

**Unofficial Translation**

The Khmer version is the official version of this document.



**KINGDOM OF CAMBODIA  
NATION RELIGION KING**

MINISTRY OF ENVIRONMENT

NO. 014 SSR MOE

**DECISION**

**ON**

**THE ESTABLISHMENT AND APPOINTMENT OF TECHNICAL WORKING  
GROUP FOR THE PREPARTION OF ENVIRONMENTAL CODE**

**MINISTER OF MINISTRY OF ENVIRONMENT**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Decree No. 0913/903 dated 25 September 2013, on the Appointment of the Royal Government of Cambodia;
- Having seen Royal Kram No. 02/NS/94 dated 20 July 2004, promulgating the Law on the Organization and Functioning of the Council of Ministers
- Having seen Royal Kram No. 0196/21 dated 24 January 1996, promulgating the Law on the Establishment of the Ministry of Environment;
- Having seen Royal Kram No. NS/RKM/1296/36 dated 24 December 1996, promulgating the Law on Environmental Protection and Natural Resources Management;
- Having Seen Preah Reach Kret No. NS/RKT/0515/403 dated 09 May 2015 on the Organization and Functioning of the National Council for Sustainable Development;
- Having seen Sub-decree No. 55 ANKR.BK dated 04 May 2015 on the Organization and Functioning of the MoE;
- Having seen Sub-decree No. 59 ANKR.BK dated 18 May 2015 on the Organization and Functioning of General Secretariat for National Council for Sustainable Development;
- Having seen the note [signature] of Samdech Akka Sena Moha Padey Techo Prime Minister dated 25 May 2015;
- Based on the actual necessity.

**Unofficial Translation**

The Khmer version is the official version of this document.

**DECIDES**

**ARTICLE 1.\_**

Establish Technical Working Group for the Preparation of Draft Environmental Code of the Kingdom of Cambodia which consists of the following composition:

- |  |  |                    |
|--|--|--------------------|
| 1- H.E <b>E VUTHY</b>  | Advisor attached to MoE, and<br>Deputy Director General of General<br>Department For Administration and<br>Finance | Director           |
| 2- H.E <b>SUM SOKAMPHOU</b>  | Assistant attached to MoE, and<br>Deputy Director General of General<br>Department for Environmental<br>Protection | Deputy<br>Director |
| 3- H.E <b>KEN SEREY RATHA</b>                                      | Deputy Secretary General of<br>National Council for Sustainable<br>Development                                     | Member             |
| 4- Mr. <b>CHRIN SOKA</b>   | Deputy Director General of General<br>Department for Environmental<br>Protection                                   | Member             |
| 5- Mr. <b>MEAS SOPHAL</b>  | Deputy Director General of General<br>Department for Administration for<br>Natural Protection and<br>Conservation  | Member             |
| 6- Mr. <b>SENG SORT</b>  | Deputy Director General of General<br>Department for Administration for<br>Natural Protection and<br>Conservation  | Member             |
| 7- Mr. <b>KIM NONG</b>   | Deputy Director General of General<br>Department for Administration for<br>Natural Protection and<br>Conservation  | Member             |
| 8- Mr. <b>LONG RITHI RAK</b>                                       | Deputy Director General of General<br>Department for Environmental<br>Protection                                   | Member             |
| 9- Mr. <b>RATH SITH</b>  | Deputy Director General of General<br>Department for Environmental<br>Knowledge and Information                    | Member             |
| 10- Representatives of Setoral Relevant Ministries or Institutions |  | Invited<br>Members |

## Unofficial Translation

The Khmer version is the official version of this document.

11- National and/or International Sectoral Experts

Invited  
Members

In necessary cases, Minister of the MoE may establish other Skilled Working Groups through the request of the Head of Technical Working Group.

### **ARTICLE 2.\_**

Technical Working Group for the Preparation of draft Environmental Code is the assisting body of Inter-ministerial Working Group which is responsible for the Preparation of Environmental Code with the following roles and duties:

- Studying, researching, collecting, documenting, and analyzing national and international legal instruments (regulations) that apply to environmental sector;
- Studying, analyzing institutional function and request for resolutions as well as other measures for the Head of the Royal Government to check and make decision or provide recommendations on conflicts of competence between ministries or state institutions and [competence] consistency throughout the country;
- Studying and proposing determination of long-term vision in order to build and develop policy of legality for the management of the use of natural resources, biodiversity conservation, and promoting sustainable development;
- Determining general principle of Environmental Code and relevant regulations and joint national policy for natural resources management;
- Updating legal mechanisms that are conducive to the use of new technology and science in accordance with the development of society;
- Studying and researching the actual geographical location in order to build and develop environmental standard, mechanism for protecting and promoting the effectiveness of biodiversity conservation, and appropriate use of natural resources;
- Developing criminal policy and other mechanisms that are necessary for promoting the effectiveness of the implementation of environmental code;
- Cooperating with ministries and public authorities whose competence is related to environmental and natural resources management in order to collect, compile, study and develop mechanisms in order to increase the effectiveness of the implementation of environmental code and relevant regulations;
- Cooperating with national and international experts in order to prepare the draft environmental code, explanatory note, and statement of purpose;
- Having the right to invite representatives from skilled department of relevant ministries-institutions, as well as national and international experts as need be;

### **Unofficial Translation**

The Khmer version is the official version of this document.

