

2016 Voter Registration Monitoring and Observation Report



February 2017

Table of Contents:

I. Executive Summary:.....	2
II. Background and Introduction	4
III. NEC - Irregularities and Complaints.....	10
A. Data error irregularities reported by the NEC.....	10
B. Complaint settlement reported by the NEC.....	11
IV. Registration Monitoring Results	15
A. Observation on the Conduct of Preparatory Logistics: Recruitment and Training of Registration Staff.....	15
B. Checklist based survey monitoring: observation process and results	18
C. Major Areas of Concern and Needed Reform	29
Appendix	37

I. Executive Summary:

Findings and Recommendations

The NEC announced Letter for registration dated 31 May 2016. The registration period was 3 months 1 September to 29 November, 2016. The first official NEC posting of the name list occurred at communes across the country on Jan 3 2017.

1. In the 2016 Voter Registration, approximately 7.87 million people successfully registered of the 9.6 million total eligible voters, giving a registration rate of 81.47%. This contrasts with the Electoral Reform Alliance (an umbrella group of CSOs) estimate that at least 95% of eligible voters would be able to register using the new modernized voter registration system.
 2. Efforts of the NEC to implement the modernized voter registration system and to correct data entry errors and other violations of procedure demonstrate an attainment in good governance. In the process the relevant authorities have demonstrated an advance in capacities to conduct the process in a professional manner and in terms of accountability and responsiveness, by exhibiting effective conduct in terms local conflict resolution via democratic electoral mechanisms.
 3. The new voter registration system of the NEC has been verified as capable. It found more than 20,000 (twenty thousand) duplicated names and a data entry error of around 3 percent of the total number of registered names . The system also effectively enabled the NEC to edit and correct the erroneous information entered into the database.
 4. The process of Voter Registration was conducted in accordance with the provisions provided in the regulations and procedures of voter registration and policy plan of the NEC. The recruitment of officials for the voter registration involved the participation of NEC, was more open and transparent than previous recruitment processes, and the professionalism and commitment to duties of those officials has increased.
 4. Observation of NEC policy implementation and practices concluded that there were significant structural challenges which may have detracted from the development of a fully capable national network of voter registration officials and station staff. Of note in this regard were the challenges the NEC faced in recruitment of sufficient numbers of capable staff, and the weaknesses in the training programs that resulted in confusions regarding Hashcodes in the new system.
 5. 15540 cases of irregularities were found by the monitoring checklist data collection conducted by the network of observers and analysts deployed by the Electoral Reform Alliance, ERA (COMFREL joined with partner CSOs including NIFEC and YRDP). Those cases included incorrect data entry and an absence of checking and verifying the data by the entry officers during the registration. The Commune/Sangkat Councils solved 50% out of the 52 complaints received and denied few complaints. There were no serious irregularities uncovered which demonstrated a sustained, organized, and intentional effort to corrode the integrity of the voter list.
 6. However, analysis of information collected during observation from both the survey instrument and from informal interviews and follow-up by monitors in the field, supports the conclusion that substantial challenges remain to the full and fair implementation of legal and
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normative standards in the voter registration process. This report does not cover issues for marginalized and vulnerable groups such as women, youth, disabled persons, or indigenous groups. A subsequent report will entail greater details and analysis for the voter registration and participation situation for those groups.

7. The first area of major concern is the formation of problematic polling stations. The establishment of most polling stations was suitable with regards to the geographical situation and density of villages/communes, and confirmed with the regulations and procedures of voter registration. However, the establishment of nineteen (19) polling stations and issuing of residential affidavits to the police officers and soldiers in certain cases, could be interpreted as politically motivated or in contrary to election fairness. It also affects the privacy of the assigned voters.
 8. Related to this is the problem of issuance of identity certificates to troops which both caused confusion and the solution resulted in questionable practices. Any legislative or policy contradictions should be reconciled and clearly communicated to all stakeholders. Better channels of communication between the MoI, security sector authorities, the NEC, and CCs are needed to prevent future confusions and ensure the uniform application regulations occurs nationwide. It is imperative to practice public dissemination of accurate and up-to-date information related to deployment of troops, enabling oversight and preventing abuses.
 9. The third area of major concern is that particular groups of citizens have been marginalized by the process and will not enjoy full voting rights. These are migrant workers working abroad and large numbers of Buddhist monks. Many Buddhist monks did not have a Khmer Identity Card and were not well informed about their right to vote as citizens. Migrants were principally dissuaded from participation in the registration process by the structural obstacles of cost and time required for registration.
 10. Fourth, a serious concern is the existence of barriers and an overall lack of support by authorities for voter education and dissemination of voter registration information by the authorities. It is in this area of the 2016 voter registration that the efforts of civil society were met with the most repression. Stronger advocacy is needed by the NEC in its engagements with Sub-National Administrations for the role and responsibilities of civil society for voter education. Civil society organizations should increase mobilization and insist on the expectation of being able to participate in a non-partisan manner, consistent with the full realization of citizen rights and responsibilities set out in the Constitution.
 11. Finally, there was still significant demand for registration by eligible voters after the closing date of registration, of November 30, 2016. The decision to extend registration one day, following a request from CSOs, should be applauded. However, the request for additional extensions was denied.
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II. Background and Introduction

A. From Crisis to Reform and Modernization

For the democratic elections of 1993, widely regarded as free and fair, the voter registration list was developed by UNTAC. Citizens were able to register and vote at any location of their choosing. Each eligible voter utilized a personal election card which they received upon registration. The card included a photo and their personal details. In 1998, the voting registration system was changed so that citizens registered and voted in the commune of their residence. The documents for registration include a National ID, birth certificate, family book, passport. Those eligible voters that do not have the requisite documents, must request an ID document verifying residence from commune authorities. This document was a 1018 Form which was later changed to a Blue Card. Those charged with managing and conducting registration have a duty assigned by the commune council, and only Commune Clerk is authorized to respond to citizens applying for voter registration.

The process of registration continued to be the policy until 2014 and was ended with the political party deal of 22 July 2014. In 2016 the NEC decentralized the process by transferring authority and responsibility to the Commune Councils to prepare for and carry out the registration process.

The new voter registration was necessary because from 1998 to 2013 the name list has persistent problems or irregularities such as missing names, duplicate names, name that does not correspond to known person, registration staff absent from the station, individuals registering others who were not present, and the potential registration of non-citizens. All these things became evident to civil society and the international community which consistently raised concerns related to the quality of elections and the mandate conferred, as well as the enjoyment of fundamental human rights.

In 2013, an unexpected election crisis and political stalemate occurred in Cambodia after the official result of election was released by the National Election Committee (NEC), in which the NEC was accused of manipulating the results in favor of the ruling Party. The unprecedented mass demonstrations, violently suppressed by the security forces, as well as a year-long stand-off by the opposition CNRP including a parliamentary boycott could have also been avoided had the NEC been viewed as legitimate by being an effective, efficient, and neutral election body. Voters were much more assertive in demanding their right to vote even if their names went missing from the official voter list.¹ Major donors also called for reforms for both the NEC and the process of developing voter lists.² In July of 2014, as part of an agreement to end the boycott, the government agreed to reform the NEC and create a new voter list.³ In October of 2014, the National Assembly voted in favor of NEC reform.⁴ By February of 2015, the two major political parties were deciding on the content of a new election law.⁵ However, reforming the NEC to be an independent and effective electoral body was no small

¹ The 2013 COMFREL Narrative Report

² <https://www.cambodiadaily.com/elections/us-ambassador-calls-for-election-investigation-nec-reform-38282/>

³ <http://www.phnompenhpost.com/national/big-job-ahead-new-nec-bid-register-11-million-voters>

⁴ <http://www.phnompenhpost.com/national/assembly-oks-changes-law-land>

⁵ <http://www.phnompenhpost.com/election-reform-talks-done-principle-parties-say>

task. It was necessary that reform of the NEC went beyond its membership to include its policies and working methods.

The Electoral Reform Alliance (ERA) was created after the 2013 National Election to monitor the election reform process and to collectively provide specific un-biased recommendations based on international recognized democratic principles and frameworks concerning the electoral reform agenda so that electoral results achieve proper political checks and balances based on full respect for human rights. The ERA is a by-product of a mechanism called the “Situation Room” set up by a group of elections watchdogs and partner CSOs as an observatory and information-sharing center to keep the public and all concerned parties about dynamics of pre- and post-election periods. On many occasions, the ERA members were invited by various stakeholders including Ministry of Interior, Cambodian National Rescue Party (CNRP) to present ERA’s finding and recommendations.

In August 2014, COMFREL and the ERA issued proposed drafts of a new constitutional amendment governing the National Election Committee.⁶ In September of 2014, ERA called for strengthening the NEC.⁷ In October 2014, ERA challenged the secrecy surrounding a new draft law concerning the country’s National Election Committee, and effectively communicated their position to the NEC.⁸ As of December 2014, the ERA continued to lead advocacy and public awareness efforts for the reform of the NEC.⁹ In March 2015, ERA challenged electoral legislation for the inclusion of a ban on “insults” to political parties by NGOs, and a shortening of campaign and rally periods.¹⁰ ERA made recommendations to the Constitutional Council regarding election legislation, and election rights advocates wrote to the Constitutional Council requesting that it annul two articles in the proposed new national election law that he says violate constitutional rights to participate in election campaigns.¹¹ In May 2015, the Electoral Reform Alliance organized civil society advocacy against legislative regression. Members of ERA met to develop ways to “mitigate” the impact of a controversial new election law.¹² Also, ERA lobbied key donors, Japan and the EU, to use their roles to advise the NEC against using the new election law to suppress citizen’s political rights.¹³

In 2015, there were some positive changes to laws related to the organization and functioning of the NEC, including: a voter registration procedure for receiving an application for registration; a prohibition of partisan activities of civil servants, authorities, military and police members (Armed Forces) and court officials during the electoral campaign; and, a punishment/penalty to the person who falsifies or fakes the documents for voter registration. ERA recommended that each electoral registration team would be composed of a president, chosen by the National Election Committee, a deputy head, which would be the commune clerk, and a third member also selected by the NEC.¹⁴ However, by January of 2016, it became clear there were major problems with NEC reform, and the ERA voiced concern about

⁶ <http://www.phnompenhpost.com/national/ngos-offer-own-reform-package>

⁷ <http://www.phnompenhpost.com/national/election-group-wants-more-powerful-nec>

⁸ <http://www.phnompenhpost.com/national/election-watchdogs-slam-%E2%80%98secret%E2%80%99-draft-law>

⁹ <http://www.phnompenhpost.com/national/independence-nec-crucial-watchdogs-say>

¹⁰ <http://www.phnompenhpost.com/hrw-slams-draft-election-laws>

¹¹ <https://www.cambodiadaily.com/archives/constitutional-council-asked-to-annul-portions-of-election-laws-80665/>

¹² <http://www.phnompenhpost.com/national/era-wants-work-nec>

¹³ <http://www.phnompenhpost.com/national/donors-help-set-poll-rolls>

¹⁴ <http://www.phnompenhpost.com/national/monitors-discuss-elections>

a lack of transparency in its selection process.¹⁵ In July 2016, ERA called on the National Election Committee to remove punitive measures from its code of ethics ahead of the commune and national elections.¹⁶

As a result of ERA coordination, in 2016 there were 21 recommendations issued to the NEC of which 15 were accepted. First, the NEC issued the guidelines and allowed the observers and political party representatives to record the Hashcode (related digitized voter registration). Second, NEC issued guidelines for Voter Registration Teams to follow at the voter registration locations. Third, NEC issued guidelines for improving the voter registration process to address the recommendations made by COMFREL and the ERA. These guidelines address recommendations regarding: being prepared for observers and party agents at voting stations; using documents correctly; recording data correctly; scanning fingerprints correctly; the presentation of registration teams; and, implementing NEC procedures for participation of observers and party agents.

The NEC also accepted 8 recommendations related to the Code of Ethics for the electoral body. These include: withdrawal of the ban for observers using recording devices at voter registration stations and counting stations; withdrawal the word “supporters” from the draft of code of ethics in the electoral process; adding a ban in the National Assembly Election Law and commune council election law, in the code of ethics; withdrawal of the ban on political party agents for using photographs, video recorders, voice recording, or phone recording at voter registration stations and counting stations; adding tasks for media in terms of broadcasting on the election for disabled people and indigenous people; withdrawal of the article on punishment that is included in all 5 codes of ethics; and, adding special principles to improve the individual or group practices of those who violate ethics standards. The result has been that the NEC has agreed to new working methods, internal procedures and/or standards for voting mechanisms and processes.

The unprecedented mass demonstrations following the 2013 election, violently suppressed by the security forces, as well as a year-long stand-off by the CNRP including a parliamentary boycott could have also been avoided had the issues of accurate and proper voter registration been in place. The Electoral Integrity Project (EIP) collected assessments from 855 elections experts, 15 specifically on Cambodia, to inform their index of electoral integrity. The EIP found that Cambodia performed worst in voter registration and the independence of electoral authorities.¹⁷ The Electoral Reform Alliance issued a report detailing the problems with irregularities linking voter registration, polling stations and vote results.¹⁸ There was an abnormally high use of Identification Certificates for Elections (ICEs), which are issued by commune councils—97 percent of which are controlled by officials loyal to the ruling party. Based on a representative sample of polling stations nationwide that were observed by Transparency International Cambodia (TIC) on election day, there was a significant correlation between the use of ICEs and the share of votes that went to the CPP.¹⁹

¹⁵ <http://www.phnompenhpost.com/national/monitor-says-nec-selection-opaque>

¹⁶ <http://www.phnompenhpost.com/national/nec-code-should-not-be-criminalised-ngos>

¹⁷ <http://www.phnompenhpost.com/national/election-ranks-low-study>

¹⁸ <http://www.phnompenhpost.com/national/voting-numbers-questioned>

¹⁹ <https://www.cambodiadaily.com/archives/report-shows-election-irregularities-favored-cpp-48237/>

As noted, as part of an agreement to end the boycott, the government agreed to reform the NEC and create a wholly new voter list.²⁰ The National Election Committee (NEC), the primary electoral body for state, accepted the recommendation issued by COMFREL and the Electoral Reform Alliance (ERA) for adopting a Modernized Voter Registration System, but the system still needed to be funded, designed and implemented.

