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country following the decision to recognize the PLO and implement autonomy. The subsequent openness in the world has created great political and economic opportunities for Israel. 'Arafat visited Indonesia a month ago and presented the Palestinian side, and I thought it would only be fitting to present the Israeli position to the man who heads the 108-state Nonaligned Movement and to explain to him how we perceive the process and what our considerations are, Rabin said. I spoke of Israel's sensitivity on the security issue. I did not seek his response but asked him to voice his and the Nonaligned Movement's support for the agreements and for issues such as our POW's and MIA's. The Indonesian president promised to look into the matter, Rabin said.

He would not elaborate on their discussion about Iran. He just said he had raised the question of the opposition to the agreement on the part of Hamas [Islamic Resistance Movement] and Islamic Jihad. Of course, I did not hesitate to mention the name of the Muslim country backing them, the prime minister asserted.

We asked Rabin about the possible establishment of diplomatic relations between the two countries in light of today's meeting, and he said: I do not think diplomatic relations are to be expected soon. This was not the issue I spent much time on.

As noted, the prime minister and his entourage landed in Singapore a short time ago, where he will confer with the country's leaders. On its way back to Israel, the plane will make a stopover in Kenya, where the prime minister may hold a series of meetings.

### Meets With Lee Kuan Yew

BK1610115293 Singapore Singapore Broadcasting Corporation in English 1100 GMT 16 Oct 93

[Text] Prime Minister Yitzhaq Rabin of Israel and Senior Minister Lee Kuan Yew discussed the Middle East peace process during their hour-long meeting today. Mr. Rabin spoke on the details and the implications of the peace agreement Israel signed with the PLO last month. He also briefed Mr. Lee about his talks with Chinese leaders and President Suharto of Indonesia. The senior minister said the signing of the agreement opened a new chapter and opportunities in the Middle East. He hoped the agreement would help Israel develop relations with the Arab and Muslim world.

On the Indonesian visit, a spokesman for the Israeli delegation said the meeting with President Suharto was significant. He believed the meeting would facilitate (many more) exchanges in the future, starting with trade and economic matters. Mr. Rabin will call on Prime Minister Goh Chok Tong tonight.

### Rabin Speaks at Embassy Party

TA1610125893 Jerusalem Qot Yisra'el in Hebrew 1200 GMT 16 Oct 93

[Text] Prime Minister Yitzhaq Rabin has said that he had reached the conclusion that Israel should move

forward with the Palestinians and that Syria should be kept waiting. This was reported by our correspondent Karmela Menashe who is accompanying the prime minister on his Far Eastern tour. Speaking at a dinner party with the staff of the Israeli Embassy in Singapore, Mr. Rabin added that he knows the price of peace with Syria, but he does not know what the Syrians mean when they speak of peace.

Singapore welcomed the prime minister's visit, held after he met Indonesian President Suharto in Jakarta. Today, Rabin toured Singapore and met with Lee Kuan Yew, the founder of the city-state who is considered the spiritual leader of Singapore.

At the conclusion of Rabin's visit in the PRC, the IDF [Israel Defense Forces] attache there said that the visit will contribute to improved ties between Israel and the PRC and perhaps also between the two armies. The attache, Major General Moshe Marom, defined Rabin's meetings in the PRC as good, and said that sources at the Beijing Ministry of National Defense told him they were very pleased with the visit, saying this is the beginning of a process of institutionalizing the ties between the two states and armies.

## Cambodia

### 'Text' of Cambodian National Constitution

BK1310052193

[Editorial Report] The following text of the Cambodian Constitution has been translated from the Cambodian language official document of the Cambodian Government titled: Constitution of the Kingdom of Cambodia.

In addition, Phnom Penh National Voice of Cambodia Radio Network in Cambodian on 30 September and subsequent days through 5 October carried in its 2300 GMT newscast a reading of the text of the Constitution. Differences between the two versions are given in editorial notations.

### PREAMBLE

We, the Cambodian people,  
Having been an outstanding civilization with a prosperous, large, flourishing, and glorious country with high prestige radiating like diamonds;  
Having declined grievously during the past two decades, having endured 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 a multiparty liberal democratic regime guaranteeing human rights, abiding by law, and having high 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:

## CONSTITUTION OF THE KINGDOM OF CAMBODIA

### CHAPTER 1—SOVEREIGNTY

Article 1. Cambodia is a kingdom in which the king abides by the Constitution and multiparty liberal democracy. The Kingdom of Cambodia is an independent, sovereign, peaceful, permanently neutral, and nonaligned state.

Article 2. The Kingdom of Cambodia's territorial integrity is absolutely inviolable within its borders as defined in the 1/100,000 map drawn up between 1933 and 1953 and recognized internationally between 1963 and 1969.

Article 3. The Kingdom of Cambodia is an indivisible state.

Article 4. The motto of the Kingdom of Cambodia is: Country, Religion, and King.

Article 5. The official language and script are the Cambodian language and script.

Article 6. Phnom Penh is the capital city of the Kingdom of Cambodia.