- Proposing to abrogate and amend relevant laws and regulations;
- Preparing site monitoring report and work progress report on a weekly, monthly, and quarterly basis to submit to Inter-ministerial Working Group responsible for the preparation of Draft Environmental Code of the Kingdom of Cambodia to check and take further measures;
- Disseminating and/or publishing publicly any accomplishments that it has established;
- Implementing other tasks assigned by the Inter-ministerial Working Group.

### **ARTICLE 3.\_**

Permanent Secretariat of Technical Working Group for the preparation of Draft Environmental Code, in cooperation with Vishnu Law Group, has the following roles and functions:

- Preparing, establishing, and leading the implementation of mechanisms that are necessary for promoting the quality and effectiveness of the preparation of Draft Environmental Code;
- Leading inter-skilled meetings as need be;
- Preparing inter-ministerial meetings as need be;
- Preparing formality as well as measure-and-material supports that are necessary for field visit at relevant geographical locations proposed by Skilled Working Group;
- Organizing workshops and conferences in accordance with its action plan;
- Preparing action plan and mobilizing supports that are necessary for promoting the effectiveness of the preparation and dissemination to the public the contents and spirit of Draft Environmental Code;
- Managing project implementation, and preparing financial report for development partners;
- Determining criteria, formality and procedure for selecting experts, national senior researchers, legal assistance, experts, as well as translators in accordance with conditions agreed by Ministry of Environment and development partners;
- Facilitating administration work, and public relations that are necessary for ensuring the effectiveness of the preparation of Draft Environmental Code such as documenting and distributing the result of the study, research, and analysis, all kinds of translation work, and filing documents for the benefit of the Technical Working Group for the Preparation of Environmental Code.

### Unofficial Translation

The Khmer version is the official version of this document.

#### ARTICLE 4.\_

Permanent Secretariat of Technical Working Group for the Preparation of Draft Environmental Code is the assisting body of Technical Working Group for the Preparation of Environmental Code and consists of the following compositions:

1- H.E <b>SUM SOKAMPHOU</b>	Advisor attached to MoE	Head
2- Ms. <b>SAO KAGNA</b>	Manager of Vishnu Law Group and Colleague	Deputy Head
3- Mr. <b>TEP NETH</b>	Deputy Manager of Vishnu Law Group and Colleague	Member
4- Mr. <b>BRIAN ROHAN</b>	Expert of Vishnu Law Group	Member
5- Mr. <b>MATTHEW BAIRD</b>	Expert of Vishnu Law Group	Member
6- <b>CHAY CHANDARVAN</b>	Judge from Appeal Court	Member
7- Mr. <b>SAM LONG</b>	Lawyer of Vishnu Law Group	Member
8- Mr. <b>NANG SARAY</b>	Lawyer of Vishnu Law Group	
9- Mr. <b>OL BUNTHOEUN</b>	Legal Assistance of Vishnu Law Group	Member
10- Mr. <b>SORN BUNMEAN</b>	Official of MoE	Member
11- Mr. <b>SAO CHHUM PISETH</b>	Official of MoE	Member

#### ARTICLE 5.\_

Skilled Working Group for Sustainable City and Green Economy is the assisting body of the Technical Working Group for the Preparation of Draft Environmental Code which consists of the following compositions:

1- H.E <b>KEN SEREY RATHA</b>	Deputy Secretary General of National Council for Sustainable Development	Head
2- Mr. <b>DANH SERY</b>	Director of EIA Department	Deputy Head
3- Mr. <b>PAK SOKHA RANUTH</b>	Director of Department for Air and Noise Quality Control	Member
5- Mr. <b>TANG MENG EANG</b>	Director of Department for Green Economy	Member

### Unofficial Translation

The Khmer version is the official version of this document.

- |   |                   |
|---|-------------------|
| 6- Rep. of Relevant Ministries-Institutions | Invited<br>Member |
| 7. National and International Experts       | Invited<br>Member |

Head of Technical Working Group or Head of Working Group for Sustainable City and Green Economy may request for additional members as need be. This appointment shall be made by a decision of the Minister of MoE.

