

Environmental Code Comment Tracking

No.	Date Submitted	Submitted by	Issue(s)	Code Draft No.	STWG No.	Assigned to	Review Date	Outcome
01	6-Apr-16	All participants	Numerous comments on different issues provided. See 6-APR-16 Workshop Report.	Draft 1	All	BR/MB	30-Apr-16	Selected comments inserted; other comments subject to further clarification, detail and discussion.
02	6-Apr-16	Raphael Deau	Numerous comments on different issues provided. See comment form.	Draft 1	All			Selected comments adopted; some comments noted for future reference.
03	7-Apr-16	Sao Sotheary	Definition of Precautionary Principle, other comments on IP rights and conservation	Draft 1	Secretariat, STWG 3/5		30-Apr-16	Code amended per comments from Sarah Brook also.
04	20-Apr-16	Andeol Cadin	Numerous comments on different sections of the Code provided. See comment form.	Draft 1	All	BR	29-Apr-16	Substantial elements of comments incorporated. General comments to be further considered.
05	20-Apr-16	Conservation NGOs (CI, WCS, WWF, BirdLife, FFI, Wildlife Alliance)	Wildlife farming.	Draft 1	STWG 3/5	MB	25-Apr-16	A note has been made in the Code to say that this is under discussion. The Secretariat responded to the commenter for further development of the recommendation. Position paper updated and submitted to Minister 27-JUL-16.
06	20-Apr-16	Sarah Brook	Definition of the Precautionary Principle.	Draft 1	Secretariat, STWG 3/5	MB	25-Apr-16	Code amended.
07	20-Apr-16	Neth Vibol	Conservation Trust Fund/Trust Law.	Draft 1	STWG 3/5	MB	25-Apr-16	Now referenced in the Code.
08	20-Apr-16	Teng Rithiny	Recommendations on wording revisions. "Establishment of the national One Map process". "Draft NEP to be prepared with public participation" should mention in Book 3. The Book Public participation should deal with all the actions from planning to implementation. Book 26 should change to Environmental Incentive, Fees and Charges.	Draft 1	STWG 7	MB BR	25-Apr-16	Amendments made to the Code.
09	20-Apr-16	Sally Ting	Differentiate between onshore and offshore extractive activities or exempt offshore drilling ("Block A development") from the provisions of the code	Draft 1	STWG 6	BR	30-Apr-16	Issues noted in comment section, and subject to further discussion.

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10	21-Apr-16	Meas Sophal	Issues related to trans-boundary protection and rangers for protected areas, including funding.	Draft 1	STWG 3/5	BR	30-Apr-16	Comments considered and inserted in part; further clarification and detail requested on some points.
11	21-Apr-16	M. Ramasamy	Book 4: Environmental Impact Assessment, Book6, Book 17- Waste Management and Pollution control, Book 22: Sustainable Energy, Book no.23 & Book 24, Book 26, Book29, Radio Active Emissions.	Draft 1	STWG 1, 2, 6	MB	25-Apr-16	Some comments incorporated; others subject to further consideration.
12	23-Apr-16	Karina Watkins (WWF)	Recommendation for revisions of wording for various books.	Draft 1	Secretariat, 3/5, 7	BR	29-Apr-16	Comments inserted.
13	5-May-16	Peter Buchsbaum	Recommendation to add the Principle of Equality before the Law.	Draft 2	Secretariat	BR, MQ	13-Jun-16	Suggested new principle beyond the scope of the Environmental Code.
14	7-May-16	Nguon Pheakdey (RUPP)	Formatting and technical editing; defintions recommended.	Draft 2	Secretariat	BR, MQ	13-Jun-16	UK English noted. Terms to be defined inserted. Additional defintions to be inserted. Comments on structure and formated duly noted and taken into consideration.
15	11-May-16	WWF	Biodiversity conservation and management and protected areas.	Draft 2	STWG 3/5	BR, MQ, NE, BT	13-Jun-16	The Secretariat responded to the commenter for further development of the recmmendation. Issue developed further in Comment # 40 and under development by STWG 3/5 Protected Area Group.
16	15-May-16	Ngoung Pheakdey (RUPP) Chhun Delux	Assessment of sustainable options for forest financing .	Draft 2	STWG 3/5	MC/NE	13-Jun-16	The Secretariat responded to the commenter for further development of the recmmendation. Response: See Comment # 48 (information included in the financing report).

