Profil
Cambodia

1. Nama Resmi : Kingdom of Cambodia
2. Konstitusi : 21 September 1993
3. Ibu Kota Negara : Phnom Penh
4. Bahasa Resmi : Khmer
5. Bentuk Negara : Kesatuan
6. Sistem Pemerintahan : Parlementer
7. Bentuk Pemerintahan : Monarki Konstitusional
8. Kepala Negara : Raja
9. Kepala Pemerintahan : Perdana Menteri, diangkat oleh Raja atas petunjuk dan persetujuan Dewan Nasional
10. Lembaga Legislatif : Bikameral, Dewan Nasional Kamboja (123 kursi yang dipilih langsung untuk jangka waktu 5 tahun) dan Senat (61 kursi; 2 dipilih oleh monarki, 2 dipilih dewan nasional, 57 dipilih oleh parlemen dan perwakilan masyarakat untuk jangka waktu 5 tahun)
11. Lembaga Yudikatif : Mahkamah Agung
We, the people of Cambodia; Accustomed to having been an outstanding civilization, a prosperous, large, flourishing and glorious nation, with high prestige radiating like a diamond;
Having declined grievously during the past two decades, having gone through suffering and destruction, and having been weakened terribly;
Having awakened and resolutely rallied and determined to unite for the consolidation of national unity, the preservation and defense of Cambodia's territory and precious sovereignty and the fine Angkor civilization, and the restoration of Cambodia into an "Island of Peace" based on multi-party liberal democratic responsibility for the nation's future destiny of moving toward perpetual progress, development, prosperity, and glory;
With this resolute will;
We inscribe the following as the Constitution of the Kingdom of Cambodia:

Chapter I
Sovereignty

Article 1
Monarchy, Liberal Democracy, Pluralism, Independence

(1) Cambodia is a Kingdom with a King who rules according to the Constitution and to the principles of liberal democracy and pluralism.

(2) The Kingdom of Cambodia is an independent, sovereign, peaceful, permanently neutral and non-aligned country.

Article 2
Integrity

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

Article 3
Indivisibility

The Kingdom of Cambodia is an indivisible State.

Article 4
Motto

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

Article 5
Language

The official language and script are Khmer.

Article 6
Capital, Coat-of-arms

(1) Phnom Penh is the capital of the Kingdom of Cambodia.

(2) The national flag, anthem and coat-of-arms are defined in Annexes I, II and III.

Chapter II
The King

Article 7
Head of State

(1) The King of Cambodia shall reign but not govern.

(2) The King is the Head of State for life.

(3) The King is inviolable.

Article 8
Unity

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

(2) The King is the guarantor of the national independence, sovereignty, and territorial integrity of the Kingdom of Cambodia, the protector of rights and freedom for all citizens, and the guarantor of international treaties.
**Article 9**
Arbitrator
The King assumes the august role of arbitrator to ensure the faithful execution of public powers.

**Article 10**
Appointed Monarch
(1) The Cambodian monarchy is an appointed regime.
(2) The King does not have the power to appoint a heir to the throne.

**Article 11**
Disability, Regent
If the King cannot perform His normal duties as Head of State due to His serious illness as certified by doctors chosen by the President of the Assembly and the Prime Minister, the President of the Assembly performs the duties of Head of State as "Regent".

**Article 12**
Death, Regent
In case of the death of the King, the President of the Assembly takes over the responsibility as Acting Head of State in the capacity of Regent of the Kingdom of Cambodia.

**Article 13**
Appointment of New Monarch
(1) Within a period of not more than seven days, the new King of the Kingdom of Cambodia shall be chosen by the Royal Council of the Throne.
(2) The Royal Council of the Throne shall consist of:
   - the President of the National Assembly;
   - the Prime Minister;
   - the Chiefs of the orders of Mohanikay and Thammayut; and
   - the First and Second Vice-President of the Assembly.
(3) The organization and functioning of the Council Throne shall be determined by law.

**Article 14**
Dynasty
(1) The King of Cambodia shall be a member of the Royal family, of at least 30 years, descending from the blood line of King Ang Duong, King Norodom or King Sisowath.
(2) Upon enthronement, the King shall take the oath of allegiance as stipulated in Annex IV.

