatne Ingunn (Norway) Ms. Ueki Hidetoshi (Japan)	Mr. Koul Panha 012 942 017 Mr. Seng Rithy 012 942 804
2	Kandal	Mr. Damaso Magbual (Philippine) Ms. Dhyana Paramita (Indonesia) Mr. Denis Dressel (Germany) Ms. Olga Kim (Kyrgyzstan Rep.)	Mr. Ny Sokha 012 943 860
3	Takeo	Ms. Taina Dalhgran (Finland) Mr. Sunai Phasuk (Thailand) Ms. Shimizu Asao (Japan)	Mr. Men Makara 012 602 993
4	Prey Veng	Mr. Rumees Khan (Bangladesh) Ms. Anothai Soma (Thailand)	Mrs. Kea Sophal 011 704 528
5	Svey Rieng	Mr. William Tedard (US) Mr. U Ting Aung (Burma)	Mr. Yim Sikhoun 011 931 601
6	Kampong Chan	Ms. Andrea Belm (Germany) Ms. Dahliah Umar (Indonesia) Mr. Chang Yi Bin (Taiwan)	Mr. Neang Sovath 011 776 621
7	Kampong Thom	Mr. David Pred (US)	Ms. Kun Sitha 012 967 194
8	Kampong Chhnang	Mr. Ando Hideyuki (Japan) Ms. ITO, Mihoko (Japan) Ms. HASHIDO, Yuki (Japan) Ms. OGAWA, Masayo (Japan) Mr. NISHIYAMA, Takashi (Japan)	Mrs. Tho Theavy 012 811 490
9	Kampong Speu	Mr. Sakaguchi Naoto (Japan) Ms. MITSUMORI, Sachiko (Japan) Ms. SAITO, Masako (Japan) Ms. NAGAMINE, Seiko (Japan) Ms. FURUKAWA, Aki (Japan) Mr. WATANABE, Kiminori (Japan)	Ms. Ouch Bo 012 948 690

		Ms. KADOKURA, Wakana (Japan) Prof. YAMADA, Mitsuru (Japan) Ms. SAKURAI, Mariko (Japan) Ms. TAKASE, Eri (Japan) Ms. YOICHI, Noriko (Japan) Ms. TAKAHARA, Hiromi (Japan) Ms. TANABE, Nao (Japan)	
10	Siem Reap	Mr. Rahmat Khan (Malaysia) Mr. Kingsley Rodrigo (Sri Lanka)	Ms. Mao Yin 012 944 606
11	Pailin	Mr. TAMAKI, Tomohiro (Japan) Mr. TSUJI, Tadahiro (Japan)	Mr. Suy Sovan 012 946 337
12.	Battambang	Mr. Okada Daisuke (Japan) Ms. Kae Matsuura (Japan) Ms. SUGAWARA, Akiko (Japan) Mr. NOMOTO, Keisuke (Japan) Ms. TAMARU, Junko (Japan) Ms. ISHIHARA, Hiroe (Japan)	Mr. Yin Meng Ly 012 970 823
13	Kratie	Mr. Kamal Perera (Sri Lanka) Mr. Pongsak Chanon (Thailand)	Mrs. Im Samborina 011 906 423
14	Banteay Meanchey	Mr. Herizal Hazri (Malaysia) Mr. Miyaki Osamu (Japan)	Ms. Im Sophea 012 930 446
15	Sihanoukville	Prof. Buddhadeb (India) Prof. Mab Huang (Taiwan)	Ms. Cheap Sotheary 016 827 512
16	Streung Treng	Mr. Noel Medina (Philippine) Mr. Yamada Hirofumi (Japan)	Mr. Leang Sreu 012 727 158
17	Kampot	Ms. Chi Ting Chuan (Taiwan)	Ms. Try Chhoun 092 330 035
18	Keb		
19	Oddar Meanchey	Mr. Kang long Nian (Malaysia) Mr. Partik Raj Dhakal (Nepal)	Mr. Srey Naran 011 713 324
20	Pursat	Ms. Masuda Yasumi (Japan) Mr. Wang Hsing-Chung (Taiwan)	Mr. Bin Saroeun 012 932 704

ANFREL Press Statement

**ANFREL Observers have Great Concern on Problems
Created by Chief of the Villages and the Commune Council
Members that might Ruin the Cambodia Election
Transparency**

Asian Network for Free Elections (ANFREL) is seriously concerned about several acts taken by some village chiefs and commune chiefs, who are favoring particular parties and discriminating others in the pre-election campaign period for the upcoming National Election. ANFREL thinks such actions are a violation of the election law, undermine the basic human rights and give an adversary effect on the implementation of a free and fair election. ANFREL requests the National Election Commission (NEC) and the Provincial Election Commission (PECs) in all provinces to take swift action on this issue.

ANFREL has deployed its international observers to all strategic provinces and they have been observing the political and electoral environment in each province as well as the level of preparedness of election related institutions ahead of the election campaign period, which starts on June 26.

Observers received many complaints about several commune chiefs and village chiefs threatening particular parties and their supporters. It is reported from Kandal province that chiefs of communes in S'Ang District have threatened people not to attend an opposition party's meeting and recorded the names of people who attended. In Kratie District, Kratie Province, and activist told the observer that he had been threatened by the chief of his village not to work for his party.

Threatening by village chiefs also takes the form of discrimination against supporters of opposition parties. In Bantaey Meanchey, a village chief denied opposition party supporters the access to a well, their daily main water resource, and told them to go to another one, which is far away from their house. In Treng district of Takeo, commune chief asked village chief to take away the water pump of opposition party's member and prevent his family to use water just because they do not support the same party to the chiefs.

Disputes over party signboards are reported from almost all provinces observed where chiefs of communes did not allow several parties to put up their signboards or threatened people who had put signboards in their private land.

Observers also had received reports that some chiefs of communes and villages have collected or are collecting identification cards from people. The observer from Siem Reap was told that the leaders of 6 villages in Cikraeng District had collected voter card in ceremonies in pagodas, where people were asked to pledge to vote for a party. Villagers in Kamchey district of Prey Veng were called by village chief to receive gifts and take an oath to not to vote for the opposition party. The observer for Takeo met villagers in DOUNG District who complained that the chief of a village went from house to house collecting villagers' registration card and other official identification cards. Similar cases were reported from Kratie and Kampong Chhnang. Collecting identification cards is a well-known technique intended to force people to support particular parties. ANFREL thinks it has an intimidating effect on people and therefore should be stopped immediately.

