**TEACHING HANDBOOK**

**TRIAL AND DECISION**

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1. **Structure and Formats of the Lesson**
2. **Course Descriptions:**

This course will help students to become familiar with Proceedings Process and Confrontation, types of Judgment and the Appeal Process to the Higher Courts. By the end, students will be able to understand the procedures before the trial, during the trial, after the trial and the court decision.

1. **Course Objectives:**

The objective of this course are:

* Students will be required to read and analyze Cambodian Criminal Code of Procedure related to the Trail and Decision.
* Students will be encouraged to participate in class discussion on the underlying trial and decision of Cambodian Criminal Code of Procedure.
* Students will be asked to utilize their critical and analytical thinking skills to solve cases related to the given topic, in which they need to identify the issues and develop arguments and counter-arguments to support their claims.

1. **Course Expected Learning Outcome:**

After completing the whole course, the students will be expected to firstly remember or list down all of the core processes of the trial proceeding in steps - including confrontation, announcement of the judgement until the process of appeal to the further, higher courts. By this, the students will understand how the criminal-trial procedures in Cambodia work for criminal cases. Lastly, the students will also be able to apply the provisions under the relevant law and make analysis to the case studies or class activities that are provided under each sub-section.

1. **Questions that students can answer by the end of Lesson:**

* What are the procedures in the trial and confrontation?
* What parties can do in the trail proceeding?
* How many types of judgement under Criminal Procedure?
* The penalties to those who commit criminal crimes.

1. **Contents:**
2. **Proceedings Process and Confrontation**

**Learning Outcome**

Students will be able to identify the proceedings process and confrontation in the court, policing the hearing, rules of evidence, conduct of confrontations and Variances. Students will also learn on evaluation of evidence by the court that any evidence in criminal cases is freely admissible. The court shall have a free choice to determine the value of the evidence submitted to the court on the ground of its true belief. In addition, students will also learn on how the chairman of the hearing does during the Interview of Accused Person and Interviewing of Parties and objection to Interview a Witness. Students will also know how the court questions the deaf and mute person.

**Lecture Content**

Here, The court clerk calls the names of the accused, civil parties, civil parties, victims: witnesses, experts and verifies identity. If the Civil Party is the civil party responsible, it is represented by a spouse or a direct relative of the court clerk. The court clerk notes down the minutes of the hearing, describing the proceedings of the hearing and the questions and answers to the parties involved in the hearing.[[1]](#footnote-1) This record shall be signed by the court clerk and shall be signed upon verification by the hearing officer within 10 days after the date of the verdict.

Each party sits in a reserved space in the courtroom. The chairman of the hearing informs the accused of the charges against him. The chairman of the hearing interrogates the accused, both charged and acquitted. Prosecutors, lawyers and parties may be allowed to ask questions to the accused. In addition to questions from prosecutors and lawyers, other questions must be asked through the chairman of the hearing. The chairman of the hearing listens to the civil parties. Prosecutors, lawyers and parties may be allowed to ask questions to Civil Parties. In addition to questions from prosecutors and lawyers, other questions must be asked through the chairman of the hearing. The court may hear the answer of the defamation plaintiff for information.[[2]](#footnote-2)

Before answering questions, witnesses must swear in accordance with their religion or beliefs. The chairman of the hearing shall ask one of the witnesses whether he is a blood relative or a relative of the accused, a civil party or a civil party.[[3]](#footnote-3) The chairman of the hearing listens to the testimony of witnesses. Prosecutors, lawyers and parties may be allowed to cross-examine witnesses. In addition to questions from prosecutors and lawyers, other questions must be asked through the chairman of the hearing. The parties may request the court to hear the testimony of a person present in the room but not properly summoned. The hearing of witnesses must be approved by the chairman of the hearing. If the court does not appear before the court by summons, the court may use public force to compel the witness to appear.[[4]](#footnote-4)

If the person concerned is deaf or muted person, the court clerk should write and have the person read and answer in writing. If that person cannot read, find an interpreter who must swear by his religion and beliefs to help the court and translate the answer honestly. This translator may have been a communicator. If the person is unable to speak the Khmer language, find an interpreter who must swear by his or her religion and beliefs to assist the court and translate the answer honestly. Interpreters may not be selected from among judges, court clerks, police, parties or witnesses.