**Article 15**
Queen
(1) The wife of the reigning King shall have the royal title of Queen of the Kingdom of Cambodia.

**Article 16**
Functions of the Queen
(1) The Queen of the Kingdom of Cambodia does not have the right to engage in politics, to assume the role of Head of State or head of Government, or to assume other administrative or political roles.
(2) The Queen of the Kingdom of Cambodia shall exercise activities that serves the social, humanitarian, religious interests, and shall assist the King with protocol and diplomatic functions.

**Article 17**
Eternal Restriction
The provision as stated in Article 7 (1), "the King shall reign but not govern", may absolutely not be amended.

**Article 18**
Royal Messages
The King communicates with the Assembly by royal messages. These royal messages may not be subjected to discussion by the National Assembly.

**Article 19**
Appointment of Ministers
The King appoints the Prime Minister and the Council of Ministers according to the procedure stipulated in Article 100.

**Article 20**
Audience
The King grants an audience twice a month to the Prime Minister and the Council of Ministers to hear their reports on the State of the Nation.

**Article 21**
Other Appointments
(1) Upon proposals by the Council of Ministers, the King signs decrees appointing,
transferring, or ending the mission of high civil and military officials, ambassadors, and Envoys Extraordinary and plenipotentiary.

(2) Upon proposal by the Supreme Council of the Magistracy, the King signs decrees appointing, transferring, or removing judges.

Article 22
State of Emergency
When the nation faces danger, the King shall make a proclamation to the people putting the country in a state of emergency after agreement with the Prime Minister and the President of the Assembly.

Article 23
Supreme Commander
The King is the Supreme Commander of the Royal Khmer Armed Forces. The Commander-in-Chief of the Royal Khmer Armed Forces is appointed to command the Royal Khmer Armed Forces.

Article 24
Defence, War
(1) The King is serve as Chairman of the Supreme Council of National Defence to be established by law.
(2) The King declares war after approval of the National Assembly.

Article 25
Diplomacy
The King receives letters of credentials from ambassadors or envoys extraordinary and plenipotentiary of foreign countries accredited to the Kingdom of Cambodia.

Article 26
Treaties
The King signs and ratifies international treaties and conventions after a vote of approval by the National Assembly.

Article 27
Amnesty
The King has the right to grant partial or complete amnesty.

Article 28
Countersignature
The King signs the law promulgating the Constitution, laws adopted by the National Assembly, and decrees presented by the council of Ministers.

Article 29
Medals, Ranks
(1) The King establishes and confers national medals proposed by the Council of Ministers.
(2) The King confers civil and military ranks as determined by law.

Article 30
Absence, Acting Head of State
In the absence of the King, the President of the Assembly assumes the duties of Acting Head of State.

Chapter III
The Rights and Obligations Of Khmer Citizens

Article 31
Human Rights, Equality, Restrictions
(1) The Kingdom of Cambodia recognizes and respects human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, the covenants and conventions related to human rights, women's and children's rights.
(2) Every Khmer citizen is equal before the law, enjoying the same rights and freedom and fulfilling the same obligations regardless of race, colour, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status.
(3) The exercise of personal rights and freedom by any individual may not adversely affect the rights and freedom of others. The exercise of such rights and freedom must be in accordance with law.

Article 32
Life, Personal Freedom, Security
Every Khmer citizen has the right to life, personal freedom, and security.
Article 33
Citizenship
(1) Khmer citizens may not be deprived of their nationality, exiled or arrested and deported to any foreign country unless there is a mutual agreement on extradition.
(2) Khmer citizens residing abroad enjoy the protection of the State.
(3) Khmer nationality is determined by a law.

Article 34
Electoral Rights
(1) Khmer citizens of either sex shall enjoy the right to vote and to stand as candidates for the election.
(2) Citizens of either sex of at least eighteen years old, have the right to vote. (3) Citizens of either sex of at least 25 years old, have the right to stand as candidates for the election.
(4) Provisions restricting the right to vote and to stand for the election are defined in the electoral for the election.

Article 35
Political Participation
(1) Khmer citizens of either sex are given the right to participate actively in the political, economic, social and cultural life of the nation.
(2) Any suggestions from the people shall be given full consideration by the organs of the State

Article 36
Work
(1) Khmer citizens of either sex have the right to choose any employment according to their ability and to the needs of the society.
(2) Khmer citizen of either sex receive equal pay for equal work.
(3) The work by housewives in the home has the same value as what they can receive when working outside the home.
(4) Every Khmer citizens has the right to obtain social security and other social benefits as determined by law.
(5) Khmer citizens of either sex have the right to form and to be members of trade unions.
(6) The organization and conduct of trade unions is determined by law.

