



KONRAD  
ADENAUER  
STIFTUNG  
CAMBODIA  
ANNIVERSARY



# LAW TALK CONFERENCE

## *The Intersection of Law and Artificial Intelligence*



# INTRODUCTION TO LAW TALK



**Since** its inception in 2006, Law Talk Conference has been hosting various discussions on legal development in Cambodia on many topics such as labor law, consumer protection, cybersecurity, personal data protection, and more. This is an exclusive conference which brings stakeholders together to discuss how to make the law better for Cambodia. Every year, we welcome over 50 guests from government bodies, international organizations, legal practitioners, businesses, and academics to discuss emerging legal issues. Over the years, Law Talk has been instrumental in shaping legal frameworks and influencing national policies. A noteworthy achievement was in 2022 when recommendations from Law Talk's publication on Consumer Protection were adopted into **a Sub-Decree 0.113 on "cooling off" period by the Ministry of Commerce**, underscoring the conference's impact on legal reform. This year, the 23rd Law Talk was held under the theme of "The Intersection of Law and Artificial Intelligence" with the support from National University of Management and German Federal Bar Association.

## 50-80

guests from various professional backgrounds

## 2022

Recommendations from Law Talk's publication on Consumer Protection were adopted into a Sub-Decree 0.113 by the Ministry of Commerce



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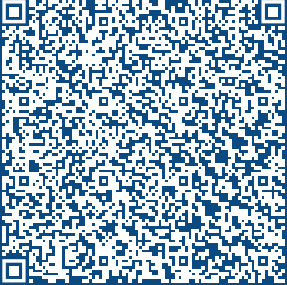
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- យោងតាមតម្រូវការចាំបាច់របស់ក្រសួងពាណិជ្ជកម្ម

For reference:



Scan here for a Sub-Decree 0.113, by the Ministry of Commerce



Scan here for the Law Talk's publication on Consumer Protection







# Why “The Intersection of Law and AI”?

**AI profoundly impacts societies and the environment**, influencing human thinking, interaction, and decision-making, and affecting education, various sciences, culture, and communication. Recognizing these impacts, global and regional organizations around the world have created AI strategies and legal frameworks such as Guide on AI Governance and Ethics at the 4th ASEAN Digital Ministers' Meeting in 2024 (ADGIM) by ASEAN, recommendations on AI Ethics by UNESCO, and AI Act by the EU. Following the global developments, Cambodia joined the wave of AI utilization in every sector, integrating it into the Digital Economy and Society Policy Framework 2021-2035 and the Digital Government Policy 2022-2025.

For this reason, we believe we would take Law Talk to go beyond national development but also take a futuristic approach on **how Cambodia can be ready for the future of AI in the legal landscape** in Cambodia.

## Objective

The conference aims to:

-  Analyze existing legal frameworks and their adequacy in regulating AI technologies.
-  Identify the legal challenges posed by AI, including issues of liability, accountability, privacy, and data protection.
-  Explore ethical implications of AI in the legal field, with a focus on fairness, transparency, and human rights.
-  Foster collaboration between different sectors, including government, academia, and industry, to ensure a holistic approach to the legal regulation of AI.



This year, we are honored to have senior representatives from

# Programm

<b>08:30 – 9:00 AM</b>	Registration
<b>09:00 – 9:05 AM</b>	Opening Remark <b>Mr. Jason Chumtong</b> Country Director, KAS Cambodia
<b>09:05 – 9:15 AM</b>	Setting the Scene "AI at the Legal Landscape in Cambodia" <b>Mr. Kong Phallack</b> Professor, National University of Management
<b>09:15 – 9:20 AM</b>	Photo Session Distinguished Guests
<b>09:20 – 10:10 AM</b>	Thematic Discussion on "AI in Governance" Speakers:  <b>H.E Keo Sothie</b> Secretary of State, Ministry of Post and Telecommunications  <b>Mr. Chanty Pisal</b> Director of the Digital and Innovation Policy Research Centre, Cambodia Academy of Digital Technology  <b>Moderator: Ms. Schaworonkowa Swetlana</b> Senior Legal Advisor, German Federal Bar
<b>10:10 – 10:30 AM</b>	Q&A <b>Moderator: Ms. Schaworonkowa Swetlana</b> Senior Legal Advisor, German Federal Bar
<b>10:30 – 11:00 AM</b>	Coffee Break Refreshment is provided
<b>11:00 – 11:40 AM</b>	Special Lecture: AI in Legal Practice in Germany  <b>Dr. Christian Lemke</b> Vice President, German Federal Bar
<b>11:40 – 12:00 PM</b>	Q&A
<b>12:00 – 1:30 PM</b>	Lunch Lunch will be provided