COMFREL and the ERA developed guidelines for best practices and made recommendations for the technical components of the Modernized Voter Registration system (MVR). COMFREL also successfully advocated for the funding to support the new system with donors. Implementation of the MVR has depended on providing the NEC with an understanding of the components, regulations and technology of an adequate modernized voter registry. ERA led testing on the system was needed to reduce flaws.²¹ COMFREL, in cooperation with ERA, launched a pilot project on Modernized Voter Registration in three communes with around 652 people randomly selected to do a test. In that test, the MVR system was vindicated as only two cases of duplications were found.²² The lessons learned provided important insights on how to implement the system effectively nation-wide while providing accurate budgeting and financial management. COMFREL then produced the report on its finding and effectiveness of MVR sending new NEC, Ministry of Interior, political parties, relevant stakeholders, and public. COMFREL has also conducted public awareness raising and outreach to inform voters about the components, improvements and effectiveness of the new system in order to support voter confidence and participation.

B. Components of the Voter Registration System

The new modernized system for voter registration utilizes biometrics to reduce fraud and limit name duplication and eliminate missing names for eligible voters. The system also involves online data transmission for timely and accurate recording of registration information and voting results. The NEC was able to carry out a nationwide effort to create an accurate voter list using the new system.

The population of eligible voters was 9.86 million, and the total number of voter registration stations nation-wide was 22, 148. This includes the stationing of registration teams at the commune office, and temporary deployments to the village level and rural areas. A quality voter registration process that maximizes inclusion and access for eligible voters is a prerequisite for the fulfillment of the vision for Cambodia set out in the preamble to the Constitution and the citizen's rights clearly stipulated in Articles 34 and 35. These articles set out the rights to vote, stand as a candidate, and to actively participate in the politics of the community. Other relevant laws include the 2015 Law on the Organization and Functioning of the National Election Committee (the formal government body functioning to organize, conduct, and oversee the election process), and the 2015 Law on Election of Members of the National Assembly (LEMNA) and Law on Election of Commune Councils (LECC), which sets out the specific provisions which regulate the elections of commune councils, and the 2016 NEC Regulations and Procedures for Voter Registration.²³ The framework of law of voting registration and

²⁰ <http://www.phnompenhpost.com/national/big-job-ahead-new-nec-bid-register-11-million-voters>

²¹ <https://www.cambodiadaily.com/archives/election-ngos-to-begin-testing-new-voter-registration-system-74513/>

²² <http://www.rfa.org/english/news/cambodia/cambodians-keen-to-register-09012016160801.html>

²³ Available at <http://necelect.org.kh/khmer/node/12>.

name list was re-arranged in 2015 through amendment to the Law of Election of Members of the National Assembly and Law of Election of Commune Council. The Law of Election of Members of the National Assembly pertains to the voter registration and a new name list in seven important points of the new law. Those points are:

- Identification data on voter for voting list include photograph and thumbprint.
- The time period for registration was changed to the dry season for and increased to up to 50 days.
- The condition of residence has been expanded to include all citizens residing in a commune.
- The new law has allowed the NEC to appoint groups for voting registration of communes to support the Commune Council in their duty and respond during the voting process.
- Information on updated name list and conditions for eligible voters must be collected by the Commune Clerk and conveyed by to the Province Secretariat every two months.
- The document for identification utilized for voter registration was limited to the ID Card a, and without that, the only document to confirm identity is the official identification letter.
- The digital storage of data for the voter list allows the NEC to create an accurate database for improved information management.

Moreover, the Regulation and Procedures of Voter Registration contain several important provisions, in accord with the LEMNA, for the purpose of creating an accurate, secure, and transparent name list. They include:

- A process of checking and verifying information input by registration team members and applicant voter.
- A Process of issuing receipt for registration to each voter.
- A process of recording the thumbprint and obtaining a photo of the applicant and transferring the information to national database.
- A requirement that sufficient resources and equipment for voting process provisions of receipts to applicants.
- Strengthening the capacities of the registration team and quality of working methods.

A voter registration team, mandated by the NEC and the LECC, was established for each commune, and a commune may have multiple registration stations with the number varying between communes. The voter registration procedure has been created using voter registration teams composed of three members: the Chief who is elected by the NEC; the Vice or Deputy Chief which is the Commune Clerk; and the Data Entry Officer (Computer Typists). For areas with more than 7,000 eligible voters, an additional Deputy Chief and Data Entry Officer are added to the team. For every additional increase in the population of eligible voters of 7,000, another Deputy Chief and Data Entry Officer are added to the team. As such, to provide registration services to a commune with between 7,000 and 14,000 eligible voters the registration team would be composed of 5 members (1 Chief, 2 Deputy Chiefs, 2 Data Entry Officers), and with between 14,000 and 21,000 eligible voters the registration team would be composed of 7 members (1 Chief, 3 Deputy Chiefs, 3 Data Entry Officers).

The voting registration 2016 started from 01 September 2016 to 29 November 2016 (extended to 30 Nov.) Team member of voting process input data by computer and send through internet to NEC daily. Office of registration must be at Commune or come office will be at village. Office of registration open daily from 7am to 11.30am and 2pm to 5.30pm. Voter Registration involved 3 steps:

- First, meet with the Chief of registration team who reviews the identification documents of the applicant, and asked whether or not the applicant has already registered to vote in 2016. The Chief will monitor and decide to continue the process.
- Second, meet with Deputy Chief who takes the ID and creates a registration receipt for the applicant.
- Third, meet with the Data Entry Officer and input data to computer, base on the registration receipt. The Data Entry Officer takes a photo of the applicant, a photo of the applicant's ID, and a thumbprint scan of the applicant.

To get their name added to the voter list, individuals must meet the following criteria: have Khmer nationality, be at least 18 years of age as of 04 June 2017, have a place of residence in the commune in which they are registering, and have an ID card or official letter document to confirm their identification.

The ID card process is an area of concern, and the government advised the Ministry of Interior to hasten the process of issuing the card. On 31 March 2016, the NEC announced the estimated number of people more than 18 years of age without an ID card was 1,991,025, out of a total eligible voting population of 9,664,216. COMFREL and ERA noted the poor quality of ID cards that had been issued as they broke easily. In response, the Ministry of Interior agreed to the improved policy of issues new ID card without charge.

The ID card is the primary document for voter registration and the voting process. COMFREL and ERA sent a letter to Ministry of Interior dated 26 January 2016 and requested approval to study and the process of accessing and issuing ID cards in order to determine who is unable to receive the card and what are the reasons for the lack of inclusion. The proposal seeks to focus on four communes: Phnom Penh, Kampong Cham, Ratanakiri, and Banteay Meanchey. However, until now there has been no response.

If the citizen has an ID and is a resident of a commune that citizen has a right to register and vote in that commune. If the citizen has an ID with a residence that does not correspond to the commune, then the eligible voter must obtain a proof or certification of residence. This Residential Affidavit is obtained by taking the ID and one witness to the Commune Chief. The witness must be an eligible voter with a residence in that commune. For eligible voters without ID, the citizen must bring the birth certificate (along with two photographs), a completed application form, and two witnesses to the Commune Chief in order to obtain the ICVR. The witnesses must be eligible voters with a residence in that commune. As proof of residence the witnesses must bring a valid ID card or birth certificate with a designated residential address for that commune.

III. NEC - Irregularities and Complaints

This section focuses on the NEC practices detailing irregularities and institutional and systemic mechanisms for redress. The information was gathered through active engagement with the NEC as part of the active advocacy and lobby efforts conducted by COMREL and ERA, as part of the oversight function of civil society. It indicates the importance of continued follow-up, developing independent mechanisms for auditing and evaluating the process of complaint management, and maintaining healthy and effective channels of communication between the national electoral body and CSOs.

A. Data error irregularities reported by the NEC

Late Data Transmission

On Friday morning of 23rd December 2016, the National Election Committee (NEC) revealed the causes of delay in transmission of the registration data of 2,318 people, which was transferred from 43 communes of 13 provinces to the NEC Department of Voters Database Management and Voter Lists after 1 December 2016, the official closure of voter registration.

The NEC claimed that the problem was due to the heavy size of the data from those communes. The NEC also requested political party representatives to monitor and investigate to verify and ensure that the data of voters that was sent late had successfully been transferred to the database management system of the NEC.

As a means of verification, the NEC prepared a list of the 2,318 people whose names were transferred late along with the 5 communes that submitted the data late, in order for political party representatives to investigate irregularities and verify the accuracy of the data. The NEC explained that a delay of work at the Department of Voter Database Management and Voter Lists led to the late transfer of the data of voters. The problem had causes such as internet service connection problems, remoteness of polling locations which creates challenges for transportation and internet signal access, and human resource errors by computer operators at polling locations, due to neglect of procedures or limited capacity and understanding.

Observation did not uncover any problems with the data such as data loss or manipulation. The monitoring did find a potential technical problem with the registration system among the names of those who had been verified. There was one case which showed an inconsistency between the data about the time of registration on the stub (original list) and the database. There was a one day difference in their records of the registration time and the computer system log. The majority of the 2,318 names that had not been included in the primary voter lists of registered voters were from 13 provinces, including Banteay Meanchey, Kampong Cham Kampong Thom, Kampot, Koh Kong, Kratie, Preah Vihear, Prey Veng, Ratanakiri, Siem Reap, Takeo and Tbaung Khmum provinces.

COMFREL observers reckoned that these cases may indeed have happened due to technical errors. In addition, it was not a serious issue because the data was verified to be correct based on consistency between voter receipt notes and information in the computer system.

Duplicated Names and Wrong Data

The NEC data center found 19,312 (nineteen thousand three hundred and twelve) duplicated names of registered voters (duplicates found by fingerprints and duplicates found by data such as name, sex, date of birth, and photo. This composed approximately 3% of the total registered voters. Among those duplicated names, there were 3,296 names with data duplicated exactly. More than 300 names were deleted because the duplication was the result of the same person registering their name in more than one location. The NEC used their IDs and other identity documents which were used for the registration to delete their duplicated names. The NEC explained that the reasons that could lead to one person registering in multiple locations included attempting to test the system, a change of residence, relocation of polling stations, and more than one person using the same ID (Cambodian Identification Card, or Khmer ID). In another case, the duplicate name involved a single voter registering in more than one place. The voter used the ID to register in one location and used the ICVR to register in another location. That case resulted from the intention of the applicant to register in two places.

The NEC found more than 210,000 data entry errors related to names that were input incorrectly. However, they were already edited following verification based on the attached identity documents. This supports the view that the database system the NEC can edit data effectively to remove errors or add missing information, and an assessment that the system is effective and accurate, in accordance with a legitimate registration process.

B. Complaint settlement reported by the NEC

There were not many serious irregularities and complaints observed in the monitoring of voter registration. However, the irregularities that resulted from data transfer mistakes and the absence of checking and verifying the data during the registration process, are a cause of concern regarding the integrity of the process and indicative of potential weaknesses in the electoral mechanism. The Commune Councils attempted to settle the complaints and could rectify the issue in 50 percent of the total complaints filed, and refused to accept the complaint in only three cases.

Receiving of complaints

In the entire voter registration process, there was a total of 97 complaints received and settled by the Commune Election Councils (CECs) and the National Election Committee (NEC), of which 52 complaints were received and settled at level of Commune Council, and the other 45 complaints were received and settled by the NEC.

At both the commune and NEC levels, the majority of the cases of complaints were related to problems with the implementation of roles and duties of registration officials, especially the role and duty of members of the Commune Council to issue a residential affidavit or ICVR to eligible voters. In Preah

Vihear Province, in relation to Chhaeb Pi Commune, Chhaeb District, a complaint was filed against the NEC district trainer who had ordered the Commune/Sangkat Council to issue the residential affidavit to the people who don't have a current address in that commune. Another case happened in Kampong Chhnang, when a complaint was filed against the decision of the Commune Council to allow the creation of a new polling station for only military police forces. A number of cases occurred in Phnom Penh in which Sangkat Councilors refused to issue Residential Affidavits to eligible citizens even though they have the Khmer ID card and a witness (a requirement for issuing of Residential Affidavit). In Kandal Province, there were complaints following denials of voter registration with no further instruction on how to obtain the Residential Affidavit. In Siem Reap, a case was filed against the First Deputy Chief of Sangkat Sla Kram who denied issuing the ICVR and Residential Affidavit because the witnesses to the certification were opposition political activists.

The opposition party, CNRP has filed a large number of the electoral complaints, 38 in total, and some have been settled by CECs. The CPP ranked second with 7 complaints, and some have been settled as well. Another 2 cases were brought by the Sam Rainsy Party. In addition, 3 cases involved ordinary citizens as complainants. Also, 1 case was brought by the District authority, and 1 case was submitted by the Voter Registration Team officer.

Complaint Settlement at the level of Commune Council

Of the 52 complaints addressed by the Commune Election Councils (CECs), 25 were resolved successfully, 3 were denied permission to proceed, 3 were withdrawn by the complainants, 8 were not successfully resolved, and 13 others were given notification by the NEC.

The complaints were filed against different types of respondents, including 23 complaints filed against NEC's registration team officers, 10 against ordinary people, 5 against CNRP activists, 2 against CPP activists, 2 against police officers. There was one complaint submitted against each of the following officials: district/khan/municipality authorities, commune/sangkat council, first commune chief deputy, village chief, deputy village chief, members of commune council, commune/sangkat clerk, village chief assistant, and the SPR party.

Provinces where complaints were received and settled at the level of Commune Council included:

- Battambang - 3 complaints were filed and have been resolved
- Kampong Chhang - 2 complaints were filed (1 resolved and 1 given notification)
- Kampot - 3 complaints were filed (1 resolved, 1 withdrawn, 1 refused to accept)
- Kandal - 3 complaints were filed (2 resolved and 1 given notification)
- Phnom Penh - 20 complaints were filed (9 resolved, 3 unresolved, 6 given notification, and 2 refused to accept)
- Preah Sihanouk - (1 complaint was filed, and has been resolved)
- Siem Reap - 20 complaints were filed (11 resolved, 5 unresolved, 2 withdrawn, and 2 given notification)

Complaint Settlement at the NEC

45 complaints were submitted at the level of the NEC. These included 45 complaints filed by the CPP, 22 complaints filed by CNRP, 6 complaints filed by Sam Rainsy Party, 1 complaint filed by Human Rights Party (HRP), 9 complaints filed by ordinary people, 1 complaint filed by Municipality administration, and 1 complaint filed by a defense lawyer. Among all, there were 14 complaints related to chaos provocation and prohibition or obstruction of voter registration process, and 14 complaints involving the matter of issuance of residential affidavits and Identity Certificate for Voter Registration (ICVR).

