

4.4 Cambodia



4.4.1 Natural Resource and Environment Law (Annex 4) (1996)

The law is aimed at protecting and upgrading the environmental quality and public health by means of prevention, reduction and control of pollution; assessing the environmental impacts of all proposed projects; ensuring rational and sustainable preservation, development and management and the use of natural resources; encouraging public participation in the protection of natural resources and the environment including any acts which may affect the environment. Articles 2 to 11 are related to biosafety and biodiversity conservation

4.4.2 Sub-Decree on Production of Import, Export and Commerce of Traditional Medicine in Public Sector (1998)

The objective of this Sub-Decree is to manage the import and export production and commerce of traditional medicines in Cambodia. The Sub-Decree covers the right to run traditional medicine business, traditional medicine production, import-export, and commerce. This is related to plants and animals, but may include the uses of LMO based products because the Sub-Decree does specify the nature of the traditional medicines.

4.4.3 Environmental Impact Assessment Sub-Decree (Annex 9) (1999)

The Sub-Decree has the following objectives, which are: (a) identify and carry out environmental impact assessment on all private and public projects which are under the responsibility of Ministry of Environment, before these are submitted to the government; (b) define types, of projects and activities in both private and public sectors that need to be assessed for environmental impacts; and (c) encourage public participation in the process of environmental impact assessment as well as collecting feedbacks for consideration in the adoption process. Articles 4 to 9, 14, 15 and 22 are related to the assessment of development projects that include the field trial and field release of LMOs.

4.4.4 Law on the Management of Quality and Safety of Products and Services (Annex 10) (2000)

The scope of the law is focused on all commercial enterprises, all manufacturing for commercial purposes, importers, exporters and merchants, service providers, advertisers of products, goods, and services and civic association and non-governmental agencies engaged in manufacturing, commerce or humanitarian relief activities. The law is related to biodiversity and biosafety in articles 8, 10, 12, 13, and 21. Any import of GM foods might be subject to inspection for quality and safety control.

4.4.5 Phyto-Sanitary Inspection Sub- Decree (Annex 5) (2003)

The Sub-Decree is meant to identify and inspect phytosanitary measures to prevent the spread of diseases and dangerous pests, from one area to another in Cambodia. This could be brought about by all articles including transgenics, which are imported into or in transit in Cambodia. The Sub-Decree is necessary to protect agricultural production and biological resources.

4.4.6 Protected Areas Management Law (Annex 6) (2003) (draft)

The law aims at managing public domains in protected areas. Among its various objectives is the implementation of international conventions, protocols and agreements on biodiversity and ecology protection in protected areas; and define liability and punitive measures for defaulters who destroy resources and public properties in the protected areas.

4.4.8 National Biosafety Framework (2004)

The National Biosafety Framework contains details of the draft law on biosafety and the sub-decree on LMO management even though these have yet to be ratified. Major aims of the Framework are to legally protect the public from possible adverse risks caused by LMOs, when they are allowed to be released into the environment, and also to provide a clear procedure for submission of an application for release of LMOs

4.4.7 National Law on Biosafety (Annex 3) (2004) (draft)

The objectives of the law are to:

- (a) Prevent adverse impact on the conservation of biodiversity and natural resources in the Kingdom of Cambodia caused by the transboundary movement, development, handling, transfer, use, storage, and release of LMOs resulting from modern biotechnology;
- (b) Ensure effective conservation of biodiversity and sustainable use of biological resources, taking also into account risks to human health;
- (c) Provide a transparent process for making and reviewing decisions on LMOs and related activities and operations;
- (d) Develop biotechnology education while preventing environmental and health hazards associated with the use and release of LMOs;
- (e) Implement the Cartagena Protocol on Biosafety to the Convention on Biological Diversity to which the Kingdom of Cambodia is a Party.

The Cambodian Biosafety Law does not regulate LMOs that are pharmaceuticals for human use, LMOs in transit not destined for use in the Kingdom of Cambodia; any other categories of LMOs that may be exempted by the Competent National Authority; and any processed products containing dead modified organisms or nonliving components of GMOs.

4.4.8 Sub-Decree on LMOs Management and Control (Annex 7) (2004) (draft)

The objectives of this Sub-Decree are to implement the Law on Biosafety and to provide a transparent process for review and decision making on LMOs and related activities. The Sub-Decree would regulate risk that might occur from handling, transfer, transport and use of LMOs in Cambodia.

Source:

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