Article 37
Strike, Demonstration
The right to strike and to non-violent demonstration is implemented in the framework of a law.

Article 38
Procedural Guarantees
(1) The law does not allow physical abuse against any individuals.
(2) The law protects the life, honor, and dignity of the citizens.
(3) The prosecution, arrest, or detention of any person may only be executed in accordance with the law.
(3) Coercion, physical ill-treatment or any other mistreatment that imposes additional punishment on a detainee or prisoner is prohibited. Persons who commit, participate, or conspire in such acts are punished according to the law.
(4) Confession obtained by physical mental force is not admissible as evidence of guilt.
(5) Khmer citizens of either sex shall respect public and legally acquired private properties.
(6) Any case of doubt shall be resolved in favor of the accused.
(7) The accused is to be considered innocent until the court has judged finally on the case. (8) Every citizen enjoys the right to defense through judicial recourse.

Article 39
Complaints
Khmer citizens have the right to denounce, make complaints, or file claims against any breach of the law by the State and social organs or by members of such organs committed during the course of their duties. The settlement of complaints and claims shall reside under the competence of the courts.

Article 40
Travel
(1) Citizens' freedom to travel, far and near, and legal settlement has to be respected. (2) Khmer citizens have the right to travel and settle abroad and return to the country.
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(3) The right to privacy of residence and to the secrecy of correspondence by mail, telegram, fax, telex, and telephone is guaranteed.

(4) Any search of the house, material, and body must be in accordance with the law.

Article 41
Freedom of Expression
(1) Khmer citizens have freedom of expression, press, publication, and assembly. No one may exercise this right to infringe upon the rights of others, to affect the good traditions of the society, or to violate public law and order and national security.

(2) The regime of the media is determined by law.

Article 42
Associations, Political Parties
(1) Khmer citizens have the right to establish associations and political parties. These rights are determined by law.

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

Article 43
Religion
(1) Khmer citizens of either sex enjoy the freedom of belief.

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

(3) Buddhism is the State religion.

Article 44
Property
(1) All persons, individually or collectively, have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality have the right to own land.

(2) Legal private ownership is protected by the law.

(3) The right to confiscate possessions from any person may only be exercised in the public interest as provided for under law and requires fair and just compensation in advance.

Article 45
Gender Equality, Marriage
(1) All forms of discrimination against woman are abolished.

(2) The exploitation of women in employment is prohibited in marriages and matters of the family.

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

Article 46
Women
(1) The commerce of human beings, exploitation by prostitution and obscenity which affect the reputation of women is prohibited.

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

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

Article 47
Parentage
(1) Parents have the right to take care of and educate their children to become good citizens.

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

Article 48
Children
(1) The State protects the rights of the children as stipulated in the Convention on Children, particular, the right to life, education, protection during wartime, and from economic or sexual exploitation.

(2) The State protects children from acts that are injurious to their education opportunities, health, and welfare.
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Article 49

Duties
(1) Every Khmer citizens must respect the Constitution and laws.
(2) All Khmer citizens have the duty to take part in the national reconstruction and to defend the homeland. The duty to defend the country is determined by law.

Article 50

Principles to be Respected
(1) Khmer citizens of either sex must respect the principles of national sovereign and liberal multi-party democracy.
(2) Khmer citizens of either sex must respect public and legally acquired private properties.

Chapter IV

On Policy

Article 51

Liberal Democracy, Pluralism, Sovereignty, Powers
(1) The Kingdom of Cambodia adopts a policy of Liberal democracy and Pluralism.
(2) The Cambodian people are the masters of their country.
(3) All powers belong to the people. The people exercise these powers through the National Assembly, the Royal Government, and the Judiciary.
(4) The Legislative, Executive, and the Judicial powers are separated.

Article 52

State Goals
The Royal Government of Cambodia protects the independence, sovereignty, and territorial integrity of the Kingdom of Cambodia, adopts the policy of national reconciliation to insure national unity, and preserves the good national traditions of the country. The Royal Government of Cambodia preserves and protects the law and ensures public order and security. The State gives priority to endeavors which improve welfare and standard of living of the citizens.

