



Cambodia

Stable / Unchanged —



Religion

Population

Area

- Buddhists : **86.2%**
- Ethnoreligionists : **4.3%**
- Christians : **2.7%**
- Agnostics : **2.3%**
- Chinese folk religionists : **2.2%**
- Muslims : **1.5%**
- Others : **0.8%**

15,827,000

181,040 Km²

Legal framework on freedom of religion and actual application

Located in the heart of south-east Asia, Cambodia is a constitutional monarchy. Its constitution, adopted on 2nd September 1993, guarantees the right to religious freedom. Article 43 (paragraphs 1 and 2) reads as follows: “Khmer [Cambodian] citizens of either sex shall have the right to freedom of belief. Freedom of religious belief and worship shall be guaranteed by the state on the condition that such freedom does not affect other religious beliefs or violate public order and security.”^[1] At the same time, Cambodia is predominantly Buddhist, with most people practising Theravada Buddhism, a religion that occupies a central and dominant place in the life of the nation, something recognised by the constitution. Article 43 (paragraph 3) stipulates that “Buddhism shall be the religion of the State”^[2] The basic law of the kingdom further specifies that the state supports the teaching of Buddhism. However, at the same time, it prohibits discrimination based on religious affiliation. Article 31 of the constitution lays down the principle of equality under the law: “Every Khmer citizen shall be equal before the law, enjoying the same rights, 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 law also stipulates that religious organisations must be registered with the authorities in order for them to carry out religious activities. Registration is made with the Ministry of Faiths and Religions. Thus, religious organisations must provide details about their aims, activities, the curriculum vitae of their leaders, and a description of their sources of funding. On an annual basis, they must provide a detailed account of their activities. The legislation in place further specifies that they must refrain from insulting other religious organisations, fuel disputes or harm national security. The registration process – which is relatively cumbersome as it has to be undertaken at the local, provincial and national levels – can last up to three months. Once registered with the Ministry of Faiths and Religions, religious organisations are eligible for tax exemptions from the Ministry of the Economy and Finance. While all of these measures may appear

relatively complex, it should be noted that the Ministry of Faiths and Religions is not authorised to proceed against religious organisations that choose not to register, and the law does not specify penalties for non-registration^[4]

Based on these constitutional and legislative provisions, it appears that Cambodians generally enjoy a high degree of religious freedom, a state of affairs that contrasts with the situation of a number of other fundamental freedoms that are far from being satisfactorily protected in a country that has been ruled in an authoritarian way by the same prime minister, Hun Sen, since 1985. In this respect, the place of Buddhism in the culture and daily life of Cambodians makes this religion a distinct political actor. Although the Buddhist clergy are outside politics, rising tensions in society may, occasionally, cause them to intervene more directly.

For example, in 1998 young monks and novices took to the streets to demonstrate against the sham outcome of the legislative elections of 26th July of that year, which allowed Hun Sen's party to retain power.^[5] During a march for peace, the police fired on monks and killed dozens of them. More recently, in December 2013, hundreds of monks peacefully demonstrated in front of the National Assembly in Phnom Penh carrying a petition that called for an end to human rights abuses in the country. The monks, most of them young, were cheered by a crowd of several thousand people, before dispersing peacefully under the watchful eye of a large police force.^[6]

By demonstrating, these monks, active in the "Independent Monks Network for Social Justice", were aware of being at odds with established traditions that require Buddhist religious to remain on the side-lines of state or government affairs. Some important monks did not refrain from expressing reservations about them. In Phnom Penh, the Venerable Khim Sorn, head of the Mohanikay sect, the main branch of Khmer Buddhism, expressed his "support for the principle of marching for rights, but not if it seeks bad goals by aiming to create disorder and confuse people's minds."^[7] The supreme patriarchs of Khmer Buddhism, whose proximity to the ruling party is common knowledge, threatened to defrock the monks taking part in the march. The government, for its part, tried to prevent the monks' peaceful march from reaching Phnom Penh by, for example, forcing pagoda officials to deny marchers access to their monastery at night.

