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**Research Paper:**

**“DOG MEAT TRADE IN CAMBODIA: SHOULD CAMBODIA HAVE THE LAW ON BANNING DOG MEAT TRADE?”**

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**I. ABSTRACT**

This research paper attempts to study in-depth about the dog meat trade and consumption in Cambodia. As one may be aware that the trade and consumption of dog meat is the most sensitive issue arising within today’s society. With the significant growth of dog meat consumption and trade, there are ample concerns from the dog owners and dog lovers as their dogs have been, or at least used to be, stolen to various local dog meat shops in Cambodia. To tackle this issue, NGOs have been working very actively to find the solutions. For the past year, both Cambodian citizens and NGOs had filed so many petitions with respect to the ban on dog meat trade and consumption as well as to shut down dog slaughterhouses in the country; however, the response from the government seems to be hushed down. It is generally believed that dogs are not just pets, yet they are considered as men’s companions and even one of the family members. Even though Cambodia has the relevant laws on the related issue, the loopholes are still posed indicating that the legal enforcement is lacking.

In order to ease the process of reading, the authors decided to divide the research paper into three main key factors. Firstly, it is examined to understand the rationale behind what drives Cambodian people to consume or sell dog meat as well as the legal consequences of such actions? Secondly, it aims to view what are the reactions of Cambodians and the International Community regarding the dog meat trade in Cambodia? Lastly, it seeks to comprehend when such problems arise, how does the Cambodian government tackle this issue?

To respond to all the aforementioned concerns, the authors decided to conduct the finding based on the primary data collections where it relies heavily upon the survey and interview with a legal expert whose background is a law lecturer at ELBBL Program, RULE,1 and a dog meat seller from Battambang province as a means to collect available information to support our research. Concurrently, the authors also use the secondary sources where most of the information was extracted from the journals, and news articles to further strengthen our research paper. Not to

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mention, the authors have accompanied the readers by bringing the situations in three different countries located in the Southeast Asia Region to compare with the current situation in Cambodia.

**II. BACKGROUND**

The dog meat trade is so ingrained in Asian culture that some people cannot imagine their lives without it. In Cambodia, over 3 million dogs are killed each year, and other countries such as Vietnam, Thailand, Indonesia, and China also face similar issues concerning the dog meat trade and consumption on a regular basis.2 According to the study, 30 million dogs are estimated to be killed and slaughtered worldwide in Southeast Asia annually.3 Dog meat trading is a cultural norm that most Asians cannot dismiss, and they have given those meats different names, such as “***Sach Pises or Special Meat***” in Cambodia and ***“Little Tiger”*** in Vietnam.4 The question remains is why do the majority of them enjoy eating that meat? Having considered the question raised, it depends on how the other people in different countries view dog meat; however, in the case of Cambodia, one research reveals that people have a lot of misconceptions about eating dog meat and how it can cure or improve their health.5 Some of these myths include the fact that dog meat could keep the body warm and manly, dogs contain no antibiotics which boost their health more than some other meat, and some people believe that dog meat can cure disease especially it is good for pregnant women and women who have recently given birth. Regarding this belief, there is neither specific nor official information to confirm or prove its accuracy. Other than just how dog meat is viewed to have great impact on human kinds, another reason for dog meat trade and consumption lies upon its cost. In terms of the price, dog meat appears to be cheaper in which it only costs $1.23 equivalent to 5,000 Riels making it perfect meat for consumers to purchase.6

2 FOUR PAWS, *The Dog and Cat Meat Trade in Southeast Asia: A Threat to Animals and People* **(“FOUR PAWS*, A Threat to Animal and People”)***, February 2020, p. 7.

3 *Id.*

4 *Id.,* p. 21 & 28; FOUR PAWS*, 10 Facts about the dog and cat meat trade in Southeast-Asia* **(“FOUR PAWS*, 10 facts about the dog and cat meat trade in Southeast-Asia*”)***,* 06 August 2019, retrieved from: https://dogcatmeat.four paws.org/the-truth/10-facts-about-the-dog-and-cat-meat-trade.

5 Animal Rescue Cambodia, *Dog meat the myths and health risks of this cruel practice* **(“Animal Rescue Cambodia*, Dog meat the myths and health risks of this cruel practice*”)**, 24 December 2019, retrieved from: https://ar cambodia.com/dog-meat-myths-and-health-risks/.

6 FOUR PAWS, *10 facts about the dog and cat meat trade in Southeast-Asia.*

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Most Cambodians believe that eating dog or cat meat can cause a variety of health problems such as Rabies, Antibiotic Resistance, and other diseases.7 While it might be true that dog meat tastes delicious, yet people have no clue how bad the slaughterhouse looks and how cruel the dog slaughters are. Behind the curtain, dogs are brutally killed in various ways including the use of threats and violence, such as clubbing on the head, mass drowning, and strangling.8 More relevantly, not only are slaughterhouse acts illegal, but the cruel activities and process of killing dogs also violate the Cambodian Law on Animal Health and Production, which stipulated in Chapters 8, 9, 11, 13, and 19 concerning the Slaughterhouse and Sanitation, Movement of Animals and Animal Products, Animal Welfare, and Inspection.9 Another point to take into consideration is that while the torture of human is considered a crime, millions of dogs in Cambodia have been slaughtered without any good treatments nor legal protections and recieve less international attention than in neighboring countries such as Vietnam. With regard to this issue, less attention was given to the millions of dogs in each year due to Khmer people's norms and cultures as well as their beliefs about consuming dog meat that could strengthen their health.Despite those cruel acts that are negligent to animal life, there are so many people who believe in and look forward to the protection of dogs as a whole. Such motivation derives from the fact that most Cambodians view dogs as their family members, and treat their dogs the same way they do for their own children. With respect to this issue, there is still a controversy over whether or not Cambodia should provide a legal protection for the dogs and cats meat trade and consumption; however, the solutions are still absent.