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17	16-May-16	Sarah Brook, WCS	Wildlife trafficking.	Draft 2	STWG 3/5	BR, MQ, NE, BT	13-Jun-16	The Secretariat responded to the commenter for further development of the recommendation. Issue being developed further by Sarah Brook and Teng Rithiny (responded 17-JUN-16).
18	16-May-16	Teng Rithiny	<p>Organisation of Jurisdictional Institutions/Jurisdictional Issues</p> <p>Endangered species</p> <p>Wildlife trafficking offences</p> <p>Role and knowledge of IPs and local communities</p> <p>Overlapping Books</p>	Draft 2	STWG 1, 3/5, 4, 7	BR, MQ, NE, BT	13-Jun-16	The Secretariat responded to the commenter for further development of the recommendation. Issue being developed further by Sarah Brook and Teng Rithiny (responded 17-JUN-16).
19	18-May-16	Thol Chanthan	Hazardous substances and waste management.	Draft 2	STWG 2	BR, MQ, BT	13-Jun-16	The Secretariat responded to the commenter for further development of the recommendation. Update to recommendation submitted 26 July 2016, Comment # 63.

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20	18-May-16	Mark Barrash, US DOI	Comments on Draft 2 regarding Book 1 General Provisions: Objective, Principles, General Duty to Avoid Environmental Harm and Book 5 Making of National, Sub-National and Local Environmental and Natural Resources Plans.	Draft 2	STWG 1, 3/5	BR, MQ	13-Jun-16	Comments considered and incorporated as appropriate, including revision of purpose. Environmental liability provisions developed with expert.
21	18-May-16	Chloe Hill, Altus Impact	Purpose of the code, comments on "guarantee", scope of code, ELCs reference, green infrastructure language, Green Growth, suggested new book titles, SMEs.	Draft 2	Secretariat, STWG 1, 3/5	BR, MQ		Sustainable cities and GHG reduction and Green Growth comments need to be further developed. Other comments noted.
22	19-May-16	Norman Sheridan	Management of chemical substances.	Draft 2	STWG 2	MB	13-Jun-16	Comment on draft hazardous substances law adopted. Incorporated as appropriate in light of recommendations from STWG 2.
23	19-May-16	Dian Turnheim	Management of chemical substances.	Draft 2	STWG 2	BR, MQ	13-Jun-16	Comments on "green" substances adopted.
24	19-May-16	Maylis Desrousseaux	The structure of the Code is not very clear to me. For instance, climate change seems to be equally treated with fisheries management. The numerous books bring confusion and maybe a hierarchy would make the Code more practical.	Draft 2	Secretariat	BR, MQ	13-Jun-16	The general intent of the comment has been adopted in the revised structure of the code, which was issued to all stakeholders on 2 June 2016.

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25	20-May-16	Anonymous	Suggestions to Book 1.	Draft 2	Secretariat	BR, MQ	13-Jun-16	Comments on consistency adopted. Comments on international agreements taken under consideration to be explored further. Suggestion for international agreements adopted.
26	20-May-16	Teng Rithiny	The protection of Critically Endangered Species (Giant Ibis and Vulture) and its habitats. The key threat to the species is forest loss, driven primarily by clearing of land in order to develop industrial agriculture (Economic Land Concessions), small scale agricultural encroachment and infrastructure developments.	Draft 2	STWG 3/5	BR, MQ, NE, BT	13-Jun-16	The Secretariat responded to the commenter for further development of the recommendation. Issue being developed further by Sarah Brook and Teng Rithiny (responded 17-JUN-16).
27	25-May-16	Maylis Desrousseaux	Soil protection.	Draft 2	STWG 2	BR, MQ, NE	13-Jun-16	Recommendation for including soil protection and management is supported (land use and land management). Agree with suggestion regarding new word usage for clean up. The Secretariat responded to the commenter for further development of the recommendation on contaminated land. Response in Comment # 67.
28	14-Jun-16	Miriam Stark	Cultural Resources Management and Impact Assessment.	Draft 2 Reordering	STWG 4	BR, MQ, NE	15-Jun-16	Agree with recommendation for Cultural Impact Assessment.