For those in power, who are often accused of acting in an authoritarian manner, the freedom of Buddhist monks to demonstrate should be very clearly limited by what they perceive as an attack on "public order and security". Thus, on 7th December 2014, as the human rights marches multiplied across the country with monks in their ranks, the patriarchs of the two main monastic orders and the Minister of Religion signed a statement banning monks from participating in marches, demonstrations, strikes and revolts in order "to preserve the dignity of Buddhism"^[8]

However, the attempt by Cambodian political leaders to keep at bay any criticism coming from Buddhism has proven to be very inconsistent. In 2011, when Cambodia and Thailand found themselves at loggerheads over the Preah Vihear temple, which both countries claim^[9], the Cambodian government appealed to all religious leaders in Cambodia to put pressure on the United Nations and convince the international community to become involved in the crisis.

In short, it seems that the main source of concern about religious freedom is the lack of respect for human rights by a regime that has been dominated for 30 years by the Cambodian People's Party (CPP) and its leader Hun Sen.

Incidents

The fate of the Montagnards is an ongoing issue. The Cambodian government has been extremely harsh towards this mostly Christian minority originally from Vietnam's Central Highlands, from which they fled for religious and political reasons. Their exodus is nothing new (it began in 2001 after some groups rose up and re-emerged in 2006 without really ending). In recent years, Phnom Penh has not hesitated from sending Montagnards back to Vietnam against their will. Very few are able to obtain refugee status from the local UNHCR office. In July 2017, 16 Montagnards were repatriated to Vietnam whilst another 13 left for the Philippines. Of the other 200 seeking asylum in Cambodia, the Refugee Office in Phnom Penh stated that only three would be granted refugee status, as the others are deemed illegal migrants.^[10]

Cambodia's Muslim Cham minority also seems to have upset the government. Heirs to the Kingdom of Champa, their

ancestors began converting to Islam in the 13th century. In the past few years, they have been undergoing a process of re-Islamisation. The hitherto unknown practice of wearing a veil has appeared among Cham women, and in 2014, the Islamic State claimed that Cham were fighting alongside them in Iraq and Syria – claims that were never substantiated by independent sources. Yet, in June 2016, the Cambodian government ordered the closure of *Radio Sap Cham*, a radio station that had been broadcasting a four-hour daily programme since 2004 devoted to the Cham language, culture, religion and identity.^[11] It was the country's only Cham-language radio programme.

In September 2016, the National Elections Committee reiterated the right of Muslims to use photographs with heads covered by a skullcap or a veil on their identity papers. Finally, during Ramadan, Prime Minister Hun Sen offered an iftar, a meal to break the fast, to members of the Muslim community, telling them that a policy of discrimination would never be implemented in Cambodia.

Regarding Buddhists, police monitor pagodas where members of the Independent Monks Network for Social Justice are active.^[12] In Battambang province, during the June 2017 municipal elections, a monk, Venerable Horn Sopanny, was arrested after appearing on a Facebook page with a revolver in his hand. Dressed in his monk's habit, Horn Sopanny criticised the government, saying that his weapon would be used in the civil war the prime minister predicted in case his party lost in the elections. Arrested on 21st June for illegal possession of firearms, the monk was defended by his relatives who claimed that the revolver was a plastic toy and that his arrest was politically motivated.^[13]

Prospects for freedom of religion

In recent years, Cambodia has become one of the most successful economies in south-east Asia. But anger is rising in the population, especially among young people, tired of corruption and the capture of the country's wealth by an elite close to Hun Sen. As it always does in the run-up to elections – the next parliamentary elections are in July 2018 – the Cambodian regime tries to make a clean sweep of things. On 3rd September 2017, the government announced the arrest of Kem Sokha, the leader of Cambodia's main opposition party, on charges of treason.^[14] In this case too, the prime minister, in power for 32 years, presented himself as the bulwark against anarchy and civil war. In June 2016, in front of a gathering of Christians, Hun Sen claimed to be the defender of religious freedom in Cambodia. He said of himself: "When Hun Sen stays, Hun Sen will allow religious practices to be done in every place."^[15] Admittedly, in comparison for example with their Vietnamese or Chinese neighbours, Cambodians live under a regime that is much more tolerant and respectful of religious freedom. However, the power exercised today by the Hun Sen regime does not bode well for the country's social and political stability.

