

support of this party. Official media of news dissemination such as the radio and bulletins of official news agencies carried Sangkum propaganda material. Sangkum pamphlets and leaflets were dropped from the air on a few occasions. The two main opposition parties, the Democratic Party and the Pracheachun, also displayed their banners, held meetings and carried on their propaganda through their own newspapers. But judged by the standards of electioneering in other countries, there was not a great deal of activity. There were, however, moments of excitement and bitter controversy in the last two weeks making the situation tense on the eve of poll.

26. The Opposition parties complained to the Commission from the beginning that because of official pressure, the application of certain sections of the Penal Code and the arrest of some candidates and campaign workers, they did not have the freedom to carry on legitimate party propaganda. The problem of civil liberties and freedom of propaganda thus raised was a delicate one and gave us cause for concern. The Commission discussed with the Prime Minister the question of the extent of freedom in electioneering and the limits of propaganda. The Prime Minister told us that great latitude was being given, that criticism made in "good faith" would be permitted, but that the Penal Code would be applied to deal with abuses. He said that all parties had been informed that the Government would take action (a) if the Sovereign and the members of the Royal Family were attacked; (b) if there was calumny and defamation of the Government; and (c) if there was incitement to disorder. These offences were covered by Articles 297 to 301 of the Cambodian Penal Code which dates from the year 1912. The text of these penal provisions as also a copy of the communique issued by the Royal Government on the subject of electoral propaganda are enclosed as Appendix "D".

27. Most of the arrests were for crimes of "lese majeste" and for certain forms of criticism of the American military aid agreement. Questioned on the scope of the crime of "lese majeste", the Prime Minister stated that prosecutions were launched only when insulting attacks were made against members of the Royal Family. He also added that criticism of Prince Sihanouk as Supreme Counsellor of the Sangkum was allowed, but any disparaging remarks about him as Prince or ex-King would be punished. One reason for the arrests for "lese majeste" seemed to be the feeling in Government circles that the Democratic Party and the Pracheachun had republican leanings. There was one notorious instance of a leading member and candidate of the Democratic Party attacking the Kings of Cambodia from the days of Angkor in a speech at Phnom-Penh. But as against this, responsible members of both parties denied that they had or ever wanted to insult the Royal Family. As regards criticism of the Government, the Prime Minister gave as an example attacks on the American military aid agreement. If a person said that the American treaty was not in the interests of the country, no action would be taken. But if that person said, for example, that the Government had "sold the country to the U.S." and spread false reports that 20,000 American troops would be stationed in Cambodia, he would be prosecuted.