Keeping the Faith:
A Study of Freedom of Thought, Conscience, and Religion in ASEAN
Cambodia
**Cambodia**

<table>
<thead>
<tr>
<th><strong>Formal Name</strong></th>
<th>Kingdom of Cambodia</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capital City</strong></td>
<td>Phnom Penh</td>
</tr>
<tr>
<td><strong>Declared Relationship with Religion</strong></td>
<td>Buddhism is the state religion.¹</td>
</tr>
<tr>
<td><strong>Form of Government</strong></td>
<td>Cambodia has a unitary system of government. It is a constitutional monarchy, with a Prime Minister who is head of government and a King who is head of state. Legislative power is vested in two Chambers of Parliament, the National Assembly (Lower House) and the Senate (Upper House).</td>
</tr>
</tbody>
</table>
| **Regulation of Religion** | Citizens are free to choose their religion and belief, with the Constitution declaring as follows: 

"Khmer² citizens of either sex shall have the right to freedom of belief. 
Freedom of belief and religious worship shall be guaranteed by the State on the condition that such freedom does not affect other beliefs and religions or violate public order and security. 
Buddhism is the religion of the State."³ 
Acts of religious groups are however overseen by the Ministry of Cults and Religions. |
| **Total Population** | 15,458,332 (July 2014 est.)⁴ |
| **Religious Demography** | Buddhists 96% 
Muslims 3.5% 
Bahai, Jewish, Vietnamese Cao Dai, and Christians 0.5%⁵ |
| **Changing Religious Demography** | See table below. |

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¹ Art. 43, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia). English translation in Konrad-Adenauer-Stiftung, *Constitutionalism in Southeast Asia*, (Singapore: Konrad-Adenauer-Stiftung, 2010).

² The Khmer word “Khmer” can refer to the Khmer ethnic group or to Cambodian citizens. “Cambodian” might be the more accurate interpretation in this context. It should be noted that only the Khmer version of the Constitution is the “authentic” one and translations into English and French do not have an official character. See Oum Sarit, Secretary General, “Foreword” to English translation of the Constitution of the Kingdom of Cambodia, available at <http://www.crrt-cambodia.org/wp-content/uploads/2011/01/Constitution-of-the-kingdom-of-Cambodia-EN.pdf> accessed 1 October 2014.

³ Art. 43, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).


As seen in the chart above, the most recent US Department of State Reports show a decrease in numbers of the Bahai, Jewish, Vietnamese Cao Dai, and Christians from two per cent in 2008 to half a per cent in 2013. There is, however, no indication in the report that this decrease is due to suppression of religious freedom, and, in fact, the 2013 report notes that “the government generally respected religious freedom.”

INTRODUCTION

The Cambodian Constitution explicitly guarantees freedom of belief, with its practice to be limited only when it affects other beliefs and religions, or violates public order and security. While observers note the low representation of religious minorities, particularly of the Cham Muslims, in business and the government and “their perceived institutional and cultural barriers to full integration in society,” reports are overall positive. They generally note that respect for freedom of religion and worship is observed in practice. Sun Kim Hun, Secretary of State at the Ministry of Cults and Religions, attributed Cambodia’s success in protecting and promoting freedom of worship to the tolerant character of Buddhism, Cambodia’s state religion. “The enduring goal of Buddhism is peaceful and ‘Buddha says conquer anger with love.’”

The government, nonetheless, openly favours Buddhism, the declared official religion of Cambodia, and promotes it through observance of holidays, training and education of monks and others, and support for research and publication of

Table 1: Statistics of Religions from 2008-2013 (in per cent)

<table>
<thead>
<tr>
<th>Year</th>
<th>Buddhism</th>
<th>Islam</th>
<th>Christianity &amp; Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>93</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>2009</td>
<td>93</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>2010</td>
<td>93</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>2011</td>
<td>93</td>
<td>2.4</td>
<td>1.6</td>
</tr>
<tr>
<td>2012</td>
<td>93</td>
<td>2.4</td>
<td>1.6</td>
</tr>
<tr>
<td>2013</td>
<td>96</td>
<td>3.5</td>
<td>0.5</td>
</tr>
</tbody>
</table>


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6 Ibid.
7 Ibid.
10 Ibid.
materials on Khmer culture and Buddhist traditions.\textsuperscript{11} Religion is one of three elements of the national motto identified in the Cambodian Constitution, “Nation, Religion, King.”\textsuperscript{12} Thus, appreciation of and respect for Buddhism (along with Nation and King) is also included in the National Anthem of the Kingdom of Cambodia.

According to the Ministry of Cults and Religions, there are three major religions in Cambodia: Buddhism, Islam and Christianity. However, the vast majority of Cambodians are Buddhists,\textsuperscript{13} and there is “a close association between Buddhism and Khmer cultural traditions, identity, and daily life.”\textsuperscript{14} In fact, the US Department of State International Religious Freedom Reports indicate that the number of Buddhists in Cambodia increased from 93% to 96% in the last six years (2008-2013).

The following data from Cambodia’s Ministry of Cults and Religions, published in 2013, shows the number of places of worship, followers, schools, and associations of the different religions in the country.\textsuperscript{15} The available statistics from the Ministry appear to be incomplete, for instance there are no statistics on the number of citizens who have changed religions, nor the total number of followers of Theravada Buddhism. This may be due to the fact that there is no requirement for individuals to register their individual belief or religion.

Table 2: Statistics of Religions Being Practised in Cambodia, 2013

<table>
<thead>
<tr>
<th>Religions</th>
<th>Places of Worship</th>
<th>Followers</th>
<th>Schools</th>
<th>Associations and NGOS, Offices</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theravada Buddhism</td>
<td>- 4,688 pagodas</td>
<td>- 54,103 monks (Data did not include lay followers.)</td>
<td>- 775 Buddhist primary schools</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- 270 ashrams</td>
<td></td>
<td>- 35 Buddhist junior high schools</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- 17 Buddhist high schools,</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- 3 Buddhist universities</td>
<td></td>
</tr>
<tr>
<td>Islam</td>
<td>- 439 mosques</td>
<td>- 342,970</td>
<td>- 304</td>
<td>- 39</td>
</tr>
<tr>
<td></td>
<td>- 475 suravs\textsuperscript{15}</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\textsuperscript{11} Ibid.
\textsuperscript{12} Art. 4, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia). See also Constitutional Council, Decision No. 107/003/2009 CC.D Of December 23, 2009, 2.
\textsuperscript{14} U.S. Department of State, “Cambodia 2013 International Religious Freedom Report.”
\textsuperscript{16} Suravs are meeting places that have congregations of up to 40 persons and do not have a minbar (pulpit) from which Friday sermons are given. Bureau of Human Rights, Democracy, and Labor, U.S. Department of State, “Cambodia 2010 International Religious Freedom Report,” (17 November 2010), U.S. Department of State. <http://www.state.gov/j/drl/rls/irf/2010/148861.htm> accessed 14 September 2014.
### Historical Influences on Religious Practice

As indicated, a vast majority of Cambodian citizens are followers of Buddhism, specifically of the Theravada school. Historians trace the presence of Buddhism in Cambodia, with strong influences of Hinduism, to the time the Funan, the first significant polity in the Mekong region, was established. In the 13th century, Theravada Buddhism, as reintroduced from Sri Lanka, had spread throughout Cambodia, causing Hinduism and Mahayana Buddhism to disappear.  

Theravada Buddhism continued to thrive during Cambodia’s French colonization (1863-1941) and Japanese occupation (1941-1945). A form of Thai-based and reformed monastic fraternity, the Dhammayutika Nikāya or Thammayute kaknikay, meaning “the group who hold to the teachings [of the Buddha],” however emerged in the country.

In 1854, on King Ang Duong’s invitation, monks from Thailand brought some 80 bundles of sacred Thammayute kaknikay writings to Udong in Cambodia and the Thammayute kaknikay was established under royal patronage. The unformed majority became known as the Mahānikāya (also referred to as Mohanikay) or “order of long-standing habit.”

After the re-imposition of French rule in 1945, a new Constitution was promulgated in 1947. For the first time, Buddhism was established as the state religion and freedom of religion was guaranteed, provided that this freedom did not adversely affect public order.

Buddhism has since remained the state religion, except for the period when Cambodia was under the control of the Khmer Rouge (1975-1979). The Constitution issued in 1976 terminated Buddhism’s status as the religion of the state, although it maintained that Cambodians had freedom of religion and belief.

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<table>
<thead>
<tr>
<th>Christianities</th>
<th><strong>Christians</strong></th>
<th><strong>Protestants</strong></th>
<th><strong>Mahayanas</strong></th>
<th><strong>Mahayana Temples</strong></th>
<th><strong>Bahais</strong></th>
<th><strong>Cao Dais</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Christianity</td>
<td>- 55 Catholic churches</td>
<td>- 82,717</td>
<td>- 43 Catholic schools</td>
<td>- 504 Protestant schools</td>
<td>- 30 Catholic offices</td>
<td>- 947 Protestant offices</td>
</tr>
<tr>
<td>- 504 Protestant churches</td>
<td>- 24,353</td>
<td>- 95 Associations &amp; NGOs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mahayana</td>
<td>- 160 temples</td>
<td>- 10</td>
<td>- 160 temples</td>
<td>- 16 places of worship</td>
<td>- 160 temples</td>
<td>- 16 places of worship</td>
</tr>
<tr>
<td>- 24 places of worship</td>
<td>- 1,777</td>
<td>- 1,777</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bahai</td>
<td>- 25</td>
<td>- 25</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 6,168</td>
<td>- 6,168</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cao Dai</td>
<td>- 3</td>
<td>- 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 1,777</td>
<td>- 1,777</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Ministry of Cults and Religions, 7 February 2013

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17 Ian Harris, *Cambodian Buddhism: History and Practice* (Honolulu: University of Hawai’i Press, 2005), 4-7.
18 Ibid, 4.
20 Ian Harris, *Cambodian Buddhism: History and Practice*, 84.
21 Ibid, xii and 84-85.
23 Ibid, 174.
Every citizen of Kampuchea has the right to worship according to any religion and the right not to worship according to any religion.

