

KINGDOM OF CAMBODIA
Nation Religion King



The Constitutional Council

CASE

N° 148/011/2008

Of August 08, 2008

Decision

N° 101/006/2008 CC.D

Of August 13, 2008

The Constitutional Council

- Seen the Constitution of the Kingdom of Cambodia;
- Seen Preah Reach Kram N° CS/RKM/0498/06 of April 08, 1998 promulgating the Law on the Organization and the Functioning of the Constitutional Council;
- Seen Preah Reach Kram N° NS/RKM/0107/005 of January 31, 2007 promulgating the Law on the Amendment of the Law on the Organization and the Functioning of the Constitutional Council;
- Seen Preah Reach Kram N° NS/RKM/1297/06 of December 26, 1997 promulgating the Law on the Elections of the Members of the National Assembly;
- Seen Preah Reach Kram N° NS/RKM/0902/017 of September 17, 2002 promulgating the Law on the Amendment of the Law on the Elections of the Members of the National Assembly;
- Seen Preah Reach Kram N° NS/RKM/0606/019 of June 27, 2006 promulgating the Law on the Amendment of Article 13 (New) of the Law on the Elections of the Members of the National Assembly;
- Seen Preah Reach Kram N° NS/RKM/0107/006 of January 31, 2007 promulgating the Law on the Amendment of the Law on the Elections of the Members of the National Assembly;
- Seen the August 06, 2008 National Elections Committee(NEC)'s decision, which upheld the July 26, 2008 Provincial Election Committee's decision;
- Seen the August 08, 2008 petition of Mr. KHUN SOPHAL and Mr. SAING VANNAK against the August 06, 2008 NEC Trial Jury's decision, petition received by the Secretariat General of the Constitutional Council on August 08, 2008 at 03:11 pm;
- Seen the August 11, 2008 letter of Mr. KHUN SOPHAL and Mr. SAING VANNAK requesting to withdraw their August 08, 2008 petition, letter

received by the Secretariat General of the Constitutional Council on August 11, 2008 at 09:15 am;

**Having heard the rapporteur,
Having deliberated in compliance with the law,**

- Whereas the August 11, 2008 letter of Mr. KHUN SOPHAL and Mr. SAING VANNAK, requesting to withdraw their August 08, 2008 petition against the August 06, 2008 NEC Trial Jury's decision, made in accordance with the legal form, is therefore admissible;
- Whereas in accordance with the legal principle, the plaintiff has the right to withdraw entirely or partly his petition at any stage of the procedure;

Decides:

Article 1 : The August 11, 2008 petition of Mr. KHUN SOPHAL and Mr. SAING VANNAK is admissible for its legal form and substance.

Article 2 : Is upheld the August 06, 2008 NEC's decision, upholding the July 26, 2008 Kompong Thom Provincial Election Committee's decision.

Article 3 : The present decision made at the Constitutional Council Plenary Session in Phnom Penh, on August 13, 2008 shall be final, without recourse, shall have authority over all the instituted powers as stipulated in the Constitution and shall be published in the Royal Gazette.

Phnom Penh, August 13, 2008
**For the Constitutional Council
The President,**

Signed and Sealed: EK SAM OL