ANFREL takes notice that the joint directive from NEC and Ministry of Interior, released on May 27, clearly stresses that village chiefs shall not 1) use their position to influence election, 2) confiscate IDs or voter cards 3) ask people which party they intend to vote 4) prevent people from participating political activities and/or 5) intimidate voters. ANFREL welcomes this reaffirmation and requests NEC and PECs to follow up this directive with their quick and strong action, including punishing those who violate the election law and directives, to ensure the neutrality of commune and village chiefs.

June 17, 2003, Phnom Penh

Appendix E: Press Statement

ANFREL Polling and Counting Days Assessment July 30, 2003

To monitor the 2003 Cambodian National Assembly Elections, the Asian Network for Free Elections (ANFREL) deployed 65 international observers to 20 provinces of Cambodia before and during polling and counting. Their observation indicates that the election was generally peaceful, and real improvements were made over previous elections in the country.

The most serious of these are intimidation, vote buying, the registration process, voter cards, and ethnic issues, as well as a number of technical flaws.

1. Intimidation

The climate of intimidation continues to be a significant problem, especially given Cambodia's history. Although most direct intimidation occurred before polling day, a wide variety of actions reinforced the message for voters at or near the ballot box. These included inappropriate behaviors by village chiefs, local officials, and party agents, especially collection of voter cards, checking and recording of voters' names; police presence within designated security perimeters; and non-neutral location of polling stations.

2. Vote-buying

Vote-buying remained very prevalent, by all three major parties. In addition to distribution of a wide variety of "gifts" to voters, such as cash, rice, sarongs, etc., new methods of vote buying appeared, such as conditional loans, lotteries, etc. At least one major party reportedly made use of an extensive network of party loyalists who frightened villagers, either through promise of gifts or post-election penalties for insufficient support.

3. Registration

A significant number of people were not registered in the first place due to poor or misleading information provided by election authorities. Moreover, unsystematic voter lists at polling stations created obstacles for many voters, such as difficulty in locating

their names or numbers, or in knowing which polling station to go to, as well as delays aggravated by ineffective entry-exit supervision at many polling stations. These problems contributed to lower turnout in most provinces than in past elections.

4. Voter cards

Confiscation and / or destruction of voter cards remained a problem in many areas.

5. Ethnic issues

The issue of ethnic Vietnamese voters continued to be salient. Many accusations arose of Vietnamese citizens crossing the border to vote. Since these may have in fact referred to ethnic Vietnamese Cambodian citizens, such voters may well have felt insecure about going to the polls.

Furthermore, significant flaws in the administration of elections, including ballot secrecy, alternate party agents, ballot box security, staff preparation, and ballot printing, should also be addressed.

1. Ballot secrecy

Secrecy of the ballot was not adequately safeguarded in many polling stations. For example, voting booths were improperly located so that they could be viewed through windows or gaps in walls; too many voters were in polling stations at one time; and party agents and polling station staff "assisted" voters to mark their ballots.

2. Alternate party agents

The alternate party agents system was often abused. Instead of simply waiting to the side in case needed, they were actively involved in the polling. In some cases, they sat at desks looking through windows into polling stations, which effectively gave their parties double representation; in some cases, they were "assisting" voters to find their names or monitoring voters.

3. Ballot box security

The security of the sealed ballot boxes after polling was an issue in a number of places. We observed some extended discussions on the type of security to be provided and people allowed guarding the places overnight. At least in one case, the visits of

international observers and high level political leaders helped to arrive at a resolution.

4. Staff preparation

Polling station staff, while generally better prepared than in previous elections, still showed insufficient training. For example, polling station staff frequently failed to check voters' fingers for ink; crowd control in front of polling stations was often lacking; and counting procedures were often disorganized, although not significantly affecting the outcome.

5. Ballot printing

The quality of printing of ballots was inadequate. In addition to the problem of extra ballots in ballot books, the perforation of National Election Committee (NEC) serial numbers caused ballots to stick together, creating delays and unnecessary spoiled ballots.

Despite these concerns, ANFREL reiterates our admiration for the determination of the millions of Cambodians who came forward to exercise their civil rights at the National Assembly elections. We are especially pleased with the generally peaceful atmosphere. We also appreciate the work of the election officials who supported the proper conduct of the electoral process. Importantly, this election witnessed an intense and increased level of campaigning and political activity in all provinces. Voters' knowledge of the election process and their political awareness had generally increased, notably among women.

ANFREL's mission for this election consists of 10 long-term observers deployed since May 19, and 55 short-term observers deployed throughout the country from July 23–28. The observers visited 471 polling stations and 51 counting centers and conducted interviews with concerned agencies and individuals.

The observations provided above are only indicative; they cannot be conclusions. ANFREL will issue a comprehensive final report on the entire electoral process with recommendations in September 2003.

ANFREL Mission Coordination, Phnom Penh

For more information, please contact: Mr. Sunai Phasuk and Ms. Somsri Hananuntasuk

ANFREL Calls for NEC's Investigation in Voter Card Confiscation Activities

ANFREL calls for the National Election Committee (NEC) to conduct exhaustive and impartial investigations into possible card confiscation activities and impose legal punishment on any perpetrator.

The Asian Network for Free Elections (ANFREL) is dedicated to promoting free and fair elections in the region, and thus have deployed 65 international observers to 20 provinces of Cambodia before and during polling and counting of Cambodia's 2003 National Assembly elections.

On July 27, 2003, an ANFREL long-term observer received 31 voter cards altogether, which include those issued by the United Nations Transitional Authority in Cambodia (UNTAC) in 1993 and registration cards of the 1998 national election, in Koh Thum District, Kandal Province from a Cambodian citizen. These cards, according to the source, are very likely to be the evidence of card confiscation, which is a serious and illegal activity that ANFREL has pinpointed in the previous reports.

The aforementioned voter cards are one of the 14 documents that a voter shall present to cast her/his ballot. The confiscation of voter cards can highly impact the fairness of the election. Thus, ANFREL calls for the National Election Committee (NEC) to conduct exhaustive and impartial investigations into possible card confiscation activities and impose legal punishment on any perpetrator.

ANFREL reiterates that participation in the election process is the civil right of every eligible Cambodian voter. ANFREL will hand these cards to NEC at 2:00 PM, August 1, 2003, for the authorities to return them to voters whose cards might have been confiscated. ANFREL will also closely observe whether the election authorities will take proper actions to promote free and fair elections in Cambodia.