The national flag, anthem, and emblem are defined in Annexes 1, 2, and 3.

### CHAPTER 2—THE KING

Article 7. Cambodia's king reigns but does not wield power.

The king is head of state for life.

The king's person is inviolable.

Article 8. The king shall be the symbol of national unity and national perpetuity.

The king shall be the guarantor of national independence, sovereignty, and territorial integrity of the Kingdom of Cambodia; he shall guarantee respect for the rights and freedom of citizens and respect for international treaties.

Article 9. The king shall assume the august role of arbitrator to ensure the faithful execution of public powers.

Article 10. Cambodia's monarchist regime is based on a system of selection.

The king shall not have power to appoint an heir to the throne.

Article 11. In the case where the king cannot fulfill his normal duty as head of state due to serious illness, confirmed by a group of experienced doctors selected by the Chairman of the Parliament and the Prime Minister, the Chairman of the Parliament shall fulfill the duty of head of state on the king's behalf in his capacity as "regent."

Article 12. When the king dies, the Chairman of the Parliament shall assume the duty of acting head of state in his capacity as regent of the Kingdom of Cambodia.

Article 13. Within a period of no longer than seven days, the new king of the Kingdom of Cambodia shall be selected by the Throne Council.

The Throne Council shall comprise:

- The chairman of the Parliament,
- The prime minister,
- The supreme patriarchs of the Mohanikay and Thammayutikanikay sects, and
- The Parliament's first and second vice chairmen.

The organization and operation of the Throne Council shall be defined by a law.

Article 14. To be selected king of the Kingdom of Cambodia are members of the Cambodian royal family who are at least 30 years of age and who are the descendants of King Ang Duong, King Norodom, or King Sisowath.

Before his enthronement, the king shall take an oath as defined in Annex 4.

Article 15. The king's consort shall have the status of queen of the Kingdom of Cambodia.

Article 16. The queen of the Kingdom of Cambodia shall have no right to participate in politics, act as a state leader or leader of the Royal Government, or assume any administrative or political role.

The queen of the Kingdom of Cambodia shall reserve her physical efforts for fulfilling royal duties in the interests of society, humanity, and religion and for assisting the king in his ceremonial and diplomatic obligations.

Article 17. The stipulation that the king reigns but does not wield power stated in Paragraph One, Article 7, of this Constitution absolutely may not be amended.

Article 18. The king shall maintain contacts with the Parliament through royal messages. The Parliament may not debate these royal messages.

Article 19. The king shall appoint the prime minister and the cabinet in accordance with procedures defined in Article 100.

Article 20. The king shall grant official audiences twice a month to the prime minister and his cabinet who shall inform him of the situation of the country.

Article 21. At the recommendation of the cabinet, the king shall sign royal decrees appointing, changing, or terminating the duties of high-ranking civilian and military officials and ambassadors and envoys extraordinary and plenipotentiary.

At the recommendation of the Supreme Council of the Magistracy, the king shall sign royal decrees appointing, changing, or removing jurisdictional judges.

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Article 22. When the nation faces danger, the king shall publicly make an announcement placing the state of emergency in the country after securing the consent of the prime minister and the chairman of the Parliament.

Article 23. The king is the supreme commander of the Khmer Royal Armed Forces. The commander in chief of the Khmer Royal Armed Forces shall be appointed to command them.

Article 24. The king shall be the august chairman of the National Defense Supreme Council, which shall be created by a law.  
The king shall declare war with the consent of the Parliament.

Article 25. The king shall receive credentials appointing foreign ambassadors or envoys extraordinary and plenipotentiary to the Kingdom of Cambodia.

Article 26. The king shall sign international treaties and conventions and ratify these treaties and conventions with the approval and assent of the Parliament.

Article 27. It shall be the king's right to commute sentences and grant pardons.

Article 28. The king shall sign royal acts to promulgate the Constitution and laws already passed by the Parliament and shall sign royal decrees at the request of the Cabinet.

Article 29. The king shall create and confer national decorations at the request of the Cabinet.  
It is the king's prerogative to confer military and civilian ranks and titles as stipulated by law.

Article 30. In the absence of the king, the chairman of the Parliament shall assume the duty of acting head of state.

### CHAPTER 3—RIGHTS AND DUTIES OF CAMBODIAN CITIZENS

Article 31. The Kingdom of Cambodia shall recognize and respect human rights as defined in the United Nations Charter, the Universal Declaration on Human Rights, and all treaties and conventions concerning human rights, women's rights, and children's rights. Cambodian citizens shall be equal before the law and shall enjoy the same rights, freedom, and duties regardless of their race, color, sex, language, beliefs, religion, political tendencies, birth origin, social status, resources, or any other position. The exercise of an individual's personal rights and freedom shall not affect the rights and freedom of other persons. The exercise of these rights and freedom shall proceed according to conditions set by the law.

Article 32. Every citizen shall have the right to live and enjoy freedom and personal security.  
Capital punishment shall not be instituted.