#### **ARTICLE 6.**

Technical Working Group for Sustainable City and Green Economy has the essential roles and duties as follows:

- a. Studying, researching, collecting, compiling, analyzing, and comparing laws and regulations in force and existing best practices in order to propose the contents of the draft provisions that push for and promote the establishment and development of city sustainability by means of the building of general basic principle and legal rules that are necessary to use as a compass and guide for the preparation and building of plan for building and developing cities and urban areas so that they will become beautiful and conducive to the living of human-being, animals, and other biodiversity in a sustainable and harmonious manner.
- b. Establishing legal rules to apply to the classification and direction for land use, to determine legal condition of each type of land, to build and develop housing policy, traffic, and public order, connection between the management of all types of environmental pollution and the standard of urbanization and construction (such as building standard, preparation of public and private garden, control of building style and view etc.) by means of creating provisions on the use of rights and freedom, duties, obligations, responsibilities, and relevant formalities or procedures.
- c. Studying, analyzing and proposing measures that are necessary to advocate and encourage the people to participate in bettering the mindset, lifestyle, housing settlement and business in accordance with new principles and regulations on the organization of the city in a sustainable way by means of determining the rights, freedom, obligations, and duties for individuals that are mandatorily appointed by the state, royal government or the people, public servants, all levels of armed forces and everybody else.
- d. Proposing financial policy and mechanisms that are necessary for supporting the building and development of sustainable city.

### Unofficial Translation

The Khmer version is the official version of this document.

- e. Establishing legal rules that are necessary to support Strategic Environmental Impact Assessment, Transboundary Impact Assessment as well as mechanisms that are necessary to resolve potential impacts.
- f. Establishing legal rules that are necessary to create, promote and support the wide implementation throughout the country of green economy by establishment and creation of environmental friendly policy tax, policy for other economic encouragement, the pushing for study and research on technology and science, determination of how to control natural forestry exploitation, aquatic resources, herbal plants, mineral and other natural resources.
- g. Studying, analyzing, comparing relevant provisions by pointing out clearly the types of challenges, mechanisms and/or measures that are necessary to resolve, eliminate, or avoid vagueness, contradictory issues, and jurisdiction dispute, the problem of consistency of general principle, and/or legal rules for ensuring effectiveness of implementation.
- h. Studying, analyzing, comparing, and pointing out relevant laws and regulations that need to be amended or abrogated as need be.
- i. Preparing reports on its own work progress for Technical Working Group for the Preparation of Draft Environmental Code as well as explanatory note, and statement of purpose.
- j. Attending meetings and other forums through the invitation of the Head of Technical Working Group for the Preparation of Environmental Code.
- k. Completing other tasks assigned by Technical Working Group for the Preparation of Draft Environmental Code.

### ARTICLE 7.\_

Working Group for Waste and Pollution Control is the assisting body of Technical Working Group for the Preparation of Draft Environmental Code which consists of the following compositions:

1- Mr. <b>CHRIN SOKHA</b>	Deputy Director General of General Department for Environmental Protection	Head
2- Mr. <b>CHEA SINA</b>	Director of Department for Inspection and Law Enforcement	Deputy Head
3- Mr. <b>THOL CHANTHORN</b>	Director of Department for Hazardous Substance Control	Member
4- Mr. <b>DY KIDEN</b>	Director of Department for Solid Liquid Waste Control	Member

### Unofficial Translation

The Khmer version is the official version of this document.

5- Mr. <b>PHET PECHORA</b>	Deputy Director of Department for Hazardous Substance Control	Member
6- Mr. <b>SARUN SAMBO</b>	Deputy Director of Department for Solid Liquid Waste Control	Member
7- Mr. <b>PHIN RADY</b>	Deputy Director for Water Quality Control	Member
8- Rep. of Relevant Ministries-Institutions		Invited Member
9- National and/or International Experts		Invited Member

Head of Working Group for Waste and Pollution Control may request for additional members as need be. This appointment shall be made by a decision of the Minister of MoE.

#### **ARTICLE 8.\_**

Working Group for Waste and Pollution Control has the essential roles and duties as follows:

- a. Studying, researching, collecting, compiling, analyzing, and comparing laws and regulations in force and existing best practices in order to propose the contents of the draft provisions that push for and promote the establishment and development of all kind of waste and pollution control in the Kingdom of Cambodia including dry land, sea, rivers, stream, and other water sources, like cities, urban areas, factories, handicraft, enterprise, and other public places for the purpose of healthy living and beautiful livelihood, and full of safety for human-being and biodiversity to live in a comfortable and harmonious way forever with each other.
- b. Establishing legal rules that are necessary to promote the effectiveness of liquid and solid waste management, hazardous substances, emission of gases into the atmosphere, control of the quality of atmosphere in building, control of noise and vibration, determination of standard and technical basis that apply to production, installation [of equipment], exploitation, maintenance, processed work, control, and monitoring the problems as follows: rainwater drainage system, production, collection, storing, loading, transportation, installation, using, and all forms of exploitation, all kinds of processed work, management of waste, things, and/or the substances mentioned above.
- c. Studying, analyzing and proposing measures that are necessary to advocate and encourage the people to participate in bettering the mindset, lifestyle in accordance with new principles and regulations on waste and pollution control by means of determining the rights, freedom, obligations, and duties for



### Unofficial Translation

The Khmer version is the official version of this document.

individuals that are mandatorily appointed by the state, royal government or the people, public servants, all levels of armed forces and other entities established by laws.

