

KINGDOM OF CAMBODIA



NATION RELIGION KING

**CODE ON
ENVIRONMENT AND NATURAL RESOURCES**

MINISTRY OF ENVIRONMENT



ROYAL KRAM KING

- ❖ Having seen the Constitution of the Kingdom of Cambodia
- ❖ Having seen the Royal Decree, dated 6 September 2018, on the Appointment of the Royal Government of the Kingdom of Cambodia
- ❖ Having seen the Royal Decree, dated 30 March 2020, on the Appointment and Adjustment of the Composition of the Royal Government of the Kingdom of Cambodia
- ❖ Having seen the Royal Kram (Royal Code), dated 28 June 2018, promulgating the Law on the Organization and the Functioning of the Council of Ministers
- ❖ Having seen the Royal Kram (Royal Code), dated 24 January 1996, promulgating the Law on the Establishment of the Ministry of Environment
- ❖ Having seen the notification by Samdech Akka Moha Sena Padei Decho Hun Sen, the Prime Minister of the Kingdom of Cambodia

PROMULGATE

Code on environment and natural resources, as adopted by the National Assembly on 30 May 2023 during the ninth plenary session of the sixth legislative mandate, and as approved by the Senate as to its entire form and substance without further revision on 13 June 2023 at its tenth plenary session of the fourth legislative mandate, with the following section:

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**CODE ON
ENVIRONMENT AND NATURAL RESOURCES**

BOOK 1
GENERAL PROVISIONS

SECTION 1
GENERAL PROVISIONS

CHAPTER 1
PURPOSE AND SCOPE

Article 1. Purpose

This Code defines all rules to be respected and followed to strengthen, modernize, make consistent, and improve the management of environment protection, conservation, and restoration of natural resources, biodiversity, and ecological functions for sustainable livelihood and development in the Kingdom of Cambodia.

Article 2. Scope

The scope of this Code covers:

- a. All activities related to the environment, natural resources, and heritage in the Kingdom of Cambodia.
- b. All activities of persons who operate within and outside the Kingdom of Cambodia that have effects or impacts on the environment, natural resources, and heritage of the Kingdom of Cambodia.

Article 3. Glossary

Key terminology used in this Code is defined in the glossary annexed to this Code.

CHAPTER 2
**IMPLEMENTATION OF ROLES AND DUTIES OF MINISTRY/INSTITUTION RELEVANT
TO ENVIRONMENT AND NATURAL RESOURCES AND THE
DEVELOPMENT OF DRAFT POLICIES RELEVANT TO ENVIRONMENT AND NATURAL
RESOURCES**

PART 1
**IMPLEMENTATION OF ROLES AND DUTIES OF MINISTRIES/INSTITUTIONS RELEVANT
TO ENVIRONMENT AND NATURAL RESOURCES**

Article 4. Roles and Duties of the Ministry Responsible for environment and natural resources

The ministry responsible for environment and natural resources has the authority to implement its roles and duties in compliance with the provisions of this Code, sectoral laws, and legal instruments under their respective jurisdiction.

Article 5. Roles and duties of other ministries/institutions responsible for sectors relevant to natural resources

Other ministries/institutions responsible for sectors relevant to national resources have the rights and power to implement their roles and duties in compliance with this Code, sectoral laws, and legal instruments under their respective jurisdiction.

Article 6. Roles and duties of sub-national administration

1. Sub-national administration has the authority to implement roles and duties in compliance with this Code, existing laws, and legal instruments.
2. The Government, the ministry responsible for environment and natural resources, and other relevant ministries/institutions may delegate, further delegate, or modify other delegated functions under their sector to the sub-national administration.

PART 2
**DEVELOPMENT OF DRAFT POLICIES AND ACTION PLANS CONCERNING THE
ENVIRONMENT AND NATURAL RESOURCES**

Article 7. Development of draft policies and action plans concerning environment and natural resources by the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall develop draft policies and action plans concerning the environment and natural resources to promote the effectiveness of environmental protection, the management and conservation of natural resources in compliance with policies of the Kingdom of Cambodia and international legal instruments to which Cambodia is a State Party.

Article 8. Development of draft policies and action plans concerning environment and natural resources by other ministries/institutions

Other ministries/institutions and sub-national administration may develop draft policies and action plans concerning the environment and natural resources in their respective sectors under their territorial jurisdiction to promote the effectiveness of environmental protection and the conservation of natural resources in compliance with relevant policies of the Kingdom of Cambodia and international legal instruments that Cambodia is a State Party.

PART 3 ***GENERAL PROVISIONS***

Article 9. The principle of sustainable development

All economic and social development activities shall fulfill the developmental and environmental needs of people and future generations in an equitable and sustainable manners, for which protection of the environment and conservation of natural resources is essential for the development process and shall not be separately considered.

Article 10. The principle of avoiding harm to the environment and natural resources

No person shall commence any activity that causes or may likely cause harm to the environment and natural resources. If unavoidable, such a person shall take all appropriate measures to protect the environment and natural resources and prevent or minimize environmental harm.

Article 11. The principle of public participation

Persons who may be affected directly or indirectly by a decision concerning the environment and natural resources shall be entitled to provide informed and timely inputs through a transparent and accountable process before such a decision is made.

Article 12. The principle of access to information concerning the environment and natural resources

1. All persons shall have access to information concerning the environment and natural resources.
2. All information concerning the protection of the environment and the management of natural resources shall be made widely available and publicly accessible to maximize the opportunity for public participation in planning and decisions affecting the environment and society.

3. Rights of access to information concerning the environment and natural resources shall comply with the provisions of this Code.

Article 13. The polluter pays principle

All Persons who cause harm to the environment shall bear the cost of repairing the damage and for measures to prevent, avoid, and mitigate the harm to the environment.

Article 14. The user pays principle

Users of natural resources shall pay the cost for the use of or impacts from the use of natural resources.

Article 15. The precautionary principle

In cases of threats of severe and irreversible environmental harm, the lack of complete scientific certainty shall not be used as a reason for postponing measures to prevent that environmental harm.

Article 16. The principle of reduction or prevention of environmental harm

Actions to reduce or prevent environmental harm shall be taken before harm occurs. These actions shall be taken through social and environmental impact assessment (SEIA) rather than restoring or repairing the harm.

Article 17. The principle of evidence-based decision-making

The best available scientific, technological, and innovative information shall be used as the basis for transparent decision-making concerning the environment and natural resources.

Article 18. The principle of public interest

The public interest shall supersede the interests of private natural persons or legal entities in all decision-making processes concerning the environment and natural resources.

Article 19. The principle of environmental integration

Environmental protection and sustainable development shall be integrated into development planning and decision-making, including the conceptual and implementation stages of policies and laws.

BOOK 2

**ENVIRONMENTAL MANAGEMENT AND SUSTAINABLE
MECHANISM**

SECTION 1

DISASTER RISK REDUCTION AND MANAGEMENT

CHAPTER 1

GENERAL PROVISIONS

Article 20. Purpose

This section aims to manage, prevent, and reduce disaster risks and restore damages and/or impacts in the Kingdom of Cambodia.

Article 21. Scope

The scope of this section applies to managing, preventing, reducing, and restoring the damages and/or impacts in the Kingdom of Cambodia.

CHAPTER 2

RESPONSIBLE INSTITUTIONS

Article 22. Responsible Institutions

The ministry or institution responsible for the disaster sector shall be responsible for disaster management in compliance with the provisions of this Code and relevant legal instruments.

Article 23. Roles and Duties of Responsible Institutions

The ministry or institution responsible for the disaster sector has the following roles and duties:

- a. Develop drafts of policies, strategic plans, activity plans, other legal instruments, and technical guidelines for disaster management.
- b. Coordinate with the ministry or institution and stakeholders in seeking funds to support disaster restoration and management.

- c. Advise and propose to the Royal Government to put forward policies and measures on disaster preparedness and management to respond to the emergency and ensure the safety of the citizens.
- d. Propose to the Royal Government on the allocation of contingency funds, materials, and human resources to prevent and respond to emergencies and restore all damages and/or impacts before, during, and after the disaster.
- e. Disseminate information on disaster management to the citizens and develop human resources to enhance capacity for effective disaster management.

Article 24. Cooperation on Disaster Management

The ministry or institution responsible for the disaster sector shall cooperate with the ministry responsible for environment and natural resources, relevant ministry or institution, and sub-national administration to:

- a. Develop disaster management and reduction planning to reduce the impacts of natural or man-made disasters.
- b. Prepare for prevention and reduction of risks before disaster, emergency responses during a disaster, and restoration of damages and/or impacts after disasters.
- c. Assess the causes of vulnerability to disaster.
- d. Strengthen the capacity of relevant institutions and sub-national level administration to manage, prevent, reduce disasters, and to restore damages/impacts.
- e. Consult and collect inputs from citizens, competent ministries or institutions, sub-national administration, and stakeholders to build disaster resilience.
- f. Promote public awareness, organize training and education, and encourage participation to manage, prevent, and reduce disasters and to restore damages and/or impacts.

SECTION 2 MANAGEMENT OF BIODIVERSITY RESOURCES FOR SUSTAINABLE DEVELOPMENT

CHAPTER 1 GENERAL PROVISION

Article 25. Purpose

This section provides for biodiversity resources management and conservation and sustainable use of ecosystem services.

Article 26. Scope

This section shall apply to biodiversity resources management and conservation, the use of ecosystem services, and biosafety management for sustainable development in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 27. Responsible ministries or institutions

The ministry responsible for environment and natural resources shall be responsible for biodiversity resources management and conservation, sustainable use of ecosystem services, and biosafety management.

Article 28. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Implement international legal instruments concerning the environment, biodiversity resources, and biodiversity to which the Kingdom of Cambodia is a State Party.
- b. Coordinate national reporting, biodiversity situation evaluation, ecosystem service use, and recommendations to strengthen biodiversity resources management, conservation, and ecosystem service use for sustainable development.
- c. Lead international negotiations to express the position of the Kingdom of Cambodia on biodiversity at international forums.

- d. Develop draft policies, legal instruments, strategic plans, activity plans, and intervention programs to create herbarium, botanical garden, botanical collection, genetic bank, biodiversity conservation sites outside national sanctuaries to promote conservation, research, technology exchanges, and dissemination and raise awareness to the public.
- e. Develop draft policies, legal instruments, strategic plans, activity plans, measures, conservation and development programs, management programs, research programs, collection and identification, species restoration, and evaluation of functions, roles, and values of biodiversity resources and ecosystems for conservation and sustainable development.
- f. Comment on, control, monitor, and effectively implement policies, legal instruments, strategic plans, and activity plans for research on biodiversity resources and ecosystems to enhance and promote education, training, dissemination, and technological exchanges.
- g. Develop legal instruments and procedures for collecting and compiling biodiversity and ecosystem data to report on national biodiversity conditions and monitor the conditions.
- h. Comment on and control the research procedures, methodology, and documentation; verify research results before publishing documents for national dissemination; and coordinate and lead the national biodiversity research forum to strengthen cooperation among researchers and disseminators.
- i. Support and enhance innovation, collect data, research, educate, disseminate, and provide training to relevant ministries or institutions on biodiversity resources management and ecosystem services for sustainable development.
- j. Establish sustainable financing mechanisms for biodiversity resources and ecosystem conservation to ensure that functions, roles, and values of biodiversity and ecosystem services are recognized and integrated into negotiations with national and international partners, sectoral plans, and the private sector.
- k. Coordinate efficiently and effectively mobilizing biodiversity and ecosystem financing by cooperating with ministries or institutions responsible for economics and finance and national and international partners.
- l. Coordinate technical work with relevant ministries and stakeholders to mainstream innovation; effectively enhance, restore, monitor, control, and implement biodiversity resources management and ecosystem services for sustainable development.
- m. Coordinate with relevant ministries or institutions and sub-national administration to mainstream innovation, monitor, and control the effectiveness of implementing policies, strategic plans, activity plans, and legal instruments concerning the management of biodiversity and ecosystems.
- n. Lead coordination to develop targets and indicators of national biodiversity based on universal biodiversity strategic plans, sustainable development goals, national policy, and strategic framework by reflecting on national situations, priorities, and existing resources.
- o. Collect, produce, update, manage, and make publicly available information on biodiversity and ecosystems in cooperation with relevant ministries, institutions, and stakeholders.

Article 29. Cooperation with relevant ministries or institutions

1. When necessary, the ministry responsible for environment and natural resources shall cooperate and coordinate with relevant ministries/institutions and sub-national administration in the execution of its roles and duties.
2. The ministry responsible for environment and natural resources may enter into agreements on the production and sharing of data with competent ministries/institutions and other legal entities to produce, use, and share data and information on biodiversity and sustainable use of ecosystem services.

Article 30. Strategic plans

In cooperation with the ministry responsible for environment and natural resources, relevant ministries/institutions shall mainstream and integrate biodiversity conservation, sustainable use of ecosystem services, fair and equitable benefit-sharing from the utilization of generic resources into their strategic plans. They shall issue and implement guidelines and other necessary mechanisms to ensure sustainability of biodiversity resources and ecosystem services.

Article 31. Implementation of international instruments concerning biodiversity

The ministry responsible for environment and natural resources shall cooperate with relevant ministries/institutions and sub-national administration to develop draft policies, strategic plans, action plans, legal instruments, and other programs to implement the UN Convention on Biodiversity, the Cartagena Protocol on Biosafety, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization (ABS) and other international instruments concerning biodiversity and ecosystem services, to which the Kingdom of Cambodia is a State Party.

SECTION 3 BIOSAFETY

CHAPTER 1 GENERAL PROVISIONS

Article 32. Purpose

This section aims to ensure effectiveness of conservation and sustainable use of biodiversity resources with an emphasis on risks of the utilization and release of living-modified organisms into the environment and adverse effects on human health through the implementation of the precautionary principle on biosafety, awareness raising of modern biotechnology and prevention of adverse impacts on conservation of biodiversity and natural resources.

Article 33. Scope

1. This section shall apply to all activities or operations related to living-modified organisms, including importation, exportation, storage, contained use, introduction into the environment, direct use as food or animal feed, or for processing in various forms.
2. Activities or operations stipulated in Paragraph 1 above exclude using living-modified organisms as medicine.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 34. Responsible institutions

The ministry responsible for environment and natural resources shall have authority to control all activities and/or operations concerning living-modified organisms.

Article 35. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources is the national focal point responsible for the management of biosafety, with the following roles and duties:

- a. Develop draft policies, strategic plans, activity plans, technical guidelines, and legal instruments for biodiversity management.
- b. Review and make decisions on living-modified organism importation and exportation proposals.

- c. Act as a national focal point to conduct initial communication between the Royal Government of Cambodia and the Secretariat of the Convention on Biological Diversity.
- d. Timely notification to other countries, international organizations, and relevant biodiversity distribution centres in case of any incident occurring in Cambodia due to unintentional cross-border movement of living-modified organisms.
- e. Timely notification and dissemination of information via coordination mechanisms and sharing information on biosafety.

Article 36. Cooperation with relevant ministries and institutions

In collaboration with competent ministries/institutions and sub-national administration, the ministry responsible for environment and natural resources shall:

- a. Control all activities and/or operations related to biosafety.
- b. Review and provide technical comments on the application of risk assessment of activities and/or operations related to living-modified organisms.

Article 37. Pre-risk assessment

1. The ministry responsible for environment and natural resources shall ensure appropriate risk assessments of all activities and/or operations related to living-modified organisms as stated in this Code.
2. Applicants shall have the obligation to conduct risk assessments of activities and/or operations related to their living modified organisms. All costs of implementing this obligation are the applicants' sole responsibility.
3. The ministry responsible for environment and natural resources shall review and decide on the proposals after receiving related documents.

CHAPTER 3 LIVING MODIFIED ORGANISMS

PART 1 IMPORT AND EXPORT OF LIVING MODIFIED ORGANISM

Article 38. Procedure before importation of living modified organism

1. Persons intending to import living-modified organisms into Cambodia shall notify in writing and receive prior approval from the ministry responsible for environment and natural resources before seeking authorization from competent ministries/institutions and sub-national administration.
2. Requirements for notification and procedures for application for first importation authorization of living-modified organisms shall be determined in a *prakas* (official

proclamation) of the minister responsible for the environment and natural resources after consultations with competent ministries/institutions and sub-national administration.

