



July 16th 2013

H.E. Hun Sen
Prime Minister
No 41, Russian Federation Blvd
Phnom Penh, Kingdom of Cambodia
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Open Letter to Prime Minister Hun Sen: Asian Civil Society's Five Key Demands for Free Elections

Your Excellency,

We write to you on behalf of 53 civil society organizations from 15 Asian countries – Bangladesh, Burma/Myanmar, India, Indonesia, Malaysia, Mongolia, Nepal, Pakistan, the Philippines, Singapore, South Korea, Sri Lanka, Taiwan, Thailand, and Timor Leste, who are members and partners of the Asian Forum for Human Rights and Development (FORUM-ASIA) and the Southeast Asian Press Alliance (SEAPA).

We welcome the reversal of the blanket ban dated June 21st 2013 on all local radio stations from broadcasting content from foreign media 31 days prior to polling day. However, we remain deeply concerned at the continued attempts by the government to undermine the exercise of freedom of opinion and expression in the period leading to the National Assembly elections, to be held on July 28th 2013.

In particular, we regret the decision to uphold a separate executive order issued on June 21st 2013, which prohibits all stations in the country from broadcasting foreign media reports on opinion polls, commentaries, surveys and elections results five days before and on polling day. This appears to be a further attempt to control and limit access of voters to opinions that may be critical of or in opposition to the government, in a country where the State controls all television stations, most radio stations and newspapers and where attempts by local independent media outlets to provide alternative or dissenting opinions are often met with judicial harassment and threats. The stipulated 5-day ban is an arbitrary and excessive restraint on freedom of expression further curtailing the public's right to receive information and curbing the ability to present and receive political communications. Instead of banning or censoring media outlets, the authorities should focus on ensuring the safety of journalists and human rights defenders covering and monitoring the elections.

We are also deeply concerned over news reports revealing that several campaign rallies and public forums organized by opposition parties have consistently been disrupted by counter-demonstrations, harassment of activists and political candidates and destruction of campaign signs. We also note that overt campaigning by public officials and armed forces, who are forbidden to do so by law, has been evident in the run-up to these elections.

We further deplore the expulsion of 29 members of the opposition, including 27 from the Sam Rainsy Party and the Human Rights Party – having merged as the new Cambodian National Rescue Party (CNRP) – from the National Assembly on June 5th 2013. This move appears to be a deliberate attempt to cripple the opposition and strip its members of their parliamentary immunity ahead of the upcoming elections. In light of the royal pardon granted to opposition leader Sam Rainsy on July 12th 2013, the government should further drop all legal suits against other CNRP members, in particular against CNRP leader Kem Sokha, and ensure that they are able to participate freely and fully in the upcoming elections.

We stress that a free and fair election is not only about casting votes, but also about the right to participate in public affairs and government; about citizens freely engaging in public debate without fear of harassment, intimidation and threats; and about equal access to fair media coverage before and after the elections, including access to adequate information about political parties, policies, candidates and the electoral process in order to make informed choices.

We thus strongly urge the government of Cambodia to:

- 1) Ensure that all legitimate activities in relation to the upcoming elections, including rallies and other campaigning by all political parties and election candidates, are allowed to be held freely without any form of disruption, violence, threats or intimidation;**
- 2) Unconditionally lift all restrictions on election broadcasting and freedom of opinion and expression by political parties and the media before, during, and after the elections, and refrain from introducing new restrictions on print, broadcast or online media on the reporting of elections;**
- 3) Ensure that public broadcasters provide free, fair and equal access to airtime for all political candidates, allocated in a fair and non-discriminatory manner and on the basis of clear and objective criteria;**
- 4) Ensure the safety of journalists and human rights defenders who are covering and monitoring the elections; and**
- 5) Restore the parliamentary status of the 29 members of the opposition parties who were expelled from the National Assembly, and drop all charges and legal pursuits against all other CNRP parliamentary candidates and members.**

Yours truly,

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On Behalf of the following member and partner organizations of FORUM-ASIA and SEAPA:

Bangladesh

1. Ain O Salish Kendra (ASK)
2. Madaripur Legal Aid Association (MLAA)
3. Odhikar
4. RIC – Resource Integration Center (RIC)

Burma/Myanmar

5. Human Rights Education Institute of Burma (HREIB)
6. Mizzima News
7. Burma News International

India

8. Banglar Manabadhikar Suraksha Mancha (MASUM)
9. Center for Social Action Documentation Research & Training (ADHIKAR)
10. Dalit Foundation
11. Friends’ Association for Rural Reconstruction (FARR)
12. People’s Watch
13. People’s Vigilance Committee on Human Rights (PVCHR)
14. Rural Development Society (RDS-LRSA)
15. South India Cell for Human Rights Education and Monitoring (SICHREM)

Indonesia

16. Alliance of Independent Journalists Indonesia (AJI)
17. Federation of Commission for the Disappeared and Victims of Violence (KontraS)
18. Indonesia Legal Aid Foundation (YLBHI)
19. Indonesian Legal Aid and Human Rights Association (PBHI)
20. Indonesia’s NGO Coalition for International Human Rights Advocacy – Human Rights Working Group (HRWG)
21. Inisiatif Masyarakat Partisipatif untuk Transisi Berkeadilan (IMPARSIAL)
22. Institute for Studies on Free Flow of Information (ISAI)
23. Yayasan Sekretariat Anak Merdeka Indonesia (SAMIN)

Malaysia

24. Centre for Independent Journalism (CIJ)
25. Education and Research Association for Consumers (ERA Consumer)
26. Suara Rakyat Malaysia (SUARAM)

Mongolia

27. Center for Human Rights and Development (CHRD)
28. Globe International

Nepal

29. Community Self Reliance Centre (CSRC)
30. Informal Sector Service Center (INSEC)
31. Women’s Welfare Society (WWS)

Pakistan

32. Bytes for All (ICTs for development, democracy and social justice)
33. Human Rights Commission of Pakistan (HRCP)
34. National Commission for Justice and Peace (NCJP)
35. Potahar Organization for Development Advocacy (PODA)
36. Society for the Protection of the Rights of the Child (SPARC)

Philippines

37. Center for Media Freedom and Responsibility (CMFR)
38. Philippine Alliance of Human Rights Advocates (PAHRA)
39. Philippine Center for Investigative Journalism (PCIJ)
40. PILIPINA Legal Resources Center (PLRC)
41. Task Force Detainees of the Philippines (TFDP)
42. Tanggol-Kalikasan – Public Interest Environmental Law Office

Singapore

43. Think Centre

South Korea

44. Korean House for International Solidarity (KHIS)
45. People's Solidarity for Participatory Democracy (PSPD)

Sri Lanka

46. Information Monitor (INFORM)
47. Law and Society Trust (LST)

Taiwan

48. Taiwan Association for Human Rights (TAHR)

Thailand

49. People's Empowerment
50. Thai Journalists Association (TJA)

Timor Leste

51. Perkumpulan Hukum, Hak Asasi dan Keadilan (Law, Basic Rights, and Justice Foundation) (HAK Association)
52. Judicial System Monitoring Programme (JSMP)
53. Timor Leste Journalists Association (TLJA)