Reactionary religion, which is detrimental to Democratic Kampuchea and Kampuchean people, is absolutely forbidden.”

Despite this proclamation, religious practice suffered severely during this period. Accounts narrate the execution of senior Buddhist monks, defrocking and evacuation of monks from their home monasteries to be put on hard labour along with the rest of the population, and execution of some of the country’s highest Muslim dignitaries.

Today, Theravada Buddhism in Cambodia is subdivided into the Orders of Theravada Buddhism Mohanikay and Theravada Buddhism Thammayute kaknikay. The Mohanikay continues to have more adherents than the Thammayute kaknikay. Because Buddhism is the state religion, the Chief Monks of the two Orders of Theravada Buddhism (Mohanikay and Thammayute kaknikay) are members of the Throne Council that is mandated to select the King. The Constitution does not require the King to be Buddhist. However, traditionally, all members of the Royal Family have been Buddhist and there are no reports of any conversion from Buddhism of any member of the Royal Family.

The Muslims in Cambodia, who are predominantly ethnic Chams, typically follow any of the following four branches of Islam: the Malay-influenced Shafi’i branch, practiced by as many as 90% of Muslims; the Saudi-Kuwaiti-influenced Salafi (Wahhabi) branch; the indigenous Iman-San branch; and the Kadiani branch. Islam is said to have arrived in the old kingdom of Champa in as early as the 9th century. Beginning in the 14th century, Islam became a part of the beliefs and religions of the Champa people. Presently, Islamic religious institutions, from mosques to Islamic schools, are found in practically all the provinces in Cambodia.

Even though Christianity came late to Cambodia, a number of Cambodians have in the past years converted to Christianity. According to the Phnom Penh Post, the first Protestant missionary arrived in 1923, translated the New Testament into Khmer by 1933 and published the whole Bible in 1953. By the 1970s, there were about 20,000 Christians in the country. Based on the statistics of the Ministry of Cults and Religions, there were 82,717 Christians in Cambodia in 2013.

25 Ian Harris, Cambodian Buddhism: History and Practice, 174-181.
26 Article 13-new (As amended March 1999), Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).
31 Ibid.
Administration of Religious Activities

Administratively, the King is the head of state for life, who shall rule according to the Constitution and the principles of liberal democracy and pluralism.\(^32\) The Prime Minister is the head of the Royal Government of Cambodia (also known as the Council of Ministers). The Ministry of Cults and Religions\(^33\) was established to direct and manage religious matters at all levels.\(^34\) Ministers and Secretaries of State, including the Minister of Cults and Religions, have a five-year mandate, similar to members of the National Assembly.

The territory of the Kingdom of Cambodia is administratively divided into the Capital, Provinces, Municipalities, Districts (Srok or khan), and Communes (Khum or Sangkat).\(^35\) The local units of the Ministry of Cults and Religions in the Capital and Provinces are called Departments of Cults and Religions. Those located in the Municipalities, Districts (Srok or Khan) and Communes (Khum or Sangkat) are called Offices of Cults and Religions.\(^36\)

The Departments and Offices of Cults and Religions direct and manage religious matters at their respective areas on behalf of the Ministry of Cults and Religions.

PART ONE: LEGISLATIVE AND POLICY FRAMEWORK

A. International Obligations

Article 31 of the Constitution states that,


Cambodia has ratified the following international human rights treaties, which have relevance to the freedom of thought, conscience, and religion:\(^37\)

As mentioned above, the Constitution recognizes “covenants and conventions related to human rights."\(^38\) Additionally, according to a 2007 decision of the Constitutional Council, international law is considered a source of Cambodian Law.\(^39\) However, the Constitution also provides that “[t]he National Assembly shall approve or repeal international treaties and conventions.”\(^40\) Further, it says that “the King shall sign and ratify international treaties and conventions after they have been approved by the National Assembly and the Senate.”\(^41\)

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\(^{32}\) Articles 1 and 7, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).


\(^{34}\) Article 4, Sub-decree No 154 ANKr/BK, 11 July 2011 (Cambodia).

\(^{35}\) Article 145- New (as amended in January 2008), Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).

\(^{36}\) Article 23, Sub-decree No 154 ANKr/BK, 11 July 2011 (Cambodia).


\(^{38}\) Article 31, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).


\(^{40}\) Article 90 - New (Two) (As amended March 2006), Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).

\(^{41}\) Ibid, Article 26 - New (As amended March 1999).
<table>
<thead>
<tr>
<th>International Document</th>
<th>Year of Signature</th>
<th>Year of Ratification or Accession (a)</th>
<th>Reservations / Declarations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convention on the Prevention and Punishment of the Crimes of Genocide</td>
<td></td>
<td>1950 (a)</td>
<td></td>
</tr>
<tr>
<td>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</td>
<td>1966</td>
<td>1983</td>
<td>None</td>
</tr>
<tr>
<td>International Covenant on Civil and Political Rights (ICCPR)</td>
<td>1980</td>
<td>1992</td>
<td>None</td>
</tr>
<tr>
<td>International Covenant on Economic, Social and Cultural Rights (ICESCR)</td>
<td>1980</td>
<td>1992</td>
<td>None</td>
</tr>
<tr>
<td>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</td>
<td>1980</td>
<td>1992</td>
<td>None</td>
</tr>
<tr>
<td>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)</td>
<td></td>
<td>1992 (a)</td>
<td>None</td>
</tr>
<tr>
<td>Convention on the Rights of the Child (CRC)</td>
<td></td>
<td>1992 (a)</td>
<td>None</td>
</tr>
<tr>
<td>International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW)</td>
<td>2004</td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>International Convention for the Protection of All Persons from Enforced Disappearance (CPED)</td>
<td></td>
<td>2013 (a)</td>
<td>None</td>
</tr>
<tr>
<td>Convention on the Rights of Persons with Disabilities  (CRPD)</td>
<td>2007</td>
<td>2012</td>
<td>None</td>
</tr>
<tr>
<td>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT)</td>
<td>2005</td>
<td>2007</td>
<td>None</td>
</tr>
</tbody>
</table>
The Constitution does not declare whether Cambodia follows a monist or dualist approach. In practice, in the absence of enabling legislation, courts are said to refuse to entertain claims that are directly based on international laws.\textsuperscript{42} This is consistent with the government’s preference for dualism, as expressed in its 1997 Report to the Committee on the Elimination of Racial Discrimination: “These covenants and conventions may not be directly invoked before the courts or administrative authorities. However, they provide a basis for the development of national legislation…”\textsuperscript{43}

B. Domestic Laws and Policies

Policies on religion and belief are derived from the various sources of law in Cambodia.\textsuperscript{44} The following are examples of laws and policies related to freedom of religion:

**Constitution**

The Constitution guarantees its citizens equal rights, regardless of religious belief, saying that:

> Khmer citizens shall be equal before the law, enjoying the same rights and freedom and obligations regardless of race, colour, sex, language, religious belief, political tendency, national 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 the law.\textsuperscript{45}

It further states that Cambodian citizens of either sex shall have the right to freedom of belief. “Freedom of belief and religious worship shall be guaranteed by the State on the condition that such freedom does not affect other beliefs and religions or violate public order and security.”\textsuperscript{46}

**Law on the Establishment of the Ministry of Cults and Religions**

The Ministry of Cults and Religions was established by Royal Kram No. NS/RKM/0196/19, promulgating the Law on the Establishment of Ministry of Cults and Religions, dated 24 January 1996. The Minister, a Secretary of State, and several Undersecretaries of State as necessary head the ministry.\textsuperscript{47} The Ministry of Cults and Religions is under the Royal Government of Cambodia and is tasked with directing and managing all cults and


\textsuperscript{44} These sources include the Constitution; Laws (Chbab) adopted by the National Assembly and the Senate, and promulgated by the King or the acting Head of State; Royal Decrees (Preah Reach Kret) proposed by the Council of Ministers and signed by the King or the acting Head of State; Sub-Decrees (Anu-Kret) or executive regulations prepared by relevant ministries, adopted by the Council of Ministers and signed by the Prime Minister; Proclamations (Prakas) or executive regulation issued at the ministerial levels and signed by the relevant ministers; Decisions (Sech Kdei Samrach) or executive regulations made by the Prime Minister and relevant ministers; Circulars (Sarachor) or administrative instructions used to clarify works and affairs of the ministries which are signed by the Prime Minister and relevant ministers; and Bylaws (Deika) which are legal rules approved by the Councils of Sub-National Levels (Capital Council, Provincial Councils, Municipal Councils, Districts Councils, Khans Councils, Sangkat Councils and Commune Councils).

\textsuperscript{45} Article 31, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).

\textsuperscript{46} Ibid, Article 43.