Article 39. Importation for contained uses

The first importation authorization of living-modified organisms into Cambodia for contained use shall have a risk assessment conducted and receive prior approval from the ministry responsible for environment and natural resources after consultations with competent ministries/institutions and sub-national administration.

Article 40. Importation for intentional introduction into the environment

The importation of living-modified organisms into Cambodia for intentional introduction into the environment shall have a risk assessment conducted and receive prior approval from the ministry responsible for environment and natural resources after consultations with competent ministries/institutions and sub-national administration before applying for importation authorization from the competent ministries/institutions.

Article 41. Importation for direct use as food, animal feed, or for processing

1. The first importation of living-modified organisms into Cambodia for direct use as food, animal feeds, or for processing shall have a risk assessment conducted and receive prior approval from the ministry responsible for environment and natural resources before applying for importation authorization from the competent ministries/institutions.
2. Persons intending to apply for importation authorization of living-modified organisms as in Paragraph 1 above shall provide written certificates from competent ministries/institutions of the export country affirming the accuracy of information of living-modified organisms to be imported, to the ministry responsible for environment and natural resources with for review.

Article 42. Decision-making procedure for importation

1. The ministry responsible for environment and natural resources shall provide a written response stating that prior approval is granted or declined within sixty-five (65) days, at a maximum, to the applicant from the date of receipt of the application.
2. The ministry responsible for environment and natural resources may grant approval with or without condition for the applicants to provide additional information or decline the application after receiving risk assessment results and other required documents.
3. At a maximum of one hundred and eighty (180) working days after receiving the application, the ministry responsible for environment and natural resources shall provide written notification to the applicant(s) and the biosafety information network about its decisions.

4. When the ministry responsible for environment and natural resources approves living-modified organisms for direct use as food, animal feeds, and processing, the ministry responsible for environment and natural resources shall notify all members of the Cartagena Protocol via the biosafety information centre within ten (10) days.
5. An approval letter by the ministry responsible for environment and natural resources shall attach living-modified organisms importation authorization.
6. Procedures, requirements, and conditions for decisions shall be determined in a *prakas* of the minister responsible for the environment and natural resources after consultations with competent ministries/institutions or sub-national administration.

Article 43. Procedures before exportation of living-modified organisms

1. Persons intending to export living-modified organisms from Cambodia shall notify the competent institutions of the country of importation in writing before applying for exportation permits from competent ministries/institutions in Cambodia.
2. Competent ministries/institutions may issue living-modified organisms export permits from Cambodia after receiving written approval from competent institutions of the country of importation. Approval letter from the party of importation, shall attach export permits and other packaging and export handling documents.

Article 44. Exportation approval letter

Exporters of living-modified organisms from Cambodia shall have a written approval letter from the ministry responsible for environment and natural resources affirming the accuracy of information related to the export of living-modified organisms. This approval letter shall attach export permits and/or other packaging and importation handling documents.

Article 45. Document preparation

1. In cases where there are separate legal provisions pertaining to persons intending to import or export living-modified organisms from Cambodia for a specific purpose, attachments affirming the specifics of the identification of living-modified organism as actual living-modified organisms and affirming the safety requirements in packaging, handling, transportation, utilization, and storage shall be provided.
2. These documents shall be attached to the goods during cross-border movement and during transportation to the place of export/import.
3. Exportation or importation of living-modified organisms from Cambodia shall come with the following conditions.
 - a. Living-modified organisms for direct use as food, animal feed, and processing shall include information that these goods may contain living-modified organisms and are not for intentional introduction into the environment.

- b. Living-modified organisms for intentional introduction into the environment shall have specifications on their identity, characteristics (related features), safety requirements in packaging, handling, transportation, utilization, and storage, and on the contact information of officials for further inquiry and specifying that cross-border transportation of living-modified organisms complies with provisions for exporters, as in Cartagena Protocol.
- c. Living-modified organisms for contained uses shall be identified as such and contain specifications on safety requirements in packaging, handling, transportation, utilization, and storage, and on the contact officials for further inquiry, including names and addresses of the officials and institutions to hand over living-modified organisms.

PART 2

LIABILITY FOR HARM AND RESPONSE MEASURES

Article 46. Obligation of persons that have caused impact or harm

1. The project owners whose activities or operations are related to living-modified organisms and cause environmental, social, economic, biodiversity, or property impact or harm due to their activities or operations shall fulfill the following obligations:
 - a. Promptly notify the ministry responsible for environment and natural resources about environmental, social, and economic impacts or harm to the environment and natural resources.
 - b. Conduct an initial impact assessment on environmental, social, and economic impacts or harm.
 - c. Take initial appropriate response measures.

Article 47. Self-measures by the ministry responsible for environment and natural resources

1. As soon as a notification about the environmental, social, and economic impact or harm as provided in Article 46 (Obligation of persons that have caused impact or harm) of this Code is received, the ministry responsible for environment and natural resources may take necessary measures to prevent or mitigate the impacts or harm, if the ministry responsible for environment and natural resources found that initial response measures by persons stipulated in Paragraph 1 of Article 46 (Obligation of persons that have caused impact or harm) of this Code are not appropriate.
2. All costs related to the above measures are under the sole responsibility of the persons whose activities or operations are related to living-modified organisms and that have caused environmental, social, and economic impacts or harm.

Article 48. Environmental, social, and economic impact assessment

The ministry responsible for environment and natural resources shall conduct an environmental, social, and economic impact assessment caused by the persons stipulated in Paragraph 1 of Article 46 (Obligation of persons that have caused impact or harm) of this Code.

Article 49. Liability for environmental, social, and economic impact or harm

The persons whose activities or operations are related to living-modified organisms cause environmental, social, economic, biodiversity, or property impact or harm due to their activities or operations shall have sole responsibility for such impact or harm.

Article 50. Identification of liable persons

The ministry responsible for environment and natural resources shall lead and collaborate with relevant ministries/institutions to identify the persons stipulated in Article 49 (Liability for environmental, social, and economic impact or harm) of this Code.

Article 51. Impact or harm management cooperation in Force Majeure cases

In a Force Majeure case where living-modified organisms have caused environmental, social, and economic impacts or harm, the ministry responsible for environment and natural resources, ministries/institutions, sub-national administration, and stakeholders shall collaboratively take all measures to manage, prevent, and mitigate these impacts or harm.

Article 52. Notification about environmental harm

The ministry responsible for environment and natural resources shall notify the public about potential future adverse impacts caused by living-modified organisms if such notification will not disturb public order and social security.

SECTION 4
ACCESS TO AND SHARING OF BENEFITS FROM THE UTILIZATION OF
GENETIC RESOURCES

CHAPTER 1
GENERAL PROVISIONS

Article 53. Purpose

This section aims to ensure the sustainability and conservation of biodiversity through fair and equitable sharing of benefits arising from access and utilization of genetic resources, derivatives of genetic resources, and relevant traditional knowledge.

Article 54. Scope

This section shall apply to access to genetic resources, derivatives of genetic resources, and relevant traditional knowledge that originated or currently exists in the Kingdom of Cambodia or taken by the Kingdom of Cambodia or by other persons under its jurisdiction for the purpose of utilization of the genetic resources and relevant knowledge.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

Article 55. Responsible institutions

The ministry responsible for environment and natural resources shall have the authority to manage access to genetic resources and the fair and equitable sharing of benefits arising from their utilization in the Kingdom of Cambodia.

Article 56. Roles and duties of the ministry responsible for environment and natural resources

1. The ministry responsible for environment and natural resources is the National Focal Point with the following roles and duties:
 - a. Develop and implement policies, frameworks, strategic plans, activity plans, and programs concerning access to genetic resources and fair and equitable sharing of benefits arising from their utilization to ensure conservation and sustainable use of resources.

- b. Develop and implement necessary mechanisms, forms, procedures, and measures concerning access to genetic resources and fair and equitable sharing of benefits arising from their utilization.
 - c. Lead and collaborate with relevant ministries/institutions to develop and implement legal instruments concerning access to genetic resources and fair and equitable sharing of benefits arising from their utilization.
 - d. Enhance capacity building, research, technology transfer, and knowledge to the public regarding access to genetic resources and sharing of benefits arising from their utilization.
2. Mechanisms, forms, and procedures concerning access to genetic resources and sharing of benefits arising from their utilization and penalties for related offences shall be determined by a sub-decree.

SECTION 5
SUSTAINABLE USE OF ECOSYSTEM SERVICES

CHAPTER 1
GENERAL PROVISIONS

Article 57. Purpose

This section aims to ensure the use of ecosystem services to support conservation and sustainable use of biodiversity resources and sustainable development in the Kingdom of Cambodia.

Article 58. Scope

This section shall apply to the sustainable use of ecosystem services within and outside of natural protected areas in the Kingdom of Cambodia.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

Article 59. Responsible institutions

The ministry responsible for environment and natural resources shall manage the sustainable use of ecosystem services.

Article 60. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop and implement policies, frameworks, strategic plans, and activities concerning the use of ecosystem services.
- b. In collaboration with relevant ministries/institutions and sub-national administration, prepare principles, legal instruments, mechanisms, forms, procedures, and requirements concerning the use of ecosystem services.
- c. Coordinate, collect, share, and manage the implementation process of the use of ecosystem services, including contract negotiations and dispute resolutions.

Article 61. Basic principles in the use of ecosystem services

The basic principles in the use of ecosystem services are to:

- a. Ensure public participation in biodiversity protection, conservation, and sustainable development.
- b. Ensure sustainable use of ecosystem services.

Article 62. Types of ecosystem services

Types of ecosystem services include, but are not limited to:

- a. Provisioning Services: human and animal food, drinking water, medicinal benefits, and materials.
- b. Regulating Services: include various benefits from ecosystem regulating processes such as air purification and pollination.
- c. Cultural Services: refer to non-material benefits from the ecosystem, including, but not limited to, the spreading of ideas, conception, recreation, and aesthetics.
- d. Supporting Services: are necessary for the needs of people, plants, and animals, which include, but are not limited to, photosynthesis and nutrient cycling.

Article 63. The use of ecosystem services

1. Ecosystem service users shall pay for the services when required in the *prakas* by the minister responsible for the environment and natural resources.
2. Payment for services as in Paragraph 1 shall be determined in an inter-ministerial *prakas* by the ministry responsible for environment and natural resources and the ministries/institutions responsible for economy and finance.
3. Conditions and procedures for ecosystem service payments shall be determined by the ministry responsible for environment and natural resources.

SECTION 6 CLIMATE CHANGE

CHAPTER 1 GENERAL PROVISIONS

Article 64. Purpose

This section aims to strengthen and improve capacity for climate change adaptation and resilience and greenhouse gas emission reduction.

Article 65. Scope

This section applies to all legal instruments, policies, strategies, and activity plans concerning climate change in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 66. Responsible institutions

The ministry responsible for environment and natural resources is the Government's secretariat to monitor the implementation of legal instruments, policies, strategies, and activity plans concerning climate change in the Kingdom of Cambodia.

Article 67. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Organize and coordinate vision, policies, strategies, and plans concerning climate change.
- b. Control, monitor, and evaluate the implementation of policies, strategies, and plans concerning climate change.
- c. Organize the dissemination of laws and legal instruments concerning climate change.
- d. Lead, coordinate, and implement the tasks as the focal point for international legal instruments concerning climate change.
- e. Strengthen and promote collaboration in organizing and monitoring the implementation of climate change policies, strategies, and plans.
- f. Mobilize resources and technical support to implement policies, strategies, activity plans, programs, and projects concerning climate change.

- g. Manage, coordinate, monitor, and evaluate the implementation of activity plans, programs, and projects concerning climate change.
- h. Lead, coordinate, and implement activity plans to provide scientific information to support organizing and evaluating the implementation of climate change policies, strategies, and plans.
- i. Lead, coordinate, and develop databases, learning and research centres, and museums concerning climate change.

CHAPTER 3 CLIMATE CHANGE RESPONSE

PART 1

POLICIES, STRATEGIES, AND PLANS RESPONDING TO CLIMATE CHANGE

Article 68. Update and coordination of climate change responses

The ministry responsible for environment and natural resources shall develop, update, and coordinate climate change response in compliance with climate change policies and strategies and international legal instruments on climate change and sustainable development, to which Cambodia is a State Party.

Article 69. National, sub-national, and sectoral strategic development planning

In cooperation with the ministries/institutions responsible for planning, the ministry responsible for environment and natural resources shall mainstream and integrate climate change considerations into national, sub-national, and sectoral strategic development plans of relevant ministries/institutions and sub-national administration.

Article 70. Activity planning and sectoral budget planning

1. In cooperation with relevant ministries/institutions and sub-national administration, the ministry responsible for environment and natural resources shall organize, identify, and integrate climate change response considerations into sectoral activity and budget plans.
2. Organizing, identifying, and integrating tasks as stipulated in Paragraph 1 above shall comply with national laws, legal instruments, policies, and strategies concerning climate change and international legal instruments on climate change to which Cambodia is a State Party.

Article 71. Development and investment planning

1. In cooperation with the ministry/institution responsible for economy and finance, planning, and relevant ministries/institutions, the ministry responsible for environment and natural resources shall organize, identify, and integrate climate change impacts and response considerations into development and investment plans.
2. In cooperation with relevant ministries/institutions and sub-national administration, the ministry responsible for environment and natural resources shall mainstream and integrate climate change impacts and response considerations into all development and investment plans.

PART 2

CLIMATE CHANGE RESPONSE

Article 72. Climate change response

In cooperation with relevant ministries/institutions, sub-national administrations, and stakeholders, the ministry responsible for environment and natural resources shall implement the following climate change response measures:

- a. Greenhouse gas emission reduction measures include but are not limited to:
 - Promoting and improving energy efficiency.
 - Promoting the development and use of renewable energy.
 - Promoting the development and use of mass public transportation and the use of fuel-efficient transportation and low carbon transportation.
 - Promoting the restoration, conservation, and sustainable forest management to protect carbon sinks and enhance greenhouse gas absorbing capacity.
 - Enhancing and mobilizing support to implement clean development mechanisms, activities to reduce deforestation and forest degradation emissions, conservation, sustainable forest management, and enhancement of forest carbon stock (REDD+) and other greenhouse gas emission reduction activities.
 - Raising awareness and enhancing proper soil and land use management practices to address climate change.
- b. Climate change adaptation measures include but are not limited to:
 - Assessing the vulnerability of biological, social, and economic systems to climate change, including but not limited to climate-sensitive sectors and geographical areas prone to climate-related disasters, and identifying opportunities for climate change adaptation.
 - Organizing and constructing climate-resilient and low-carbon infrastructure, including but not limited to agriculture, fisheries, transport, and industrial energy sectors.

- Developing and implementing management measures for natural protected areas to adapt to climate change.
- Improving early warning systems and the timely dissemination of climate information; and promoting sustainable livelihood practices that increase resilience to climate change; and
- c. Mobilization and financing, capacity strengthening, awareness raising and technology transfer
 - Mobilizing climate finance from development partners and relevant climate funds.
 - Strengthening technical and institutional capacity for climate change response.
 - Strengthening knowledge of climate change adaptation and mitigation practices and technologies best suited to the Cambodian context.
 - Promoting research, education, technology transfer, and international cooperation in all areas of climate change.
 - Raising public awareness of climate change.

PART 3
DEVELOPMENT OF FINANCING FRAMEWORK
AND MOBILIZATION OF FINANCE

Article 73. Development of financing framework for climate change

1. The development of a financing framework for climate change activities in collaboration with relevant ministries/institutions shall include:
 - a. An analysis of financing needs.
 - b. A strategy to meet the financing needs by using available domestic and external sources of finance.
 - c. Capacity development measures.
 - d. Institutional or financial mechanism reforms to mobilize and manage climate change finance.
2. In developing a financing framework, the ministry responsible for environment and natural resources shall collaborate with ministries/institutions responsible for economy and finance.

Article 74. Mobilization of external finance for climate change

1. The ministry responsible for environment and natural resources shall have the authority to coordinate the mobilization of external climate change finance to implement climate change activities.

2. External financing proposals to implement climate change activities shall be submitted to the ministry responsible for environmental and natural resources for review and decision-making.
3. Procedures for review and decision-making of financing proposals stipulated in Paragraph 2 above shall be determined in a *prakas* by the minister responsible for environment and natural resources.

Article 75. Mobilization of domestic finance for climate change

The ministry responsible for environment and natural resources may coordinate with ministries/institutions responsible for economy and finance to mobilize domestic finance to implement climate change activities by requesting the ministries/institutions responsible for economy and finance to consider proposals of relevant ministries/institutions and sub-national administration.

