

Relevant provisions in the draft Penal Code that may affect the free speech.

This draft penal code passed the Council of Ministers two weeks ago and it is now pending at the National Assembly for adoption.

Article 301: Listening or Recording Private Speeches

The acts of listening or recording the privately announced or confidential speeches without the consent of the concerned person, is punishable, except for the cases where it is authorized by law, by an imprisonment of between 1 (one) month and 1 (one) year and a fine of between 100,000 (one hundred thousand) and 2,000,000 (two million) Riels.

If the affected person is informed of the listening or the recording and he did not oppose to it, his consent is therefore presumed.

Article 302: Infringement on the Right of Private Picture

The acts of taking picture of a person in a private place without the consent of the latter, is punishable, except for the cases where it is authorized by law, by an imprisonment of between 1 (one) month and 1 (one) year and a fine of between 100,000 (one hundred thousand) and 2,000,000 (two million) Riels.

If the affected person is informed of the picture taking and he/she did not oppose to it, his/her consent is therefore presumed.

Article 303: Attempt

Any attempt to commit misdemeanours specified in this Chapter is punishable by the same penalties as misdemeanours.

Article 304: Additional Penalties: Categories and Duration

For the crimes laid out in the present Chapter, the following additional penalties may be pronounced:

1. deprivation of certain civil rights for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession for a period of not more than 5 (five) years;
3. posting the decision of sentence for a period of not more than 2 (two) months;
4. publication of the decision of sentence in the newspapers;
5. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

CHAPTER 2

DEFAMATION AND INSULT

Article 305: Public Defamation

Any allegation or slanderous charge that undermines the honour or the reputation of a person or an institution constitutes defamation.

The defamation that was committed by one of the following means, is punishable by a fine of between 100,000 (one hundred thousand) and 10,000,000 (ten million) Riels:

1. by speeches, by any means whatsoever, announced in a public place or in

- public meeting;
- 2. in writing or sketches by any means whatsoever, circulated in public or exposed to the sight of the public;
- 3. by any means of audio-visual communications intended for the public.

Article 306: Defamation through Media

The defamation committed by means of media is subject to the provisions of the press law.

Article 307: Public Insulting

Any insulting expression, any scorning term or any other verbal abuses which does not affect the slanderous charges constitutes an insult.

The insult committed by one of the following means is punishable by a fine of between 100,000 (one hundred thousand) Riels and 10,000,000 (ten million) Riels:

- 1. by speeches, by any means whatsoever, announced in a public place or in public meeting;
- 2. in writing or sketches by any means whatsoever, circulated in public or exposed to the sight of the public;
- 3. by any means of audio-visual communications intended for the public.

Article 308: Insulting through Media

The insult committed by means of media is subjected to the provisions of the press law.

Article 309: Court Proceeding with Regard to Defamation and Insulting

For the case of defamation or insulting against members of the Royal Government, public civil servants or any citizen who is assigned to perform public mission or public mandate the charge is filed by the person concerned or by the head of the institution concerned.

For the case of defamation or insulting against private individual, the charge is filed by the person who suffered from defamation or insult. The referral of the case for adjudication is made directly by the plaintiff by stating his/her residence in a province/municipality where the court receives the complaint and will notify the accused and the prosecutor.

However, the charge may be automatically filed by a prosecutor if the defamation or insulting is committed against a person or a group of persons based on the grounds of origin, ethnicity, race, nationality or religion of the person. In this case, procedures for referring the case for adjudication shall be in accordance with the provisions of the Criminal Procedure Code.

After receiving the complaint which follows the above procedures, the court may order the plaintiff to pay deposit. Conditions and procedures for paying deposit that are carried out by the investigating judge and provided in Article 140 (Payment of Deposit) of the Criminal Procedure Code will be applicable to the court that receives complaint.

The respect of the procedures is mandatory otherwise the charge will be considered as null and void.

Article 310: Additional Penalties: Categories and Duration

For the crimes laid out in the present Chapter, the following additional penalties may be pronounced:

1. posting the decision of sentence;
2. publication of the decision of sentence in the newspapers;
3. broadcasting the decision of sentence by all means of audio-visual communications.