**01:30 – 2:30 PM**

Thematic Discussion on "AI Across Industries"  
Speakers:

**Mr. Jason Chumtong**

Country Director, KAS Cambodia

**Mr. Kenneth Tang**

Vice President of Digital and Technology Committee, EUROCHAM

**Mr. Kann Bonpagna**

Researcher at Institute of Digital Research and Innovation, Cambodia  
Academy of Digital Technology

**Moderator: Mr. Kong Phallack**

Professor, National University of Management

**02:30 – 3:00 PM**

Q&A

**Moderator: Mr. Kong Phallack**

Professor, National University of Management

**03:00 – 3:30 PM**

Coffee Break  
Refreshment is provided

**03:30 – 3:40 PM**

Closing Remark

**H.E Dr. Hor Peng**

Rector of the National University of Management

**03:40 – 3:50 PM**

Way Forward

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# Thematic Discussion 1: AI In Governance ?

**H.E Keo Sothie**  
Secretary of State, Ministry of Post  
and Telecommunications



**Mr. Chanty Pisal**  
Director of the Digital and  
Innovation Policy Research Centre,  
Cambodia Academy of Digital Technology



**Ms. Schaworonkowa Swetlana**  
Senior Legal Advisor, German Federal Bar



# Key Takeaway

**In Cambodia**, the usage of AI remains significantly low due to limitations in digital literacy. According to the Ministry of Post and Telecommunications (MPTC), only 30% of the populations have basic digital skills. Similarly, the adoption of AI by small and medium enterprises (SMEs) and industries is also low. While AI offers numerous benefits, the associated risks must be carefully managed. Governance frameworks need to strike a balance between maximizing AI's advantages and mitigating its risks. AI can be used in many application areas like education, health, and business. Mr. Chanty Pisal has stated that AI can be utilized to be a translating system, for example to translate Khmer into other languages and vice versa, and interpreting using image and video processing. However, the predominance of English data limits AI's effectiveness for Khmer speakers due to the scarcity of Khmer data. For instance, search engines often provide more comprehensive answers to queries in English than in Khmer, unintentionally disadvantaging Khmer users.

Over the next five years, significant investments are needed in data centers to support the growth of AI. These developments will enable more robust AI applications and infrastructure.

## Regulation

The development of regulation should follow a continuous **cycle of development, deployment, and use** from the beginning to the end. The primary objective of AI regulation should be to minimize risks while fostering innovation. While Cambodia does not yet have a specific AI regulation, considerations are being made based on European AI laws and Asian guidelines as a potential blueprint. Additionally, MPTC also attended the Hiroshima process and took into consideration international cooperation on AI standards. To guide AI development, we need to define our objectives first. Key points to consider in preventing AI risks include: transparency, accountability, security, privacy, and non-discrimination. For instance, in a hypothetical scenario involving an AI-powered killer drone, the issue of responsibility becomes critical. Who should be held accountable for the actions enabled by AI — the developers, the companies, or other entities involved?

## Should AI regulation cover private sector?

AI regulation should encompass both the public and private sectors to ensure that the benefits of AI are maximized while mitigating potential risks and protecting fundamental rights. At present, there is significant disagreement over the scope of the convention in the European Union. The EU AI Act will affect other countries outside of the EU as well as observer states like the United States, Japan, and Canada. It has been reported that the United States delegation has been pushing for a private sector exemption from the treaty. The European Union has rejected this position, arguing that it would undermine the protection of fundamental rights. H.E Sothie shared the same sentiment. He stated that regulations should apply to both public and private sectors. While the public sector is focused on serving the public interest, the private sector by default has a system designated for capital. We want to ensure those profits don't cause harm to society. The aim is to protect sectors while ensuring that the use of AI is responsible and profitable. Nonetheless, the process can also be indirectly watched over by the government over the private sector.