The followings are the names of provinces where complaints were received and settled at the NEC level:

- Battambang (2 complaints, both were given notification)
- Kampong Chhnang (1 complaint which was being settled)
- Kandal (1 complaint, withdrawn by the plaintiff)
- Phnom Penh (24 complaints, of which 2 were being settled, 18 were given notifications, 1 was withdrawn by complainant, and 3 others which refused to accept settlement)
- Preah Vihear (4 complaints, all given notification)
- Prey Veng (1 complaint which was given notification)
- Siem Reap (11 complaints of which 1 is being settled, 9 were given notification and 1 which refused to accept settlement)
- Preah Sihanouk (1 complaint which was given notification)

Table 1. Summary of Complaint Settlement at the NEC

No	Province	Kind of Complaint	Amount of Complaints	Solution
1	Battambang	Complaint which led to the imposition of a penalty / punishment in accordance with the election law	2	Given notification
2	Kampong Chhnang	Demanding complaint	1	Being settled
3	Kandal	Complaint which led to the imposition of a penalty / punishment in accordance with the election law	1	Withdrawn
4	Phnom Penh	Demanding complaint, Complaint which led to the imposition of a penalty / punishment in accordance with the election law, and Complaint involving a criminal offense	24	Refused, Given notification, and Being settled
5	Preah Vihear	Complaint which led to the imposition of a penalty / punishment in	4	Given notification, and Being appealed to

		accordance with the election law, and Complaint involving a criminal offense		the Constitutional Council
6	Prey Veng	Complaint which led to the imposition of a penalty / punishment in accordance with the election law	1	Given notification
7	Siem Reap	Complaint which led to the imposition of a penalty / punishment in accordance with the election law, and Complaint involving a criminal offense	11	Refused, Given notification, and Being settled
8	Preah Sihanouk	Demanding complaint, and Complaint which led to the imposition of a penalty / punishment in accordance with the election law	1	Given notification
9	Total:	Demanding complaints, Complaint which led to the imposition of a penalty / punishment in accordance with the election law, and Complaint involving a criminal offense	45	4 Refused, (filed after the deadline), 2 Withdrawn, 35 Given notification, and 4 Being settled

The main areas of problems, as indicated by the complaints submitted, are Phnom Penh and Siem Reap. Increased emphasis on voter registration and polling training should be supported, including problem-solving capacities and emphasis on the duty of local level officials for responsive and accountable engagement with the citizenry for efficient service provision deemed satisfactory to the recipient citizens. More investigation is needed to arrive at a more detailed understanding of complaints, evaluate the notification and settlement process, and determine whether they are isolated problems or linked by shared deeper or systematic causes. Non-violent dispute resolution and conflict resolution training should be emphasized, and the process of complaint submission and settlement should be transparent while balancing the protection of the privacy of the individuals submitting the complaint.

IV. Registration Monitoring Results

A. Observation on the Conduct of Preparatory Logistics: Recruitment and Training of Registration Staff

1. Recruitment of Voter Registration Staff at the Province and District Levels

It was observed that the recruitment commission was composed in accordance with the mandate of the NEC and its authority and responsibility as stipulated by law. The announcement of the recruitment was made in accordance with the Decision of the NEC, occurring first at the level of Provincial/Capital Election Secretariats, and then at the level of Municipality/District/Khan. The announcement occurred via media in both the provinces and the capital. Additionally, it was observed that some provinces such as Kandal and Pursat announced the recruitment by using loud speakers in key locations or social media outreach (Facebook).

From 22 July 2016 to 05 December 2016, the NEC announced job vacancies for short-term contract staff, including 741 positions of master trainer, to work at Provincial/Capital Election Secretariats for the operation of producing a new voter list 2016. In this recruitment, the NEC provided information on candidacy requirements and separate skill requirements for each post, as well as the duration of work and salary.

On the basis of the recruitment framework (Decision and Guidelines), and following the process of recruitment in the provinces and capital, we assess the activities of and framework for inclusion of the NEC and the Commission, in the various provinces to be satisfactory. At the same time, observation concluded that the disclosure of the Decisions and Guidelines was done well and in accordance with acceptable practices. Meanwhile, the investigation and evaluation also revealed some problems with the recruitment, such as that the quality and number of announcements were still not satisfactory, there were some difficulties in recruiting the right candidates for certain positions, and the inclusion of women candidates was insufficient.

2. Recruitment of Voter Registration Staff at the Commune Level

The NEC announced recruitment of 6,103 staff for 1,633 Voter Registration Teams, to work as short-term contract voter registrars in communes nationwide from 23 August to 06 December 2016, in order to assist in making a new voter list. A Voter Registration Team was recruited which included 1) a Team Chief, 2) a Chief's Assistant and 3) a Computer Typist (Data Entry Officer). According to established laws and regulations for voter registration procedures, the total number staff of a registration station depends on the number of eligible voters listed at that station. If a voter registration station exceeds 7,000 eligible voters, one Chief Assistant and one Data Entry Officers will be added. For every increase in voter population of 7,000 after that an additional Assistant and Data Entry Officer is added.

Following the provisions in the regulations and procedures for voter registration, the NEC established the National Recruitment Commission, which was composed of NEC Member(s) and Chairmen and

Deputies of Provincial and Capital Election Secretariats. It was observed that the recruitment to compose the commission and sub-commission was in accordance with the regulations and procedures of the NEC.

However, the dissemination of the announcement of recruitment was conducted made only through the Commune Offices and Provincial and Capital Election Secretariats, and as a result, information on the recruitment was not broadly disseminated and effectively communicated to the public. Most of the people who received the information were former officials who previously served as NEC staff or civil servants. It was observed that in the recruitment process most of candidates who applied for the position of Voter Registration Team Chief were former officials of the NEC that worked during previous elections, while the computer typists were mostly youth with no previous election experience.

The Recruitment Sub-commission faced some difficulty, especially in recruiting staff with required computer skills in rural Communes of some provinces such as Mondul Kiri, Siem Reap, Kratie, Preah Vihear, Tbaung Khmom, Koh Kong, Stung Treng and Ratanak Kiri. For example, in Srae Preah Commune, Keo Seima District, Mondul Kiri, there was only one shortlisted candidate for computer typist and the applicant's total score for the three required conditions (certificate, experience in election and examination) was only 18/100. However, despite a less than average score the staff person was recruited. In Me Mang Commune and Chong Phlah Commune in Keo Seima District, in each commune there was only one shortlisted candidate for the position of computer typist, and the applicant's total score for the three required conditions of recruitment was zero. This left the recruitment sub-commission no option besides recruiting that applicant to fill the post for that commune. Despite these challenges a massive recruitment and training process was carried out demonstrating a good degree of capacity and commitment by authorities.

Problems related to nepotism in distributing information and shortlisting candidates were reported in some areas such as in Sangkat La Bansiek, Ban Lung Municipality, Ratanak Kiri Province and in Cheyor Commune, Chamkar Leu District, Kampong Cham Province. On the other hand, some communes encountered technical problems or computer operation errors during the typing test, but it did not obstruct the recruitment process. There were more males than females in the total number of applicants and shortlisted candidates.

In general, the process of voter registration team recruitment was significantly better than previous recruitment processes of election officials. The Recruitment Commission and Sub-commission complied with requirements provided in the Regulations and Procedures, and testing was conducted in a transparent manner with the legitimate, professional, and effective participation of recruitment commission.

3. Training of Voter Registration Staff

In training stages, the NEC Master Trainers provide instruction and capacity building to all Provincial and Capital Election Secretariats, and the NEC's central officials on the Regulations and Procedures of Voter Registration and techniques for using computers and relevant programs and applications. The

training entailed real practical experience in using computers and the application programs, for instruction on the new voter registration system and using the internet in transferring data on registered voters to the computer center of the NEC.

In the practice and demonstration sessions by the NEC, the trainers were showed how to use procedures and technology, including transferring data and using Hashcodes in the application program for registration data collection and transfer. First the trainings were conducted by the NEC for Provincial/Capital Election Secretariats. Subsequently, the trainings were conducted by the Provincial/Capital Election Secretariats with assistance and supervision provided by NEC trainers, for the master trainers at the level of municipality/district/khan master trainers. And ultimately, by the municipality/district/khan master trainers for the commune/sangkat voter registration teams.

From the monitoring and assessment of recruitment and training quality an estimation of the degree of congruence with best practices can be made. Observers found the recruitment process adhered to the official standards set out in publicly available policy on NEC working methods, commune council elections, and regulations for voter registration. It was observed that trainings were effective and successfully increased understanding of participants with substantial improvements in knowledge of the new voter registration system by registration officials. However, some districts trainers missed key points during their training sessions, such as the instruction on the Hashcodes.

The following recommendations can be issued to improve recruitment and training. First, the NEC could program proactive training and capacity-building in computing of candidate staff. Second, the NEC needs a more coherent strategy for improving outreach and incentives for women apply. The NEC and civil society networks could collaborate to generate an increase in awareness of women about the opportunity and provide assistance to better support their application. There is a need for an increased budget and utilization of an accountability scorecards in order to increase the scope of information dissemination regarding the recruitment. Moreover, better outreach at the commune level is needed to avoid centralization and offset the potential for nepotism. The most serious problem of capacity deficiency of voter registration personnel related to the failure to develop a mechanism to ensure an understanding of how to use the Hashcode. A system is needed for evaluation station staff involving a required demonstration of an ability to use the Hashcode.

B. Checklist based survey monitoring: observation process and results

1. Research method and process

The methodology, research instrument, and deployment of monitors enabled a credible, transparent, and independent oversight of the voter registration process and a credible determination of compliance with laws and regulations and with full respect for individual's right to vote, a comprehensive controlled survey of registration practices was conducted. In monitoring the voter registration process, COMFREL, in collaboration with some ERA members such as the Youth Resource Development Program (YRDP) and NIFEC, received reports of 15,540 irregularities from a total of 546 electoral observers deployed in 546 communes.

Voter Registration Monitoring occurred through the deployment of observers which utilized a checklist based questionnaire to collect, categorize and submit data related to electoral irregularities and/or complaints. A total of 1000 observers were deployed to voter registration stations across the country. The sample design was not random but based on the preexisting national network of COMFREL and ERA, and accessibility of observers. Observation involved 546 paid observers that were deployed by COMFREL, and 454 volunteer youth observers provided by partner CSOs. Of the 546 paid observers, 250 conducted 12 days of monitoring, while the remainder conducted 3 days of monitoring. 12-day monitoring occurred over a three-month period, with four days of observation carried out each month. 3-day monitoring occurred over a three-month period, with one day of observation carried out each month. Training occurred in cascade with TOT occurring first, then Master Trainers conducting capacity building for Provincial Secretaries and Trainers, and finally Provincial Secretaries and Trainers ensuring skills and commitment of observers.

The data collection utilized a checklist based questionnaire involving closed-ended questions designating clearly fulfillment or violation of some aspect of the process, and providing ample space for additional concerns and feedback to be expressed. The data collected enables both quantitative and qualitative analysis to ground concrete recommendations for remedying inadequacies in the registration process or mechanisms. The data collection process treated voter registration as a single event, which took place over a period of time, making the survey cross-sectional.

The survey meets the standards for 'best practices' in survey based research and restricts the impact of bias of individual monitors. The questionnaire and data collection process allows for a sound description of the voter registration and compliance with established laws, regulations, and the standards of voting and participatory rights. In the voter registration process, the Registration Teams held duties and responsibilities in accordance with the provisions in the Regulations and Procedures of Voter Registration. The data collection instrument enables a detailed description of the voter registration process as well as existing irregularities, and provides the ground on which an explanation can be developed of the irregularities and potential remedies. It is contemporary and takes into account the relevant current aspects of law and procedure. It can be replicated in other instances of voter registration processes. Most importantly, it allows for systematic and impartial data collection and findings which can be taken as reasonably representative of the population from which the sample was derived—the total numbers of eligible voters and total number of registration stations, given the number of registration stations monitored.

2. Findings from Observation

Irregularities Found in the Process of Voter Registration

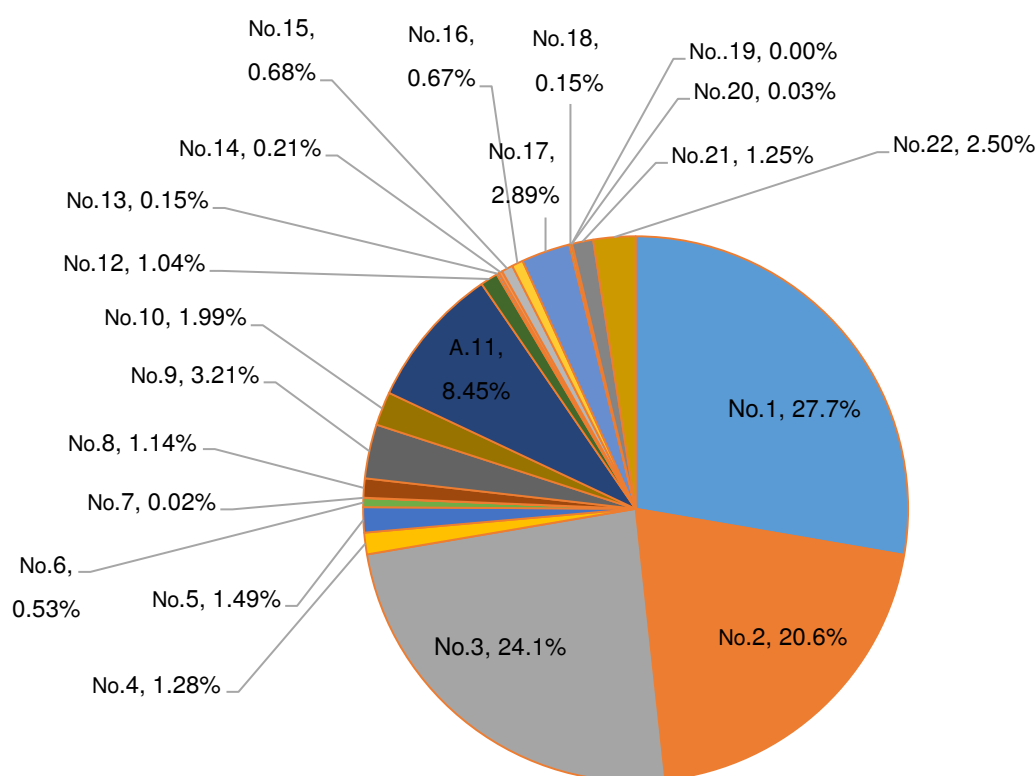


Table 2. Summary of Checklist Monitoring Results

Type Number	Kind of Case – Description of Irregularity	Case	%
1	Disorganized and non-regulated entry, without queuing of people that came to register.	4,306	27.7%
2	NEC Registrars did not follow the procedure and regulation properly due to actions such as chief of the team failing to interview the applicants, the deputy chiefs of the team made mistakes when inputting the applicant's information in the note of receipt, and typists made some mistakes in data entry.	3,194	20.6%
3	Applicants who came to register did not check and verify their names by viewing their names on the computer screen and confirming.	3,739	24.1%
4	Police, soldiers or people who demonstrated party affiliation and support by wearing clothing with the political party logo, were allowed to enter the registration office, both the	199	1.28%

	compound or area around the office and/or inside the office itself.		
5	People with no legitimate role in the process entered the registration office. Some came to contact commune clerks for administrative tasks or information, and some police entered although this is not allowed.	232	1.49%
6	Some disruption to the voter registration due to processing bottlenecks, and computer problems or machine errors.	83	0.53%
7	Some cases entailed obstructing electoral observers from entering the registration office to monitor.	3	0.02%
8	Some registration officials did not fully work (came to work for only part of the working day).	177	1.14%
9	The registration team Deputy transcribed data incorrectly resulting in errors in the note of receipt.	499	3.21%
10	The Chief of the voter registration team refused to register the applicant without issuing of denial form (form No. 1009) or giving a reason.	310	1.99%
11	Deputy of the voter registration team did not instruct the applicant to next register their name with the data-entry clerk.	1,313	8.45%
12	The Data Entry Clerk did not place the applicant's thumbprint properly on the finger print machine.	162	1.04%
13	Applicant that registered his/her name did not receive a note of receipt note for the registration.	23	0.15%
14	Eligible voter that had successfully registered sought to re-register.	33	0.21%
15	A disruption occurred which led to delay the registration process longer for longer than 30 minutes.	105	0.68%
16	Many eligible voters did not register because of insufficient time and being uninformed (based on interviews with registration teams and party agents).	104	0.67%