- d. Establishing foundation for building and developing mechanisms that are necessary to support the increase of effectiveness of the control and monitoring of the implementation of laws and regulations related to waste and pollution control by including the creation of economic incentive system, payment of environmental services, creation of tax policy, investment system, management and direction of the development of market economy for the benefit of the promotion of the implementation of the policy to reduce or eliminate environmental pollution.
- e. Creating legal rules that are necessary to establish, promote and support wide implementation throughout the country of the study, research, traffic, production, technology, and methodologies that support these points above.
- f. Studying, analyzing, comparing relevant provisions by pointing out clearly the types of challenges, mechanisms and/or measures that are necessary to resolve, eliminate, or avoid vagueness, contradictory problem, and jurisdiction dispute, the problem of consistency of general principle, and/or legal rules for ensuring effectiveness of implementation.
- g. Studying, analyzing, comparing, and pointing out relevant laws and regulations that need to be amended or abrogated as need be.
- h. Preparing reports on its own work progress for Technical Working Group for the Preparation of Draft Environmental Code as well as explanatory note, and statement of purpose.
- i. Attending meetings and other forums through the invitation of the Head of Technical Working Group for the Preparation of Environmental Code.
- j. Completing other tasks assigned by Technical Working Group for the Preparation of Draft Environmental Code.

### ARTICLE 9.\_

Working Group for Plant Park, Wildlife and Biodiversity Conservation is the assisting body of Technical Working Group for the Preparation of Draft Environmental Code which consists of the following compositions:

- |                             |  |                |
|-----------------------------|--|----------------|
| 1- Mr. <b>MEAS SOPHAL</b>   | Deputy Director General of General<br>Department for Administration for<br>Natural Protection and Conservation | Head           |
| 2- Mr. <b>KONG KIMSRENG</b> | Director of Department for Dry Land<br>Protected Area Conservation   | Deputy<br>Head |

### Unofficial Translation

The Khmer version is the official version of this document.

- |   |  |                   |
|---|--|-------------------|
| 3- Mr. <b>KHIN MENG KHEANG</b>              | Director of Department for Natural<br>Protected Area Community | Member            |
| 4- Rep. of Relevant Ministries-Institutions |  | Invited<br>Member |
| 5- National and/or International Experts    |  | Invited<br>Member |

Head of Working Group for Plant Park, Wildlife and Biodiversity Conservation may request for additional members as need be. This appointment shall be made by a decision of the Minister of MoE.

#### **ARTICLE 10.**

Working Group for Plant Park, Wildlife and Biodiversity Conservation has the essential roles and duties as follows:

- a. Studying, researching, collecting, compiling, analyzing, and comparing laws and regulations in force and existing best practices in order to propose the contents of the draft provisions that push for and promote the quality and effectiveness of the management of plant park and all parks in dry land areas in the Kingdom of Cambodia by including: national park, wildlife sanctuary, reserved forest, and protected areas determined in environmental laws and regulations currently in force and other areas with sufficient quality which is necessary for promoting, restoring, and conserving biodiversity, forestry resources, and by-product of the forest.
- b. Establishing legal rules that are necessary to promote the effectiveness of the control and prevention of all activities that may cause destruction to the forest, wildlife, product and byproduct of the forest as well as biodiversity in order to ensure the building of abundance of ecological stock for the benefit of study, research, promotion of tradition, culture, and civilization of the nation, development of eco-tourism, ensuring of sustainability of natural resources which is an undrained-and-undried source for future generations by inclusion of provisions that push for and enhance the following activities:
  - Conservation of parks, wildlife, wildlife sanctuary, and biodiversity and the promotion of education for the public, study and research on all sectors and collaboration between study-and-research community, and community of tourists, park ranger, national and international investors who love conservation and exploitation of the above resources in a sustainable way, and relevant competent authority.
  - Conservation work and sustainable living
  - Enhancing the task of conservation of forest, wildlife, biodiversity and ecosystem (shelter) through the inclusion of new mechanisms for

### Unofficial Translation

The Khmer version is the official version of this document.

financial engineering for the benefit of making and establishing business opportunity and employment opportunity for our nation and citizens, and provide opportunity for the implementation of services at national parks (for example, guide services, zoos, flower gardens, mixed plant gardens, museum, banks, and conservation centers), tangible and serious control on activities such as catching, hunting, trafficking, using, and benefiting from the product and byproduct of all kinds of forest (by including the issue of licenses, and punishment), risk and natural disaster management.

