National Assembly Seat Allocations for the 2018 Elections
Snapshot – January 2017

Introduction: This snapshot provides a brief background of the existing legal framework and the formulas for recalculating the number of National Assembly (NA) seats – and their distribution across provinces – as stipulated in the Law on Election of Members of the National Assembly (LEMNA) in the Kingdom of Cambodia. In the context of upcoming national elections due to be held in July 2018, this snapshot argues that the seat numbers and allocation provided for in the latest iteration of the LEMNA are inadequate and provides an alternative figure based solely on population projections.

Background: The number of NA seats has seen little change since 1993 despite continued population growth over the past two decades. Although, due to an inability at the time to provide population figures, the number of seats for the 1993 elections were determined by the number of registered voters (as per Article 30 of the United Nations Elections Law for Cambodia), the LEMNA, enacted in 1997, stipulated in Article 7 that during the third year of the legislative term, a Committee for the Determination of National Assembly Seats would be formed to determine and allocate seats to each province and municipality. The LEMNA also provided specific formulas to determine seats, both globally and per province.

However, the latest amendments to the LEMNA, enacted in 2015, set the number of NA seats at 125 for the 2018 legislature. The new version of the LEMNA does not include Articles 7 and 8, which required the formation of a Committee for the Determination of National Assembly Seats, and Articles 9 and 10, which provided the formula to be used to distribute seats. The amended LEMNA does not provide any justification for the number of seats and their allocation across the provinces.
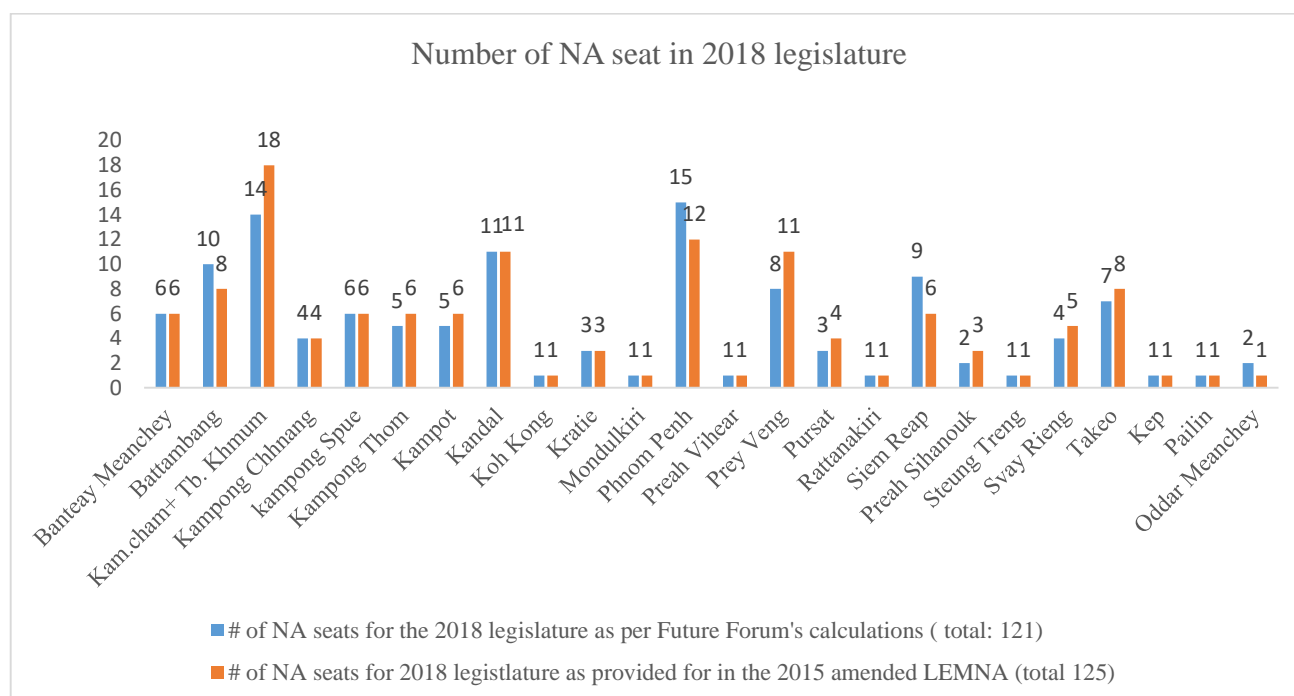
Total Number of Seats:
The table below shows the total number of NA seats that have been implemented by the legislature since 1993 and the number of seats calculated independently by Future Forum based on the formula for each legislative session beginning in 2003. The calculates demonstrate that the number of NA seats should have increased significantly if they had been modified accordingly to the formula set in LEMNA, based on population growth, during each legislative session. Importantly, the number of total seats that should have been reached for 2018 if the recalculations had been undertaken each year is significantly higher than the number of total seats that results from calculations solely for 2018 based on the 2013 seat allocation (as we have done in the next session).

