

28. Drawing the attention of the Government to the petitions which it had received regarding arrests and charges of official pressure, the Commission tried to impress on the Prime Minister the need for permitting a wide measure of freedom in the electoral period. We pointed out that if criticism of the Government were to be penalised, electioneering for the opposition parties would become very difficult. The Prime Minister's reply was that Cambodian judiciary was well trained and independent and could be expected to do justice and allow criticism made in "good faith". The Commission expressed its views in general terms, using complaints in specific petitions as illustrations. We tried to use such influence as we had on the side of moderation and liberality.

29. By September 1st, the Commission had received petitions, from the Pracheachun and the Democratic Parties, in which it was stated that 44 persons had been arrested in the electoral period and these two opposition parties felt that the arrests had a cramping effect on their activities. We decided to write to the Royal Government drawing its attention to these reports of arrests. Accordingly, the following letter was sent by the Chairman of the Commission to the Minister for Foreign Affairs:

"In the course of the last few weeks the International Commission has had the benefit of discussing with you various aspects of the forthcoming elections. Electoral laws and practices, the scope of the rights and freedoms for which the Constitution of the Kingdom provides, the limitations imposed by the laws of the country, have all been considered at our weekly meetings.

The Commission has also drawn your attention at these meetings to certain petitions, for example, some relating to the arrests for alleged infractions of the Criminal Code, of certain candidates and campaign workers, to ascertain from you, the Royal Government's ideas regarding electoral freedom. These discussions have been on general lines to enable the Commission to understand the scope of the rights guaranteed to former members of the KRF under Article 6 of the Geneva Agreement.

This letter is not intended in any way to express an opinion on the manner in which the laws of Cambodia are being applied. The Commission merely wishes to transmit to the Royal Government lists of persons whom the petitioners say have been arrested in the past few weeks. These are attached as Annexures to this letter. Annexure I is the list of arrested persons who, the petitioners state, are former members of the Khmer Resistance Forces. It contains the names of two candidates and eight propagandists or party workers. Annexure II contains a list of arrested persons other than those of the former members of the Khmer Resistance Forces. This list contains 34 names, three of whom are those of candidates.