

Kingdom of Cambodia
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Phnom Penh Court of First Instance

No. 11 “H/ហ” D.B.T (ជ.ប.ទ)

Ruling on Assets Freeze

We, **PICH Vicheathor** (ព្រះជន្ម វិជ្ជាធារ), Judge of the Phnom Penh Court
of First Instance

Accompanied by **Mr. LEANG An** (លាង អាន), Court Clerk

- **Having seen** the Code of Criminal Procedure and other related provisions;
- **Having seen** the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction;
- **Having seen** the Sub-Decree No. 159 A.N.KR.BK (អនុក្រឹត្យ.បក) dated 30 September 2020 on the Use and Management of Assets Freeze for Financing of Proliferation of Weapon of Mass Destruction;
- **Having seen** the Sub-Decree No. 161 A.N.KR.BK (អនុក្រឹត្យ.បក) dated 30 September 2020 on the Formalities and Procedures of the Implementation of the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction;
- **Having seen** the Letter No. 6228 A.S.B/K.B.T.S.A (អនុប្ប/ក.ប.ត.ស.អ) dated 9 September 2020 of the Ministry of Foreign Affairs and International Cooperation;
- **Having seen** the Letter No. 1559 K.Y.R.B/20 (ក.យ.រ.ប/២០) dated 2 October 2020 of the Ministry of Justice;
- **Having seen** the Case on the Implementation of the United Nations Security Council Resolutions No. 01 dated 12 October 2020 of the Phnom Penh Court of First Instance;
- **Having seen** the United Nations Security Council Resolutions No. 1718 (2006) adopted on 14 October 2006; No. 1874 (2009) adopted on 12 June 2009; No. 2087 (2013) adopted on 22 January 2013; No. 2094 (2013) adopted on 7 March 2013; No. 2270 (2016) adopted on 2 March 2016; No. 2321 (2016) adopted on 30 November 2016; No. 2371 (2017) adopted on 5 August 2017; No. 2375 (2017) adopted on 11 September 2017 and No. 2397 (2017) adopted on 22 December 2017.

Have understood that:

1. Cambodia has become a member of the United Nations (UN) since 14 December 1955, therefore Cambodia has a duty to implement all obligations, stipulated in the UN Charter and Resolutions issued by principal organizations of the UN.
2. According to provisions of the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction and other related provisions, the Court shall issue a Ruling on assets freeze immediately pursuant to the 11 resolutions attached as an annex of the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction and the subsequent UN Security Council Resolutions upon receiving a request from the Ministry of Justice. Having received letter No.1559 K.Y.R.B/20 (ក្រលាញ់/២០) dated on 2 October 2020 of the Ministry of Justice attached with 11 resolutions of the UN Security Council, the Court noted nine (9) resolutions imposing sanctions on the Democratic People's Republic of Korea; thus, the Court shall issue a Ruling based upon the request.

Therefore, [the Court] decides:

1. Freeze assets of persons and entities listed in the United Nations Security Council Resolutions No. 1718 (2006) adopted on 14 October 2006; No. 1874 (2009) adopted on 12 June 2009; No. 2087 (2013) adopted on 22 January 2013; No. 2094 (2013) adopted on 7 March 2013; No. 2270 (2016) adopted on 2 March 2016; No. 2321 (2016) adopted on 30 November 2016; No. 2371 (2017) adopted on 5 August 2017; No. 2375 (2017) adopted on 11 September 2017 and No. 2397 (2017) adopted on 22 December 2017 and other subsequent resolutions to any of the aforementioned Resolutions, concerning the Democratic People's Republic of Korea to enforce Article 4 of the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction that prevents the sale, transfer, conversion, supply, lease, inheritance, disposition or transfer, movement or use of the following assets:
 - 1.1. Assets that belong to or are managed by the persons or entities listed in the above lists in part or in whole, direct or indirect and not only assets that can be linked to illegal activities, plans or specific threats.
 - 1.2. Assets of the persons or representative entities or are under the leadership of the persons or entities listed in the above lists.
 - 1.3. Assets transferred from or earned from the properties as set out in paragraph 1.1 and 1.2 of the resolutions.
 - 1.4. Ships listed in the lists of the UN Security Council or the Committee of this council in accordance with the above-mentioned resolutions of the UN Security Council.
2. Order reporting entities, after freezing assets, to submit a report, no later than 03 (three) days, on assets freeze and attempted transactions on the frozen assets to the Cambodia Financial Intelligence Unit.

3. Order individuals or entities other than reporting entities, after freezing assets, to submit a report, no later than 3 (three) days, on assets freeze and attempted transactions on the frozen assets to the Ministry of Justice.
4. Order all individuals or entities who are holding the frozen assets under the Ruling to freeze all assets without delay and prior notice.
5. Supervisory Ministries and Authorities shall monitor reporting entities under their supervision to ensure the enforcement of this Ruling pursuant to Article 16 of the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction.

Monday, 2nd day of waning moon, month of Kaduek, Year of Rat, Torsak, 2564 B.E.

Phnom Penh, 02 November 2020

[Signature and stamp]

Court Clerk

LEANG An

[Signature and stamp]

Judge

PICH Vicheathor