



## **Joint Statement on the threat of legal actions against Cambodian election monitoring and human rights organizations**

June 30, 2017

Our organizations express serious concern over the threats to launch an inquiry into the activities and legality of the Situation Room on Cambodian Commune Council Election in 2017, a platform of non-governmental organizations formed to monitor the country's recent local polls. Such comments contribute to a repressive environment which hinders the legitimate activities of civil society, and pose a grave threat to the prospect of civil society oversight of Cambodia's 2018 national elections.

The Situation Room released its overall [assessment](#) of the Commune Council elections on June 24. It commended the National Election Commission (NEC) for its improved management of the polls, but noted enough significant irregularities, which resulted in the key finding that "elections in Cambodia cannot yet be considered fully free and fair". These issues included an environment of political suppression, a lack of independent judiciary, the misuse of state resources for campaigning, and the ongoing acts of intimidation against civil society by the authorities. With national elections set for July 2018, such civil society oversight of pre- and post-election context and procedures is crucial.

Recent statements calling for [investigation](#) on the activities and legality of the Situation Room and its members contribute to a worrying atmosphere of intimidation in Cambodia, which falls straight into the pattern which the Situation Room observed. The adoption and enforcement of laws restrictive to CSO freedoms counteracts the spirit of unity and cooperation which will prove detrimental to conduct of next year's elections. We urge the Government of the Kingdom of Cambodia to uphold constitutional rights to freedom of expression, including of opinions critical of government policies and the election process.

Domestic civil society organizations have the right to participate in the election process as election observers, guaranteed by Article 83 of the Commune Election Laws. Member organizations of the Situation Room are duly registered under the laws of Cambodia. It is within the rights of freedom of expression, peaceful assembly, and association of Situation Room members to form networks and collaborations with individual organizations to achieve positive democratic developments. These freedoms should be respected by the government.

The proposed investigation forms part of the ongoing harassment of civil society in Cambodia. Civil society organizations play an active role in promoting and protecting human rights which should be encouraged and supported by any government. The formation of *ad hoc* platforms such as the Situation Room are a commonplace among non-government organizations working on a



wide spectrum of issues; and such informal collaborations do not need to be registered under any Cambodian laws.

The International Covenant on Civil and Political Rights (ICCPR), to which Cambodia is a state party, guarantees the rights to freedom of expression, peaceful assembly, and association. Furthermore, the UN Declaration on Human Rights Defenders which Cambodia also adopted, reaffirms the prohibition of retaliation, threats and other harassment against anyone who takes peaceful action against human rights violations, both within and beyond the exercise of their professional duties.

We urge the Cambodian government to uphold its commitment to preserve these rights and freedoms with regard to the government's policies. Situation Room observers, like all election observers, pledged neutrality, which entails pointing out both the positive and the negative aspects observed during the election process. Criticism of the election process' flaws serves as a reminder of what policies should be improved and what priorities should not be forgotten.

Endorsing organizations:

Asia Democracy Network (ADN)

Asian Forum for Human Rights and Development (Forum-Asia)

Asian Network for Free Elections (Anfrel)

Southeast Asian Press Alliance (SEAPA)