Article 53

Neutrality
(1) The Kingdom of Cambodia adopts a policy of permanent neutrality and non-alignment. The Kingdom of Cambodia follows a policy of peaceful co-existence with its neighbors and with all other countries throughout the world.
(2) The Kingdom of Cambodia may not invade any country, nor interfere in any other country's internal affairs, directly or indirectly, and shall solve any problem peacefully with due respect for mutual interests.
(3) The Kingdom of Cambodia may not join in any military alliance or military pact which is incompatible with its policy of neutrality.
(4) The Kingdom of Cambodia may not permit any foreign military base on its territory and may not have its own military base abroad, except within the framework of a United Nations request.
(5) The Kingdom of Cambodia reserves the right to receive foreign assistance in military equipment, armaments, ammunition, in training of its armed forces, and other assistance for self-defense and to maintain public order and security within its territory.

Article 54

Prohibited Weapons
The manufacturing, use, storage of nuclear, chemical, or biological weapons shall be absolutely prohibited.

Article 55

Incompatible Treaties
Any treaty and agreement incompatible with the independence, sovereignty, territorial integrity, neutrality, and national unity of the Kingdom of Cambodia is annulled.

Chapter V

Economy

Article 56

Market Economy
The Kingdom of Cambodia adopts a market economy system. The preparation and process of this economic system is determined by law.
Article 57
Taxation, Budget, Finances
(1) Tax collection must be in accordance with the law. The national budget is determined by law.
(2) The management of the monetary and financial system is defined by law.

Article 58
State Property
(1) State property notably comprises land, mineral resources, mountains, sea, underwater, continental shelf, coastline, airspace, islands, rivers, canals, streams, lakes, forests, natural resources, economic and cultural centers, bases for national defense and other facilities determined as State property.
(2) The control, use and management of State properties is determined by law.

Article 59
Environmental Protection
The State protects the environment and balances of abundant natural resources and establishes a precise plan of management of land, water, air, wind geology, ecologic system, mines, energy, petrol, and gas, rocks and sand, gems, forests and forestrial products, wildlife, fish, and aquatic resources.

Article 60
Production
Khmer citizens have the right to sell their own products. The obligation to sell products to the State, or the temporary use of State of properties is prohibited unless authorized by law under special circumstances.

Article 61
Economic Development
The State promotes economic development in all sectors and remote areas, especially in agriculture, handicrafts industry, with attention to policies of water, electricity, roads, and means of transport, modern technology, and a system of credit.

Article 62
Economic Goals
The State pays attention and helps solve production matters, protect the price of products for farmers and crafters, and find marketplace for them to sell their products.

Article 63
Market Management
The State respects market management in order to guarantee a better standard of living for the people.

Chapter VI
Education, Culture, Social Affairs

Article 64
Drugs
The State bans and severely punishes those who import, manufacture, or sell illicit drugs, counterfeit and expired goods which affect health and life of the consumers.

Article 65
Education, Sports
(1) The State protects and upgrades citizens’ rights to quality education at all levels and takes the necessary steps for quality education to reach all citizens.
(2) The State respects physical education and sports for the welfare of all Khmer citizens.

Article 66
Educational System
The State establishes a comprehensive and standardized education system throughout the country that guarantees the principles of educational freedom and equality to ensure that all citizens have equal opportunity to earn a living.

Article 67
Educational Programs
(1) The State adopts educational programs according to the principle of modern pedagogy including technology and foreign languages.
(2) The State controls public and private schools and classrooms at all levels.

Article 68
Free Education
(1) The State provides primary and secondary education to all citizens in public schools.
(2) The State disseminates and develops the Pali schools and the Buddhist Institutes
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Article 69
Language, Culture
(1) The State protects and promotes the Khmer language as required.
(2) The State preserves ancient monuments, artifacts and restores historic sites.

Article 70
Cultural Offences
Any offense affecting cultural and artistic heritage carries a severe punishment.

Article 71
Neutral Zones
The perimeter of the national heritage sites as well as heritage that has been classified as world heritage, is considered neutral zones where there may be no military activity.

Article 72
Health Care
(1) The health of the people is to be guaranteed. The State gives full consideration to disease prevention and medical treatment. Poor citizens receive free medical consultation in public hospitals, infirmaries, and maternities.
(2) The State establishes infirmaries in rural areas.

Article 73
Support
The State gives full consideration to children and mothers. The State establishes nurseries and helps support women and children who have inadequate support.