**III. RESEARCH QUESTIONS**

This research paper is designed to response to three main research questions including:

1. What drives Cambodian people to trade or consume dog meat? Additionally, what are the legal consequences of such actions?

7 One Green Plant, Sara Farr, *“Attention People Who Eat Dog Meat! Here are 3 Major Health Concerns You Should Know About”*, retrieved from: https://www.onegreenplanet.org/animalsandnature/major-human-health-concerns associated-with-the-dog-meat-trade/.

8 Animal Rescue Cambodia, *Dog meat the myths and health risks of this cruel practice.*

9 Cambodia, *Law on Animal Health and Production under No. NS/RKM/0116/003*, Chapter 8, 9, 11, 13 & 19, 01 February 2016.

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2. What are the reactions of the Cambodians and the International Community concerning the dog meat trade in Cambodia?

3. With such an issue arise, how does the Cambodian government tackle this issue? **IV. RESEARCH METHODOLOGY**

**1. Study Design**

This research paper will be conducted through a *mixed method* since we use both quantitative and qualitative approaches to understand why the dog meat trade in Cambodia remains a major concern and what are the possible ways that the government should do in order to respond to the concern raised by the citizens.

**2. Data Collection**

**i. Primary data collection**

To strengthen our research paper, we decided to use our primary data collection by conducting a physical interview with one ELBBL lecturer who specializes in Tort Law. On another hand, due to the distance difficulty and limitation of time and transportation, we had conducted an online interview via a phone call with a dog meat seller in Battambang Province to gather the statistics. During the interview process, we had asked the consent from both of the interviewees to record his voice message and store it as evidence. Concurrently, we also conducted an online survey via Google Form to seek the opinions from the public regarding the issue on 25 March 2022 and as a result, we received 109 responses.

**ii. Secondary data collection**

Rather than just focusing on primary data collection, our research paper also relies on public research which includes official reports, articles, news, journals and various publications from well-known and accredited authors and organizations such as FOUR PAWS, Khmer Times, Animal Rescue Cambodia, Phnom Penh Post, etc. Simultaneously, this research paper also extracted from Cambodian Law, in particular, Law on Animal Health and Production that came into force in 2016.

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**3. Data Analysis**

Since the research paper is written by using the mixed method, our content will be analyzed based on the interview, online survey and soft document. Regarding the interviews that have been conducted both physically and virtually, the interviewee will be asked to answer the research questions designed by the authors which will be an input in our research paper. With respect to the online survey via Google Form, on the other hand, the target audiences will be asked 13 questions that respond to our main questions. Furthermore, secondary sources such as news articles, journals will be utilized to acknowledge our research questions as required.

**4. Limitation**

There are two main limitations for our research paper. First and foremost, there was a small difficulty in reaching our interviewee who is the dog meat seller in Battambang Province due to the lack of internet connection. As the interviewee is currently living in the rural area, we could not do the video call interview and thus we decided to make a phone call instead. Secondly, since we aim to scope down our research paper in Cambodia context, most of the secondary sources are mostly written in Khmer Language. However, we have translated to the English version that allows all people from diverse backgrounds to read through.

**V. LITERATURE REVIEW**

**1. A Summary Report on Dog Meat Consumption in Cambodia**

FOUR PAWS and Animal Rescue Cambodia published a summary report with regard to the dog consumption in Cambodia. In this summary report, it has mentioned about the overall meat consumption where the interview was conducted to know in-depth about the dog meat consumers and sellers’ profiles, the timing, frequency, and concerns of eating, the location to purchase, the preparation and serving of meat and the rationale behind consuming dog meat. According to the statistics raised in this report, 72.4% of males and 34.8% of females in Phnom Penh have eaten dog meat at some point in their lives. More than half of those who have eaten dog meat have done so more than ten times, and 12.2% of those polled eat dog meat on a regular basis. However, for the sellers, they reported that they decided to run this business because of its popularity and the influences from their friends. The daily profit could be from $10 to $50 for a small shop, and the

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bigger shop could make $50 to $150 profit on a daily basis. Frequently, the consumers reported to consume such meat at their houses rather than the specific shop or any other places and they usually eat the dog meat in grilled form, soup, and curry. The dog meat is usually served with alcohol and 91.3% of the consumers ingest it during the dinner time and during the cold weather as it is believed that such meat would keep the warmth inside the body. Further, 80% of the Cambodian consumers ingest such meat because it tastes more delicious than the beef, pork, chicken, while 73.3% find it affordable, and another 44.7% find it popular and so on. However, the study recommends that in order to tackle this issue, creative efforts are needed. Changing the law or proving that the meat is unhealthy are both possibilities, but they come with their own set of challenges. To be specific, it is suggested that the method to use in tackling this issue is to persuade the consumers that their friends or relatives no longer want to eat the meat so that the younger generation would also stop consuming dog meat.