Defendants, Civil Parties, Civil Parties, may make a written conclusion and submit all documents which they deem useful to the facts. The written conclusions shall be prepared by the chairman of the hearing and the court clerk and shall be attached to the dossier. This conclusion must be made before closing the debate. If the debate does not end during the hearing, the court may resume at the next hearing on its scheduled date.

* Right to speak continuously:

The chairman of the hearing gives the right to speak continuously:

* Civil Parties, Civil Parties, Defendants make brief remarks
* Civil Parties' lawyers make defense statements
* Prosecutors make closing statements
* The lawyer of the person in charge of the civil party, the lawyer of the accused to make a defense conclusion.

The speech was answered by the other party. But the accused and the lawyer must always speak at the very last. The court retreated into the discussion room to decide. From now on, there shall not be any complaint that can be filed in court.[[5]](#footnote-5)

**Buzz Groups Activities:**

*Students are required to form a small group with a maximum of 3 people. Each group has 10 minutes to brainstorm ideas and discussions.*

1. Break class into small groups. Each group discusses the topic or question on their own for a few minutes to generate arguments, answers, or ideas.

2. Once time is up, have each small group share one idea, answer, or argument with the class. Record ideas on the board.

1. **Types of Judgment**

**Learning Outcome**

With this section, students will be able to understand and differentiate the Judgment related to criminal matters that are issued by the Court. The Lecturer will address the purpose and scope of each of the following judgments.

**Lecture Content**

*How many types of judgment related to criminal matters under the Criminal Procedure code?*

There are five types of judgment under Criminal Procedure code:

1. **Non-default Judgment**

If an accused person appears at the trial, a judgment shall be a non-default judgment.[[6]](#footnote-6) The judgment is still non-default even if the accused person leaves the courtroom.[[7]](#footnote-7) If the accused person cannot appear before the court due to health reasons or serious reasons, the chairman of the hearing may order the questioning of the accused person at his/her place of residence and a judgment is still non-default.[[8]](#footnote-8)

1. **Judgment Deemed to be Non-default**

If an accused person does not appear for trial but he/she had the knowledge that a committal for direct hearing or a summons was issued, the judgment shall be deemed as non-default.[[9]](#footnote-9)The accused person shall be notified of the non-default judgment.[[10]](#footnote-10)

1. **Default Judgment**

If an accused person does not appear at the hearing and there is no proof that he/she had the knowledge of the committal for trial or the summons, the judgment shall be issued in the absence of the accused person.[[11]](#footnote-11)The accused person shall be notified of the default judgment.[[12]](#footnote-12)

1. **Judgment issued in the presence of a Civil Party**

If a civil party appears during the trial or has a legitimate representative, the judgment shall be non-default in the presence of the civil party. The non-default judgment in the presence of the civil party shall not be notified to him/her.[[13]](#footnote-13) On the opposite, if a civil party or his/her legitimate representative was not present during the hearing, the judgment shall be issued in the absence of the civil party. The civil party shall be notified of this default judgment.[[14]](#footnote-14)

1. **Judgment issued in the presence of a Civil Responsible Person**

If a person who was summoned as a civil responsible person appears at a hearing or is legitimately represented, the judgment shall be a non-default judgment in the presence of the civil responsible person. The civil responsible person shall not be notified of the non-default judgment.[[15]](#footnote-15) However, if a person who was summoned as a civil responsible person does not appear at a hearing or is not legitimately represented, the judgment shall be issued in the absence of the civil responsible person. The civil responsible person shall be notified of the default judgment.[[16]](#footnote-16)

**Class Activity**

*True/False*

* The Judgment Deemed to be Non-default shall be notified to the accused person.

1. True
2. False

* The Default Judgment shall not be notified to the accused person.

1. True
2. False

* The judgment is still non-default even if the accused person leaves the courtroom.

1. True
2. False

* There are six types of Judgment in the Criminal Code procedure.

