

យោបល់ ឯកឧត្តមអភិសន្តិបណ្ឌិត
ឧបនាយករដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ

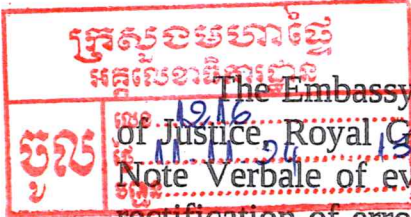
សាក្សីក្នុងតុលាការ	
លេខ: ២០៧២ គណ/២៤	
ថ្ងៃទី: ១២ ១១ ២៤	ខែ: ១១ ឆ្នាំ: ២០២៤
បញ្ជី:	



भारत का राजदूतावास, नोम पेन्ह
EMBASSY OF INDIA
PHNOM PENH

No. PHN/P/103/03/2016-II

08 November 2024



The Embassy of India in Phnom Penh presents its compliments to the Ministry of Justice, Royal Government of Cambodia and has the honour to refer to its earlier Note Verbale of even number dated 24 September 2024 (copy enclosed) regarding rectification of errors in the Khmer text of the Treaty between the Republic of India and the Kingdom of Cambodia on Mutual Legal Assistance in Criminal Matters.

In this connection, the Embassy of India will highly appreciate it if the esteemed Ministry may expedite its response.

The Embassy of India in Phnom Penh avails itself of this opportunity to renew to the Ministry of Justice, Royal government of Cambodia, the assurances of its highest consideration.

Ministry of Justice
Royal Government of Cambodia
Phnom Pehn

Copy to:

✓ Ministry of Interior
Department of Legal and Consular Affairs
Royal Government of Cambodia
Phnom Penh

Ministry of Foreign Affairs & International Cooperation
General Department of Asia Pacific
Royal Government of Cambodia
Phnom Penh



ក្រសួងមហាផ្ទៃ
អគ្គលេខាធិការដ្ឋាន
នាយកដ្ឋានទំនាក់ទំនងអន្តរជាតិ

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

កំណត់បង្ហាញលិខិតចូល

ក្រសួង-ស្ថាប័ន: ស្ថានទូតសាធារណរដ្ឋឥណ្ឌាប្រចាំកម្ពុជា លេខ PHN/P/១០៣/០៣/២០១៦-II ចុះថ្ងៃទី២៤ ខែកញ្ញា ឆ្នាំ២០២៤

ចម្លងជូន: ក្រសួងមហាផ្ទៃ

ខ្លឹមសារសេចក្តី: ស្ថានទូតសាធារណរដ្ឋឥណ្ឌាប្រចាំកម្ពុជា បានធ្វើជូនក្រសួងយុត្តិធម៌កម្ពុជា នូវពិធីសារឬ កំណត់ហេតុជាលាយលក្ខណ៍អក្សរ (ភាសាអង់គ្លេស និងភាសាហិណ្ឌូ) អំពីការកែតម្រូវពាក្យពេចន៍មួយចំនួន នៃសន្ធិសញ្ញាជំនួយផ្នែកច្បាប់ទៅវិញទៅមក ស្តីពីបញ្ហាព្រហ្មទណ្ឌ (MLAT) រវាងរដ្ឋាភិបាលឥណ្ឌា និងរាជរដ្ឋាភិបាលកម្ពុជា។ ក្នុងន័យនេះ ភាគីឥណ្ឌា ស្នើសុំក្រសួងយុត្តិធម៌ពិនិត្យលើខ្លឹមសារនៃពិធីសារខាងលើ ប្រសិនបើ មានការឯកភាព ភាគីឥណ្ឌា សូមស្នើសុំក្រសួងយុត្តិធម៌រៀបចំពិធីសារជាភាសាខ្មែរ ០១ច្បាប់ និងកំណត់កាលបរិច្ឆេទនៃការចុះហត្ថលេខា។

យោបល់ ឯកឧត្តម រដ្ឋលេខាធិការ

លេខ ២៥ ជូន
០៩/២៥០៦ យោបល់ ឯកឧត្តម
២៧/២០២៤
០៥
គ.ជ.ត

រាជធានីភ្នំពេញ ថ្ងៃទី២៧ ខែកញ្ញា ឆ្នាំ២០២៤

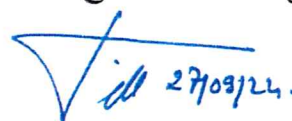

កោ ចក្រី

យោបល់ នាយកដ្ឋាន

គោរពជូន ឯកឧត្តម អគ្គលេខាធិការ

- គួរគោរពជូន ឯកឧត្តម រដ្ឋលេខាធិការ ដើម្បីជូនជ្រាបដ៏ខ្ពង់ខ្ពស់។
- គួរជូន ឯកឧត្តម ប៊ុន ហុន រដ្ឋលេខាធិការ និងក្រុមប្រឹក្សានីតិកម្ម ដើម្បីជូនជ្រាប។

ប្រធាននាយកដ្ឋាន ដោយសេចក្តីគោរព!