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29	26-May-16	Paul A. Barresi	Unnecessary conceptual complexity created in Book 4 by a lack of clarity in the scope of the activities for which EIA is required.	Draft 2	STWG 1	BR, MQ, NE	22-Jun-16	Reviewed with expert when in Cambodia. Will be further assessed during final EIA review.
30	26-May-16	Paul A. Barresi	EIA for existing projects .	Draft 2	STWG 1	BR, MQ, NE	22-Jun-16	Reviewed with expert when in Cambodia. Will be further assessed during final EIA review.
31	26-May-16	Paul A. Barresi	Unnecessary conceptual complexity created in Book 4 by a less than fully comprehensive concept of the term environment, and the lack of a definition of the term.	Draft 2	Secretariat, STWG 1	BR, MQ, NE	22-Jun-16	Reviewed with expert when in Cambodia. Will be further assessed during final EIA review.
32	26-May-16	Paul A. Barresi	A lack of clarity in Book 4 about the scope of the impacts that EIA must cover.	Draft 2	STWG 1	BR, MQ, NE	22-Jun-16	Reviewed with expert when in Cambodia. Will be further assessed during final EIA review.
33	26-May-16	Paul A. Barresi	Artificial distinction between “Environmental Impact Assessment” and “Strategic Environmental Assessment” .	Draft 2	STWG 1	BR, MQ, NE	22-Jun-16	Reviewed with expert when in Cambodia. Will be further assessed during final EIA review.
34	26-May-16	Paul A. Barresi	Placement of all pollution control issues in a single chapter .	Draft 2	STWG 2	BR, MQ, NE	22-Jun-16	Reviewed with expert when in Cambodia. Will be further assessed during final EIA review.
35	3-Jun-16	Joanne Fox-Przeworski	General comment on the revised structure.	Draft 2 Reordering	Secretariat, STWG 1, 7	MQ, NE	23-Jun-16	Incorporated comments on mandatory reporting, "high priority violators", environmental monitoring, eco-labeling, and partnerships for research. Secretariat responded for further development of other comments.

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36	3-Jun-16	Fiona Dickson	The structure of the revised Code omits any reference to sustainable consumption and production, the application of circular economy principles and producer responsibility in the context of manufacturing processes and products.	Draft 2 Reordering	STWG 1, 2	MQ, NE	23-Jun-16	Comment partially addressed through existing chapters and articles; remaining recommendations not fully developed. SCP will be addressed by another expert for the Code.
37	3-Jun-16	Fiona Dickson	The structure of the revised Code omits any reference to environmental permitting of industrial processes, including power generation, textile manufacturing, organic solvent use (e.g. common in light industrial processes) etc.	Draft 2 Reordering	STWG 1, 2	BR, MQ, NE, MB	23-Jun-16	Recommendation on permitting for energy production incorporated; other recommendations to be further considered for interaction with EIA. Will address EIA comments during final EIA review.
38	3-Jun-16	Fiona Dickson	The revised Code does not specifically mention the important topic of Ecosystem Services.	Draft 2 Reordering	STWG 3/5	MQ, NE	23-Jun-16	Addressed/already incorporated.
39	6-Jun-16	Michael Mahoney	Recommend the Code have a specific substantive section on air quality in Book 3.	Draft 2 Reordering	STWG 2, 6	MQ, NE	23-Jun-16	Incorporated comments on air quality standards.
40	9-Jun-16	Thomas Gray	Insufficient prominence of Protected Areas, and their effective management, within the current draft of the Environmental Code.	Draft 2 Reordering	STWG 3/5	MQ, NE	23-Jun-16	Follow up comment to other comments from conservation NGOs (e.g., Comments 15, 17, 18, 26). Further development of the recommendation will be completed by STWG 3/5 Protected Area Group.
41	18-Jun-16	Carlos Linares	Recommendation to improve the structure and contents of Book 3 (Public Participation and Access to Environmental Information) and Book 4 (EIA) of the Draft Environmental Code (Version of May 2, 2016).	Draft 2	STWG 1, 7	MB	23-Jun-16	Recommendation for Social Impact Assessment already adopted; others under consideration and will be addressed during final EIA review.