\textsuperscript{47} Article 3, Law on the Establishment of the Ministry of Cults and Religions (Cambodia).
religions in Cambodia.48

Sub-decree No 154 ANKr.BK on the Organization and Functioning of the Ministry of Cults and Religions

This sub-decree, dated 11 July 2011, provides a framework of administration of religious practice in Cambodia. The Ministry of Cults and Religions is structured according to three main units: Central Unit, Local Unit, and General Inspectorate of National Buddhist Studies.49

Within the Central Unit is the General Department of Religious Affairs (GDRA),50 which in turn is sub-divided into the Department of Buddhist Affairs, Department of External Religions, Department of Research and Dissemination of Buddhism and Society, Department of Receiving Complaint and Settlement of Religious Disputes, and Buddhist Institute. The GDRA is mandated to perform a wide range of roles and duties, as follows:

i) Administer cults and matters related to Buddhism and External Religions,

ii) Manage, check and follow up activities of units under GDRA,

iii) Seek reasonable approaches to disseminate morals and prevent negative acts towards religions,

iv) Prepare policies for organization and functioning of all religions in Cambodia,

v) Organize, prepare and cooperate to research, education, and dissemination of Buddhism and preaches,

vi) Receive complaints and settlement of disputes related to religions,

vii) Prepare and implement action plans and programs on religions,

viii) Prepare and organize dissemination of Buddhism program related to society and bulletins of the ministry,

ix) Direct the Khmer Tradition Working Group,

x) Research and compare religious theories and religious linguistics,

xi) Strengthen and expand library, publish previous works, disseminate via journals and website,

xii) Encourage all religions to participate in social and economic development,

xiii) Promote the use of pagodas, temples, churches and mosques of all religions to become the centres for education of minds, morals, culture and society,

xiv) Maintain harmonization and freedom of all religions,

xv) Prepare a study and promote understanding of religions,

xvi) Prepare meetings of all national and international religions and promote interreligious network,

xvii) Coordinate aids and supports from national and international religious organizations,

xviii) Initiate laws and regulations related to management of religions by cooperation with relevant units and institutions,

xix) Make reports as required and technical reports to the management of the ministry, and

xx) Implement other tasks required by the ministry.51

The Local Unit is sub-divided according to the administrative divisions in Cambodia as described

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48 Ibid, Articles 1 and 2.

49 Article 6, Sub-decree No 154 ANKr.BK on the Organization and Functioning of the Ministry of Cults and Religions, 11 July 2011 (Cambodia).

50 Ibid, Article 6(1).

51 Ibid, Article 8.
above. It performs the roles and duties of the Ministry of Cults and Religions at the capital, provincial, municipal, district, and khan levels.\textsuperscript{52}

The General Inspectorate of Buddhist Studies has a separate resource from the national budget pursuant to an annual budget plan of the Ministry. It is sub-divided into a Unit on Buddhist Studies and Dhamma Primary School, a Unit on Buddhist High School, a Unit on Higher and Post-Higher Buddhist Education, and an Administrative and Accounting Unit.\textsuperscript{53}

\textbf{National Strategic Development Plan 2014-2018}

According to the National Strategic Development Plan 2014-2018 (NSDP 2014-2018), the Ministry of Cults and Religions will continue to actively promote the role of the family and adherence to the traditional religious values of the Kingdom.\textsuperscript{54}

The NSDP 2014-2018 says that the Ministry has established a programme, "Buddhism and Society," which invites religious scholars to give sermons every Buddhist-saint day (four times a month) with the purpose of mainstreaming Buddhism to raise the “awareness of morality value” and “avoiding the use of drug, domestic violence, pornography, sexual trafficking, and teenager violence.” Such programmes have been aired on 22 state-run and private radio and television stations. At the same time, the Ministry also encouraged other religions to provide morality education through their own religious services so as to contribute to the development of the nation.

Section 4.34 of the NSDP 2014-2018 states that, in the Fifth Legislature, the Ministry of Cults and Religions will “[r]espect the freedom of holding other beliefs and practicing other religions and will improve Buddhism which is a State religion.” This will be done through “renewal of strengthening and expanding all levels of Buddhist schools, publication of religious texts, annotated texts, rules, and Dhamma discipline practice.”

Equally, the Strategic Plan aims to impart a culture of peace and states that the Ministry of Cults and Religions “[s]upports other religions’ activities in the society, strengthens the harmonization amongst all religious holders of all religion, fight against any discrimination or split amongst the people arising from their different religious views.”

\textbf{1997 Labour Law}

The 1997 Labour Law prohibits discrimination on the basis of creed or religion in making decisions on hiring, defining and assigning work, vocational training, advancement, promotion, remuneration, granting of social benefits, discipline or termination of the employment contract.\textsuperscript{55}

\textbf{2011 Criminal Code}

The 2011 Criminal Code prohibits and penalises acts that constitute “Infringement on State Religion.”\textsuperscript{56}

This includes provisions penalising:

1. \textit{Offences against Buddhism} - This offence includes celebration of Buddhist ceremony without authorization, theft of object dedicated to Buddhism, and damaging religious premises or dedicated objects.\textsuperscript{57}

2. \textit{Offences against Buddhist monks and nuns and or laymen} – This provision penalises intentional violence or insults inflicted on monks and nuns

\textsuperscript{52} Ibid, Article 23.
\textsuperscript{53} Ibid, Article 24.
\textsuperscript{55} Article 12, Labour Law (Cambodia).
\textsuperscript{56} Chapter 5 (Offense against State Religion: Article 508-515), Criminal Code (Cambodia).
\textsuperscript{57} Ibid, Articles 508-512.
and or laymen.\textsuperscript{58}

The Criminal Code also criminalises discrimination on the basis of a “person’s belonging to or not belonging to a specified religion” committed through:

1. Acts of Refusing to Supply Goods or Service,\textsuperscript{59}
2. Conditional Provision of Goods or Service,\textsuperscript{60}
3. Acts of Refusing to Hire a Person,\textsuperscript{61}
4. Acts of Refusing Employment of a Person,\textsuperscript{62}
5. Dismissal or Discharge based on Discrimination,\textsuperscript{63}
6. Discrimination and Denial of Rights by Civil Servants.\textsuperscript{64}

Legal entities may be held criminally responsible for the offences of Acts of Refusing to Supply Goods or Service, and Dismissal or Discharge based on Discrimination.\textsuperscript{65}

\textbf{The Code of Criminal Procedures}

The Code of Criminal Procedures states that “Criminal actions apply to all natural persons or legal entities regardless of race, nationality, colour, sex, language, creed, religion, political tendency, national origin, social status, resources or other status.”\textsuperscript{66} The Code of Criminal Procedures allows witnesses and parties concerned with the criminal case to take an oath according to their own religion and belief. For example, translators/interpreters of written records of complaints received by judicial police officers swear according to his/her belief or religion that he/she will translate the written record accurately.\textsuperscript{67}

Similar provisions indicating respect of the concerned person’s freedom of religion and belief are also made in other steps of the proceeding, such as during a scientific or technological examination,\textsuperscript{68} record of interrogation (Preliminary Inquiry),\textsuperscript{69} assistance of interpreter or translator,\textsuperscript{70} oath of witnesses,\textsuperscript{71} assistance by experts listed in the national list of experts,\textsuperscript{72} rules for interrogation by Judicial Police Officer,\textsuperscript{73} and use of translators to assist deaf and mute persons.\textsuperscript{74}

\textbf{The Religious Freedom and Harmony Policy and Practice}

The Cambodian government, as can be seen in its Constitution, has adopted a policy of religious freedom and harmony. Consequently, people are able to practice a number of religions in addition to the traditional Theravada Buddhism. Despite the various religions and beliefs, only three main religions have played crucial roles in Cambodian society, namely Buddhism, Islam, and Christianity. At the time of writing this report, there is no ongoing religious dispute in Cambodia.

An author has commented that the constitutional guarantee of freedom of religion and parliamentary democracy, as well as the electoral strength of the Muslims, has “enabled the re-organization of Islam

\begin{itemize}
  \item \textsuperscript{58} Ibid, Articles 513-516.
  \item \textsuperscript{59} Ibid, Article 265.
  \item \textsuperscript{60} Ibid, Article 266.
  \item \textsuperscript{61} Ibid, Article 267.
  \item \textsuperscript{62} Ibid, Article 268.
  \item \textsuperscript{63} Ibid, Article 269.
  \item \textsuperscript{64} Ibid, Article 270.
  \item \textsuperscript{65} Ibid, Article 273.
  \item \textsuperscript{66} Article 3, Code of Criminal Procedures (Cambodia).
  \item \textsuperscript{67} Ibid, Article 72 (Police Record).
  \item \textsuperscript{68} Ibid, Article 95.
  \item \textsuperscript{69} Ibid, Article 115.
  \item \textsuperscript{70} Ibid, Articles 144 and 330.
  \item \textsuperscript{71} Ibid, Articles 154 and 328.
  \item \textsuperscript{72} Ibid, Article 163.
  \item \textsuperscript{73} Ibid, Article 179.
  \item \textsuperscript{74} Ibid, Article 331.
\end{itemize}
to take place to give it a more tangible, public and positive role within the new Cambodia.75 There are no reports to indicate the overall impact of Cambodian Christians and their potential to shape the direction of Cambodian society. Nonetheless, a senior pastor of the Presbyterian Church in Phnom Penh said “Christianity has played an important role in changing people by educating their minds and changing their attitudes to live their lives in a better way.”76

There are no laws defining or penalising atheism, non-religion, blasphemy, deviant behaviour or heresy. Literature is largely silent regarding the acceptance of persons with atheist or agnostic views in Cambodian society.