Article 74
Veterans
The State assists the disabled and the families of combatants who sacrificed their lives for the nation.

Article 75
Social Security System
The State establishes a social security system for workers and employees.

Chapter VII
The Assembly

Article 76
Election
(1) The Assembly consists of at least 120 members.
(2) The deputies are elected by free, universal, equal, direct and secret ballot. The deputies may be re-elected.
(3) Khmer citizens able to stand for election are the Khmer citizens of either sex who have the right to vote, at least 25 years of age, and who have Khmer nationalities at birth.
(4) Preparation for the election, procedure, and electoral process shall be determined by an Electoral Law.

Article 77
Representation
(1) The deputies of the Assembly represent the entire Khmer people, not only Khmers from their constituencies.
(2) Any imperative mandate is nullified.

Article 78
Term, Re-Election
(1) The legislative term of the Assembly is five years and terminates on the day when the new assembly convenes.
(2) The assembly may not be dissolved before the end of its term except when the Royal government is twice deposed within a period of twelve months. In this case, following a proposal from the Prime Minister and the approval of the Assembly President, the King dissolves the Assembly.
(3) The election of a new assembly has to be held no later than 60 days from the date of dissolution. During this period, the Royal government shall only be empowered to conduct routine business.
(4) In times of war or other special circumstances an election cannot be held, the Assembly may extend its term for one year at a time, upon the request of the King.
(5) Such an extension requires at least a two-third vote of the entire assembly.
Article 79
Incompatibility
(1) The assembly mandate is incompatible with the holding of any active public function and of any membership in other institutions provided for in the constitution, except when the assembly member(s) is (are) required to serve in the Royal Government.
(2) In these circumstances, the said Assembly members retain the usual assembly membership but do not hold any position in the Permanent Standing Committee and in other assembly commissions.

Article 80
Immunity, Indemnity
(1) The deputies shall have parliamentary immunity.
(2) No assembly member shall be prosecuted, detained or arrested because of opinions expressed during the exercise of his or her duties.
(3) The decision made by the Standing Committee of the assembly is made only with the permission of the assembly or by the Standing Committee of the Assembly between sessions, except in case of flagrante delicto. In that case, the competent authority immediately reports to the assembly or to the Standing Committee for decision.
(4) The decision made by the Standing Committee of the assembly is submitted to the assembly at its next session for approval by a two-third majority vote of the assembly members.
(5) In any case, detention or prosecution of a deputy is suspended by a 3/4 majority vote of the Assembly members.

Article 81
Remuneration
(1) The assembly has the autonomous budget to conduct its function.
(2) The deputies receive a remuneration.

Article 82
First Session
(1) The assembly holds its first session no later than sixty days after the election upon notice by the King.
(2) Before taking office, the assembly decides on the validity of each member's mandate and votes separately to choose a President, Vice-Presidents and members of each Commission by a two-third majority vote.
(3) All assembly members must take the oath before taking office according to the text contained in Annex 5.

Article 83
Sessions
(1) The assembly holds its ordinary sessions twice a year.
(2) Each session lasts at least 3 months. If there is a proposal from the King or the Prime Minister, or at least 1/3 of the assembly members, the Assembly Standing Committee calls an extraordinary session of the assembly.
(3) In this case, the agenda with the conditions of the extraordinary, is to be disseminated to the population as well as the date of the meeting.

Article 84
Permanent Standing Committee
(1) Between the assembly sessions, the assembly's Permanent Standing Committee manages the work of the assembly.
(2) The Permanent Standing Committee of the assembly consists of the President of the Assembly, the Vice-Presidents, and the presidents of assembly commissions.

Article 85
Location
(1) The assembly sessions are to be held in the royal capital of Cambodia in the Assembly Hall, unless stipulated otherwise in the summons, due to special circumstances.
(2) Except where so stipulated and unless held at the place and date as stipulated, any meeting of the assembly is considered as illegal and void.

Article 86
Emergency Meeting
(1) If the country is in a state of emergency, the assembly meets every day continuously. The assembly has the right to terminate this state of emergency whenever the situation permits.
(2) If the Assembly is not able to meet because of circumstances such as the occupation by foreign forces the declaration of the state of emergency must be automatically extended.

(3) During the state of emergency, the assembly cannot be dissolved.

**Article 87**

**Presidents of the Assembly**

(1) The President of the assembly chairs the assembly sessions, receives draft bills and resolutions adopted by the assembly, ensures the implementation of the Internal Rules of procedure, and manages the assembly relations with foreign countries.