Article 76. Submission of reports on climate change financing activities

Relevant ministries/institutions and sub-national administration or project owners shall submit a report on climate change financing activities upon request by the ministry responsible for environment and natural resources to collect information related to climate change financing activities.

PART 4 GREENHOUSE GAS EMISSION REDUCTION

Article 77. Purpose of greenhouse gas emission reduction

Greenhouse gas emission reduction aims at combat climate change to ensure economic, social, and environmental development and welfare of citizens, in line with the Cambodian government's policies concerning climate change response and to comply with international legal instruments concerning climate change to which Cambodia is a State Party.

Article 78. Development of legal instruments concerning greenhouse gas emission reduction management

The ministry responsible for environment and natural resources shall develop legal instruments concerning greenhouse gas emission reduction management.

CHAPTER 4
CLIMATE CHANGE INFORMATION AND REPORTING

PART 1
CLIMATE CHANGE INFORMATION

Article 79. Management of climate change information

1. The ministry responsible for environment and natural resources shall:
 - a. Develop legal instruments and guidelines for producing and managing climate change data and information.
 - b. Organize and manage publicly available databases to gather climate change information produced by relevant ministries/institutions and sub-national administration and information from other sources.
2. Relevant ministries/institutions and sub-national administration shall collaborate with the ministry responsible for environment and natural resources, to provide updates on making publicly available information on climate change relevant to their respective sectors and managing such information.
3. The ministry responsible for environment and natural resources may enter into an agreement to produce and share data with relevant ministries/institutions, sub-national administration, and/or private sector to strengthen and enhance the right to access data and information on climate change response in the Kingdom of Cambodia.

PART 2
REPORTING

Article 80. Climate change reporting

In collaboration with relevant ministries/institutions and sub-national administration, the ministry responsible for environment and natural resources shall report and may develop plans and strategies to implement international legal instruments concerning climate change as follows:

- a. National report on climate change.
- b. National contribution plan to address climate change
- c. Climate change transparency report
- d. Long-term carbon-neutral development strategy
- e. Climate change measurement, reporting, and verification report
- f. Other reports as deemed necessary.

Article 81. Preparation of the national report on climate change

A national report on climate change shall be prepared every four (4) years to submit to the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC).

Article 82. National contribution plan to address climate change

The national contribution plan to address climate change may be prepared every five (5) years for submission to the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC).

Article 83. Preparing climate change transparency report

A climate change transparency report shall be prepared every two (2) years to submit to the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC).

Article 84. Preparation of the long-term carbon-neutral development strategy

A long-term carbon-neutral development plan may be developed to express the commitment to reducing greenhouse gas emissions.

Article 85. Preparation of the climate change measurement, reporting, and verification reports

1. To monitor and evaluate the implementation of climate change activities, relevant ministries/institutions, and sub-national administration shall prepare climate change measurement, reporting, and verification reports.
2. The reports stipulated in Paragraph 1 above shall include:
 - a. Relevant indicators for climate change measurement, reporting, and verification framework.
 - b. Information on climate change measurement, reporting, and verification framework and based on sectors.
 - c. Other information as deemed necessary.
3. The ministry responsible for environment and natural resources shall have the right to request climate change measurement, reporting, and verification from relevant ministries/institutions, sub-national administrations, and stakeholders to gather information to report to the government and prepare a report to submit to the Secretariat of the United Nations Framework Convention on Climate Change (UNFCCC), in line with international legal instruments on climate change and make it publicly available and partake in the implementation of climate change response activities.

SECTION 7 SUSTAINABLE CONSUMPTION AND PRODUCTION

CHAPTER 1 GENERAL PROVISIONS

Article 86. Purpose

This section aims to promote sustainable consumption and production to promote sustainable use of natural resources, environmental impact reduction, ecosystems, and public health toward a circular economy and green economy in the Kingdom of Cambodia.

Article 87. Scope

This section shall apply to sustainable consumption and production, including sustainable public procurement, resource efficiency assessment, producer responsibility, environmentally friendly labelling, verification, and assessment/evaluation of environmentally friendly technology.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 88. Responsible institutions

The ministry responsible for environment and natural resources shall monitor sustainable consumption and production implementation.

Article 89. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, strategic plans, legal instruments, and technical guidelines for sustainable consumption and production in cooperation with competent ministries/institutions.
- b. Develop a sustainable consumption and production management plan
- c. Partake in developing technical guidelines on sustainable public procurement with competent ministries/institutions.
- d. Determine environmentally friendly criteria, standards, and technology.
- e. Review and decide on the application for environmentally friendly labelling.

- f. Review and evaluate the products and services based on environmentally friendly criteria and standards.
- g. Prepare an inventory of products and services recognized as environmentally friendly
- h. Assess/evaluate resource efficiency to reduce environmental impacts
- i. Develop guidelines and legal instruments for resource efficiency assessment/evaluation and environmentally friendly technology investment.
- j. Verify and evaluate the implementation of environmentally friendly technology
- k. Develop guidelines on environmentally friendly technology.

CHAPTER 3

RULES FOR THE PROMOTION OF SUSTAINABLE CONSUMPTION AND PRODUCTION

Article 90. Rules for the promotion of sustainable consumption and production

Rules for the promotion of sustainable consumption and production include:

- a. Sustainable public procurement
- b. Environmentally friendly labelling
- c. Resource efficiency assessment/evaluation
- d. Producer responsibility
- e. Verification and assessment/evaluation of environmentally friendly technology

PART 1

SUSTAINABLE PUBLIC PROCUREMENT

Article 91. Purpose of sustainable public procurement

Sustainable public procurement aims to:

- a. Encourage resource efficiency.
- b. Designate categories and priority rankings of products and services, including but not limited to environmentally friendly technology, safety, sustainability, and green finance.
- c. Define minimum environmental criteria and operation/performance requirements.
- d. Define reporting requirements for categories of products, services, and magnitude of procurement.
- e. Provide guidance for selecting appropriate suppliers.
- f. Provide guidance for environment-sensitive decision-making by balancing environmental and purchasing criteria, including, but not limited to, considerations of economy, value, quality, performance, and disposal after consumption.

- g. Specify penalties for those violating the environmental performance criteria for environment-sensitive products and services.
- h. Specify measures for relevant ministries/institutions and sub-national administration responsible for procurement to encourage and assist stakeholders in undertaking sustainable public procurement practices.

Article 92. Procedures and forms for sustainable public procurement

The ministry/institution responsible for economy and finance shall develop procedures and forms on sustainable public procurement in collaboration with the ministry responsible for environment and natural resources, relevant ministries or institution, and sub-national administration.

PART 2 **ENVIRONMENTALLY FRIENDLY LABELLING**

Article 93. Environmentally friendly labels

1. Environmentally friendly labels are used on products and services to assist consumers and buyers with environmental criteria.
2. In collaboration with the relevant ministry or institution, the ministry responsible for environment and natural resources shall develop criteria and standards for environmentally friendly labels.

Article 94. Application for environmentally friendly labels

1. Individuals may apply to the ministry responsible for environment and natural resources for environmentally friendly labels.
2. The application for environmentally friendly labels, as in Paragraph 1 above, shall be made in writing.
3. Upon receiving the application for environmentally friendly labels, the ministry responsible for environment and natural resources shall review and assess the products or services based on the criteria and standards of environmentally friendly labels. If necessary, the ministry responsible for environment and natural resources may collaborate with the relevant ministry or institution and sub-national administration.
4. Procedures for approving or rejecting environmentally friendly labels shall be determined by a *prakas* by the minister responsible for the environment and natural resources.

Article 95. Inventory list of products and services receiving environmentally friendly labels

The ministry responsible for environment and natural resources shall develop an Inventory list of products and services receiving environmentally friendly labels.

PART 3 ***RESOURCE EFFICIENCY ASSESSMENT/EVALUATION***

Article 96. Purpose

Resource efficiency assessment aims to contribute to the low consumption of resources, promote productivity, reduce environmental impacts, and promote people's livelihood.

Article 97. Development of guidelines and legal instruments for resource efficiency assessment/evaluation

In collaboration with the relevant ministry or institution, the ministry responsible for environment and natural resources shall develop legal instruments, formats, procedures, and scope for resource efficiency assessment/evaluation.

Article 98. Resource efficiency assessment/evaluation reporting

1. Persons who use resources that impact the environment shall prepare a resource efficiency assessment/evaluation report.
2. Resource efficiency assessment/evaluation reporting, as stated in Paragraph 1 above, shall be conducted by a resource efficiency assessment/evaluation consultant accredited by the ministry responsible for environment and natural resources.
3. Persons causing environmental impacts shall bear the cost of a resource efficiency assessment/evaluation consultant.
4. Persons causing environmental impacts shall submit the resource efficiency assessment/evaluation report stated in Paragraph 2 above to the ministry responsible for environment and natural resources.

Article 99. Review of resource efficiency assessment/evaluation report

The ministry responsible for environment and natural resources shall review the resource efficiency assessment/evaluation report:

- a. If the resource efficiency assessment/evaluation report is sufficient, the ministry responsible for environment and natural resources shall approve the report.

- b. If the resource efficiency assessment/evaluation report lacks sufficient information or is suspicious, the ministry responsible for environmental and natural resources shall conduct resource efficiency auditing for verification.

Article 100. Development of guidelines for accessing finance

In collaboration with a competent ministry or institution, the ministry responsible for environment and natural resources shall develop guidelines to encourage financial institutions for resource efficiency project financing and environmentally friendly technology investment.

PART 4 PRODUCER RESPONSIBILITY

Article 101. Producer responsibility

To enhance producer responsibility for generated waste with high risks to the environment, the ministry responsible for environment and natural resources, relevant ministry or institution, and sub-national administration shall define the following mechanisms and measures:

- a. Voluntary or mandatory participation by producers responsible for products, product groups, and waste streams.
- b. Targets for collection, processing, refinement, and reuse.
- c. Quotas for taking back products.
- d. Responsibilities for stakeholders in the supply chain, including domestic producers and importers of foreign products and technologies.
- e. Capacity development for stakeholders
- f. Responsibility of other producers and groups with legal binding.

PART 5 ENVIRONMENTALLY FRIENDLY TECHNOLOGY VERIFICATION AND ASSESSMENT/EVALUATION

Article 102. Purpose

Environmentally friendly technology verification and assessment/evaluation aims to obtain environmentally friendly, economical, and user-friendly technology for sustainable use and production.

Article 103. Creation of mechanism for environmentally friendly technology verification and assessment/evaluation

The ministry responsible for environment and natural resources, in collaboration with the relevant ministry or institution and sub-national administration, shall:

- a. Create verification and assessment/evaluation mechanisms based on best practices in line with national and international contexts to obtain environmentally friendly technology.
- b. Develop register, procedures, and format guidelines for environmentally friendly technology registration.

SECTION 8 ENVIRONMENTAL LAND USE PLANNING AND SUSTAINABLE CITIES

CHAPTER 1 GENERAL PROVISIONS

Article 104. Purpose

This section aims to define rules for environmentally friendly land management, land use management, urban planning, construction, and sustainable cities in the Kingdom of Cambodia.

Article 105. Scope

This section applies to policies, strategic plans, activity plans, land use planning, land management planning, environmentally friendly use of land and land resources, and sustainable cities in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 106. Responsible institutions

The ministry responsible for environment and natural resources shall be responsible for land use and land management in natural protected areas.

Article 107. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, strategic plans, and land use planning in natural protected areas in collaboration with the ministry or institution responsible for land management, urban planning, and construction.
- b. Liaise on land use planning and sustainable cities with a competent ministry or institution.
- c. Train and disseminate laws and legal instruments concerning environmentally friendly land use and sustainable cities.

Article 108. Development of environmental land use planning and sustainable cities

1. The ministry responsible for land management, urban planning, and construction, in collaboration with the ministry responsible for environment and natural resources, relevant ministry or institution, and sub-national administration, shall develop draft policies and environmentally friendly land use planning and sustainable cities.
2. Development of draft policies, land use planning, and sustainable cities, as stated in Paragraph 1 above, shall be based on specific scientific information and data and shall include the following points:
 - a. Environmental conservation and sustainable development.
 - b. Mechanisms to protect, manage, and mitigate environmental risks
 - c. Public participation and right to access to information on environmental land use and sustainable cities.

CHAPTER 3 MANAGEMENT AND USE OF LAND

Article 109. Cooperation in the management and use of land

The ministry responsible for land management, urban planning, and construction, in collaboration with the ministry responsible for environment and natural resources, relevant ministry or institution, and sub-national administration, shall engage in land use and management and construction for the betterment of development and sustainable use of land and land resources in an effective, sustainable, transparent, equitable, inclusive, harmonious, and integrative manner.

CHAPTER 4 ENVIRONMENTAL LAND USE PLANNING AND MANAGEMENT

Article 110. Development of guidelines and requirements for environmental land use planning

1. The ministry responsible for land management, urban planning, and construction shall develop guidelines and requirements for environmental land use planning in collaboration with the ministry responsible for environment and natural resources.
2. Environmental land use planning shall meet all the following requirements.
 - a. To consult with stakeholders on the project owner's land use plan.
 - b. To conduct prior consultation with local people affected by the project implementation.
 - c. To certify the accuracy of the proposed project, with the attachment of the land use management plan and land use master plan.

- d. To research and acquire detailed and site-specific data about land uses, including but not limited to an inventory list of land resources, land registration information, current land uses, infrastructure, demography, land tenure rights, rights recognized by customary rules, structure, society, plant, wildlife cross-border mobility, natural disturbances, irrigation functions, energy currents, and other relevant information.
- e. To utilize existing appropriate technology to conduct landscape spatial mapping, including but not limited to determining the location, natural resource assessment, natural resource-related services, land use data, land tenure rights, and cultural heritage sites located in the development site.
- f. To provide appropriate remedies for environmental impact mitigation and climate change solutions.
- g. To incorporate measures to promote sustainable forest management in the project implementation site.
- h. To incorporate targets for environmental risk mitigation measures and value preservation measures for cultural and historical resources in the project implementation site.
- i. To determine the obligations and responsibilities of project owners when affecting the environment and natural resources.
- j. Requirement to address how the proposed land use master plan may impact greenhouse gas emissions and carbon sinks.
- k. Requirement to anticipate, consider, and address potential impacts that climate change may have on the implementation of the land use master plan.

Article 111. Control, monitoring, and evaluation of requirements for the proposed project's land use

Control, monitoring, and evaluation of requirements for the proposed project's land use shall be under the authority of the ministry responsible for land management, urban planning, and construction.

Article 112. Modification to the land use plan

1. For any modification to the land use plan in the project implementation site, the competent authority or the project owner shall apply to the ministry responsible for land management, urban planning, and construction
2. The application, as stated in Paragraph 1 above, shall attach the following documents:
 - a. Information on scientific and socio-economic reasons for the proposed modification to the land use plan.
 - b. Presentation of the efforts made to retain the current land use status.

- c. Presentation of the effects on the livelihood of local communities and businesses.
- d. Present any other necessary information.

CHAPTER 5 SUSTAINABLE CITIES

Article 113. Developing and implementing sustainable city strategic plans

The ministry responsible for land management, urban planning, and construction, in collaboration with the ministry responsible for environment and natural resources, relevant ministry or institution, and sub-national administration, shall develop sustainable city strategic plans.

Article 114. Sustainable City Mechanism

The ministry responsible for land management, urban planning, and construction, in collaboration with the ministry responsible for environment and natural resources, relevant ministry or institution, and sub-national administration, shall develop sustainable city mechanisms by:

- a. Defining urban vulnerability
- b. Developing sustainable urban transport planning
- c. Developing urban sustainability planning
- d. Developing sustainable urban production planning
- e. Developing urban solid and liquid waste management planning
- f. Developing public green space and cultural heritage planning
- g. Develop green building planning
- h. Developing urban watershed and ecosystem planning for water sources and urban biodiversity.

Article 115. Preparing, implementing, and modifying sustainable city action plans

1. The ministry responsible for land management, urban planning, and construction, in collaboration with the ministry responsible for environment and natural resources and relevant ministry or institution, shall support sub-national administration to develop and implement sustainable city action plans in compliance with the sustainable city strategic plan.
2. The sub-national administration may modify the sustainable city action plan in accordance with actual changes in economic, environmental, demographic, and social development, with approval from the ministry responsible for land management, urban planning, and construction.