Article 33. Cambodian citizens shall not be deprived of their nationality, exiled, or extradited to any foreign countries, except those with mutual agreements.

Cambodian citizens living abroad shall be under the protection of the state.

The acquisition of Cambodian citizenship shall be defined by law.

Article 34. Cambodian citizens of either sex shall have the right to vote and to run for election.

Cambodian citizens of either sex of at least 18 years of age shall have the right to vote.

Cambodian citizens of either sex of at least 25 years of age may run for election.

Regulations limiting the right to vote and the right to run for election shall be defined in the electoral law.

Article 35. Cambodian citizens of either sex shall have the right to actively participate in the political, economic, social, and cultural activities of the country.  
All proposals of the citizens shall be thoroughly examined and answered to by state organizations.

Article 36. Cambodian citizens of either sex shall have the right to choose professions in conformity with their capacity and the demands of society.

Cambodian citizens of either sex shall have the right to receive equal pay for equal work.

Household work shall have the same worth as remuneration from work performed outside the house.

Cambodian citizens of either sex shall be entitled to social welfare and other social benefits provided by law.

Cambodian citizens of either sex shall have the right to set up a trade union and to be members thereof.

The organization and operation of the trade union shall be defined by law.

Article 37. The right to strike and demonstrate peacefully shall be exercised within the legal frameworks.

Article 38. The law shall guarantee against bodily assaults on any person.

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

Accusations against, arrest, detention, or imprisonment of a person may be made only when they are carried out correctly by virtue of the provisions of law.

Coercion, physical torture, or any actions that aggravate the punishment meted out against a detainee or prisoner shall be prohibited. The perpetrators, accomplices, and conspirators shall be punished by law.

Confessions obtained through either physical or mental coercion may not be used as proof of guilt.

The accused shall be given the benefit of the doubt.

Any accused shall be presumed innocent so long as the court has not yet handed down a final judgment.

Every person shall have the right to defend himself in court.

Article 39. Cambodian citizens shall have the right to sue, appeal, and demand reparations for damage caused by the illegal acts of state and social organizations and personnel thereof. Settlement of appeals and reparations of damage shall be under the jurisdiction of the court.

Article 40. The citizens' freedom to travel, near or far, and to take lawful habitation shall be respected. Cambodian citizens may take up residence in foreign countries or return therefrom.

The preservation of the right to the inviolability of premises and to the secrecy of correspondences in the forms of letters, telegrams, facsimile, telex, and telephones shall be guaranteed.

The search of premises, materials, objects, and persons shall be carried out in accordance with the provisions of law.

Article 41. Cambodian citizens are entitled to the freedom of expression, freedom of press, freedom of publication, and freedom of assembly. No person may abuse these rights to the detriment of another person's honor, the good customs of society, public order, and national security.

The media shall be organized by law.

Article 42. Cambodian citizens shall have the right to form associations and political parties. This right shall be defined by law.

All Cambodian citizens may participate in mass organizations to help one another protect national achievements and social order.

Article 43. Cambodian citizens of either sex shall have full right to believe.

The freedom of belief and religious practices shall be guaranteed by the state under the condition that they do not affect other beliefs or religions and public law and order.

Buddhism is the state religion.

Article 44. A person, be it an individual or a group, shall have the right to ownership. Only an individual, or a legal entity, of Cambodian nationality has the right to own land.

Lawful private properties shall be under the protection of the law.

Expropriation of the properties of a person may be effected only by virtue of the provisions of law for the purpose of public utility, and only after fair and proper indemnities have been paid.

Article 45. All kinds of discrimination against women shall be eliminated.

The exploitation of women's work shall be prohibited. Man and woman shall enjoy equal rights in all aspects, especially in marriage and family.

Marriage shall be held according to conditions set by law and to the principles of consent and monogamy.

Article 46. Slavery, white slavery, and obscene acts affecting the dignity of women shall be prohibited.

The dismissal of women from work because of pregnancy shall be prohibited. Women are entitled to maternity leave with pay and with the guarantee that their length of service and other social benefits are maintained.

The state and society shall pay attention to creating conditions for women without any means of support,

especially those in the rural areas, to receive assistance so that they gain employment and are in a position to receive medical treatment, to send their children to school, and to enjoy a decent livelihood.

Article 47. Parents shall have the obligation to raise, take care of, and educate their children into good citizens. Children shall have the duty to feed and take care of their aged parents in accordance with Cambodian customs.

Article 48. The state shall guarantee and safeguard children's rights as stipulated in the Convention on Children, especially the right to live, the right to receive education, the right to be protected in a war situation, and the protection against economic or sexual exploitation.

The state shall prohibit any undertakings detrimental to the education or learning of the children or injurious to their health or well-being.

Article 49. Every Cambodian citizen shall respect the Constitution and abide by the law.

Every Cambodian citizen shall have the obligation to contribute to national construction and national defense. The national defense obligation shall be carried out by virtue of the provisions of law.

Article 50. Cambodian citizens of either sex shall respect the principles of national sovereignty and multiparty liberal democracy.

