

KINGDOM OF CAMBODIA
Nation Religion King

The Constitutional Council

CASE

N° 090/013/2004

Of November 11, 2004

Decision

N° 067/009/2004 CC.D

Of December 3, 2004

THE CONSTITUTIONAL COUNCIL

- Seen the Constitution of the Kingdom of Cambodia of 1993;
- Seen Preah Reach Kram N° CS/RKM/0498/06 of April 8, 1998 on the Organization and the Functioning of the Constitutional Council;
- Seen Preah Reach Kram N° 02/NS/94 of July 20, 1994 on the Organization and the Functioning of Council of Ministers;
- Seen the decision N° 09 CC.D of May 28, 1999 of the Constitutional Council declaring that the Law on the Establishment of Ministry of Women Affairs and Veterans, adopted by the National Assembly on May 11, 1999 and entirely reviewed by the Senate on May 17, 1999 is unconstitutional;
- Seen the decision N° 12 CC.D of August 23, 1999 of the Constitutional Council declaring that the Law on the Establishment of Ministry of Women Affairs and Veterans, adopted by the National Assembly on August 13, 1999 and entirely reviewed by the Senate on August 17, 1999 is constitutional;
- Seen the letter N° 305 NA of November 10, 2004 from Samdech **HENG SAMRIN**, Acting President of the National Assembly, requesting the Constitutional Council to examine the constitutionality of the Law on the Establishment of Ministry of Women Affairs, letter received by the Secretariat General of the Constitutional Council on November 11, 2004;
Having heard the rapporteur,
Having deliberated in compliance with the law,
- Whereas the Law on the Establishment of Ministry of Women Affairs, the constitutionality of which the President of the National Assembly requested to examine, is an Organic Law; therefore, the Constitutional Council has the competence to examine its constitutionality in conformity with the Article 140 N paragraph 2 of the Constitution;

- Whereas the Articles 1 to 6, stipulating the Establishment of Ministry of Women Affairs, conform to the decision N° 12 CC.D of August 13,1999 of the Constitutional Council and has no provision contrary to the Constitution;

Decides:

Article 1 : The Law on the Establishment of Ministry of Women Affairs adopted by the National Assembly on October 27, 2004 and entirely reviewed by the Senate on November 5, 2004 is declared constitutional.

Article 2 : The decision made in the plenary session of the Constitutional Council in Phnom Penh on December 3, 2004 shall be final without recourse, shall have authority over all the instituted powers as stipulated in the Constitution and shall be published in the “Journal Officiel”

Phnom Penh, December 3, 2004

For the Constitutional Council

The President

Signed and Sealed

BIN CHHIN