SECTION 9 GREEN BUILDING

CHAPTER 1 GENERAL PROVISIONS

Article 116. Purpose

This section aims to develop mechanisms for assessment system management and green building operation enhancement in an effective, transparent, and socially equitable manner to avoid and mitigate the adverse environmental, economic, and social impacts.

Article 117. Scope

This section applies to building ratings ranging from design, construction, operation, maintenance, demolition, and management of expertise activities of relevant sectors in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 118. Responsible institutions

The ministry responsible for environment and natural resources shall have the following responsibilities:

- a. In collaboration with the ministry responsible for land management, urban planning, and construction, develop guidelines and a green building assessment system by defining the solutions for planning, construction, operation and maintenance, and demolition based on environmental, economic, social, and cultural sustainability aspects and voluntarily with the purpose to protect the environment, reduce waste and enhance the circular economy, reduce greenhouse gas emission, provide comfort and promote the health of building users in the Kingdom of Cambodia.
- b. In collaboration with the ministry responsible for land management, urban planning, and construction and the ministry responsible for economy and finance, develop financial and non-financial preference systems for construction and buildings that follow the guidelines and certification of green buildings.

Article 119. Criteria for the development of guidelines for certification of green building and green building operational action

1. Guidelines and certification of green building shall incorporate the following criteria:
 - a. Criteria, indicator, and green building rating mechanism
 - b. Institution, commission, national technical working groups, and operational secretariat
 - c. Label as a symbol for green building and the quality benchmarks of green building awards
 - d. Requirements for licensing to green building auditors and consultants.
2. Development of the guidelines, green building certification, and green building management activity shall be determined in an inter-ministerial *prakas* between the ministry responsible for environment and natural resources and the ministry responsible for land management, urban planning, and construction.

Article 120. Modification of guidelines for certification of green building

The ministry responsible for environment and natural resources, in collaboration with the ministry responsible for land management, urban planning, and construction, may modify the guidelines, green building certification, and related green building operations in accordance with changes in the environment and socio-economic progress and to ensure the effectiveness of the implementation.

SECTION 10 SUSTAINABLE ENERGY

CHAPTER 1 GENERAL PROVISIONS

Article 121. Purpose

This section aims to promote environmentally friendly technology, renewable energy, and civil nuclear energy in managing and organizing electricity supply and services frameworks.

Article 122. Scope

This section applies to all activities promoting electricity consumption, renewable energy, and civil nuclear energy in Cambodia's supply, service, and use of electricity.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 123. Responsible institutions

The ministry responsible for energy shall be responsible for developing policies and development plans and managing the use of electricity, renewable energy, and civil nuclear energy.

Article 124. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Coordinate and provide comments to the ministry responsible for energy to develop legal instruments and principles concerning responsible energy.
- b. Contribute to promoting the utilization of renewable energy and civil nuclear energy.
- c. Educate and disseminate legal instruments and guidelines on using renewable and civil nuclear energy.
- d. Promote the utilization of environmentally friendly technology in the energy sector.
- e. Contribute to comment on issues of the environment, energy sustainability, climate change in planning, and investment in the energy sector.

Article 125. Sustainable Energy Principles

1. The ministry responsible for energy shall develop responsible electricity energy principles. Responsible electricity energy is electricity energy developed in compliance with the following requirements:
 - a. To sufficiently meet the electricity demand and to meet increasing demand.
 - b. To provide a reliable, quality, and affordable electricity supply to all consumers everywhere in the Kingdom of Cambodia.
 - c. To increase clean energy development, including renewable energy and energy effectiveness, to the maximum extent possible.
2. The ministry responsible for energy shall ensure that all energy development projects adhere to the above-mentioned responsible electricity energy principles.

Article 126. Methods to achieve sustainable energy

Methods to achieve sustainable electricity energy shall be implemented as follows:

- a. In electricity development planning, select the best options that meet better energy security and sustainability requirements.
- b. Prioritize investment projects within the selected development plans that best provide energy security and sustainability.
- c. Promote the development and the utilization of low environmental impact technology.
- d. Assess and approve responsible energy project development plans on energy security and sustainability.

CHAPTER 3

SUSTAINABLE ENERGY STRATEGIC PLANNING AND IMPLEMENTATION

Article 127. Promotion of environmentally friendly technology

1. In energy development planning, the ministry responsible for energy shall encourage and prioritize energy-efficient, low-emission, and low-waste technology projects that do not exceed already determined environmental standards.
2. Environmental standards shall be determined by a Sub-decree.
3. The ministry responsible for energy shall prioritize electricity energy development projects within the selected development plans that best provide energy security and sustainability.

Article 128. Efficient, low emission, low waste technology

1. The ministry responsible for environment and natural resources shall not approve the initial or full environmental impact assessment report that is found to have severe environmental impacts. The ministry responsible for energy shall not approve any development project that utilizes low-effective technology.
2. Project owners shall submit low-waste, low-emission options during the project design stage to achieve the project purpose.

Article 129. Promotion of energy supply and consumer's rights

1. The ministry responsible for energy shall enhance and encourage sufficient, sustainable, stable, quality, and affordable electricity supply everywhere in the Kingdom of Cambodia, whether the supply is from the national grid or a decentralized supply.
2. Electricity consumers allowed to organize a single system supply for personal consumption shall apply for permission in advance and follow the provisions, procedures, and technical and safety standards as determined by the ministry or institution responsible for energy.
3. Electricity consumers shall have the right to use the electricity from any source deemed to be appropriate and beneficial to them.

Article 130. Household generation and consumption of renewable energy

Household generation and consumption of renewable energy shall follow the guidelines of the ministry or institution responsible for energy in the cases that the installation and the consumption do not connect to the common grid/system, which affects the operation and the safety of the national grid.

CHAPTER 4 ELECTRICITY ENERGY FRAMEWORK

PART 1 RENEWABLE ENERGY

Article 131. Tariff incentives for equipment to install renewable energy technology

All equipment used only for renewable energy technology installation shall be encouraged via tariff incentives in compliance with existing investment provisions.

Article 132. Management and consumption of electricity in addition to supply by the national grid

1. The ministry or institution responsible for electricity generation, transmission and distribution, and electricity consumption management shall determine the management, addition, and supply of electricity on top of the national grid's supply by installing rooftop solar systems connected to the national grid supply. The ministry or institution responsible for energy shall develop policies and legal instruments to manage additional supply. Individuals wishing to install a rooftop solar system for additional personal consumption and connect to the national grid shall follow the policies and legal instruments to manage additional supply developed by the ministry or institution responsible for energy.
2. The ministry or institution responsible for energy shall develop technical, economic, and safety provisions concerning managing additional electricity consumption from the grid.

Article 133. Electricity payment mechanism for rooftop solar system consumers

The ministry or institution responsible for energy shall develop legal instruments on electricity tariff payment mechanisms for rooftop solar systems connected to the national grid in accordance with the policies and legal instruments to manage additional supply developed by the ministry or institution responsible for energy above and in compliance with the Law on Electricity of the Kingdom of Cambodia.

Article 134. Requirements for connecting a solar system to the national grid

Personal solar systems wishing to connect to the national grid shall follow the policies, legal instruments, and technical, economic, and safety provisions developed by the ministry or institution responsible for energy.

Article 135. Pilot feed-in tariff system for renewable energy

1. The ministry or institution responsible for energy, in cooperation with the ministry or institution responsible for economy and finance and the relevant ministries or institutions, shall develop legal instruments on a pilot feed-in tariff system for renewable energy within 1 year.
2. The legal instrument shall include specific sections as follows:
 - a. State budget to compensate by the government via offering a fixed rate for purchasing electricity generated from solar facilities or renewable energy generation sources.

- b. Ensure an energy tariff threshold for a certain period to reduce end users' payments and facilitate the recovery of investment costs by the project owners and maintenance costs.
- c. Create a list of electricity tariffs that consumers shall pay for electricity from renewable energy sources for the pilot period.

PART 2

NUCLEAR ENERGY

Article 136. Nuclear Energy Management

1. Nuclear energy shall be generated under the control and ownership of the Royal Government, with the ministry or institution responsible for energy as the secretariat with the management and execution that comply with international health, security, safety, and environmental protection standards.
2. The Royal Government, with the ministry or institution responsible for energy as the secretariat, shall develop legal instruments on nuclear energy.
3. The Royal Government shall never accept nuclear energy waste from other countries, regardless of conditions or circumstances.
4. The Royal Government shall return to the country of origin all equipment, materials, and facilities contaminated or affected by radioactive substances no longer in use or expired.

Article 137. Education, dissemination, and human resource development on nuclear energy

1. The ministry or institution responsible for nuclear energy shall develop programs to build and develop scientific and technological capacity for their staff and relevant institutions in collaboration with International Atomic Energy Agency and stakeholders.
2. Relevant ministries or institutions shall promote public awareness of utilizing nuclear energy technology through education, dissemination, and the creation of a nuclear energy information centre and a nuclear scientific and technological research information centre to build and develop human resources.

Article 138. Research program on nuclear for peace

Relevant ministries or institutions shall develop research programs to:

- a. Identify creative/innovative environmentally friendly nuclear energy
- b. Assess/evaluate impacts on the environment and related sectors due to nuclear energy.
- c. Define health, security, safety, and environmental protection requirements for radioactive waste disposal.

Article 139. Requirements for distribution system efficiency

Electricity grid system projects shall utilize efficient technology to reduce electricity loss on the grid. The ministry responsible for electricity energy shall study the extent to which technology shall be used for economic effectiveness for investment to reduce electricity tariffs and mitigate environmental impacts. The ministry responsible for environment and natural resources shall review and decide on environmental impact assessment and utilization of environmentally friendly technology in the application.

Article 140. Expansion of the national grid

1. Expansion of the national grid to other areas throughout the country shall consider environmental, economic, and social aspects against the consideration of sufficient, sustainable, stable, quality, and affordable elements of the national grid.
2. The Royal Government may halt any national grid expansion to specific areas in the county if that expansion has severe environmental, economic, and social impacts. In such cases, the Royal Government shall provide a decentralized electricity supply solution to citizens residing there.

Article 141. Access to information on energy

The ministry or institution responsible for energy shall control the possibility of metering and publicly disseminate information about the voltage and quality of supplied electricity to prevent damages to distribution infrastructure or disturbances to the electricity supply.

SECTION 11 RESPONSIBLE EXTRACTIVE INDUSTRIES

CHAPTER 1 GENERAL PROVISIONS

Article 142. Purpose

This section aims to strengthen and improve the management, protection, conservation, and restoration of extractive industry sites by defining the scale of extractive projects and relevant information disclosure.

Article 143. Scope

This section is applied to extractive industry resources, including but not limited to petroleum, gas, minerals, and geological materials, and from other sources, as determined by legal instruments of relevant ministries or institutions.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 144. Responsible institutions

The ministry or institution responsible for environment and natural resources shall monitor extractive industry project implementation that may affect natural resources, biodiversity, and ecosystems in natural protected areas.

Article 145. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Review and decide on environmental assessment and strategies concerning the extractive industry.
- b. Review and approve environmental impact assessment reports of extractive industry projects in natural protected areas.
- c. Monitor the enforcement of legal provisions concerning environmental protection of extractive industry projects in natural protected areas.

Article 146. Artisanal and small-scale mining

The ministry or institution responsible for mines or sub-national administration shall develop legal instruments on artisanal and small-scale mining to:

- a. Determine artisanal and small-scale mining rights of citizens.
- b. Ensure environmentally sustainable, safe, and efficient artisanal and small-scale mining activities.
- c. Promote and apply international best standards and practices in the management of artisanal and small-scale mining.
- d. Establish a process for designating areas for artisanal mining in consultation with local communities and other stakeholders.
- e. Require and assist artisanal miners to develop and implement a safety and security plan.

Article 147. Avoidance of environmental harm

Project owners shall avoid causing pollution or severe environmental harm by utilizing the best available technology and best practices to enhance maximum efficiency during extractive industry activities.

Article 148. Obligation to provide a permit for the use of cyanide and mercury

Gold and silver mining project owners shall provide documents to the ministry responsible for environment and natural resources via the ministry or institution responsible for mines to certify that the use of cyanide and mercury gold and silver mining operation has been purchased safely and does not affect the environment.

Article 149. Requirement for the use of cyanide and mercury

For the use of cyanide and mercury in gold and silver mining projects, project owners shall ensure that the storehouse of these substances is safe and does not affect the environment, in compliance with legal instruments governing cyanide and mercury.

BOOK 3
ENVIRONMENTAL PROTECTION

SECTION 1
GENERAL PRINCIPLES FOR ENVIRONMENTAL PROTECTION

CHAPTER 1
GENERAL PROVISIONS

Article 150. Purpose

This section aims to strengthen waste management effectiveness, protection, prevention, and reduction of environmental pollution by defining general principles for obligations and responsibilities and defining implementation measures for waste, pollutant, and environmental pollution management towards protecting public health and environmental quality.

Article 151. Scope

This section applies to all waste and pollutant management activities and environmental pollution protection, prevention, and reduction activities.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

Article 152. Responsible ministries or institutions

The ministry responsible for environment and natural resources shall undertake environmental protection to protect, prevent, and reduce environmental pollution and public health impacts.

Article 153. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, strategic plans, legal instruments, action plans, and guidelines concerning environmental protection.
- b. Coordinate with relevant ministries or institutions and sub-national administration in the implementation of policies, strategic plans, legal instruments, and action plans concerning

environmental protection; implementing precautionary plans and emergency response in cases of environmental pollution dangers and environmental quality restoration.

- c. Manage environment, water, soil, air quality data and pollution source, waste, pollutant data, and electromagnetic data.
- d. Control and inspect the sites or means of production, commercial activities, or services related to generation, production, consumption, processing, exploitation, treatment, discharge, and final handling of waste, pollutants, noise release, vibration, and electromagnetics, including monitoring the implementation of investment project's environmental pollution management plans.
- e. Review and provide technical comments on environmental protection on public and private investment projects.
- f. Study, research, and assess the chemical release into the environment, assess the level of environmental pollution, and impact on public health.
- g. Provide guidance and technical support, resources, and means to sub-national administration concerning the management of solid waste and urban wastewater, as well as monitor and evaluate the implementation by sub-national administration.
- h. Manage the delivery of public services related to environmental protection and environmental laboratory services.
- i. Motivate and encourage investment and resource mobilization for environmental protection, waste management, pollution prevention, and environmental quality restoration.
- j. Develop environmental protection capacity for provincial and municipal departments of environment and relevant sub-national administration units.
- k. Fulfill the duty as a national focal point to promote and coordinate the implementation of international instruments and cooperation with national and international development partners concerning environmental protection.

CHAPTER 3

WASTE MANAGEMENT OBLIGATION

Article 154. Waste management obligation

All citizens shall be obliged to be responsible for waste management as determined by the ministry responsible for the environment, natural resources, and sub-national administration.

Article 155. Obligation for waste fee payment

All citizens shall be obligated to pay collection, transportation, treatment, and handling fees, as determined by the ministry responsible for environment and natural resources and sub-national administration.

Article 156. Waste discharge standard compliance

1. Waste or pollutant discharge into the environment shall comply with waste discharge standards.
2. Persons who directly commit, give order, or facilitate an offence in contravention of Paragraph 1 above shall be liable for an offence.

Article 157. User fee setting

1. The use of products or materials that may cause environmental risks, public health, or non-processable waste shall be required to set user fees for those products or materials.
2. Fees collected from the user fee setting shall be utilized to improve waste management and extraction.
3. The ministry responsible for environment and natural resources and the ministry or institution responsible for economy and finance shall develop legal instruments and enhance fee collection and management from user fee setting, as stated in Paragraphs 1 and 2 above.

Article 158. Liabilities of exclusive producers, importers, or suppliers

Individuals who exclusively produce, import, or supply equipment or consumer materials considered hazardous waste after usage shall be responsible for developing and implementing a collection system for tools, equipment, or consumer materials and returning them to the country of origin or to be treated, processed, eradicated locally without causing environmental or public health dangers.

Article 159. Prohibition of illegal waste disposal

1. Disposal, discharge, or eradication of waste in violation of provisions of this Code or existing laws and legal instruments shall be prohibited.
2. Persons who directly commit, give order, or facilitate an offence in contravention of Paragraph 1 above shall be liable for such an offence.