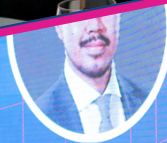


# Low-Hanging Fruit

There is a debatable approach to whether AI should be regulated. The Europe Union has initially approached AI with prohibitions, which can stifle innovation. On the other hand, a non-binding framework might fail to address critical issues effectively. Meanwhile, Cambodia can also consider the **low hanging fruit approach** that the U.S took regarding tackling the issue with the Deepfake technology. It refers to the strategy that focuses on specific emerging technology that is easily solvable, meaning tackling specific AI applications rather than the whole ecosystem behind it. It is more targeted, responsive to the problem, and can be achieved by leveraging the existing framework. Existing legislation can and should be used — and adapted when necessary — to combat the issues at hand.

## Way Forward

The role of law in AI is seen as both an opportunity and a challenge. It presents opportunities for innovation but also challenges in ensuring that regulations keep pace with rapid technological advancements. It has been shared that efforts on regulating AI are underway by including a chapter specifically on AI in Law on ICT by MPTC. This chapter will address the identification of AI uses and associated risks, aiming to establish appropriate prohibitions and safeguards. Although there was no mention of a fixed timeline, it is anticipated that it might take approximately two years. The bill currently being drafted also covers scams (fraud) involving AI technologies.



**H.E. Keo Sothie**  
Secretary of State, Ministry of Post and Telecommunications



**Mr. Chanty Pisal**  
Director of the Digital and Innovation Policy Research Centre, Cambodia Academy of Digital Technology



**Ms. Schaworonkova Swe**  
Senior Legal Advisor, German Federal Government

Law Transfer Conference

The International Law and Artificial Intelligence Conference

KAS

# Special Lecture: AI in the legal practice in Germany

**Dr. Christian Lemke,**  
Vice President of German Federal Bar



# Key Takeaway

Did you know that German lawyers are not under the obligation to disclose to their clients whether generative AI was used to formulate a legal advice? This is one of the many observations provided by Dr. Christian Lemke, Vice-President of the German Federal Bar, regarding the impacts that surging use of AI in judicial professions has produced in the wake of the European Union's AI Act (EU AI Act). Dr. Lemke's intervention proved invaluable for Cambodia's future generations of lawyers, for two reasons. First, it established a comprehensive diagnostic of the EU AI Act, the most complete attempt to regulate AI to date, which informs Cambodia's ongoing legislative considerations and debates about the desirability of enacting its own dedicated legislation and the types of provisions to eventually be contained under such a law. Second, Dr. Lemke provided an exploratory description of the surge of AI practices in judicial professions in Germany, and their deontological, legal, economic and technological implications for members of the professions and their clients, as an invitation to reflect on the changes to affect judicial professions in the Kingdom.

## Introduction to the EU AI Act

The EU AI Act categorises AI systems based on their risk levels and outlines specific regulations and sanctions for each category. It aims to ensure that high-risk AI applications adhere to stringent requirements to mitigate potential risks. Article 3 of the EU AI Act provides a comprehensive definition of AI, focusing on systems that use algorithms to process data, make decisions, or provide recommendations. This definition helps to delineate the scope of regulation and applicability across various sectors.

## AI Applications in the Judicial Sector in Germany

Dr. Lemke identified four prominent use of AI in the judicial field. First, AI is mobilised by major law firms and courts to collect and attribute meta data, resulting in better organisation and retrieval of legal documents, enhancing the productivity of the professions. Second, AI tools have been designed to specifically analyse legal documents and court decisions, aiding in case preparation and legal research, which should be of interest to any legal researchers or law students. Third, AI has been used strategically by law firms with a view to predict case outcomes and thus advise clients more effectively, due to the identification of patterns based on large sets of specific data. Finally, the usage of Large Language Models (LLMs) such as ChatGPT, Harvey, and AI Paralegal have demonstrated their capabilities in assisting lawyers in preparing for litigation. Even though these practices are in their infancy in Cambodia, their general use across the board is to be adopted imminently.

