

# CONSTITUTION OF KINGDOM OF CAMBODIA

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## PREAMBLE

### **We, the People of Cambodia**

- Accustomed to having been an outstanding civilization, a prosperous, large, flourishing and glorious nation, with high prestige radiating like a diamond
- Having declined grievously during the past two decades, having gone through suffering and destruction, and having been weakened terribly,
- Having awakened and resolutely rallied and determined to unite for the consolidation of national unity, the preservation and defense of Cambodia's territory and precious sovereignty and the fine Angkor civilization, and the restoration of Cambodia into an "Island of Peace" based on multi-party liberal democratic responsibility for the nation's future destiny of

moving toward perpetual progress, development, prosperity, and glory, With this Resolute Will We inscribe the following as the Constitution of the Kingdom of Cambodia:

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## **CHAPTER I SOVEREIGNTY**

### **Article 1**

Cambodia is a Kingdom with a King who shall rule according to the Constitution and to the principles of liberal democracy and pluralism.

The Kingdom of Cambodia shall be an independent, sovereign, peaceful, permanently neutral and non-aligned country.

### **Article 2**

The territorial integrity of the Kingdom of Cambodia shall absolutely not be violated within its borders as defined in the 1/100,000 scale map made between the years 1933-1953 and internationally recognized between the years 1963-1969.

### **Article 3**

The Kingdom of Cambodia is an indivisible State.

### **Article 4**

The motto of the Kingdom of Cambodia is: "Nation, Religion, King".

### **Article 5**

The official language and script are Khmer.

### **Article 6**

Phnom Penh is the capital of the Kingdom of Cambodia. The national flag, anthem and coat-of arms shall be defined in Annexes I, II and III.

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## **CHAPTER II THE KING**

### **Article 7**

The King of Cambodia shall reign but shall not govern.

The King shall be the Head of State for life.

The King shall be inviolable.

### **Article 8**

The King of Cambodia shall be a symbol of unity and eternity of the nation.

The King shall be the guarantor of the national independence, sovereignty, and territorial integrity of the Kingdom of Cambodia, the protector of rights and freedom for all citizens and the guarantor of international treaties.

### **Article 9**

The King shall assume the august role of arbitrator to ensure the faithful execution of public powers.

### **Article 10**

The Cambodian monarchy shall be an appointed regime.

The King shall not have the power to appoint a heir to the throne.

### **Article 11**

If the King cannot perform His normal duties as Head of State due to His serious illness as certified by doctors chosen by the President of the Assembly and the Prime Minister, the President of the Assembly shall perform the duties of Head of State as "Regent".

### **Article 12**

In case of the death of the King, the president of the Assembly shall take over the responsibility as Acting head of State in the capacity of Regent of the Kingdom of Cambodia.

### **Article 13**

Within a period of not more than seven days, the new King of the Kingdom of Cambodia shall be chosen by the Royal Council of the Throne. The Royal Council of The Throne shall consist of:

- The president of the National Assembly.
- The Prime Minister.
- Samdech the Chiefs of the orders of Mohanikay and Thammayut.

- The First and Second Vice-President of the Assembly.

The organization and functioning of the council Throne shall be determined by law.

#### **Article 14**

The King of Cambodia shall be a member of the Royal family, of at least 30 years, descending from the blood line of King Ang Duong, King Norodom or King Sisowath. Upon enthronement, the King shall take the oath of allegiance as stipulated in Annex IV.

#### **Article 15**

The wife of the reigning King shall have the royal title of QUEEN of Cambodia.

#### **Article 16**

The Queen of the Kingdom of Cambodia shall not have the right to engage in politics, to assume the role of Head of State or head of Government, or to assume other administrative or political roles.

The Queen of the Kingdom of Cambodia shall exercise activities that serves the social, humanitarian, religious interests, and shall assist the King with protocol and diplomatic functions.

#### **Article 17**

The provision as stated in the first clause of Article 7, "the King shall reign but shall not govern", absolutely not be amended.

#### **Article 18**

The King shall communicate with the Assembly by royal messages. These royal messages shall not be subjected to discussion by the National Assembly.

#### **Article 19**

The King shall appoint the Prime Minister and the Council of Ministers according to the procedure stipulated in Article 100.

#### **Article 20**

The King shall grant an audience twice a month to the Prime Minister and the Council of Ministers to hear their reports on the State of the Nation.

### **Article 21**

Upon proposals by the Council of Ministers, the King shall sign decrees (Ret) appointing, transferring or ending the mission of high civil and military officials, ambassadors and Envoys Extraordinary and plenipotentiary.

Upon proposal by the Supreme Council of the Magistracy, the King shall sign decrees (Ret) appointing, transferring or removing judges.

### **Article 22**

When the nation faces danger, the King shall make a proclamation to the people putting the country in a state of emergency after agreement with the Prime Minister and the President of the Assembly.

### **Article 23**

The King is the Supreme Commander of the Royal Khmer Armed Forces. The Commander-in-Chief of the Royal Khmer Armed Forces shall be appointed to command the Royal Khmer Armed Forces.

### **Article 24**

The King is serve as Chairman of the Supreme council of national Defense to be established by law.

The King shall declare war after approval of the National Assembly.

### **Article 25**

The King shall receive letters of credentials from ambassadors or envoys extraordinary and plenipotentiary of foreign countries accredited to the Kingdom of Cambodia.

The King shall declare war after approval of the National Assembly.

### **Article 26**

The King shall sign and ratify international treaties and conventions after a vote of approval by the National Assembly.

### **Article 27**

The King shall have the right to grant partial or complete amnesty.

**Article 28**

The King shall sign the law promulgating the Constitution, laws (Kram) adopted by the National Assembly, and sign decrees (Kret) presented by the council of Ministers.