(2) If the President is unable to perform his or her duties due to illness or to fulfill the functions of Head of State ad interim or as a Regent, or is on a mission abroad, a Vice-President replaces him.

(3) In case of resignation or death of the President or the Vice-President(s), the Assembly elects a new President or Vice-President(s).

**Article 88**

**Publicity, Quorum**

(1) The assembly sessions are held in public.

(2) The assembly meets in closed session at the request of the President or of at least 1/10 of its members, of the King or of the Prime Minister.

(3) The assembly meeting is considered as valid provided there is a quorum of 7/10 of all members.

**Article 89**

**Officials in Parliament**

Upon the request by at least 1/10 of its members, the assembly invites a high ranking official to clarify important special issues.

**Article 90**

**Functions of the Assembly**

(1) The assembly is the only organ to hold legislative power. This power is not transferable to any other organ or any individual. (2) The assembly approves Administrative Accounts.

(3) The assembly approves the law on amnesty.

(4) The assembly approves or annuls treaties or international conventions.

(5) The assembly approves the law on the declaration of war. (6) The adoption of the above-mentioned clauses is decided by a simply majority of the entire assembly membership.

(7) The assembly passes a vote of confidence in the Royal Government by a two-thirds majority of all members.

**Article 91**

**Initiative**

(1) The deputies and the Prime Minister have the right to initiate legislation.

(2) The deputies have the right to propose any amendments to the laws, but, the proposals is unacceptable if they aim at reducing public income or increasing the burden on the people.

**Article 92**

**Annulment of Laws**

Laws adopted by the Assembly which run counter to the principles of preserving national independence, sovereignty, or administration of the nation shall be annulled. The Constitutional Council is the only organ which decides upon this annulment.

**Article 93**

**Promulgation**

(1) Any law approved by the Assembly and signed by the King for its promulgation, goes into effect in Phnom Penh 10 days after signing and throughout the country 20 days after its signing.

(2) Laws that are stipulated as urgent take effect immediately throughout the country after promulgation.

(3) All laws promulgated by the King must be published in the Journal Official and published throughout the country in accordance with the above schedule.

**Article 94**

**Commissions, Internal Rules of Procedure**

The Assembly establishes various necessary commissions. The organization and functioning of
the assembly is determined by the assembly Internal Rules of Procedure.

**Article 95**
**Replacement of Members**
In case of death, resignation, or dismissal of an assembly deputy at least 6 months before the end of the mandate, a replacement is appointed in accordance with the Internal Rules of Procedure of the National Assembly and the Electoral Law.

**Article 96**
**Motion Against the Government, Questions**
(1) The deputies have the right to put a motion against the Royal Government. The motion must be submitted in writing through the President of the assembly.
(2) The replies shall be given by one or several ministers depending on the matters to the accountability of one or several ministers. If the case concerns the overall policy of the Royal Government, the Prime Minister shall reply in person.
(3) The explanations by the ministers or by the Prime Minister are given verbally or in writing.
(4) The explanations must be provided within 7 days after the day when the question is received.
(5) In case of verbal reply, the President of the assembly decides whether to hold an open debate or not. If there is no debate, the answer of the minister or the Prime Minister is considered final. If there is a debate, the questioner, other speakers, the ministers, or the Prime Minister may exchange views within the time frame not exceeding one session.
(6) The assembly establishes one day each week for questions and answers. There shall be no vote during any sessions reserved for this purpose.

**Article 97**
**Ministers in Parliament**
The assembly commissions may invite any minister to clarify certain issue under his or her field of responsibility.

**Article 98**
**Motion of Censure**
(1) The Assembly dismisses a member or members of the Royal Government or the whole Cabinet by the adoption of a motion of censure by a two-third majority of the entire Assembly.
(2) The motion of censure must be proposed to the Assembly by at least 30 assembly members in order for the entire Assembly to decide.

**Chapter VIII**
**The Royal Government**

**Article 99**
**Council of Ministers, Ministers**
(1) The Council of Ministers is the Royal Government of Cambodia.
(2) The Council of Ministers is led by one Prime Minister assisted by Deputy Prime Ministers, and by State Ministers, Ministers, and State Secretaries as members.