1. True
2. False
3. **Appeal Process to the Higher Courts**
4. **Opposition Against a Default Judgement**

**Learning Outcome**

Students will be able to identify the procedure of the opposition against a default judgment as well as drafting, registry, filling, effect and judgement of an opposition. Students will also learn about the appeal of the opposition against a default judgement, where should the opposition conduct, who has an authority to file the opposition and where should the parties file the opposition and the judgment that the parties can oppose against. Moreover, students can also distinguish between the opposition against a default judgment (issue by the Court of First Instance) and opposition against a default judgment (issue by the Court of Appeal)

**Lecture Content**

*Why is there opposition against a default judgement issue by the Court of First Instance and the Court of Appeal?*

The opposition against a default judgement happens when the guilty person is absent from hearing of judgement so the judge issues another judgement which is called default judgement to the person who is absent.[[17]](#footnote-17) and it also applies to judgments issued by the Court of Appeal.[[18]](#footnote-18)

The procedure to file an opposition for both judgments is the same. The guilty person may file an opposition at the authorized authority, for instance if the judgment is issued by the Court of First Instance the guilty person may file it at the Court of First Instance and if the judgement issued by the Court of Appeal, the guilty person may file an opposition at the Court of Appeal.

Since the guilty person was absent from the Judgement hearing, the guilty person may file an opposition in Writing to the office of the court clerk of the court where the judgement was declared; in the presence of a prosecutor, police or gendarmeries unit or a chief of a prison or a detention center. The guilty person may authorize the lawyer to draft and file an opposition. Yet, if the guilty person is a Minor the representative shall be parents or guardians. An opposition shall be filed within 15 days starting from the date that default judgement was given to the guilty person by hand delivery or the date that the guilty person learned about the judgement if the judgement was not given by hand delivery. [[19]](#footnote-19)​

Once the opposition application is submitted, the judgement shall become invalid and the execution of the judgement shall be suspended. However, a warrant of arrest shall remain valid meaning that the court still has authority to put the guilty person in imprisonment. [[20]](#footnote-20)

The parties may participate in the tail judgement. If the guilty person is absent in the hearing again the court shall declare that the opposition is null and void and there is no second opposition only if the guilty person appeals to the Court of Appeal.[[21]](#footnote-21) However, for the opposition to the Court of Appeal when the court declares that the opposition is null and void the guilty person may appeal to the Supreme Court.[[22]](#footnote-22)

**Class Activity**

*Roleplay:*

*students will have 15 minutes to form a group of 5 persons to play the role of judge, prosecutor, lawyer, guilty person​​ and plaintiff. The student has to play the role referring to the case scenario and the role as follow:*

Role:

* The judge: he/she shall make the decision on the opposition against a default judgment once the guilty person is present at the court.
* The prosecutor: the one who receives an opposition in writing from the lawyer.
* Lawyer: a representative to the guilty person.
* Guilty person: shall go to meet a lawyer and talk about the case and present on the day of trial judgment.
* Plaintiff: shall present at the court to hear the final judgment.

Case Scenario:

On 15 September 2021, Mr. Samnang, who is known as a guilty person, is on the way to the court for the trial judgment. Unfortunately, on his way to the court there was a car that crushed him on his foot, so he had to visit the doctor and was absent from the trial. On the same day, the judgment was issued and Mr. Samnang is entitled to pay 5,000,000 and sentenced to imprisonment for 6 months with the guilty charge of causing injury to the plaintiff. Mr. Samnang is not satisfied with the judgment. So, after he leaves the hospital, he goes to a law office to engage a lawyer on how to appeal his case. After receiving the advice and discussion on the issue, Mr. Samnang agreed to engage the lawyer. On 18 December 2021, the lawyer went to the court and met a persecutor to file an opposition against the default judgement. On 19 December 2021, prosecutors called to the lawyer that the case hearing will be held on 25 December 2021 and the guilty person, plaintiff, shall present at the court to hear the final judgement.

1. **Appeals Against Judgement to the Court of Appeal**

**Learning Outcome**

This section will help students be able to understand the appealing processes to the Court of Appeal and its main functional works after the judgement of the Court of First Instance is not satisfied by the parties on the criminal cases. The lecturer will address those that include the jurisdiction, admissibility, procedure and the consequences of appeal by or when the case has been brought up to that higher court.

**Lecture Content**

*What should be done next when the relevant party does not agree with the judgement of the first, lower court?*

The Court of Appeal is categorized as one of the higher courts in Cambodia, second degree, with the Supreme Court as another next-higher level and the Court of First Instance as the lower level.[[23]](#footnote-23) When discussing the criminal case, the Criminal Chamber of the Court of Appeals will have the jurisdiction in charges of the matter at the time the judgement of the lower court is not satisfied by one of the parties,[[24]](#footnote-24) and not to be confused with the Investigating Chamber of the former process.[[25]](#footnote-25) The court will look again at both the question of law and question of fact.