- Patrolling, following up, investigating, research, and prevention of offenses as well as transboundary collaboration and court procedure (by clearly pointing out the competence, power, rights, privilege, obligation, and responsibility as well as relevant formality and procedure to be applied).
  - Establishment and provision of care, treatment, and life-saving service for wildlife.
  - Restoration of forest, or degraded or lost ecosystem by setting out the principles and measures that are necessary for enhancing the creation of programs, campaigns, or similar activities that serve the above purpose, by pointing out the possibility, how-to, and work technique, financial system, incentive policy or other advocacies as well as appropriate management structure;
  - The inclusion of mechanisms for natural resources management mentioned above is in accordance with the goal of national policy on decentralization and deconcentration as well as the policy of integration into international communities by upholding the ideal benefit of the nation.
- c. Studying, analyzing and proposing measures that are necessary to advocate and encourage the people to participate in bettering the mindset, lifestyle in accordance with new principles and regulations by means of determining the rights, freedom, obligations, and duties for individuals that are mandatorily appointed by the state, royal government or the people, public servants, all levels of armed forces and other entities established by laws.
- d. Studying, analyzing, comparing relevant provisions by pointing out clearly the types of challenges, mechanisms and/or measures that are necessary to resolve, eliminate, or avoid vagueness, contradictory problem, and jurisdiction dispute, the problem of consistency of general principle, and/or legal rules for ensuring effectiveness of implementation.
- e. Studying, analyzing, comparing, and pointing out relevant laws and regulations that need to be amended or abrogated as need be.

### Unofficial Translation

The Khmer version is the official version of this document.

- f. Preparing reports on its own work progress for Technical Working Group for the Preparation of Draft Environmental Code as well as explanatory note, and statement of purpose.
- g. Attending meetings and other forums through the invitation of the Head of Technical Working Group for the Preparation of Environmental Code.
- h. Completing other tasks assigned by Technical Working Group for the Preparation of Draft Environmental Code.

#### ARTICLE 11.\_

Working Group for Heritage and Natural Park Conservation is the assisting body of Technical Working Group for the Preparation of Draft Environmental Code which consists of the following compositions:

1- Mr. <b>SENG SOUT</b>	Deputy Director General of General Department for Administration for Natural Protection and Conservation	Head
2- Mr. <b>NET NEAT</b>	Director of Department for Heritage Zone	Deputy Head
3- Rep. of Relevant Ministries-Institutions		Invited Member
4. National and/or International Experts		Invited Member

Head of Technical Working Group or Head of Working Group for Heritage and Natural Park Conservation may request for additional members as need be. This appointment shall be made by a decision of the Minister of MoE.

#### ARTICLE 12.\_

Working Group for Heritage and Natural Park Conservation has the essential roles and duties as follows:

- a. Studying, researching, collecting, compiling, analyzing, and comparing laws and regulations in force and existing best practices in order to propose contents of draft provisions push for and promote the quality and effectiveness of the management of ancient sites, historical heritage, ancient things that are beneficial to the raising of awareness of history, development of geology, tradition and culture of the nation and other ethnicities (such as temples, ancient tombs, carved stone, ancient carved work, furniture, other moveable and immoveable properties including ancient ships or cities buried under the sea, or in the ground) situated in the territory of the Kingdom of Cambodia.

### Unofficial Translation

The Khmer version is the official version of this document.

- b. Establishing mechanisms and legal rules that are necessary to promote the quality and effectiveness of the management of cultural and natural heritage by determination on principle, legal rules, formalities and procedures that are beneficial to conservation work, maintenance and reparation, promotion of dissemination, research, making and creating business opportunity and employment opportunity that serve the one joint essential goal in accordance with the theory of “Conservation for Development - Development for Conservation”; for example, the inclusion of mechanisms that lead to conservation, display, education, and dissemination (including state’s and private museums, and mixed museum of the state), production of documentary films of all forms, promotion of cultural and eco-tourism, promotion of community movement, the encouragement for developing new financial system (fund, community, mixed companies, international collaboration between research institutes, international collaboration between investors and research institutes, or state or private fund)
- c. Studying, analyzing and proposing measures that are necessary to advocate and encourage the people to participate in bettering the mindset, lifestyle in accordance with new principles and regulations on the management of cultural and natural heritage by means of determining the rights, freedom, obligations, and duties for individuals that are mandatorily appointed by the state, royal government or the people, public servants, all levels of armed forces, all people, and other entities established by laws together with the establishment of incentive policy and/or abundance way of punishment (such as licenses, letter of permit, provision of economic incentive policy, tax policy, simplification of relevant formalities and procedures, control, prevention, and suppression of offenses related to trafficking of heritage, following up, investigation, research, procedure before the court, and international collaboration).
- d. Establishing foundation for building and developing mechanisms that are necessary to support the increase of effectiveness of the control and monitoring of the implementation of laws and regulations related to the management of cultural and natural heritage by taking into account all issues and aspects that are related directly and indirectly, especially, to the connection of cultural heritage conservation with natural resources conservation (forest, product and byproduct of forest, and biodiversity) in accordance with policy on decentralization and deconcentration as well as the policy of integration into international communities by determining clearly the roles and duties of relevant competent authorities.
- e. Studying, analyzing, comparing relevant provisions by pointing out clearly the types of challenges, mechanisms and/or measures that are necessary to

### Unofficial Translation

The Khmer version is the official version of this document.

resolve, eliminate, or avoid vagueness, contradictory problem, and jurisdiction dispute, the problem of consistency of general principle, and/or legal rules for ensuring effectiveness of implementation.