CHAPTER 4

LIABILITIES FOR ENVIRONMENTAL POLLUTION

Article 160. Obligations against environmental pollution

No person shall do any activity that leads to environmental, water, land, or air pollution or causes adverse impacts on the health, public or private interest.

Article 161. Obligations against disturbance by noise, vibration, or odour

No person shall do any activity that causes noise pollution, vibration, or door causing an environmental disturbance, causing an adverse impact on the health, or to public or private interests.

Article 162. Liability for environmental pollution or causing danger

Individuals causing environmental pollution shall be liable to compensate for impacts on health, life, or property damages due to environmental pollution and general impact on the environment and shall be liable for restoration of pollution in accordance with provisions of this Code and the Cambodia Criminal Code.

Article 163. Obligation to pay for environmental pollution

Individuals whose production activities, commercial activities, or personal services cause growing environmental pollutants via the production or use of hazardous substances or waste discharge shall be liable to pay for environmental pollution.

Article 164. Waste deposit payment

The users of products, tools, equipment, or consumer materials that become hazardous substances after usage or when no longer used shall be required for waste deposit payments to be returned in exchange for the waste.

Article 165. Management and use of environmental pollution payment

1. Collected environmental pollution payment shall target study and research, improve environmental quality, or restore the polluted environment.
2. Management and use of environmental pollution payment as in Paragraph 1 above shall be determined in an inter-ministerial *prakas* between the ministry responsible for environment and natural resources and the ministry or institution responsible for economy and finance.

CHAPTER 5
ENVIRONMENTAL POLLUTION CONTROL MEASURES

PART 1
ENVIRONMENTAL PROTECTION STANDARDS

Article 166. Environmental protection standards

1. Environmental protection standards shall include but not be limited to:
 - a. Environmental quality standards
 - b. Waste discharge standards
 - c. Noise and vibration standards
 - d. Hazardous substance standards in products
 - e. Other related environmental protection standards in accordance with technological, scientific, and innovative development.
2. As in Paragraph 1 above, environmental protection standards shall be determined by a Sub-decree.

Article 167. Environmental quality standards

Environmental quality standards shall be considered for standards related to public water quality, land and soil quality, atmospheric ambient air quality, and indoor air quality, which set limits to chemical substances or pollutant thresholds that do not cause risks to public health for water, soil, and land, and air quality assessment.

Article 168. Waste discharge standards

Waste discharge standards shall be considered for standards related to liquid or wastewater discharge, air pollutant discharge, solid waste discharge, hazardous substance or waste discharge, and radioactive discharge, which set the limits to chemical substance or pollutant thresholds permitted to discharge into the environment and that do not cause risks to public health, using verification and assessment in accordance with standards as provided in applicable laws and legal instruments.

Article 169. Noise and vibration standards

Noise and vibration standards shall be considered for standards related to noise and vibration release permitted indoors or in open spaces that do not cause disturbance to the living and do not cause health dangers or property damages and for verification and assessment of legal implementation.

Article 170. Hazardous substance standards in products

Hazardous substance standards in products shall be considered for standards related to product quality that may contain or be contaminated by hazardous substances at a permitted level and do not cause health risks to consumers and the environment for verification and assessment of legal implementation.

Article 171. Update of environmental protection standards

The ministry responsible for environment and natural resources shall update the environmental protection standards in accordance with national economic progress, national environmental conditions, or other requirements and public interests.

Article 172. Right to access information on environmental protection standards

The ministry responsible for environment and natural resources shall develop an environmental protection standard database and make it available to all stakeholders and publicly available and accessible in compliance with the provisions of this Code.

PART 2 WASTE PERMIT

Article 173. Application and types of waste permits

1. Individuals intending to discharge or commercialize waste shall receive a permit from the ministry responsible for environment and natural resources.
2. Types of waste permits shall be as follows:
 - a. Waste discharge permits include, but are not limited to, solid waste discharge permits, hazardous waste permits, liquid waste discharge permits, air pollutant discharge permits, noise release permits, and vibration release permits.
 - b. Waste commercialization permits include, but are not limited to, a waste service permit or waste collection service permit, waste transportation permit, waste storage permit, waste processing and exploitation permit, waste treatment permit, or final waste handling permit.
3. Procedures related to waste permit application, as stated in Paragraphs 1 and 2 of this Article, shall be determined in the *prakas* by the minister responsible for environment and natural resources.
4. Despite provisions in Paragraphs 1 and 2 of this Article, daily waste discharge from household residences without commercial purpose shall not require a permit and shall follow guidelines by the ministry responsible for environment and natural resources.

Article 174. Conditions for Granting Waste Permits

A waste permit may be granted only if:

- a. There are technically appropriate materials, equipment, and means for waste discharge, commercialization, collection, transportation, processing, exploitation, treatment, or dump sites that ensure they do not cause environmental pollution.
- b. There is compliance with waste discharge standards in accordance with legal instruments determined in the provisions of this Code or applicable legal instruments.
- c. They adhere to conditions for environmental pollution preventive measures as determined by the ministry responsible for environment and natural resources.
- d. They have paid a public service fee for granting a waste permit, as determined by legal instruments of a competent ministry or institution.

Article 175. Suspension or revocation of waste permits

Waste permits shall be suspended or revoked if:

- a. Using materials, equipment, and means for waste discharge, commercialization, collection, transportation, processing, exploitation, treatment, or dump sites is not technically appropriate.
- b. They do not appropriately follow the environmental standards and environmental safety rules.
- c. There is neglect or commission of crime in waste management, causing environmental pollution or health accidents.
- d. They fail to follow requirements as determined in the waste permits.

PART 3

ENVIRONMENTAL POLLUTION MANAGEMENT

Article 176. Environmental pollution management

Persons or site owners of production, commercialization, or services that generate and discharge waste, pollutants, noise, or vibration shall be responsible for:

- a. Installing technically appropriate materials, equipment, and means for managing and discharging waste, pollutants, noise, or vibration and to comply with legal instruments as determined by this Code or applicable relevant legal instruments.
- b. Appropriately and technically operating the materials, equipment, and means for management of waste, pollutants, noise, or vibration and appropriately following waste discharge standards.

- c. Having specialists or technical staff responsible for environmental pollution management and operation of materials, equipment, and means for managing and discharging waste, pollutants, noise, or vibration on sites.

Article 177. Recognizing specialist or technical staff in environmental pollution management

1. Specialists or technical staff appointed to be responsible for environmental pollution management and operation of materials, equipment, and means for management and discharge of waste, pollutants, noise, or vibration as stated in Point C of Article 176 (Environmental pollution management) of this Code shall be officially recognized by the ministry responsible for environment and natural resources.
2. Procedure to officially recognize specialists or technical staff appointed to be responsible for environmental pollution management and operation of materials, equipment, and means for management and discharge of waste, pollutants, noise, or vibration as stated in Paragraph 1 above shall be determined in a *prakas* of the minister responsible for environment and natural resources.

PART 4

IMPLEMENTATION OF SELF-CONTROL AND SELF-REPORTING

Article 178. Implementation of environmental pollution self-control

Persons or site owners of production, commercialization, or services that discharge waste at high risk of environmental pollution shall implement self-control for environmental pollution on their sites by complying with legal instruments determined by this Code or relevant applicable legal instruments.

Article 179. Implementation of self-reporting on hazardous substances and hazardous waste

Persons or site owners of production, commercialization, or services that produce or use hazardous substances or are involved in generating hazardous waste shall implement self-reporting measures on the management of hazardous substances and waste on their sites by complying with the requirement by the ministry responsible for environment and natural resources, and relevant applicable legal instruments.

Article 180. Reporting on the pollutant release and transfer into the environment

1. Persons or site owners of production or commercialization that cause pollutant release and transfer into the environment shall provide immediate data reports on pollutant release or transfer to the ministry responsible for environment and natural resources.
2. Types of production or commercialization sites obliged to provide immediate data reports on pollutant release and transfer into the environment, as stated in Paragraph 1 above, shall be determined in a *prakas* by the minister responsible for environment and natural resources.

Article 181. Right to access information from the pollutant release and transfer register

The minister responsible for environment and natural resources shall make publicly available and downloadable the information from the environmental pollution control register and pollutant release and transfer register in accordance with the provisions of this Code.

PART 5 EMERGENCY RESPONSE IN CASES OF ENVIRONMENTAL POLLUTION INCIDENTS

Article 182. National mechanism for emergency response management in cases of environmental pollution incidents

1. The ministry responsible for environment and natural resources, in collaboration with relevant competent ministries or institutions and mechanisms, shall establish a national mechanism for emergency response management in cases of environmental pollution incidence, with the following duties:
 - a. Determine environmental pollution risk or impacts on public health in areas vulnerable to pollution from development activities or by nature.
 - b. Propose preventive measures against environmental pollution or impacts on public health.
 - c. Assess public health impacts and environmental damage due to incidences caused by releasing pollutants or hazardous substances into the environment.
 - d. Determine and coordinate the implementation of emergency response and relief when environmental incidences occur.
2. The establishment of a national mechanism for emergency response in cases of environmental pollution incidence, as stated in Paragraph 1 above, shall be determined by legal instruments of the ministry responsible for environment and natural resources.

Article 183. Emergency response planning in cases of environmental pollution incidents

Persons or site owners of production, commercialization, or services determined to have caused high risks of environmental pollution shall develop an emergency response plan in cases of environmental pollution incidents due to their production, commercialization, or services, as required by the ministry responsible for environment and natural resources.

SECTION 2 THE CONTROL OF HAZARDOUS SUBSTANCE RELEASE

CHAPTER 1 GENERAL PROVISIONS

Article 184. Purpose

This section aims to control hazardous substance release by incorporating various measures to strengthen the management of hazardous substances in line with environmental safety rules towards ensuring environmental protection, biodiversity conservation, and public health protection.

Article 185. Scope

This section applies to the production, importation, distribution, or use of hazardous substances in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 186. Responsible Ministries or Institutions

The ministry responsible for environment and natural resources in collaboration with competent ministries or institutions and sub-national administration shall be responsible for leading the control of the management and the release of hazardous substances into the environment.

Article 187. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources has the following roles and duties:

- a. Develop strategic plans and action plans for the management of hazardous substances in the environment and for emergency response in cases of hazardous substance explosion, spillage, or leakage incidents.
- b. Develop legal instruments concerning hazardous substances in products to enhance the control of release and environmental pollution issues related to hazardous substances.

- c. Develop lists of prohibited types of hazardous substances and lists of permitted hazardous substances for production, importation, distribution, or use with conditions.
- d. Develop and manage data on hazardous substances produced, imported, distributed, and used in the Kingdom of Cambodia.
- e. Develop technical guidelines for managing hazardous substances and emergency response to prevent and mitigate hazardous substance release in the environment, to be implemented on sites or activities related to the production, importation, transportation, storage, distribution, use, and disposal of hazardous substances.
- f. Monitor and inspect the sites or activities related to the production, importation, transportation, storage, distribution, use, and disposal of hazardous substances.
- g. Research the level of hazardous substance release in the environment, biological samples, and food products, consumer goods, or toys.
- h. Fulfill the duty as a national focal point of international legal instruments concerning hazardous substance management in the Kingdom of Cambodia.

Article 188. Research, monitoring, and control of hazardous substance release

- 1. The ministry responsible for environment and natural resources, in collaboration with competent ministries or institutions and sub-national administration, shall research and monitor the sites that produce, store, and use hazardous substances and products containing hazardous substances to enhance the implementation of release preventive measures or public health and environmental risk mitigation.
- 2. Findings from research and monitoring of hazardous substance release shall be disseminated, and the public shall be informed in accordance with the provisions of this Code.

CHAPTER 3

**REGISTRATION OF HAZARDOUS SUBSTANCES AND CHEMICAL PRODUCTS
CONTAINING HAZARDOUS SUBSTANCES**

Article 189. Registration of hazardous substances

- 1. Persons producing, importing, or distributing hazardous substances or chemical products containing hazardous substances shall register those at the sectoral ministries or institutions in accordance with applicable legal instruments set out within a *prakas* by the minister responsible for environment and natural resources.
- 2. The types of hazardous substances or chemical products containing hazardous substances that need to be registered shall be determined in a *prakas* by the ministry responsible for environment and natural resources.

Article 190. Notification of hazardous substance registration

Persons producing, importing, or distributing registered hazardous substances or chemical products containing hazardous substances as stated in Article 189 (Registration of hazardous substances) of this Code shall provide a copy of their registration to the ministry responsible for environment and natural resources, to enable the ministry to organize hazardous substances, monitor and evaluate, take preventive measures or respond to hazardous substance risks and inform the public about hazardous substances.

Article 191. Registration of products, consumer goods, and toys containing hazardous substances

1. Persons producing, importing, or distributing products or consumer goods and toys containing hazardous substances as stated in this Code shall be registered at the Ministry Responsible for environment and natural resources.
2. The Procedure for registering products, consumer goods, and toys containing hazardous substances, as stated in Paragraph 1 above, shall be determined in a *prakas* by the minister responsible for environment and natural resources.

Article 192. Refusal to register

Sectoral ministries or institutions and the ministry responsible for environment and natural resources shall refuse to register hazardous substances and products or consumer goods and toys containing hazardous substances as stated in Article 189 (Registration of Hazardous Substances) and Article 191 (Registration of products, consumer goods, and toys containing hazardous substances) of this Code, if:

- a. Hazardous substances and products or consumer goods and toys containing hazardous substances in the registration application are on the prohibited list under this Code or relevant applicable legal instruments for production, importation, distribution, or use.
- b. Hazardous substances and products or consumer goods and toys containing hazardous substances in registration applications are prohibited from production or use in accordance with international legal tools to which Cambodia is a State Party.
- c. Hazardous substances and products or consumer goods and toys containing hazardous substances in the registration application are found to potentially cause high risks to public health and the environment.
- d. Documentation affirming the characteristics or level of hazardous substances is insufficient.

Article 193. Revocation of certificate of registration

Sectoral ministries or institutions and the ministry responsible for environment and natural resources shall revoke the registration of hazardous substances and products or consumer goods and toys containing hazardous substances if:

- a. Found that using or releasing hazardous substances has caused severe risks to public health and the environment.
- b. prohibited by relevant applicable legal instruments or international legal tools to which Cambodia is a State Party.

CHAPTER 4

LABELING OF HAZARD SIGNS, HAZARD WARNINGS, CHEMICAL LABELS, AND SAFETY INFORMATION OF HAZARDOUS SUBSTANCES

Article 194. Labelling of hazard signs on packaging materials and transportation means of hazardous substances

All packaging materials and transportation means of hazardous substances, as stated in the provisions of this Code, shall contain hazard signs, and hazard warnings and attach documents on hazardous substance safety information in accordance with relevant applicable legal instruments.

Article 195. Labelling of hazard warnings on products or consumer goods and toys containing hazardous substances

Products or consumer goods and toys containing hazardous substances shall contain hazard warnings before distribution or sale in accordance with relevant applicable legal instruments.

Article 196. Labelling on chemical products and consumer product chemicals

1. All chemical products and consumer product chemicals shall contain hazardous chemical labels and other hazard warnings in accordance with relevant applicable legal instruments.
2. Hazardous chemical labels and hazard warnings on chemical products shall contain the following information:
 - a. Information about the products and categories of products.
 - b. Symbols of hazards.
 - c. Warnings.
 - d. Vulnerability information shall be organized by chronological order, categories, and hazard levels of the chemical products and consumer goods chemicals.
 - e. Information on preventive measures or how to use them.
 - f. Information on producers or suppliers.

- g. Labels that are clear, legible, durable, indelible, or unfading.

CHAPTER 5

OBLIGATION OF PERSONS ENGAGING IN HAZARDOUS SUBSTANCES

Article 197. Yearly hazardous substance report submission

Legal entities that produce, import, distribute, or use hazardous substances in the production, commercial activities, or services shall submit yearly reports to the ministry responsible for environment and natural resources on:

- a. Categories and quantity of hazardous substances produced, imported, distributed, used, or disposed of.
- b. Measures and means to manage and prevent hazardous substance release or public health and environmental risks.
- c. Measures and means to manage hazardous substance waste and waste containing or contaminated by hazardous substances.

Article 198. Submission of yearly reports on products or materials or toys containing hazardous substances

Legal entities that produce, import, or distribute products or consumer goods and toys containing hazardous substances shall submit yearly reports to the ministry responsible for environment and natural resources on:

- a. Categories and quantity of products, consumer goods, and toys containing hazardous substances produced, imported, distributed, used, or disposed of.
- b. Labelling of hazard warnings on products, consumer goods, and toys containing hazardous substances.