The additional penalties as mentioned in Point 3 above may be broadcasted for a period of not more than 8 (eight) days.

CHAPTER 3 SLANDEROUS DENUNCIATION

Article 311: Acts of Slandorous Denunciation

The act of denouncing a fact that is known to be incorrect and it is so knowingly to result in criminal or disciplinary sanctions constitutes a slanderous denunciation, when it is addressed to:

1. a competent authorities, such as a judge, a judicial police officer, or an employer;
2. or a person with power to refer the matter to the competent authorities.

Article 312: Penalties to be Imposed and Conditions of Charge

The slanderous denunciation is punishable by an imprisonment of between 1 (one) month and 1 (one) year and a fine of between 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

The statute of limitation of criminal charge for this offence will be expired within the period of 1 (one) year.

The start of statute of limitation will be counted from the day the complaint on slanderous denunciation arrives or the day the complaint is submitted to the competent authorities.

In case where the complaint on slanderous denunciation has given rise to criminal prosecution, the procedures on slanderous denunciation will suspend the statute limitation until the completion of the prosecution.

Article 313: Additional Penalties: Categories and Duration

For the misdemeanours specified in the present Chapter, the following additional penalties may be pronounced:

1. posting the decision of sentence for a period of not more than 2 (two) months;
2. publication of the decision of sentence in the newspapers;
3. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

CHAPTER 4 INFRINGEMENT ON PROFESSIONAL CONFIDENTIAL

Article 314: Acts of Infringement on Professional Confidential

Any person who holds, by reason of his/her position, profession, function or mission,

an information of confidential nature, and if he/she has revealed the said information to an unauthorized person to know its content, is punishable by an imprisonment of between 1 (one) month and 1 (one) year and a fine of between 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

The offence does not constitute in the case where the law authorizes or imposes the revelation of the secrets.

Article 315: Derogation for the Case of Revelation of Bad Conduct

Misdemeanours specified in Article 314 (Acts of Infringement on Professional Confidential) does not constitute as an offence, when the person who knows the facts while pursuing his/her profession has revealed to the judicial, administrative or medical authorities the ill treatment on minors of less than 15 (fifteen) years of age.

Article 316: Additional Penalties: Categories and Duration

For misdemeanours specified in the present Chapter, the following additional penalties may be pronounced:

1. posting the decision of sentence for a period of not more than 2 (two) months;
2. publication of the decision of sentence in the newspapers;
3. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

CHAPTER 5

INFRINGEMENT ON THE SECRECY OF THE CORRESPONDENCE AND TELECOMMUNICATIONS

Article 317: Infringement on Correspondence

The acts of opening, disappearing, delaying or diverting the correspondences addressed to the third party, in bad faith, is punishable by an imprisonment of between 1(one) month and 1 (one) year and a fine of between 100,000 (one hundred thousand) Riels and 2,000,000 (two million) Riels.

The acts of fraudulently acquiring knowledge of the content of correspondences addressed to a third party are punishable by the same penalties.

Article 318: Infringement on Secrecy of Telephone Conversation

The act of listening or jamming the telephone conversations, in bad faith, is punishable by an imprisonment of between 1 (one) month and 1 (one) year and a fine of between 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

The act of intercepting or jamming the messages transmitted by means of telecommunications or by way of fraudulently acquiring knowledge of their content, in bad faith, is punishable by the same penalties.

Article 319: Attempt

Any attempt to commit misdemeanours specified in this Chapter is punishable by the same penalties as misdemeanours.

Article 320: Additional Penalties: Categories and Duration

For the crimes laid out in the present Chapter, the following additional penalties may

be pronounced:

1. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession for a period of not more than 5 (five) years;
2. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;
3. posting the decision of sentence for a period of not more than 2 (two) months;
4. publication of the decision of sentence in the newspapers;
5. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

CHAPTER 3 BLACKMAIL

Article 375: Blackmail

The blackmail is an act of obtaining, by means of threatening to disclose or to impute facts so as knowingly to ruin a person's honour or friendship:

1. a signature;
2. a commitment or a renunciation;
3. the disclosure of a secret;
4. the delivery of funds, of assets or any property.