## AI and the German Courts

German courts are currently using several types of highly targeted AI, tailored to assist in specialized legal disputes. Dr. Lemke provided three examples. First is the OLGA system utilized by the Stuttgart courts to manage carbon emissions cases, improving processing efficiency. Second is the FRAUKE system, streamlining the management of air passenger compensation claims. Third, the JANO system, employed for anonymising sensitive information in legal documents to protect privacy.





## AI and German Law Firms

Large and international law firms often develop proprietary AI systems, while smaller firms may use AI tools without fully assessing their security and confidentiality implications. Some tools incorporate features like anonymising queries to protect data privacy.

## Ethical Implications and Risks

Several cases have highlighted the ethical risks posed by the misuse of AI in legal and judicial professions. A case involving a New York lawyer who used ChatGPT to generate false judicial precedents highlighted for instance the importance of verifying the accuracy of AI-generated content based on data sets found online. Ethical codes of conduct, the GDPR, the EU AI Act and several adjacent directives serve as a foundation for German legal professionals to exercise high levels of prudence to mitigate risks when using AI, especially their potential consequences on privacy and misinformation. Since the technology and its use are still in their infancy, this framework will need to evolve to adapt.

## The Risk Approach of the EU AI Act

Operators of AI systems must comply with the requirements set out in the EU AI Act, ensuring transparency, accountability, and safety in AI applications with a view to limit risks. The Act provides criteria for identifying high-risk AI systems, which require more rigorous oversight and compliance measures. Thus, the higher the risks associated with one technology, the higher the levels of constraints applying to the operator. A major risk remains unresolved in the legal status of intellectual property rights in AI-generated content. In particular, questions about ownership and the legality of reproducing content used for training AI models continue to be debated in Germany.



# Thematic Discussion 2: AI Across Industries

## Panelists:

**Mr. Jason Chumtong** (Country Director, KAS Cambodia),  
**Mr. Kenneth Tang Vice** (President of Digital and Technology Committee, EUROCHAM) and  
**Mr. Kann Bonpagna** (Researcher at Institute of  
Digital Research and Innovation, Cambodia Academy of Digital Technology)

## Moderator:

**Prof. Kong Phallack** (Professor, National University of Management)



# Key Takeaway

The roundtable looked at AI uses in various sectors, including academia, business and think tanks. AI systems inherently process large amounts of private data, raising significant privacy issues. Ensuring robust data protection and privacy measures is essential for maintaining user trust and compliance with regulations. This in turn necessitates adequate training for human resources, which still lacks in the Cambodian economy.

A distinction must be established between B2B and B2C AI uses, with the former focusing on enhancing productivity, innovation and revenue generation while the latter aims at building trust with the consumer-base and understanding its behavioral patterns and needs more effectively to align products and services accordingly. AI is therefore especially relevant in marketing strategies, product design and executive strategic planification.

To remedy the shortcomings in AI proficient human resources in Cambodia, universities have prioritized AI in their curricula in the past 5 years, with the current focus shifting towards practical applications and effective use of data to respond to the needs of the market. Nevertheless, in order to advance AI capabilities, Cambodia needs substantial investment in both infrastructure and education, from both the private and public sectors.

Adapting AI solutions to local contexts, rather than solely relying on European models, is also crucial for success, as levels of development, socio-cultural patterns and economic aspirations differ substantially. There are several local success stories with AI and Cambodia at large should draw inspiration from successful local innovations, such as Grab's ride-sharing services and ABA Bank's mobile payment app. These examples highlight how tailored solutions can effectively address local needs.

Conversely, some advanced AI technologies, such as Tesla self-driving vehicles, may not be suitable for Cambodian society due to a specific local context. Indeed, self-driving cars are not readily suited to Cambodian urban developments and driving patterns, as it is based on US and EU driving and traffic habits. It is therefore important to evaluate the desirability and feasibility of importing foreign technologies in the face of local practicalities. Investments in technology should be purposeful and aligned with actual needs. Focusing on technologies that offer practical benefits and improve the daily lives of Cambodians will yield the most positive impact.





Contact Person

Ms. Sereivathna (Jenn) Bunny, Program Officer, KAS Cambodia  
via [sereivathna.bunny@kas.de](mailto:sereivathna.bunny@kas.de) or +85596894549.