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2. Right to manifest one’s religion or belief

a. Freedom to worship

There is no restriction on freedom of worship in Cambodia for both Buddhism and External Religions. A 2014 report indicated that the government does not interfere with worship or other religious practices.79

People have freedom to worship and they can decide where to worship, either at home or at any sacred place based on their tradition, culture and ethnicity. Belief and religious worship is protected by the Constitution, provided that this freedom does “not affect other beliefs and religions or violate public order and security.”80 The Constitutional Council said this means that:

[The State shall guarantee the freedom of belief and religious practice to be able to proceed as usual, but this freedom and worship shall also have limitation. The exercise of freedom and the practice of belief and religion must not impinge on other beliefs or religions, and must respect the freedom and the practice of beliefs or religions of other people as well. Furthermore, the exercise of freedom and the practice of belief and religion must not impinge on public order and security at all cost.]81

The Ministry of Cults and Religions lists five “External Religions,” particularly Islam, Christianity, Mahayana Buddhism, Bahai and Cao Dai. Islam and Christianity are ranked first and second respectively in terms of population of followers among the External Religions. (See charts below.)
b. Places of worship

Currently, there is no restriction on the right to build, renovate and maintain places of worship for both Buddhism and External Religions. However, permission from the government agencies, in particular the Ministry of Cults and Religions, is required.

The government distinguishes between “places of worship” and “offices of prayer.” The establishment of a place of worship requires that the founders own the building and the land on which it is located. The facility must have a minimum capacity of 200 persons, and the permit application requires the support of at least 100 congregants. An office of prayer, in contrast, can be located in rented facilities or on rented property and does not require a minimum capacity. The permit application for an office of prayer requires the support of only 20 congregants.

Places of worship must be located at least two kilometres (1.2 miles) from each other and may not be used for political purposes or to house criminals or fugitives. The distance requirement applies only to the construction of new places of worship and not to offices of religious organizations or prayer. The US Department of State notes that “There are

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82 Includes only Muslims above 15 years old.


84 Ibid.

85 Ibid.
no documented cases in which the directive was used to bar a church or mosque from constructing a new facility.\textsuperscript{86}

Specifically with regard to Buddhists, permission to build a new pagoda\textsuperscript{87} or renovate a pagoda\textsuperscript{88} is made by a decision of the Ministry of Cults and Religions. According to the current practice, the process to build or renovate a new pagoda comprises of the following steps: i) A Request from the Management Committee of the Pagoda or communities where a pagoda is built or renovated, ii) Approval of the request by the District Governor, iii) Approval from Director of Provincial Department of Cults and Religions, iv) Approval from Governor of Province and v) Decision of the Minister of Cults and Religion.\textsuperscript{89}

Cambodian Land Law 2001 provides a concept of collective ownership of Buddhist monasteries. Immovable properties of land and structures existing within the premises of Buddhist monasteries are a patrimony allocated in perpetuity to the Buddhist religion and are available to its followers, under the care of the Pagoda Committee. Procedures to select the Pagoda Committee and its representatives to protect the pagoda's interest shall be determined by a Prakas (regulation) of the Ministry of Cults and Religions. According to the Land Law, immovable property of religious monasteries cannot be sold, exchanged or donated and is not subject to prescription. However, immovable property of monasteries may be rented or sharecropped on condition that the income from such rental or sharecropping shall be used only for religious affairs.\textsuperscript{90}

As regards non-Buddhists, the Land Law stipulates that their religious places and properties shall be managed by an association of persons of these religions created under the provisions of law and they are not subject to the regime of collective ownership of the Land Law like Buddhist monasteries.\textsuperscript{91}

The following figures from the Ministry of Cults and Religions give the number of religious places in Cambodia:

<table>
<thead>
<tr>
<th>Religions</th>
<th>Religious Places</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theravada Buddhism</td>
<td>- 4,688 pagodas</td>
</tr>
<tr>
<td></td>
<td>- 207 ashram</td>
</tr>
<tr>
<td>Islam</td>
<td>- 439 mosques</td>
</tr>
<tr>
<td></td>
<td>- 475 suravs</td>
</tr>
<tr>
<td></td>
<td>- 914 places of worship</td>
</tr>
<tr>
<td>Christianity</td>
<td>- 55 Catholic Churches</td>
</tr>
<tr>
<td></td>
<td>- 430 Jehovah’s witnesses churches (Yehova)</td>
</tr>
<tr>
<td></td>
<td>- 1514 Christian places of worship</td>
</tr>
</tbody>
</table>

\textsuperscript{86} Ibid.
\textsuperscript{87} Decision No 157-KTS-SR on Construction of a New Pagoda in Prey Veng Province, May 27, 2002.
\textsuperscript{88} Decision No 154-KTS-SR Renovation of a New Pagoda in Svay Reang Province, May 27, 2002.
\textsuperscript{90} Article 20-21, Land Law, 2001 (Cambodia).
\textsuperscript{91} Article 22, Land Law (2001) (Cambodia).
Keeping the Faith: A Study of Freedom of Thought, Conscience, and Religion in ASEAN

Cambodia

c. Religious symbols

Each religion can have and use religious symbols. The wearing of religious symbols, such as head coverings for women, is not regulated by law or by any level of the government. Buddhists can place their religious symbols at homes, pagodas, places of work, and at other places appropriate for their worship. Followers of External Religions can exercise the same rights.

In 2008, Prime Minister Hun Sen made a public speech allowing Cambodian Muslim students to wear Islamic attire in class. Education regulations require male students to wear blue pants and a white shirt, and females to wear a blue skirt and white shirt. Despite contradiction with education regulations, civil society and opposition politicians supported this move because it enables more Islamic people to have access to education.

<table>
<thead>
<tr>
<th>Religion</th>
<th>Temples/Places of Worship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mahayana Buddhism</td>
<td>- 30 Miloe temples</td>
</tr>
<tr>
<td></td>
<td>- 2 Khong Moeng temples</td>
</tr>
<tr>
<td></td>
<td>- 28 Kong Syim temples</td>
</tr>
<tr>
<td></td>
<td>- 18 Chinese Neak Ta places</td>
</tr>
<tr>
<td></td>
<td>- 1 Japanese temple</td>
</tr>
<tr>
<td></td>
<td>- 25 Vietnamese temples</td>
</tr>
<tr>
<td></td>
<td>- 56 Y Kvantav temples</td>
</tr>
<tr>
<td>Bahai</td>
<td>- 25 Bahai temples</td>
</tr>
<tr>
<td></td>
<td>- 25 places of worship</td>
</tr>
<tr>
<td>Cao Dai</td>
<td>- 3 Cao Dai temples</td>
</tr>
<tr>
<td></td>
<td>- 4 places of worship</td>
</tr>
</tbody>
</table>

Table of religious symbols and places of worship in Cambodia

Theravada Buddhism
- 4,553 pagodas
- 53,257 Buddhist Monks

Order of Mohanikey
- 4,380 pagodas
- 51,872 Buddhist Monks

Order of Thammayute kaknikay
- 173 pagodas
- 1,385 Buddhist Monks

Source: Ministry of Cults and Religions, 7 February 2013

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d. Observance of holidays and days of rest

Religious public holidays in Cambodia are Visak Bochea Day (Buddha’s Birthday), Meak Bochea or Māgha Pūjā Day (commemorating a meeting where Buddha ordained 1,250 disciples and announced his passing away), Chaul Chnam Thmey (Khmer New Year), Phchum Ben Day (Ancestors’ Day), Water Festival, and Ploughing Festival. These official religious public holidays can be found in the Sub-decree on Annual Public Holiday of Civil Servants and Workers.94

Even though festivals of other religions are not official public holidays, the recent trend in Cambodia has shown that some employers and employees of public and private entities have practised those holidays without facing any punishment from the government. The Labour Law allows employees to use their annual leave during the Khmer New Year and permits both workers and employers to agree on the usage of their annual leave.

Article 170. In principle, annual leave is normally given for the Khmer New Year unless there is a different agreement between the employer and the worker. In this case, the employer must inform the Labour Inspector of this arrangement.

In every case of the paid annual leave exceeding fifteen days, employers have the right to grant the remaining days off at another time of the year, except for the leave for children and apprentices less than eighteen years of age.95

As a result, employers and workers have the flexibility to decide when to use an annual leave. For example, some private universities and companies allow their workers to take a leave during the Chinese New Year and Christmas holiday.

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94 See Sub-decree No 487 ANKr.BK on Annual Public Holiday for Civil Servants and Workers in 2014, October 16, 2013 (Cambodia).
95 Article 170, Labour Law (Cambodia).
97 Royal Decree No. PS/RKT/0406/200 on the Appointment of Samdech Preh Moha Sanghareach of Order of Mohanikay of the Kingdom of Cambodia, April 29, 2006 (Cambodia); King’s nomination letter of Samdech Preh Moha Sanghareach of Order of Thammayute kaknikay, December 7, 1991; Royal Decree No. NS/RKT/0506/207 on the Establishment of Kehnak Sangkha Neayok of the Kingdom of Cambodia and Appointment of Composition of Kehnak Sangkha Neayok of the Kingdom of Cambodia, May 4, 2006 (Cambodia).
f. Teaching and disseminating materials (including missionary activity)

The Constitution requires the state to establish a comprehensive and standardized educational system that guarantees the freedom to operate educational institutions and equal access to education to ensure that all citizens have an equal opportunity to earn a living. In relation to religious education, Cambodia favours Buddhist teachings and the Constitution states that “The State shall help promote and develop Pali schools and Buddhist institutes.” In fact, the General Department of Religious Affairs of the Ministry of Cults and Religions is mandated to “Organize, prepare and cooperate to research, education, and dissemination of Buddhism and preaches.”