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42	19-Jun-16	Department of Solid Waste Management (STWG 2)	Recommendations for Code structure/sections for waste management.	Draft 2	Secretariat, STWG 2	MB	23-Jun-16	Recommendations on household waste separation guidelines and education and regulations on incinerators adopted in Draft 3; others incorporated in Draft 4.
43	19-Jun-16	Department of Air Quality and Noise Management (STWG 2)	Recommendation for Code structure/sections for air pollution, noise and vibration, and ozone layer.	Draft 2	STWG 2	MB	8-Aug-16	Incorporated in Draft 4.
44	19-Jun-16	Chea Sina (STWG 2)	Recommendation for Code structure/sections for environmental pollution check and inspection.	Draft 2	STWG 2	MB	8-Aug-16	Incorporated in Draft 4.
45	19-Jun-16	Department of Water Quality Management (STWG 2)	Recommendation for Code structure/sections for water pollution.	Draft 2	STWG 2	MB	8-Aug-16	Incorporated in Draft 4.
46	19-Jun-16	Department of Water Quality Management (STWG 2)	Recommendation for Code structure/sections for marine pollution.	Draft 2	STWG 2	MB	8-Aug-16	Incorporated in Draft 4.
47	19-Jun-16	Department of Water Quality Management (STWG 2)	Recommendation for Code structure/sections for sewage system and sewage treatment system management.	Draft 2	STWG 2	MB	8-Aug-16	Incorporated in Draft 4.
48	20-Jun-16	Nguon Pheakdey (RUPP) Chhun Delux	How can the findings and lessons learned from the Sustainable Finance Mechanisms for Conservation and Protected Areas in Cambodia document (attached) be integrated into the Code; legisl. Addressing finance for conservation areas	Draft 2	STWG 3/5	MQ		Under analysis and requires further development.

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49	21-Jun-16	Yvonne Idun	International definitions of hazardous substances; retroactive, joint and several, customs officer liability.	Draft 2 ordering	STWG 2	MB	8-Aug-16	Comments on hazardous substances incorporated as appropriate. Incorporated other input as appropriate in light on recommendations from STWG 2. Comment on liability requires further evaluation by Secretariat to determine policy position.
50	21-Jun-16	Dian Turnheim	Reference should be made to SAICM (UN Strategic Approach to International Chemicals Management and its overarching policy strategy (which can be downloaded from the SAICM website). Best practices and policy overview are covered by this document.	Draft 2	STWG 2	MB	8-Aug-16	Incorporated comment as appropriate in light on recommendations from STWG 2.
51	24-Jun-16	Raphael Deau	1)Public participation--needs to be abt public partic. In decision making process, need to define public partic. 2)Timing of Public Participation 3) Project Proponent should be responsible for ensuring PP	Draft 2	STWG 1	MB		Will address EIA comments during final EIA review.
52	24-Jun-16	Philippe Karpe	We may pay attention to the last french environmental law: PROJET DE LOI POUR LA RECONQUÊTE DE LA BIODIVERSITÉ, DE LA NATURE ET DES PAYSAGES: proposition d'Article L110-1	Draft 2	All	Secretariat	7-Aug-16	Comment not incorporated. Need English translation.
53	24-Jun-16	Philippe Karpe	Book 1 title 1 article 13: don't limit women's participation rights just to decision-making; add a new principle concerning youth; We may enlarge this principle to become a new principle and the link between environment and well being of vulnerable groups	Draft 2	Secretariat	MQ	7-Aug-16	Incorporated comment.
54	24-Jun-16	Philippe Karpe	Legal status of the COMMONS. An alternative to community or participative management	Draft 2	Secretariat	Secretariat	7-Aug-16	Comment could be informative for the development of co-management provisions, but concept is not consistent with existing land law and land tenure and management principles.
55	24-Jun-16	Philippe Karpe	Clarification of definition of co-operative. Include mention of "other vulnerable groups" (women, youth, disabled persons, minorities and indigenous persons) in objectives.	Draft 2	Secretariat, 3/5	MQ	7-Aug-16	Revised "co-operative" to "collaborative". Incorporated comment on women, youth, disabled persons, minority and indigenous persons in objective.