Cambodian citizens of either sex shall respect public properties and lawful private properties.

#### CHAPTER 4—THE POLITICAL REGIME

Article 51. The Kingdom of Cambodia shall advocate multiparty liberal democracy.

The Cambodian citizens shall be the master of their country's destiny. All powers shall belong to the citizens. The citizens shall exercise their powers through Parliament, the Royal Government, and the tribunal. The powers shall be separated into the legislative power, the executive power, and the judicial power.

Article 52. The Royal Government of Cambodia shall be committed to preserving and protecting the independence, sovereignty, and territorial integrity of the Kingdom of Cambodia; advocating a national reconciliation policy in defense of national unity; and preserving and protecting the good customs and traditions of the nation. The Royal Government of Cambodia shall defend legality and ensure public order and security. The state shall pay priority attention to the livelihood and well-being of the citizens.

Article 53. The Kingdom of Cambodia shall always uphold the policy of permanent neutrality and nonalignment. The Kingdom of Cambodia shall peacefully coexist with all neighboring countries and other countries in the world.

The Kingdom of Cambodia absolutely shall not commit aggression against any countries; shall not interfere in

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the internal affairs of other countries directly or indirectly and under whatever form; shall settle all problems peacefully; and shall respect mutual interests.

The Kingdom of Cambodia shall not establish any military alliance or enter into any military agreement that does not conform with its neutrality.

The Kingdom of Cambodia shall not permit any foreign military bases in its territory and also shall not permit its own military bases in foreign countries, except within the framework of a United Nations request.

The Kingdom of Cambodia shall preserve the right to accept foreign aid in terms of military materiel, arms, ammunition, training of the armed forces, and other aid for its own defense and for the maintenance of public order and security within the country.

Article 54. The production, use, and storing of nuclear, chemical, or bacteriological arms shall be absolutely prohibited.

Article 55. All treaties or agreements not conforming with the independence, sovereignty, territorial integrity, neutrality, and national unity of the Kingdom of Cambodia shall be abrogated.

### CHAPTER 5—THE ECONOMY

Article 56. The Kingdom of Cambodia shall implement a system of market economy.

The organization and operation of this economic system shall be defined by law.

Article 57. Taxes may be levied only when authorized by law. The national budget shall be determined for implementation by law.

The management of foreign currency and financial system shall be defined by law.

Article 58. State properties consist of, among other things, land, ground, underground, mountains, sea, seabed, continental shelves, coast, airspace, islands, rivers, canals, streams, lakes, forests, natural resources, economic and cultural centers, national defense bases, and other installations defined as belonging to the state. The control, utilization, and management of state properties shall be defined by law.

Article 59. The state shall safeguard the environment and the balance of natural resources and shall map out a definite plan for controlling, among other things, the land, ground, water, airspace, air, geology, ecology, mines, energy, petroleum and gas, stone and sand, gemstones, forests and forest subproducts, wild animals, fish, and aquatic products.

Article 60. Citizens shall have the right to trade their produces freely. The requirement that produces be sold to the state or the appropriation of private produces or properties for use, even just temporarily, shall be prohibited, except for special cases permitted by law.

Article 61. The state shall promote economic development in all aspects, especially in the agricultural, handicraft, and industrial sectors, starting from remote areas,

by focusing on the water policy, electricity, roads and transportation means, modern technologies, and the credit system.

Article 62. The state shall pay attention to helping solve the problem of production means; protecting the prices of produces for farmers and handicraftsmen; and finding markets for produce.

Article 63. The state shall pay attention to managing the markets to ensure a decent living standard for the citizens.

Article 64. The state shall forbid and severely punish any person who imports, produces, or trades in narcotics or fake or expired goods that affect the health and lives of consumers.

### CHAPTER 6—EDUCATION, CULTURE, AND SOCIAL WELFARE

Article 65. The state shall protect and promote the right of the citizens to receive quality education at all levels and shall gradually take all kinds of measures so that this education reaches every citizen.

The state shall pay attention to the physical education and sports sector for the well-being of every Cambodian citizen.

Article 66. The state shall establish, throughout the country, a complete and unified educational system that guarantees the principle of freedom of education and the principle of equality in education so that every citizen enjoys sufficient and equal opportunities in life.

Article 67. The state shall implement a modern educational program and pedagogical principles, including technologies and foreign languages.

The state shall oversee public and private schools and classes at all educational levels.

Article 68. The state shall provide every citizen with free primary and secondary education in public schools.

The citizens shall be given at least nine years of education.

The state shall help disseminate and elevate Buddhist monks' schools and Buddhist studies.

Article 69. The state shall have the obligation to preserve and expand national culture.

The state shall have the obligation to protect and develop the Cambodian language as necessary.

The state shall have the obligation to safeguard temples, antiques, and ancient arts and to renovate historical sites.

Article 70. Offenses against or relating to the cultural or artistic heritage shall be severely punished.