The appeal can be filed by the prosecutor of the Court of First Instance or general prosecutor of the Court of Appeal, guilty person, civil party for civil interest and civil responsible person for a civil interest.[[26]](#footnote-26) The duration of appeals is determined based on the person filing the appeal: one month for the prosecutor, guilty person, civil party for civil interest and civil responsible person for a civil interest and three months for the general prosecutor.

Regarding the procedures, firstly, the filing should be made at the court clerk where the judgement is made, at this stage - it must be at the court clerk of the Court of First Instance. Second, the president of the Criminal Chamber then will set the dates and give the notice to the parties on the dossier through the general prosecutor. Third, the hearing will happen: the report is made, the brief may be submitted to the clerk by the lawyers, and the confrontation to the public will begin, in some cases the confrontation may not be made public due to risks to public order or tradition.

Consequences of appeal at the Court of Appeal could be varied. First, this judgement could be an inadmissible appeal because the court finds that the person making it does not file the appeal in the proper conditions. Second, the court may find that the accused person is not guilty, so that the person is released or provided liberty. Third, if the court finds that the judgement made by the lower court might involve nullification, the court then will do the judgement again on the merits of the case. Lastly, the court might increase or lower the guilt of the person being accused or declare the guilt if the lower court put the accused in liberty as the judgement.[[27]](#footnote-27)

**Class Activity**

*Multiple Choices*

* The Court of Appeal only considers the question of law.

1. True
2. False

* Only the Criminal Chamber of the Court of Appeal is in charge of criminal cases.

1. True
2. False

* The filing duration to the Court of Appeal for the civil party is:

1. 7 days
2. 1 month
3. 3 month

* The filing duration to the Court of Appeal for the general prosecutor is:

1. 7 days
2. 1 month
3. 3 month
4. **Appeal against the Judgement of Court of Appeal**

**Learning Outcome**

This section will help students to understand the process of appeal to the Supreme Court when the parties are not satisfied with the judgement which is finally issued by the Criminal Chamber of the Court of Appeal. Lecturer will also present the procedure before trial, procedure during the trial and decisions of the Supreme Court.

**Lecture Content**

*What can the parties do to appeal the final judgement of the Court of Appeal?*

The parties can appeal to the judgment of the Investigation Chamber, including extradition issues and a judgement which is finally issued by the Criminal Chamber of the Court of Appeal.[[28]](#footnote-28) However, if the judgement is an order to refer to the accused person to the trial, the appeal cannot be filed.[[29]](#footnote-29)

The appeal shall be filed at the office of the court clerk of the Court of Appeal which issues a decision.[[30]](#footnote-30) Then the court clerk of the Court of Appeal shall prepare the dossier and deliver it to the Supreme Court within the shortest period of time.[[31]](#footnote-31)

The appeal can be filed by the Prosecutor General of the Supreme Court, the Prosecutor General of the Court of Appeal, an accused or a guilty person, a person wanted for extradition, a civil party or a civil responsible person.[[32]](#footnote-32)

The appeal shall proceed within 1 month for a judgement of the Criminal Chamber of the Court of Appeal, starting from the date when the judgement was declared if the judgment is a non-default judgment.[[33]](#footnote-33) Or if the judgement is considered to be non-default, the period shall be started from the date of notification. And if the judgement is default, the period shall be started from the date of expiration of the period for opposition.[[34]](#footnote-34)

The Supreme will decline to the decisions of the Court of Appeal if :

* illegal composition of the court
* non-jurisdiction of the court
* abuse of power
* violation of a law or misapplication of a law
* violation or failure to comply with mandatory procedural requirements
* failure to decide on a request made by prosecutor or a party if the request was well written
* false determination of facts
* lack of reasoning
* contradiction between the ground and the enacting term.[[35]](#footnote-35)

The Supreme Court determined the specific reason to appeal. Because, according to 436, it has stated clearly that The Supreme Court will only look to the question of law which was raised by an appellant and was described in the briefs.[[36]](#footnote-36)