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56	28-Jun-16	Carlos Linares	The definitions of SEA and Environmental Report in Article 4 of Chapter 1 of the Code need to be improved	Draft 3	STWG 1	MB		Will address during final EIA review.
57	10-Jul-16	Hanna Jaireth	(1) Statutory effect and enforceability of objectives and principles in the proposed Code. (2) Overriding effect of treaty provisions if inconsistent with Code. (3) Definitions.	Draft 3	TP, PR	Secretariat	5-Aug-16	Final provisions provide that future legislation and policy must comply with Code. Code must be consistent with obligations under international agreements. Definitions will be developed and clarified with emphasis on using those already defined in Cambodian law and policy.
58	11-Jul-16	NGO Forum (NGOF, CCC, SCW, HBF, BCV, DPA, FACT, RUA, Forum Syd, Star Kampochea (SK), YRDP, Equitable Cambodia (EC), ADHOC, Oxfam)	General overview of the Code	Draft 3	All STWGs	BR, MQ	29-Jul-16	Comments incorporated as appropriate. Comments on EIA will be addressed during final EIA review.
59	22-Jul-16	Mang Muni	Objectives of the Code Principle of Access to Information The Polluter Pays Principle Organization of Jurisdictional Institutions/Jurisdictional Issues Community Management Penalty Clause Process of system or mechanism	Draft 3	Secretariat, STWG 1, 7	NE, WM	8-Aug-16	Secretariat requested clarification from commenter. Response / follow up provided in Comment # 64. Comments incorporated as appropriate. Note that the Principle of Polluter Pays will be implemented through a variety of mechanisms.
60	22-Jul-16	Mark Barrash, US DOI	Remediation for loss of mangroves needs to be amended to reflect probabalistic values of conservation	Draft 3	STWG 3/5	MQ	7-Aug-16	Comment incorporated.
61	22-Jul-16	Blaise Killian	Registration of EIA experts	Draft 3	Secretariat, STWG 1	MB		Will address during final EIA review.
62	26-Jul-16	Ewa Madon	Principle of Gender Equality: mandate actions to mitigate negative impacts on women, promote women's decision-making, and mandate monitoring/evaluation.	Draft 3	Secretariat			Will address in next draft of the Code.

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63	26-Jul-16	STWG 2	Hazardous Waste and Substances Management Proposed Structure. Revised from submission dated 18 May 2016 ("19 Thol Chanthan 18-MAY-16.docx").	Draft 3	STWG 2	MB	8-Aug-16	Incorporated as appropriate per STWG 2.
64	28-Jul-16	Mang Muni	Polluter Pays Principle	Draft 2	Secretariat	MQ	5-Aug-16	Response to request for clarification of Comment # 59. Need to sent commenter the Principles document, which explains the Polluter Pays Principle.
65	5-Aug-16	STWG 3/5 Protected Areas Group	Proposed structure for new Title on Protected Areas, proposed new name for Title on Wildlife.	Draft 3	STWG 3/5	MQ	7-Aug-16	Incorporated.
66	5-Aug-16	STWG 3/5 Members	Proposed structure changes for all sections.	Draft 3	All STWGs	MQ	7-Aug-16	Incorporated.
67	3-Aug-16	Maylis Desrousseaux	Response to request for further development of recommendation on soil protection and contaminated land. (27 Mayliss Desrousseaux 19-May-16.docx)	Draft 2	STWG 2, 6	MQ	11-Aug-16	Clarification of Comment # 27. Incorporated.
68	10-Mar-16	USEPA	Comments on Environmental Principles.	Principles	Secretariat	MQ	7-Aug-16	Incorporated comments as appropriate.
69			National Consultation Workshop comments from STWGs and other stakeholders.	Draft 4	All STWGs	Secretariat	5-Aug-16	Comments incorporated in part, including recommendations from STWG 2, STWG 3/5, STWG 4, and STWG 7 for framework structure. Some comments and recommendations require further analysis and development.

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70	11-Aug-16	Roath Sith	Comment on the structure of the code	Draft3	STWG7			Will address in next draft of the Code.