

<!--document exported from old headid:1775 -- Cambodia - National Legislation for Mine Action-->

# E-MINE Electronic Mine Information Network

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## Cambodia - National Legislation for Mine Action

**State:** Cambodia

**Law or Regulations:** Law on the prohibition of anti-personnel mines, 1999

### Chapter I: General provisions

#### Art. 1 [Purpose]

##### Article 1

The purpose of this law is to prohibit all anti-personnel landmines including the production, trading, exporting and importing of all types of anti-personnel mines.

##### Article 2

The anti-personnel mines are all mines that when activated by a person, will detonate or explode, and are designed to cause injury, disability or death.

Mines are [a]mmunition which are placed on, near or under the ground, on other surface areas and are designed to detonate when activated by human, animal, vehicle, machinery or equipment, either by direct contact or remotely.

##### Article 3

Civilians and government officials including all armed carriers especially the Royal Armed Forces, the Military Police and Police shall be banned from anti-personnel mines, in all circumstances, except in cases when they have authorization from the Royal Government for mine clearance training.

##### Article 4

The controlling of all types of anti-personnel mines is the authority of the Cambodia Mine Action Centre.

##### Article 5

In spite of the duty as established by the Royal Decree n. xxx dated 25 February 1995 , the additional responsibilities of Cambodia Mine Action Centre are as follows:

- To participate and conduct inspections in the conjunction with Government Ministries or institutions in all instances where there is a doubt that the ban of the use of anti-personnel mines as specified in article 1 of this law is violated.
- To make decision about the destruction of existing and discovered anti-personnel mines.
- To make decisions about destruction of all types of mine and unexploded ordnance (UXOs) existing and discovered not administrated and maintained by the competent authorities.
- To cooperate with foreign organizations to stop using anti-personnel mines.
- To get from other institution reports the use of mines, including the possession, transfer, trade, export and import all types of mines and report to the government.
- Be responsible to supervise/control or coordinate all Mine/UXO clearance activities of NGOs which are operating Mine/UXO clearance in Kingdom of Cambodia .
- All Ministries or Institutions who are involved with inspection must be authorized by the sub-decree.

##### Article 6

Any person who intentionally possesses any type of anti-personnel mines shall be punished with imprisonment in term of one month to one year and or fine of one million to five million riels. In case he/she does not stop committing the above offence, the punishment shall be doubled.

#### Article 7

Any person who use any anti-personnel mines shall be punished with imprisonment which may extend from one year to five years and with a fine of five to ten million riels or any punishment among both of them mention above without counting in other penal offences which relate to casualty and civilian indemnities. In case he/she does not stop committing the above offence, the punishment shall be doubled.

#### Article 8

Any person who produces, trades, imports, exports, any types of anti-personnel mines shall be punished with imprisonment for a term which may extend from five to ten years and with a fine of ten to twenty million riels. In case he/she does not stop committing the above offence, the punishment shall be doubled. All kind of mines stated in article 6, 7, 8 should be confiscated and destroyed.

#### Article 9

If the offender is an agent or officer of the Cambodian Mine Action Centre or other Non-Governmental Organisations which conduct similar activities to the Cambodian Mine Action Centre in the Kingdom of Cambodia , he/she shall be punished with the maximum sentence as referred to in the Article 6, 7 and 8 without reducing sentence level.

#### Article 10

Any person, ministry or institution who maintains any types of anti-personnel mines, shall report to the authority who have the duty to report to the Cambodian Mine Action Centre, the types, number of mines being maintained and all detailed information within 90 days after this law come into force.

#### Article 11

The Cambodian Mine Action Centre must destroy all discovered mines through article 10 within one year of this law coming into force and then report to the Royal Government of Cambodia.

#### Article 12

Any laws or provisions, relate to anti-personnel mines which are contra[ry] to this law shall be annulled.

#### Article 13

This law shall be promulgated immediately.