Regarding the procedure of the appeal, before the trial, when the dossier arrives at the Supreme Court, the court clerk of the Supreme Court will register it.[[37]](#footnote-37) Then, the court clerk will notify the party of the registration of the dossier.[[38]](#footnote-38) After 10 days of notification, the court clerk will inform the appellant that he/she has 20 days to submit a legal brief to the Criminal Chamber of the Supreme Court.[[39]](#footnote-39) The appellant can ask for an extension of the submission of a brief for 10 days.[[40]](#footnote-40) After the expiration of a brief submission period, the Judge will nominate one reporting judge and refer the dossier with the attached briefs to the reporting judge.[[41]](#footnote-41) Then, the dossier with attached brief and written report shall be delivered to the Prosecutor General Of the Supreme Court. TheProsecutor General Of the Supreme Court will prepare a written conclusion which shall be included in the dossier. Then the dossier will return to the president of the Criminal Chamber.[[42]](#footnote-42) The President of the Criminal Chamber shall set a date for a hearing and shall verbally notify the Prosecutor General of the trial date. The Prosecutor General shall notify the relevant parties and their lawyers of the hearing date.[[43]](#footnote-43)

The confrontation shall be conducted during a public hearing. The parties will not have to appear in the confrontation unless there is an order to appear from the Criminal Chamber of Court. The reporting judge shall prepare a report. The Prosecutor General shall prepare a conclusion for prosecution. The lawyer shall prepare his/her pleading remarks.[[44]](#footnote-44)The Supreme Court shall make a decision within 6 months from the date of receiving the dossier, except under insurmountable circumstances.[[45]](#footnote-45)

The Supreme Court shall reject an appeal in whole or in part. If appellant shall not be allowed to file a new appeal against the same judgement. When the Supreme Court overrules the contest decision, the Supreme Court shall refer the dossier and the parties to another Court of Appeal or the same Court of Appeal but the composition shall be different from the previous one.[[46]](#footnote-46) The Supreme Court shall not refer the dossier to the Court of Appeal if the act being charged is not an offense.[[47]](#footnote-47)

The court that receives a referred dossier from the Supreme Court shall make a new decision. The new decision can be used as a basis for filing the second appeal. The Supreme Court which holds plenary sessions for adjudication shall make a decision on fact and law by issuing a final judgement.[[48]](#footnote-48)

The difference between the procedure of first and second appeal is that the first appeal has 5 judges and the second appeal has 9 judges.[[49]](#footnote-49)

**Class Activity**

1. The Supreme Court considered both questions of law and questions of fact.
2. True
3. False

2. Minor can appeal against the judgement of the Court of Appeal.

1. True
2. False

3. The Parties shall appear at every hearing.

1. True
2. False

1. **Teaching Method:**

The course is designed to get the participation from students with class activities provided. The students will also be able to learn through all the power lecturer contents of each section that have been made with critical thinking and team discussion. All such activities here are very essential and the core for the students to understand deeply about the lessons.

1. **Materials:**

*Mandatory material*

* Cambodian Code of Criminal Procedure, 2007.

*Optional material*

* Cambodian Criminal Code, 2007.
* Law on the Organization of the Courts, 2014.
* Annotated Cambodian Code of Criminal Procedure.

1. **Time:** The lecture takes 3 hours per session.