**2. Phnom Penh, Cambodia - Driving A Dangerous Trade in Dogs for Meat**

Besides guarding the houses, dogs in Cambodia are recognized for many other roles such as it has been used for detecting the mines, defending national security, and keeping as loyal companions. In Phnom Penh, there were over 100 restaurants specializing in dog meat willing to take responsibility for the slaughter and sale of over 8,500 dogs per month. Predominantly, most dogs were traded for kitchen supplies such as pans or pots and are stolen from people’s homes. Given this situation, it causes harm to the dogs, and their owners who have their dogs stolen which led to the long grieving process and most importantly, it creates a serious harm to the public health. Even though there are dog slaughterhouses in Phnom Penh, the dog meat was supplied by Kampong Cham and Kandal slaughterhouse as well as 120 dogs are estimated to be killed every day. Undeniably, the Sub-Order 108 on Control of Slaughterhouse and Slaughtering Business and Primary Animal Product Processing Premises is intended to forestall the spread of creature sicknesses, safeguard creature wellbeing, ensure the item quality and safeguard general wellbeing in the Kingdom of Cambodia. In contrast, dogs are not stipulated under this provision indicating that all slaughterhouses are not able to be legally registered. Further, the Cambodian Law on Animal Health and Production was violated because all slaughterhouses in Phnom Penh did not meet any criteria in relation to animal health and sale. It should be noted that the dog meat consumption reaches its peak at Sen Sok Area. In accordance with the experiment made by

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Institute Pasteur, around 50% of the dogs in Cambodia possess the rabies virus inside their body which puts the public health at risk.

**3. The Dog and Cat Meat Trade in Southeast Asia: A threat to Animals and People**

This report delves into the Southeast Asian dog and cat meat trade, with an emphasis on 3 countries in the Southeast Asia regions namely: Cambodia, Vietnam, and Indonesia. While it is impossible to estimate the precise number of animals involved due to the illegal and uncontrolled nature of the trade, there are over 3 million dogs slaughtered, over 1 million dogs in Indonesia, and over 5 million dogs along with about 1 million cats in Vietnam. Besides the cruelty of slaughtering the dogs and cats, such trade also causes a serious health risk to both animals and human kinds. The dog meat trade is unquestionably linked to rabies, and it is simply incompatible with regional and global rabies elimination plans. In many situations, the trafficking and killing of dogs and cats for human food violates existing national disease control and prevention legislation, as well as encouraging other criminal activities such as pet theft, which is a major societal issue in the region. With the collaboration of FOUR PAW investigations, market research studies, local animal welfare partnerships, and coalition data, this article demonstrates that dog meat consumption is not an act of the majority but a minority. For instance, as in the case of Cambodia, 12% of the total population is estimated to consume such meat on a regular basis. The reason behind such consumption depends on each country and consumption; however, oftentimes such meat was served for the gatherings with alcohol. Furthermore, such meat has been consumed to claim energy-giving effects, to warm the body, or for its medicinal or healing benefits.

**VI. DISCUSSION AND ANALYSIS**

**1. What Can We Learn from Other Countries’ Legal Approaches in Tackling Dog Meat Trade/Consumption?**

Dog meat trade is a common problem shared by Asia region, mostly widespread in China, South Korea, the Philippines, Thailand, Laos, Vietnam, Cambodia, Indonesia and Nagaland in northern India.10 There are around 30 million dogs that are estimated to be killed for human

10 Humane Society International, *Asia’s Dog Meat Trade: FAQs*, retrieved from: https://bit.ly/3IKVbUM.

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consumption in a brutal trade each year.11 Considering the large scale of dog meat trade, we have seen various efforts taken by the governments of countries to tackle this issue. The different approaches taken by each country are reflected by many factors including but not limited to the social value, legal system, and economy of each country. Therefore, while studying the approaches taken by other countries, these factors must be taken into consideration in determining the suitable approaches that Cambodia should adopt in tackling the issue at hand.

Despite being the second biggest consumer of dog meat after China,12 no specific provision had been issued to ban dog meat in Vietnam.13 Rather, the Vietnam’s government has turned to the amendment of its law to allow prosecutions against thieves whose crimes cause social disorder.14 This meant that the theft of even a single dog could result in a jail sentence. For example, in 2017, a Court in the southern province of Tay Ninh used this new amended law to sentence six dog thieves who had been stalking houses at night and shooting dogs with homemade stun guns to supply the local dog meat restaurants with three to seven year’s imprisonment.15 This amendment is understandable as thousands of dogs were stolen and many dogs served at restaurants are stolen pets sold to small, unregulated abattoirs.16

Similar to Vietnam, Indonesia has no regulations specifically relating to the capture of, trade in, slaughter of or consumption of dogs.17 Nonetheless, there are various regulations that may be used to reduce and restrict the dog meat trade such as regulations on consumer safety, violence in public, transportation of livestock animals, animal abuse, theft of animals, farm animal welfare and animal quarantine.18 Upon the *Dog Meat Free Indonesia* petition signed by over one million people to end the dog meat trade in Indonesia, the government has shown its commitment in

11 *Id.*

12 VnExpress, *Vietnam kills at least 5 million dogs a year, mostly in brutal ways - VnExpress International*, retrieved from: https://e.vnexpress.net/news/travel-life/vietnam-kills-at-least-5-million-dogs-a-year-mostly-in-brutal-ways 3483313.html.

