



# **Cambodian Mine Action Standards**

## **Chapter 1**

### **The Application of Cambodian Mine Action Standards (CMAS)**



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## **Introduction**

The term 'mine action' refers to those activities, which together, aim to reduce the social, economic and environmental impact of landmine contamination. These activities comprise mine awareness and risk reduction education, demining, victim assistance, advocacy to stigmatise the use of landmines and support of a total ban on anti-personnel landmines, and stockpile destruction.

The Royal Government of the Kingdom of Cambodia are signatories to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (often referred to as the Mine Ban Treaty or the Ottawa Convention).

The law to Ban the Use of Anti-Personnel Landmines was adopted by the National Assembly of the Kingdom of Cambodia on 28th April 1999, this law authorised CMAC to implement, in cooperation with Government departments, the requirements of international treaties, conventions, agreements and instruments relating to all types of anti personnel landmines.

On 04 September, by Royal Decree, the Cambodian Mine Action and Victim Assistance Authority (known as CMAA) was established and authorised to represent the Royal Cambodian Government in all matters relating to mines and UXO, the management of all mine action activities and support to landmine victims thus replacing CMAC as the national authority.

Mine action and its constituent activities cannot be addressed in isolation, as there should be significant integration with complementary humanitarian and developmental programmes. Mine action requires management planning at national and local levels, and involves international, national, commercial, NGO and military stakeholders operating under a variety of conditions. This management will be the responsibility of the Cambodian Mine Action Authority.

The Cambodian Mine Action Standards (CMAS) are the regulatory framework for all mine action activities in the Kingdom of Cambodia and CMAA shall be responsible for the drafting, reviewing and updating of CMAS. CMAS are based on, and generally comply with, the International Standards for Mine Action (IMAS). CMAS shall be updated in response to appropriate changes in IMAS.

# The application of Cambodian Mine Action Standards (CMAS)

## 1 Scope

This document defines the role of CMAS, and establishes the guiding principles for their proper and appropriate use by CMAA, international organizations, national organisations, donors and organizations involved with the planning and implementation of mine action activities in Cambodia at headquarters and field level.

## 2 Terms and definitions

'Standards' are requirements, specifications or other precise criteria, to be used consistently to ensure that materials, products, processes and services are fit for their purpose. Cambodian mine action standards aim to improve safety and efficiency in mine action by describing the required, preferred and possible procedures and practices at both headquarters and field level.

In the CMAS series of standards, the words 'shall', 'should' and 'may' are used to indicate the intended degree of compliance. This use is consistent with the language used in ISO standards and guidelines.

- a) 'Shall' is used to indicate requirements, methods or specifications that are to be applied in order to conform to the standard.
- b) 'Should' is used to indicate the preferred requirements, methods or specifications.
- c) 'May' is used to indicate a possible method or course of action.

'Standing operating procedures' (SOPs) are instructions that define the required or currently established method of conducting an operational task or activity. Their purpose is to establish recognisable and measurable degrees of discipline, uniformity, consistency and commonality within an organization, with the aim of improving operational effectiveness and safety. SOPs should reflect local requirements and circumstances.

A complete glossary of all the terms and definitions used in the CMAS series of standards is given in CMAS 04.10.

## 3 Mine action

Mine action in Cambodia refers to those activities that aim to reduce the social, economic and environmental impact of landmines and unexploded ordnance (UXO). The objective of mine action is to reduce the risk from landmines to a level where people can live safely; in which economic, social and health development can occur free from the constraints imposed by landmine contamination, and in which the victims' needs can be addressed.

Mine action in Cambodia comprises four complementary groups of activities:

- d) Mine and UXO awareness and risk reduction education;
- e) Demining, i.e. mine and UXO survey, mapping, marking and, when necessary, clearance;
- f) Victim assistance, including rehabilitation and reintegration and;
- g) Advocacy against the use of anti-personnel mines.

A number of other enabling activities are required to support these four components of mine action, including: assessment and planning, the mobilisation and prioritisation of resources, information management, human skills development and management training, quality management and the application of effective, appropriate and safe equipment.

