



The right to adequate time and facilities to prepare a defense



This right ensures the defense has adequate time and facilities to prepare a case without discrimination

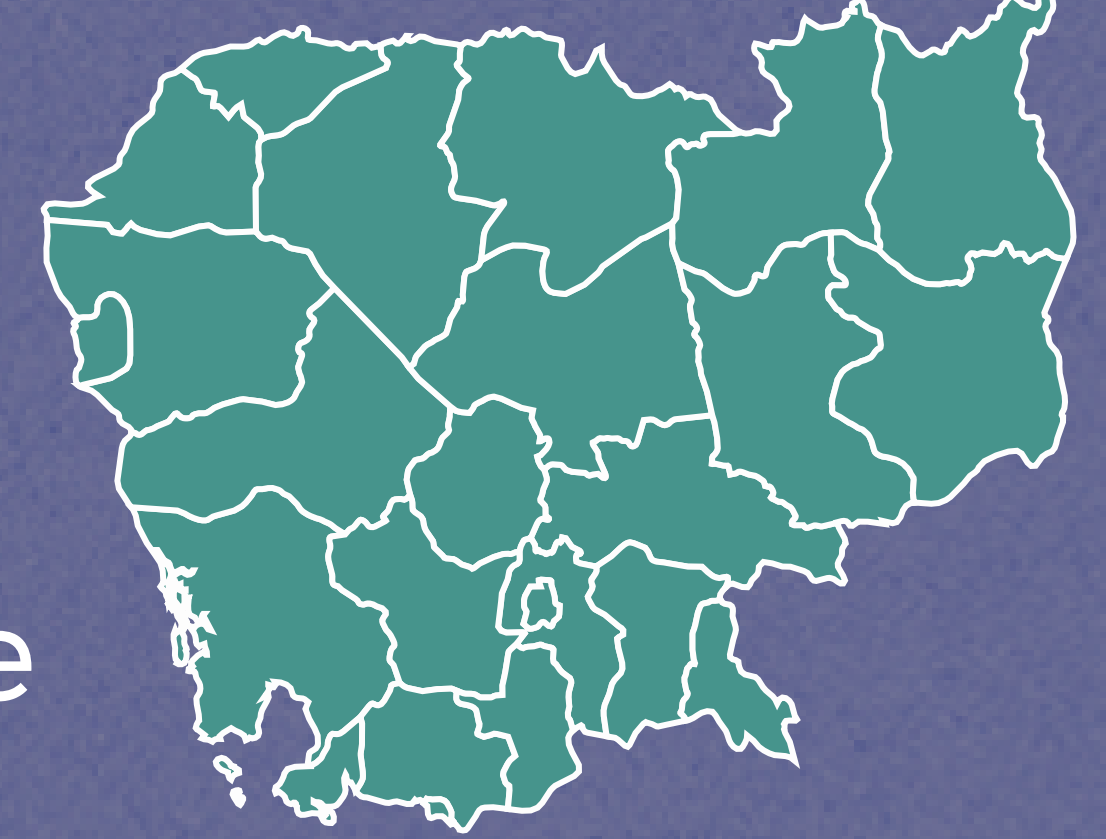


The right provides that:

- Legal assistance needs to be assigned the defendant whenever the interests of justice require it, if he or she do not have sufficient means to pay for it, the state should provide.
- If the court or other relevant authorities hinder appointed lawyers from fulfilling their task effectively, the right has been violated.
- The defendant (or his or her lawyer) has the right to examine witnesses against him/her and to obtain the attendance of witnesses on his or her behalf.
- The defendant needs to be granted prompt access to counsel. Counsel should be able to meet their clients in private and to communicate in conditions that fully respect the confidentiality of their communications.
- Both sides of the case have the right to contest all evidence against them.
- "Adequate facilities" must include access to documents and other evidence; this access must include all materials that the prosecution plans to offer in court against the defendant.

