



# គណៈកម្មការដើម្បីសិទ្ធិបោះឆ្នោតរបស់ខ្មែរនៅក្រៅប្រទេស

COMMITTEES FOR ELECTION RIGHTS OF OVERSEAS CAMBODIANS (THE CEROC)

Email: [petition@khmeroversea.info](mailto:petition@khmeroversea.info), [www.khmeroversea.info](http://www.khmeroversea.info)

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## STATEMENT OF FIRST DAY VOTERS REGISTRATION

This first of September is the first day of voters registration by establishing new voter list through new technology of computer database, but The CEROC has remained:

1. Worry on inclusiveness of this new voter list creation
2. Political influence of government over the National Election Committees (NEC)

## FACING CHALLENGES

- Today, NEC is remained unable to clearly inform voters that they can facilitate easy accessibility for all eligible voters particularly overseas Cambodians including migrant workers, permanent residents of Cambodians living in those third world countries, students, officials and stuffs working within Embassies, and military personnel who are stationing in Africa on behalf of the United Nations.
- Not only inability to position voters registration in abroad, the effort to facilitate Pchum Ben Day's holidays and priority for migrant workers from Thailand, NEC has not made any significant decision on it. Domestic migrant workers especially garment labors shall not get any benefit from Pchum Ben Day's holidays to register their vote names at home resident at all. Seniors, disabled people, those sick under treatment in hospitals, remote minority and residents, and borderline patrolling soldiers, shall face hardship to register their vote names tabulating into computer this time.
- NEC is remained under political influence as government-led party has never been able to separate the difference between government and political party by implementing according to existing laws such as laws on the creation of government, and laws on political party. Further more, leader of government-led party has always sent political messages to the public in an unprofessional and unethical manner which those messages have had bad impacts on all neutral and independent bodies especially the NEC.

## CONSEQUENCES

As mentioned above, NEC might be recognized as a political tool like it has been pronounced since 1998 to the present, and it is likely unable to maintain its status like in 1993 organized by the United Nations. If individual NEC officials, don't try to best use all their capacity, possibility, and integrity on behalf of the servants for an independent institution and to follow with NEC's moto of independence, neutrality, truthfulness, justice, and transparency, the election result and new established government from such election might be named pseudo-



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Pseudo-democracy

Pseudo-democracy describes a political system which calls itself democracy, but offers no real choice for the citizens. This lack of choice can originate from limited number of political parties eligible for election competition, limited will and framework on voters registration and polling stations, limited participation in elections by civil societies, cemented power structures which are not really affected by any voting attempt, no voting option for voters who favour change of the current political leadership, no direct democratic means, et cetera.

## RECOMMENDATIONS

- NEC should be courageous to interpret the existing legal provisions. Law on establishment and procedures of the National Election Committees (NEC) in chapter 1 states clearly on establishing and procedures of the NEC and chapter 3 states clearly on implementing its jurisdiction independently as these chapters echoed National Constitution which is the supreme law of the nation in accordance with chapter 34 on election rights and chapter 35 on rights to participate in politics without discrimination. Previously, NEC has only referred to law on commune election in chapter 12 within one paragraph stating about resident and accommodation required for all registrants. If NEC is unable to interpret and implement the Constitution, NEC can write letter to propose National Constitution Council to interpret it so that NEC can implement it rightly because NEC could not close eyes to allow millions of overseas Cambodians to loss their rights to vote registration.
- NEC should consider to create “mobile team” to register voters among those “special people” such as the sick in hospitals, seniors, the disabled, borderline patrolling soldiers, migrant workers, and permanent overseas Cambodians residents etc.
- NEC should have mechanisms to solve problems stemmed by suspects and proposals of the public and international communities while European Union asked for intervention of NEC to help release Ny Charya, deputy secretary of NEC, from prison jailed by the government, and proposal of the public to register CNRP's President Sam Rainsy and Deputy Kem Sokha into new voter list etc.

Thank you very much.

Canada, September 1<sup>st</sup>, 2016

**Sophan Seng**

President of The CEROC