## **4 Purpose of Cambodian Mine Action Standards**

CMAS assists CMAA, national agencies and international agencies to establish technical guidelines and SOPs by establishing a frame of reference for use in Cambodian mine action activities. CMAS also provide the basis for the development of legal contracts between donors and implementing organisations.

CMAS are not themselves SOPs. They do not define the way in which demining requirements are to be achieved in the field - that is covered in national technical guidelines and mine action agency SOPs, rules, instructions and codes of practice.

CMAS have been developed to improve safety and efficiency in Cambodian mine action by providing guidance, by establishing principles and, in some cases, by defining national requirements and specifications. They provide a frame of reference, which encourages the sponsors and managers of mine action programmes, and projects to achieve and demonstrate agreed levels of effectiveness and safety.

## **5 National responsibilities and obligations**

The primary responsibility for mine action lies with the Royal Government of Cambodia. This responsibility is implemented through the CMAA, which is charged with the regulation, management and coordination of mine action in Cambodia. The CMAA is responsible for establishing the national and local conditions, which enable the effective management of mine action. It is ultimately responsible for all phases and all facets of the mine action programme within Cambodia's national boundaries; including the development and maintenance of Cambodian mine action standards and technical guidelines.

### **5.1 International treaties**

CMAS addresses the two main treaties in international law which deal with landmines and to which the Royal Cambodian Government is a signatory:

- a) The 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (often referred to as the Mine Ban Treaty or the Ottawa Convention); and
- b) Amended Protocol II to the UN Conventional Weaponry Convention on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices.

The provisions of CMAS do not replace the full obligations detailed in the Mine Ban Treaty and Amended Protocol II.

## **6 Legal requirements**

The Royal Government of Cambodia, through CMAA, has adopted CMAS as the regulatory framework for mine action in the Kingdom of Cambodia. The requirements of CMAS may be specified in a contract or some other legal instrument, (such as a Memorandum of Understanding or a Letter of Agreement). The wording of each contract or agreement should clarify the application of CMAS to each proposed project. Contracts shall be consistent with the laws of the Kingdom of Cambodia. This may cover general issues such as safety and occupational health, environmental requirements, equal opportunities and minimum wage, in addition to legislation specifically relating to the conduct of mine action.

## **7 Areas of responsibility**

### **7.1 Cambodian Mine Action Authority**

The CMAA is responsible for ensuring the conditions that enable the effective management of mine action projects. It is ultimately responsible for developing and managing the national mine action programme in Cambodia.

In addition to establishing and maintaining national standards, the CMAA shall develop regulations and procedures for the management of mine action operations consistent with CMAS.

In the activity of victim assistance, the CMAA should follow up with relevant agencies including the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation; Disability Action Council (DAC) as well as the relevant national and international institutions. While the management, coordination and follow up services to mine victims are the responsibility of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation, the DAC, and other relevant organisations, they are required to submit their strategic plan of action, updates and progress reports to the CMAA

The full responsibilities of CMAA are documented in Royal Decree, Preah Reach Kret No. NS/RKT/0900/160, Establishment of the Cambodian Mine Action and Victim Assistance Authority C.M.A.A. and Sub Decree Anouk Kret No 76 ANKR.BK.

### **7.2 Mine action organizations**

Organizations involved in mine action in Cambodia shall establish SOPs, instructions and drills consistent with CMAS that enable mine action projects to be conducted effectively, efficiently and safely. The CMAA shall carry out regular reviews of such documentation.

Note: The term 'organisations' involved in mine action in Cambodia includes; international and national NGOs; international and national commercial organisations; national institutions, such as CMAC; and the Royal Cambodian Armed Forces.

### **7.3 Donors**

Donors – mainly governments, regional organizations and international trust funds, fund most mine action therefore donor agencies are part of the management process. As such they have a responsibility for ensuring that the projects they are funding are managed effectively and in accordance with national standards. This involves attention to the drafting of contract documents, and ensuring that mine action organizations chosen to carry out such contracts are competent, and likely to meet the national accreditation and licensing criteria. Donors, or their agents, are also responsible for ensuring, in consultation with the CMAA, that the standards and guidelines for quality management and planning are applied.

Phnom Penh, Dated 20 October 2005

Secretary General

Signed and Sealed

Sam Sotha