Police vow tighter gun control in Kingdom

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Police set up a roadblock in search of illegal weapons in Phnom Penh. POLICE

The National Police have vowed to tighten gun control and crack down on illegal weapon trafficking in order to maintain security, safety and social order as officials and civil society organisations are worried about increasing rates of gun violence.

Shootings in Cambodia are rare compared to some countries but they do take place every year. Many of the cases stem from interpersonal conflicts like spousal jealousy, arguments following vehicle accidents and disputes over land. Whatever the motive behind it, the violence leaves people injured and sometimes even killed.

Theam Bun Seng, director of the Ministry of Interior’s weapon control department, said guns in the Kingdom are governed by the Law on Weapons, Explosives and Ammunition Management consisting of six chapters with 26 articles.

The law has been in place since 2005. The law was created in order to place controls on all things related to guns and other dangerous weapons.

That includes provisions regarding carrying, possession and use of guns for self-defence, the sale and purchase of guns, lending a gun, moving a gun, hiring security guards with guns, manufacture of guns, modifying guns and repairing guns.

He added that those who have the right to legally possess a gun included directors, deputy directors, members of the National Assembly and the Senate, the Constitutional Council, the Supreme Council of Magistracy, ministers and a number of other officials below those ranks.
Sub-national level officials who are permitted to own or possess guns include municipal and provincial governors and their deputies, and district governors and councillors.

Furthermore, he noted, members of Royal Cambodian Armed Forces (RCAF), Military Police and National Police with the rank of colonel or higher could also legally possess guns.

Those in uniform who are of a lower rank than colonel may carry a gun while going about their official duties with permission from their unit. When off-duty, however, they must return the weapons to the armoury.

All officials who are permitted by law to carry guns have the duty to maintain security and order and defend Cambodia’s territorial integrity.

They can defend themselves if they come under attack or defend any other person who is in danger.

“In order to effectively stop illegal weapon use, we will use active measures like patrols and inspections. We will install checkpoints along the roads and in high traffic areas to crack down on the illegal transportation and trafficking of weapons and explosives of all kinds.

“We will also take administrative action to strengthen the management and control of existing weapons before we issue anymore licences allowing personal ownership of weapons,” he said.

According to Article 20 of the ammunition management law, those found guilty of illegal possession of weapons, explosives and ammunition of all types shall be subject to between six months and two years in prison and a fine of between 500,000 and 2,000,000 riel ($125 and $500).

Article 23 of the same law states that those who are engaged in weapons trafficking or found to be stockpiling weapons face five to 10 years imprisonment.

Licadho deputy director Am Sam Ath said the recent increase in gun violence has been worrisome and he believes it may be due to loopholes in the existing gun control law.

He said some people who are found to be in possession of guns illegally had escaped punishment with the help of powerful and well-connected people who intervened on their behalf.

Sam Ath pointed out that many of the violent incidents or other cases where guns had been misused were not due to illegal guns but were in fact perpetrated by government officials who abused their legal right to carry a gun.

Sam Ath cited as example instances where officials threatened and even killed others they were having personal disputes with or threatened people who were innocent of wrongdoing but were less powerful than them.
He said officials sometimes used their guns to make arbitrary demands of others and to show off their power and influence in order to make others respect and fear them.

“All of these cases show brutality and inhumanity and show a lack of ethics and professional training among those allowed to carry guns. If we control legal guns ineffectively we can’t expect to get the problem of illegal guns under control.

“And then the use of guns becomes anarchic [here]. So, [the government] should pay more attention to [better control of legally owned guns],” he said.

Theam Bun Seng said: “We share those concerns and we are introducing new plans and considering a series of strict measures to control those guns more effectively.

“We acknowledge that there have been many problems involving guns that were registered and possessed legally by individuals [who then put them to illegal or inappropriate uses],” he said.

He called on all members of the armed forces or civilian officials who have the right to carry a gun to register their weapons and commit to using them responsibly.

Bun Seng emphasised that anyone found to be stockpiling illegal weapons or misusing a legally held weapon will be punished according to the law no matter what rank or position they hold.

Cambodian Centre for Human Rights (CCHR) executive director Chak Sopheap said that in a healthy society guns are strictly controlled and the rule of law functions correctly. If that were the case in Cambodia then gun related violence and criminal activity would decrease, she said.

“Authorities themselves must ensure that they implement the rule of law correctly, meaning that the laws apply equally to everyone all the time and without exception.

“That means that when a police officer – with or without a gun – violates the law, he or she must be punished according to the law,” she said.

Phnom Penh municipal police chief Sar Thet could not be reached for comment.

But earlier this month, Phnom Penh municipal governor Khuong Sreng held a first meeting with municipal police and Military Police officials to examine and strengthen measures for the control of guns, prohibition of drugs and prevention of alcohol abuse – including closing any loopholes or gaps in enforcement that may be undermining such efforts.

At the meeting they determined that this year the police will strive to tighten enforcement related to matters such as gun control that have increasingly been causing problems. They plan to meet further to identify more specific concerns and find solutions early this year.