- f. Studying, analyzing, comparing, and pointing out relevant laws and regulations that need to be amended or abrogated as need be.
- g. Preparing reports on its own work progress for Technical Working Group for the Preparation of Draft Environmental Code as well as explanatory note, and statement of purpose.
- h. Attending meetings and other forums through the invitation of the Head of Technical Working Group for the Preparation of Environmental Code.
- i. Completing other tasks assigned by Technical Working Group for the Preparation of Draft Environmental Code.

### ARTICLE 13.\_

Working Group for Wetland Area Management and Freshwater and Marine Biodiversity Conservation is the assisting body of Technical Working Group for the Preparation of Draft Environmental Code which consists of the following compositions:

1- Mr. <b>KIM NONG</b>	Deputy Director General of General Department for Administration for Natural Protection and Conservation	Head
2- Mr. <b>SRY SUN LEARNG</b>	Director of Department for Freshwater Wetland Area Conservation	Deputy Head
3- Mr. <b>THAI CHANTHA</b>	Director of Department for Freshwater Wetland Area Conservation	Member
4- Rep. of Relevant Ministries-Institutions		Invited Member
5- National and/or International Experts		Invited Member

Head of Technical Working Group or Working Group for Wetland Area Management and Freshwater and Marine Biodiversity Conservation may request for additional members as need be. This appointment shall be made by a decision of the Minister of MoE.

### ARTICLE 14.\_

Working Group for Wetland Area Management and Freshwater and Marine Biodiversity Conservation has the essential roles and duties as follows:

- a. Studying, researching, collecting, compiling, analyzing, and comparing laws and regulations in force and existing best practices in order to propose the

### Unofficial Translation

The Khmer version is the official version of this document.

contents of draft provisions that push for and promote the effectiveness of the management of wetland areas and conservation of freshwater and marine biodiversity, and to restore and/or expand the size of marine park, Ramsar biosphere reserve and new areas that are qualified to be classified as new kind of protected areas in the Kingdom of Cambodia by including boundaries of sea, rivers, streams, creeks, lakes and other water sources, for example, in cities, urban areas for the purpose of ensuring the balance of ecosystem and the abundance of biodiversity such as plants, herbal plants, aquatic animals, birds, fisheries, insects, and other living organisms for the basis of sustainable living, full of safety, beauty, comfort, and continuous harmony between human-being, animals, and other living organisms both at the present time and in the future.

- b. Establishing mechanisms and legal rules that are necessary to promote the effectiveness of the management and prevention of all activities that may lead to degradation, reduction and permanent loss of the quantity, and/or seed of various biodiversity by means of pushing for the building and developing biodiversity stock and abundance of ecosystem including in cities and urban areas for the benefit of education, dissemination, research, promotion of tradition, culture, and civilization of the nation, development of eco-tourism, ensuring sustainability of natural resources which is an undrained-and-undried source for future generations and especially the study about the potential of the establishment of provisions that push for and enhance the following activities:
  - Conservation work and sustainable living
  - Control of the benefiting from marine territory, rivers, river mouths, streams, lakes, creeks, wetland areas, and other sources of biodiversity and ecosystem by means of the inclusion of mechanism for data control, classification of biodiversity, new financial engineering, participation in the preparation of legal basis for building land use map, community movement, promotion of the roles of private sector, and the roles of national and/or local level administration as a regulator or an active economic agent.
  - Determination of conditions, formalities, and procedures for controlling business activities and/or the benefiting of all forms from aquatic resources (freshwater, marine, buffer zones, and wetland areas) and biodiversity resources by including the use of water for economic or agricultural purposes, the benefiting from these resources in a family-scale manner, settling on the water and water banks, or areas that are supposed to be protected, management of biodiversity resources museum (freshwater, marine), sample museum, fishing port, entertainment port, all kinds of ship traffic, determination of quantity, age, and/or types of biodiversity that can be benefited from, how to

### Unofficial Translation

The Khmer version is the official version of this document.

catch, equipment, time, right, freedom, obligation, responsibility and restriction etc.