Article 71. The perimeters of national heritage sites as well as those that have been classified as world heritage sites shall be regarded as neutral zones free from military activities.

Article 72. The health of the citizens shall be guaranteed. The state shall pay attention to disease prevention and therapy. Poor citizens are entitled to free medical examination at public hospitals, infirmaries, and maternity centers.

The state shall organize the establishment of infirmaries and maternity centers in rural areas.

Article 73. The state shall pay attention to children and mothers. The state organizes the establishment of nurseries and assists women who have numerous children in their charge and who are without support.

Article 74. The state shall assist the disabled and the families of soldiers who died for the country.

Article 75. The state shall provide a social security system for workers and employees.

#### CHAPTER 7—THE PARLIAMENT

Article 76. The Parliament shall have at least 120 members who are representatives of the people.

The representatives shall be elected in a general election, freely, equally, and directly through secret ballots.

The representatives may run for reelection.

Those entitled to be a candidate shall be any eligible Cambodian citizen of either sex who is at least 25 years of age and has Cambodian nationality by birth.

The body organizing the elections and the modalities and procedures of the elections shall be defined in the electoral law.

Article 77. The representatives in the Parliament represent the entire Cambodian nation and not just the citizens in their constituencies.

All coercive mandates shall be considered null.

Article 78. The term of the Parliament is five years and expires when the new Parliament takes office. The Parliament may not be dissolved before the end of its term, except in the case where the Royal Government has been dismissed twice in 12 months.

In this case, the king shall dissolve the Parliament at the recommendation of the prime minister and after securing the assent of the chairman of the Parliament.

The election to choose a new Parliament shall be held no later than 60 days from the date of the dissolution of the Parliament.

Pending the election, the Royal Government's duty shall be limited to providing leadership for day-to-day work only.

In time of war or under other special circumstances when the election cannot be held, the Parliament may declare the extension of its term by one year at a time at the recommendation of the king.

The declaration to extend the term of the Parliament shall be decided by a vote of at least two-thirds of all members of the Parliament.

Article 79. The mandate of a member of the Parliament is incompatible with his active public functions and his

functions as member of any other institutions defined in this Constitution, except his role in the Cabinet of the Royal Government.

In such cases, this member of the Parliament retains his capacity as an ordinary member of the Parliament but shall not have any position in the Standing Committee or other commissions of the Parliament.

Article 80. The representatives shall enjoy parliamentary immunity.

No representatives may be accused, arrested, detained, or imprisoned for having expressed his opinion or given his views while performing his task.

Accusations against, arrest, detention, or imprisonment of any member of Parliament may be made only with the consent of the Parliament or the Standing Committee of the Parliament during the parliamentary recess, except in the case of flagrant criminal offenses. In this latter case, the competent authorities shall immediately submit a report to the Parliament or the Standing Committee of the Parliament for decision.

The decision of the Parliament Standing Committee shall be submitted to the ensuing session of the Parliament for endorsement by a two-thirds majority vote of all members of the Parliament.

In all the above cases, the imprisonment of or accusations against a representative shall be suspended if the Parliament expresses its view that this should be so through a three-fourths majority vote of all members of the Parliament.

Article 81. The Parliament shall have an autonomous budget for its own operation.

The representatives shall be remunerated.

Article 82. The Parliament shall open its first session within 60 days after the election at the convocation of the king.

Before starting its work, the Parliament shall adopt its internal regulations, decide the validity of the mandate of each member, and hold separate elections of the chairman and vice chairmen of the Parliament and all members of various commissions of the Parliament with a two-thirds majority vote of all members of the Parliament.

Before taking office, the representatives shall take an oath, the content of which is provided in Annex 5.

Article 83. The Parliament shall hold two ordinary sessions annually.

Each session shall last for at least three months. At the recommendation of the king or the request of the prime minister or of at least one-third of the members of the Parliament, the Standing Committee of the Parliament shall convocate an extraordinary session of the Parliament.

In this case, a specific agenda of the extraordinary session shall be announced to the public together with the date of the session.

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Article 84. During the recess of the Parliament, the Standing Committee of the Parliament shall take charge of its affairs.

The Standing Committee of the Parliament shall consist of the chairman of the Parliament, the vice chairmen of the Parliament, and the chairmen of all commissions of the Parliament.

Article 85. The sessions of the Parliament shall be held in the capital city of the Kingdom of Cambodia inside the meeting hall of the Parliament, except when it is decided otherwise as necessitated by circumstances and notified in the convocation letters.

Except in the above case, any sessions of the Parliament held at sites and dates other than those notified in the convocation letters shall be considered illegal and null and void.

Article 86. In circumstances under which the nation is in a state of emergency, the Parliament shall meet regularly every day. The Parliament shall have the right to declare an end to the above special circumstances when the situation permits.

If Parliament cannot meet because of reason of necessity, notably when foreign forces are occupying the country, the declaration of the state of emergency shall extend automatically.

When the country is in a state of emergency, the Parliament may not be dissolved.