17	Cases related to an applicant with sufficient documents for registration but was denied registration and required by officials to obtain additional documentation.	449	2.89%
18	The team allowed non-eligible citizen to register without checking eligibility and ID Card to ensure nationality and age requirements were met.	23	0.15%
19	Intimidation and threats to prevent voter from registering.	0	0.00
20	A ban on social disorder and disturbance caused people not to go for registration.	4	0.03%
21	The Data Entry Clerk made a mistake when inputting information into the computer system.	194	1.25%
22	A problem related to data transmission from the registration office to the Computer Center at the NEC.	388	2.50%
Total:		15,540	100.0%

3. Description of Observed Irregularities

Security of Voter Registration

Electoral monitors observed 199 (1.28% of the total observed irregularities utilizing the checklist) cases of people coming to register while wearing uniforms. This included police and military uniforms worn by affiliated personnel, and wearing clothing with a political party logo and affiliation displayed. These persons entered the

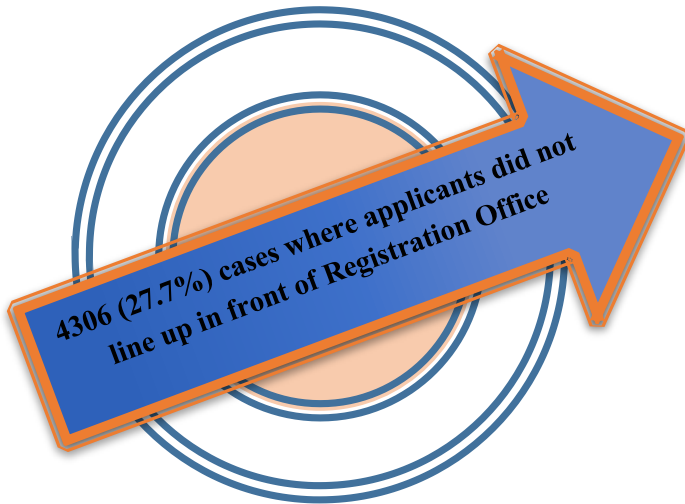
199 (1.28%) cases of people wearing police or military uniform clothing, or attire displaying a political party logo



registration station and/or loitered in the surrounding area. The cases were recorded as violations against the Regulations and Procedures for Voter Registration provided in section 3.4 provisions 3.5.4 and 3.5.6, and Article 52 of Law on Election of the Commune Councils. Importantly, the observation did not find any cases related to intimidation and threats in the voter registration process.

Order at Registration Office

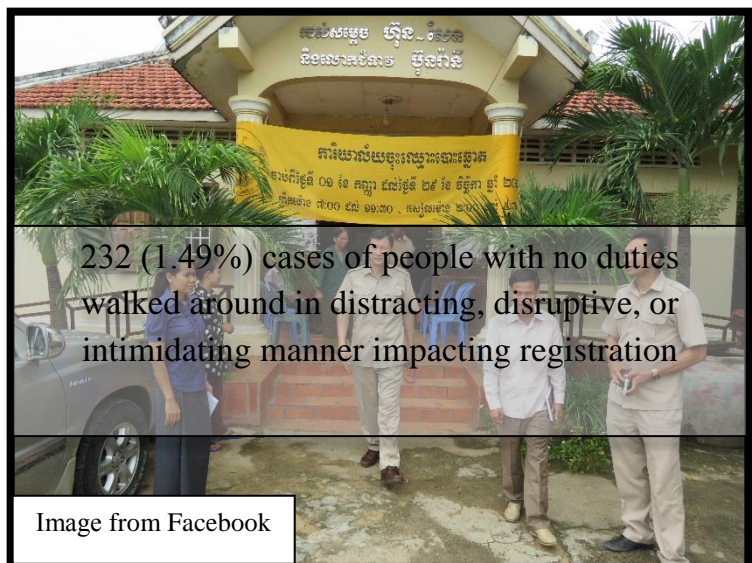
Problem - People who came to register did not queue



Related to order and organization in the registration offices, monitors observed that some registration offices failed to maintain discipline and order, for example by failing to put applicants into a queue. Observers found 4,306 cases related to non-compliance with the rules established by the NEC as stated in section 4.4 provision 4.4.8 of Regulations and Procedures for Voter Registration.

Also in relation to discipline and order in the registration office, monitors observed 232 cases of irregularities involving persons with no role or

duty in registration process, entering in the registration offices or premises. There is cause for significant concern, as many were known party representatives or political activists, and disrupted the process through actions such as checking names of people who came to register, asking for Khmer ID and taking down information into notebooks during registration. The acts were deemed a violation of provisions provided in section 3.4 and provision 3.5.5 of the Regulations and Procedures for New Voter Registration. This increased the potential for intimidation and decreased confidence in the security of the privacy of voter choice.



Voter Registration Working Time

Voter registration is defined in the Regulations and Procedures for New Voter Registration 2016, which determine the timeframe and hours for registration in section 4.2.

Related to the matter of registration working hours, observers noted that some offices opened late (at almost 8 am), and some offices closed very early in the afternoon. Such cases happened in Ponlea Commune, Serey Sophoan District, Banteay Meanchey Province, Ta Kork Commune, Samlaut District, Battambang Province, Tuol Koki Commune, Koh Kong Province, Svay Romeat Commune, Khsach Kandal District, Kandal Province and Ratanakiri province.

In addition to those cases, observers in Ratanakiri Province found some irregularities in the official opening days of certain polling stations. The nation-wide policy set by the



Picture from a secretary in Koh Kong Province

National Election Committee (NEC) required the voter registration teams in all provinces and capital to break two days for Pchum Ben Day, 30 September and 1 October 2016, and resume activities on 2 October 2016.

But three voter registration offices did not obey NEC instructions and they closed for three days. Those registration offices included one in Ban Lung commune, one in Ban Siek commune and another one in Seda commune. They were closed off an entire day of the registration process, preventing access for eligible voters at offices in Sangkat Ka Chanh and Sangkat Yeak Laom, some registration office officials were absent without substitutions.

Composition of Observers at Voter Registration Offices

According to the observation, at every station that COMFREL deployed monitors, political party agents were present. COMFREL observed many agents from CPP and CNRP but few from NGOs and civil society associations.

There were 3 cases related to prevention of observation where COMFREL observers were not allowed to stand behind the Data Entry Officer and they were ordered to stay quiet and not move. Another 2 cases involved political party agents obstructing the verification of residential affidavits. One case was related to preventing COMFREL observers from entering the office to carry out the observation. The said latter case happened in Chumnoab Commune, Thmor Bang district. The monitor was asked to obtain a certification from the Provincial Election Commission (PEC). However, the COMFREL Provincial Secretariat intervened and the monitor was later able carry out his task.

Composition of Voter Registration Teams

Provisions in sections 1.9.1, 1.9.2 and 1.9.3 of the Regulations and Procedures for Voter Registration and article 50 of Law on the Election of Commune Councils, stipulate the composition of voter

registration teams and establish that each team will be made up of three individuals: a Chief, a Deputy Chief (commune clerk) and a Data Entry Officer or Computer Operator. However, for a commune which has 7,000 or more eligible citizens, the number of officers working in team may increase in accordance with the formula provided in the Regulations and Procedures.

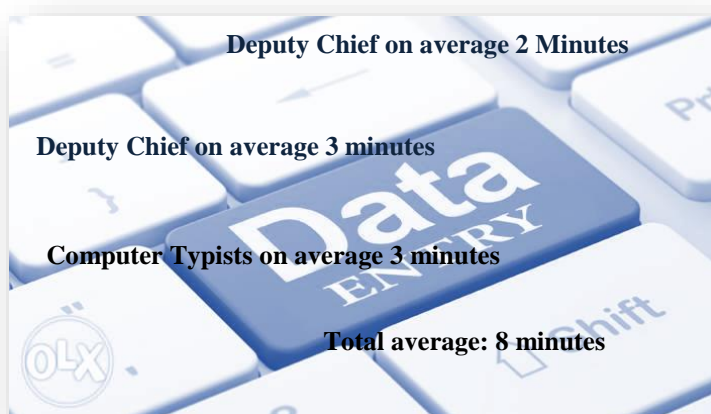
With regard to that issue, observers found that in some registration offices, some registration members were absent for different periods of time. Absences related to sick leave or request for personal leave by a team member. Absences also resulted from document retrieval by the Assistant to the Team Chief. The result was a degree of confusion, disruption, shifting duties and a lack of clear roles, and diminished efficiency of organization. There were 177 such cases found for all provinces and the capital.

Working Capacity

Regarding capacity of NEC's registration officers, observers perceived that each officer on the team had worked at a different speed for registering an individual applicant. The processing speed for an individual applicant of different positions on the registration team were recorded as follows:

- Chief of Voter Registration Team- on average spent 2 minutes per applicant
- Deputy Chief of Voter Registration Team- on average spent 3 minutes per applicant
- Computer Typists- on average spent 3 minutes per applicant
- For the entire process of registration of an applicant, on average, it took 8 minutes (between 6 and 10 minutes per applicant) to get a note of receipt for registration.

Duration spent on each citizen



Organization of the Phases of Registration

COMFREL observers found that some communes did not display a voter registration calendar in the communes, villages or public places, such as Prey Khpous Commune, Bavel District, Battambang Province, and Thamada Or Commune, Samraong Tong District, Kampong Speu Province.

Performance Error: Interviewing

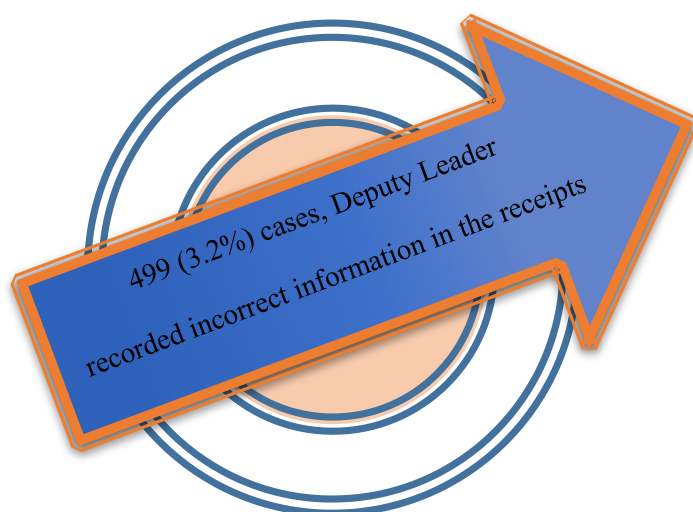


On the basis of monitoring and observation, it was found that the Chief of the Voter Registration Team did not interview applicants or did not follow the procedures for interviewing of applicants. The report found 3,194 cases related to this issue. The resulting irregularities designate non-compliance with provisions of sections 4.4.16 and 4.4.17 of the Regulations and Procedures of Voter Registration.

Performance Error: Voter Receipts

The report found that the Deputy of Registration Team wrote mistakenly the applicant's information

Deputy Chief of the Team wrote wrong information into the receipt note

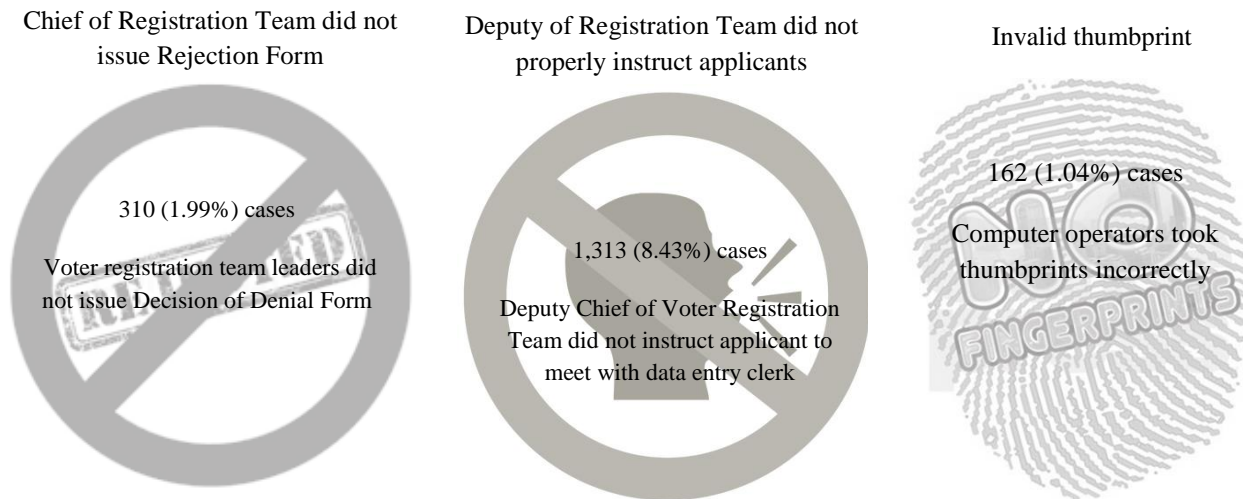


into receipt notes incorrectly. This included mistakes in the spellings of names, as there were 499 cases related to the writing of names consisting of letter «Ў, "b"» instead of «Ў, "ph"» (male to female). In some cases the village of the applicants was incorrectly recorded. This problem is addressed by the standards set out in section 4.4.20 of the Regulations and Procedures.