- Promotion of movement for establishment of water reserved tank by taking into consideration climate conditions, development of economic situation, and demography, for the benefit of security, and safety of water resources, water and soil quality control (for daily demand: agriculture, economy, and future biodiversity conservation).
  - Establishment of legal rules that are necessary to control, patrol, follow up, check, forbid, and/or prevent the import, stock, exchange, distribution, bidding (for the demand in village-district, capital-province, or international), or use or benefiting from or spreading of all forms of the use of productions that may threat or cause of loss or extinction and adverse impact on domestic biodiversity: for example, animals [pet] raised for entertainment and decoration, plants, flowers, vines used for decoration, pesticides, nutritious substances, chemical substance and/or fertilizers of all kinds that would be used on soil, water, animals, plants, and seeds of biodiversity that have been genetically modified or seeds imported from abroad (biodiversity and biosafety).
  - Inclusion of the spirit of the national policy on centralization and deconcentration as well as the policy of integration into international communities into mechanisms for law implementation by upholding the ideal benefit of the nation.
- c. Studying, analyzing and proposing measures that are necessary to advocate and encourage the people to participate in changing the mindset and lifestyle to conform to new principles and regulations through a lot of tasks:
- Establishment of policy of education, policy of encouragement and/or advocacies (study programs, dissemination, publication, tax policy, competition, reward, financial support, fund...) as well as mechanisms for ensuring effectiveness of necessary implementation.
  - Determination of rights, freedom, obligations, and duties for individuals that are mandatorily appointed by the state, royal government or the people, public servants, all levels of armed forces and other entities.
- d. Studying, analyzing, comparing relevant provisions by pointing out clearly the types of challenges, mechanisms and/or measures that are necessary to resolve, eliminate, or avoid vagueness, contradictory problem, and jurisdiction dispute, the problem of consistency of general principle, and/or legal rules for ensuring effectiveness of implementation.
- e. Studying, analyzing, comparing, and pointing out relevant laws and regulations that need to be amended or abrogated as need be.



### Unofficial Translation

The Khmer version is the official version of this document.

- f. Preparing reports on its own work progress for Technical Working Group for the Preparation of Draft Environmental Code as well as explanatory note, and statement of purpose.
- g. Attending meetings and other forums through the invitation of the Head of Technical Working Group for the Preparation of Environmental Code.
- h. Completing other tasks assigned by Technical Working Group for the Preparation of Draft Environmental Code.

#### ARTICLE 15.\_

Working Group for Exploration and Mineral Exploitation Management is the assisting body of Technical Working Group for the Preparation of Draft Environmental Code which consists of the following compositions:

- |   |  |                |
|---|--|----------------|
| 1- Mr. <b>LONG RITHIRAK</b>                 | Deputy Director General of General Department for Environmental Protection | Head           |
| 2- Mr. <b>UNG VUTHY</b>                     | Deputy Director of Department for Inspection and Law Enforcement           | Deputy Head    |
| 3- Mr. <b>CHEA LENG</b>                     | Head of Office of EIA Department   | Member         |
| 4- Rep. of Relevant Ministries-Institutions |  | Invited Member |
| 5- National and/or International Experts    |  | Invited Member |

Head of Technical Working Group or Working Group for Research Management and Mineral Exploitation may request for additional members as need be. This appointment shall be made by a decision of the Minister of MoE.

#### ARTICLE 16.\_

Working Group for Research Management and Mineral Exploitation has the essential roles and duties as follows:

- a. Studying, researching, collecting, compiling, analyzing, and comparing laws and regulations in force and existing best practices in order to propose the contents of draft provisions that push for and promote the effectiveness and the management of the usage and benefiting of all forms of mineral resources, in order to contribute to ensuring development of our nation in a sustainable and equitable way in line with the principle of appropriate use of natural resources (by inclusion of rationalization of all aspects) in a highly responsible fashion for the benefit of the building of a healthy living environment and fresh livelihood, full of safety for human-being and biodiversity to live in a permanent comfortable and harmonious way with each other.

### Unofficial Translation

The Khmer version is the official version of this document.

- b. Establishing mechanisms and legal rules that are necessary to promote the effectiveness and prevention, reduction and/or eradication of potential negative impacts on environment, health of human-being, animals, plants and biodiversity such as:
  - Determination of hierarchy of regulations, legal letters, decision, or other legal letters related to the task of controlling water reserved tank, water usage, ancient cites, cultural sites, urbanization, and sustainable city organization as well as study, research, exploration, and business operation and other related issues.
  - Inclusion of mechanism for Strategic Environmental Impact Assessment and Environmental Impact Assessment in the mechanism for the management and prevention of risks that may take place in mineral sector.
  - Establishment of special provisions that are necessary to ensure the effectiveness of the management of different types of minerals existed in the Kingdom of Cambodia (such as kerosene and gas mines, gold mine, iron mine, and other metal mines, sand mine, and other mines).
  - Establishment of regulations that are necessary to facilitate and promote the effectiveness of the benefiting of all forms from mineral resources by taking into consideration possibility of modernization of financial policy, adjustment of formalities, procedures, and legal frameworks so that they will be in consistent with relevant international standards, modernization of insurance system, modernization of the rules for risk and safety management, improvement of roles of all level of authorities conforming to the policy of centralization and deconcentration etc.
- c. Studying, analyzing and proposing measures that are necessary to advocate and encourage the people to participate in bettering their mindset and lifestyle to conform to new principles by determining rights, freedom, obligations, and duties for individuals that are mandatorily appointed by the state, Royal Government or the people, public servants, all levels of armed forces and other entities established by law.
- d. Establishing foundation for building and developing that are necessary to support the increase of effectiveness of the control and monitoring of the implementation of relevant laws and regulations by including the creation of economic incentive system, payment of environmental services, creation of tax policy, investment system, management and direction of the development of market economy in accordance with national development policy.
- e. Creating legal rules that are necessary to establish, promote and support wide implementation throughout the country of the study, research, traffic, production, technology, and methodologies that support these points above.