Article 199. Emergency response planning

Site owners or managers of production, storage, distribution, or use of hazardous substances or products containing hazardous substances shall prepare an emergency response plan in cases of hazardous substance spill or leaks incidences or products containing hazardous substances and submit the plan to the ministry responsible for environment and natural resources.

Article 200. The obligation of persons who produce, import, store, transport, distribute, or use hazardous substances in production, commercial, or service activities

In production, commercial, or service activities, in case of accidents or incidents of spills, leaks, explosion, inflammation, or release of hazardous substances, persons who produce, import, store, transport, distribute, or use hazardous substances shall be obliged as follows, to:

- a. Urgently notify the ministry responsible for environment and natural resources, competent ministries or institutions, and authority or rescue service agents about the facts or incidents.
- b. Take urgent measures to mitigate, prevent, or stop the spills or leaks and collect, pack, and clean the spilled or leaked hazardous substances.
- c. Collaborate with the ministry responsible for environment and natural resources, competent ministries or institutions, and sub-national administration to provide detailed information about the spilled or leaked hazardous substances and investigate and assess the impacts on public health, assets, and environment.

Article 201. Liabilities for quality-defect or expired hazardous substances

1. Persons who produce, import, distribute, or use hazardous substances in production, commercial activities, or services shall be liable for handling, treatment, or disposal of quality-defect or expired hazardous substances in accordance with hazardous substance management provisions of this Code.
2. Quality-defect or expired hazardous substances shall be considered hazardous waste.

Article 202. Liability for harm

Persons that cause the spill or leaks of hazardous substances into the environment shall be liable for any harm to property, public health, environment, and environmental pollution restoration in accordance with the provisions of this Code.

Article 203. Environmental pollution payment

1. Persons in the production, commercial activities, or services that produce or use hazardous substances shall pay for environmental pollution.
2. Types of sites required to pay for environmental pollution and payment rate for environmental pollution as stated in Paragraph 1 above shall be determined in the inter-ministerial *prakas* between the ministry responsible for environment and natural resources and the ministry or institution responsible for economy and finance.

CHAPTER 6 PROHIBITIONS

Article 204. Prohibition of hazardous substances

No person shall produce, import, distribute, or use hazardous substances that:

- a. Are in the list of prohibited hazardous substances in compliance with relevant applicable legal instruments.
- b. Are not registered with the relevant sectoral ministries or institutions.
- c. Do not contain labels or hazard warning on the package or falsified hazard labels.
- d. Are found to pose severe dangers to public health or the environment.

Article 205. Prohibition of products containing hazardous substances

No person shall produce, import, or distribute products, consumer goods, and toys containing hazardous substances that:

- a. Are on the list of prohibitions in accordance with relevant applicable legal instruments.
- b. Are not registered for production or importation at the ministry responsible for environment and natural resources.
- c. Hazardous substances in the product exceed hazardous substance standards, as determined by relevant applicable legal instruments.
- d. Do not contain hazard warning labels on the products.
- e. Are found to pose severe dangers to public health or the environment.

Article 206. Prohibition of causing hazardous substance release

Activities that cause hazardous substance release into the environment are strictly prohibited, including but not limited to:

- a. Discharge or dispose of hazardous substances in public spaces or public water sources.
- b. Destroying or burning hazardous substances on possessed land, open fields, or public spaces.
- c. Causing the spill or leaks of hazardous substances.

Article 207. Confiscation of hazardous substances or products containing hazardous substances

In collaboration with competent authorities, the ministry responsible for environment and natural resources shall have the right to confiscate prohibited hazardous substances or products containing hazardous substances in compliance with the provisions in Book 9 of this Code.

SECTION 3 SOLID WASTER MANAGEMENT

CHAPTER 1 GENERAL PROVISIONS

Article 208. Purpose

This section aims to manage solid waste by implementing measures to eliminate it, starting from generation sites to final dumpsites, to ensure environmental protection, biodiversity conservation, and public health protection.

Article 209. Scope

This section shall apply to the importation, exportation, sorting, packaging, collection, transportation, processing, exploitation, treatment, and handling of urban solid, plastic, and industrial solid waste in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 210. Responsible institutions

In collaboration with competent ministries or institutions and sub-national administration, the ministry responsible for environment and natural resources shall lead and strengthen the effectiveness of managing urban solid, plastic, and industrial solid waste.

Article 211. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, national strategic plans, legal instruments, action plans, and technical guidelines concerning solid waste management and coordinate the implementation between competent ministries or institutions and sub-national administration.
- b. Research on technology related to processing, resource exploitation, treatment, and final handling of solid waste in an environmentally safe manner.
- c. Provide support and enhance solid waste processing and exploitation.

- d. Provide technical guidelines and capacity development to sub-national administration to ensure the effectiveness of solid waste management functions.
- e. Collaborate with relevant ministries or institutions, sub-national administration, and development partners to mobilize financial and technical resources, means, and equipment to support and improve end-to-end solid waste management.
- f. Take the lead, coordinate, and enhance the promotion of formal education and public awareness about solid waste management to encourage attitude change in solid waste management and participate, use, and pay solid water service fees.
- g. Review and provide technical comments on site selection to build a landfill and landfill preparation and on environmental protection measures during the operation and closing of the solid waste landfill.
- h. Collaborate with competent ministries or institutions and sub-national administration to monitor and evaluate the implementation of solid waste management functions.

CHAPTER 3

URBAN SOLID WASTE MANAGEMENT

Article 212. Establishment of an Urban Solid Waste Management Committee

1. An urban solid waste management committee shall be established as a national mechanism to lead the policies and strategies and provide budget and technical support for urban solid waste management.
2. Roles and duties of the urban solid waste committee shall be determined by a sub-decree

Article 213. Urban solid waste data management

The ministry responsible for environment and natural resources shall develop an urban solid waste database and shall determine rules, resource needs, or necessary means to enhance capacity and effectiveness for urban solid waste cleaning, collection, transportation, and landfill services to cover nationwide and to ensure environmentally safe sustainability.

Article 214. Action plans for reducing urban solid waste generation

The ministry responsible for environment and natural resources, in collaboration with competent ministries or institutions and all relevant stakeholders, shall determine the strategies and action plans to reduce urban solid waste generation by sorting waste at source points, transportation by types of waste, and promoting processing activities, exploitation, and waste treatment.

Article 215. Sub-national administration

The subnational administration shall be responsible for implementing policies and legal instruments concerning urban solid waste management in the territorial jurisdiction and shall have the following duties:

- a. Develop necessary legal instruments to promote the implementation of policy, legal, national strategy, and legal instrument measures concerning urban solid waste management.
- b. Develop an action plan and budget plan for the management, cleaning, collection, transportation, and stopping of urban waste solid waste littering.
- c. Enhance the sorting of waste and activity to reduce urban solid waste generation, reuse, waste processing, and urban solid waste exploitation.
- d. Establish, manage, and handle urban solid waste cleaning, collection, transportation, and landfill services.
- e. Educate and raise awareness to the public on hygiene, urban face handling, participation use, and pay for urban solid waste transportation, collection, and landfill services.
- f. Control, monitor, and evaluate the effectiveness of solid waste management services.
- g. Implement education and legal measures against littering offences, avoid the use and failure to pay urban solid waste service fees.
- h. Prepare yearly reports on data, situation, and urban solid waste management processes to submit to competent ministries or institutions.

PART 1

LIABILITY OF URBAN SOLID WASTER GENERATORS

Article 216. Obligation of urban solid waste owners

Persons generating urban solid waste shall adhere to the principles determined by sub-national administration on urban solid waste management, including but not limited to sorting, packaging, disposing, cleaning, service using, and service payment for urban solid waste management.

Article 217. Rules on consumers of products or materials

1. The use of products or equipment that may cause environmental risks, public health, and hard-to-be-processed waste, will be subject to a user fee in accordance with provisions of this Code.
2. Types of products or equipment subject to user fees shall be determined in an inter-ministerial *prakas* by the ministry responsible for environment and natural resources and the ministries or institutions accountable for economy and finance.

Article 218. Prohibition relating to disposal and burning of urban solid waste

1. The disposal of urban solid waste in the street, public spaces, open spaces, sewage system, water canal, public water sources, or private/possessed land that is not permitted to store garbage or final handling site temporarily is strictly prohibited.
2. The burning of urban solid waste in the street, public spaces, private/possessed land, open space, and waste incinerators without permission from the ministry responsible for environment and natural resources is strictly prohibited.

Article 219. Liability for harm

Persons generating urban solid waste that causes environmental pollution, public health impact, or property damage due to their management activities shall be liable for the damage and restoration of environmental pollution in compliance with the provisions of this Code.

PART 2 ***COLLECTION, TRANSPORTATION AND LANDFILL SERVICES*** ***FOR URBAN SOLID WASTE***

Article 220. Development of collection, transportation, and landfill services for urban solid waste

1. Sub-national administration shall be responsible for developing and operating collection, transportation, and landfill services for urban solid waste in a quality, effective, and environmentally safe manner in their administrative jurisdiction.
2. Procedures and requirements for developing and managing urban solid waste collection, transportation, and landfill services shall comply with applicable legal instruments.

Article 221. Obligations relating to collection, transportation, and landfill service providers for urban solid waste

Persons receiving the right to provide urban solid waste collection, transportation, and landfill services shall ensure the following:

- a. Implement requirements for urban solid waste cleaning, collection, transportation, and landfill services as the contract determines.
- b. Provide services that do not cause impacts on the environment, health, or public interests.
- c. Collaborate with the local authority to solve the missed garbage collection issue.
- d. Transport the urban solid waste to the determined landfill.

- e. Be liable for property damage, public health impacts, and environmental pollution restoration due to their service activities.
- f. Submit regular reports on service operations to the competent authority.

Article 222. Permission to establish urban solid waste landfill services

Investment to develop urban solid waste landfill shall receive permission from sub-national administration with prior approval on technical and environmental safety protection measures from the ministry responsible for environment and natural resources.

CHAPTER 4 PLASTIC WASTE MANAGEMENT

Article 223. Ministry or institution responsible for plastic waste management

The ministry responsible for environment and natural resources in collaboration with competent ministries or institutions shall:

- a. Develop draft policies, strategic plans, legal instruments, action plans, and technical guidelines for plastic waste management to reduce plastic product consumption and waste generation and increase processing activity and exploitation of plastic waste.
- b. Define the types, standards, and requirements for plastic products or materials permitted for importation or domestic production.
- c. Define the types of prohibited use of plastic products or materials or permitted use with the condition.
- d. Determine the site or establish plastic-free site or targets which require the implementation of measures prohibited use or permitted use with conditions.
- e. Promote and provide support to the production and use of products or materials that replace plastic products or material
- f. Encourage and provide support to plastic waste processing and exploitation.
- g. Educate and promote public awareness and citizen participation in implementing policies and programs to reduce plastic consumption in the Kingdom of Cambodia by avoiding excessive plastic bag usage while replacing them with cloth bags or reusable bags, multiple-item storage in one bag, or compostable materials.

Article 224. Obligation to contribute to reducing plastic bag use

All citizens have an obligation to contribute to reducing plastic bag use by reusing plastic bags or replacing plastic bags with other objects.

Article 225. Encouragement to reduce plastic bag use

Business site owners, service owners, supermarket owners, or commercial centres shall encourage voluntary initiatives to reduce plastic bag use.

Article 226. Importation and production of compostable or biodegradable bags or packages

Importation and production of compostable or biodegradable bags or packages shall be imposed with a special state tax levy. Businesspeople shall apply for special state tax levy to the ministry or institution responsible for economy and finance after receiving approval from the ministry responsible for environment and natural resources.

Article 227. Measures on importation and production of plastic products or materials

Importation and production of plastic products or materials shall be permitted by the ministry responsible for environment and natural resources with regard to types and requirements in compliance with provisions in this Code.

Article 228. Measures to impose user fees on plastic products or materials

1. The use of plastic products or materials that may cause environmental risks, public health risks, and hard-to-recycle or non-recyclable waste shall be subject to the imposition of user fees in compliance with the provisions of this Code.
2. The types of plastic products or materials subjected to user fees and target sites shall be determined in an inter-ministerial *prakas* by the ministry responsible for environment and natural resources and Ministries or Institutions responsible for economy and finance.

Article 229. Measures to manage plastic waste at plastic generating sites

Persons or site owners who use plastic products or materials, including homeowners, shall be responsible for sorting, handling, and discharging the generated plastic waste as required by the competent ministries, institutions, or sub-national administration.

Article 230. Prohibition of discharge and burning of plastic waste

1. The discharge of plastic waste in the street, public spaces, open space sewage systems, water canals, and public water sources is strictly prohibited.

2. The burning of solid waste in the street, public spaces, open spaces, and waste incinerators without permission from the ministry responsible for environment and natural resources is strictly prohibited.

CHAPTER 5 INDUSTRIAL SOLID WASTE MANAGEMENT

Article 231. Ministry or institution responsible for the control of industrial solid waste

The ministry responsible for environment and natural resources shall take the lead in controlling industrial solid waste management, including but not limited to sorting, temporary storing, transportation, processing, exploitation, treatment, and final handling.

Article 232. Obligation of owners of industrial solid waste generating sites

Persons or project owners generating industrial solid waste shall be responsible for the management of their waste, including but not limited to storing, handling, transportation treatment, and final handling at the landfill in accordance with relevant applicable legal instruments.

Article 233. Permits for discharge of industrial solid waste

Owners of industrial solid waste intending to discharge industrial solid waste from their site shall receive a prior industrial solid waste discharge permit from the ministry responsible for the environment and natural resources.

Article 234. Permits for industrial solid waste commercial activities

Service operators for industrial solid waste collection, transportation, treatment, and final handling at the landfill shall receive the permit for industrial solid waste commercial activities from the ministry responsible for environment and natural resources.

CHAPTER 6 PROCESSING, EXPLOITATION, TREATMENT, IMPORTATION AND EXPORTATION OF SOLID WASTE

Article 235. Permits for solid waste processing services or commercialization and exploitation

Solid waste processing services or commercialization, exploitation, or treatment shall receive a permit from the ministry responsible for environment and natural resources.

Article 236. Exportation of solid waste or raw materials from solid waste processing

Exportation of solid waste or raw materials from solid waste processing shall receive a permit from the ministry responsible for environment and natural resources.

Article 237. Importation of solid waste

The importation of solid waste from foreign countries into the Kingdom of Cambodia shall be prohibited unless the solid waste that is the importation subject fulfills the additional need of domestic waste processing investment projects. In such cases, solid waste importation shall receive permission from the government by following applicable procedures.

SECTION 4 HAZARDOUS WASTE MANAGEMENT

CHAPTER 1 GENERAL PROVISIONS

Article 238. Purpose

This section aims to promote hazardous waste management by implementing measures to eliminate hazardous disposal, from generation to final handling, to ensure environmental protection, biodiversity conservation, and public health protection.

Article 239. Scope

This section applies to the importation, exportation, transportation, collection, storage, processing, exploitation, treatment, and final handling of hazardous waste safely in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 240. Responsible institutions

In collaboration with competent ministries or institutions and sub-national administration, the ministry responsible for environment and natural resources shall take the lead in managing and controlling hazardous waste.

Article 241. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, strategic plans, legal instruments, action plans, and technical guidelines for hazardous waste management.
- b. Develop a list of hazardous waste types by complying with international legal tools to which Cambodia is a state party.
- c. Manage data and information on generating sources of hazardous waste and sites of collection, transportation, processing, treatment, and landfill for final handling of hazardous waste.

- d. Control, monitor, and evaluate hazardous waste management at production, commercial activities, or service sites, including importation, exportation, and transboundary transportation of hazardous waste.
- e. Research and disseminate the types and levels of dangers or impacts of hazardous waste release into the environment.
- f. Coordinate with competent ministries or institutions to develop action plans and prepare equipment, means, and resources for emergency response in case of incidence of inflammation, explosion, spills, or leaks of hazardous waste.
- g. Act as a national focal institution for international legal instruments concerning hazardous waste management, to which the Kingdom of Cambodia is a state party.

CHAPTER 3

MEASURES FOR LEAD-ACID AND HOUSEHOLD BATTERY WASTE MANAGEMENT

Article 242. Obligations to handle battery waste

Houses, markets, supermarkets, entertainment facilities, public buildings, education institutions, commercial activities, services, and handcrafts shall be obliged to handle and sort the battery waste from other waste in accordance with guidelines of the ministry responsible for environment and natural resources.

