

Talkback Extracts – Post Election Political Situation



HE Phay Siphan, Spokesperson of
Cabinet of Ministers.

The Cambodia General Elections took place on 28th July 2013. CCAP's partner radio stations aired many election related topics on the run up to, and during the election period. Post-election there have been continued protests, sometimes resulting in violence, in Phnom Penh and provinces, and election related topics are still a subject of interest to Talkback listeners.



Dr Kem Ley, Independent Social
and Political Analyst.

At the end of January 2014, the Battambang Talkback team broadcast a Talkback program focusing on the political updates in Cambodia since the general election. The team invited HE Phay Siphan, Spokesperson of Cabinet of Minister and Dr Kem Ley, Independent Social and Political Analyst to be guest speakers. The Cambodia National Rescue Party (CNRP) was also invited, but they were unable to attend the program. The Talkback program was handled fairly by the two presenters enabling the two guest speakers to participate in a mature discussion, and listeners called in and ask questions to the guest speakers.

Translated extracts from the program:

HE PHAY SIPHAN: After the election, from July until February, 2014, we have learned a lot from the CNRP and the efforts of the government which has been formed mainly by CPP members. We have been able to shape a regime that has brought the people and the government more closely, removing a society characterised by undemocratic life and unrests, maintaining the status quo, achieving a growth of 7%, maintaining public order for people to continue their daily life. We have continued to consolidate the process, where, authorities have functioned in a regular and responsible way. Most importantly, we have worked and met for talks in a formal and cooperative manner. We have maintained partnership in negotiations between CNRP and CPP even though there have been disputes over the result of the election. But we did not have any political crisis as claimed by some people. We have been at loggerheads over the results of the election, the problem that we have been resolving based on the existing laws and procedures.

MALE CALLER: I would say the political situation in Cambodia is very good because in the past we rarely saw Excellencies come and visit the grassroots. They relaxed in the air conditioned rooms in Phnom Penh. Now you are in the studio of the national radio in the province. Congratulations! You are here at the grassroots to visit local people.

DR KEM LEY: I am happy to hear people give a variety of comments. We tend to have conflicting opinions over a development because we do not have any independent panel to study and explain to the public so people may get insight into an event. Accusations by the government and the CPP are political, and so is the opposition party's. We lack specific information. There are interpretations from each party, and that makes people confused. Whom do they have to believe in, or to listen to? What is the exact cause? The reasons of the protests?... Why have the educated, the scholars in the government, in the opposition party not used knowledge, and shared information to people? Most use the same languages, false languages, fabricated languages to cheat each other. Most importantly, if there is political concession between the two parties, I think there will be way out and peace for people. Bans on protests, marches are completely wrong. There is law on demonstrations. It is against the Constitution. No one can violate the Constitution, which ensures freedom for people to assemble, to have their say, to protest.

MALE CALLER (DEPUTY PROVINCIAL GOVERNOR OF BATTAMBANG): I am happy to listen to Excellency Phay Syphan and Dr Kem Ley discussing the topic. I agree with Excellency that it is not the political crisis, but a political dispute. In the election, two parties have been the winners. There have been problems after the election. The CPP continues to maintain their stance: leave the door open for talks to find solutions. But the CNRP has created many problems: protests, demand for the prime minister to stand down, demand for pay rises, and rallies by Mr. Mam Sonando... My question is that will those demands by the CNRP be the conditions and agenda in talks for political solutions?

DR KEM LEY: They (protesters) informed the municipality. They could meet at the Democracy Park and stage peaceful marches. But if there were some extremists among the protesters, resorting to violence...the constitution does not allow the use of sticks to beat people, to shoot people, to arrest and torture people. Please think it over. The law does not allow people to be killed by gunfire. The government could not control demonstrations, letting violence break out and they said the protests were illegal. Political concessions are possible. First, the CNRP can join the national assembly. But before joining the assembly, they should seek more concessions so as to press for real reforms. Secondly, in the assembly, they should seek an amendment to Article 78. We can look at three major approaches. First, is to call a snap election in 2015. Second, is to hold an election every four years - the commune election in 2016 and the national elections in 2017. But before we can do this, we have to agree on the amendment of laws and constitution. These are political concessions if Hun Sen and Sam Rainsy are willing to resolve problems, to stop violence in Cambodia.

HE PHAY SIPHAN: I suggest you, doctor, to use wisdom, rather than your personal emotion. Don't speak about politics, but about legality. There are laws that permit and others that prohibit. This was the rights of local authorities. Is there anywhere in the world that does not crackdown on protests, crackdowns on demonstrations which result in deaths? In neighbouring Thailand, France, the US in 1992, 50 lives were lost and another 700 wounded. Was the US then a cruel or democratic country? We have to share experience. I do not want to point a finger at anyone. We can talk in order to find solutions. I have experience in holding protests in the US. Before the protest, I sought permission which warranted an agreement between the organiser and the authorities, which sent officials to look after the protest. Have the party leader and deputy leader delivered their promise to maintain safety? No they didn't: on

the number of protesters, the time of protests. We have laws, we had an agreement. They were not able to lead the protests, which was why we had to end the protests so as to restore normalcy for people to make their living.

MALE CALLER: Has the government acknowledged their acts of violence against protesters?

HE PHAY SIPHAN: Each has separate obligations. The government is in the position to keep peace, stability for the public. Workers now return to work, people travel, streets and factories are no longer held hostage. The court is investigating the case, summoning authorities, inciters, and the organisers for questioning.

DR KEM LEY: Using force is against the law, deadly shooting, torture. The government has to be responsible for investigating the case in a just way by finding perpetrators who used violence against protesters to be punished. If not, impunity remains. If the government is trying to hide them, the practice of impunity will spread in society. People are innocent. If the party leader broke the laws, why don't you take legal actions against the leader and the deputy? Not against innocent people.

HE PHAY SIPHAN: You are mistaken. Investigation is not the job of the government. The court summoned people who initiated protests, who caused regrettable acts. Both authorities and the party leader and deputy leader have been summoned for questioning.

MALE CALLER: "For the time being, we must not say who is right and who is wrong. We should work together to get things done. There will be no solutions if we keep blaming each other. Some suggest the appointment of a mediator, some suggest foreign assistance, and some say that Cambodians themselves have to handle it. My view is that the problem has to first be resolved by Cambodians. If there is no mediator, the two sides will not be able to end their differences. And this needs compromises on both sides. May I ask if we need a mediator, who should play the role?"

DR KEM LEY: The leaders of the two parties cannot find a way to meet each other. So they should write letters inviting the king to act as mediator. This will be in accordance with the constitution and we, as Cambodians, have to be responsible to ourselves. Otherwise we're delaying the crisis further. Another issue is that we like to use power to put pressure for negotiations. One side uses military force, and the other uses people's power. Inviting the King to preside over the negotiations may be a better solution.

To listen to the full interview in Khmer click [here](#):