The standard curriculum on civic education, although focusing more on Buddhism, contains lessons on various faiths and includes a lesson on “Harmony of Religious.” All students in public schools attend the lessons. Below is a summary of the religious teachings found in public school curriculums for Grades 7 to 12:

<table>
<thead>
<tr>
<th>Grades</th>
<th>Contents of teaching</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Chapter 6: Religions</td>
</tr>
<tr>
<td></td>
<td>Lesson 1: Birth of Buddhism</td>
</tr>
<tr>
<td></td>
<td>Lesson 2: Some main Teachings of Buddhism</td>
</tr>
<tr>
<td></td>
<td>Lesson 3: Birth of Hinduism</td>
</tr>
<tr>
<td></td>
<td>Lesson 4: Some main Teachings of Hinduism</td>
</tr>
<tr>
<td>8</td>
<td>Chapter 4: Beliefs</td>
</tr>
<tr>
<td></td>
<td>Lesson 1: Christianity</td>
</tr>
<tr>
<td></td>
<td>Lesson 2: Islam</td>
</tr>
<tr>
<td>9</td>
<td>Chapter 1: Inter-relation with others</td>
</tr>
<tr>
<td></td>
<td>Lesson 3: Beliefs and Rituals in Khmer Culture</td>
</tr>
<tr>
<td>10</td>
<td>(No religious teachings are indicated for Grade 10.)</td>
</tr>
<tr>
<td>11</td>
<td>Chapter 2: Culture of Peace</td>
</tr>
<tr>
<td></td>
<td>Lesson 1: History of Religions</td>
</tr>
<tr>
<td></td>
<td>Lesson 2: Buddhist Monks and the State</td>
</tr>
<tr>
<td></td>
<td>Lesson 3: Pagodas and Monks in Cambodia</td>
</tr>
<tr>
<td></td>
<td>Lesson 4: Monkhood in Theravada Buddhism</td>
</tr>
<tr>
<td></td>
<td>Lesson 5: Mahayana Buddhism</td>
</tr>
<tr>
<td></td>
<td>Lesson 6: Priesthood in Christianity</td>
</tr>
<tr>
<td></td>
<td>Lesson 7: Priesthood in Islam</td>
</tr>
<tr>
<td></td>
<td>Lesson 8: Priesthood in Tao</td>
</tr>
<tr>
<td></td>
<td>Lesson 9: Practice of religions in Cambodia</td>
</tr>
<tr>
<td>12</td>
<td>Chapter 2: Culture of Peace</td>
</tr>
<tr>
<td></td>
<td>Lesson 1: 38 Happiness of Buddhism</td>
</tr>
<tr>
<td></td>
<td>Lesson 2: Harmony of Religions</td>
</tr>
<tr>
<td></td>
<td>Lesson 8: Human Rights in the View of Buddhism</td>
</tr>
</tbody>
</table>

Private institutions may provide non-Buddhist religious instruction. As can be seen in the chart below, a number of religious schools operate in Cambodia.

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99 Article 66, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).
100 Ibid, Article 68.
101 Article 8, Sub-decree No 154 ANKr.BK on the Organization and Functioning of the Ministry of Cults and Religions, 11 July 2011 (Cambodia).
102 Ministry of Education, Youth and Sport, Civic Education Grade 7 (Publishing and Distribution House: Phnom Penh, 2009).
Religious Schools in Cambodia

<table>
<thead>
<tr>
<th>Religion</th>
<th>Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theravada Buddhism</td>
<td>- 775 Buddhist primary schools</td>
</tr>
<tr>
<td></td>
<td>- 35 Buddhist junior high schools</td>
</tr>
<tr>
<td></td>
<td>- 17 Buddhist high schools</td>
</tr>
<tr>
<td></td>
<td>- 3 Buddhist universities</td>
</tr>
<tr>
<td>Islam</td>
<td>- 304</td>
</tr>
<tr>
<td>Christianity</td>
<td>- 43 Catholic schools</td>
</tr>
<tr>
<td></td>
<td>- 504 Protestant schools</td>
</tr>
<tr>
<td>Mahayana Buddhism</td>
<td>- 3 Miloe schools</td>
</tr>
<tr>
<td></td>
<td>- 1 Khong Moeng school</td>
</tr>
<tr>
<td></td>
<td>- 1 Kong Syim school</td>
</tr>
<tr>
<td></td>
<td>- 1 Vietnamese religious school</td>
</tr>
<tr>
<td></td>
<td>- 4 Y Kvantav schools</td>
</tr>
<tr>
<td>Bahai</td>
<td>- 1</td>
</tr>
<tr>
<td>Cao Dai</td>
<td>- 1</td>
</tr>
</tbody>
</table>

The Pew report indicated that the government does not limit proselytization and that public preaching is also not limited by the government. The report however indicated that religious literature or broadcasting are limited by the government. This is possibly because, in June 2007, the Ministry of Cults and Religions had issued a directive banning people from door-to-door proselytizing because “it disturbs people’s daily lives and affects security in society,” limiting the distribution of religious literature to within religious institutions.

g. The right of parents to ensure the religious and moral education of their children

The Constitution states that “Parents shall have the duty to take care of and educate their children to become good citizens.” Cambodian parents are able to oversee the religious and moral education of their children and, during religious festivals, children generally go to pagodas with their parents. Families whose religion is among the External Religions teach their children according to their respective beliefs. No reports of children being forced by their parents to follow any religion, nor of parents being prohibited from overseeing the religious education of their children, were found.

h. Registration

Administration of religions is the mandate of the Ministry of Cults and Religions. The Sub-decree on the Organization and Functioning of the Ministry of Cults and Religions provides that Buddhism is under the supervision of the Department of Buddhist Affairs, whereas other religions are under the supervision of Department of External Religions Affairs. Each department is in charge of all registration of religious organization, inventory

110 Ibid, 9.
of properties, religious schools, statistics of disciples, etc. Individuals, however, are not required to register his or her religion at the Ministry of Cults and Religions.

i. Communicate with individuals and communities on religious matters at the national and international level

So long as acts of believers do not fall within the limitation set by the Constitution, they are not restricted from communicating with individuals and communities on religious matters. Each religious group can exercise their right to establish international cooperation with religious groups or organizations in other countries as long as they comply with the national laws.

j. Establish and maintain charitable and humanitarian institutions/solicit and receive funding

The Cambodian Constitution states that Khmer citizens have the right to establish an association and this right is determined by law. At the time of writing this report, the Law on NGOs and Association is still at the drafting stage. Therefore, requirements for establishing a charitable or a humanitarian organization are not yet clearly determined. In practice, charitable or humanitarian organizations are freely established and operate in the Kingdom of Cambodia. Based on the current practice, three ministries are in charge of religious organizations. The Ministry of Cults and Religions is the main ministry in charge of religious affairs. The Ministry of Interior is in charge of local religious non-governmental organizations or associations, while the Ministry of Foreign Affairs and International Cooperation is in charge of international non-governmental organizations.\(^{118}\)

k. Conscientious objection

The Law on the General Statute of Military Personnel of the Royal Cambodian Armed Forces provides that all military personnel shall enjoy freedom of philosophical and religious belief as well as political conviction; but they shall not express publicly their ideas. The law says that this restriction shall not forbid the free practice of religion within the military premises and the vessels of the Navy.\(^{119}\) There is currently no report related to conscientious objection in Cambodia that would demonstrate how this law is put into practice. The Law on Police in Cambodia is still in the drafting stage and it is too early to make a judgement on conscientious objection in the police services.

3. Freedom from intolerance and discrimination

The Cambodian Labour Law prohibits discrimination on the basis of religion.\(^{120}\) It forbids employers from taking into account the religious beliefs of individuals in making decisions on hiring, defining and assigning work, vocational training, advancement, promotion, remuneration, granting of social benefits, discipline or termination of employment contract.\(^{121}\) An author notes that Cambodia is successful in protecting and promoting freedom of worship, in line with the tolerant character of Buddhism as “the enduring goal of Buddhism is peaceful” and “Buddha says conquer anger with love.”\(^{122}\)

\(^{116}\) Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).


\(^{118}\) Ibid, see also Article 28.


\(^{120}\) Article 12, Labour Law (Cambodia).

\(^{121}\) Ibid, Article 12.

A policy of the Cambodian government is to accommodate all religions, and for them to work together and live peacefully with each other in society. The Cambodian Press Law requires all associations of journalists to develop their own codes of conduct and comply with 10 Basic Principles, which includes religious principles. The Cambodian Press Law instructs journalists to avoid any publication that incites discrimination against race, colours, gender, language, beliefs, opinions or political tendency, birth, social status, wealth or other status.123

4. **Right of vulnerable groups to freedom of religion and belief**

There is no law restricting the freedom of religion and belief of vulnerable groups in Cambodia. Women, children, migrant workers, persons deprived of their liberty, and minorities are free to choose their religion and their choices are respected.

a. **Women**

The Constitution of the Kingdom of Cambodia enshrines equal rights for women and men in all aspects of life, including the right to freedom of belief.124 Consequently, the rights of women have been integrated into a number of national policies and legislations.125 However, these policies and legislations are not specifically related to the exercise of religion or belief. At present, there are no statistics showing the ratio of female Buddhists to male Buddhists, but such information concerning followers of External Religions is available and can be seen in the chart below.