**Article 29**

The King shall establish and confer national medals proposed by the Council of Ministers.  
The King shall confer civil and military ranks as determined by law.

**Article 30**

In the absence of the King, the President of the Assembly shall assume the duties of Acting head of State.

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**CHAPTER III****THE RIGHTS AND OBLIGATIONS OF KHMER CITIZENS****Article 31**

The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of human Rights, the covenants and conventions related to human rights, women's and children's rights.

Every Khmer citizen shall be equal before the law, enjoying the same rights, freedom and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status.

The exercise of personal rights and freedom by any individual shall not adversely affect the rights and freedom of others. The exercise of such rights and freedom shall be in accordance with law.

**Article 32**

Every Khmer citizen shall have the right to life, personal freedom and security.

**Article 33**

Khmer citizens shall not be deprived of their nationality, exiled or arrested and deported go any foreign country unless there is a mutual agreement on extradition.

Khmer citizens residing abroad enjoy the protection of the State.

Khmer nationality shall be determined by a law.

#### **Article 34**

Khmer citizens of either sex shall enjoy the right to vote and to stand as candidates for the election.

Citizens of either sex of at least eighteen years old, have the right to vote.

Citizens of either sex of at least 25 years old, have the right to stand as candidates for the election.

Provisions restricting the right to vote and to stand for the election shall be defined in the electoral for the election.

#### **Article 35**

Khmer citizens of either sex shall be given the right to participated actively in the political, economic, social and cultural life of the nation.

Any suggestions from the people shall be given full consideration by the organs of the State.

#### **Article 36**

Khmer citizens of either sex shall have the right to choose any employment according to their ability and to the needs of the society.

Khmer citizen of either sex shall receive equal pay for equal work.

The work by housewives in the home shall have the same value as what they can receive when working outside the home.

Every Khmer citizens shall have the right to obtain social security and other social benefits as determined by law.

Khmer citizens of either sex shall have the right to form and to be members of trade unions.

The organization and conduct of trade unions shall be determined by law.

#### **Article 37**

The right to strike and to non-violent demonstration shall be implemented in the framework of a law.

#### **Article 38**

The law guarantees shall be no physical abuse against any individual.

The law shall protect the life, honor and dignity of the citizens.

The prosecution, arrest, or detention of any person shall not be done except in accordance with the law.

Coercion, physical ill-treatment or any other mistreatment that imposes additional punishment on a detainee or prisoner shall be prohibited. Persons who commit, participate or conspire in such acts shall be punished according to the law.

Confession obtained by physical mental force shall not be admissible as evidence of guilt. Khmer citizens of either sex shall respect public and legally acquired private properties. Any case of doubt shall be resolved in favor of the accused.

The accused shall be considered innocent until the court has judged finally on the case. Every citizen shall enjoy the right to defense through judicial recourse.

#### **Article 39**

Khmer citizens shall have the right to denounce, make complaints or file claims against any breach of the law by the State and social organs or by members of such organs committed during the course of their duties. The settlement of complaints and claims shall reside under the competence of the courts.

#### **Article 40**

Citizens' freedom to travel, far and near, and legal settlement shall be respected. Khmer citizens shall have the right to travel and settle abroad and return to the country. The right to privacy of residence and to the secrecy of correspondence by mail, telegram, fax, telex, and telephone shall be guaranteed. Any search of the house, material and body shall be in accordance with the law.

#### **Article 41**

Khmer citizens shall have freedom of expression, press, publication and assembly. No one shall exercise this right to infringe upon the rights of others, to affect the good traditions of the society, to violate public law and order and national security.

The regime of the media shall be determined by law.

#### **Article 42**

Khmer citizens shall have the right to establish associations and political parties. These rights

shall be determined by law.

Khmer citizens may take part in mass organizations for mutual benefit to protect national achievements and social order.

#### **Article 43**

Khmer citizens of either sex shall have the right to freedom of belief.

Freedom of religious belief and worship shall be guaranteed by the State on the condition that such freedom does not affect other religious beliefs or violate public order and security.

Buddhism shall be the State religion.

#### **Article 44**

All persons, individually or collectively, shall have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality shall the right to own land.

Legal private ownership shall be protected by the law.

The right to confiscate possessions from any person shall be exercised only in the public interest as provided for under law and shall required fair and just compensation in advance.

#### **Article 45**

All forms of discrimination against woman shall be abolished.

The exploitation of women in employment shall be prohibited in marriages and matters of the family.

Marriage shall be conducted according to conditions determined by law based on the principle of mutual consent between one husband and one wife.

#### **Article 46**

The commerce of human beings, exploitation by prostitution and obscenity which affect the reputation of women shall be prohibited.

A woman shall not lose her job because of pregnancy. Women shall have the right to take maternity leave with full pay and with no loss of seniority or other social benefits.

The State and society shall provide opportunities to women, especially to those living in rural areas without adequate social support, so they can get employment, medical care, and send their children to school, and to have decent living conditions.

**Article 47**

Parents shall have the right to take care of and educate their children to become good citizens.

Children shall have the right to take good care of their elderly mother and father according to Khmer traditions.

**Article 48**

The State shall protect the rights of the children as stipulated in the Convention on Children, particular, the right to life, education, protection during wartime, and from economic or sexual exploitation.

The State shall protect children from acts that are injurious to their education opportunities, health and welfare.

**Article 49**

Every Khmer citizens shall respect the Constitution and laws.

All Khmer citizens shall have the duty to take part in the national reconstruction and to defend the homeland. The duty to defend the country shall be determined by law.

**Article 50**

Khmer citizens of either sex shall respect the principles of national sovereign, liberal multi-party democracy.

Khmer citizens of either sex shall respect public and legally acquired private properties.