

**Kingdom of Cambodia
Nation Religion King**

The Royal Cambodian Government

No. 08 សជណ.កបថ

Statement of Motive

Of

Draft Arms Law

On

Management of Weapons, Explosives, and Ammunition

Within the situation during which Cambodia was ravaged by wars, the conflicting parties were seeking weaponry to equip men regardless of ages and sex – young, old, male, and female. And those weapons equipped went unregistered and unmanageable.

Implementing the Paris Peace Agreement, armed conflicting parties participated in an election, then the losing parties failed to return their weapon to the winning party. That is why the weapon situation in Cambodia appears to be complicated and anarchic. The effect continues to badly threaten social security and orders, claim lives and damage property everyday, particularly blocking the development process in all sectors.

The Royal Cambodian Government has laid down scores of appropriate principles aimed at confiscating and destroying weapons, and turns to strengthen the management of weapons, explosives, and ammunition. Noticeably, social security, order and safety have been improved.

At present, we have not yet had a law to ensure proper management of weapon, explosives, and ammunition. The applicable laws and regulation that we have include:

- Sub degree 11 ស្តី, in which there are only 4 articles involving weapon. These are: article 2, 3, 4, and 5, dated 7 February 1992, promulgating the use of law on the punishment for carrying weapon and disobeying orders in wearing uniforms;
- Regulations on the Judicial System, Criminal Codes, and Criminal Procedures for the application in Cambodia during transitional period dated 10 September 1992, in which only 1 article involving weapon. That is article 54;

- Sub degree No. 38 អនក្រឹត្យ/ប្រកាស dated 30 April 1999 on the management and control of import, production, sale, distribution, and the use of weapons, explosives, and ammunition of all kinds;

Therefore, in order to eliminate the anarchic use of weapons, to set conditions for ensuring proper use of weapon in armed units, to make Cambodia a weapon-free society, and to find legality for those whose business involve in explosives such as: producing fireworks, quarrying and etc., the Royal Government understands that the draft arms law would contribute effectively toward prevention and cracking down on crimes and terrorism in line with the world's trend, especially the United Nations' policy on arms.

As aforementioned, may the National Assembly review and adopt this draft arms law on management of weapons, explosives, and ammunition in an urgent manner.

Phnom Penh, 27 January 2005

Signed and stamped

Hun Sen