**Article 100**
**Establishing Government**
(1) At the recommendation of the President and with the agreement of both Vice-Presidents of the Assembly, the King designates a dignitary from among the representatives of the winning party to form the Royal Government. This designated dignitary forms a government out of members of the Assembly or members of the political parties represented in the Assembly.
(2) After the Assembly has given its vote of confidence, the King issues a Royal decree appointing the entire Council of Ministers.
(3) Before taking office, the Council of Ministers takes an oath as stipulated an Annex 6.

**Article 101**
**Incompatibility**
The functions of members of the Royal Government are incompatible with professional activities in trade or industry and with the holding of any position in the public service.
Article 102
Responsibility
(1) Members of the Royal Government are collectively responsible to the Assembly for the overall policy of the Royal Government.
(2) Each member of the Royal Government is individually responsible to the Prime Minister and the Assembly for his or her own conduct.

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

Article 104
Sessions
(1) The Council of Minister meets every week in plenary session or in a working session.
(2) The Prime Minister chairs the plenary sessions.
(3) The Prime Minister may assign a Deputy Prime Minister to preside over the working sessions.
(4) Minutes of the Council of Ministers' meeting are forwarded to the King for His information.

Article 105
Delegation of Powers by Prime Minister
The Prime Minister has the right to delegate his power to a Deputy Prime Minister or to any member of the Royal Government.

Article 106
Vacancy, Acting Prime Minister
If the post of Prime Minister is permanently vacant, a new Council of Ministers is appointed under the procedure stipulated in this Constitution. If the vacancy is temporary, an acting Prime Minister is provisionally appointed.

Article 107
Dereliction of Duties
(1) Each member of the Royal Government is to be punished for any crimes or misdemeanors that he or she has committed in the course of his or her duty.
(2) In such cases, the Assembly shall decide to file charges against him or her.
(3) The Assembly decides on such matters through a secret vote by a simple majority thereof.

Article 108
Organizational Law
The organization and functioning of the Council of Ministers is determined by law.

Article 109
Independence
(1) The judicial power is an independent power.
(2) The judiciary guarantees and upholds impartiality and protects the rights and freedoms of the citizens.
(3) The Judiciary covers all lawsuits including administrative ones.
(4) The authority of the Judiciary is granted to the Supreme Court and to lower courts of all sectors and levels.

Article 110
Judges' Powers
(1) Trials are conducted in the name of the Khmer citizens in accordance with the legal procedures and laws in force.
(2) Only judges have the right to adjudicate. A judge must fulfill this duty with strict respect for the laws, wholeheartedly, and conscientiously.

Article 111
Separation of Powers
Judicial power may not be granted to the legislative or executive branches.

Article 112
Criminal Suits
Only the Department of Public Prosecution has the right to file criminal suits.

Article 113
Quarantor of Independence
The King is the guarantor of the independence of the Judiciary. The Supreme Council of the Magistracy assists the King in this matter.
Cambodia

Article 114
Disciplinary Action
Judges may not be dismissed. The Supreme Council of the Magistracy takes disciplinary actions against any delinquent judges.

Article 115
Supreme Council of the Magistracy
(1) The Supreme Council of the Magistracy is established by an organic law which determines its composition and functions.
(2) The Supreme Council of the Magistracy is chaired by the King. The King may appoint a representative to chair the Supreme Council of the Magistracy.
(3) The Supreme Council of the Magistracy makes proposals to the King on the appointment of judges and prosecutors to all courts.
(4) The Supreme Council of the Magistracy meets under the chairmanship of the President of the Supreme Court or the General Prosecutor of the Supreme Court to decide on disciplinary actions against the judges or prosecutors.

Article 116
Status Laws
The statuses of judges and prosecutors and the functioning of the judiciary are defined in separate laws.

Chapter X
The Constitutional Council

Article 117
Functions
(1) The Constitutional Council has the duty to safeguard respect for the Constitution and to interpret the Constitution and the laws passed by the Assembly.
(2) The Constitutional Council has the right to examine and decide on contested cases involving the election of assembly members.

Article 118
Term, Appointment
(1) The Constitutional Council consists of nine members with a nine-year mandate. One third of the members of the Council are replaced every three years. Three members are appointed by the King, three members by the Assembly, and three others by the Supreme Council of the Magistracy.
(2) The Chairman is elected by the members of the Constitutional Council. He or she shall have a deciding vote in cases of equal vote.

