

## Country Briefing on Freedom of Religion or Belief in the Universal Periodic Review Process - Cambodia

### Key points

An examination of the Universal Periodic Review of (UPR) Cambodia across two cycles (2009, 2014) reveals the following:

- Freedom of Religion or Belief (FoRB), which is guaranteed under the Constitution, did not arise significantly across two cycles amidst concerns for other rights violations, diminution of basic civil rights and abuse of human rights defenders.

### Key UPR recommendations on FoRB

The following recommendations were made on FoRB across two cycles:

- Cambodia should cooperate with the Special Procedures of the Human Rights Council and to allow the Special Rapporteur on FoRB to visit Cambodia.
- Respect the right of religious communities to exercise their right to assembly and to freedom of expression.

### Follow-up action for parliamentarians

Whereas the Government of Cambodia has noted its guarantees on FoRB, *Parliamentarians must follow-up in order to:*

- Encourage the Government to receive the UN Special Rapporteur on FoRB
- Foster a climate in which ideas from all religions can be freely exchanged.
- Urge the Government to respect the basic civil rights of religious communities.

The situation of FoRB in Cambodia as revealed in the UPR is outlined hereafter.

### Background

#### What is the UPR?

The UPR of the United Nations Human Rights Council (HRC) is a peer-review process to foster dialogue on human rights and to improve adherence to universal standards and best practices .

It was launched in 2007 through UN General Assembly Resolution 60/251.

Every 4.5 years each Member State's human rights record is examined by peers.

A number of key documents are submitted:  
National Reports from Member State concerned,  
Information from UN bodies and treaty-based rights mechanisms,  
Information provided by relevant stakeholders, including civil society and think-tanks.

The State under review (SUR) is evaluated on its compliance with the international human rights standards and best practices.

The SUR receives recommendations from other States on how the national human rights practices could be improved.

The SUR may accept, note or reject each recommendation made.

Two cycles of the UPR - 2009-2011 and

### *Demographics*

1. Cambodia has population of 15,957,223 spread over 181.035 square kilometres. The ethnic composition as of 2013 includes Khmer (97.6%), Cham 1.2%, Chinese 0.1%, Vietnamese 0.1% and other 0.9% (2013 est.) (*CIA World Factbook*, 2017)

### *Religious mix*

2. The majority of the population is Buddhist (96.9%) with Muslims comprising 1.9%, Christians 0.4% and other religions comprising 0.8% (2008 est.). (*CIA World Factbook*, 2017)

### *Legal Provisions on FoRB*

3. The Kingdom of Cambodia is a constitutional monarchy. Article 43 stipulates that Khmer citizens “shall have the full right of belief. Freedom of belief and religious practice shall be guaranteed by the State, provided that such freedom and religious practice do not impinge on other beliefs or religions, on public order and security.” It provides that Buddhism is the State’s religion.
4. Article 31 provides for recognition and respect for human rights as enshrined in the United Nations Charter, the Universal Declaration of Human rights and all the treaties and conventions related to human rights, women’s rights and children’s rights. It also stipulates that Khmer citizens are equal before the law, enjoying the same rights, liberties and duties regardless of, inter alia, religion.

## **Cambodia government submissions**

5. The Government respected the rights to freedom of all religious beliefs and promoted Buddhism as the State’s religion. At the same time, it prevented all forms of discrimination and social classification arising from different beliefs and religions, which was a source of political stability and social order. It stated that the Constitution prohibits all kind of discrimination, including on the basis of religion and beliefs.
6. Article 43, paragraph 3, of the Cambodian Constitution stated that “Buddhism is the religion of the State” which was practiced by the majority Cambodians. It noted that other religions, namely Christianity, Islam, Caodaism, Animism and others were being practiced by people freely and according to their beliefs and traditions. This included individuals from ethnic minorities.
7. Religious and cultural issues, it argued, were the bedrock for building and strengthening the very vital "social capital" that no amount of economic or social development can alone create or sustain. It highlighted the country’s tolerance, its rich cultural heritage and tradition and that the Government had made great efforts and

progress in promoting social harmony among people with broader participation of stakeholders without any discrimination on the basis of religious affiliation.

8. It called attention to the “broad freedom in the practice of religion and beliefs” and cited Cambodia’s 4,331 pagodas of which 4,184 were Mahanikaya Pagodas and 147 were Dhamayut pagodas. Christians operated 237 churches, 887 praying halls, 199 Christianity teaching schools for 112,398 followers. For Islam, there were 254 mosques, 8 praying halls, 177 Islam teaching schools with 463,732 Muslims. For Chinese Mahayana, there are 80 temples, 37 praying halls, and 102,371 Mahayana followers. For Caodaism, there are 3 temples with 2,058 followers. For Bahai, there are 7 temples with 6, 995 followers.

### **Stakeholder submissions across the two cycles**

9. Stakeholders noted that the Special Rapporteur on freedom of religion or belief had not yet been hosted in Cambodia, despite requests in 2008.
10. The European Centre for Law and Justice noted reports that a government directive on controlling external religions was aimed at reducing Christian evangelical influence in the largely Buddhist country amid allegations of believers using gifts to convert children.
11. The Khmer Kampuchea Krom Human Rights Association (KKKHRA) noted that the authorities continued to crack down on Khmer Krom Buddhist monks whenever they demonstrated to promote human rights for the Khmer Kampuchea Krom people. In many cases, Khmer Krom monks involved in demonstrations faced excommunication from their religious communities. Peaceful demonstrations were also interrupted violently.
12. The Special Rapporteur on Freedom of Religion and Belief, jointly with other Rapporteurs, sent a communication in 2007 regarding a new directive forbidding all monks from organizing or participating in any demonstration or carrying out Buddhist marches that affect public order – allegedly aimed at restricting Khmer Kampuchea Krom monks’ activities

### **Observations by other states**

13. There were no observations by other states on FoRB matters across the two cycles.

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### **References**

#### **General Reference**

CIA *World Factbook 2017*  
Constitution of Cambodia

### **References on the UPR of Cambodia**

Documents on the UPR of Southeast Asian States are available on the websites of UPR Info and of the OCHR. They consist of National Reports, Stakeholder Submissions and Recommendations by Peers. For Indonesia all documents are available as follows:

UPR Info: <https://www.upr-info.org/en/review>

OHCHR: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>

### **UPR First Cycle 2009**

1. National Report Submitted In Accordance With Paragraph 15 (A) Of The Annex To Human Rights Council Resolution 5/1. A/HRC/WG.6/6/KHM/1 16 September 2009
2. Compilation Prepared By The Office Of The High Commissioner For Human Rights, In Accordance With Paragraph 15 (B) Of The Annex To Human Rights Council Resolution 5/1 . A/HRC/WG.6/6/KHM/2 18 September 2009
3. Summary Prepared By The Office Of The High Commissioner For Human Rights, In Accordance With Paragraph 15 (C) Of The Annex To Human Rights Council Resolution 5/1. A/HRC/WG.6/6/KHM/3 9 September 2009
4. Draft Report Of The Working Group On The Universal Periodic Review. A/HRC/WG.6/6/L.3 3 December 2009

### **UPR Second Cycle 2014**

5. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, A/HRC/WG.6/18/KHM/1. 21 Nov. 2013.
6. Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21. A/HRC/WG.6/18/KHM/2. 7 November 2013.
7. Draft report of the Working Group on the Universal Periodic Review\* A/HRC/WG.6/18/L.4 . 30 January 2014.
8. Report of the Working Group on the Universal Periodic Review\*. A/HRC/26/16. 27 March 2014.