13 FOUR PAWS, *A Threat to Animals and People*.

14 *Id.*

15 *Vietnam Jails Six Dog Thieves for Combined 30 Years*, 28 May 2017, retrieved from: https://tuoitrenews.vn/society/41175/vietnam-jails-six-dog-thieves-for-combined-30-years. 16 VnExpress, *Four suspects in 50 dog theft cases detained*, retrieved from: https://e.vnexpress.net/news/news/four suspects-in-50-dog-theft-cases-detained-4339109.html.

17 FOUR PAWS, *A Threat to Animals and People*.

18 *Id.*

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banning the trade in and slaughter of dogs for human consumption nationwide.19 This led to the issuance of an official letter in 2018 to all provincial governments ordering them to take immediate action to tackle the country's dog meat trade.20To date, the Indonesian government had prosecuted for the first time ever over the dog meat trader in Kulon Progo – one of the regencies in Indonesia. In such a case, there are 78 dogs being transported to Central Java in a truck and only 62 of them survived. Consequently, the dog meat trader was found guilty of breaching the Law No. 41 of 2014 which concerns Animal Husbandry and Health, in particular, article 89(2) in conjunction with article 46(5) of the provision. The dog meat trader violated the aforementioned provision due to an act of illegally crossing the provincial border with the absence of the dogs’ disease and vaccination status. With such violation, the dog trader is sentenced to 10 months’ imprisonment with a total fine of 150 million IDR equivalent to 10,000 USD.21

On the other hand, in the previous year, we witnessed the prohibition of the sale and consumption of dog meat in a city of the biggest consumer of dog meat—Shenzhen, China.22 Nevertheless, the same prohibition did not render a positive outcome when it came to the city of Yulin as the city celebrates the consumption of dog meat on every 21 June called *‘Lychee and Dog Meat Festival’*.23 In 2020, despite the official statement made by the city to put a ban on the dog consumption market, the festival resumed in rebellion to the government campaign.24 This demonstrated the complexity of tackling the issues that intertwine with cultural beliefs and traditions.

Learning from the abovementioned tactics taken by Vietnam, Indonesia, and China; it reflects that not all the problems will call for the same solutions. Some may take a big step to

19 *Id.*

20 Steve Jacobs, *Sickening Footage of Dog Slaughter at Indonesian Markets Released*, 25 January 2018, retrieved from: https://www.smh.com.au/environment/conservation/sickening-footage-of-dog-slaughter-atindonesian markets-released-20180124-h0nke9.html.

21 Human Society International, *Indonesian court cracks down on dog meat trade for first time ever as trader is sentenced to 10 months in prison and $10,000 fine*, October 2021, retrieved from: https://www.hsi.org/news media/indonesian-court-cracks-down-on-dog-meat-trade-for-first-time-ever-as-trader-is-sentenced-to-10-months-in prison-and-10000-fine/?fbclid=IwAR2eb8j2yFhJKDsjHn01ei9j5lrH7l-DEFNGEf8UtsAeykyEKOhvOQbBMRA 22 BBC, *Shenzhen becomes first Chinese city to ban eating cats and dogs*, 02 April 2020, retrieved from https://www.bbc.com/news/world-asia-china-52131940.

23 RSPCA, *Is this really the end of China's dog meat trade?*, retrieved from: https://www.rspca.org.uk/-/9429126. 24 Humane Society International, *Campaigners renew calls to halt China's Yulin dog meat festival after rescue of puppies from a meat market days before festival begins*, 17 June 2020, retrieved from: https://www.hsi.org/news media/campaigners-renew-calls-to-halt-chinas-yulin-dog-meat-festival/

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completely ban the dog meat trade while others may turn to a smaller approach to gradually reduce the number and minimize the effect of dog meat trade. Notwithstanding, the most suitable solutions shall be determined on a case-by-case basis taking into consideration the country's social value, legal system, and economy.

**2. Why Should Dog Meat Trade Be Banned?**

A study conducted by FOUR PAWS, it has shown that more than 3 million dogs are killed annually in Cambodia.25 By 2019, FOUR PAWS further found that approximately 12% of Cambodian people consume dog meat.26 To put this long-lasting problem to an end, FOUR PAWS has actively initiated and filed the petition to ban dog meat trade. As a result, there are at least 800,000 people have signed to support such a petition,27 and it is generally believed that dog meat trade in Cambodia should be banned.

To drive in-depth about the rationale behind such a motion, the authors will illustrate four main key factors. Firstly, the trade and consumption of dog meat are not part of Cambodian religion and culture. Secondly, the social attitude of Cambodians toward the dog meat trade. Thirdly, the health issues that may be caused by consuming dog meat. Last but not least, the relevant legal framework of banning dog meat within Cambodia.