Performance Error: Missing Key Steps of Registration

Steps of voter registration are defined and organized in section 4.4, provisions 4.4.16 to 4.4.22 of the Regulations and Procedures. Regarding the steps of voter registration, our observers found at least 310 cases where Chiefs of Registration Teams refused to register applicants without issuing the "Denial Decision Form". Cases of refusal of registration without providing the reasoning or grounds on which the decision was based, occurred in almost all registration offices where observers were deployed. The research found 1,313 cases in which the Registration Team Deputy Chief (commune clerk) did not advise or instruct the applicant to meet with the computer data entry clerk. Observers found 162 cases

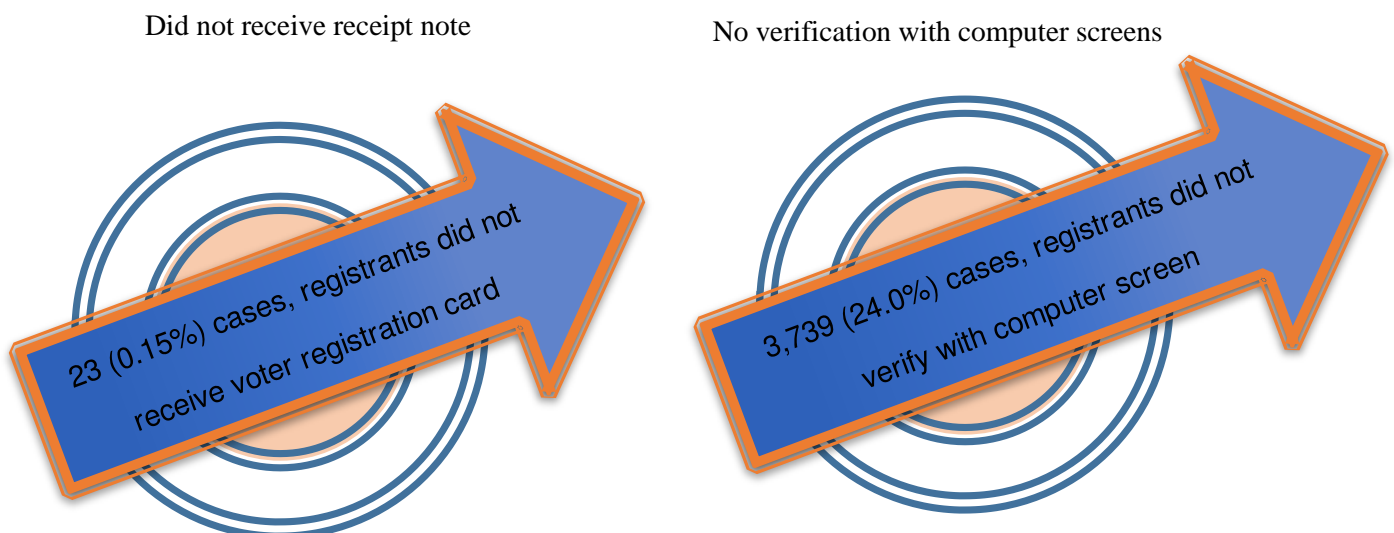
of errors made by computer operator data entry clerks, most of which resulted from incorrect placement of the applicant's fingerprint.



COMFREL found that some people that registered did not receive a 'voter registration receipt note.' There were 23 cases related to this issue. In three of the cases the computer typist did not give a receipt note to registered applicants. In three other cases, the registered applicants forgot to bring their own receipt notes. There were no specific reasons for the other cases. These irregularities occurred in Banteay Meanchey, Kampong Thom, Kratie, Siem Reap, Pailin and Tbong Khmom provinces.

Applicant failed to check and verify

In the registration process, the NEC had placed computer screens for applicants to check and verify their names or other personal information. The report found 3,739 cases where applicants did not verify their names and information with the computer screens placed before them because they were not informed to do so by team data entry clerks. In some cases, it was the failure of the applicants themselves, in some cases they didn't receive assistance, and in other cases, they were illiterate. the reporting found that majority of the applicants used their Khmer ID or Identity Certificate for Voter Registration (ICVR) to verify their data.

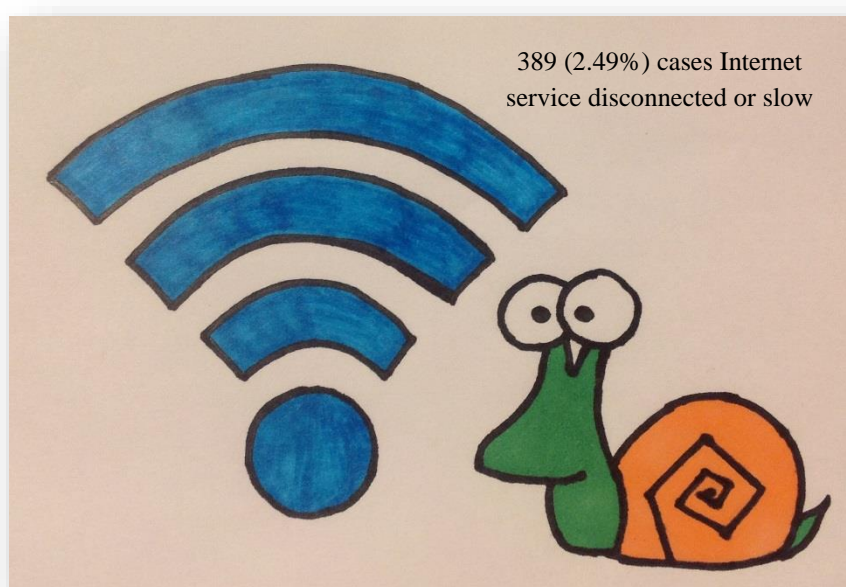


Duplicate Registration

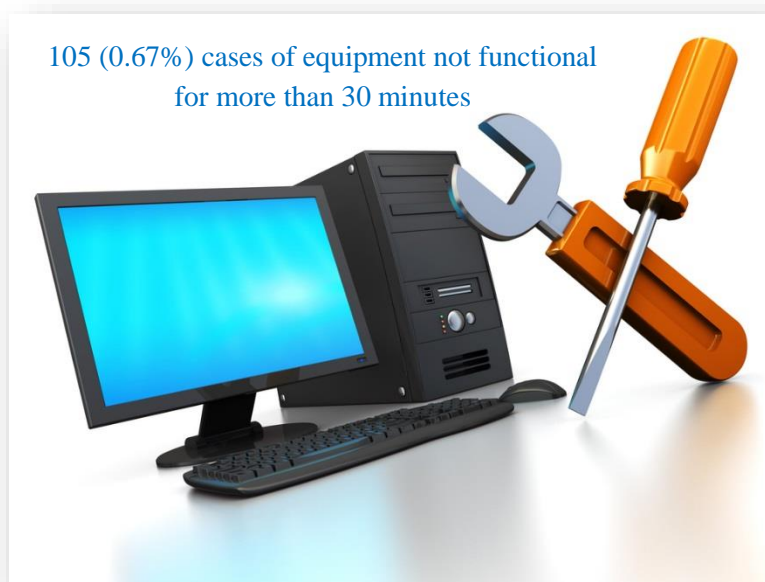
In the Regulations and Procedures, section 4.4.2 states that a person has only one name on a voter registration list. In this regard, we found that people who had already registered once returned to register again. There were about 33 cases related to this issue located in Tbaeng Commune of Preah Vihear province, Lapov Kounng commune of Prey Veng province, and some communes in other provinces. The reasons for concentration of this irregularity in these localities are not known.

Technical Problems

389 cases occurred of problems in the transmission of registered data from registration offices to computer center of the NEC. The difficulties or problems connected with transferring of data were related to the Internet Connection Service which was too slow and sometimes disconnected.



We found 105 cases (0.67%) related to the process of registration in which there occurred a suspension of voter registration work for 30 minutes or more. These cases of disruption in the process included non-functioning equipment, and malfunctioning of equipment. The issues were found in some voter registration offices in all the provinces.



In the entire three-month period of 2016 voter registration, there were 3,217 reports submitted by all 546 electoral observers based on interviews with Voter Registration Team members, other CSO observers and political party agents (the result is not based on a random sample but reflects the cases reported to observers at their locations of deployment). First, the interviews with Voter Registration Team Officers revealed that four percent of all interviewed officers were not satisfied with registration due to the many eligible citizens who did not register their names, and due to interruptions resulting from technical difficulties. Second, 2.5 percent of CSOs observers deployed said that they didn't feel satisfied with the number of people who had been registered into the system since lots of eligible voters remained unregistered. They attributed this in part to heavy rains which prevented arriving to the registration station. Third, the full-time deployed observers from civil society organizations who were interviewed responded that they were satisfied with the registration, and only 3.7% of them responded they were not happy with the registration. Respondents indicated that the dissatisfaction was attributed to the failure to follow procedure and fulfill duties by members of the registration teams at the end of the registration period, as many eligible voters rushed to register their names within the last couple of days. Fourth, the responses from Political Party Agents were similar to the responses from Registration Team officers and CSO observers. Political party agents responded that many people in their villages did not come to register and many of them are migrated to work in other places and countries.

Election authorities at both the level of the NEC and the level of the CC should place increase efforts to train and coordinate with security officials and party officials to improve determent against the display of military uniforms or party logos in the polling stations. The presence of such irregularities calls into question the context of fairness established at registration stations in violation. Improved coordination between the NEC and MOI may be likely in order to strengthen practices for cultivating the sense of responsibility and importance among security services personnel at the local level. Such controls would also serve to effectively fulfill the prohibition on disruptive visits to the registration station by those who are not applying for registration, such as local government and security officials. Stronger checks and regulations must also be put in place to achieve the degree order conducive to a fully fair and transparent process, that includes orderly queuing and strict adherence to regular working hours.

Irregularities resulting in evident disenfranchisement were found in cases of procedural errors. Observation concluded that these were mistakes following from inadequate discipline and attention to procedure. However, without improvement, even in a small number they have the potential to generate tensions and conflicts at the time of the election and the release of official results. In order to ensure the representativeness of results and the full participation needed to realize individual voting rights, stronger oversight mechanisms must be in place. The monitoring and observation project supports the view that, in all of these efforts, CSOs play an important role in oversight and advocacy. This role is grounded on fostering constructive engagement with policymakers and on combining efforts through improved inter-organizational mobilization. Social capital at the local level and the political trust in electoral mechanisms needed to motivate participation can be cultivated by increasing public understanding and awareness of the electoral mechanisms, the achievements and obstacles to the registration performance of officials (measured in terms of adherence to laws and procedures), and of the monitoring and evaluation that has occurred.

C. Major Areas of Concern and Needed Reform

This section discusses findings and analysis on five areas of serious concern related to the 2016 Cambodian voter registration process.

1. Problematic Polling Stations

It was observed that there were some polling stations established only for police and soldiers. These situations are a cause of concern regarding manipulation of the electoral outcome of those communes and in the area around the established voting locality. For instance, polling station 1026 which is located at Slab Kdaong Village, Chub Commune, Tbaung Khmom District, Tbaung Khmom Province was used only for registering 300 soldiers at a single polling station. It was not used for civilians, even though there are citizens living in the area. This issue caused a contentious debate between commune councilors from the ruling and opposition parties, CPP and Cambodian National Rescue Party (CNRP), which led to a demand for consideration of the case. However, the location was later opened for ordinary citizens living in that area to register as well. In terms of the political context of election results, in the 2012 election for the 3rd mandate of Commune Councils, in that village there were 5,163 votes for the CPP and 3,166 votes for the CNRP (Sam Rainsy Party obtained 1,563 votes, and Human Rights Party obtained 1,603 votes). However, in the results of the election in 2013, the CPP received 4,184 votes and the CNRP received 5,422 votes. This indicates a clear shift with a rise in support for the opposition, and demonstrates the competitiveness of the commune which exacerbates the potential for bias introduced through the policy of establishing these problematic polling stations.

Another case occurred in Thlok Russey Village, Sethey Commune, Kampong Chhnang Province, where the polling stations 0780 was divided from polling station 0624 and allocated to soldiers and their family members. This commune has many polling stations but not many people in each polling station. For example, polling stations 0616, 0617, 0614, 0615, 0625 and 0622 do not include more than 400 eligible voters for each polling station. In Svay Chuk Commune polling station 0781 was established separately for soldiers. Those stations were also located within a distance of 2km from the military base. The polling stations were established on the request of the commune clerk and Commune/Sangkat Councilors based on the view that there would be many soldiers and their family members registered to vote. In some localities, small differences in the number of registered voters have the potential to be irregularities detrimental to fair and accurate election results. The risk becomes more acute if the locality is closely contested, which becomes clear through consideration of the political context of election results for that commune. The results in the MP election of 2013, entailed 1,831 votes for CPP and 1,840 votes for CPP.

In Kampong Chhnang Province, at the request of Commune Councilors, polling station 0781 was established. The request was made before voter registration began but the NEC did not grant it until 14th September 2016. The Commune Chief clarified that the new polling station was constituted to service the registration of voters in a new village named Kdol Aphivath Village, located far away from the others. The previous polling station located at Svay Chuk Commune is about 27 km, and this polling station is next to a base for Military Police and their families. However, according to observation, this

new office has 124 citizens and 420 soldiers (referring to the request of commune chief in Annex point 1). The result in Svay Chuk commune was not much different from the one in Sethey Commune. If we look at the result of the two major parties in 2013-MP election, it is clear that the election was very competitive as it resulted in the CPP receiving 1,872 votes and CNRP receiving 2,014 votes.

The organization of polling stations proved to be an area in which irregularities were significant enough to threaten the overall integrity of the elections the practice is not limited and closely monitored. If stationing of members of the security services for registration in certain communes is more consistently correlated with the competitiveness of the electoral process in those communes, then it adds support to the view that there is an intentional manipulation of the geographic distribution of votes. However, the voter registration monitoring only uncovered the irregularity in three provinces. All three cases occurred in closely contested localities, but due to the limited number of cases of this issue, and the inability to demonstrate that the votes of registered security services personnel would decide the outcome of the election in certain localities. As such, analysis of the movement and stationing of members of the armed forces supports the conclusion that there was no overall coordinated and intentional strategy to manipulate the voter list in support of the ruling party in specific communes or districts.

2. Issuing of Identity Certificates for Soldiers

The NEC Chairman issued a letter in relation to issuing documents for national police or military forces who have been registered to vote. (Letter No. 1031/16, dated 24 October 2016, introduced three significant points (please see in Annex point 4). If we look at the legal framework, in points 2 and 3 of the letter the location of the “mission” cannot be interpreted as equivalent to “residence” of those who are living in the commune as stated in section 4.4.7 of the Regulations and Procedures for Voter Registration 2016. The National police officers, military officers, or electoral security officers who have long-term duties until election day, and electoral security forces who have duties to provide security on the election day at the polling stations in communes, have the right to request the residential affidavit for voter registration or the Identity Certificate for Voter Registration. This policy, however, was not in line with the content of Article 46 on Voter Registration Requirements and Article 47 on Exceptional Cases for Voter Registration in the Law on National Election. In response to the above, the NEC explained in its official statement (Letter No. 1031/16) that the aim was to create positive special measures for encouraging and assisting voting rights of national police, soldiers, and electoral security guards.

