

**KINGDOM OF CAMBODIA**  
**NATION RELIGION KING**

**NATIONAL ELECTION COMMITTEE**  
**No. 712/08 NEC**

**Reminding Directive**  
**On**  
**Checking/Receiving and Settling Complaints at CEC during Election Campaign**

In accordance with the Law on Election of Members of National Assembly (LEMNA) and its Laws on Amendments as well as the Regulations and Procedures for the National Assembly Election in the forth mandate aiming to make the receiving and settling of complaints at CECs and PECs during the election campaign smooth and fair, the NEC hereby would like to provide instructions to all CECs and PECs as follows:

**A. Checking and Receiving Complaints**

- 1- When a complainant submits his or her complaint to the CEC, necessary information needs to be checked including name and address of the complaint or the authorized representative, subject of the complaint, and the timeline as determined in the regulations and procedures of the NEC for the Election of Members of the National Assembly.
- 2- In case, the subject of complaint is not election-related and/or the complaint is submitted after the deadline and it's a criminal offense, the CEC shall specify the reasons for rejecting the complaint in writing then sign, stamp and put the date.
- 3- In case there is no name, address or the representative does not have an authorization letter, the CEC shall instruct the complainant to fill in the missing points with clear recording. If the complainant fails to do as instructed or the complaint is not submitted within the timeline, the CEC shall write REJECTION and specify the reason, then sign, stamp, and put date.
- 4- If the complainant and/or representative thinks that the rejection decision of the CEC is not appropriate, the complainant or representative can appeal to the PEC contesting the CEC's rejection within the timeline of three (03) days after receiving the rejection notification.
- 5- In case the CEC finds out that the name and address of complainant or representative are precise, the subject of the complaint is relevant to the election campaign, and the complaint submission is before the deadline, the CEC shall accept the complaint and make a precise record of additional information obtained from asking the complainant or representative immediately and get the complainant or representative to thumbprint on the record, then CEC shall sign, stamp, and put the date. If the CEC finds that the complaint is against anonymous persons, the CEC shall record and ask for more information from the complainant or representative, and inform him/her that the CEC shall cooperate with authorities in charge of electoral security to find out the identity of those persons and to try to do more protection. In case that the identity is not found, the CEC shall inform the complainant that the identity has not been found and security has been improved.

## **B. Complaint settlement**

1. After the receiving of a complaint, the CEC shall have a discussion in order to check immediately the acceptability of the complaint. In the event the CEC finds that:
  - The complaint does not have the grounds related to the election campaign or does not have necessary information related to the election campaign, the CEC shall make a note of rejection on the complaint form by specifying the reasons clearly, then sign, stamp, and put date.
  - The complaint contains legal ground or has necessary information related to election campaign, the CEC shall establish a monitoring and researching team to begin an investigation immediately by closely cooperating with the security and other relevant authorities to undertake a field visit to the place of the incident for examination and records-taking, collection of evidence, inquiry of witnesses or any person involved with the complaint.
2. After the team has completed its investigation, the CEC shall invite all parties in conflict for reconciliation on a date and time as duly determined by the CEC and shall make a reconciliation record clearly stating whether the reconciliation is agreed or not agreed by the parties in conflict and have the record thumb-printed by the witnesses before the complaint and reconciliation record are delivered to the PEC.
3. The CEC is not required to start an investigation if the perpetrator is found to have committed a flagrant delicto but shall preliminarily conduct the reconciliation. If reconciliation is reached, the complaint is ended.
4. Disputing parties or representatives who are not satisfied with the result of reconciliation of CEC may file an appeal to PEC in the timeline of three (03) days after failing to reconcile.

Upon the receipt of this directive, all levels of PECs and CECs shall pay attention to implement this directive with high efficiency so as to enable the Election of Members of the National Assembly to proceed freely, fairly and justly.

Phnom Penh, dated 03 July 2008  
**For National Election Committee**

**Chairman**

Im Suosdey