

Cambodia: UN expert questions “genuineness” of ruling party’s landslide victory

GENEVA (26 September 2018) - The UN Special Rapporteur on the situation of human rights in Cambodia called into question the “genuineness” of the general election in July, which maintained the ruling Cambodian People’s Party decades-long position in power and “consigned multiparty liberal democracy to history for the next five years”.

Rhona Smith said prior to the ballot for the National Assembly, elections had been steadily improving in terms of compliance with international human rights standards and Cambodian laws.

But in a [report](#) on the vote submitted to the Human Rights Council, she said the dissolution of the main opposition party and the banning of a significant number of senior members of the former opposition from political activity for five years “seriously calls into question the genuineness of these elections”.

The ruling Cambodian People’s Party won all of the parliamentary seats in the vote. “The country is therefore de facto a single party state; the multiparty liberal democracy envisaged by the Constitution is consigned to history for the next five years, the duration of the current Parliament,” Smith told the Council this afternoon.

She said the use of laws to restrict debate and the targeting of media, political opponents, civil society organisations and individuals, including through the use of criminal charges, had shrunk the space for serious political debate, an essential factor for the enjoyment of the right to take part in the conduct of public affairs.

“Pluralistic political debate is an essential element in having genuine competition in any election,” Smith said.

She also cited concerns about reports that voters were subjected to threats and intimidation after calls for a boycott of the election, which, in a non-compulsory election, is recognized by the Human Rights Committee as a permitted exercise of freedom of expression.

“The reports of threats to voters if they did not vote are of particular concern: the ink-stained finger, a sign in the past of hope and freedom, ironically has become a symbol of coercion,” Smith said in the report.

Following the confirmation of the results in the election, a number of opposition figures and civil society actors were released from detention and some were pardoned. Kem Sokha, the leader of the former opposition Cambodia National Rescue Party, had his detention extended by court in August, only to be moved to home detention shortly after.

While the spate of releases is encouraging, it should be noted that many of those freed recently remain under judicial supervision, she said. This means that the charges against them have not been dropped and they have not been found innocent. Rather, they remain under threat of being detained again at any time, whilst awaiting trial.

Smith also cited the cases concerning staff and former staff members of human rights organisation ADHOC, who remained under judicial supervision following their release in June 2017 after 427 days in pre-trial detention. The verdict in their case was announced today almost two and a half years after their arrest. The Special Rapporteur stressed this was an infringement of the right to trial within a reasonable time.

The five activists were convicted of charges related to bribery of a witness and given partly suspended five-year jail sentences. "This entire episode raises serious questions about the role and integrity of the whole judicial process, and appears to be nothing more than a politically motivated persecution of civil society," Smith said.

The Special Rapporteur called on the Government to make concerted effort to improve the human rights situation. "I encourage the Government to create a more favourable environment for civil society to operate," she said. "This will be an important step in creating the space for free and informed debate around the pressing issues to promote Cambodia's sustainable development and lasting peace."

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Available online: [Report of the Special Rapporteur on the situation of human rights in Cambodia](#)

Available online: [Addendum on human rights and elections](#)

Professor Rhona Smith (United Kingdom) was appointed as [Special Rapporteur on the situation of human rights in Cambodia](#) by the UN Human Rights Council in March 2015.

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