Article 376: Penalties to be Imposed

Blackmail is punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Article 377: Aggravating Circumstances based on Practical Application of Blackmail

When the blackmail to disclose or to impute facts to ruin a person's honour or friendship is carried out, the perpetrator is punished to an imprisonment from 5 (five) and 10 (ten) years.

Article 378: Attempt

The attempt to commit misdemeanours specified in this Chapter is punishable by the same penalties as misdemeanours.

Article 379: Additional Penalties: Categories and Duration

For the felonies and misdemeanours laid out in the present Chapter, the following additional penalties may be pronounced:

1. the deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession definitively or for a period of not more than 5 (five) years;
3. prohibition against taking a residency for a period of not more than 10 (ten) years for a felony or not more than 5 (five) years for a misdemeanour;
4. for a convicted foreigner, prohibition against entering and taking residency in the territory of the Kingdom of Cambodia definitively or for a period of not more than 5 (five) years;
5. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;

6. confiscation of objects or funds which were intended to commit offences;
7. confiscation of incomes or properties earned from the offences;
8. confiscation of utensils, materials or moveable objects at the resident where the offence was committed;
9. confiscation of one or several vehicles belonging to the convicted person;
10. prohibition against possessing or carrying a weapon or explosive definitively or for a period of not more than 5 (five) years;
11. posting the decision of sentence for a period of not more than 2 (two) months;
12. publication of the decision of sentence in the newspapers;
13. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

Article 428: Falsification of Information

The act of communicating or disclosing false information with intention to create an impression that destruction, deterioration or damage to persons be committed is punishable by an imprisonment from 1 (one) year to 2 (two) years and a fine from 2,000,000 (two million) Riels to 4,000,000 (four million) Riels.

Article 429: Additional Penalties: Categories and Duration

For the offences laid out in the present Title, the following additional penalties may be pronounced:

1. deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession definitively or for a period of not more than 5 (five) years;
3. prohibition against driving vehicles of whatsoever types definitively or for a period of not more than 5 (five) years;
4. prohibition against taking a residency for a period of not more than 10 (ten) years for a felony or not more than 5 (five) years for a misdemeanour;
5. for a convicted foreigner, prohibition against entering and taking residency in the territory of the Kingdom of Cambodia definitively or for a period of not more than 5 (five) years;
6. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;
7. confiscation of objects or funds which were the subjects of offences;
8. confiscation of incomes or properties earned from the offences;
9. confiscation of utensils, materials or moveable objects at the residence where the offence was committed;
10. confiscation of one or several vehicles belonging to the convicted person;
11. prohibition against possessing or carrying weapon definitively or for a period of not more than 5 (five) years;
12. closure of an establishment used to prepare or commit the offence definitely or for a period of not more than 5 (five) years;
13. prohibition against operating an establishment which was opened to public or used by public definitely or for a period of not more than 5 (five) years;
14. posting the decision of sentence for a period of not more than 2 (two) months;
15. publication of the decision of sentence in the newspapers;
16. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

TITLE 2
INFRINGEMENTS ON OTHER PROPERTIES

CHAPTER 1
OFFENCES IN INFORMATION TECHNOLOGY SECTOR

Article 430: Accessing or Maintaining Access to Automated Data Processing Systems

The acts of fraudulently having access to a system of automated data processing or maintaining access to it, is punishable by an imprisonment from 1 (one) month to 1 (one) year and a fine from 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

When the act has resulted in either deletion or modification of the data contained in the system, or an alteration of the functioning of the system, it is punishable by an imprisonment from 1 (one) year to 2 (two) years and a fine from 2,000,000 (two million) Riels to 4,000,000 (four million) Riels.

Article 431: Act of Obstructing the Operations of Automated Data Processing System

Any act of obstructing the operations of the automated processing system of data is punishable by an imprisonment from 1 (one) year to 2 (two) years and a fine from 2,000,000 (two million) Riels to 4 (four million) Riels.

