

US Questions Legitimacy of Elections Without Rainsy

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By [Simon Lewis](#) and [Eang Mengleng](#) - January 7, 2013

The U.S. State Department has said the disqualification of opposition leader Sam Rainsy from taking part in the national elections in July calls into question the legitimacy of the entire democratic process in Cambodia.

The National Election Committee (NEC) confirmed last week that Mr. Rainsy's name does not appear on the voter list for the July national elections, effectively ruling out the possibility of his running in the polls, due to his status as a convicted criminal.

"We are disappointed in the Cambodian National Election Committee's announcement recently again reiterating that Sam Rainsy was removed from the official voter list for the July 2013 elections due to criminal convictions, which credible observers believe have been politically motivated," State Department spokeswoman Victoria Nuland said during a press briefing in Washington on Friday.

"[T]he exclusion of a leading opposition leader calls into question the legitimacy of the whole democratic process in Cambodia," Ms. Nuland said, adding that outgoing Secretary of State Hillary Clinton had raised the case with Prime Minister Hun Sen in the past, and that the department would continue to raise the issue with Cambodian officials.

Mr. Rainsy is currently living in self-imposed exile in Paris, avoiding an 11-year jail sentence on charges of incitement and damage to public property.

The comments made in Washington follow U.S. President Barack Obama's visit to Phnom Penh in November, the first-ever from a sitting U.S. president to Cambodia.

During a meeting with Mr. Hun Sen, Mr. Obama took a strong stance on Cambodia's perceived unfair elections and complaints over human rights, saying that these issues stood in the way of closer ties between the two countries, according to U.S. accounts of the meeting.

NEC Secretary-General Tep Nytha said yesterday he was unaware of the comments, but said it was the spokeswoman's right to say what she wanted.

"I think the State Department maybe does not know the election process in Cambodia," he said.

"Elections in Cambodia are free and fair. It isn't just about one person, Mr. Rainsy," said Mr. Nytha, pointing out that it was also common practice in the U.S. to rule out convicts from voting.

Mr. Nytha said that nearly 500,000 names other than Mr. Rainsy's had been removed from the voter list in the past year, but refused to say how many of these, if any, were removed because the person was a convicted criminal.

Council of Ministers spokesman Phay Siphon referred questions on the U.S.' statement to the Ministry of Foreign Affairs, but also said that Mr. Rainsy's case was a rule-of-law issue.

“I think that we really appreciate what the State Department says, but they should learn more: that a democracy means respecting the rule of law,” he said.

“A democracy doesn’t depend on one person. It’s a political party election, not an individual, like a presidential regime.”

He said that Ms. Nuland’s comments were “not a good message for the people of Cambodia” as they were encouraging Cambodia to set free convicted criminals.

“They [the U.S.] should have the principle to strengthen rule of law. Everyone, no matter who they are, has to respect the rule of law.”

Mr. Rainsy said in an email yesterday that following the merger of the SRP and the Human Rights Party last year, and his appointment as president of the newly formed Cambodia National Rescue Party, he was “the only serious challenger to Mr. Hun Sen for premiership.”

“Therefore, one can understand why incumbent Prime Minister Hun Sen wants to exclude me from the election process in spite of international condemnation: He wants to preserve his position without a risky, real fight,” he said.

Mr. Rainsy added that he was still confident he “will be back in Cambodia before the July elections when Hun Sen realizes that any government stemming from an illegitimate election would be considered illegitimate with far-reaching consequences for Cambodia’s stability and prosperity.”

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