Article 243. Collection, storage, transportation, disassembly, and treatment of battery waste

The collection, storage, transportation, disassembly, treatment, and disposal of battery waste shall receive a permit from the ministry responsible for environmental and natural resources and shall implement environmental safety rules.

Article 244. Application for permit

1. All family-based commercial activities involving lead-acid batteries shall apply for a permit from the capital or provincial institution responsible for the environment and natural resources.
2. All small, medium, or large-scale commercial activities involving lead-acid batteries shall apply for a permit from the ministry responsible for environment and natural resources.

Article 245. Exportation of battery waste

All exportation of battery waste from the Kingdom of Cambodia to a foreign country may be done only with the approval from the ministry responsible for environment and natural resources and a prior importation permit from that foreign country.

Article 246. Prohibition against burning or disassembly of battery waste

The burning or disassembly of battery waste that causes impacts or dangers to public health and the environment is strictly prohibited.

Article 247. Payment for permit application

Payment for permit application for collection, storage, transportation, disassembly of battery waste to extract the lead or other components, treatment, disposal, and establishment of safe landfill shall comply with inter-ministerial *prakas* responsible for environment and natural resources and ministry or institution responsible for economy and finance.

Article 248. Reporting obligation

Business owners shall be obliged to report to the capital or provincial institution responsible for environment and natural resources or to the ministry responsible for environment and natural resources every six months about the progress of all collection, storage, handling, transportation, disassembly, treatment, and disposal of battery waste on their sites to ensure environmental and public health safety.

Article 249. Monitoring and reporting obligation

Capital or provincial institution responsible for environment and natural resources shall help the applications to monitor and properly report to the ministry responsible for environment and natural resources every six months about the progress of all collection, storage, handling, transportation, disassembly, treatment, and disposal of battery waste in their jurisdiction to ensure environmental and public health safety.

Article 250. Control, monitoring, and instruction

The ministry responsible for environment and natural resources shall have the duties to control and monitor the pollution by commercial battery activities and instruct business owners about proper management rules.

CHAPTER 4
HAZARDOUS WASTE MANAGEMENT MEASURES

PART 1
HAZARDOUS WASTE GENERATION

Article 251. Notification about hazardous waste generation

Persons generating hazardous waste in their production, commercial activities, or services shall, in writing, notify the ministry responsible for environment and natural resources about the types, sources, and quantity of the generated hazardous waste and implement management measures.

Article 252. Obligation of hazardous waste owner

1. Persons generating hazardous waste shall be responsible for packaging, labelling warnings, storing, treating, and discharging hazardous waste in accordance with environmental safety rules.
2. Environmental safety rules shall be determined by a sub-decree.

Article 253. Permit to discharge hazardous waste

1. Persons generating hazardous waste in their production, commercial activities, or services intending to discharge hazardous waste from their sites shall receive prior permission from the ministry responsible for environment and natural resources.
2. Persons generating hazardous waste in their production, commercial activities, or services intending to treat, dispose, or take the final handling of the hazardous waste on their site shall receive prior permission from the ministry responsible for environment and natural resources.

PART 2
LIABILITY OF EXCLUSIVE PRODUCERS, IMPORTERS, OR SUPPLIERS OF HAZARDOUS WASTE-PRODUCING EQUIPMENT AND MATERIALS

Article 254. Obligation to collect hazardous waste

1. Legal entities exclusively supplying electrical and electronic tools or appliances shall be responsible for preparing and implementing a collection system of electrical and electronic

devices or appliances to return them to the country of origin or to dispose of them domestically without causing harm to the environment or public health.

2. Types of electrical and electronic tools or appliances required to be collected and returned to the country of origin or disposed of domestically shall be determined in a *prakas* by the minister responsible for the environment and natural resources.

Article 255. Implementation of deposit for hazardous waste

1. Legal entities producing or importing tools, equipment, or consumer materials that become hazardous waste when no longer used or after use shall include a waste deposit in addition to the price of the equipment or consumer goods and will be returned in exchange for the waste to be collected from clients or consumers.
2. Types of tools, equipment, or consumer materials required to include a waste deposit in addition to the price of tools, equipment, or consumer materials as stated in Paragraph 1 above shall be determined in the *prakas* by the minister responsible for the environment and natural resources.

Article 256. Application for a commercial permit

Persons intending to conduct business in the form of waste collection, purchase, storage, disassembly, treatment, or incineration and establishment of landfill for electrical and electronic waste shall apply for a permit and complete the form at the ministry responsible for environment and natural resources.

Article 257. Obligation relating to electrical and electronic appliances

Persons with electrical and electronic waste shall fulfill the following obligations:

- a. Keep the waste safe and separate it from household waste.
- b. Discharge the waste to a processing site or electric and electronic waste collection site, as determined by competent ministries or institutions.

Article 258. Obligation of business owners

Business site owners who collect, purchase, store, disassemble, assemble, or process electrical and electronic waste shall fulfill the following obligations to:

- a. Comply with technical guidelines on electric and electronic waste management in an environmentally safe manner in their business operations.
- b. Organize waste data generated from their business.
- c. Use collection service of waste generated from the repair, as determined by competent authorities.

Article 259. Obligation of electric and electronic appliance producers

Persons producing electric and electronic appliances shall fulfill the following obligations:

- a. Collect and handle waste from electric and electronic appliance production processes by complying with technical guidelines on electric and electronic waste management in an environmentally safe manner.
- b. Instal environmental pollution controllers.
- c. Organize waste data generated from their production.
- d. Use collection service of waste generated from the repair, as determined by competent authorities.

Article 260. Prohibition of the disposal of electrical and electronic waste

Disposal of electric and electronic waste into water sources, garbage landfills, or public spaces, and the burning or breaking apart of electric and electronic waste that causes harm to the environment and public health is prohibited.

PART 3

LIABILITIES AND OBLIGATIONS OF HAZARDOUS WASTE OPERATOR

Article 261. Permit for hazardous waste service or business

Hazardous waste operators providing service of collection, transportation, treatment, destruction, or final handling or purchase, sale, processing, or exploitation of hazardous waste shall receive a hazardous waste service or business permit from the ministry responsible for environment and natural resources.

Article 262. Obligation of hazardous waste operator

Hazardous waste operators providing services or doing business on hazardous waste shall be responsible for:

- a. Managing hazardous waste on their service site in compliance with environmental safety rules and conditions in the service or business activity permit.
- b. Label warnings on transportation means and service or business sites.
- c. Submitting a report on types and quantity of hazardous waste to the ministry responsible for environment and natural resources, monthly or as required.

Article 263. Payment for environmental pollution

1. Hazardous waste operators conducting exploitation, treatment, destruction, or final handling of hazardous waste shall make payment for environmental pollution in compliance with the provisions of this Code.
2. As stated in the above paragraph, the types of sites required to make environmental pollution payments and payment rates shall be determined in the inter-ministerial *prakas* by the ministry responsible for environment and natural resources and the ministry or institution responsible for economy and finance.

PART 4

IMPORTATION, EXPORTATION, AND TRANSBOUNDARY TRANSPORTATION OF HAZARDOUS WASTE

Article 264. Prohibition of Hazardous Waste Importation

Hazardous waste importation from any foreign country to the Kingdom of Cambodia is prohibited unless the hazardous waste fulfills the need for a dangerous domestic waste processing investment project. In this case, the format and procedure of hazardous waste importation shall be determined by a sub-decree.

Article 265. Permission for hazardous waste exportation

Hazardous waste exportation from the Kingdom of Cambodia shall be permitted only when meeting the following requirements:

- a. Having an importation permit from that destination country.
- b. Having the exportation permit from the ministry responsible for environment and natural resources
- c. Having a guarantee letter from the exporter certifying that hazardous waste to be exported will not be returned to the Kingdom of Cambodia.
- d. Following the hazardous waste exportation procedure in compliance with relevant international legal instruments concerning hazardous waste to which the Kingdom of Cambodia is a state party and other requirements as determined by the Royal Government.

Article 266. Permission to transport hazardous waste across the Kingdom of Cambodia

Transportation of hazardous waste from one country to another across the Kingdom of Cambodia should be permitted only when meeting the following requirements:

- a. Having a permit from the ministry responsible for environment and natural resources and competent ministry or institutions at least 30 days before transboundary transportation.
- b. Having paid transboundary transportation fees as determined by the ministry responsible for economy and finance.
- c. Having a contract to pay for damage and environmental cleaning in the incident of accidental leaks of hazardous waste during transboundary transportation.
- d. May request temporary parking during transboundary transportation for a maximum of fifteen (15) days from entering the Kingdom of Cambodia.
- e. Following the hazardous waste exportation procedure in compliance with relevant international legal instruments concerning hazardous waste to which the Kingdom of Cambodia is a state party and other requirements as determined by the Royal Government.

PART 5

MEASURES IN CASE OF HAZARDOUS WASTE SPILL OR LEAKS

Article 267. Emergency response planning

Site owners of production and commercial activities that generate hazardous waste and hazardous waste operators shall develop emergency response plans for the incident of spills, leaks, explosion, inflammation, or release of hazardous waste and shall submit the plan to the ministry responsible for environment and natural resources for review and approval.

Article 268. Obligation of site owners of production, commercial activities, and services that generate hazardous waste and hazardous waste operator in production, commercial activities, or services

In production, commercial activities, or services, in case of accident or incidence of spill, leaks, explosion, inflammation, or release of hazardous waste, the site owner of production commercial activity and services generating hazardous waste and hazardous waste operators shall have the following obligations:

- a. Urgently notify and request intervention from the ministry responsible for environment and natural resources, competent ministries or institutions, sub-national administration, and rescue service agents regarding the happening or the incident.
- b. Take urgent measures to prevent or stop the spill or leaks and collect, pack, and clean the spilled or leaked hazardous waste.
- c. Collaborate with the ministry responsible for environment and natural resources and competent ministries or institutions to provide detailed information about the spill, leaks, explosion, or inflammation and assess the impact or dangers on humans, animals, or the environment regarding the spilled or leaked hazardous waste.

Article 269. Liability for harm caused by spillages or leakages of hazardous waste

Hazardous waste owners and operators shall be liable for compensating the damage to public health, properties, or environment and environmental pollution restoration due to hazardous waste spills or leaks into the environment in accordance with the provision of this code.

PART 6 PROHIBITION

Article 270. The use of hazardous waste services without permission

The giving, sales, trading, or gifting of hazardous waste services to individuals without a hazardous waste service permit from the ministry responsible for environment and natural resources shall be strictly prohibited.

Article 271. Disassembly without permission

Disassembling devices or consumer materials considered hazardous waste without permission from the ministry responsible for environment and natural resources shall be strictly prohibited.

Article 272. Impact-causing activities

Storage, discharge, burning, burying, and disposal of hazardous waste that impacts to public health, environment, or property damage shall be strictly prohibited.

CHAPTER 5 HAZARDOUS WATER MANAGEMENT CONTROL

Article 273. Control authority

The ministry responsible for environment and natural resources shall have the duty to control hazardous waste management means at sites that generate hazardous waste and hazardous waste service and business sites that are required to install management means in accordance with environmental safety rules and requirements for hazardous waste discharge permit or hazardous waste service or business permits.

Article 274. Hazardous Waste Inspection

1. In case of any report or complaint about hazardous waste discharge or service operation that causes an impact on public health, biodiversity, and environment or public or private property damage, the Ministry Responsible for environment and natural resources, in collaboration with relevant competent ministries or institutions and sub-national administration shall open an urgent inspection in accordance with environmental pollution inspection procedure as stated in this Code.
2. If it finds severe danger to public health, environment, or properties due to hazardous waste discharge and handling or service operation, the ministry responsible for environment and natural resources shall have the right to issue a written letter to postpone the discharge, production or services that have caused dangers and shall follow further legal procedures.

SECTION 5 WATER POLLUTION CONTROL

CHAPTER 1 GENERAL PROVISIONS

Article 275. Purpose

This section aims to prevent and reduce water pollution by implementing control measures on activities that cause water pollution to ensure environmental protection, biodiversity, and public health protection.

Article 276. Scope

This section shall apply to discharge point-source and nonpoint-source liquid waste or pollutants into water sources in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 277. Responsible institutions

The ministry responsible for the environment and natural resources in collaboration with competent ministries or institutions and subnational administration shall lead the management and control of point source and nonpoint source water pollution.

Article 278. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following duties:

- a. Develop the policies, strategic plans, action plans, legal instruments, guidelines, and technical manuals concerning water pollution management and liquid water and wastewater discharge management in collaboration with competent ministries and institutions.
- b. Develop environmental safety rules for liquid waste, wastewater, and pollutant management.
- c. Investigate, monitor, and evaluate public water pollution and areas vulnerable to water pollution and public dissemination.

- d. Manage water pollution source data, public water quality data, and pollutants released into public water areas.
- e. Control, monitor, and evaluate treatment technology, liquid waste, and wastewater management means and treatment systems at production, business, and service sites.
- f. Research and disseminate technology to prevent public water pollution in public water areas and the dangers of pollutants on public health, biodiversity, and the environment.
- g. Develop action plans for emergency response in the incidences of environmental pollutant spills and leaks in collaboration with competent ministries or institutions.
- h. Provide support, technical guidance, and capacity development to sub-national administrations to ensure wastewater treatment system management effectiveness in their jurisdiction.
- i. Act as a national focal point of international agreements concerning water pollution management to which the Kingdom of Cambodia is a state party.

Article 279. Roles and duties of sub-national administration

Sub-national administration shall have the roles and duties to manage sewage systems and wastewater treatment systems in its jurisdiction in accordance with this Code and applicable legal instruments.

CHAPTER 3 PUBLIC WATER POLLUTION CONTROL

Article 280. Action plans for public water pollution control

The ministry responsible for environment and natural resources shall develop precautionary and preventive action plans for reducing public water pollution and improving the quality of public water sources vulnerable to pollution.

Article 281. Standardization and classification of public water quality

In collaboration with competent ministries or institutions, the ministry responsible for environment and natural resources shall develop public water quality standards, types, and indexes for public health protection, biodiversity, and evaluation of water quality conditions in the Kingdom of Cambodia.

Article 282. Monitoring of public water pollution

The ministry responsible for environment and natural resources shall monitor public water quality in areas vulnerable to pollution to evaluate public water quality conditions in the Kingdom of Cambodia.

Article 283. Public water pollution information provision

The ministry responsible for environment and natural resources shall make publicly available information and report on findings from monitoring and evaluating public water pollution in compliance with the provisions of this Code.

Article 284. Acting in case of public water pollution

In cases that the water quality conditions or self-cleaning ability in public water areas decline, which may cause water pollution or have a severe impact on public health, the ministry responsible for environment and natural resources shall:

- a. Take action to prevent and reduce public water pollution and improve water quality in public water areas in collaboration with competent ministries or institutions, sub-national administration, and stakeholders.
- b. Review the standardization of liquid waste and wastewater discharge for implementation in public water areas vulnerable to pollution or conservative water areas.

Article 285. Transboundary water pollution

In case of transboundary water pollution, the ministry responsible for environment and natural resources and relevant ministries or institutions shall take immediate intervention measures in compliance with the emergency response plan and international legal instrument to which the Kingdom of Cambodia is a State Party and shall determine the scale of damage due to transboundary water pollution.

CHAPTER 4 POINT SOURCE WATER POLLUTION CONTROL

Article 286. Liquid waste discharge permit

Point source liquid water discharge into surface or underground public water areas and public sewage systems shall receive a permit from the ministry responsible for environment and natural resources.

Article 287. Responsibility of point source owners

Point source owners or operators shall be responsible for liquid waste and wastewater management and treatment before discharge into public water areas and shall be responsible for the following activities:

- a. Technically install and operate liquid waste treatment facilities to ensure that liquid waste discharge responds to discharge standards in accordance with applicable legal instruments.
- b. Implement self-monitoring and self-reporting measures for liquid waste management and discharge.
- c. Organize to have people responsible for implementing environmental pollution management to operate liquid waste treatment facility.

Article 288. Notification requirement

Source point owners or operators who receive liquid waste discharge permits shall immediately notify the ministry responsible for environment and natural resources if:

- a. The liquid waste treatment facility process encounters any irregularity or incident.
- b. The automated control facility for discharged liquid waste quality encounters any irregularity.
- c. There is a failure to implement requirements determined in liquid waste discharge permit.