Appendix F: Political Parties

Total votes for each party (according to the NEC official results)

No	Names of parties	Total valid votes	Percentage
01	Union of Nation Solidarity Party (UNS)	11,676	0.23%
02	Molina-k and the Khmer Freedom Fighters Party	6,808	0.13%
03	Khmer Help Khmer (KHK)	9,482	0.18%
04	Cambodian Free Independent Democratic Party	6,806	0.13%
05	The Rice Party (RP)	76,086	1.47%
06	Khmer Front Party	20,272	0.39%
07	Khmer Angkor Party (K.A.P)	26,385	0.51%
08	Cambodian Development Party	36,838	0.71%
09	Hang Dara Democratic Movement Party	15,671	0.30%
10	Khmer Spiritual Aspiration Party	14,342	0.28%
11	Khmer Democratic Party	95,927	1.86%
12	Khmer Citizen's Party	6,526	0.13%
13	Indra Buddha City Party	62,338	1.21%
14	National Khmer Party	4,232	0.08%
15	Norodom Chakrapong Proloeueng Khmer Party	56,010	1.08%
16	Khmer Unity Party	18,309	0.35%
17	Cambodian People's Party	2,447,259	47.35%

18	Kon Khmer Party	14,018	0.27%
19	Cambodian Women Party	23,538	0.46%
20	Sam Rainsy Party	1,130,423	21.87%
21	Liberal Democratic Party	4,129	0.08%
22	Farmer's Party	9,449	0.18%
23	Funcinpec Party	1,072,313	20.75%
	Total	5,168,837	100.00%

Phnom Penh, August 30/2003

Appendix G: Column: ON MEDIA FAIRNESS *by Dammy Magbual*

The Ministry of Information issued a directive on Election News Bulletins “giving full and comprehensive news of political party platforms and policies, the campaign trail, decisions by the NEC and many other election stories.” The directive provided a formula on time allocation to the different parties based on what it called the ‘principle of equity’. Under this formula, CPP was given 44% of the coverage; Funcinpec got 27%, Sam Rainsy 19% and the smaller parties 10% collectively.

Media fairness is essential to free and fair election. Media provides the voters with the necessary information such as the issues of the campaign, the platforms of the contending parties, and other information they may need to arrive at an informed choice when they go to the polls. Similarly, media provides the contending parties the opportunity to reach the voters to seek their support in a time-efficient manner considering the limited campaign period. Apparently the formula gave an undue advantage to the ruling party and therefore unfair to the two other major parties at the very least.

Democracy promotes equal opportunities in a “level playing field” so that no one is at a disadvantage – be it the voter or any of the political parties. Any undue restriction to any party in the electoral contest, directly or indirectly, does not augur well for a free and fair election. The formula, which allocates greater time to the ruling party, is a direct restriction on the two major parties. Further, the refusal of the government to issue a permit to the Sam Rainsy Party to operate a radio station is a form of indirect censorship as well as a restriction to media access by the party.

The Ministry of Information said, “The principle of equity is employed by most of the world’s large broadcasting corporations” but failed to cite a specific instance. True, some democracies observe the principle of equity such as Germany. Undoubtedly, the circumstances between the two countries vary. Germany is a strong democracy while Cambodia held only its second parliamentary election. The level of political maturity, the communication infrastructure, the level of political awareness of the voters, not to mention the literacy levels of the two countries, vary greatly. Hence, applying a standard that works for a long established and vibrant democracy like Germany does not guarantee fairness to a newly restored democracy such as Cambodia.

The “principle of equity” could have been acceptable if one standard was applied equally for the three major political parties and another for the remaining smaller parties that have no representation in parliament. This is so because a number of the smaller parties were not serious in participating in the election. This is shown by the fact that they did not even campaign. Further, some of the smaller parties were set up by the big parties to simply split the votes.

Media access by the political parties was mainly through the government owned media (radio and television). Now, government resources such as the government owned TV and radio stations are publicly owned, meaning, these resources belong to the people. In addition, since these resources belong to the people they should not be used for the electoral advantage of a particular political party. Now, the Ministry of Information directive allocates almost 50% of media time to the ruling party. This gives undue advantage to the ruling party and therefore unfair.

Appendix H:

Breakdown of potential and registered voters by province and municipality for 2003 election

Province/ Municipality	Voting age population	Number registered	Percent registered	Polling stations
Banteay Meanchey	347,803	307,811	88.50	664
Batta mband	490,482	416,763	84.97	896
Kampong Cham	927,376	884,476	95.37	1,858
Kampong Chhnang	228,296	222,276	97.36	459
Kampong Speu	344,860	339,583	98.47	638
Kampong Thom	328,919	300,588	91.39	643
Kampot	293,585	277,507	94.52	544
Kandal	666,567	636,936	95.55	1,180
Koh Kong	70,414	63,777	90.57	147
Kratie	156,771	134,491	85.79	292
Mondolkiri	21,362	18,642	87.27	57
Phnom Penh	594,651	579,205	97.40	984
Preah Vihear	65,754	65,115	99.03	141
Prey Veng	601,489	548,480	91.19	1,127
Pursat	191,281	185,759	97.11	391
Ratanakkiri	54,650	51,969	95.09	117
Siem Reap	388,332	349,697	90.05	732
Sihanoukville	89,158	80,499	90.29	163
Stung Treng	45,064	43,285	96.05	100
Svay Rieng	289,347	278,808	96.36	571
Takeo	452,950	458,877	101.31	904
Kep	16,044	16,926	105.50	33
Pailin	22,375	22,934	102.50	43
Oddar Meanchey	62,346	57,430	92.11	142
Total	6,749,876	6,341,834	93.95	12,826

Source: NEC, 27 April

Appendix I: Election Result

Seat allocation for each party in each constituency for the 3rd National Assembly Election (July 27, 2003)

