

Cambodia: Threats, Bribes Tainted Senate Elections

(Bangkok) – [Cambodian](#) opposition politicians have reported intimidation and threats plus bribes and other unlawful inducements from government officials to withhold their support from opposition candidates in the recent Senate elections, Human Rights Watch said today. On April 3, 2024, the Cambodian Senate voted to approve former [longtime Prime Minister Hun Sen](#) of the ruling Cambodia People’s Party (CPP) to be Senate president.

Cambodia’s donors should call on the Cambodian government of Prime Minister Hun Manet to seriously and transparently investigate all interference related to the February 25 elections and the targeting of opposition councilors and activists.

“The allegations by opposition commune councilors and party activists raise serious concerns that Cambodia’s Senate elections were neither free nor fair,” said [Elaine Pearson](#), Asia director at Human Rights Watch. “Concerned governments should press Phnom Penh for accountability and reject this subversion of Cambodia’s remaining remnants of democracy.”

The [official election results](#) provided the CPP with 55 of the 58 elected Senate seats, while the Khmer Will Party (KWP) won three seats. Another 2 Senate seats appointed by King Norodom Sihamoni went to the CPP, and the final two seats, appointed by the CPP-controlled National Assembly, also went to CPP members.

Under Cambodia’s constitution, commune councilors elect most senators. Six elected commune officials and party officers from the opposition Candlelight Party (CLP), KWP, and National Power Party described to Human Rights Watch what appeared to be organized efforts by local and provincial government officials to unlawfully discourage Candlelight commune councilors from voting for candidates for Senate other than those from the longtime ruling CPP. They also said that financial inducements, gifts, and promises of political support were offered to opposition commune councilors willing to miss the Senate elections, or to vote for candidates from the CPP.

In May 2023, the governmental National Election Committee banned the CLP from registering candidates to run in the July 2023 national elections. The ban was also later applied to the February 2024 Senate elections. The election committee said that the CLP had failed to produce their original party registration document issued by the Ministry of Interior.

But the CLP said that the police refused to allow party members access to the shuttered headquarters of the Candlelight Party predecessor, the Cambodian National Rescue Party, where the original CLP registration document is stored. Although the National Election Committee accepted a copy of the registration paper to allow participation in the June 2022 commune councilor elections, it inexplicably refused to allow a copy of the registration paper for the national and Senate elections.

The CPP holds the vast majority of the 11,622 commune councilor seats across the country. The Candlelight Party [holds 2,198](#). Yet, due to the CLP’s exclusion from the Senate elections, many [senior and prominent former CLP members seeking election to the Senate moved to two other parties](#), the Khmer Will Party and the National Power Party.

On February 15, the National Election Committee issued a [statement](#) “that one political party not registered for the election threatened its commune/Sangkat councilors, electors, to vote for this or that political party, which results in violation of voting right[s]” and threatened to take legal action against the political party, presumably the Candlelight Party. The election committee did not

provide any evidence to substantiate its claims, nor did it mention reported election malfeasance by the CPP.

A CPP spokesperson [denied](#) allegations that the party had intimidated voters or bought votes in Kampong Cham province and Phnom Penh, where 25 percent of Candlelight commune councilors voted for the ruling party based on preliminary Senate election results.

Human Rights Watch in February spoke to four Candlelight commune councilors and two opposition party officers. They described harassment and intimidation, including threats against them and their families, as well as promises of advantageous political positions, bribes of up to 12 million Cambodian Riel (US\$3,000), mobile phones, and motorbikes – if they agreed to either not vote in the Senate election or if they voted for ruling party candidates.

Human Rights Watch [wrote to the National Election Committee on March 27](#) regarding Human Rights Watch's election findings but has not received a response.

The opposition councilors interviewed said government officials either offered good positions with the CPP now, or that the councilors could be listed with the CPP as candidates in the 2027 commune elections. The officials also assured them that aligning their vote with the CPP would not result in their losing their current positions as commune councilors for the remainder of their terms.

The councilors also said that government officials promised protection from Candlelight Party attempts to replace them as commune councilors, if they did not vote or voted to support the CPP. These pledges are consistent with [a promise then-Prime Minister Hun Sen made in a speech in October 2022](#) to allow Candlelight commune councilors to leave their party but retain their positions through the protection of the Ministry of Interior.

A commune councilor said “[the government officials] did not say exactly how much money I would receive this time but said that after voting for the CPP, I can get money and be given a good position with the CPP in the future, and that I can keep my position as commune councilor even if the CLP tries to replace me.”

On January 22, Ly Sothearayuth, the CLP secretary general, told VOA News that the party was [struggling](#) to replace its commune councilors who had died, resigned, or moved to support the ruling CPP, and that requests to the Ministry of Interior had still not been processed after more than five or six months.

The commune councilors also said they feared that the CPP would take politically motivated legal action against them if they refused to comply with CPP election demands. One opposition councilor said, “I am worried that if there is legal action against me the courts are not independent: there is a 100 percent chance they will side with the ruling party. When the courts go after you, there is a 100 percent chance that you will lose.”