Article 87. The chairman of the Parliament shall conduct debates of the Parliament, take cognizance of laws and resolutions passed by the Parliament, guarantee the implementation of the Parliament's internal regulations, and manage all international contacts of the Parliament. In the case where the chairman of the Parliament is engaged, cannot fulfill his duty because of illness, is performing the role of acting head of state or regent, or is on mission abroad, a vice chairman of the Parliament shall discharge functions in his place.

In the case where the chairman or a vice chairman vacates his post or dies, the Parliament shall elect a new chairman or vice chairman.

Article 88. The sessions of the Parliament shall be held in public.

The Parliament may meet in secrecy at the request of the chairman or at least one-tenth of the members, of the king, or of the prime minister.

The sessions of the Parliament may be valid only when there is a quorum of seven-tenths of all members of the Parliament.

Article 89. At the request of at least one-tenth of the members, the Parliament may invite a high personality to enlighten the Parliament of any problem of special importance.

Article 90. The Parliament shall be the only organization that wields legislative power. The Parliament may not relegate this power to any other organization or individual.

The Parliament shall approve the national budget, the state plans, the state loans, the state grants, financial contracts, and the creation, amendment, or removal of taxes.

The Parliament shall approve the accounts of the government.

The Parliament shall approve the law on general amnesty.

The Parliament shall approve or abrogate international treaties or conventions.

The Parliament shall approve the law on the declaration of war.

The above approvals shall be made with the absolute majority vote of all members of Parliament.

Article 91. The representatives and the prime minister shall have the right to initiate laws.

The representatives shall have the right to recommend the amendment of laws but this recommendation may not be accepted if it is aimed at reducing public incomes or increasing burdens on the citizens.

Article 92. All endorsements made by the Parliament contrary to the principle of safeguarding the independence, sovereignty, and territorial integrity of the Kingdom of Cambodia and detrimental to the political unity or administrative management of the country shall be considered null. The Constitutional Council shall be the only organization that has the competence to decide on this nullity.

Article 93. A law already passed by the Parliament and promulgated by the king shall go into effect in the capital city of Phnom Penh within exactly 10 days after its promulgation and throughout the country within exactly 20 days after its promulgation.

However, if this law is proclaimed to be urgent, it shall go into effect throughout the country immediately after its promulgation.

A law promulgated by the king shall be published in the royal gazette and disseminated throughout the country within the times specified above.

Article 94. The Parliament shall create commissions as necessary. The organization and operation of the Parliament shall be defined in the internal regulations of the Parliament.

Article 95. In the case where a member of the Parliament dies, resigns, or loses his membership at least six months before the end of the term, a by-election shall be organized to replace that member of the Parliament in line with the conditions set in the internal regulations of the Parliament and the electoral law.

Article 96. The representatives shall have the right to pose a question to the Royal Government. This question shall be presented in writing and submitted through the chairman of the Parliament.

The answer may be made by one or several ministers depending on whether the problem raised concerns the responsibilities of one minister or of several ministers. If



the problem concerns the overall policies of the government, the prime minister himself shall make the answer. The answer of the minister, ministers, or prime minister may be made verbally or in writing.

The above answer shall be made within seven days after the question was received.

In the case of a verbal answer, the chairman of the Parliament may decide to hold or not to hold an interpellation. If the interpellation is not called, the answer of the minister, ministers, or prime minister shall be final. If the interpellation is called, the initiator of the question, other speakers, and the minister or ministers involved or the prime minister may debate for a period of time not exceeding one sitting.

The Parliament shall set one day per week for answering questions.

Nevertheless, the above session for answering questions may not open up a possibility for voting of any kind.

Article 97. Commissions of the Parliament may invite ministers to clarify any question concerning their areas of responsibility.

Article 98. The Parliament may dismiss cabinet members or remove the Royal Government from office by passing a censure motion through a two-thirds majority vote of members of the entire Parliament.

Only the censure motion against the Royal Government submitted to the Parliament by 30 representatives may be raised for discussion by the Parliament.

#### CHAPTER 8—THE ROYAL GOVERNMENT

Article 99. The cabinet is the Royal Government of the Kingdom of Cambodia.

The cabinet shall be led by a prime minister assisted by deputy prime ministers with state ministers, ministers, and state secretaries as members.

Article 100. At the recommendation of the chairman and with the agreement of the two vice chairmen of the Parliament, the king designates a dignitary from among the representatives of the people from the winning party to set up the royal government. This designated dignitary shall lead his colleagues who are members of the Parliament or members of parties represented in the Parliament who have been appointed in teams to various posts in the Royal Government to ask for a vote of confidence from the Parliament. After the Parliament has given its vote of confidence, the king shall issue a royal decree appointing the entire cabinet.

Before taking office, the cabinet shall take an oath as defined in Annex 6.

Article 101. The function of members of the Royal Government is incompatible with professional activities in trade or industry and with the holding of any position in the public service.

Article 102. Members of the Royal Government shall be collectively responsible to the Parliament for the overall policies of the Royal Government.