២៧/០៩/២៤.

ឧត្តមសេនីយ៍ទោ ជិត-វិសិដ្ឋ

យោបល់ ឯកឧត្តម អគ្គលេខាធិការ

- សូមគោរពជូន ឯកឧត្តម រដ្ឋលេខាធិការ ដើម្បីជូនជ្រាបដ៏ខ្ពង់ខ្ពស់។
- គួរជូន ឯកឧត្តម ប៊ុន ហុន រដ្ឋលេខាធិការ និងក្រុមប្រឹក្សានីតិកម្ម ដើម្បីជូនជ្រាប។

ដោយសេចក្តីគោរព


២៧/០៩/២៤

ឧត្តមសេនីយ៍បក ជិត-សុដានិត

យោបល់ ឯកឧត្តមអភិសន្តិបណ្ឌិត
ឧបនាយករដ្ឋមន្ត្រី រដ្ឋមន្ត្រីក្រសួងមហាផ្ទៃ



भारत का राजदूतावास, नोम पेन्ह
EMBASSY OF INDIA
PHNOM PENH

No. PHN/P/103/03/2016-II

24 September 2024

The Embassy of India in Phnom Penh presents its compliments to the Ministry of Justice, Royal Government of Cambodia and has the honour to refer to the discussions regarding rectification of errors in the Khmer text of the Treaty between the Republic of India and the Kingdom of Cambodia on Mutual Legal Assistance in Criminal Matters.

In this connection, the Embassy of India has the honour to enclose herewith a Protocol/Written Record (in English and Hindi languages) to Correct Errors of the Khmer text of the Treaty between the Republic of India and the Kingdom of Cambodia on Mutual Legal Assistance in Criminal Matters.

In view of the aforesaid, the Embassy of India in Phnom Penh would highly appreciate it if the esteemed Ministry of Justice may convey its concurrence for the Protocol/Written Record and provide a Khmer version of the text of the same. Subsequent to the finalization of the text, the modalities of signing of the documents shall be proposed. An early response in the matter will be highly appreciated.

The Embassy of India in Phnom Penh avails itself of this opportunity to renew to the Ministry of Justice, Royal government of Cambodia, the assurances of its highest consideration.

✓ Ministry of Justice
Royal Government of Cambodia
Phnom Pehn

Copy to:

Ministry of Interior
Department of Legal and Consular Affairs
Royal Government of Cambodia
Phnom Penh

Ministry of Foreign Affairs & International Cooperation
General Department of Asia Pacific
Royal Government of Cambodia
Phnom Penh



01/0

Protocol/ Written Record
between the Kingdom of Cambodia and the Republic of India on the
Agreement to Correct Errors of the Khmer text of the Treaty between The
Kingdom of Cambodia and the Republic of India on Mutual Legal Assistance
Criminal Matters

The Kingdom of Cambodia and the Republic of India,
Whereas the Kingdom of Cambodia and the Republic of India signed the Treaty on
Mutual Legal Assistance in Criminal Matters in Khmer, Hindi and English on 27 January
2018 (hereinafter referred to as "Treaty");

Whereas the Kingdom of Cambodia found that the Khmer text of the Treaty consists
of the errors which affect the substance of the provisions, its ratification process and its
implementation after its entry into force;

For the purpose of ensuring the smooth and consistent implementation among the
Khmer, Hindi and English text of the Treaty;

Have agreed as follows:

1. The terms in Khmer language stated in the Khmer text of the Treaty shall be corrected as follows:

- The term "អាជ្ញាធរសាលាដំបូង" shall be amended to "អាជ្ញាធរកណ្តាល" which means "Central Authority" in English;
- The term "អាជ្ញាយុកាល" in Article 5 shall be amended to "រយៈពេល កំណត់" which means "Time Limit" in English;
- The term "កេរកម្ម" in Article 24 shall be amended to "ការបញ្ចប់សន្ទស្សន៍ សញ្ញា" which means "Termination" in English;
- The term "ហ៊ីន ឌី" shall be amended to "ហិណ្ឌូ" which means "Hindi" in English;
- The term "ឧត្តមភាព" shall be amended to "ឧត្តមាធិភាព" which means "Prevail" in English.

2. The correction of these errors in the Khmer text of the Treaty as set out in item 1 above shall not affect, change or modify any meaning or content of the Treaty in English or Hindi as signed on 27/01/2018. In case of any divergence in interpretation, the English text of the Treaty shall prevail.

3. The corrected Khmer text of the Treaty as stated in item 1 above attached to this Protocol/ Written Record shall replace only the Khmer text of the Treaty done at New Delhi on 27 January 2018.

After the execution of this Written Record, the Kingdom of Cambodia and the Republic of India, being the parties to the Treaty, shall attach this Protocol/ Written Record to the Treaty for the basis of the correction of the errors in the Khmer text of the Treaty.