1. Cambodian Criminal Code of Procedure, 2007, Article 341. [↑](#footnote-ref-1)
2. Cambodian Criminal Code of Procedure, 2007, Article 329. [↑](#footnote-ref-2)
3. Cambodian Criminal Code of Procedure, 2007, Article 328. [↑](#footnote-ref-3)
4. Cambodian Criminal Code of Procedure, 2007, Article 315. [↑](#footnote-ref-4)
5. Cambodian Criminal Code of Procedure, 2007, Article 335. [↑](#footnote-ref-5)
6. Cambodian Criminal Code of Procedure, 2007, Para 1 Article 360. [↑](#footnote-ref-6)
7. Cambodian Criminal Code of Procedure, 2007, Para 2 Article 360. [↑](#footnote-ref-7)
8. Cambodian Criminal Code of Procedure, 2007, Article 309. [↑](#footnote-ref-8)
9. Cambodian Criminal Code of Procedure, 2007, Para 1 Article 361. [↑](#footnote-ref-9)
10. Cambodian Criminal Code of Procedure, 2007, Para 2 Article 361. [↑](#footnote-ref-10)
11. Cambodian Criminal Code of Procedure, 2007, Para 1 Article 362. [↑](#footnote-ref-11)
12. Cambodian Criminal Code of Procedure, 2007, Para 2 Article 362. [↑](#footnote-ref-12)
13. Cambodian Criminal Code of Procedure, 2007, Para 1 Article 363. [↑](#footnote-ref-13)
14. Cambodian Criminal Code of Procedure, 2007, Para 2 Article 363. [↑](#footnote-ref-14)
15. Cambodian Criminal Code of Procedure, 2007, Para 1 Article 364. [↑](#footnote-ref-15)
16. Cambodian Criminal Code of Procedure, 2007, Para 2 Article 364. [↑](#footnote-ref-16)
17. Cambodian Criminal Code of Procedure, 2007, Article 365. [↑](#footnote-ref-17)
18. Cambodian Criminal Code of Procedure, 2007, Article 409. [↑](#footnote-ref-18)
19. Cambodian Criminal Code of Procedure, 2007, Article 368. [↑](#footnote-ref-19)
20. Cambodian Criminal Code of Procedure, 2007, Article 370. [↑](#footnote-ref-20)
21. Cambodian Criminal Code of Procedure, 2007, Article 371. [↑](#footnote-ref-21)
22. Cambodian Criminal Code of Procedure, 2007, Article 415. [↑](#footnote-ref-22)
23. Law on the Organization of the Courts, 2014, Article 3. [↑](#footnote-ref-23)
24. Law on the Organization of the Courts, 2014, Article 43; Cambodian Criminal Code of Procedure, 2007, Article 373. [↑](#footnote-ref-24)
25. Law on the Organization of the Courts, 2014, Article 44. [↑](#footnote-ref-25)
26. Cambodian Criminal Code of Procedure, 2007, Article 375. [↑](#footnote-ref-26)
27. Ronn Ponnarith, Chang Sinath, *Criminal Procedure*, page 83. [↑](#footnote-ref-27)
28. Cambodian Criminal Code of Procedure, 2007, Para 1 Article 417. [↑](#footnote-ref-28)
29. Cambodian Criminal Code of Procedure, 2007, Para 2 Article 417. [↑](#footnote-ref-29)
30. Cambodian Criminal Code of Procedure, 2007, Article 422. [↑](#footnote-ref-30)
31. Cambodian Criminal Code of Procedure, 2007, Article 424. [↑](#footnote-ref-31)
32. Cambodian Criminal Code of Procedure, 2007, Article 418. [↑](#footnote-ref-32)
33. Cambodian Criminal Code of Procedure, 2007, Article 420. [↑](#footnote-ref-33)
34. Cambodian Criminal Code of Procedure, 2007, Article 420. [↑](#footnote-ref-34)
35. Cambodian Criminal Code of Procedure, 2007, Article 419. [↑](#footnote-ref-35)
36. Cambodian Criminal Code of Procedure, 2007, Article 436. [↑](#footnote-ref-36)
37. Cambodian Criminal Code of Procedure, 2007, Article 425. [↑](#footnote-ref-37)
38. Cambodian Criminal Code of Procedure, 2007, Para 1 Article 427. [↑](#footnote-ref-38)
39. Cambodian Criminal Code of Procedure, 2007, Para 2 Article 427. [↑](#footnote-ref-39)
40. Cambodian Criminal Code of Procedure, 2007, Article 429. [↑](#footnote-ref-40)
41. Cambodian Criminal Code of Procedure, 2007, Article 430. [↑](#footnote-ref-41)
42. Cambodian Criminal Code of Procedure, 2007, Article 432. [↑](#footnote-ref-42)
43. Cambodian Criminal Code of Procedure, 2007, Article 433. [↑](#footnote-ref-43)
44. Cambodian Criminal Code of Procedure, 2007, Article 434. [↑](#footnote-ref-44)
45. Cambodian Criminal Code of Procedure, 2007, Article 438. [↑](#footnote-ref-45)
46. Cambodian Criminal Code of Procedure, 2007, Article 439. [↑](#footnote-ref-46)
47. Cambodian Criminal Code of Procedure, 2007, Article 440. [↑](#footnote-ref-47)
48. Cambodian Criminal Code of Procedure, 2007, Article 442. [↑](#footnote-ref-48)
49. Law on the Organization and Activities of the Adjudicate Courts of the State of Cambodia, Article 16. [↑](#footnote-ref-49)