With the aims of precluding any potential irregularities and ensuring the voting rights of national police, military officers, and other electoral security officers, COMFREL requested that the NEC implement the policy in a transparent manner. That would entail disseminating accurate information regarding the actual numbers of electoral security forces to be deployed and the location where they will be deployed for duties outside their commune of residence. Also, separate polling stations for only the police, military officers or electoral security forces should not be established.

There were soldiers taken to register at Sroyong Commune, Kulen District, Preah Vihear Province, and the Commune Chief was asked to issue the residential affidavit to those soldiers to be eligible for voter

registration. Regarding this case, the commune chief refused to issue the residential affidavit to unknown military officers who have not been stationed or assigned duties there. However, he issued the affidavit to all known military officers who have lived in the social land concession. The refusal to issue the residential affidavit made some officers unhappy and they threatened to file a complaint against the Commune Chief. This caused a reaction from the Commune Chief, and an intervention letter from the NEC dated 24 October 2016, which was delivered to the Ministry of Interior, to Samdech Kralahom Sor Kheng in order to call for taking immediate action to intervene and resolve the dispute. The results of the 2013 National Assembly election in that area were 1,258 votes for the CPP and 1,007 votes for the CNRP.

In Siem Reap, there were two communes, including Ta Siem Commune (Svay Leu District) and Tbaeng Commune (Banteay Srey District), where soldiers were taken to register although no one knew that they were living there. The soldiers requested that the commune chief issue them residential affidavits for voter registration. In this case, Chief of Ta Siem Commune reacted with a decision to temporarily postponed the issuance of residential affidavits. The case was investigated by the NEC and an intervention occurred (See Reference in Annex, Point 03). It is notable that, the 2013-MP election results included 2,519 votes for the CPP and 1,154 votes for the CNRP in Ta Siem commune, and in Svay Leu district, there were 1,657 votes for the CPP, and 925 votes for the CNRP. Given that the commune was not closely contested in that election the results do not support the conclusion of an improper effort to control election outcomes in favor of the ruling party. For further investigation of the impact of the policy in those communes more information is needed regarding the current preferences of voters in that area.

In Banteay Meanchey Province, Mongkul Borey District and some Sangkats in Sereysophoan District, our observers found that police officers, soldiers and military police were transferred and deployed for voter registration. This occurred in 13 communes of Mongkul Borey District, where those registering had already registered in other locations. However, they also brought their previous registration receipts for the new registration. With regard to these irregularities, the Chairman of Provincial Election Commission announced that the reason why they had been deployed there was because of the lack of security forces for election related activities at the polling stations in these districts of Banteay Meanchey province. Those security forces were listed and deployed to each commune to be recognized as eligible for registration by the local authorities, which permitted them to re-register in the new location while deleting their previous registration from the list. In the result of the 2013 MP election in these communes of Mongkul Borey district, the CPP received 46.42 percent of the total votes, which was much more than what the CNRP received. In the communes of Sereysophoan District, the CPP received 35.83 percent of the vote.

There was a basic change in the policy wherein the request for residential affidavit or ICVR by individual members of the security services was deemed acceptable, even though it was not in line with the relevant laws. The policy change was justified as a necessary measure to protect the voting rights of those citizens serving in the security forces. Considering the potential impact of the policy if its implementation becomes widespread, it is essential that more extensive regulations and effective oversight mechanisms are in place. Following from potential incongruity between existing laws and the policy statement of the NEC set out in its Letter, this begins with the mandate and responsibility

of the NEC to receive and disseminate the deployment plan of security services for the registration and election periods. To avoid illegitimate influences on the electoral outcome in certain voting districts, the basic standard or rule should be a prohibition on polling stations that service members of the security services only.

3. Migrant Workers Living Abroad

At the end of the voter registration period, the NEC announced that not all the eligible citizens had registered their names as planned. The main reasons were that they were too elderly or ill to arrive to the registration station, or that they had migrated abroad. More than one million citizens have migrated for work and living in foreign countries, and most of these eligible voters could not return to register their names.

Most of people who migrated abroad to work in other countries did not register in their own commune because of the problems of financial burden, time availability, and a lack of identity documents related to residence in the commune. For instance, on 20 October 2016, there were 80 Cambodian workers who are working in Thailand and have valid passports and a pink card (card of exit recognized by Thai authorities). Those workers who own a passport to transit, but those who own the pink card had to pay 600 Baht (nearly 70,000 Cambodian Riel or approximately 17 USD) and they could not afford to pay such an amount of money for the pink card. These problems required intervention from the Cambodian government to negotiate with Thai authorities to issue free exit for those workers, however, it was too late to be effective. With regard to this issue, the Cambodia National Rescue Party (CNRP) also sought an intervention from the NEC, but the NEC responded that it has no authority to deal with that type of case. (See Annex, Point 06).

4. Buddhist Monks

The observation of voter registration revealed that only around 8,000 Cambodian Buddhist monks went to register compared with an approximate total of 50,000 Buddhist monks in Cambodia. Many eligible Cambodian Buddhist monks did not go to register their names due to the promotion of the Sanga Prakas by local, provincial and national religious officials. These officials informed them that the Sangha's Prakas (the Buddhist Patriarch's Circulation), issued on 18 December 2014 stipulated that Buddhist monks shall not be involved with politics. Until now, this circulation has not been invalidated. In addition, many Cambodian Buddhist monks don't own a birth certificate, which is necessary to request an Identity Certificate for Voter Registration (ICVR).

Based on the findings of voter registration monitoring, there are two major areas of concern when considering marginalization and voter disenfranchisement. These are members of the monkhood and citizens that have migrated abroad for work. However, as the causes of exclusion are distinct, so are the required responses. The participation of monks is limited because an unclear understanding of the legality of voting, and of the balance between the roles and responsibilities of monkhood and citizenship. It is important for authorities and civil society to contribute in this area by stressing voting rights and basic citizenship duties that are shared by all members of a democratic society. Two steps: First, information dissemination and outreach should be conducted, in consultation with civil society and emphasizing the use of resources already in place to maximize sustainability. The purpose is to

inform monks about the registration and voting process, and more specifically direct them in the procedure to obtain the identity documents necessary to register to vote. Second, train registration staff and higher election officials in the new policy and impress upon them the importance of promoting it.

Based on findings and estimates, migrant workers account for the largest excluded group. Given that this results from the cost and time expenses necessarily involved in returning from abroad to register, the problem will both increase with time as larger number of Cambodian citizens migrate outside of the country, and can only be diminished by providing more accessible mechanisms for those citizens to exercise their voting rights. Elections stakeholders, in the long-term, should increase collaboration oriented around innovative solutions to the problem of marginalizing migrant workers from the electoral process. Reforms will be needed for policy and procedural limitations, and resources will be needed for structural limitations. In the short-term, the most urgent challenge is removing the added burden and cost incurred upon pink card holders.

5. Education and Dissemination for Voter Registration

In the Regulations and Procedures of Voter Registration for the production of a new voter list in 2016, particularly in provisions set out in 2.1.4.11 and Section 2.1.5, it is stipulated that the NEC shall communicate and cooperate with national and international NGOs, as well as provide any means of support to all relevant stakeholders, for educating the voters and promoting understanding of elections for the purpose of enhancing public awareness in both urban and rural areas of Cambodia. Educating, disseminating documents, and information sharing needed for voter registration education were banned by local the authorities in some provinces and there was no effective intervention from the NEC. For example, local authorities prohibited dissemination of voter registration information to political party agents, and activists and civil society organizations.

The Law on Competency of the NEC establishes that the voter registration process must work safely and that the competent authorities shall cooperate effectively with the NEC. However, the NEC issued a letter to the CNRP, Letter No. 864/16 NEC (See Annex Point 05) regarding information sharing and the distribution of voter registration information made by its activists, and instructed party agents to ask for permission from the authorities for the purpose of their activists' own security during the process of educating people.

The cases found in which voter education activities were obstructed or prohibited by the authorities are as follows:

In Samraong Otre Village, Samraong Knung Commune, Ek Phnom District, Battambang Province, a case occurred where opposition activists attempted to educate the people in this village by playing the original record made by the NEC on the motorbike. However, it was stopped by the local authorities, and those involved were brought to the District Police for interrogation. In Sangkat Svay Por, Battambang City, the authorities also stopped the distribution of voter registration conducted by CNRP activists. This decision was based on the grounds that they had exceeded the time permitted, as they had requested three days.

In Siem Reap Province, on 12 October 2016, the authorities of Kralanh District stopped CNRP activists from announcing information to the public using a loudspeaker in order to disseminate the original message of the NEC. They were barred on the basis that they did not ask for permission in advance.

Photo: The Authorities Stopping Dissemination



Picture from Facebook

ADHOC conducted educational programs for people in the provinces, but in Kampong Chhnang and Kandal Provinces, the authorities did not cooperate, despite being made aware of the NEC Letter regarding cooperation between civil society organizations and the NEC. Due to this problem, ADHOC submitted the case and a complaint to formal officials, but the provincial authorities would not permit conducting any activities without an authorized letter issued from the Ministry of Interior. In other provinces (Banteay Meanchey, Preah Vihear, and Ratanakiri), even though there was authorization



Picture from Comfrel

and cooperation from the relevant officials for the voter education activities conducted by ADHOC those activities were challenged by intense scrutiny and monitoring by the authorities. Despite this, through concerted efforts, ADHOC staff was able to organize and conduct voter education efforts successfully in accordance with their plans.

In one case in Phnom Penh, during the Water Festival, there were 50 youths from the civil society organizations involved in the Electoral Reform Alliance (ERA) who conducted election registration education by information sharing involving public discussions, the distribution bulletins and booklets, and loudspeaker announcements. Utilizing loudspeakers for the dissemination of information was also prohibited by the authorities.

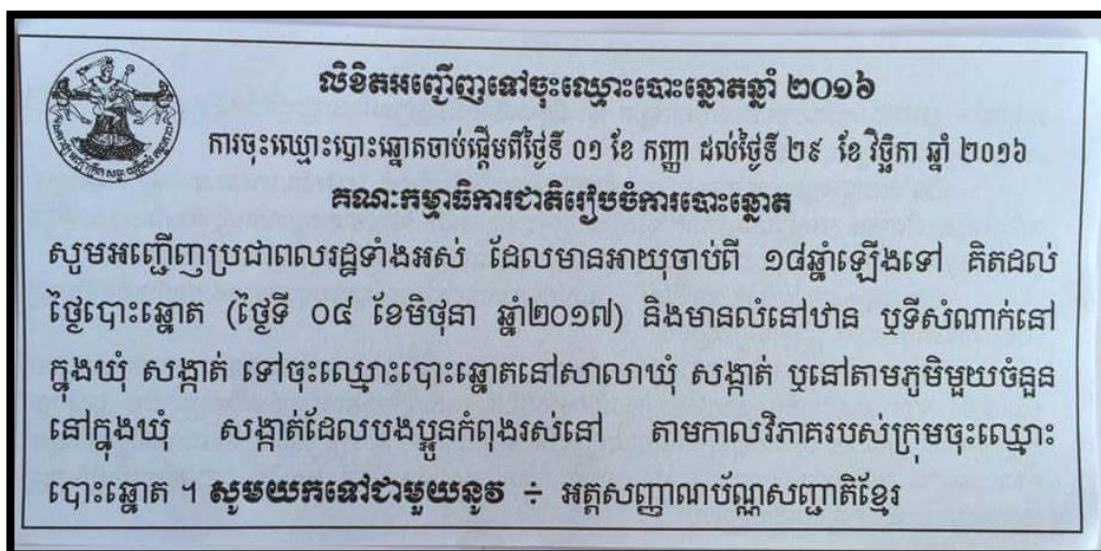
In relation to requests for intervention for the purpose of voter civic education, the NEC issued a letter to relevant parties instructing them to ask for permission from the relevant authority before they conduct activities in order to ensure their safety and security. The NEC Chairman expressed, in a meeting on 8 November 2016 between the NEC and civil society groups, that this was another case of concern for public order and security.

NEC and Commune Authority

NEC conducted outreach and information dissemination through broadcasting and announcements through media such as radio, television, banners at all communes, and loudspeakers in the commune in the first month of the voter registration process.

The NEC also issued 10 million invitation letters for voter registration 2016, which were distributed to people all in the communes. The invitation letter was found to be inadequate in two ways. First, it only contained an information card to announce voter registration, but did not convey the necessity of registering to vote. Second, the scope of distribution was not adequate and it failed to generate a broader social awareness, and enthusiasm or 'buzz' around participation.

Figure: NEC Invitation Letter for People's Voter Registration 2016



[logo] **Invitation Letter for Voter Registration 2016**

The voter registration starts from 01 September 2016 until 29 November 2016

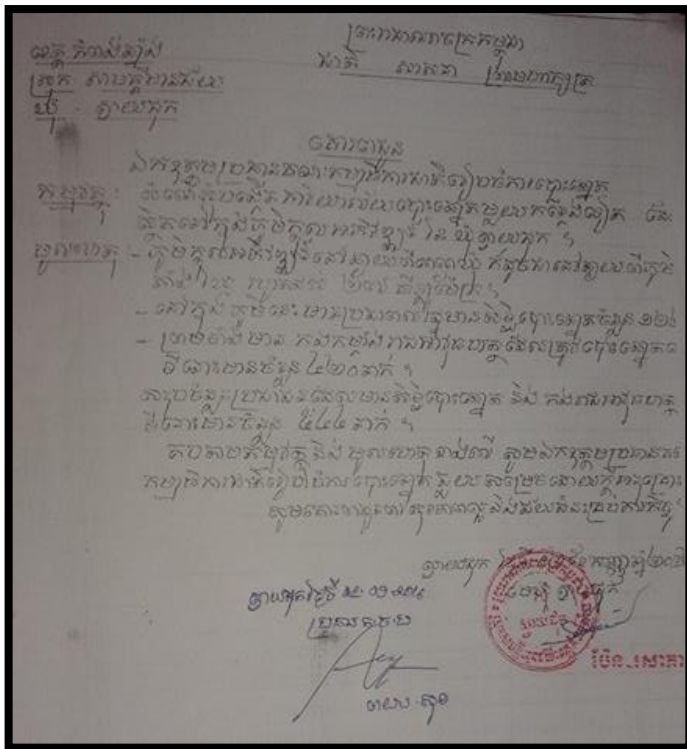
The National Election Committee

Would like to invite all people from the age of 18 years old by date of the election (04 June 2017) and who has residency or domicile in the commune/sangkat to register for vote in the Commune/Sangkat Office or in some villages of your commune/sangkat as scheduled by voter registration team. **Please attach with:** Khmer Identity Card.