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

Article 120
Incompatibility
The function of a Constitutional Council member is incompatible with that of a member of the Royal Government, member of the assembly, President or Vice-President of a political party, President or Vice-President of trade-union or in-post judges.

Article 121
Preventive Review
(1) The King, the Prime Minister, the President of the Assembly, or 1/10 of the assembly members may forward draft bills to the Constitutional Council for examination before their promulgation.
(2) The Constitutional Council decides within no more than thirty days whether the laws and the Internal Rules of Procedure are constitutional.

Article 122
Repressive Review
(1) After the law is promulgated, the King, the Prime Minister, the President of the Assembly, 1/10 of the assembly members, or the courts, may ask the Constitutional Council to examine the Constitutionality of that law.
(2) Citizens have the right to appeal against the Constitutionality of the laws as through their representatives or the President of the Assembly as stipulated in the above paragraph.
Article 123
Unconstitutionality
(1) Provisions of any article ruled by the Council as unconstitutional may not be promulgated or implemented.
(2) The decision of the Council is final.

Article 124
Amendment Consultation
The King consults with the Constitutional Council on all proposals to amend the Constitution.

Article 125
Organizational Law
An organic law specifies the organization and operation of the Constitutional Council.

Chapter XI
The Administration

Article 126
Local Entities
(1) The territory of the Kingdom of Cambodia is divided into provinces and municipalities.
(2) Provinces are divided into districts and districts into communes.
(3) Municipalities are divided into Khan and into Sangkat.

Article 127
Law on Local Government
Provinces, municipalities, districts, khan, khum, and sangkat are governed in accordance with organic law.

Chapter XII
The National Congress

Article 128
Participation in Congress
(1) The National Congress enables the people to be directly informed on various matters of national interests and to raise issues and requests for the State authority to solve.
(2) Khmer citizens of both sexes have the right to participate in the National Congress.

Article 129
Yearly Meeting
(1) The National Congress meets once a year in early December at the convocation of the Prime Minister.
(2) It proceeds under the chairmanship of the King.

Article 130
Function, Organizational Law
(1) The National Congress adopts recommendations for consideration by State authorities and the Assembly.
(2) The organization and operation of the National Congress is defined by a law.

Chapter XIII
Effects, Revision and Amendments of the Constitution

Article 131
Supremacy of the Constitution
(1) This Constitution is the Supreme Law of the Kingdom of Cambodia.
(2) Laws and decisions by the State institutions have to be in strict conformity with the Constitution.

Article 132
Amendment Initiative
(1) The initiative to review or to amend the Constitution is the prerogative of the King, the Prime Minister, the President of the Assembly at the suggestion of 1/4 of all the assembly members.
(2) Revision or amendments are enacted by a Constitutional law passed by the Assembly with a two-third majority vote.

Article 133
No Amendment During State of Emergency
Revision or amendment are prohibited when the country is in the State of emergency, as outlined in Article 86.
Chapter XIV
Transitional Provision

Article 134
Prohibited Amendments
Revision or amendment affecting the system of liberal and pluralistic democracy and the regime of Constitutional Monarchy are prohibited.

Article 135
Entry Into Force
This Constitution, after its adoption, is to be declared in force immediately by the Head of State of Cambodia.

Article 136
Enforcement Proceedings
(1) After the entry into force of this Constitution, the Constituent Assembly becomes the National Assembly.
(2) The Internal Rules of Procedure of the assembly come into force after adoption by the assembly.
(3) In the case where the assembly is not yet functional, the President and the First and Second Vice-Presidents of the Constituent Assembly participate in the discharge of the duties in the Throne Council if so required by the situation in the country.

Article 137
Selection of the King
After this Constitution takes effect, the King is selected in accordance with conditions stipulated in Article 13 and 14.

Article 138
First Prime Minister
(1) After this Constitution take effects, and during the first legislature, the King of the Kingdom of Cambodia appoints a First Prime Minister and a Second Prime Minister to form a Royal Government after securing the consent of the President and the two Vice-Presidents of the assembly.
(2) The Co-President existing before the adoption of this Constitution participate as members of the Committee and in the Throne Council as stipulated in Articles 11 and 13.

Article 139
Validity of Old Law
Laws and standard documents in Cambodia that safeguard State properties, rights, freedom and legal private properties, and are in conformity with the national interests, continue to be effective until altered or abrogated by newer texts, except those provisions that are contrary to the spirit of this Constitution.

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