Article 432: Fraudulent Introduction, Deletion or Modification of Data

The fraudulent acts of introducing, deleting or modifying data in an automated processing system are punishable by an imprisonment from 1 (one) year to 2 (two) years and a fine from 2,000,000 (two million) Riels to 4,000,000 (four million) Riels.

Article 433: Participation in a Group or a Agreement to Prepare for the Commission of Offences

The participation in a group or in a knock-out agreement established in order to prepare for the commission of one or several offences specified in the present Chapter is punishable by an imprisonment from 1 (one) year to 2 (two) years and a fine from 2,000,000 (two million) Riels to 4,000,000 (four million) Riels.

Article 434: Attempt

The attempt to commit misdemeanours specified in this Chapter is punishable by the same penalties as misdemeanours.

Article 435: Additional Penalties: Categories and Duration

For the felonies and misdemeanours laid out in the present Chapter, the following additional penalties may be pronounced:

1. deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession definitively or for a period of not more than 5 (five) years;
3. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;
4. confiscation of objects or funds which were the subjects of offences;

5. confiscation of incomes or properties earned from the offences;
6. confiscation of utensils, materials or moveable objects at the residence where the offence was committed;
7. confiscation of one or several vehicles belonging to the convicted person;
8. posting the decision of sentence for a period of not more than 2 (two) months;
9. publication of the decision of sentence in the newspapers;
10. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

PART 4

OFFENCES AGAINST THE NATION

BOOK 1

INFRINGEMENTS AGAINST THE MAJOR INSTITUTIONS OF THE

CHAPTER 2

Article 445: Insulting the King

Insulting the King is punishable by an imprisonment from 1 (one) month to 6 (six) months, and a fine from 100,000 (one hundred thousand) Riels to 10,000,000 (ten million) Riels, when it is committed:

1. by speeches, of any kind whatsoever, pronounced in a public place or in any public meeting;
2. by writing or sketches, of any kind whatsoever, distributed in public or exposed to the sights of the public;

Article 446: Insulting Committed through Media

The insulting committed through media is subject to the provisions of the press law.

Article 447: Additional Penalties: Categories and Duration

For the offences laid out in the present Chapter, the following additional penalties may be pronounced:

1. deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession definitively or for a period of not more than 5 (five) years;
3. prohibition against taking residency for a period of not more than 10 (ten) years;
4. prohibition against leaving the territory of the Kingdom of Cambodia for a period of not more than 5 (five) years;
5. for a convicted foreigner, prohibition against entering or taking residency in the territory of the Kingdom of Cambodia definitively or for a period of not more than 5 (five) years;
6. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;
7. prohibition against possessing or carrying weapon definitely or for a period of not more than 5 (five) years;
8. posting the decision of sentence for a period of not more than 2 (two) months;

9. publication of the decision of sentence in the newspapers;
10. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

Article 455: Acts of Collecting Information which May Undermine National Defence

The act of receiving or collecting with a view to delivering power to a foreign state or its agents the information, processes, objects, documents, data, information technologies or memorandum slip which may undermine national defence is punishable by an imprisonment from 5 (five) years to 10 (ten) years.

Article 456: Destruction of Materials which May Undermine National Defence

The act of destroying, damaging or embezzling any documents, materials, buildings, equipment, installations, mechanical apparatus, technical device or the automated data processing system, or of producing some defect to them, when these acts undermine the national defence, is punishable by an imprisonment from 7 (seven) years to 15 (fifteen) years.

Article 457: Provision of False Information

The act of providing, with a view to serve the interests of a foreign state, to the civilian or military authorities of Cambodia, false information which may undermine the national defence, is punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Article 458: Attempt

The attempt to commit misdemeanours specified in Article 457 (Provision of False Information) is punishable by the same penalties as misdemeanours.