- Banteay Meanchey (6 seats): CPP: 4 seats, SRP: 1 seat, and Funcinpec: 1 seat.
- Battambang (8 seats): CPP: 5 seats, SRP: 2 seats, and Funcinpec: 1 seat.
- Kampong Cham (18 seats): CPP: 8 seats, Funcinpec: 5 seats, and SRP: 5 seats.
- Kampong Chhnang (4 seats): CPP: 3 seats, and Funcinpec: 1 seat.
- Kampong Speu (6 seats): CPP: 4 seats, Funcinpec: 1 seat, and SRP: 1 seat.
- Kampong Thom (6 seats): CPP: 4 seats, SRP: 1 seat, and Funcinpec: 1 seat.
- Kampot (6 seats): CPP: 3 seats, Funcinpec: 2 seats, and SRP: 1 seat.
- Kandal (11 seats): CPP: 5 seats, SRP: 3 seats, and Funcinpec: 3 seats.
- Koh Kong (1 seat): CPP: 1 seat.
- Kratie (3 seats): CPP: 2 seats, and Funcinpec: 1 seat.
- Mondulkiri (1 seat): CPP: 1 seat.
- Phnom Penh (12 seats): SRP: 6 seats, CPP: 4 seats, and Funcinpec: 2 seats.
- Preah Vihear (1 seat): CPP: 1 seat.
- Prey Veng (11 seats): CPP: 6 seats, Funcinpec: 3 seats, and SRP: 2 seats.
- Pursat (4 seats): CPP: 3 seats, and Funcinpec: 1 seat.
- Ratanakiri (1 seat): CPP: 1 seat.
- Siem Reap (6 seats): CPP: 4 seats, Funcinpec: 1 seat, and SRP: 1 seat.
- Sihanoukville (1 seat): CPP: 1 seat.
- Steung Treng (1 seat): CPP: 1 seat.
- Svay Reang (5 seats): CPP: 4 seats, and Funcinpec: 1 seat.
- Takeo (8 seats): CPP: 5 seats, SRP: 1 seat, and Funcinpec: 2 seats.
- Kep (1 seat): CPP: 1 seat.
- Pailin (1 seat): CPP: 1 seat.
- Udor Meanchey (1 seat): CPP: 1 seat.

Among the 123 seats, CPP has gained 73 seats, Funcinpec Party has gained 26 seats, and Sam Rainsy Party has gained 24 seats. (*Press release issue 08.516/03 NEC, Phnom Penh, August 30, 2003*)

Appendix J: Number of votes obtained by the three major parties in 1998, 2002 and 2003

No	Province/ town	Votes for CPP			Votes for SRP			Votes for Funcinpec		
		1998	2002	2003	1998	2002	2003	1998	2002	2003
1	Banteay Meanchey	84,225	117,716	106,655	47,584	35,512	51,831	56,439	45,112	43,535
2	Battambang	107,825	177,738	158,912	64,199	32,353	88,324	82,653	59,841	48,434
3	Kompong Cham	246,900	356,412	286,577	96,720	113,087	164,232	277,362	148,349	164,511
4	Kompong Chhnang	78,692	101,436	105,757	11,143	18,627	24,005	47,046	36,886	34,746
5	Kompong Speu	124,458	146,687	149,527	19,881	37,652	37,601	62,882	53,822	63,587
6	Kompong Thom	93,467	110,806	101,082	22,704	30,428	50,172	69,711	57,827	48,420
7	Kampot	104,596	105,561	109,402	23,516	32,860	35,629	63,488	48,955	60,577
8	Kandal	184,742	304,657	221,183	80,985	83,929	142,312	198,073	82,597	133,750
9	Koh Kong	20,379	24,029	24,265	9,111	6,969	9,081	11,262	7,414	6,658
10	Kratie	35,297	53,571	51,344	14,969	13,167	20,719	45,497	24,595	29,572
11	Mondul Kiri	8,296	8,506	8,875	1,061	202	1,151	2,068	2,095	1,733
12	Phnom Penh	140,109	181,877	150,189	132,127	132,957	217,663	159,008	50,945	65,249
13	Preah Vihear	34,203	29,014	29,530	4,105	8,609	7,104	6,592	8,752	5,890
14	Prey Veng	220,915	245,949	220,940	30,161	53,632	67,053	143,068	97,307	119,933
15	Pursat	58,918	94,404	88,380	11,259	10,784	18,875	42,760	26,045	34,243
16	Ratanak Kiri	27,162	23,760	22,815	3,683	2,947	3,612	3,268	5,462	4,522
17	Siem Reap	137,661	163,705	169,581	43,523	29,378	51,897	69,228	44,800	38,489

18	Sihanouk Ville	24,067	28,140	27,645	13,535	10,042	18,513	19,945	11,673	11,126
19	Steung Treng	17,761	16,558	18,283	6,469	5,734	5,473	5,393	5,811	6,885
20	Svay Reang	117,687	122,139	142,404	18,050	24,669	35,456	52,778	44,967	36,588
21	Takeo	153,808	222,708	213,955	38,152	40,210	67,608	129,388	83,200	100,307
22	Kep	6,296	7,853	7,834	995	693	991	4,316	2,993	4,351
23	Pailin	3,326	7,932	8,239	5,733	2,095	4,617	2,180	1,521	1,670
24	Udor Meanchey	N/A	23,145	23,885	N/A	4,614	6,504	N/A	7,357	7,537
Total		2,030,790	2,674,303	2,447,259	699,665	731,150	1,130,423	1,554,405	958,326	1,072,313

(Press release issue 09.414/03 NEC, Phnom Penh, September 4, 2003)

Number of female elected candidates for the 3rd National Assembly Election

There are 12 female elected candidates in the 3rd National Assembly Election and they are from

1. CPP: 6 (4.87% of the total seats).
2. Funcinpec: 3 (2.43% of the total seats).
3. SRP: 3 (2.43% of the total seats).

Princess Sisovat Sanda, a Funcinpec Party's candidate, is the oldest candidate (61) among female MPs, while Princess Norodom Ratamadevy, a Funcinpec Party's candidate, is the youngest candidate (29) among female MPs for the 3rd National Assembly Election. (Press release issue 09.415/03 NEC, Phnom Penh, September 4, 2003)

The CAMBODIA DAILY

11

NATIONAL

Gov't Urged to Replace Village Chiefs Faster

BY YUN SAMEAN
AND LUKE REYNOLDS
THE CAMBODIA DAILY

Election watchdogs pressed the government to replace entrenched, allegedly CPP-linked village chiefs and decry what they say is a paltry representation by women in the July 27 general elections.

In a document signed Tuesday, about a dozen election monitoring groups and leaders of opposition parties urged the Ministry of Interior to speed up change among the country's village chiefs before the elections. Monitoring groups say village chiefs instigate much of the vote-buying and intimidation that has marred past elections.