For any questions related to this Snapshot or more generally about Future Forum, please contact us at info@futureforum.asia .

Year	Population Size (in millions)[i]	Quotient (Q)	Number of Seat Implemented	Number of Seats by Formula
1993-1994	9.87	NA	120	NA
1998	11.44	NA	122	NA
2003	12.19	95422	123	127
2008	13.32	101584	123	131
2013	14.36	106363	123	135
2018	15.57	111693	125	139

Seats by Province

The chart below shows the number of NA seats per province for the 2018 legislature, which is provided for in the LEMNA, versus the number of NA seats, again per province, that should have been allocated for the 2018 legislature if using the formulas provided for in Articles 9 and 10 of the previous version of the LEMNA. The calculation in this section is a single year calculation using the current number of seats in the NA (123) and as such, the Quotient has not been recalculated for previous legislative sessions.[ii] Full calculations are provided for in Annex 1.

Based on the increase in population size, several provinces should have seen an increase in the number of NA seats allocated to their constituency for the 2018 elections. Neither Phnom Penh nor Siem Reap province have seen any increase in seat allocation since 1998, holding 12 and 6 seats respectively. However, Phnom Penh's population has increased from 999,804 in 1998 to 1,835,090 in 2015[iii] and Siem Reap's from 696,164 in 1998 to 1,096,482 in 2015. Due to these sizable population increases, each

should have been allocated an additional three seats – giving Phnom Penh a total of 15 seats and Siem Reap a total of 9.[iv] Similarly, Battambang Province's population size increase should have resulted in a two-seat increase, to get to a total of 10 seats; yet Battambang's current seat allocation remains at 8, which was its original seat allocation in 1998. Oddar Meanchey[v] should have received one additional seat.

Meanwhile, calculations using the formula from the pre-2015 amendment LEMNA show that some provinces should have seen a decrease in seats. The biggest decrease should have occurred in Kampong Cham province,[vi] which should have lost 4 seats from the 18-seat and Prey Veng province should have lost 3 seats. Five other provinces – Kampong Thom, Kampot, Pursat, Svay Rieng, and Takeo – have had their seats decreased although their population sizes have increased.[vii]

Of note, Preah Sihanouk was allocated an additional two seats under the 2015 amended LEMNA for the 2018 legislature, raising its total seat allocation to three seats. Future Forum's calculations, again based on the formula provided for in previous iterations of the LEMNA, however show that its population size increase only warrants a one-seat increase.

> The LEMNA, before its amendment in 2015, provided in Article 10 that ".. *As for the remaining seats to be allocated after allocation in accordance with the above formula, the Commission may recommend to allocate them to any province/municipality, taking account of geographical, social and economic considerations.*" Given that the number of seats per province are determined by rounding down the number obtained from the formula, there is inevitably a certain number of seats from the total number that remain unallocated to specific provinces. For instance, Future Forum's calculations for 2018 have determined that there should be a total of 126 seats but have been able to allocate only 121 seats across the 25 provinces/municipality. Because the factors identified in Article 10 are not quantifiable, it is up to the Committee to determine to which provinces they may be attributed. Nevertheless, although Future Forum is unable to determine to which provinces those five leftover seats should be attributed, it is clear that there should have an overall increase of three seats – not of two seats as provided for in the LEMNA.

Conclusion & Recommendations: Given both significant population growth throughout Cambodia and significant demographic shifts – in particular, migration to urban centers – the fair allocation and/or redistribution of seats between different constituencies is necessary to ensure proportional representation. However, the list of total seats and their allocations to different provinces provided for in the LEMNA as amended in 2015 holds glaring differences with the numbers resulting from Future Forum's calculations. Future Forum suggests the following to ensure accurate and fair seat allocation:

- Amending the LEMNA to reinsert Articles providing formulas to determine total seat numbers and allocations by province;
- Amending the LEMNA to reinsert Articles providing for the formation of a Committee to determine seat allocations; and
- Ensuring that all future seat allocations are undertaken in a transparent manner and that all calculations and figures used to determine seat allocations are disclosed to the public.

Annex 1: Formula & Calculations

Formula provided in LEMNA (prior to 2015 amendments), Article 9:

PP/NP= Q ; Pa/Q = NA

PP   is the number of Cambodian citizens in the last election
NP   is the current number of seats in the National Assembly
Q   is the quotient in whole numbers, disregarding the remainder;
Pa   is the current number of Cambodian citizens;
NA   is the new number of seats, disregarding the remainder.

How to calculate Q (quotient), the amount of people that should be represented per one (1) NA seat.
PP: number of population in previous election (2013) = 14,962,591
NP: Current number of seats = 123 (NA seats as of 2015)

Q = PP/NP and thus Q = 14,962,591 ÷ 123 = 121647.08

Pa: number of population in 2015 (1,540,5157). The reason of using the population size in 2015 is because the law stated that the recalculation should be done in 3rd year of the legislature.