Article 459: Additional Penalties: Categories and Duration

For the offences laid out in the present Chapter, the following additional penalties may be pronounced:

1. deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession definitively or for a period of not more than 5 (five) years;
3. prohibition against taking residency for a period of not more than 10 (ten) years for a felony or for a period of not more than 5 (five) years for a misdemeanours;
4. prohibition against leaving the territory of the Kingdom of Cambodia for a period of not more than 5 (five) years;
5. for a convicted foreigner, prohibition against entering or taking residency in the Kingdom of Cambodia definitively or for a period of not more than 5 (five) years;
6. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;
7. confiscation of one or several vehicles belonging to the convicted person;
8. prohibition against possessing or carrying weapon definitively or for a period of not more than 5 (five) years;
9. posting the decision of sentence for a period of not more than 2 (two) months;

10. publication of the decision of sentence in the newspapers;
11. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

CHAPTER 3

INSURRECTION

Article 465: Insurrection

Any collective violence likely to endanger the institutions of the Kingdom of Cambodia or to undermine the integrity of national territory constitutes an insurrection.

Article 466: Penalties to be Imposed

The acts of participating in the movement of insurrection are punishable by an imprisonment from 7 (seven) years to 15 (fifteen) years:

1. by erecting barricades, trenches or by constructing any works with the purpose of preventing the action of the public forces;
2. by occupying of a building or an installation by force or by the scheme;
3. by destroying a building or an installation;
4. by undertaking the transportation or supplies of logistic for insurgents;
5. by direct provoking the assembly of the insurgents;
6. by possessing or carrying a weapon;
7. by substituting the legitimate authorities.

Article 467: Aggravating Circumstances of Insurrection

The act of participating in the movement of insurrection is punishable by an imprisonment from 10 (ten) years to 20 (twenty) years:

1. by seizing by force, weapons, munitions, explosives or any other substance dangerous to persons;
2. by providing the insurgents with weapons, ammunitions, explosives or the substances dangerous to the persons.

Article 468: Leading of Insurrection

The act of leading the movement of insurrection is punishable by an imprisonment from 20 (twenty) years to 30 (thirty) years.

Article 469: Additional Penalties: Categories and Duration

For the crimes laid out in the present Chapter, the following additional penalties may be pronounced:

1. deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession definitively or for a period of not more than 5 (five) years;
3. prohibition against taking residency for a period of not more than 10 (ten) years for a felony or for a period of not more than 5 (five) years for a misdemeanour;
4. prohibition against leaving the territory of the Kingdom of Cambodia for a period of not more than 5 (five) years;
5. for a convicted foreigner, prohibition against entering or taking residency in the Kingdom of Cambodia definitively or for a period of not more than 5 (five) years;

6. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;
7. confiscation of one or several vehicles belonging to the convicted person;
8. prohibition against possessing or carrying weapon definitively or for a period of not more than 5 (five) years;
9. posting the decision of sentence for a period of not more than 2 (two) months;
10. publication of the decision of sentence in the newspapers;
11. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

CHAPTER 6

INFRINGEMENT ON THE SECRET OF THE NATIONAL DEFENCE

Article 486: Principle of Secrecy Protection of National Defence

The information, processes, objects, documents, memorandum slip or computerized data whose divulgence is susceptible to undermine the national defence may become the subject of protective measures intended to restrict their dissemination.

The modalities of organization of these protective measures are established by the Royal Government.

Article 487: Definition of Secrecy of National Defence

The information, the processes, the objects, the documents, the memorandum slips or the computerized data whose divulgence is restricted constitutes the secrecy of the National Defence.

Article 488: Intentional or Unintentional Revealing the Secrecy of National Defence

Any person who holds, because of his/her status, of his/her profession or his/her mission, information, a process, an object, a document, a memorandum slip or computerized data which constitutes secrecy of the national defence is punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels, if this person has revealed this secrecy to an unauthorized person.

Infringement of secrecy of the national defence caused by negligence, carelessness or disobedience is punishable by an imprisonment from 6 (six) months to 2 (two) years and a fine from 1,000,000 (one million) Riels to 4,000,000 (million) Riels.