According to a report issued Wednesday by the Thailand-based Asian Network for Free Elections, village chiefs mistreated supporters of opposition parties in myriad ways this year.

In Banteay Meanchey province, a village chief barred villagers from access to a well, and a village chief in Kandal province recorded the names of villagers attending an opposition rally, the report stated.

But Sak Sotha, director general



of administration of the Ministry of Interior, called the village chiefs' role "a small position" and said there remained legal uncertainty about how they would be replaced, in any case.

"There is no procedure whether we will choose those village chiefs by election or [allow them to be] appointed by the authorities," he said. "To select the village chiefs before the elections is impossible."

A vague statement allows

villagers," he said.

Also Wednesday, the National Election Committee announced a list of candidates in 24 provinces and towns. The list was broadcast on state-run television and radio and is posted on the committee's Web site. Eleven percent of the candidates are women, an increase from the 9 percent logged in the 1998 elections, said Than Saray, chairman of Confre.

Still, "there should be more women involved in politics today, because the number of educated women in college currently is more," he said. CPP, Funcinpec Party each

According to a report issued by ANFREL, village chiefs have mistreated supporters of opposition parties in myriad ways this year. In Banteay Meanchey, a village chief barred villagers from access to a well, and a village chief in Kandal recorded the names of villagers attending an opposition rally.

Phnom Penh Post 6

June 20 - July 3, 2003

What's in a word? More to *yuon* than sour soup

By MICHAEL COHEN

The word *yuon* is sprinkled liberally throughout Cambodian daily life. In a restaurant one can order *amul mek yuon*, Vietnamese sour soup, or one can insult the waiter with the term.

But as political pressure mounts ahead of the July 27 election, the word is ringing out at political rallies. Campaign speeches about the threat of *yuon*—usually over the familiar refrain of Vietnamese border incursions—are regular occurrences at Funcinpec and Sam Rainsy Party (SRP) gatherings.

It remains an uncontroversial topic for some, but controversy over its

use has become so controversial that the Khmers and the Khmer language have become the victims, "he wrote in a response to Washington Times article last year. "It has become a piece of Khmer tradition and language."

By all accounts, a historical basis for the word does exist, although not only in Khmer heritage. The 2003 Historical Dictionary of Cambodia traces the word to the Sanskrit root *yuon*, meaning 'barbarian'. The entry adds that "[T]his is used in political speech... to indicate national superiority and ethnic hostility."

It is also the term, according to the 1968 *Heritage Dictionary*, that people from

'savagery'. However, earlier dictionaries also define the word as 'barbarian' and 'not me'.

Whatever its origins, *yuon* remains a part of the deep-rooted sentiment many Khmers feel toward the Vietnamese reflected in grassroots myths or sayings passed down over generations. "I remember Khmer saying in our rural areas: *Yuon* is just not, which means the Vietnamese never abandon

descriptions. It is not surprising people feel the word incites anger, resentment and violence.

The term came up as the motive for at least one murder in recent years, when a Khmer man was killed after referring to four ethnic Vietnamese as *yuon*.

Nguyen C, a Cambodian citizen-Vietnamese heritage, says the word makes him angry. "When someone says this of they are cursing me," he says. "I feel so angry, but I never them because I think speaker simply doesn't understand Vietnamese people live here."

The term grains on comment Saranontak, an coordinator from Thai's works with the Asian nonviolent organization, says it should not be so diluted. She notes it does not carry the same meaning in Thailand.

"But over here [in Cambodia], I think we should not use [it]. It can be a human rights issue if you consider it in terms of racism."

And the left parties should not use the term as it promotes racial divisions. "They don't take this to be a problem? This is."

A sharp divide exists among political parties about its use. PM Hun Sen has attacked the SRP leader Sam Rainsy for his use of the word, which the PM described as highly derogatory and racist.

Political opponents dismiss that as an attempt to distract attention from Hun Sen's deep ties to Vietnam, but they are also disingenuous, they say, because most of the country at least, "simple people" still use the word.

On Socheat, the party spokesman for Funcinpec, does not understand the confusion.

"It's a word created by the CPP when the Vietnamese entered in Cambodia in 1975," he says. "They would like to change the story."

The CPP says it has renounced all use of the word because it is unacceptable in political discourse.

"We never use it in official speech," says General Khieu Sophak, spokesman for the Ministry of Interior (MI) and a CPP member. "I don't think it's a racial word as it has been spoken by our ancestors for a long time."

That is how many politicians end up defending use of the term. "It's a problem if you're build-

ing a liberal democracy and scapegoating one part of the population," says Dominic Cardy of the National Democratic Institute. "You could also argue that [politicians] are doing it for election reasons... all the more reason for liberal-minded people not to use it in an election. Unfortunately, the leader of the opposition party has used it a lot."

Rainsy has been at the heart of the controversy, but says he has not received complaints from Vietnamese over his public use of the word. He acknowledges it can offend, but says that "depends on tone and circumstances", and can also be seen as "totally neutral". But he admits he has begun to rethink his use of *yuon*.

"I try to pay attention to comments stated by the word in some circumstances," he says. "Never use Vietnamese word *yuon* indifferently."

However, Rainsy maintains that charges of racism are unfounded. Ultimately, he says, he wants to ensure peace, and that all communities can live in peace.

"My vision for the future is of our nation to be like the EU," he says. "We are former enemies that become best allies working for common prosperity."

When asked about violence resulting from the use of the word, he affirms that such accusations are deceiving. "Be careful. Things can be presented in such a way that serve the political interests of some special group."

ANFREL coordinator says "I think we should not use the word 'yuon'. It can be a human rights issue if you consider it in terms of racism."

Monitors See Calm on Eve Of Campaigns

BY YUN SAKHEAN
AND LUKE REYNOLDS
THE CAMBODIA DAILY



Banners unfurled, political parties will begin canvassing the country today amid an election atmosphere.

This week's ANFREL report claimed that "in many cases, village chiefs have in fact become political agents and use their status not only to influence people but also to intimidate and harass the potential opposition voter."

political stability."

In an apparent effort to keep stability, Hun Sen on Monday issued a public statement calling on local authorities to be neutral during the campaign period.

"All armed forces and authorities in all levels, including commune councilors and village chiefs, have to be independent and neutral to do their duties," he said.

Meddling by village chiefs has drawn consistent criticism from monitoring groups.