<table>
<thead>
<tr>
<th>Religions</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Islam</td>
<td>164,672</td>
<td>50,000</td>
</tr>
<tr>
<td>Christianity</td>
<td>40,625</td>
<td>13,087</td>
</tr>
<tr>
<td>Mahayana</td>
<td>12,288</td>
<td>3,426</td>
</tr>
<tr>
<td>Baha</td>
<td>2,742</td>
<td>1,021</td>
</tr>
<tr>
<td>Cao Dai</td>
<td>178,318</td>
<td>756</td>
</tr>
</tbody>
</table>

Source: Ministry of Cults and Religions, 7 February 2013

123 Article 7, Law on Press, 1995 (Cambodia).
124 Article 43, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).
b. Children

Cambodia is a party to the Convention of the Rights of the Child and the Constitution requires parents to take care of and educate their children to be good citizens. There is no specific law related to children’s freedom of religion. Generally, children practise the same religion as their parents. There are no reported cases relating to the practice of religious freedom of children.

c. Migrant workers

The Cambodian Immigration Law states that non-Khmer persons shall not be discriminated on the basis of nationality, belief, religion and or origin of birth. Foreigners who legally enter and work in Cambodia as migrant workers enjoy freedom of religion like Cambodian citizens, as long the practice does not violate Article 43 of the Constitution.

d. Persons deprived of their liberty

For persons deprived of their liberty, Article 29 of Law on Prison (2011) states that detainees have rights to practise their religion and belief, and they shall not be forced to practise any religion. “Detainee” refers to an accused person, a guilty person, or a prisoner who was sent to be detained in the prison by the court.

According to the Phnom Penh Post, in January 2014, detainees at Banteay Meanchey Provincial Prison joined forces with prison officials to pay for the construction of the first Buddhist worship hall in a Cambodian penitentiary. Buddhist monks are allowed to visit the prison to preach the dharma and teach the prisoners about discipline in order for them to psychologically mature and to attempt to make peace with the crimes they had committed. This kind of initiative is supported by NGOs, who urge that the right to worship not be restricted to privileged groups of prisoners alone and that “measures should be put in place to ensure everyone has the opportunity to worship, this should include pre-trial detainees.”

e. Refugees

There is no specific law regulating the rights of refugees in Cambodia, despite the country’s ratification of the Convention relating to the Status of Refugees. Currently, there is no refugee camp in Cambodia. However, the Phnom Penh Post reported that the Cambodian government has “agreed in principle” to a controversial refugee resettlement scheme with Australia.

f. Minorities

Indigenous peoples in Cambodia enjoy the same guarantee of freedom of religion and belief stipulated in the 1993 Constitution. There are no particular legal provisions specifically protecting the freedom of religion of indigenous peoples. The Cambodian Land Law defines an indigenous community as a group of people who reside in the territory of the Kingdom of Cambodia whose members manifest ethnic, social, cultural and economic unity and practise a traditional lifestyle, and who cultivate the lands in their possession according to customary rules of collective use. Prior to the determination of their legal status under a law on communities, the groups currently existing shall continue to manage their community and immovable properties according to their traditional customs.

126 Article 47, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).
127 Article 2, Law on Immigration, 1994, (Cambodia).
131 Article 23, Land Law, 2001 (Cambodia).
As described above, Cham Muslims, Vietnamese, Chinese and Japanese in Cambodia are free to choose and practise their own religions and beliefs. While reports consistently indicate that minorities are not prevented from practicing their religion or belief, some commenters have nonetheless noted that the number of Cham Muslims who hold prominent positions in business and the government is proportionately low compared with those for other religious groups in the country.\textsuperscript{132}

C. Redress Mechanisms and Interpretation of Religious Freedom

1. Judiciary

At present, the Cambodian judiciary consists of the Supreme Court, the Appellate Court,\textsuperscript{133} the Capital Court, Provincial Courts, and the Military Court\textsuperscript{134} as well as the hybrid court, which is known as the Extraordinary Chambers in the Courts of Cambodia (ECCC).\textsuperscript{135} At the time of writing this article, three laws relating to the judiciary (Law on Court Organization, Law on Statute of Judges and Prosecutors and Law on Supreme Council of Magistracy) are tabled at the National Assembly.

In addition to these courts, there is a Constitutional Council (CC),\textsuperscript{136} which has the duty to safeguard and show respect for the Constitution, interpret the Constitution and laws adopted by the National Assembly (and reviewed completely by the Senate), and receive and decide on disputes concerning the election of members of the National Assembly and election of members of the Senate.\textsuperscript{137} As mentioned above, the Constitutional Council decides cases related to freedom of religion and Buddhism as a state religion.

2. Administrative Bodies

Religious matters are under the supervision of the Ministry of Cults and Religions. Receipt of complaints and dispute resolution related to religion are under the Department of Receiving Complaint and Settlement of Religious Disputes within the Ministry of Cults and Religions.\textsuperscript{138} This department is responsible for:

i) Receiving complaints and resolving disputes concerning other religions (see the discussion below on the Therak Saphea of Buddhism for resolution of disputes involving Buddhism);

ii) Examining, coordinating and solving disputes within the framework of the Buddhist sector at the request of Theravada Sangha Assembly (Saphea Sangha) of the Kingdom of Cambodia;

iii) Conducting examinations, investigations, monitoring and taking measures to prevent people from taking advantage of religion for their personal or group

\textsuperscript{132} U.S. Department of State, “Cambodia 2013 International Religious Freedom Report.”
\textsuperscript{133} Article 3, § 1, Law on the Organization and Activities of the Tribunal of the State of Cambodia (LOAT), 1993, (Cambodia).
\textsuperscript{134} Ibid, Article 2, § 1.
\textsuperscript{135} Law on the Establishment of the Extra Ordinary Chambers within the Court of Cambodia, 2004, (Cambodia).
\textsuperscript{136} Constitutional Council of Cambodia, Website, at http://www.ccc.gov.kh.
\textsuperscript{137} Articles 136, 137, and 141, Constitution of the Kingdom of Cambodia (As Amended), (Cambodia).
\textsuperscript{138} Article 12, Sub-Decree No 154 ANKr.BK on the Organization and Functioning of the Ministry of Cults and Religions, 11 July 2011, (Cambodia).
benefits or for any terrorist activities affecting the pure value of religions and society;

iv) Conducting investigations and monitoring any conflict involving pagodas’ immovable properties occurring inside or outside the temple, and to submit a report to the Ministry’s leadership for appropriate legal actions;

v) Preventing illegal grabbing of immovable properties, misappropriation of funds and other properties of pagoda for personal possession; and

vi) Performing other tasks as may from time to time be assigned by the General Department of Religious Affairs.

At the time of writing this report, no written record of resolved cases was readily available to use as basis to analyse how this department functions.

3. Independent Bodies

National Human Rights Institution

The term “National Human Rights Institution” in Cambodia is comprised of the National Assembly Commission on Human Rights (NACHR), the Senate Commission on Human Rights (SCHR), and Cambodian Human Rights Committee (CHRC). Until now, no cases relating to religion have been handled by NACHR, SCHR, or CHRC, since the administration and management of religion is under the mandate of the Ministry of Cults and Religions.

The Therak Saphea of Buddhism

The Therak Saphea of Buddhism of the Kingdom of Cambodia is the highest body created by sub-decree to solve all disputes relating to Buddhism in the country.\(^{139}\) The Therak Saphea of Buddhism of the Kingdom of Cambodia is composed of nine members: a chairman, three vice chairmen, a secretary and four members. The Therak Saphea of Buddhism is comprised of appointed Buddhist monks who hold high-ranking positions in the Buddhist Monk Cadre. There are Therak Saphea of Buddhism in the capital and provinces, as well as in the municipalities, districts and khans.\(^{140}\)

Comparing this structure to that of the ordinary courts, the Therak Saphea of Buddhism of the Kingdom of Cambodia is equivalent to the Supreme Court; the Therak Saphea of Buddhism in the Capital and Provinces is equivalent to the Appeal Court; and the Therak Saphea of Buddhism in the Municipalities, Districts and Khans is equivalent to the Courts of First Instance. There is, additionally, a body called Kenak Sangha Neayok of the Kingdom of Cambodia, with a rank lower than the Therak Saphea of Buddhism of the Kingdom of Cambodia but higher than the Therak Saphea of Buddhism in the Capital and Provinces.

The Therak Saphea of Buddhism of the Kingdom of Cambodia has jurisdiction throughout the country. It resolves disputes between Buddhist Monks, and also disputes between Buddhist Monks and laymen. It can mediate and make decisions based on Dharma Vinaya and the Laws of the Kingdom of Cambodia.\(^{141}\) It settles cases received from the Kenak Sangha Neayok of the Kingdom of Cambodia (which in turn receives cases from the Therak Saphea of Buddhism.

\(^{139}\) Article 1, Sub-Decree No 576 ANKr.BK on the Creation of Therak Saphea of Buddhism of the Kingdom of Cambodia, 26 August 2006, (Cambodia).

\(^{140}\) Sub-Decree No 34 ANKr.BK on the Creation of Therak Saphea of the Capital, Provinces, Municipalities, Districts and Khans, 6 February 2009, (Cambodia).