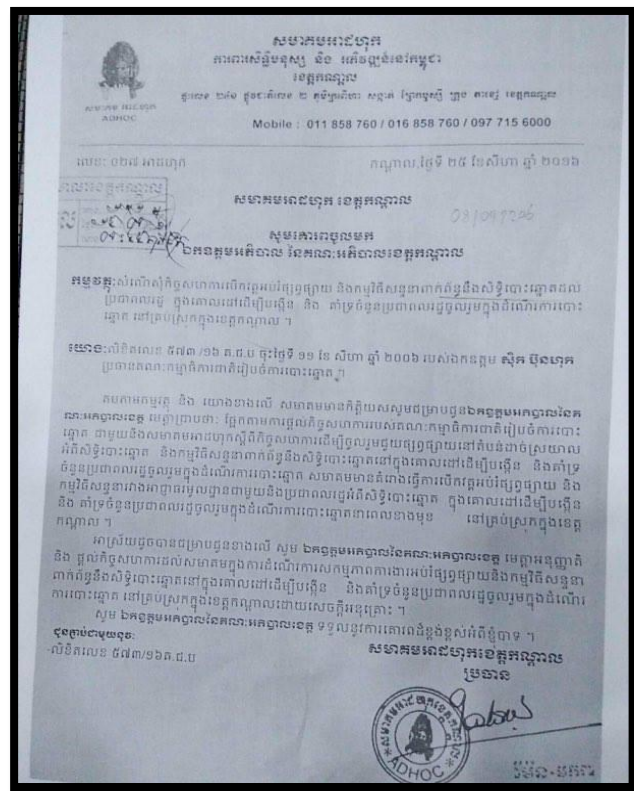
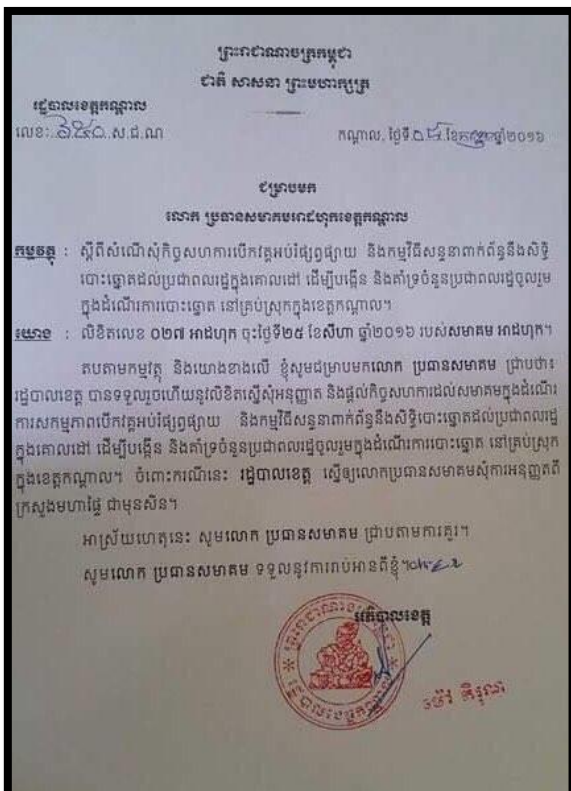
Education and voter dissemination is an area of significant weakness in the process, and where more concerted political will is needed to ensure that activities of CSOs can increase to supplement shortfalls in government provided voter information activities in a secure manner and without impediment or harassment by government authorities or security service personnel. As noted, state and non-state actors will need to coordinate what remain mostly independent efforts in this area to ensure their complementarity. Stronger outreach by election officials is needed to engage with officials at the local and provincial levels. A clear outline is needed of the roles and responsibilities of the NEC, officials at the sub-national levels (province, district, commune), and of registration station staff related to information dissemination and voter education. There is the possibility for improvement in the scope of outreach, and in communicating key norms or values which underlie the importance of civic responsibility, participation of voting, and the election as a social contract. Across forums and programs, in their engagements CSOs and donors must emphasize the legitimacy gained by outreach and education, and work to harden the expectation that it is achieved in practice.

Appendix

1. Proposal to establish Polling Station 0781 made by Svay Chuk Commune Chief



2. Letter submitted by ADHOC and the response from the Kandal Provincial Administration



3. Intervention letter from the NEC to the Interior Ministry on voter registration for police officers



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

លេខ ១០៣១/ គ.ជ.ប

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សូមគោរពជូន

សម្តេចក្រឡាហោម ស ខេង ឧបនាយករដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ
និងជាប្រធានគណៈបញ្ជាការសន្តិសុខអចិន្ត្រៃយ៍

ធម្មនុញ្ញ : សំណើមានវិធានការ និងអន្តរាគមន៍ដល់អង្គភាព នគរបាលជាតិ និងកងយោធពលខេមរភូមិន្ទ ដែលមានមូលដ្ឋានឈរលើ ឬបំពេញបេសកកម្មនៅក្នុងរាជធានី ខេត្តទាំងប្រទេស ចាត់ចែងឱ្យនគរបាលជាតិ និងយោធិនទៅចុះឈ្មោះបោះឆ្នោត ដោយអនុវត្តឱ្យបានត្រឹមត្រូវ ស្របតាមច្បាប់បោះឆ្នោត ។

យោង : - ច្បាប់ស្តីពីការបោះឆ្នោតជ្រើសតាំងតំណាងរាស្ត្រ
- បទបញ្ជា និងនីតិវិធីសម្រាប់ការចុះឈ្មោះបោះឆ្នោតដើម្បីរៀបចំបញ្ជីបោះឆ្នោតឆ្នាំ២០១៦

គបតាមកម្មវត្ថុ និងយោងខាងលើ គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) សូមគោរពជម្រាបជូន **សម្តេចក្រឡាហោម ស ខេង ឧបនាយករដ្ឋមន្ត្រី** ជ្រាបថា កន្លងមក គ.ជ.ប បានទទួលពាក្យបណ្តឹងមួយចំនួនទាក់ទងនឹងការចេញលិខិតបញ្ជាក់ទីលំនៅរបស់អាជ្ញាធរឃុំ សង្កាត់ ឱ្យយោធិននៅក្នុងខេត្តព្រះវិហារ និងខេត្តសៀមរាប ។ ការចេញលិខិតបញ្ជាក់ទីលំនៅមិនស្ថិតក្រោមសមត្ថកិច្ចរបស់ គ.ជ.ប ទេ ប៉ុន្តែក្រោយពីមានពាក្យបណ្តឹង គ.ជ.ប បានចុះអង្កេតស្វែងរកការពិត ហើយករណីនេះ គ.ជ.ប បានសរសេរលិខិតឆ្លើយតបទៅដើមបណ្តឹង និងធ្វើលិខិតណែនាំរំលឹកក្រុមប្រឹក្សាឃុំ សង្កាត់ ឱ្យរំលឹកអាជ្ញាធរឃុំ សង្កាត់អនុវត្តឱ្យបានត្រឹមត្រូវតាមប្រកាសលេខ ១០២៤៥ ប្រក ចុះថ្ងៃទី១៥ ខែធ្នូ ឆ្នាំ២០១៥ របស់ក្រសួងមហាផ្ទៃ ស្តីពីនីតិវិធី និងបែបបទនៃការចេញលិខិតបញ្ជាក់ទីលំនៅក្នុងឃុំ សង្កាត់ ដោយអាជ្ញាធរឃុំ សង្កាត់ ជូនប្រជាពលរដ្ឋសម្រាប់គោលដៅនៃការចុះឈ្មោះបោះឆ្នោត ។

គ.ជ.ប យល់ឃើញថា នគរបាលជាតិ ឬយោធិន ឬសន្តិសុខបោះឆ្នោត ដែលត្រូវការសុំលិខិតបញ្ជាក់ទីលំនៅសម្រាប់ការចុះឈ្មោះបោះឆ្នោត ឬឯកសារបញ្ជាក់អត្តសញ្ញាណប្រើឱ្យការចុះឈ្មោះបោះឆ្នោតមាន ៣ ប្រភេទ គឺ ៖

១- នគរបាលជាតិ ឬយោធិន ក្នុងមូលដ្ឋានឈរលើ ដែលស្ថិតនៅក្នុងភូមិសាស្ត្រឃុំ សង្កាត់ ហើយដែលត្រូវសុំចុះឈ្មោះបោះឆ្នោត ។

២- នគរបាលជាតិ ឬយោធិន ឬសន្តិសុខបោះឆ្នោត បំពេញបេសកកម្មរយៈពេលយូររហូតដល់ ថ្ងៃបោះឆ្នោតក្នុងឃុំ សង្កាត់ ។

៣- កម្លាំងសន្តិសុខបោះឆ្នោត ដែលត្រូវមានបេសកកម្មការពារសន្តិសុខនៅថ្ងៃបោះឆ្នោត នៅ តាមការិយាល័យបោះឆ្នោតក្នុងឃុំ សង្កាត់ ។

ផ្អែកតាមចំណុច ៤.៤.៧ នៃបទបញ្ជា និងនីតិវិធីរបស់ គ.ជ.ប បានចែងថា ប្រជាពលរដ្ឋ ឬកម្មករ សិស្ស និស្សិត មន្ត្រីរាជការស៊ីវិល នាយ ឬពលនៃកងយោធពលខេមរភូមិន្ទ ឬនគរបាលជាតិ និង បណ្ឌិតសាលានា ដែលកំពុងស្នាក់នៅក្នុងឃុំ សង្កាត់ណាមួយសុទ្ធតែអាចសុំចុះឈ្មោះបោះឆ្នោតនៅក្នុង ឃុំ សង្កាត់នោះ ។

ដើម្បីឱ្យស្របទៅតាមលក្ខខណ្ឌសម្រាប់ការចុះឈ្មោះបោះឆ្នោត និងឱ្យបញ្ជីបោះឆ្នោតមាន ភាពត្រឹមត្រូវ គ.ជ.ប យល់ឃើញថា គួរប្រធានអង្គភាពឈរជើងផ្តល់កិច្ចសហការក្នុងការចេញលិខិតបញ្ជាក់ ជូនកងកម្លាំងទាំង ៣ប្រភេទខាងលើ ដល់អាជ្ញាធរឃុំ សង្កាត់ ដើម្បីមានមូលដ្ឋានក្នុងការចេញលិខិតបញ្ជាក់ ទីលំនៅ ឬឯកសារបញ្ជាក់អត្តសញ្ញាណបម្រើឱ្យការចុះឈ្មោះបោះឆ្នោតនៅក្នុងឃុំ សង្កាត់ ដែលជាផ្នែកមួយ នៃការអនុវត្តឱ្យបានត្រឹមត្រូវស្របតាមប្រកាសលេខ ១០២៤៥ ប្រក ចុះថ្ងៃទី១៥ ខែធ្នូ ឆ្នាំ២០១៥ របស់ក្រសួង មហាផ្ទៃ ស្តីពីនីតិវិធី និងបែបបទនៃការចេញលិខិតបញ្ជាក់ទីលំនៅក្នុងឃុំ សង្កាត់ ដោយអាជ្ញាធរ ឃុំ សង្កាត់ ជូនប្រជាពលរដ្ឋសម្រាប់គោលដៅនៃការចុះឈ្មោះបោះឆ្នោត និងសេចក្តីណែនាំរួមលេខ ០១៨ សណន ចុះថ្ងៃទី១១ ខែកក្កដា ឆ្នាំ២០១៦ ស្តីពីនីតិវិធីនៃការស្នើសុំ និងការចេញឯកសារបញ្ជាក់អត្តសញ្ញាណបម្រើឱ្យ ការចុះឈ្មោះបោះឆ្នោត និងការបោះឆ្នោត ។

អាស្រ័យហេតុនេះ សូម សម្តេចក្រឡាហោម ខ្ញុំបង្គោលក្រុងព្រះសីហនុ ជូនតម្រូវឱ្យមានការចុះឈ្មោះបោះឆ្នោត និងជាប្រធានគណៈបញ្ជាការសន្តិសុខអចិន្ត្រៃយ៍ មានវិធានការ និងអន្តរាគមន៍ដល់អង្គភាពពាក់ព័ន្ធ តាមការគូរ។

សូម សម្តេចក្រឡាហោម ទទួលនូវការគោរពរាប់អានដ៏ស្មោះស្ម័គ្រពីខ្ញុំ។

រាជធានីភ្នំពេញថ្ងៃទី២៤ ខែតុលា ឆ្នាំ២០១៦

ជ.គណៈគណៈនិការជាតិរៀបចំការបោះឆ្នោត



4. Intervention letter to the National Police and Royal Cambodian Armed Forces



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

លេខ ១០៣១/ គ.ជ.ប
/ ១៦

សូមគោរពជូន

សម្តេចក្រឡាហោម ស ខេង ឧបនាយករដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ
និងជាប្រធានគណៈបញ្ជាការសន្តិសុខអចិន្ត្រៃយ៍

កម្មវត្ថុ : សំណើមានវិធានការ និងអន្តរាគមន៍ដល់អង្គភាព នគរបាលជាតិ និងកងយោធពលខេមរភូមិន្ទ ដែលមានមូលដ្ឋានឈរជើង ឬបំពេញបេសកកម្មនៅក្នុងរាជធានី ខេត្តទូទាំងប្រទេស ចាត់ចែងឱ្យនគរបាលជាតិ និងយោធិនទៅចុះឈ្មោះបោះឆ្នោត ដោយអនុវត្តឱ្យបានត្រឹមត្រូវ ស្របតាមច្បាប់បោះឆ្នោត ។

យោង : - ច្បាប់ស្តីពីការបោះឆ្នោតជ្រើសតាំងតំណាងរាស្ត្រ
- បទបញ្ជា និងនីតិវិធីសម្រាប់ការចុះឈ្មោះបោះឆ្នោតដើម្បីរៀបចំបញ្ជីបោះឆ្នោតថ្នាក់ជាតិ ២០១៦

