



## STATEMENT ON CAMBODIA'S POLITICAL PARTY LAW AMENDMENTS

Bangkok, Thailand  
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On 20 February 2017, the ruling Cambodian People's Party (CPP) enacted amendments to the Political Party Law which empower the Ministry of Interior and Supreme Court to suspend political parties, or ultimately dissolve parties upon determination of violation.

The Asian Network for Free Elections (ANFREL) supports the [call of the Cambodian civil society organizations](#) (CSOs) to respect political party freedoms and the people's will. ANFREL entreats the Cambodian Parliament to review the Amendments, repeal existing laws which negatively affect the political development of the country, and reconsider passing further laws that will hamper the freedoms of election stakeholders. Restricting political party and candidate participation by imposing ambiguous and unfair laws not only goes against the established principles of democratic elections, but also the fundamental freedoms of association and expression.

ANFREL supports moves by concerned parties to bring the issue to the Constitutional Court or the Supreme Court for judicial review. We would also like to remind the Cambodian Parliament of their commitment to uphold international covenants such as the Inter-Parliamentary Union's Declaration on Criteria for Free and Fair Elections, and the United Nations International Covenant on Civil and Political Rights (ICCPR).

The Amendments do not conform with what can be considered as a fair law. ANFREL believes laws which govern political parties should be formulated through a participative and inclusive legislative process, and not imposed through tyranny of the majority. A genuine legislative process should reflect the views and concerns not only of the majority but also those in the fringes of the political stage. This will avoid the creation of undemocratic and abusive laws which essentially undermine rights and go against the norms of freedom set by international covenants.

ANFREL shares the clamor of the Cambodian CSOs to repeal the Political Party Law Amendments which are viewed as a self-serving move by the ruling party to curb dissent and limit participation. Articles 6 and 38 of the Amendments lay down prohibited actions such as "causing secession that leads to destruction of national integrity and unity", "subverting the liberal multiparty democracy and the constitutional monarchy", and "affecting the security of the state" which are too vague, open to various interpretations, and thus prone to abuse.



Article 18 which prohibits political parties to elect or appoint members in the steering committee, especially the president and vice president, who have been convicted of a non-suspended jail sentence for misdemeanor or crime. In effect, the amendment does not distinguish the personality of the officer or member of the political party from that of the party as an institution with a personality of its own.

Furthermore, the law places the determination of violations and corresponding sanctions to two government institutions – the Ministry of Interior and the Judiciary – which the ruling party effectively controls, manifests a clear conflict of interest.

We strongly oppose all moves which contradict and degrade the nature of elections as an inclusive and participative process. Imposition of undemocratic policies will negate efforts to develop strong political parties in Cambodia which are a crucial element in the democratic development of the country. Such moves will only sow further distrust, injustice, and dissatisfaction. The presence of fully functioning and independent political parties reflects a society that respects multiple views and aspirations, which the Cambodian Government should seek to enable, and not disable.