

Joint Statement

Request for Postponement of Election Law Amendment

We, the civil society organizations, associations, and unions listed below, are very concerned about the amendment of the Election Law in the run-up to the upcoming National Election. The amendment was made in a hasty manner. It did not go through consultation with relevant stakeholders, including civil society organizations, which is a departure from the democratic path that requires their input. On the other hand, the Election Law is related to the contest of political parties in the election and the right of the people to vote, so any amendment should be made at an appropriate time. We request the Senate and the Constitutional Council to delay the proposed amendments to the Election Law, which should take place after the 2023 Parliamentary Election, to allow enough time for the thorough study and deliberation on its impacts on free democracy, electorate's freedom of expression as well as the right to vote and to stand as a candidate.

We believe that this election law amendment is aimed at depriving politicians of their right to contest and the right to stand for election in the event of not casting a ballot, while citizens and politicians may not be able to perform their voting duties. The amendment would negatively impact the right to vote and stand for election, protected by the Constitution and the International Human Rights Law. The draft law on the Amendment of the Election Law, which was submitted to the National Assembly by the Royal Government on June 15, 2023, and consequently adopted by the National Assembly on the morning of June 23, 2023, was prepared upon a request by the Prime Minister, with the addition of few Articles such as Article 142 (new) and Article 143 (new) of the Law on the Election of Members of the National Assembly, aiming at "...bereaving the right to participate in the election ...".

The Law, in principle, protects the exercising of the right of citizens to participate in politics as stated in Article 35 of the Constitution, stipulating that citizens of both sexes have the right to participate actively in political life. Any amendments to the Law shall not restrict the participation of citizens. Citizens shall enjoy their freedom at all decision-making stages in both the present and future. This law amendment will make some citizens unable to go to vote lose their right to stand for election and go contrary to Article 34 (new) of the Constitution, stipulating that citizens of both sexes have the right to vote and to stand for election.

We are of the view that to enhance the right to vote and to ensure the promotion of the values of liberal, multi-party democracy as enshrined in the Constitution, mainly to strengthen and boost the accountability of political leaders through liberal multi-party democratic elections, the government should not necessarily propose amendments to the Election Law aimed at stripping "the right to stand for election".

We, the civil society organizations, associations, and unions, would like to cordially request the postponement of the amendment of the Election Law before the upcoming national election in July. We also call on the Royal Government, the National Assembly, and the Senate to encourage and make it available for a wide-ranging dialogue on democracy, rights, and broad participation in freedom of expression, freedom of assembly, freedom of association as well as the right to run for election, and the right to vote for Cambodian people living or working abroad to enable them to exercise their rights in accordance with the Constitution fully, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which Cambodia ratified in 1992.

The civil society organizations, associations, and unions that support this Joint Statement are as follows:

1. People Center for Development and Peace (PDP-CENTER)
2. Cambodian Youth Network Associatoin (CYN)
3. Independent Democracy of Informal Economy Association (IDEA)
4. Center for Alliance of Labor and Human Rights (CENTRAL)
5. Transparency International Cambodia (TIC)
6. Sahmakum Teang Tnaut (STT)
7. Cambodian Human Rights and Development Association (ADHOC)
8. Committee for Free and Fair Elections in Cambodia (COMFREL)
9. The Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
10. Cambodian Institute for Democracy (CID)
11. Coalition for Integrity and Social Accountability (CISA)
12. Khmer Student Intelligent League Association (KSILA)
13. Cambodia Labour Confederation (CLC)
14. Cambodian Grassroots Cross-sector Network (CGCN)
15. Youth Resource Development Program (YRDP)
16. Cambodian Tourism Workers Union Federation (CTWUF)
17. Federation of Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC)
18. Cambodia Informal Workers Association (CIWA)
19. Free Independent Trade Union Federation (FUFU)
20. Independent Trade Union Federation (INTUFEE)
21. Cambodian Alliance of Trade Unions (CATU)
22. Cambodia Informal Economy Reinforce Association (CIERA)
23. Cambodian Food and Service Workers Federation (CFSWF)
24. Labour Rights Supported Union Khmer Employees of Naga (L.R.S.U)