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KHMER NATION PARTY
PARTI DE LA NATION KHMÈRE

Phnom Penh, 7 March 1996

COMMUNIQUE

Today, for the third time in three weeks, the Ministry of Interior refused to meet representatives of the Khmer Nation Party (KNP).

The 1991 Paris Agreements bound Cambodia to “follow a system of liberal democracy, on the basis of pluralism” and to respect fundamental human rights, among them the right of “assembly and association including political parties”. Are all the nations who guaranteed the Paris Agreements prepared to let these fine-sounding words, having been enshrined in the Cambodian Constitution, be now forgotten and derided by the Government which was born from that international commitment ?

The KNP has a perfect right, under the Cambodian Constitution, to establish itself. But desperate to avoid facing a legal, democratic and perhaps popular opposition, the Government embarked on a tortuous quest to deny the KNP recognition. First, the Government seized on the registration criteria of the 1992 UNTAC Electoral Law. This was despite the obvious fact that these criteria were not intended as requirements for a party’s creation but only for its registration prior to elections. Creation and registration of a party are completely distinct things; one necessarily following the other in the same way as the birth and christening of a baby. The Paris Agreements explicitly distinguished between the two. They stated that “political parties may be formed by any group of 5,000 registered voters” provided the party platforms are “consistent” with the “Agreements’ principles and objectives”. It was, the Agreements went on, “in order to stand for elections” that political parties had to be registered and “UNTAC will confirm that political parties and candidates meet the established criteria in order to qualify for participation in the elections”. The criteria laid down in the Electoral Law only make sense in that context.

Rather than engage in fruitless argument with the Ministry of Interior, the KNP sought to demonstrate its goodwill by fulfilling the registration criteria as soon as possible and by providing every relevant information to the Ministry of Interior. Predictably, the Government then shifted the goal-posts. On 28 November 1995 the Co-Ministers of Interior claimed that, although the criteria have now been met, the KNP could not be recognized as it was already unlawful - i.e. it has been launched without permission from the competent authorities on the basis of the registration requirements of the UNTAC Electoral Law. Yet, by the same reckoning, all parties in Cambodia must be unlawful. After all, all of them were launched and active before their registration by UNTAC for the 1993 elections, indeed before the registration process had even begun. Why then did UNTAC not go around declaring them illegal and closing down their offices ?

Aware of the implausibility of this second argument, the Government has resorted to yet another objection. According to this latest one, the Co-Ministers contradict themselves by accepting the fact that the Electoral Law did not refer to party creation and that as yet no law defines the constitutional