Domestic Law

Cambodian Criminal Procedure Code



Article 48

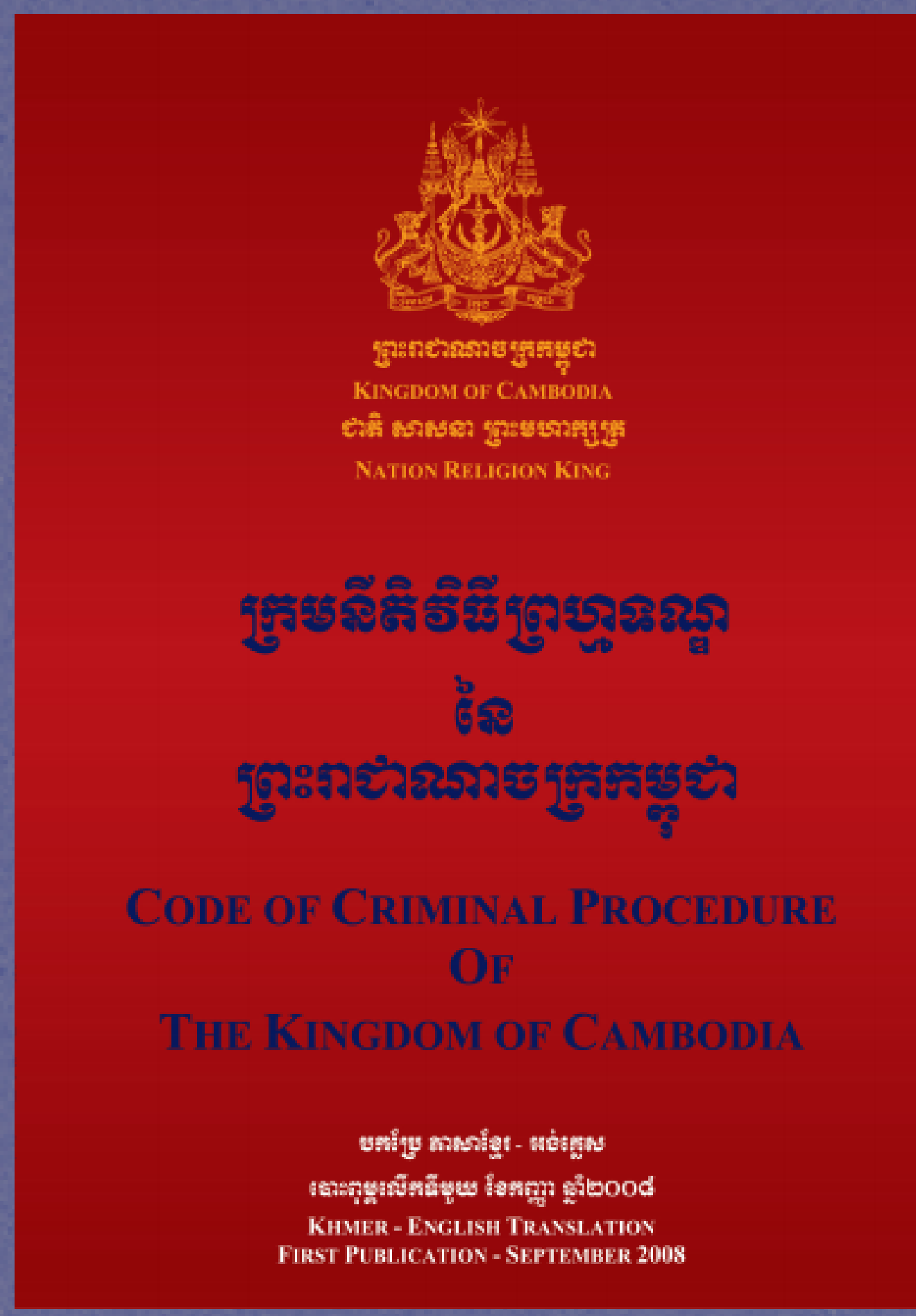
The accused has time to prepare his or her defense

Article 98

Conversations with the accused and their counsel are to be confidential & private

Articles 259 & 319

Both parties are entitled to access dossiers and briefs before the time of trial



International Law

International Covenant on Civil and Political Rights



Article 14 (3)(b)

Right to have adequate time and facilities to prepare a defence & to communicate with counsel of his/her own choosing

Article 14 (3)(d)

Right to legal assistance & state's duty to provide when necessary

Article 14 (3)(e)

Right to examine witnesses against the accused & obtain the attendance of witnesses on their behalf