Article 489: Possession of Secrecy of National Defence

The acts of having in possession of information, a process, an object, a document, a memorandum slip or computerized data which constitutes secrecy of the national defence by any unauthorized person is punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Article 490: Destruction or Reproduction of Secrecy of National Defence

The acts of destroying or copying information, a process, an object, a document, a memorandum slip or computerized data which constitutes secrecy of the national defence is punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Article 491: Attempt

The attempt to commit misdemeanours specified in this Chapter is punishable by the same penalties as misdemeanours.

Article 492: Additional Penalties: Categories and Duration

For the offences laid out in the present Chapter, the following additional penalties may be pronounced:

1. deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against pursuing a profession during which time the crime was committed in course of or during the occasion of pursuing of this profession definitively or for a period of not more than 5 (five) years;
3. posting the decision of sentence for a period of not more than 2 (two) months;
4. publication of the decision of sentence in the newspapers;
5. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

CHAPTER 3**PROVOCATION TO COMMIT OFFENCES****Article 503: Conditions for Existence of Provocation**

For the purpose of enforcement of the present Chapter, the provocation is punishable when it is committed:

1. by speeches, of any kind whatsoever, pronounced in a public place or in any public meeting;
2. by writing or sketches, of any kind whatsoever, distributed in public or exposed to the sights of the public;
3. by any means of audio-visual communications for the public.

Article 504: Provocation to Commit Crimes

The act of direct provocation aimed at committing a felony by one of the means specified in Article 503 (Conditions for Existence of Provocation) is punishable by an imprisonment from 6 (six) months to 2 (two) years and a fine from 1,000,000 (one million) Riels to 4,000,000 (four million) Riels, if the provocation produced no effect.

Article 505: Provocation to Commit Discrimination

The act of direct provocation, by one of the means specified in Article 503 (Conditions for Existence of Provocation), hinting a discrimination, malice or violence against a person or a group of persons because of their belonging to or non-belonging to an ethnicity, a nationality, a race or a specific religion, is punishable by an imprisonment from 1 (one) year to 3 (three) years and a fine from 2,000,000 (two million) Riels to 6,000,000 (six million) Riels if the provocation produced no effect.

Article 506: Provocation through Media

The offences specified in the present Chapter committed through media are subject to the provisions of the Press Law.

Article 507: Additional Penalties: Categories and Duration

For the crimes laid out in the present Chapter, the following additional penalties may be pronounced:

1. deprivation of certain civil rights definitively or for a period of not more than 5 (five) years;
2. prohibition against possessing or carrying weapon for a period of not more than 5 (five) years;
3. posting the decision of sentence for a period of not more than 2 (two) months;
4. publication of the decision of sentence in the newspapers;
5. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

TITLE 4

INFRINGEMENT ON STATE AUTHORITIES

SINGLE CHAPTER

INSULT AND REBELLION

Article 511: Elements of Insult and Penalties to be Imposed

The use of words, gestures, writings, sketches or objects which undermine the dignity of a person constitutes an insult.

The insult directed against a civil servant or a citizen entrusted with public mandate by an election in office or in the occasion of performing his/her function is punishable by an imprisonment from 1 (one) day to 6 (six) days and a fine from 1,000 (one thousand) Riels to 100,000 (one hundred thousand) Riels.

Article 512: Elements of Rebellion and Penalties to be Imposed

The acts of opposing with violent resistance against a public official who acts in order to enforce laws and orders of public authorities or the decisions of the court constitute rebellion.

The rebellion is punishable by an imprisonment from 1 (one) month to 3 (three) months and a fine from 100,000 (one hundred thousand) Riels to 500,000 (five hundred thousand) Riels.

Article 513: Aggravating Circumstances of Rebellions

Rebellions are punishable by an imprisonment from 6 (six) months to 1 (one) year and a fine from 1,000,000 (one million) Riels to 2,000,000 (two million) Riels, in the following cases:

1. it is committed by several persons acting in their capacity as perpetrator, co-perpetrators, instigator or accomplice;
2. the perpetrator carried a weapon.

Article 514: Inciting to Commit Rebellions

A direct inciting leading to the commission of rebellion is punishable by an imprisonment from 1 (one) day to 1 (one) month and a fine from 1,000 (one thousand) Riels to 100,000 (one hundred thousand) Riels.