តបតាមកម្មវត្ថុ និងយោងខាងលើ គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) សូមគោរពជម្រាបជូន **សម្តេចក្រឡាហោម ស ខេង ឧបនាយករដ្ឋមន្ត្រី** ជ្រាបថា កន្លងមក គ.ជ.ប បានទទួលពាក្យបណ្តឹង មួយចំនួនទាក់ទងនឹងការចេញលិខិតបញ្ជាក់ទីលំនៅរបស់អាជ្ញាធរឃុំ សង្កាត់ ឱ្យយោធិននៅក្នុង ខេត្តព្រះវិហារ និងខេត្តសៀមរាប ។ ការចេញលិខិតបញ្ជាក់ទីលំនៅមិនស្ថិតក្រោមសមត្ថកិច្ចរបស់ គ.ជ.ប ទេ ប៉ុន្តែក្រោយពីមានពាក្យបណ្តឹង គ.ជ.ប បានចុះអង្កេតស្វែងរកការពិត ហើយករណីនេះ គ.ជ.ប បានសរសេរ លិខិតឆ្លើយតបទៅដើមបណ្តឹង និងធ្វើលិខិតណែនាំរំលឹកក្រុមប្រឹក្សាឃុំ សង្កាត់ ឱ្យរំលឹកអាជ្ញាធរឃុំ សង្កាត់ អនុវត្តឱ្យបានត្រឹមត្រូវតាមប្រកាសលេខ ១០២៤៥ ប្រក ចុះថ្ងៃទី១៥ ខែធ្នូ ឆ្នាំ២០១៥ របស់ក្រសួងមហាផ្ទៃ ស្តីពីនីតិវិធី និងបែបបទនៃការចេញលិខិតបញ្ជាក់ទីលំនៅក្នុងឃុំ សង្កាត់ ដោយអាជ្ញាធរឃុំ សង្កាត់ ជូនប្រជាពលរដ្ឋសម្រាប់គោលដៅនៃការចុះឈ្មោះបោះឆ្នោត ។

គ.ជ.ប យល់ឃើញថា នគរបាលជាតិ ឬយោធិន ឬសន្តិសុខបោះឆ្នោត ដែលត្រូវការសុំលិខិត បញ្ជាក់ទីលំនៅសម្រាប់ការចុះឈ្មោះបោះឆ្នោត ឬឯកសារបញ្ជាក់អត្តសញ្ញាណបម្រើឱ្យការចុះឈ្មោះបោះ ឆ្នោតមាន ៣ ប្រភេទ គឺ ៖

១- នគរបាលជាតិ ឬយោធិន ក្នុងមូលដ្ឋានឈរជើង ដែលស្ថិតនៅក្នុងភូមិសាស្ត្រឃុំ សង្កាត់ ហើយដែលត្រូវសុំចុះឈ្មោះបោះឆ្នោត ។

២- នគរបាលជាតិ ឬយោធិន ឬសន្តិសុខបោះឆ្នោត បំពេញបេសកកម្មរយៈពេលយូររហូតដល់ ថ្ងៃបោះឆ្នោតក្នុងឃុំ សង្កាត់ ។

៣- កម្លាំងសន្តិសុខបោះឆ្នោត ដែលត្រូវមានបេសកកម្មការពារសន្តិសុខនៅថ្ងៃបោះឆ្នោត នៅ តាមការិយាល័យបោះឆ្នោតក្នុងឃុំ សង្កាត់ ។

ផ្អែកតាមចំណុច ៤.៤.៧ នៃបទបញ្ជា និងនីតិវិធីរបស់ គ.ជ.ប បានចែងថា ប្រជាពលរដ្ឋ ឬកម្មករ សិស្ស និស្សិត មន្ត្រីរាជការស៊ីវិល នាយ ឬពលនៃកងយោធពលខេមរភូមិន្ទ ឬនគរបាលជាតិ និង បណ្ឌិតសាសនា ដែលកំពុងស្នាក់នៅក្នុងឃុំ សង្កាត់ណាមួយសុទ្ធតែអាចសុំចុះឈ្មោះបោះឆ្នោតនៅក្នុង ឃុំ សង្កាត់នោះ ។

ដើម្បីឱ្យស្របទៅតាមលក្ខខណ្ឌសម្រាប់ការចុះឈ្មោះបោះឆ្នោត និងឱ្យបញ្ជីបោះឆ្នោតមាន ភាពត្រឹមត្រូវ គ.ជ.ប យល់ឃើញថា គួរប្រធានអង្គភាពឈរជើងផ្តល់កិច្ចសហការក្នុងការចេញលិខិតបញ្ជាក់ ជូនកងកម្លាំងទាំង ៣ប្រភេទខាងលើ ដល់អាជ្ញាធរឃុំ សង្កាត់ ដើម្បីមានមូលដ្ឋានក្នុងការចេញលិខិតបញ្ជាក់ ទីលំនៅ ឬឯកសារបញ្ជាក់អត្តសញ្ញាណបម្រើឱ្យការចុះឈ្មោះបោះឆ្នោតនៅក្នុងឃុំ សង្កាត់ ដែលជាផ្នែកមួយ នៃការអនុវត្តឱ្យបានត្រឹមត្រូវស្របតាមប្រកាសលេខ ១០២៤៥ ប្រក ចុះថ្ងៃទី១៥ ខែធ្នូ ឆ្នាំ២០១៥ របស់ក្រសួង មហាផ្ទៃ ស្តីពីនីតិវិធី និងបែបបទនៃការចេញលិខិតបញ្ជាក់ទីលំនៅក្នុងឃុំ សង្កាត់ ដោយអាជ្ញាធរ ឃុំ សង្កាត់ ជូនប្រជាពលរដ្ឋសម្រាប់គោលដៅនៃការចុះឈ្មោះបោះឆ្នោត និងសេចក្តីណែនាំរួមលេខ ០១៨ សណន ចុះថ្ងៃទី១១ ខែកក្កដា ឆ្នាំ២០១៦ ស្តីពីនីតិវិធីនៃការស្នើសុំ និងការចេញឯកសារបញ្ជាក់អត្តសញ្ញាណបម្រើឱ្យ ការចុះឈ្មោះបោះឆ្នោត និងការបោះឆ្នោត ។


អាស្រ័យហេតុនេះ សូម សម្តេចក្រឡាហោម ឧបនាយករដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ និងជាប្រធានគណៈបញ្ជាការសន្តិសុខអចិន្ត្រៃយ៍ មានវិធានការ និងអនុវត្តតាមដំណើរការអង្គភាពពាក់ព័ន្ធ តាមការគួរ។

សូម សម្តេចក្រឡាហោម ទទួលនូវការគោរពរាប់អានដ៏ស្មោះស្ម័គ្រពីខ្ញុំ។

រាជធានីភ្នំពេញថ្ងៃទី២៤ ខែតុលា ឆ្នាំ២០១៦
ជ.គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

ស៊ុន ប៊ុនហុក

5. Response letter to the Cambodia National Rescue Party on educating citizen about voter registration



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

លេខ ៨៦៤/ គ.ជ.ប
១៦

ជម្រាបជូន
ឯកឧត្តម យ៉ែ សុវណ្ណ ប្រធានគណៈកម្មាធិការប្រតិបត្តិ
គណបក្សសម្រង់ជាតិ

កម្មវត្ថុ : ស្តីពីការជួយសម្រួលការងារផ្សព្វផ្សាយជាសាធារណៈតាមបណ្តាញ សង្កាត់ពិដំណើរការ
នៃការចុះឈ្មោះបោះឆ្នោត។

យោង : - សេចក្តីអំពាវនាវរបស់ គ.ជ.ប លេខ ៦៨៨/១៦ គ.ជ.ប ចុះថ្ងៃទី២៩ ខែសីហា ឆ្នាំ២០១៦។
- លិខិតរបស់គណបក្សសម្រង់ជាតិលេខ ១៧៩០/១៦ គ.ស.ជ. ចុះថ្ងៃទី២០ ខែកញ្ញា
ឆ្នាំ២០១៦។

តាមកម្មវត្ថុ និងយោងខាងលើ ខ្ញុំសូមជម្រាបជូនថា ៖

ទី១- គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត (គ.ជ.ប) សូមថ្លែងអំណរគុណចំពោះ
គណបក្សសម្រង់ជាតិ ដែលបានចូលរួមជួយផ្សព្វផ្សាយការចុះឈ្មោះបោះឆ្នោត តាមការអំពាវនាវ
របស់ គ.ជ.ប។


ទី២- ក្នុងការផ្សព្វផ្សាយ ស្នើគណបក្សសម្រង់ជាតិធ្វើការផ្សព្វផ្សាយ តែខ្លឹមសារការ
ចុះឈ្មោះបោះឆ្នោត ដែលបានចេញដោយ គ.ជ.ប តែប៉ុណ្ណោះ ដោយពុំត្រូវបន្ថែមបន្ថយខ្លឹមសារផ្សេង
ទៀតដែលមានន័យឃោសនាផ្សព្វផ្សាយពាក់ព័ន្ធនឹងបញ្ហានយោបាយ ដូចដំណាក់កាលឃោសនា
បោះឆ្នោតនោះទេ។

ទី៣- ដើម្បីរក្សាភាពល្អនិងមធ្យោបាយមានសមត្ថកិច្ច ដែលស្ថិតនៅតាមទីកន្លែង
ដែលឯកឧត្តមចង់ធ្វើការផ្សព្វផ្សាយ ស្នើឯកឧត្តមសុំការអនុញ្ញាតពីអាជ្ញាធរទាំងនោះ ដើម្បីឱ្យគេចូល
រួមទទួលខុសត្រូវធ្វើការការពារសុវត្ថិភាព និងសណ្តាប់ធ្នាប់សាធារណៈផង។

សូមឯកឧត្តម ទទួលនូវការស្រឡាញ់រាប់អានពីខ្ញុំ។

រាជធានីភ្នំពេញ ថ្ងៃទី២៤ ខែកញ្ញា ឆ្នាំ២០១៦

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត



ស៊ុក ប៊ុនហុក

6. NEC response letter to Cambodia National Rescue Party



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត

លេខ: ១០២៤/ គ.ជ.ប

១៦

សូមជម្រាបជូន

ឯកឧត្តម ភឹម សុខា ប្រធានស្តីទីគណបក្សសង្គ្រោះជាតិ

កម្មវត្ថុ : ករណីគណបក្សសង្គ្រោះជាតិស្នើសុំ គ.ជ.ប ជួយធ្វើអន្តរាគមន៍ ដើម្បីឱ្យពលករខ្មែរដែលធ្វើការងារនៅប្រទេសថៃ បានចុះឈ្មោះបោះឆ្នោតនៅតាមការិយាល័យចុះឈ្មោះបោះឆ្នោត ដែលស្ថិតនៅក្នុងឃុំ សង្កាត់តាមបណ្តោយព្រំដែនកម្ពុជា-ថៃ។

យោង : -ប្រកាសលេខ ១០២៥៥ ប្រក ចុះថ្ងៃទី១៥ ខែធ្នូ ឆ្នាំ២០១៥ ស្តីពីនីតិវិធី និងបែបបទនៃការចេញលិខិតបញ្ជាក់ទីលំនៅក្នុងឃុំ សង្កាត់ ដោយអាជ្ញាធរឃុំ សង្កាត់ ជូនប្រជាពលរដ្ឋសម្រាប់គោលដៅនៃការចុះឈ្មោះបោះឆ្នោត របស់ក្រសួងមហាផ្ទៃ។
-លិខិតលេខ ១៨០៥/១៦ គ.ស.ជ ចុះថ្ងៃទី១៨ ខែតុលា ឆ្នាំ២០១៦ របស់គណបក្សសង្គ្រោះជាតិ។

តាមកម្មវត្ថុ និងយោងខាងលើ គ.ជ.ប បានទទួលលិខិតរបស់ឯកឧត្តមហើយ និងក្រោយពីបានពិនិត្យយ៉ាងយកចិត្តទុកដាក់ គ.ជ.ប សូមជម្រាបជូនឯកឧត្តមជ្រាបថា គ.ជ.ប មិនមានសិទ្ធិអំណាចធ្វើអន្តរាគមន៍ឱ្យមានការចុះឈ្មោះបោះឆ្នោតណាមួយ ដែលមិនបានបំពេញលក្ខខណ្ឌនៃការចុះឈ្មោះបោះឆ្នោតតាមការកំណត់នៃច្បាប់ និងនីតិវិធីនៃការចុះឈ្មោះបោះឆ្នោត ដើម្បីរៀបចំបញ្ជីបោះឆ្នោតថ្មី ឆ្នាំ២០១៦ ឡើយ។ ទាក់ទងនឹងការចេញលិខិតបញ្ជាក់ទីលំនៅ គ.ជ.ប បានសម្រេចស្នើសុំអន្តរាគមន៍ទៅក្រសួងមហាផ្ទៃតាមលិខិតលេខ ១០២៣ គ.ជ.ប ចុះថ្ងៃទី២៤ ខែតុលា ឆ្នាំ២០១៦ ដើម្បីធ្វើការណែនាំទៅអាជ្ញាធរឃុំ សង្កាត់ឱ្យពង្រឹងការអនុវត្តការចេញលិខិតបញ្ជាក់ទីលំនៅ សម្រាប់គោលដៅនៃការចុះឈ្មោះបោះឆ្នោត ឱ្យបានត្រឹមត្រូវតាមប្រកាសដូចបានចុះក្នុងយោងខាងលើ។ ជាមួយគ្នានេះ គ.ជ.ប លើកទឹកចិត្ត និងបង្គោលក្នុងការដល់ប្រជាពលរដ្ឋខ្មែរ ដែលមានសិទ្ធិបោះឆ្នោតទាំងអស់ឱ្យចុះឈ្មោះបោះឆ្នោតបានត្រឹមត្រូវតាមច្បាប់ និងបទបញ្ជា និងនីតិវិធីនៃការចុះឈ្មោះបោះឆ្នោត ដើម្បីរៀបចំបញ្ជីបោះឆ្នោតថ្មី ឆ្នាំ២០១៦។

គ.ជ.ប សូមថ្លែងអំណរគុណចំពោះគណបក្សសង្គ្រោះជាតិ ដែលបានចូលរួមជំរុញឱ្យការចុះឈ្មោះបោះឆ្នោត ដើម្បីរៀបចំបញ្ជីបោះឆ្នោតថ្មី ឆ្នាំ២០១៦ ប្រព្រឹត្តទៅបានល្អ នូវសិទ្ធិបោះឆ្នោតរបស់ប្រជាពលរដ្ឋដូចមានចែងក្នុងរដ្ឋធម្មនុញ្ញ។

អាស្រ័យហេតុនេះ សូម **ឯកឧត្តម** មេត្តាជ្រាបតាមការគួរ ។

សូម **ឯកឧត្តម** ទទួលនូវការរាប់អានដ៏ស្មោះស្ម័គ្រពីខ្ញុំ។

រាជធានីភ្នំពេញ ថ្ងៃទី២៤ ខែតុលា ឆ្នាំ២០១៦

ជ.គណៈកម្មាធិការជាតិរៀបចំការបោះឆ្នោត។



ស៊ុក ប៊ុនហុក