Endnotes / Sources

[1] Cambodia's Constitution of 1993 with Amendments through 1999, [constituteproject.org](https://www.constituteproject.org/constitution/Cambodia_1999.pdf)
https://www.constituteproject.org/constitution/Cambodia_1999.pdf, (accessed 14th February 2018).

[2] Ibid.

[3] Ibid.

[4] Bureau Bureau of Democracy, Human Rights, and Labor, 2016 Report on International Religious Freedom – Cambodia, U.S. Department of State, 15th August 2016, <https://www.state.gov/documents/organisation/268964.pdf>, (accessed 14th February 2018).

[5] 'Une nouvelle génération de moines bouddhistes fait son entrée sur la scène politique', Églises d'Asie, 1st October 1998, <http://eglasie.mepasie.org/asia-du-sud-est/cambodge/1998-10-01-une-nouvelle-generation-de-moines-bouddhistes-fait>, (accessed 14th February 2018).

[6] 'Des moines bouddhistes s'engagent pour la défense des droits de l'homme', Églises d'Asie, 17th December 2013,

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[7] Ibid.

[8] 'POUR APPROFONDIR – Le point sur l'actualité politique et sociale du 1er décembre 2014 au 1er janvier 2015', Églises d'Asie, 27 janvier 2015, <http://eglasie.mepasie.org/asia-du-sud-est/cambodge/2015-01-27-pour-approfondir-le-point-sur-l2019actualite-politique-et-sociale-du-1er-decembre-2014-au-1er-janvier-2015>, (accessed 6 March 2018).

[9] Built in the 11th century, the Khmer temple of Preah Vihear is located on a hill that is claimed by both Thailand and Cambodia. The conflict stems from the delimitation of the border during the colonial era, namely the 1904 Convention and the 1907 Treaty, signed by the Kingdom of Siam and France, then Cambodia's colonial overlord, which gave Preah Vihear to Cambodia. In 1949, Thailand, considering the map null and void, seized the temple despite French protests. In 1953, when Cambodia became independent, the situation did not change, but in 1962, the International Court of Justice in The Hague attributed sovereignty over the temple to Cambodia. In 2008, Cambodia asked that the temple be listed as a UNESCO World Heritage site. This rekindled the dispute, making the temple and its surrounding 4.6 km² of land a political issue involving the national pride of both parties.

[10] Erin Handley, 'Kingdom 'failing' Vietnam asylum seekers', The Phnom Penh Post, 3 May 2016, <http://www.phnompenhpost.com/national/kingdom-failing-vietnam-asylum-seekers>, (accessed 14th February 2018).

[11] Vandy Muong and Erin Handley, 'Kingdom's only Cham radio show goes dark', The Phnom Penh Post, 27th June 2016, <http://www.phnompenhpost.com/national/kingdoms-only-cham-radio-show-goes-dark>, (accessed 14 February 2018).

[12] Savyouth Hang, 'Cambodia Activist Monks Detained fr Questioning at Opposition Rally', Radio Free Asia, 26th May 2017, <https://www.rfa.org/english/news/cambodia/monks-05262017124639.html>, (accessed 14th February 2018).

[13] 'Cambodian police 'spying' on activist monks', Ucanews, 28th June 2017, <https://www.ucanews.com/news/cambodian-police-spying-on-activist-monks/79613>, (accessed 14th February 2018).

[14] 'Cambodge : le chef de l'opposition reste en prison', Radio France Internationale, 2nd February 2018, <http://www.rfi.fr/asia-pacifique/20180202-cambodge-le-chef-opposition-reste-prison>, (accessed 14th February 2018).

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