\(^{141}\) Article 2, Sub-decree No 576 ANKr.BK on the Creation of Therak Saphea of Buddhism of the Kingdom of Cambodia, 26 August 2006, (Cambodia).
Saphea below it) and performs other duties assigned by Samdech Preh Moha Sangha Reach.142

Decisions of the Therak Saphea of Buddhism of the Kingdom of Cambodia are final and binding.143 No timeframe is provided for the resolution of disputes before the Therak Saphea. Written records of cases settled by the Therak Saphea were not readily accessible at the time of writing of this report and, thus, no comprehensive assessment of the process could be made.

Table 6: Hierarchy of Dispute Resolution Processes

<table>
<thead>
<tr>
<th>Disputes Resolution Process in Buddhism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Therak Saphea of Buddhism of the Kingdom of Cambodia</td>
</tr>
<tr>
<td>Kenak Sangha Neayok of the Kingdom of Cambodia</td>
</tr>
<tr>
<td>Therak Saphea of Buddhism of Capital and Provinces</td>
</tr>
<tr>
<td>Therak Sophea of Buddhism in the Municipalities, Districts and Khans</td>
</tr>
</tbody>
</table>

When a monk commits an offense, he is disciplined or disrobed by the Pagoda Committee.

<table>
<thead>
<tr>
<th>Disputes Resolution Process for All Religions (Administrative Matters)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Cults and Religion (Department of Receiving Complaint and Dispute Resolution)</td>
</tr>
<tr>
<td>Department of Cults and Religions in the Capital and Provinces</td>
</tr>
<tr>
<td>Offices of Cults and Religion in Municipalities, Districts and Khans</td>
</tr>
</tbody>
</table>

Non-Religious Issues: Ordinary Courts

142 Ibid.
143 Article 2, Sub-decree No 34 ANKr.BK on the Creation of Therak Saphea of the Capital, Provinces, Municipalities, Districts and Khans, dated 6 February 2009, (Cambodia).
PART TWO: TRENDS IN RELIGIOUS FREEDOM

A. Significant Changes in the Law

Literature indicates that the Royal Government of Cambodia has strengthened the Buddhist institution and promotes healthy relations between Buddhism and External Religions. Recent changes in the law include the inclusion of offences against the state religion under the 2011 Criminal Code (see Part 1, B. Domestic Laws and Policies), the creation of the Therak Saphea of Buddhism to settle disputes between Buddhist Monks, as well as those between Buddhist Monks and laymen, and the recent decision of the Constitution Council expounding on Buddhism as the state religion. The decision of the Constitutional Council clarifies the limits on freedom of religion, in that the exercise of the right to freedom of religion shall not affect other people’s rights, national security and public order.144

As previously discussed, the Cambodian Criminal Code provides two types of offences against the state religion, namely 1) Offences against Buddhism145 and 2) Offences against Buddhist Monks, nuns and laymen.146 No records of actual cases involving these offenses were found during the course of research at the time of writing of this report.

B. Significant Changes in State Enforcement

In general, there have been no significant recent changes in the enforcement of laws and policies related to religion and belief in the country. The US Department of State International Religious Freedom Reports from 2008 to 2009 consistently said that the Constitution and other laws and policies protect religious freedom and the government generally respected religious freedom. The recent Pew report showed fairly steady Government Restriction Index (GRI), listing Cambodia as having a “moderate” GRI of 2.4 (with the range of 6.6-10.00 representing “Very High” levels of restrictions):

Pew Government Restriction Index147

<table>
<thead>
<tr>
<th>Baseline year, ending June 2007</th>
<th>Previous year, ending December 2011</th>
<th>Latest year, ending December 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.9</td>
<td>2.4</td>
<td>2.4</td>
</tr>
</tbody>
</table>

H.E. Min Khin, Cambodia’s Minister of Cults and Religions, said that the government has made great efforts to respect the religious beliefs of all of its inhabitants, including the Cham Muslim minority. “For students who respect Islam, we offer the right for them to wear either their school uniform or their religious clothes.” Furthermore, the government allowed Cham Muslims to broadcast religious programmes on radio and television in their own language. During an interview by the Phnom Penh Post, Sos Kamry, grand mufti of the High Commission of Islamic Affairs of Cambodia, said he had never experienced any pressure from the government to curb Islamic practices and contrasted the country’s stance with that of Singapore, which forbids mosques from using loudspeakers to broadcast the daily calls to prayer.148

In relation to the application of the law by the courts, in 2004, the Cambodian court sentenced Jemaah Islamiyah operative Riduan Isamuddin, or Hambali, and five others to life in prison for planning to bomb the US and British embassies in Phnom Penh. Three of the accused, including Riduan Isamuddin, were tried in absentia. The court’s verdict was welcomed by officials of the US and British embassies, who


145 This offence includes celebration of Buddhist ceremony without authorization, theft of object dedicated to Buddhism, and damaging religious premises or dedicated objects.

146 This provision penalises intentional violence or insults inflicted on monks and nuns and or laymen.

147 Pew Research Center, Religious Hostilities Reach Six-Year High, 62.

praised the Cambodian government’s effort to participate in the international fight against terrorist groups.  

Aside from this trial, the government also puts an effort to punish Buddhist monks who violate Buddhist rules. For instance, a monk was arrested, defrocked and sent to Banteay Meanchey Court for brutally torturing a nine year old pagoda boy under his tutelage over a period of several months. Authorities also raided the pagoda of Thean Vuthy, a man who reportedly claimed to be the fifth reincarnation of Buddha. The Ministry of Cults and Religions seized religious items that were on sale, including photographs and videos, and explained that Thean Vuthy used religion to cheat people and broke the religious code when he sat on the throne and allowed people to pay him their respects.

C. Significant Changes in Religious Claims

There are no significant religious claims being made by non-state actors. However, there was a controversial discussion on whether Buddhist monks shall be neutral or participate in activities to support political parties. Does the participation in demonstrations organised by a political party violate Buddhism?

The Cambodian Law on Political Parties allows religious followers to be members of any political party, but they cannot perform activities in support of or against any political party. The result of the 2013 National Election has led to the division of Buddhist monks into two groups, one that supports the ruling party and the other that supports the opposition. Each group alleged the other of violating rules of Buddhism and Cambodian laws. This situation highlights an area that could produce religious disputes among Buddhists.

Most recently, the Great Supreme Patriarch of Cambodia’s Mohanikay Buddhist sect, Venerable Tep Vong, called for monks not to vote or otherwise take part in the country’s elections. He also said that legislation is necessary to protect the religion’s image and urged the government to put the restrictions into law. Venerable Bour Kry, Supreme Patriarch of the Thammayute kaknikay, shared the same view and reportedly endorsed the call for a voting ban. A Member of Parliament has however noted that the Cambodian Constitution currently gives all persons 18 years old and above the right to vote; such calls to legally ban monks from voting will not only require revising election laws, but will need a constitutional amendment.

D. Significant Events of State Persecution of Religious Groups

Reports currently note that the present government generally respected religious freedom. However, there are allegations that crimes against religious freedom were committed during the Khmer Rouge regime from 1975-1979. Accounts say that pagodas were destroyed, Buddhist monks and nuns were disrobed, and some monks were threatened or killed if they did not follow and put their faith in Angkar
rather than in religion. With respect to the Cham Muslims, some testimonies attest that the Khmer Rouge prohibited the Cham from practising their religion and imprisoned or killed Cham religious leaders and elders.

In recent years, some Buddhist monks have become involved in political activities and/or human rights advocacy, and there have been instances when the government restricted their rights. In 2009, the Khmer Kampuchea Krom Human Rights Association indicated in a stakeholders’ submission to the Universal Periodic Review process that the authorities “crack[ed] down on Khmer Krom Buddhist monks whenever they demonstrated to promote human rights for the Khmer Kampuchea Krom people.”

Related to this, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Representative of the Secretary-General on the situation of human rights defenders had written a communication to the government after they received information that, on 8 June 2007, the Ministry of Cults and Religion and the Buddhist patriarch Non Nget issued a directive forbidding all monks living in Cambodia from organizing or participating in any demonstration or strike or carrying out Buddhist marches that affect public order. The directive also bars monks from providing false information which may affect Buddhist religion. The directive states that monks who do not respect the instructions strictly will be punished in accordance with Buddhist norms and national law. The directive was reportedly adopted after Khmer Kampuchea Krom monks carried out a series of peaceful demonstrations in Phnom Penh in February and April 2007 to advocate for the protection of the rights of the Khmer Krom, particularly in Vietnam, following the alleged defrocking and arrest of five Kampuchea Krom monks in that country. The government did not respond to the communication.

A more current example concerns Venerable Loun Sovath, the “multi-media monk” who documented the struggle of land rights activists and ordinary citizens evicted from their homes in Cambodia. He has been detained several times, threatened by the authorities to be defrocked, and expelled from his monastery. He has received threatening phone calls, including death threats. On May 24th this year, he was arrested in front of Phnom Penh courthouse for demonstrating in support of the 13 women activists tried in the Boeung Kak Lake case. Authorities tried to force him to sign a document stating that he would no longer continue his advocacy efforts. He refused and was later released.

While it is important to note that motivation for such government actions appear to be political rather than religious, the Cambodian Center for Human Rights has said that the government should not restrict religious freedom, “including when such actions stem from a wish to restrict political or...
civil rather than religious rights.”

E. Significant Events of Non-State Persecution of Religious Groups

The 2013 US Department of State report says that “there are no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.”

The recent Pew report cites Cambodia as one of seven countries that registered a marked decrease in social hostilities, saying that, “In Cambodia, for instance, violent conflict over land surrounding the ancient Hindu temple of Preah Vihear occurred during the first half of 2011, but no violence was reported in 2012.” Thus, Cambodia moved positively from an index of 1.5, which is classified as “moderate,” to 0.6, a “low” index.