***a. Trading and consumption of dog meat are not part of Cambodian religion and cultures*** In Buddhism, the act of consuming dog meat has always been considered a shameful act.28 Despite the fact that Cambodia is a Buddhist country,29 the consumption of dog meat by Cambodian people has never been part of Cambodian tradition or culture in reference to various

25 Khmer Times, *“About three million dogs killed for food in Cambodia annually, says Four PAWS representative”*, 07 March 2022, retrieved from: https://www.khmertimeskh.com/501037220/about-three-million-dogs-killed-for food-in-cambodia-annually-says-four-paws-representative/

26 FOUR PAWS International, *A summary report on dog meat consumption in Cambodia, End the Dog and Cat Meat Trade – a FOUR PAWS Campaign,* 23 July 2020, retrieved from: https://dogcatmeat.four-paws.org/%20the-truth/a summary-report-on-dog-meat-consumption-in-cambodia .

27 FOUR PAWS, *Siem Reap becomes the first province to ban dog meat in Cambodia* ***(“FOUR PAWS, Siem Reap becomes the first province to ban dog meat in Cambodia”)****,* 08 July 2020, retrieved from: https://www.four paws.org/our-stories/press-releases/siem-reap-becomes-the-first-province-to-ban-dog-meat-in-cambodia. 28 The World Population Review, *“What Countries Eat Dogs? 2022”*, retrieved from: https://worldpopulationreview.com/country-rankings/what-countries-eat-dogs .

29 Britannica, *“Religion of Cambodia”*, retrieved from: https://www.britannica.com/place/Cambodia/Religion .

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sources of research.30 Rather, it is likely to be a belief that dog meat has the great benefits of boosting men's energy.31 According to the dog meat seller that we had interviewed, he stated that consuming dog meat is marvelous for those who had undertaken the surgery or for women who had recently given birth as it would heal the wound faster.

***b. Social Attitude of Cambodian toward the dog meats trade***

Since an ancient time, Cambodian people never viewed dogs as the main dishes, rather, they view the dogs as the pets, good security guards, and mens’ bestfriends.32 As supported by Mr. Heng Ratana, the Director General of the Cambodian Mine Action Center, mentioned that dogs play an essential role in landmines clearing.33

In recent years, there has been a controversial issue regarding the topic of dog meat trade.34 According to the survey conducted by the FOUR PAWS, majority of the Cambodian people have signed on the petition to support banning dog meat. And based on our survey, among the 109 responses, we had received 105 responses pointing out that the trade and consumption of dog meat are morally wrong, cruel and unacceptable. Such a controversial issue lies between the dog meat seller and the dog lovers as it would lead to peaceful activism.35

***c. Health issues that arise from the dog meats***

Health issues that are possibly caused by dog meat are the common concerns of most of the countries.36 Generally, it has been known that dog meat can cause rabies, cholera, and other

30 Youlia Khouria, *“Frank Discussion on Dog Meats”,* 20 July 2018, retrieved from: https://www.khmertimeskh.com/513702/frank-discussion-on-dog-meat/ .

31 Nov Narinth, “ Dog lovers are plans to protest on banning dogs and cat meats”, VOA, 04 April 2015, retrieved from: https://khmer.voanews.com/a/campaign-to-curb-eating-of-dog-and-cat-meat-begins-sunday/2705991.html . 32 Khut Sopheakchariya, *Authorities warn of legal action against illegal sale, purchase and killing of dogs* ***(“*Khut Sopheakchariya, *Authorities warn of legal action against illegal sale, purchase and killing of dogs”)****,* 10 July 2020, retrieved from: !"# ធរ&ព(ន\*ត់វ./ន0រច2ប់េល60រលក់ ទិញ និងស(= ប់ែឆ@េAយខុសច2ប់ | ភFំេពញ ប៉ុសIJ(postkhmer.com).

33 Tom Starkey, *“Exploring the Controversy over Dog Meat* ***(“*Tom Starkey*, Exploring the Controversy over Dog Meat”****,* Khmer Times, 21 July 2020, retrieved from: Kពច&មMងច&(ស់ពី!ជីវកមPQច់សុនខ - Khmer Times (khmertimeskh.com).

34 Tom Starkey, *Exploring the Controversy over Dog Meat*.

35 Change.org, *Ban the Pet Meat Trade and Enforce Law,* retrieved from: https://www.change.org/p/government-of cambodia-ban-the-pet-meat-trade-and-enforce-law.

36 Jahnavi Sarma, *“ Nagaland bans dog meat trade, consumption: A step in the right direction to stop spread of deadly zoonotic diseases”*, 04 July 2020, retrieved from: https://www.thehealthsite.com/diseases-conditions/nagaland-bans dog-meat-trade-consumption-a-step-in-the-right-direction-to-stop-spread-of-deadly-zoonotic-diseases-755690/ .

