

Kingdom of Cambodia
Nation Religion King

Bar Association of the Kingdom of Cambodia (BAKC)

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Lawyer LY Chantola

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31. Lawyer TRI Samros
32. Lawyer NUON Phanit
33. Lawyer KHUT Keosotha

No.: 1014/សសកីម/20

Decision

on

**Registration and Issuance of Licence for Foreign Lawyers to
Practise the Legal Profession before the Extraordinary
Chambers in the Courts of Cambodia**

The Bar Association of the Kingdom of Cambodia

- Noting the Constitution of the Kingdom of Cambodia;
- Noting Royal Kram No. សស/រកីម/0895/06 dated 22 August 1995 promulgating the Law on the Bar of the Kingdom of Cambodia;
- Noting the BAKC Internal Regulations dated 14 October 2016;
- Noting the BAKC Code of Conduct dated 21 September 2012;
- Noting the minutes of the BAKC meeting of 16 October 2020 on the election of Lawyer **LY Chantola** as President of the BAKC for the 13th mandate;
- Noting the minutes of the BAKC meeting of 16 October 2018 on the election of the members of the Bar Council for the 9th mandate;
- In accordance with the Bar Council Decision made during its session on 17 December 2020;

HEREBY DECIDES

- Article 1. Foreign lawyers practising the legal profession at the Extraordinary Chambers in the Courts of Cambodia shall register with the BAKC and shall have a BAKC-issued licence to practise the legal profession.
- Article 2. Foreign lawyers who have complied with the requirements as set out in the Internal Rules of the Extraordinary Chambers in the Courts of Cambodia shall file a registration request through the Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia.
- Article 3. The Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia shall verify and translate all documents of foreign lawyers into Khmer and shall be in charge of certifying the validity of each document. In the event that the request is found to have sufficiently complied with the requirements, the Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia shall submit those documents to the BAKC.
- Article 4. The BAKC shall review and decide upon that request within 30 (thirty) days upon receipt of the valid documents unless circumstances prevent [it] from doing so.
- Article 5. In case the BAKC decides to register a foreign lawyer, it shall inform him or her through the Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia about a registration fee of USD500 (five hundred US Dollars) within a specific time. In the event that he or she fails to pay the registration fee as indicated, the decision on his or her registration shall be automatically revoked. When he or she has made a payment within the specific time, the BAKC shall request a schedule for a swearing-in ceremony before the Appeal Court of Phnom Penh. The foreign lawyer shall be present as required by the Appeal Court of Phnom Penh.
- Article 6. Foreign lawyers shall submit a request for a licence to practise the legal profession before the Extraordinary Chambers in the Courts of Cambodia to the BAKC within 1 (one) week after taking an oath, along with two 4cm x 6cm photographs wearing professional uniform. The licence shall be valid for 1 (one) year.

Article 7. Foreign lawyers intending to renew the registration with the BAKC for the purpose of practising the legal profession before the Extraordinary Chambers in the Courts of Cambodia shall provide the BAKC with the original or certified copies of documents, certifying the validity of their registration in the Bar Lists recognised by the member states of the United Nations and with good standing certified by the Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia, along with the Khmer translation at least 15 (fifteen) days before the expiry date of the licence to practise the legal profession before the Extraordinary Chambers in the Courts of Cambodia. These documents may be submitted directly by foreign lawyers or through the Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia. Failure to provide the documents certifying the validity with the specific time, the BAKC will remove their names from its List.

Article 8. Foreign lawyers who have registered with the BAKC List before this Decision shall provide the BAKC with the original or certified copies of documents, certifying the validity of their registration in the Bar Lists recognised by member states of the United Nations and with good standing certified by the Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia, along with the Khmer translation and two 4cm x 6cm photographs wearing the professional uniform, no later than 31 January 2021 for the purpose of updating and providing the licence to practise the legal profession before the Extraordinary Chambers in the Courts of Cambodia. These documents may be submitted directly by foreign lawyers or through the Defence Support Section or the Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia. Failure to provide the documents certifying the validity with the specific time, the BAKC will remove their names from its List.

Article 9. Decision no. 694/ស៊ីស៊ីតិម/18 dated 28 December 2018 on the issuance of licence to practise the [legal] profession and contribution obligations of foreign lawyers practising the legal profession at the Extraordinary Chambers in the Courts of Cambodia and any provisions which contradict this Decision shall be repealed.

Article 10. The Secretariat General and individuals concerned shall comply with this Decision in accordance with their respective roles from the date of its signing.

Phnom Penh, 18 December 2020

[Signed and sealed]

Lawyer LY Chantola

President

Copied to:

- His Excellency Prosecutor General attached to the Appeal Court
- The Bar Council
 “for information”
- Those in Article 10
- Documentation–Archives