

August 28, 2012

**UNITED NATIONS CALLS FOR DRASTIC REFORM OF  
CAMBODIA'S ELECTION SYSTEM AND RETURN OF OPPOSITION LEADER  
PRIOR TO JULY 2013 POLLS**



United Nations



United Nations **Human Rights Council**

In his most recent report published on August 27, 2012, the United Nations Special Rapporteur on Human Rights in Cambodia addresses the issue of election organization.

"There are major flaws in the administration of elections in Cambodia and urgent and longer-term reforms are needed to give Cambodians confidence in the electoral process and in the workings of the National Election Committee," Professor Surya Subedi wrote in the report.

"If the electoral process is unable to command the trust and confidence of the electorate, the very foundation of the Cambodian political and constitutional architecture embodied in the Paris Peace Agreements will be shaken and the country may run the risk of a return to violence."

**SUMMARY**

In order for Cambodia's elections to meet "international standards for democratic elections" Professor Subedi makes the following recommendations regarding preparations for the national polls to be held in July 2013:

- 1- The National Election Committee (NEC) should be reformed so as to have independent and autonomous status.
- 2- There should be consensus among the major political parties represented in the parliament on the appointment of the president and members of the NEC and the provincial election committees (PECs).
- 3- Election bodies at all level should have balanced representation of all political parties in the National Assembly.
- 4- The president and members of the NEC and the PECs should be appointed for a fixed term and have security of tenure.
- 5- New judicial bodies and mechanisms must be established outside the NEC in order to resolve election-related disputes properly.

6- All major political parties should have fair and equal access to the mass media to convey their messages to the electorate. The way forward could be to establish an independent committee on the management and use of state-run television and radio stations.

7- The government must ensure that all civil servants, police and military personnel do not participate in political activities or use government resources while working in their official capacities.

8- The government must ensure that opposition parties are free to carry out their political activities without harassment and intimidation, not only around the dates of elections but also in the lead-up to the elections and throughout the parliamentary cycle.

9- Regarding the registration of voters the government should provide necessary documents, Khmer nationality identity cards, passports and other necessary civil registration documents to all citizens for nominal fees and should reregister voters using the data from those cards as a basis to establish a new electoral roll.

10- Any Cambodian citizen eligible to vote should be entitled to request registration with the electoral and/or local authorities at any point during the year. Once he or she is issued with an identification card, that card should be valid for life.

11- Regarding the continuing problems with voter identity documents, especially the issuance and use of fraudulent documents (such as the old form 1018 and its current version) the NEC should review the process of issuing such documents to ensure that the system is not abused by political parties in their favour and that there are no electoral malpractices.

12- The NEC should devise special measures to ensure that those who are homeless or have been recently evicted from their land are not disenfranchised in the forthcoming elections.

13- The NEC should make public the names of polling officers and make the voter list available to candidates from all political parties upon request, affording them an opportunity to challenge the fraudulent inclusion of names on the list.

14- The NEC should appoint professional election administrators to replace village chiefs during voter registration and on election day and bring all commune election officers and processes under its own stricter supervision mechanism.

15- The current law, which requires a person to be nominated to stand for election by a political party, should be amended to make it possible for independent candidates to stand in the national elections.

16- The NEC should make it possible for Cambodians living abroad to exercise their voting rights, at least in the countries where it has diplomatic and/or consular representation.

17- Regarding the situation of Sam Rainsy, the leader of the Sam Rainsy Party, who has been convicted on charges that are allegedly politically motivated, a political solution should be found to enable him, as the leader of the opposition, to play a full role in Cambodian politics.

Read full text at

[http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-63\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-63_en.pdf)