Pew Social Hostilities Index

<table>
<thead>
<tr>
<th>Baseline year, ending June 2007</th>
<th>Previous year, ending December 2011</th>
<th>Latest year, ending December 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.8</td>
<td>1.5</td>
<td>0.6</td>
</tr>
</tbody>
</table>

F. Significant Events of Inter-Religious persecution

While there are no reports of current interreligious disputes, some conflicts have occurred between Buddhist and Christian followers in the past. In July 2003, there was the first-ever outbreak of religious conflict between Buddhists and Christians in Svay Rieng Province. A mob of 200 persons demonstrated on a Christian place of worship, and around 20 protesters, some armed with hammers, took part in the destruction of the church. “The villagers were very angry over the drought. The villagers blamed the church on the lack of rain in that village for three years.”

In 2004, a church in Prey Veng province was burned down by unknown arsonists.

In 2006, a Buddhist mob destroyed an unfinished church in Kandal Province. “Hundreds of villagers chanted ‘long live Buddhism’ and ‘down with Christianity’ as around 20 people knocked down and burned an unfinished Christian church being built in their village on Friday.” Villagers had supposedly become angry that the Christian community was building a second church in a commune that had only one pagoda. Some villagers said the tension went beyond building permits and the concern was that Christians were converting people and “[s]o villagers worry that Buddhism will die, and [they] have to fight against Christianity.”

No reports of conflict between Buddhist followers with those of other External Religions were found. Particularly with regard to the relations between Buddhists and Muslims, the Phnom Penh Post reported that, until now, relations have generally been harmonious, with Muslims and Buddhists


162 Pew Research Center, Religious Hostilities Reach Six-Year High, 62.


living side by side in villages.  

G. Significant Events of Terrorism and/or Terrorist Threats

Neither the government nor non-governmental organisations have linked domestic disputes to terrorist groups. However, in 2003, there were arrests and deportations of foreign Muslim teachers of Om Al Qura’s schools, which highlighted the potential terrorist threat in Cambodia. These events culminated in the conviction of Riduan Isamuddin, or Hambali, and five others, who were suspected of planning to bomb the US and British embassies in Phnom Penh. Additionally, in 2011, the court sentenced two Bangladeshi men and a Nepalese man under the anti-terrorism law. The accused were suspected of sending letters to the US, British and Australian embassies which claimed that al-Qaida-linked terrorists in Phnom Penh intended to bomb the embassies.

Muslim leaders in Cambodia nonetheless agree that there are no extremist movements in Cambodia. Responding to a 2014 video, “There’s No Life Without Jihad,” in which fighters affiliated with the Islamic State of Iraq and the Levant (ISIL) claimed that they have “brothers” from Cambodia, Kamaruddin Yusof (also referred to as Sos Kamry), the grand mufti of Cambodia commented that “There is no relationship between Cambodian Muslims and those in the Middle East. In Cambodia, we don’t have extremists.” Ahmad Yahya, president of the Cambodian Muslim Community Development Organisation said “This is strange information for me. In the past, our people were never involved with any fighting. We know ourselves; we don’t do that.”

H. Significant Cross-Border Incidents

There currently is no cross-border religious dispute between Cambodia and its neighbouring countries, Laos, Thailand and Vietnam.

Parenthetically, Cambodia recently was in a territorial conflict with Thailand over an area that contained a Hindu temple. In April 2011, Cambodia had requested the International Court of Justice to interpret a 1962 ICJ Judgment. Cambodia argued that while Thailand recognised Cambodia’s sovereignty over the temple itself, it did not appear to recognize the sovereignty of Cambodia over the vicinity of the temple. On 11 November 2013, the ICJ ruled that Cambodia has sovereignty over the whole territory of the Preah Vihear temple, and that Thailand is obligated to withdraw its military personnel from the area.


168 Ibid.


I. Governmental Response

The Cambodian government has adopted a harmonious religious policy to promote peaceful relations among religious groups. Under Phase III of the Rectangular Strategy, the Cambodian government is set to promote the role of religion in education, especially Buddhism which is the state religion, to contribute to inculcating ethical, moral and behavioural values in students and ensuring harmony in Cambodian society.  

In his public speeches from 2000 till 2014, Prime Minister Hun Sen has addressed the issue of religious harmony and encouraged all religious believers to love each other and work together despite their different beliefs. Muslims have been appointed as high-ranking officers in the Ministry of Cults and Religions and some sit in the National Assembly. Aside from the Constitution and relevant laws adopted and put into practice, the Ministry of Cults and Religions has encouraged all religious groups to work with the state to promote awareness on HIV/AIDS and to protect the rights of the child.

According to Prime Minister Hun Sen, the political platform of the ruling party covers all religions. He called religion the drug of the believer. In 2004, Prime Minister Hun Sen made a public speech during the inauguration of the Buddhist Assembly Building in Kampong Cham Province and said,

"For us religion cannot be a barrier to solidarity between people and people at all. Religions—Buddhism, Christianity or Islam—instruct people to believe and to act in good faith. It is in this sense that we will not let the different beliefs be a hindrance to our march for development."

In conclusion, the Cambodian government has consistently and publicly affirmed its respect for religious freedom in the country.

J. Developments in Advancing Religious Freedom, Dialogue, and Conflict Mediation

As described above, religious freedom in Cambodia has developed positively. Religious groups can work and live together under a harmonious religious policy of the government. Religious disputes are mediated and settled by the Ministry of Cults and Religions and the Therak Saphea.

There are also some organizations that advocate understanding and non-violence among persons of different faiths, such as the Cambodian Inter-Religious Council, which was formed in October 2002 with the aim of addressing issues related to Cambodia’s development, including education, democracy and human rights. The Council is comprised of leaders of Buddhist, Muslim and Christian communities.

K. Analysing the Trends

Although Buddhism is the state religion and has a very strong influence in the country, the Constitution guarantees freedom of religion and belief, and the Cambodian government adopts a harmonious religious policy. Christian followers are gradually increasing. The growing influence of Christianity in Cambodia has resulted from international religious organisations that operate in Cambodia in various sectors and in different parts of the country. In addition to Christianity, the number of followers of other religions could in the future increase as well, considering the various humanitarian services and investments coming into the country. Thus, a long-term strategy and

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177 Cambodia New Vision, Issue 182, April 2013, 1.
approach for managing the various religions and beliefs within the framework of the international human rights instruments. Cambodia is a party to may become necessary to maintain the identity of Cambodia and prevent religious conflicts.

PART THREE: CONTRIBUTING FACTORS AND SURROUNDING CIRCUMSTANCES

A. Negative Contributing Factors

Despite the government policy on religious harmony, there are a few negative factors that may contribute to religious conflicts and violence in the future. One contributing factor is how some Buddhist followers see the presence of External Religions (Christianity, Islam and other religions) as a threat to their identity and to traditional Buddhism in Cambodian society. For instance, as mentioned earlier, there were attacks on Christian churches in 2003, 2004, and 2006.

The second negative factor affecting the practice of freedom religion is the tendency for politics to at times be intertwined with religion, such as when politicians use religion as a tool to gain votes from religious groups and consequently dividing society and prompting disputes.

Additionally, in the past few years, more monks have become involved in politics. Currently, monks also play an active role in demonstrations to demand for higher wages for workers in the garment industries. Most of the demonstrations have turned violent. An example is the riot that took place on the day of the Cambodian general election in 2013, when concerns over ballot fraud and names being left off the vote list arose. The riot took place at the polling station next to Stung Meancheuy pagoda and the scene descended into anarchy when a man allegedly attacked a monk who was among the protesters. The teachings of Buddha prohibit lay people from getting involved in politics and in power-seeking. The relation between Buddhism and politics, as well as the position for the state to take in this regard in order to balance the interests of public order, national security and freedom of religion and belief, would thus be a good subject for further study.

B. Positive Contributing Factors

Cambodia explicitly acknowledges the role of religion in nation-building, thus it has incorporated religion in its motto, “Nation, Religion, King.” Prime Minister Hun Sen has said that religion contributes to development and peace of the whole society because, for instance, it teaches honesty, justice, and good deeds. For this reason, the Prime Minister said that the Royal Government has put efforts to encourage and support all religious followers in Cambodia to continue their practices, following the rule of their respective religious bibles “with mutual understanding and tolerance.”

As mentioned earlier, another factor that has been attributed to contribute to the peaceful relations among religions is that the teachings of the dominant religion, Buddhism, endorse tolerance.


185 Ibid.
PART FOUR: CONCLUSION

In conclusion, freedom of religion is largely protected in Cambodia. People are free to adopt, change, and practice their belief, as well as form religious organizations or charitable or humanitarian foundations under the harmonious religious policy of the Cambodian government. Nonetheless, there have been occasions of disputes and/or acts of violence among religious followers.

To date, the Cambodian government and political parties have not exacerbated religious conflicts or tensions. Instead, the government protects religious freedom and redresses religious issues to maintain public order. However, this does not guarantee that Cambodia will not face any major religious tensions or violence in the future. Current religious transnational movements and trends, such as the recent Islamic State of Iraq and Levant video clip, illustrate a possible concern. Additionally, the reaction of some Cambodian people to Christian missionaries could indicate potential tensions. Thus, a review of the strategies in administering and managing the different groups, as well as responses to future disputes that may arise, might prove beneficial.

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Websites:


Media:


Keeping the Faith: A Study of Freedom of Thought, Conscience, and Religion in ASEAN

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