Each member of the Royal Government shall be individually responsible to the prime minister and the Parliament for his own conduct.

Article 103. Members of the Royal Government may not use the orders, written or verbal, of anyone as an excuse to exonerate themselves from their responsibility.

Article 104. The Cabinet shall meet every week, either in plenary session or in a study session.

The plenary session shall be conducted by the prime minister. The prime minister may assign a deputy prime minister to conduct a study session.

Minutes of all cabinet sessions shall be forwarded to the king for his information.

Article 105. The prime minister may delegate his powers to deputy prime ministers or any member of the Royal Government.

Article 106. If the post of prime minister is permanently vacated, a new cabinet shall be appointed under the conditions stipulated in this Constitution. If this vacancy is only temporary, an acting prime minister shall be temporarily appointed.

Article 107. Each member of the Royal Government shall be punished for any crimes or misdemeanors that he has committed in the course of his duty.

In such cases or when he has committed serious offenses in the course of his duty, the Parliament may decide to file charges against him with the competent court.

The Parliament shall decide on such matters through a secret vote with an absolute majority of the members of the entire Parliament.

Article 108. The organization and operation of the cabinet shall be defined by law.

#### CHAPTER 9—THE JUDICIAL POWER

Article 109. The judicial power shall be an independent power.

The judicial power shall guarantee and uphold impartiality and protect the rights and freedom of the citizens. The judicial power shall cover all lawsuits, including those of the government.

This power shall be handed over to the Supreme Court and adjudication courts of all sectors and levels.

Article 110. Trials and adjudications shall be conducted in the name of the Cambodian citizens in accordance with the legal procedures and the laws in effect.

Only judges shall have the right to adjudicate. A judge shall fulfill this duty with strict respect for the laws, wholeheartedly, and conscientiously.

Article 111. No organizations of the legislative or executive powers may handle any judicial power.

Article 112. Only the Department of Public Prosecution shall have the right to institute the prosecution of criminal cases.

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Article 113. The king shall guarantee the independence of the judicial power.  
The Supreme Council of the Magistracy shall assist the king in this matter.

Article 114. Judges may not be removed from duty. But the Supreme Council of the Magistracy may take disciplinary actions against any offending judges.

Article 115. The Supreme Council of the Magistracy shall be formed by an organizational law which will determine its composition and function.

The Supreme Council of the Magistracy shall be under the royal chairmanship of the king. The king may designate one royal representative to act as chairman of this Supreme Council of the Magistracy.

The Supreme Council of the Magistracy shall make suggestions to the King on the appointment of judges and prosecutors accredited to all courts.

The Supreme Council of the Magistracy, in taking disciplinary actions against judges and prosecutors, shall meet in the presence of the chairman of the Supreme Court or the chief prosecutor attached to the Supreme Court depending on whether the case is related to the judge or the prosecutor.

Article 116. The statutes of the judges and prosecutors and the organization of the judiciary shall be defined in separate laws.

### CHAPTER 10—THE CONSTITUTIONAL COUNCIL

Article 117. The Constitutional Council's competence shall be to safeguard the respect for the Constitution and to interpret the Constitution and laws passed by the Parliament.

The Constitutional Council shall have the right to examine and settle disputes relating to the election of the members of Parliament.

Article 118. The Constitutional Council shall consist of nine members with a nine-year mandate. One-third of the members of the Constitutional Council shall be replaced every three years. Three members shall be appointed by the King; three elected by the Parliament; and three others appointed by the Supreme Council of the Magistracy.

The chairman shall be elected by the members of the Constitutional Council. The chairman's vote shall be preponderant in the case where votes are equally split.

Article 119. Members of the Constitutional Council shall be selected from among the dignitaries with at least a higher-education degree in law, administration, diplomacy, or economics, and who have considerable work experience.

Article 120. The function of a Constitutional Council member shall be incompatible with that of a member of the government, a member of the Parliament, the

chairman or vice chairman of a political party, the chairman or vice chairman of a trade union, and an active judge.

Article 121. The king, the prime minister, the Parliament chairman, or one-tenth of the members of the Parliament can forward bills to the Constitutional Council for examination before their promulgation.

The Parliament's internal regulations and various organizational laws shall be forwarded to the Constitutional Council for examination before their promulgation.

The Constitutional Council shall decide within no more than 30 days whether the above laws and internal regulations of the Parliament are constitutional or not.

Article 122. After a law is promulgated, the king, the prime minister, the Parliament chairman, one-tenth of the representatives, or the court may ask the Constitutional Council to examine the constitutionality of that law.

The citizens may appeal against the constitutionality of laws through their representatives or the chairman of Parliament as stipulated in the above paragraph.

Article 123. Provisions in any articles ruled by the Constitutional Council as unconstitutional may not be promulgated or implemented.

A decision by the Constitutional Council shall be incontestable.

Article 124. The king shall consult with the Constitutional Council on proposals to amend the Constitution.

Article 125. An organizational law shall define the organization and operation of the Constitutional Council.