Article 515: Obstruction against the Implementation of Public Works

The act of obstructing by violence against the implementation of public works or the works for the interests of the public is punishable by an imprisonment from 1 (one) month to 3 (three) months and a fine from 100,000 (one hundred thousand) Riels to 500,000 (five hundred thousand) Riels.

Article 516: Additional Penalties: Categories and Duration

For the offences laid out in the present Chapter, the following additional penalties may be pronounced:

1. prohibition against possessing or carrying weapon for a period of not more than 5 (five) years;
2. posting the decision of sentence for a period of not more than 2 (two) months;
3. publication of the decision of sentence in the newspapers;
4. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.

Book 2
Infringement on Justice

TITLE 1
INFRINGEMENT ON AUTHORITIES OF THE COURTS

CHAPTER 1
INFRINGEMENT ON JUDGES AND COURT ASSISTANTS

Article 529: Insulting a Judge

When insulting specified in Article 511 (Elements of Insult and Penalties to be Imposed) of this Code is committed against a judge in office or during the course of performance of their functions, it is punishable by an imprisonment from 6 (six) days to 1 (one) month and a fine from 10,000 (ten thousand) Riels to 100,000 (one hundred thousand) Riels.

If such insult was committed in the court hearing, it is punishable by an imprisonment from 1 (one) month to 3 (three) months and a fine from 100,000 (one hundred thousand) Riels to 500,000 (five hundred thousand) Riels.

CHAPTER 2
INFRINGEMENT ON THE COURT DECISIONS

Article 530: Interference in the Performance of Functions of the Court

Any act of a public servant, a soldier or citizen receiving public mandates through an election who interferes in the performance of function of the court is punishable by an imprisonment from 2 (two) years to 5 (five) years and a fine from 4,000,000 (four million) Riels to 10,000,000 (ten million) Riels.

Article 533: Publication of any Commentaries to Put Pressure on Jurisdiction

Any publication, prior to the final decision of the court, of any commentaries aiming at putting pressure on the court where a law suit is filed, in order to influence over the decision of the court is punishable by an imprisonment from 1 (one) month to 6 (six) months, and a fine from 100,000 (one hundred thousand) Riels to 1,000,000 (one million) Riels.

Article 534: Discrediting the Court Decision

Any act of criticizing a letter or a court decision aiming at creating disturbance of public orders or endangering institutions of the Kingdom of Cambodia is punishable by an imprisonment from 1 (one) month to 6 (six) months and a fine from 100,000 (one hundred thousand) Riels to 1,000,000 (one million) Riels.

Failure to enforce the decision of the court is punishable by the same penalties specified in Paragraph 1 above.

Article 535: Denunciation with Lies to the Court Authority

Any act of denunciation by lying to the court or administrative authority of a fact constituting an offence, when such act leads to a useless investigation is punishable by an imprisonment from 1 (one) month to 6 (six) months, and a fine from 100,000 (one hundred thousand) Riels to 1,000,000 (one million) Riels.

Article 536: Attempt

The attempt to commit misdemeanours specified Article 532 (Interference in the Performance of Functions of the Court) and Article 537 (Denunciation with Lies to the Court Authority) of this Code carries the same punishment as misdemeanours.

Article 537: Additional Penalties: Categories and Duration

For the misdemeanours described in the current Chapter, the following additional penalties may be pronounced:

1. deprivation of civil rights definitively or for the period of not more than 5 (five) years;
2. prohibition against pursuing a profession if the crimes are committed in the course of or during the occasion of pursuing of this profession definitively or for the period of not more than 5 (five) years;
3. confiscation of any instruments, materials or any objects which have been used to commit the offence or were intended to commit the offence;
4. prohibition against possessing or carrying a weapon definitively or for a period not more than 5 (five) years;
5. posting the decision of sentence for a period of not more than 2 (two) months;
6. publication of the decision of sentence in the newspapers;
7. broadcasting the decision of sentence by all means of audio-visual communications for a period of not more than 8 (eight) days.