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diseases.37 These health risks subsist due to the illegally abducted stray dogs or stealing dogs from their owners without knowing the exact health conditions of each dog.38 Consequently, since most of the dog meat trading is illegal in Cambodia, the slaughterhouse of the dog meat is also illegal since those slaughterhouses do not have the certificate or follow any safety or standard requirements under Chapters 8 (Slaughterhouse and Sanitation), Chapter 9 (Movement of Animals and Animal Products), Chapter 11 (Animal Welfare), and Chapter 19 (Inspection) of the Law on Animal Health and Production 2016,39 and the article 9 of the Sub-decree 108 on Control of Slaughterhouse and Slaughtering Business and Primary Animal Product Processing Premises.40

Cambodia has been known as a country that has the highest rates of rabies due to the lack of rabies vaccines, and it has been reported that more than 800 people die from rabies each year.41 Due to the health risks posed along with the request of other animal international organizations, Cambodia has taken the first step ever to ban the dog meat trade in Siem Reap Province by issuing a notification.42 With the significant growth of dog meat consumption and the chance of getting infected from the dogs’ virus in Siem Reap province, the notification on banning dog meat trade was issued to counter such problems.43 In this first banning step, Mr. Tann Phanara, the Director of the General Directorate of Animal and Health Production stated that this type of banning will be enforced in the whole Kingdom of Cambodia.44 This was indeed good news; however, it has almost been one year and a half since this statement has been made yet the actions from the government still remain silent. In addition, the authors would also like to emphasize that around 21.1% of the total respondents from our online survey via Google Form had not yet been aware of such notification in Siem Reap Province. This shall mean that the raising awareness of banning the dog meat in Siem Reap should have been spread in a broader scope.

37 *Id.*

38 Lon Nara and Vann Chan Simen, *“Dognappers feed grisly industries”*, Phnom Penh Post, 16 February 2021 retrieved from: https://www.phnompenhpost.com/national/dognappers-feed-grisly-industry . 39 Four Paw, *“The Dog and Cat Meat Trade in Southeast Asia: A Threat to Animals and People”*, February 2020, p. 20.

40 *Id.*

41 Khut Sopheakchariya, *Authorities warn of legal action against illegal sale, purchase and killing of dogs.* 42 Cambodia News English, *“Dog meats trade banned in Siem Reap”*, 29 March 2022, retrieved from: Dog Meat Trade Banned In Siem Reap ⋆ Cambodia News English (cne.wtf).

43 *Id.*

44 Khut Sopheakchariya, *Authorities warn of legal action against illegal sale, purchase and killing of dogs.*

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***d. The relevant legal framework of banning the dog meats under Cambodia***

Besides the abovementioned notification of banning dog meat in Siem Reap Province and Law on Animal and Productions, and the Sub-Decree No.108,45 Cambodia does not have any special law to ban dog meat trade and consumption yet. Nonetheless, the authors would like to emphasize that Law on Animal and Productions, and the Sub-decree No.108 do not really specify the matter that is relevant to dog meat.

On the other hand, Cambodia has some provisions under the Cambodia Criminal Code of Cambodia (**“Criminal Code”**) that could be used to deal with the dog smugglers, and the dog sellers who are aware that the dogs had been stolen from the dog owners. Under the Criminal Procedure Codes, the dogs’ smugglers or thieves could be punished for committing ‘theft’ under the Art. 353 of the Criminal Code.46 This article stated that “*Theft is the fraudulent taking by any means property belonging to another person with intent to keep it*”.47

Moreover, the dog meat seller can be liable for the crime of enjoying the benefit of stolen goods under Article 399 of Criminal Code.48 This article stated that:

“Receiving stolen goods is the receiving, concealment, retention or transfer of an item, knowing that that item was obtained by a felony or misdemeanor.

“Receiving stolen goods” shall also mean:

(1) serving as intermediary in order to transfer an item, knowing that that item was obtained by a felony or misdemeanor.

(2) knowingly benefiting from the proceeds of a felony or misdemeanor.49

The above-mentioned articles 353 and 399 of Criminal Code apply to stolen goods or property, and dogs are the living things which might or might not be considered as property under the Criminal Code or not. As far as we can see, the forest animals have been considered as the state property under article 48 of Law on Forestry.50 In addition, according to our guest lecturer

45 ARC-FP, *Phnom Penh, Cambodia- Driving a dangerous trade in dogs for meat,* January 2021, p. 8; Khut Sopheakchariya, *Authorities warn of legal action against illegal sale, purchase and killing of dogs,* 10 July 2020, retrieved from: !"# ធរ&ព(ន\*ត់វ./ន0រច2ប់េល60រលក់ ទិញ និងស(= ប់ែឆ@េAយខុសច2ប់ | ភFំេពញ ប៉ុសIJ(postkhmer.com).

46 *Criminal Code of Cambodia*, Article 353.

47 *Id*.

48 *Criminal Code of Cambodia*, Article 399.

49 *Id*.

50 *Cambodia Law on Forestry,* 2002, Article 48.

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that we have interviewed, he had stated that even though dogs have been considered or viewed as the real family members, it is still considered as the human property. Hence, when the action of stealing and the smuggling of the dogs arise, these above two articles under Criminal Code can be applied.