### CHAPTER 11—THE ADMINISTRATION

Article 126. The territory of the Kingdom of Cambodia shall be divided into provinces and municipalities.

Provinces shall be divided into districts and districts into khum.

Municipalities shall be divided into khan and khan into sangkat.

Article 127. Provinces, municipalities, districts, khan, khum, and sangkat shall be administered in accordance with conditions set in an organizational law.

### CHAPTER 12—NATIONAL CONGRESS

Article 128. The National Congress shall enable the people to be directly informed on various matters of national interests and to raise issues and requests for the state authority to solve.

Cambodian citizens of either sex shall have the right to participate in the National Congress.

Article 129. The National Congress shall meet once a year in early December at the convocation of the prime minister.

The National Congress shall proceed under the chairmanship of the king.

Article 130. The National Congress shall adopt requests for consideration by the state authorities and the Parliament.

The organization and operation of the National Congress shall be defined by a law.

#### CHAPTER 13—EFFECT, REVISION, AND AMENDMENT OF THE CONSTITUTION

Article 131. This Constitution shall be the supreme law of the Kingdom of Cambodia.

All laws and decisions by various state institutions shall absolutely conform with the Constitution.

Article 132. The initiative to revise or to amend the Constitution shall be the prerogative of the king, the prime minister, and the chairman of the Parliament at the suggestion of one-fourth of all members of Parliament.

The revision or amendments of the Constitution shall be effected by a constitutional law passed by the Parliament with a two-thirds majority of all members of Parliament.

Article 133. The revision or amendments of the Constitution shall be prohibited while the country is in the state of emergency as defined in Article 86.

Article 134. The revision or amendments of the Constitution may not be effected if they affect the multiparty liberal democratic system and the constitutional monarchy. [This article is not contained in the Cambodian version of the Constitution carried by Phnom Penh National Voice of Cambodia Radio Network in Cambodia on at 2300 GMT on 5 October]

#### CHAPTER 14—TRANSITORY PROVISIONS

Article 135. After this Constitution is adopted, it shall be declared in force immediately by the head of state of Cambodia. [In the version carried by Phnom Penh radio on 5 October at 2300 GMT, this article reads: "Article 135. After this Constitution is adopted, it shall be promulgated by the head of state of Cambodia."]

Article 136. Once this Constitution takes effect the Constituent Assembly shall become the Parliament. The internal regulations of the Parliament shall take effect after being adopted by the Parliament.

In the case where the Parliament is not yet functional, the chairman, first vice chairman, and second vice chairman of the Constitution Assembly shall participate in the discharge of duties in the Throne Council if required by the situation in the country. [The preceding paragraph is not contained in the Phnom Penh radio version broadcast at 2300 GMT on 5 October]

Article 137. After this Constitution takes effect, the king shall be selected in accordance with conditions stipulated in Articles 13 and 14.

Article 138. After this Constitution takes effect and during the first legislature, the king of the Kingdom of Cambodia shall appoint a first prime minister and a second prime minister to form the Royal Government

after securing the consent of the chairman and two vice chairmen of the Parliament.

The co-prime ministers existing before [Phnom Penh radio version omits preceding word "before"] the adoption of this Constitution shall become members of the committee [as published] and the Throne Council stipulated in Articles 11 [as published] and 13 above.

Article 139. Laws and standard documents in Cambodia that safeguard state properties, rights and freedom, [the Phnom Penh radio version of this article broadcast at 2300 GMT on 5 October contains the word "life" after "rights, and freedom"] and an individual's lawful properties that are in conformity with national interests shall continue to be effective until altered or abrogated by new texts, except those provisions that are contrary to the spirit of this Constitution.

This Constitution was adopted by the Constitution Assembly in Phnom Penh on 21 September 1993 at its second plenary session.

Phnom Penh, 21 September 1993  
Chairman, Son Sann

#### Radio Welcomes New Thai Stand on Khmer Rouge

BK1610152593 Phnom Penh National Voice of Cambodia Radio Network in Cambodia 1300 GMT 16 Oct 93

[Unattributed "article": "Thailand Displays a Clearer Stand on the Khmer Rouge Issue"]

[Text] Recently, Air Chief Marshal Woranat Aphichari, supreme commander of the Thai Armed Forces, said Thailand would not recognize the Khmer Rouge, which has been outlawed by Phnom Penh as Cambodia now has a new government, adding that Thailand should recognize the government that has been established legally and would not recognize anyone who does not join that government.

At the same time, Thai Foreign Minister Prasong Sunsirir said that he would meet the Cambodian leaders in New York so as to discuss the repeated misunderstanding reported by Cambodian newspapers regarding Thailand's involvement with the Khmer Rouge.

These developments testify to Thailand's new endeavors to demonstrate its ever clearer position with regard to the Khmer Rouge.

His Excellency Hun Sen has said that any foreign support for the Khmer Rouge constitutes a violation of the Kingdom of Cambodia's sovereignty. Prasong will soon visit Phnom Penh to discuss his so-called resolution of any misunderstanding toward Thailand.