This week's Anfrel report claimed that "in many cases, village chiefs have in fact become political agents and use their status not only to influence people but also to intimidate and harass the potential opposition voter."

Though the National Election Committee has not punished any local authorities for intimidation, its president, Im Suosdey, on Wednesday asked village chiefs to abide by election laws in the coming month.

A Cambodian Committee for Human Rights report released Wednesday chided the NEC for not taking measures to enforce the election law against reports of intimidation.

The report, released Wednesday, said the National Election Committee has not resolved any of the 292 complaints it has received since Jan 6. Of those complaints, 82 percent were filed by opposition parties.

The OCHR reported 96 cases
Continued on page 15

Co. Elections, however, have not been as violent as in previous elections, but he warned that silence could be a result of effective repression.

Several political groups and NGOs have been denied permission to protest since the Jan 29 anti-Thai riots, and people might now be skittish about speaking openly, Koul Parith said.

"The environment, especially in the city, is that maybe people will be afraid to organize political gatherings," he said.

Still, spokesmen for the CPP, Funcinpec and the Sam Rainsy Party all predicted rallies of tens of thousands of supporters as they launch their official campaigns today.

Funcinpec President Prince Norodom Ranariddh will greet

attended inauguration ceremonies in the provinces, with his speeches broadcast nationally, will address at least 10,000 prominent party supporters at the CPP's headquarters in Phnom Penh today, said Suong Sambath of the party's central committee.

"The prime minister won't conduct an election campaign during the campaign (period), because he is afraid to have verbal conflict with other political parties," said Khieu Kanharith, CPP spokesman and secretary of state for the Ministry of Information.

Speaking Wednesday at a bridge inauguration in Kompong Speu, Hun Sen said, "I won't take the time to inaugurate any achievements, because I will not run the campaign. I will do only the government work and control the situation because I should keep the

NATIONAL

Police Work, Politics Overlap as Pre-Election Violence Rises

BY YUN SAMRAN AND LUKE REYNOLDS THE CAMBODIA DAILY

HART DISTRICT, Kampong Thom province - Sao Thel said it was an argument over politics.

He said he had finished posting Sain Rainsy Party leaflets in the Chakra Louk commune when he was attacked and wounded by his machete-wielding brother-in-law.

"Because I love the Sam Rainsy Party, he doesn't like me," Sao Thel said last week.

[His alleged attacker, Ven Phally, said the June 20 dispute was about a stolen hammer. A drunken Sao Thel threatened him with a metal rod, Ven Phally says, so he picked up a machete in self-defense.

"Sao Thel was unhappy when I took the hammer back," said Ven Phally, a CPP member. "That is why he tried to beat me... Who someone votes for, that's their right."

As has happened in many recent incidents, election monitoring groups labeled it political violence, while local authorities called it a personal dispute. In the run-up to the election, solving crime is as much politics as police work.

Parties and election monitoring groups are sometimes too hasty in labeling crimes as political, said Somsri Hananontasak of the

"Most of the time [the victims] are political activists, and that raises concern. But we need more time to investigate these things... Some of them might be [politically motivated], some of them might not be."

—SOMRAN HANANONTASAK, ASIAN NETWORK FOR FREE ELECTIONS

Thai-based Asian Network for Free Elections.

"Most of the time [the victims] are political activists, and that raises concern," she said. "But we need more time to investigate these things... Some of them might be [politically motivated], some of them might not be."

Under the eyes of monitoring groups and the donor reports of political benefit opposi-

Andrei is a case in Siem Reap province, where

was fatally shot June 6. The man's wife said he and his 1 were supporters of the Sam R Party since 1998, Somsri said the victim—shot twice in the body— CPP member, she said.

"Officials want to say the person belongs to their party in order to claim sympathy," she

ling election law.

"I had anticipated that there would be a lot of problems during the election campaign, but so far the situation is good and safe," said Preng Savuth, the committee chairman.

He partially credited an increased police presence for the low number of reports. Five to seven officers have been deployed to each commune, he said.

"Offenders will feel afraid to provoke political violence," Preng Savuth said.

"Officials want to say the dead person belongs to their party in order to claim sympathy."

Somsri said.

On the other hand, government officials are reluctant to acknowledge political violence and often conduct insincere investigations.

...one has been cited for violence.

OPINION

More Must be Done to Ensure Free Election

Many election observers have doubts that political violence can be reduced and that a free and fair election can be accomplished. Ten people have been killed since the starting of the campaigning period, and most of the victims are activists of political parties. Out of these cases, only one perpetrator has been arrested.

Many local authorities are reported to have little concern in practicing their actual role.

Administering village affairs is viewed as secondary to promoting their own political interests. Top provincial authorities seldom go to investigate in the villages when problems arise. As a result, it has been observed that more and more complaints are made to NGOs instead of the authorities.

Should we then wonder why? Will the authorities still think that violence can be reduced if the people have lost their trust in the

authorities? Violence becomes more complicated when people who have no trust in the authorities decide that the only way they can find justice is to take matters into their own hands.

Efforts to prevent violence are far from sufficient. But some people seem to feel relief after reading a statistical report that shows fewer political killings have occurred this year when compared with 1998 national elections.

Some donors, I would assume, might feel good or less guilty when they hear that most of the incidents of violence this year are just the matter of normal personal conflicts.

This is understandable, as donors would normally wish that the funds they provided for the development and strengthening democracy in Cambodia are not being drained to political verdicts, in the interest of a political party.

It is important to clarify that "violence" in this context does not always mean physical attack or killing, but also can include the incidents of verbal and psychological intimidation that have been taking place since the last national elections and the February 2002 commune elections.

Cambodia has been faced with this political environment for decades. What I have observed

from this election campaign, compared with the last two elections, is that it is like looking at the same wine in the new bottle.

This vicious circle should not be rooted too long. Cambodia is ripe for change. Just like a ripe fruit that will turn bad, Cambodia must not let time play its uncomplimentary role to her.

I hope that for the rest of the campaign period, there will be more impartial action to crack down on such electoral impunity in order to assure the integrity and transparency of this election.

Somsri Hananurasak
Asian Network for Free Elections

July 18-31, 2003

Vote-buying 'everywhere' in Battambang

BY PATRICK FAHEY AND
CAMBODIA SOURCEBOOK

Reconstruction of the Phnom Penh-Battambang highway is nearly finished. The road is now mostly paved, and the bridges are under construction, which makes for a more comfortable ride from the capital to the country's number two city.