**3. Recommendations: The Most Effective Legal Solutions to Utilize the Affordance in Tackling the Dog Meat Trade in Cambodia.**

Dog meat trade stands as a major concern in Cambodia as around three million dogs have been stolen and killed for food annually.51 Despite the effort of several NGOs and Cambodian citizens to put an end to the brutal dog meat trade by running both international and national campaign and proposed petitions with millions of signatures,52 the solution to this arising issue remains unknown.

In order to tackle the issue, we have two legal solutions to propose in this research paper. Firstly, we suggest that there should be a special standard for exotic meat, in particular, dog and cat meat in Cambodia. Secondly, we embrace the issuance of legal provision such as notification to ban the dog meat trade on specific areas.

***a. Imposed a special standard for exotic meat in Cambodia***

As a member of the WTO agreements on Sanitary and Phytosanitary Quality and Standards (“**SPS**”), Cambodia has already put a great effort and drive for full compliance of the SPS to ensure acceptable levels of safety to consumers, producers and handlers.53 Indeed, Cambodia has adopted various regulations ranging from the Law of the Management of Quality and Safety of Products and Services (“**LMQSPS**”)54 as a basis for inspection and regulating quality, safety and standards, Sub-decrees that concentrated on the implementing of standards and SPS measures and

51 FOUR PAWS, *FOUR PAWS closes major slaughterhouse in Cambodia*, 04 March 2021, retrieved from: https://www.four-paws.org/our-stories/press-releases/one-million-dogs-killed-four-paws-closes-major slaughterhouse-in-cambodia-rescuing-16-dogs-on-site.

52 FOUR PAWS, *Siem Reap becomes the first province to ban dog meat in Cambodia*; Katie Valentine, *Sign: Stop Cambodia’s horrific dog and cat meat trade*, 12 October 2021, retrieved from: https://ladyfreethinker.org/sign-stop cambodias-horrific-dog-and-cat-meat-trade/.

53 Asean Development Bank, *Kingdom of Cambodia: Cambodia Sanitary and Phytosanitary Quality and Standards Report*, December 2008.

54 *Law on the Management of Quality and Safety of Products and Services*, No. NS/RKM/0600/001, 15 March 2012.

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infrastructure development, such as slaughterhouse management and hygiene, to the standards related to food hygiene and food products developed by MIME Institute of Standards of Cambodia (“**ISC**”).55 Furthermore, the draft Food Safety Law was prepared and is expected to enact the law in 2021 with the aim to establish a food-safety system that protects personal and consumer health by preventing, controlling and eliminating food-related pollution and hazards.56 Nonetheless, till this day, the law has yet to be successfully enacted.

According to Inter-ministerial Prakas on the Implementation and Institutional Arrangements of Food Safety Based on the Farm to Table Approach, food is unsafe if it is injurious to health and unfit for human consumption.57 Injury to health may include any short or long term effects on health caused by the consumption of the food, the cumulative toxic effects, and consumer health sensitivities.58 The food is unfit for human consumption if it is unacceptable to human consumption according to its use.59 As mentioned in the above section *IV.1.C,* the consumption of dog meat can cause various potential diseases such as rabies, cholera and other zoonotic diseases, thus rendering it an unsafe food. Nonetheless, there is no specific provision that standardizes the quality of the exotic meat such as dog and cat meats found in the existing regulation.

For these reasons, we suggest that a special and specific standard and quality requirement for exotic meat such as dog and cat meat should be developed to ensure the acceptable levels of safety to consumers. The requirements should include the quantity limitation of dog meat to be sold in a specific period of time, the specific quality of meat followed by the international food safety standard, the specific condition in which the meat should be cooked to ensure its sanitary, and specific permission for the trader to sell the meat. This standard should be specifically integrated in the draft Food Safety Law that is planned to be enacted in the near future. Further, it should be issued thoroughly and in detail to the public through Prakas or Notifications. The

55 Asean Development Bank, *Kingdom of Cambodia: Cambodia Sanitary and Phytosanitary Quality and Standards Report*, December 2008.

56 Hin Pisei, *Food Safety Law to be enacted in 2021: Commerce official*, 04 February 2021, retrieved from: https://bit.ly/3wRAJiN.

57 Inter-ministerial Prakas on the Implementation and Institutional Arrangements of Food Safety Based on the Farm to Table Approach, No. UATH.BRK 868, 22 October 2010, Article 4.

58 *Id.*

59 *Id.*

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administration of this special requirements should be responsible by the relevant competent authorities that already possess the responsibility to monitor the compliance of the SPS measures including, the Inter-Ministerial Committee Coordinating Inspection of Quality and Safety of Products and Services (“**IMCCIQSPS**”), and the Food Safety Bureau (“**FSB**”) of the Ministry of Health (“**MoH**”).

The development of this special standard will not only serve as a factor to mitigate the public risk in contracting disease from eating dog meat and ensure the acceptable levels of safety to consumers, but it would also serve as a factor to raise public awareness of the risk of dog meat consumption. Mindful that by imposing a special requirements and strict standard for exotic meat such as dog meat, would discourage the traders of the meat and result in the decrease of dog meat trade and consumption in Cambodia. Further, since Cambodia already has the system to inspect the quality and standard of the product,60 there is needless for the creation of a new committee to oversee this special and specific standard and quality requirement.