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IN WITNESS WHEREOF, the undersigned, being duly authorized by the Royal Government of Cambodia and the Government of the Republic of India, have signed this Protocol/ Written Record.

This Protocol/ written Record is made in Phnom Penh on 2024 in two originals each, in Khmer, Hindi and English, with the same legal value. In case of different interpretation, the Protocol/ written Record in English version shall prevail.

For the Kingdom of Cambodia

For the Republic of India

कंबोडिया साम्राज्य और भारत गणराज्य के बीच "आपराधिक मामलों में पारस्परिक कानूनी सहायता पर हुई संधि" के खमेर पाठ की त्रुटियों को सुधारने हेतु समझौते के संबंध में कंबोडिया साम्राज्य और भारत गणराज्य के बीच लिखित अभिलेख संलग्न

कंबोडिया साम्राज्य और भारत गणराज्य,

जबकि कंबोडिया साम्राज्य और भारत गणराज्य ने "आपराधिक मामलों में पारस्परिक कानूनी सहायता पर खमेर, हिंदी और अंग्रेजी भाषा में हुई संधि पर 27 जनवरी 2018 को हस्ताक्षर किए थे (इसके पश्चात "संधि" कहा जाएगा);

जबकि कंबोडिया साम्राज्य ने पाया कि संधि के खमेर पाठ में ऐसी त्रुटियाँ हैं जो प्रावधानों के सार, इसकी अनुसमर्थन प्रक्रिया और इसके लागू होने के बाद इसके कार्यान्वयन को प्रभावित करती हैं;

संधि के खमेर, हिंदी और अंग्रेजी पाठ में सुचारू और सुसंगत कार्यान्वयन सुनिश्चित करने के उद्देश्य से;

वे निम्नलिखित रूप से सहमत हुए हैं:

1. संधि के खमेर पाठ में वर्णित खमेर भाषा के शब्दों को निम्नलिखित रूप से सही किया जाएगा:

- शब्द "អាជ្ញាធរកណ្តាល" को संशोधित कर "អាជ្ញាធរកណ្តាល" कर दिया जाएगा, जिसका अंग्रेजी में अर्थ "केंद्रीय प्राधिकरण" है;
- अनुच्छेद 5 में शब्द "កំណត់" को संशोधित कर "ពេលវេលា" कर दिया जाएगा, जिसका अंग्रेजी में अर्थ "समय सीमा" है;
- अनुच्छेद 24 में "សមាគម" शब्द को संशोधित कर "សហគមន៍" कर दिया जाएगा, जिसका अंग्रेजी में अर्थ "समाप्ति" है;
- शब्द "ហិੰਦូ" को संशोधित कर "ហិन्दू" कर दिया जाएगा, जिसका अंग्रेजी में अर्थ "हिंदी" है;
- "មន្ត្រី" शब्द को संशोधित कर "មន្ត្រី" कर दिया जाएगा, जिसका अर्थ है "मान्य होगा"

2. उपर्युक्त मद 1 में वर्णित संधि के खमेर पाठ में इन त्रुटियों का सुधार करने से अंग्रेजी या हिंदी में संधि 27th जनवरी 2018 को हस्ताक्षरित के किसी भी अर्थ या विषयवस्तु को प्रभावित, परिवर्तित या संशोधित नहीं करेगा। व्याख्या में किसी भी विचलन के मामले में, संधि का अंग्रेजी पाठ मान्य होगा।

3. इस लिखित अभिलेख /संलेख में संलग्न उपर्युक्त मद 1 में वर्णित संधि का संशोधित खमेर पाठ 27 जनवरी 2018 को नई दिल्ली में हुई संधि के केवल खमेर पाठ को प्रतिस्थापित करेगा।

इस लिखित अभिलेख के निष्पादन के बाद, कंबोडिया साम्राज्य और भारत गणराज्य, संधि के पक्षकार होने के नाते, संधि के खमेर पाठ में त्रुटियों के सुधार के आधार पर इस लिखित अभिलेख को संलग्न करेंगे।

जिसके साक्ष्य स्वरूप, हस्ताक्षरकर्ता, कंबोडिया की शाही सरकार और भारत गणराज्य की सरकार द्वारा विधिवत अधिकृत होने के नाते, इस लिखित अभिलेख संलेख पर हस्ताक्षर करते हैं।

यह लिखित अभिलेख संलेख 2024 में नोम पेन्ह (Phnom Penh) में खमेर, हिंदी और अंग्रेजी प्रत्येक की दो मूल प्रतियों में बनाया गया है, जिनकी समान वैधता है। भिन्न व्याख्या के मामले में, अंग्रेजी रूपांतर का लिखित अभिलेख संलेख मान्य होगा।

कृते कंबोडिया साम्राज्य

कृते भारत गणराज्य