Five years from the last general election it is not only the road that is smoother—the atmosphere is less volatile too, says the chairman of the Provincial Election Commission (PEC), Han Myly.

He says there have been no complaints yet about violence, and feels this shows that the country has reached a turning point where parties cooperate and abide by the law. The only violations have been minor infringements of the code of ethics of the National Election Committee (NEC), such as failing to ask permission before hanging party banners. In short, he says, "I haven't noticed anything special in Battambang."

That's quite a change from June 1998, when Sam Rainsy Party (SRP) workers gathered for a parade through the province containing explosives that were wrapped and presented like cakes. But even though election-related violence is down, the province's number one Funcinpec candidate, Nithit Bun Chhay, hasn't forgiven the past. The senator will stand by his assessment: "I don't see any signs where things are better. It's the same as everywhere else."

The former general led the Funcinpec armed forces in conflict of forces against another high profile candidate, Deputy Prime Minister Sar Kheng, who is leading the Cambodian People's Party (CPP) ticket in the province.

However, Bun Chhay grumbles that Sar Kheng's campaign methods violate the election regulations. As he sits in Funcinpec's provincial office, the former general says he has complained "everywhere" that the deputy prime minister tries to buy votes.

"His only tactic is to give out money and rice everywhere, ev-

ery day," Bun Chhay says. "[The CPP's] political platforms are not so clear—not on border issues, not on immigration and not on corruption. He doesn't talk about those three issues. He has only money and rice to give out to people."

Vote-buying could well be the issue that brings long after the polls close. Ya Meng, coordinator for human rights organization ADHOC, says his investigations of election-related complaints reveal donations "everywhere" in Battambang.

The Law on Election of Members of the National Assembly states that a party can be fined up to 25 million riel or lose candidates or its candidacy canceled by the NEC if it "offers incentives, in kind or in cash, in order to buy votes."

And while the CPP is singled out for giving the most rice and money, Funcinpec bestows gifts on people who participate in its rallies, as does the opposition SRP, albeit on a smaller scale.

"It is much more serious than in previous elections," says Mengly. Despite the NEC's code of conduct stating that parties should

avoid any sort of contribution "to an institution, organization or individual," the NEC pointed out last January many think the guidelines are ambiguous. NEC spokesman Leng Sokha said it is not clear if the election body would decide on a definition of vote-buying before polling day. But on July 17, he admitted that would not happen.

"It's too late to collect a good definition now because election day is coming soon," says Sokha. "We're hearing people bring gifts and materials to voters ... but there are more questions: If a party gives money and materials at its office, is that vote-buying or not?"

The NEC, he says, has been swamped by numerous different definitions of the word. One recent case ruled that it was within

ANFREL observers are frustrated to see the activity (vote buying) which is illegal in other countries but it is not treated seriously in Cambodia, and says the NEC needs to use a heavier hand when dealing with such irregularities.

Some of the irregularities, a major factor for ANFREL says when it comes to vote-buying, the law is defined well enough. The problem is that the subject is not treated seriously.

She is frustrated by the activity, which is illegal in other countries, and says the NEC needs to use a heavier hand when dealing with such irregularities.

"In Cambodia they don't think it's a serious irregularity. I think it's a cultural thing," she says. "[The donations are] in order to convince people to vote for this party. The purpose is very clear."

But the reasons for gift-giving are not always clear to everyone. One resident of Battambang says she has not heard of anyone trying to buy votes outright, but has seen the Funcinpec parties handing out food and cash as they did in 1998.

Naturally, all three parties deny any wrongdoing. Sar Kheng, for example, told he had that he consulted lawyers and the NEC on the issue, and says the conclusion



... to people ...
... the ...
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... with ...
... f the ...
... says ...
... land ...
... deals ...

... that ...
... they have ...
... respect to ...
... their gifts, but ...
... also believes villagers ...
... will "take money but ...
... have different ideas". ...
... He adds, with a laugh, ...
... that there's only one ...
... reason people slow up ...
... for "impatience and ...
... boring." CPP ...
... "Since the first day ...
... of the campaign ...
... until now, there have ...
... been many serious ...
... problems. ...
... But now we have one ...
... problem—gift and ...
... money donations. The ...
... CPP has a strategy ...
... to distribute rice to ...
... the people. If the CPP ...
... did not give rice ...
... and money, maybe no ...
... one would come to their ...
... rallies except the ...
... village chief."

Regardless of how much food and cash is—or is not—doled out to voters, all three claim they are confident of generating the majority of votes. Bun Chhay and Nithit Bun Chhay both say the country is ready for a change of leadership.

Sar Kheng, naturally, disagrees and says the CPP's four million supporters will prove them wrong. "It is normal in a campaign for everyone to say they are going to win—they never say they are going to lose. But the truth will come at the end of the election."

is that his party is acting within the regulations. He was annoyed when he heard Bun Chhay on Voice of America radio accusing the CPP of buying votes.

"The CPP has never done what Nithit Bun Chhay said. Meetings and rallies only include CPP members," says Sar Kheng at his Battambang home. "It's normal that when I request my members to do some service I have to provide some gas for their motorcycles and some food for their stomachs. And the meetings are in the CPP compound offices."

"I don't think this is vote-buying so Nithit Bun Chhay has accused," he continues. "Something happened when Prince Ranariddh came here on June 30. He gave

Hundreds of Election Complaints Rejected

By KATE WOODSOME
THE CAMBODIA DAILY

The National Election Committee has accepted five complaints over the voting process and will hold a trial for one complaint waged with commune and provincial election committees, NEC spokesman Leng Sochea said Sunday.

Hundreds of complaints have been filed with local election committees by party agents in the past week.

The NEC claims most complaints filed with commune election committees and provincial election committees across the country were thrown out for insufficient evidence. But party officials and election monitors say election officials, unwilling to acknowledge infractions, have stymied chances of a mass recount or re-vote.

"It's so easy to say the complaints are not properly addressed. I think the CECs want to finish their job early. They're not competent enough," Funcinpec Minister of Women's Affairs Mu Sochua said Sunday.

The last complaint standing is a Sam Rainsy Party request for a re-vote in Poipet, Leng Sochea said. Opposition party officials claim that polling stations were relocat-

ed without properly warning voters throughout Poipet commune, O'Chrou district, Banteay Meanchey province. The case is scheduled to be heard today.