“I have become increasingly concerned for my safety,” said one. “Especially when I travel during nighttime alone.” A third councilor said, “I am afraid I will be attacked in the streets and left bloody like [the CLP members who were attacked last year](#).” And another said all the commune councilors he had spoken to feared for their safety if they did not do as the CPP asked.

In the run-up to the February elections, Cambodian authorities arrested four opposition officials and members between January 15 and 31 for “forgery” crimes and placed them in pretrial detention. Police [arrested the Kakab 2 area commune councilor, Khem Chanvannak](#), who was the acting head of CLP's Phnom Penh operations, on January 15. The police stated that Chanvannak was being questioned for forgery related to crimes committed on November 7, 2023.

Police also [arrested Chhay Chinda](#), a CLP official who works with the party's women's wing, on January 15, on forgery charges dating back to 2022. And on January 31, authorities [arrested Ma Chinda](#), the head of the CLP youth movement in Phnom Penh's Daun Penh district, and [Hak Kosal](#), an opposition political activist, for forgery-related crimes. These arrests resemble politically

motivated [forgery arrests reported on by Human Rights Watch ahead of the May 2023 national assembly election](#).

“Cambodian government and ruling party targeting of opposition officials and activists to compel them not to vote shows an outrageous contempt for democracy,” Pearson said. “Cambodia’s partners should publicly condemn these politically motivated harassment and threats, and make it clear to the government that future engagement depends on the opening of democratic space in the country.”

For additional details and accounts by opposition members, please see below.

Accounts from Opposition Politicians

Human Rights Watch conducted in-person and phone interviews between February 9 and 27 with six opposition politicians from three opposition political parties, the Candlelight Party (CLP), the Khmer Will Party, and the National Power Party. Among the six opposition politicians were four commune councilors from different districts. Human Rights Watch used pseudonyms and removed location specific information to protect their security.

Direct Attempts by Authorities at Vote Interference or Buying

All four commune councilors interviewed said that they repeatedly received direct or implied offers of money, “gifts,” or other rewards to either vote for the CPP, or not vote at all.

“Sophal,” CLP commune councilor, said:

During the first meeting, a district officer ... said that all I had to do was to not vote, I could keep my position as commune councilor. He assured me that even if the CLP tries to replace me in my position, the government will not allow this to happen. He also told me that in the next commune elections in 2027 I can be listed as a CPP candidate and would surely win. He told me there would be other benefits but did not specify what they would be. In the fifth and final meeting, a former member of the Candlelight Party who had defected to the CPP and a high-level ministry adviser told me that I did not have to join the CPP, but that if I either did not vote or if I voted for the CPP, I would later have the possibility of becoming a ministry advisor like he was.

“Vathanak,” CLP commune councilor, said:

In mid-January, I met three people in the commune council hall. Present on their side was a district officer, the provincial governor, and a commune chief. I was told that I would receive benefits and rewards for not voting, or for voting for either the CPP or for the government-aligned [royalist] FUNCINPEC Party, but that if I voted for the CPP I would receive a greater reward. I was told that if I voted for the CPP or for FUNCINPEC, I would be able to keep my position as commune councilor, even if the CLP tried to replace me and that I could be listed as a CPP candidate in 2027.

“Pheakdey,” CLP commune councilor, said:

I received a request to meet authorities to discuss the Senate elections at a coffee shop. The first meeting was on January 27. Present on their side was one CPP party officer from my province, one district governor chief, one district deputy, one commune chief, and two other district officials. I was told that I have the option to vote for the CPP or not vote at all, both options are okay. If I vote for the CPP or just not vote at all, I will receive 4 million Riel (US\$1,000) from either option. The difference is, if I vote for the CPP, the CPP would ensure that I keep the same position during the rest of my term as commune councilor and when the next commune elections are contested in 2027, I can be listed as a CPP candidate.

“Vanna,” CLP commune councilor, said:

I was asked to meet authorities multiple times in January and February. During these meetings they said they could offer me US\$1,000 if I did not vote and up to \$3,000 if I voted for the CPP. During my second meeting they threatened me that if I do not join and vote for the CPP I might get a court complaint against me, they did not specify what type of complaint it would be. The next two meetings happened in early February at the commune hall where I worked. In both meetings, they tried to offer me money and a mobile phone if I joined the CPP and voted for the CPP in the Senate elections, but I refused their offer.

Reports of Attempts by Authorities to Influence Commune Councilors

“Sophal” said that the authorities tried to influence other councilors:

I know there are well over 100 commune councilors in my province, I have met 35 of those commune councilors. These commune councilors are people I know and have spoken to in person about authorities asking for commune councilors to either not vote or to vote for the CPP. Every single one of the 35 commune councilors shared with me that they had similar meetings and requests from authorities. In my case I was not offered money for my vote, or to not vote, but among the 35 other councilors I spoke to, I heard about offers they received from 4 million Riel (\$1,000) to 20 million Riel (\$5,000) for voting for the CPP. As an administration officer with the CLP, I am involved with a lot of internal communications within the party. From what has been reported from CLP commune councilors across the country, I have heard that 95 to 99 percent of commune councilors have received offers of bribes or “gifts as rewards” for either not voting at all or voting for the CPP. All of these reports I heard occurred similar to my timeline of meetings with authorities, in January and February 2024.