NA= Pa/Q and thus: NA = 15,405,157 ÷ 121647.08 =126[viii] (disregard the remainder)

The following formula shows how to calculate the number of seats by province.
P/Q=N
P   is the number of Cambodian citizens by province/municipality
Q   is the quotient obtained from the calculation above;
N   is the new number of seats for the province/municipality, disregard the remainder.

Provinces/ municipalities	Population Size[ix] in 2015	Actual # of NA Seats for 2018	# of NA seats for the 2018 legislature calculated by Future Forum
Banteay Meanchey	806780	6	6
Battambang	1,215,605	8	10
Kampong Cham + Tbong Khmum	1,741,350	18	14
Kampong Chhnang	542,731	4	4
Kampong Speu	797,830	6	6
Kampong Thom	684,795	6	5
Kampot	625,526	6	5
Kandal	1,443,102	11	11

Koh Kong	149,516	1	1
Kratie	376,941	3	3
Mondulkiri	80,771	1	1
Phnom Penh	1,835,090	12	15
Preah Vihear	196,714	1	1
Prey Veng	983,163	11	8
Pursat	447,504	4	3
Rattanakiri	179,463	1	1
Siem Reap	1,096,482	6	9
Preah Sihanouk	272,933	3	2
Steung Treng	132,976	1	1
Svay Rieng	503,432	5	4
Takeo	886,096	8	7
Kep[x]	46,098	1	1
Pailin	107,433	1	1
Odar Meanchey	252826	1	2
Total	15405157	125	121

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[i] The population size is that for the year in which the NA seats were meant to be calculated (i.e. the third year of each legislative term preceding elections). For example, the number of seats for the 2003 legislature was calculated in 2000; those for 2008 were calculated in 2005 and so on. Future Forum uses population number the from World Bank (http://data.worldbank.org/country/cambodia) to calculate seats, due to a lack of information regarding exact population numbers for years between censuses and inter-censual surveys, with the exception of 1993/ 1994 and 1998, which are the population size for those legislative years, taken from the Cambodia Inter-censual Population Survey, 2013, available at: http://www.stat.go.jp/info/meetings/cambodia/pdf/ci_fn02.pdf. The number of seats for the 1993 elections used the number of registered voters to determine the number of seats, not the population size.

[ii] Future Forum is unable to recalculate provincial seat allocation for previous legislative sessions because a lack of data breaking down the population by province for the calculated years.

[iii] Population censuses have been conducted twice in Cambodia: in 1998 and 2008; as such, population figures for 2015 are projections and taken from Statistic Bureau Japan, Population projections for Cambodia 2008-2030, available at: http://www.stat.go.jp/info/meetings/cambodia/pdf/rp12_ch10.pdf.

[iv] The Quotient (Q) for the 2013 legislature was 112749, meaning that Phnom Penh should have been allocated one more seat, for a total of 13 seats and Siem Reap should have been allocated 8 seats in 2013 legislative term, given that the population size in Phnom Penh was about 1.5 million and 0.9 million in Siem Reap in 2010. Note: the Q was derived from number of population in 2008 divided by 123 (the number of total NA seats at the time).

[v] Oddar Meanchey province was carved from Siem Reap province as a new province in 1999.

[vi] Kampong Cham Province, at the time Cambodia's most populous province, was split into two provinces – Kampong Cham and Tbong Khmum – on 31 December 2013. Although the seat allocation in the 2015 amended LEMNA does provide seat allocations for each of these two provinces, for the purposes of this snapshot, Future Forum considers the two

provinces together, as no population figures are available for each individual province until the new population census is conducted in 2018.

[vii] Some of these provinces have seen very small changes - either increases or decreases - in population size since 1998. However, in the context of significant country-wide population growth, National Assembly seat remained same for the past legislatures, caused the Quotient value became larger and should have resulted in decreased or remained the same NA seat allocations.

[viii] It is important to note that based on the calculation above, the total seat in the NA should be 126; there is however 121 total seats when totaling the seat allocation for each province. This decrease of 5 seats is due to having to disregard the remainder of number of seat calculation for each province. Article 9 of LEMNA (2012) states that "*The number of seats allocated to each province/municipality shall be computed according to the following formula: N= P (population in province)/Q (quotient). N represents the new number of seats for the province/municipality, disregarding the remainder.*"

[ix] Statistic Bureau Japan, Population projections for Cambodia 2008-2030, available at: http://www.stat.go.jp/info/meetings/cambodia/pdf/rp12_ch10.pdf.

[x] Kep Province is allocated one seat, although its population size (46,098) is less than a quotient (Q) or about 0.4 of a seat. Article 10 of LEMNA (2012) provides a clause to add a seat to any province that has a population size less than a quotient: "*A province/municipality for which number of citizens is less than the quotient, shall be allocated one seat*". Although Article 10 was removed from the 2015 amended LEMNA, Kep still has one seat allocated in the list provided for in the law.