Complaints recorded by independent election monitors, such as the UN or the Asian Network for Free Elections, will not be considered by the NEC. Election results may be influenced only by political party complaints at the national level, said NEC Secretary General Tep Nitha.

The NEC will not consider for hearing an alleged case of voter card confiscation revealed by Anfrek last week, Tep Nitha said.

Anfrek officials were handed 31 registration cards from Koh Thom district, Kandal province, on July 27. The cards, bundled in a plastic bag and discovered by a garbage dump employee, included voter cards issued by Untac in 1993 and the NEC in 1998, said Somsri Hanamantasuk, head of the Anfrek observer mission. The cards may have been taken from potential voters and discarded, she said.

Because the cards are one of 14 documents voters may present to cast their ballots, the NEC said the card confiscation does not hinder Cambodians' right to vote, Tep Nitha said.

More than 1,000 Takeo prov-

ince voters are complaining that money the CPP promised to pay for their votes has not been delivered, said Committee for Free and Fair Elections monitor Men Makara.

The voters said CPP commune chiefs paid them 3,000 riel (about \$0.75) in exchange for a ruling party vote, Men Makara said. Voters received vouchers promising an additional CPP donation to be redeemed after the elections, but village chiefs have not distributed the money, Men Makara said.

Vote-buying is under investigation by Comfrel in Kompong Chhnang, Banteay Meanchey and Battambang provinces.

Vote-buying also will not affect election results nor incite another vote, as it is considered a personal offense rather than an *infrac* of the voting process, Leng Sochea said. Vote-buyers likely will not be punished, as no accepted definition of vote-buying exists, Leng Sochea said.

"If a party pays money to a person to buy their vote, and the person complains, this is a case of vote-buying. But if a party gives the supporter money and he keeps quiet, then you cannot call it vote-buying. This is the case between the supporter and the vote-buyer," he said.

I. FOOTNOTES

ⁱ COMFREL reported 17 allegedly politically motivated killing during the 2002 election while 40 recorded in the 1998 election. COMFREL, Report on the Commune Council Elections, March 2002, p24

ⁱⁱ The fact CPP won almost 80% of seats with only 60% of total ballots clearly shows the seat allocation formula, known as highest average proportional system, works in favor of the party gaining most ballots when the number of seats distributed is small

ⁱⁱⁱ Article 12 adopted in 1997 and the one in 2002 are the same, which says:

"The National Election Committee shall be an independent and neutral body in the carrying out of its duties. Members of the National Election Committee and those of Electoral Commissions at all levels shall be neutral and impartial in the implementation of their electoral duties.

^{iv} For the question of seat-allocation formula in 1998 election, see Cambodia: Struggling for Justice and Peace, ANFREL Report of Mission on the 1998 Cambodian Election, 1999, pp42-7. The formula that was used in 1998 favored bigger parties and continued to be used in 2002 and 2003 election.

^v Article 13, Law on the Election of the National Assembly, adopted 1997

^{vi} Article 13, Law on the Election of the National Assembly, adopted 2002

^{vii} ADHOC, Human Rights Situation Report 2003

http://www.bigpond.com.kh/users/adhoc/hr_situation_2002/main_events.htm

^{viii} From Interviews with Cambodian human rights NGOs by a ANFREL observer, January 2003

^{ix} The Cambodian Daily, Weekly Review, February 17 to February 21, 2003, p10

^x Raksmei Angkor newspaper reported that "Thai movie star, Suwanan Khongying called Morning Star allegedly said that she would only ever accept an invitation to perform in Cambodia if the famous Angkor Wat was returned to Thailand and she looked down Cambodian by saying that if she was reincarnated, she would rather be a dog than be a Cambodian national". ADHOC, Monitoring Report on Riots Against Thai Embassy Phnom Penh

http://www.bigpond.com.kh/users/adhoc/riot_29_01_03/monitoring_riot_report.htm

^{xi} ADHOC, Ibid.

^{xii} NEC Public Information Bureau, Press Kit, pp. 9-10

^{xiii} COMFREL, Assessment Report on Voter Registration Process for the July 2003 National Assembly Elections, March 07

^{xiv} COMFREL, *ibid.* "NEC: Opposition Campaigning, Not Teaching," The Cambodia Daily Weekly Review, February 10-14, 2003, p11

^{xv} COMFREL reported 23 cases of serious threats and intimidation during the registration period. COMFREL, Assessment Report on Voter Registration Process for the July 2003 National Assembly Elections, March 07

^{xvi} According to 1998 census, 67.3% of people over 15 years old can read.

(<http://www.nis.gov.kh/CENSUSES/Census1998/literacy.htm>)

^{xvii} According to a survey conducted by the Asia Foundation this year, 52% of people questioned watch TVs and 38% of them listen radios (almost) everyday while only 8% of them read newspapers everyday. The Asia Foundation, Democracy in Cambodia - 2003

^{xviii} Reporters sans frontieres, Cambodia-2003 Annual Report on its Web (<http://www.rsf.fr>)

^{xx} The Committee for Free and Fair Elections in Cambodia (COMFREL) Report of Commune Council Elections, p. 16.

^{xx} European Union Election Observation Mission (EU EOM), Cambodia Communal Elections 2002, p17

^{xxi} National Democratic Institute (NDI), the 2002 Cambodian Commune Council Elections, pp19-21, EU EOM, *ibid.*, p21

The recently concluded parliamentary election is another significant step towards the democratization of Cambodia. Significant improvements were made. There was less violence; greater awareness by voters of their rights; increased participation by citizens; and a more efficient administration of the election by the National Election Commission. Despite these improvements, further democratic and good governance need to be initiated and institutionalized. There is the need for the key political players to unite and work together in order for the country to move forward. This is the challenge for the political leadership.

Cambodian as well need to remember that there are no shortcuts to meaningful change and democracy can only be attained through faithful, persistent and unselfish citizen action. ANFREL remains a committed partner of the Cambodian people in this effort.



ANFREL is a special project of Forum Asia. It came about as part of Forum Asia's campaign for human rights and democratization in the region, starting from Burma, Indonesia, Cambodia and Malaysia. ANFREL was formed in November 1997 by election monitoring groups and human rights organizations in Asia. ANFREL aims to contribute to the democratization process by building capacities through training and supporting actual monitoring of elections by local groups as well as lobbying and disseminating election related information.