Other CLP councilors interviewed said they too had spoken to other opposition councilors in their districts and that almost all of them had experienced similar pressures and inducements to join the CPP.

“Pisey,” a party officer for the National Power Party said:

Based on my knowledge, the threats and bribes for commune councilors to not vote or to vote for the CPP have occurred since late last year and continued in January and February this year. There is usually an offer or promise of money or future positions in 2027 if they vote for the CPP or even not vote at all in the upcoming Senate elections. For what our activists report back to us, over 95 percent of commune councilors we work with have received threats or offers of rewards based on how they vote in the upcoming elections.

“Davuth,” a party officer for the Khmer Will Party, said:

In provinces around Phnom Penh, in the remote provinces such as Ratanakiri, Mondulakiri, and Preah Vihear, and all the provinces around the Tonle Sap Lake, which are generally much poorer than the capital, the ruling party uses different methods to convince CLP councilors to sell their votes by offering them money, new phones, or even motorbikes. From what has been reported to me as a party organizer, the total amount of these gifts ranges up to \$3,000 per vote. The arrests, intimidation, the vote buying attempts are happening at a scale that we have never seen before.

Concerns for Safety and Reports of Intimidation

Opposition commune councilors and party officials also expressed fears for their own safety.

“Vathanak” said:

I just want to share that I feel very concerned for my safety because I have never been previously contacted by the authorities [in this way]. Now that I have been called in to betray my party and officially support the CPP, I feel like I will be targeted by the government if I do not follow their requests. I am concerned about my safety all the time now. I’m afraid I will be attacked in the streets and left bloody like the CLP members who were attacked last year. I am also afraid of being

targeted by the government through politically motivated legal means and placed in jail as has happened to so many opposition members.

“Pheakdey” said:

Personally, while traveling, I know that I must be careful. I am worried about attacks while in traffic because opposition members have been attacked before and the perpetrators were never caught. I am worried that if there is legal action against me the courts are not independent: there is a 100 percent chance they will side with the ruling party. When the courts go after you, there is a 100 percent chance that you will lose, you have zero chance of winning a case in Cambodia if the ruling party wants you to suffer.

“Pisey,” the National Power Party officer, said:

We also experience harassment whenever we organize a meeting. Local police come to almost every single meeting we organize, whether it is just an NPP meeting or a meeting with the CLP. Usually, three to five people from the local police come and take pictures of us and ask for a list of participants’ names. We feel like they do this because they want us to be worried and threatened, and so that they can keep track of us to find us later if they feel they need to. I always fear that my party or I will face consequences any time the opposition is successful, and we will face consequences for our actions if we go against the government.

Cambodian Election Law

Various Cambodian laws ostensibly provide protection to political parties, candidates, and party officials – which in practice have not been adequately enforced. The Law on the Election of Commune/Sangkat Councils, in article 39, [establishes](#) that political parties should be in charge of their own party candidate lists.

The Law on Administrative Management of Communes/Sangkats, in article 14, [states](#) that a valid councilor must fulfill the qualifications as stated in the law covering elections, including being on the candidate list, which the political parties oversee.

The Ministry of Interior’s failure to process requests by political parties to change commune councilor electors subverts the legal process for managing commune councilor lists based on the rights established in Cambodian law.

Article 71 of the Law on the Election of Members of the National Assembly is [applicable](#) to the National Election Committee for the Senate Elections on February 15, 2024. The article provides that all political parties and candidates need to avoid using threats, intimidation, or violence against citizens, other political parties, or candidates. The law prohibits parties and candidates from inciting their supporters or voters to commit abuses, threats, violence, or intimidation against individuals or other political parties.

But the law also broadly and problematically bans direct or indirect verbal remarks or written statements by parties and candidates that are immoral and insult any candidates, their supporters, or anyone else.

With respect to the concerns raised by the opposition councilors to Human Rights Watch, the law prohibits all political parties, candidates, or supporters from threatening, intimidating, or enticing anyone to pledge their vote for any political party. In addition, political parties, candidates, or representatives must not make donations in cash or through any kind of incentives to institutions, organizations, or any person to buy votes.

International Human Rights Standards

Cambodia has been a party to the [International Covenant on Civil and Political Rights \(ICCPR\)](#) since 1992. Article 25(b) of the ICCPR guarantees “the right to vote and to be elected at genuine

periodic elections ... guaranteeing the free expression of the will of the electors.”

The United Nations Human Rights Committee, an international expert body that monitors state compliance with the ICCPR, has stated in [General Comment No. 25 related to article 25](#), that “[p]ersons entitled to vote must be free to vote for any candidate for election... without undue influence or coercion of any kind which may distort or inhibit the free expression of the elector’s will.”