***b. The issuance of legal provision to ban dog meat trade in specific area***

Cambodia has its “Law on Animal Health and Production” which came into effects in 2016.61 Articles 112, 113, and 115 of this provision had mentioned about the penalty that the wrongdoer must undertake for selling pet meats, building slaughterhouses, and intentionally importing animals with diseases. Under articles 112 and 113, violators are subject to a fine of 2,500 U.S. dollars while the violators of article 115 can be jailed from two to five years, with a fine of 12,500 dollars.62 It is a milestone that on 6 July 2020, the Siem Reap Provincial Department of Agriculture, Forestries and Fisheries issued a notification banning the trading of slaughter dogs around Angkor territory.63 In this notification, articles 112, 113, and 115 of Law on Animal Health and Production were cited as a legal justification to prohibit all types of selling dog meat without

60 Asean Development Bank, *Kingdom of Cambodia: Cambodia Sanitary and Phytosanitary Quality and Standards Report*, December 2008.

61 *Law on Animal Health and Production*, No. NS/RKM/0116/003, 01 February 2016.

62 Law on Animal Health and Production, No. NS/RKM/0116/003, articles 112, 113 & 115; Xinhua, *Dog meat trade banned in NW Cambodia's cultural Siem Reap province*, Asia & Pacific, 08 July 2020, retrieved from: http://www.news.cn/english/asiapacific/2020-07/08/c\_139197331.htm.

63 Siem Reap Provincial Department of Agriculture, *Notification on the prohibition on trade and slaughtering of dogs*, No. 293, 06 July 2020.

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permission.64 Furthermore, it is also understood that other rationale behind this notification are the decline in humanitarian value and virtue due to the increasing amount of anarchic dog meat trade around the famed Angkor Archeological Park–the most popular tourist destination in Cambodia as well as Southeast Asian nations.65

This notification has received numerous attentions and positive response from the public66 and non-governmental organizations67 as it is viewed as a turning point in ending cruelty to dogs in the country and serves as the steppingstone for the other provinces to observe. In reference to our online survey, among the 109 responses from the audiences, the majority of them have shown their support and expressed the hope that other provinces should follow this decision.

In light of this, we suggest that the issuance of legal provisions such as notification to ban dog meat trade in specific areas is one of the best solutions in tackling the dog meat trade in the present time. It is noteworthy that to completely ban the dog meat trade once and for all across the country is still more a dream than a reality for Cambodia. According to an online interview with a dog meat seller in Battambang province in which he mentioned that ‘even though there is a law in Cambodia, yet his neighbors are still eating their own dogs during their housewarming or new year eve.” The Yulin case in China can serve as an example that the prohibition on dog meat trade may be possible and effective in one city–Shenzhen, yet is not in another–Yulin.68 Therefore, the best way to slip from this complexity is to prioritize the specific area to implement the provision. The priority should be assessed through the social value, the high level of risk, and the effects of the dog meat trade posed on the people and community in those areas. The administration and monitoring of the provision then should fall on the competent authority in the respective area.

64 *Id.*

65 *Id.*

66 Khmer Times, *Majority of Cambodians want dog meat banned across the Kingdom*, November 26, 2021, retrieved from: https://www.khmertimeskh.com/50977602/majority-of-cambodians-want-dog-meat-banned-across-the kingdom/.

67 FOUR PAWS International, *Siem Reap becomes the first province to ban dog meat in cambodia: FOUR PAWS applauds local government for reacting to its year-long investigations*, 08 July 2020, retrieved from: https://www.four-paws.org/our-stories/press-releases/siem-reap-becomes-the-first-province-to-ban-dog-meat-in cambodia; BBC News, *Dog meat: First Cambodia province bans sale and consumption*, 8 July 2020, retrieved from: https://www.bbc.com/news/world-asia-53334854.

68 BBC, *Shenzhen becomes first Chinese city to ban eating cats and dogs*, 02 April 2020, retrieved from https://www.bbc.com/news/world-asia-china-52131940; RSPCA, *Is this really the end of China's dog meat trade?*, retrieved from: https://www.rspca.org.uk/-/9429126.

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Although this initiation may not completely eliminate all of the dog meat trade in Cambodia, it would serve as a test to see the possible outcome toward the prohibition of the dog meat trade and simultaneously serve as an open door for future initiatives and legislation to tackle this issue more effectively and efficiently.

**VII. CONCLUSION**

The dog meat trade is a potential problem that needs to be tackled in Cambodia. It has been integrated into Cambodian beliefs and evolved as a myth that dog meat keeps the body warm and manly, can cure disease, and is good for pregnant women and women who have recently given birth. This; however, renders it impossible to completely detach the consumption of dog meat once and for all. Nevertheless, it does not necessarily mean that it is night on the possibility to ban the dog meat trade in Cambodia, rather it is suggested that smaller steps should be adopted by taking into consideration the social value, legal system, cultural beliefs, and economy to tackle the issue. Those steps may include but are not limited to the imposition of a special standard for exotic meat to be consumed in Cambodia and the issuance of legal provisions to ban the dog meat trade in specific areas. Notwithstanding, various actions have already been taken by the government to tackle the issues, thus illustrating a great start toward the conclusion of the circle of the most serious animal welfare issues in Cambodia.

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