### Unofficial Translation

The Khmer version is the official version of this document.

- f. Studying, analyzing, comparing, and pointing out relevant laws and regulations that need to be amended or abrogated as need be.
- g. Preparing reports on its own work progress for Technical Working Group for the Preparation of Draft Environmental Code as well as explanatory note, and statement of purpose.
- h. Attending meetings and other forums through the invitation of the Head of Technical Working Group for the Preparation of Environmental Code.
- i. Completing other tasks assigned by Technical Working Group for the Preparation of Draft Environmental Code.

#### ARTICLE 17.\_

Working Group for Research Development and Environmental Information Dissemination is the assisting body of Technical Working Group for the Preparation of Draft Environmental Code which consists of the following compositions:

1- Mr. <b>RATH SITH</b>	Deputy Director General of General Department for Environmental Knowledge and Information	Head
2- Mr. <b>CHHUN VANAK</b>	Deputy Director General of General Department for Environmental Knowledge and Information	Deputy Head
3- Mr. <b>KUNG VEASNA</b>	Deputy Director of Department for Environmental Information and Dissemination	Member
4- Mr. <b>KONG SEAKLY</b>	Deputy Director of Department for Environmental Education	Member
5- Rep. of Relevant Ministries-Institutions.		Member
6- National and/or International Experts		Invited Member

Head of Technical Working Group or Head of Working Group for Research and Education Development and Environmental Information Dissemination may request for additional members as need be. This appointment shall be made by a decision of the Minister of MoE.

#### ARTICLE 18.\_

Working Group for Research Development and Environmental Information Dissemination has the essential roles and duties as follows:

- a. Studying, researching, collecting, compiling, analyzing, and comparing laws and regulations in force and existing best practices relating to educating

### **Unofficial Translation**

The Khmer version is the official version of this document.

students, national and international investors, the general public in order to propose the contents of draft of relevant provisions for the purpose of ensuring the effectiveness of improving the mindset, lifestyle, and business activities of the people, national and international investors, all levels of public officials in accordance with the spirit of Environmental Code.

- b. Establishing mechanisms and legal rules that are necessary for promoting the implementation of relevant laws and regulations by creating mechanisms for encouragement (tax policy, reward, competition, reduction of punishment or responsibilities....) monitoring, investigation, and punishment mechanisms (suspension or closing of production chain, fine, seizure of licenses, expel from profession, imprisonment etc.).
- c. Establishing foundation for building and developing mechanisms that are necessary to transform the study, research, exploration, and/or dissemination into a driving force in order to reach for new inventions such as creation of potential business opportunity by linking technological and scientific discoveries with the tasks of handicraft and/or industry development.
- d. Creating regulations and mechanisms that are necessary to encourage all state institutions (including leadership of institutions, armed forces, general public officials, law enforcement officials, all levels of territorial authorities) to grab the principles and provisions in the draft environmental code and use it as a guide for preparation and planning of their offices, work atmosphere, and daily attitude (such as policy of financial support, tax obligation or exemption based on reduction regime for the environmental friendly technological or scientific realization achieved by state institutions: use of electricity and water, organization and improvement of garden and environmental sanitation, environmental friendly construction, city organization, participation in maintaining public order, forest and biodiversity etc.)
- e. Studying, analyzing, comparing, and pointing out relevant laws and regulations that need to be amended or abrogated as need be.
- f. Preparing reports on its own work progress for Technical Working Group for the Preparation of Draft Environmental Code as well as explanatory note, and statement of purpose.
- g. Attending meetings and other forums through the invitation of the Head of Technical Working Group for the Preparation of Environmental Code.
- h. Completing other tasks assigned by Technical Working Group for the Preparation of Draft Environmental Code.

### **ARTICLE 19.\_**

Technical Working Group for the Preparation of Environmental Code has the right to use the seal of the MoE, to receive technical and financial support from development partners, and to use the budget of the MoE in necessary cases.

**Unofficial Translation**

The Khmer version is the official version of this document.

**ARTICLE 20.\_**

General Director of General Department for Administration and Finance, General Secretary of General Secretariat of National Council for Sustainable Development, General Director of General Department for Environmental Protection, General Director of General Department for Natural Resources Protection and Conservation Administration, General Director of General Department for Environmental Knowledge and Information, and the principal persons shall be responsible for implementing this decision in accordance with their respective duties from the date of the signature onwards.

Made in Phnom Penh, 13 July 2015

**MINISTER**

*Signed and Sealed*

**SAY SAM AL**

**RECIPIENT PLACES :**

- Office of the Council of Ministers
- Ministry of Economy and Finance
- General Secretary of the Royal Government
- Cabinet of Samdech Techo Prime Minister
- Cabinet of Deputy Prime Minister
- Royal Municipality of Phnom Penh
- Office of Kandal Province
- As Article 20
- Royal Gazette
- Documentation, Archive