Article 289. Liquid waste sample analysis

1. Liquid waste samples collected during inspection, monitoring, or operation by liquid waste owners, shall be analysed by a laboratory of the ministry responsible for environment and natural resources or other laboratories receiving professional analysis certificates from national or international institutions.
2. Liquid waste owners shall be responsible for paying for liquid waste sample analysis services.

Article 290. Response measures in case of pollution

1. In cases of liquid waste discharge or incidence of point source liquid waste leakage causing impact to public health and environment, production, agriculture, industry, aquaculture, or public water safety, the point source owner or operator shall take urgent response measures to prevent and mitigate the dangers or impact and shall immediately notify the ministry responsible for environment and natural resources and sub-national administration.
2. In cases of severe pollution, the ministry responsible for environment and natural resources shall give an order to partly suspend or wholly suspend the operation of the point source causing environmental pollution.

Article 291. Management of sludge from water treatment plants

Point source owners or operators shall be responsible for managing sludge from their liquid waste treatment operation in compliance with technical guidelines of the ministry responsible for environment and natural resources and applicable legal instruments.

Article 292. Environmental pollution payment requirement

1. Persons that discharge liquid waste pollutants into point sources within the environment shall pay for environmental pollution.
2. The types of point sources required to pay for environmental pollution and the payment rate stated in paragraph 1 above shall be determined in an inter-ministerial *prakas* of the ministry responsible for environment and natural resources and the ministry or institution responsible for economy and finance.

CHAPTER 5

CONTROL OF NONPOINT SOURCE WATER POLLUTION

Article 293. Action plan to prevent nonpoint source water pollution

The ministry responsible for environment and natural resources, competent ministries or institutions, and sub-national administration shall:

- a. Develop a precautionary and preventive action plan for nonpoint source water pollution.
- b. Take urgent and practical response measures to reduce or restore nonpoint source water pollution.
- c. Develop technical guidelines on excellent environmental cooperation for nonpoint source water pollution.

Article 294. Permit requirement for a project or an activity

Relevant ministries or institutions with the authority to issue a permit for a project or an activity that may cause water pollution shall incorporate requirements in the permit to ensure the implementation of excellent environmental operation for nonpoint source water pollution.

Article 295. Obligation to comply with environmental best practices

Persons who use land or may cause the release of pollutants into public water areas, shall be obliged to comply with and implement environmental best practices to prevent water pollution from their project or business activities.

CHAPTER 6 MARINE POLLUTION CONTROL

Article 296. Responsible ministries or institutions

The ministry responsible for environment and natural resources in collaboration with competent ministries or institutions and subnational administration shall manage and coordinate marine pollution control and shall have the following roles and duties:

- a. Develop strategic plans, action plans, and legal instruments concerning precaution, prevention, and mitigation of marine pollution.
- b. Develop and manage data concerning marine pollution.
- c. Control activities at pollution sources on land, islands, petroleum extraction sites, and watercraft.
- d. Coordinate developing and implementing an urgent response plan in cases of marine pollution incidents.
- e. Implement education and dissemination measures to promote public awareness of urgent response plans and measures to prevent and mitigate marine pollution.

Article 297. Collaboration with relevant ministries or institutions

The ministry responsible for environment and natural resources shall collaborate with competent ministries or institutions and subnational administrations to implement urgent response plans concerning marine pollution from land, watercraft transportation, seabed oil and mining activities, and resolving transboundary environmental marine pollution.

Article 298. Prohibition of Waste discharge

Release of solid waste, liquid waste, wastewater, oil waste, or chemical waste from lands, islands, oil extraction sites, and fishery tools into the sea without prior treatment or permission from the ministry responsible for environment and natural resources shall be strictly prohibited.

Article 299. Responsibility of watercraft owners

1. Watercraft owners shall be responsible for managing and taking waste to the shore by complying with applicable legal instruments and international legal tools to which the Kingdom of Cambodia is a state party.
2. Watercraft, as determined in Paragraph 1 above, shall include but not be limited to watercraft that transport goods, petroleum, passenger, tourist, fishery, ferry, and soil, gravel, and sand dredging ships.
3. International watercraft owners shall be responsible for the leaks of chemical substances, petroleum, and all types of waste that cause environmental marine pollution.

Article 300. Responsibility of seabed oil and mining project owners

Seabed oil and mining project owners shall be responsible for:

- a. Developing an urgent response plan for spills, leaks, petroleum inflammation, and chemical substances.
- b. Immediately collaborate and notify the competent ministries or institutions and subnational administration in case of an incident.
- c. Installing waste handling and incident response means complying with this Code's provisions and international legal tools to which the Kingdom of Cambodia is a state party.

Article 301. Responsibility of public and private port owners

Public and private port owners, in collaboration with the ministry responsible for environment and natural resources, shall organize means to receive and handle waste from watercraft in accordance with the provisions of this Code and international legal instruments to which Cambodia is a State Party.

Article 302. Responsibility of building site or watercraft repair owners

Building site or watercraft repair owners shall be responsible for managing waste generated from watercraft building, repair, dismantling, or cleaning activity in compliance with environmental safety rules for waste and pollutant management as determined in Point B of Article 278 (Roles and duties of the ministry responsible for environment and natural resources) of this Code.

Article 303. Transboundary marine pollution

In case of transboundary marine pollution, the ministry responsible for environment and natural resources and competent ministries or institutions shall take urgent response measures in collaboration with relevant regional and international mechanisms in compliance with the urgent response plan, applicable legal instruments, and international legal instruments to which Cambodia is a State Party.

Article 304. Liability for marine pollution harm

1. The ministry responsible for environment and natural resources, competent ministries or institutions, and relevant national mechanisms shall collaborate with regional and international mechanisms to define the scale of marine pollution harm.
2. Formats and procedures for claim and compensation for marine pollution harm and environmental damage restoration shall comply with the provisions of this Code and international legal tools to which the Kingdom of Cambodia is a state party.

SECTION 6
AIR POLLUTION, NOISE, AND VIBRATION CONTROL

CHAPTER 1
GENERAL PROVISIONS

Article 305. Purpose

This section aims to prevent and mitigate air pollution, noise, and vibration by putting forward measures to control activities that cause air pollution, noise, and vibration to ensure environmental protection, biodiversity conservation, and public health protection.

Article 306. Scope

This section applies to activities that discharge mobile source and immobile source air pollutants, noise, and vibrations in the Kingdom of Cambodia.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

Article 307. Responsible institutions

In collaboration with competent ministries or institutions and subnational administration, the ministry responsible for environment and natural resources shall manage and coordinate measures to address air pollution, noise, and vibration control.

Article 308. Roles and Duties of the Ministry Responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop drug policies, strategic plans, legal instruments, option plans, and technical guidelines concerning air pollution, noise, and vibration management.
- b. Develop atmospheric air quality standards, indoor air quality standards, air pollutant discharge standards, noise and vibration standards, and atmospheric air quality index.
- c. Monitor and evaluate atmospheric air quality and disseminate about atmospheric air quality conditions.
- d. Manage atmospheric air quality data, air pollution sources, and pollutant release into the air.

- e. Control, monitor, and evaluate air pollutant treatment and discharge control facilities at production, business, or service sites.
- f. Take, delete, coordinate, and collaborate with competent ministries or institutions and subnational administration to control mobile source and immobile source noise and vibration discharge.
- g. Disseminate and disseminate management technology for mobile source and immobile source air pollution and the danger level of air pollutants in atmospheric and indoor air.
- h. Act as a national focal point of international legal tools concerning the protection and control of air pollution to which the Kingdom of Cambodia is a state party.

CHAPTER 3 CONTROL OF MOBILE SOURCE AIR POLLUTION

Article 309. Prohibition of the mobile source air pollution emission that exceeds standards

Mobile source air pollution emission that does not meet air pollutant emission standards as stated in article 168 (waste discharge standards) of this Code is strictly prohibited.

Article 310. Development of legal instruments concerning the installation of air pollutant emission reduction tools

In collaboration with relevant competent ministries or institutions, the ministry responsible for environment and natural resources shall develop legal instruments to determine the types of vehicles which are required to install air pollutant emission reduction measures.

Article 311. Air pollutant emission certificate

Vehicles traveling in the Kingdom of Cambodia shall have air pollutant emission certificates from competent ministries or institutions.

CHAPTER 4 CONTROL OF IMMOBILE SOURCE AIR POLLUTION

Article 312. Prohibition of air pollutant emission that exceeds standards

The emission of air pollutants from immobile sources into the atmosphere that does not meet the air pollutant emission standards as provided in Article 168 (waste discharge standards) of this Code shall be prohibited.

Article 313. Prohibition of odour emissions that affect people's living and public health

The generation and emission of odours that disturb people's lives or affect public health is prohibited.

Article 314. Air pollutant emission permit

The emission of air pollutants from immobile sources shall have an air pollutant emission permit from the ministry responsible for environment and natural resources.

Article 315. Control of immobile source air pollution

The ministry responsible for environment and natural resources shall control air pollutant emissions from immobile sources.

Article 316. Owner and operator liabilities for air pollutant emission

The immobile source owners or operators shall install and operate treatment facilities and control facilities for air pollutant emission into atmospheric air at the emission points.

Article 317. Measures and notifications on air pollution cases

If the treatment facility and control facility for air pollutant emission do not work or cause air pollution, the immobile source owners or operators shall take immediate action to prevent air pollution and urgently notify the ministry responsible for environment and natural resources.

Article 318. Storage and provision of air pollutant emission monitoring data

Immobile source owners or operators shall store air pollutant emission monitoring data and provide the data to the ministry responsible for environment and natural resources.

Article 319. Requirement of environmental pollution payment

1. Persons emitting air pollutants from immobile sources, which increases atmospheric air pollutant load, shall be required to pay for environmental pollution.
2. The types of immobile sources required to pay for environmental pollution and the environmental pollution payment rate stated in paragraph 1 above shall be determined in an inter-ministerial *prakas* of the ministry responsible for environment and natural resources and the ministry or institution responsible for economy and finance

CHAPTER 5 CONTROL OF INDOOR AIR QUALITY

Article 320. Ministry or institution responsible for indoor air quality control

The ministry responsible for environment and natural resources shall:

- a. Define indoor air quality management requirements and standards.
- b. Control indoor air quality.

Article 321. Requirement for construction project approval

For all types of building construction project proposal approval, the competent ministries or institutions shall:

- a. Include requirements related to indoor air quality to ensure the health safety of accommodation or long-term employment in the building.
- b. Require the building owners or operators to install facilities that ensure standard indoor air quality.

Article 322. Indoor air quality certificate

1. Building owners or operators shall have an indoor air quality certificate from the ministry responsible for environment and natural resources.
2. The types of building location and procedure for applying for an indoor air quality certificate shall be determined in the legal instruments in compliance with the provisions of this Code.

CHAPTER 6 CONTROL OF AMBIENT AIR QUALITY

Article 323. Ambient air quality monitoring

1. The ministry responsible for environment and natural resources shall monitor ambient air quality and ambient air quality in areas vulnerable to air pollution and surrounding sources or sites with potential air pollution to evaluate ambient air quality conditions.
2. The ministry responsible for environment and natural resources shall make publicly available information related to ambient air quality conditions in compliance with the provision of this Code

Article 324. Notification of air pollution risk

If there are air pollution risks that may impact public health or the environment, the ministry responsible for environment and natural resources shall inform the public about air pollution conditions, the possibility of danger, and health protection measures.

Article 325. Ambient air quality control surrounding immobile sources

Immobile source business owners or operators who have received air pollutant emission permits shall be responsible for monitoring and controlling ambient air pollution surrounding their sites and submitting monitoring reports to the ministry responsible for environment and natural resources.

Article 326. Prohibition of activities causing air pollution

The following activities that cause air pollution are strictly prohibited:

- a. Burning of forest, grassland, rice stubble, agricultural waste, and burning of garbage or solid waste in open space or garbage landfills.
- b. Burning of all types of waste or inflammatory objects in public spaces, in the street, in public or private buildings, or on private/possessed land causes public health impact, security, and social order.
- c. Transportation of earth, sand, stone gravel, or construction materials that cause dust emission affects air quality, public health, public traffic, and public order.

CHAPTER 7

CONTROL OF AIR POLLUTION IN FOSSIL FUEL

Article 327. Institutions controlling air pollutant-generating compounds in fossil fuel

The ministry responsible for environment and natural resources in collaboration with competent ministries or institutions shall be responsible for:

- a. Developing chemical compound threshold standards in fossil fuel that leads to severe air pollution.
- b. Developing procedures to control chemical compounds in fossil fuels that generate air pollutants.

Article 328. Authorization for fossil fuel importation

1. Importation, production, distribution, and use of fossil fuels shall be authorized by the ministries or institutions responsible for petroleum.
2. The procedure to control and issue an importation permit shall be determined by legal instruments in compliance with the ministry or institution responsible for petroleum.

CHAPTER 8 TRANSBOUNDARY AIR POLLUTION

Article 329. Transboundary air pollution

When a notification, reports, or research findings on transboundary air pollution that causes harm to the environment in the Kingdom of Cambodia is received, the ministry responsible for environment and natural resources shall collaborate with competent ministries or institutions to find means to reduce the impact from transboundary air pollution via bilateral multilateral and regional mechanisms.

Article 330. Transboundary air pollution from domestic origin

In case air pollution from domestic origin may cause transboundary air pollution that affects neighbouring countries and the region, the ministry responsible for environment and natural resources, in collaboration with competent ministries or institutions, shall take measures to reduce the impacts to their best ability and shall inform affected countries and regions.

CHAPTER 9 CONTROL OF NOISE AND VIBRATION

Article 331. Prohibition of standard-exceeding noise or vibration

Activities that generate noise or vibration that exceed the standard provided in Article 169 (noise and vibration standard) of this Code shall be strictly prohibited.

Article 332. Obligation to install noise or vibration-reducing facility

Site owners or operators shall be responsible for installing noise or vibration-reducing facilities in compliance with the provisions of this code or applicable legal instruments.

Article 333. Monitoring requirement

Relevant competent ministries or institutions and subnational administration shall incorporate various requirements into the permit for building project proposals or projects that may cause impacts through noise or vibration emissions to ensure that they comply with the noise and vibration emission standards.

Article 334. Liability for harm

Persons that cause noise or vibration emissions exceeding prescribed standards shall be liable for property damage or impact on public health and the environment.

SECTION 7
MANAGEMENT OF OZONE-DEPLETING SUBSTANCES, COOLANTS, AND
PRODUCTS CONTAINING OR USING OZONE-DEPLETING SUBSTANCE

CHAPTER 1
GENERAL PROVISIONS

Article 335. Purpose

This section aims to reduce and eliminate the use of ozone-depleting substances and coolants by putting forward control measures for ozone-depleting substances, coolants, and products related to using ozone-depleting substances to ensure environmental protection, biodiversity conservation, and public health protection.

Article 336. Scope

This section shall apply to the production, importation, exportation, cross-border transportation, storage, purchase, use, transfer, treatment, and destruction of ozone-depleting substances, coolants, and products related to using ozone-depleting substances in the Kingdom of Cambodia.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

Article 337. Responsible institutions

In collaboration with competent ministries or institutions and subnational administration, the ministry responsible for environment and natural resources shall take the lead in managing and controlling the use of ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants.

Article 338. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, strategic plans, legal instruments, action plans, and technical guidelines to manage and control the use of ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants.

- b. Take the lead, coordinate, and collaborate with relevant ministries or institutions and sub-national administrations to control and monitor the production, importation, exportation, cross-border transportation, storage, purchase, use, transfer, treatment, and destruction of ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants.
- c. Manage data and information concerning the use of ma ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants.
- d. Develop the list of types of ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants.
- e. Control, monitor, and evaluate the use of ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants.
- f. Review and approve proposals for the production, importation, exportation, cross-border transportation, storage, purchase, use, transfer, treatment, and destruction of ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants.
- g. Act as a national focal point for international legal tools concerning ozone protection, to which the Kingdom of Cambodia is a state party.

CHAPTER 3

REGISTRATION, APPLICATION FOR ANNUAL QUOTA, IMPORTATION, EXPORTATION, CROSS-BORDER TRANSPORTATION, AND LABELLING

Article 339. Registration application and annual quota permit

- 1. Persons intending to import, export, cross-border transport, or destroy ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants shall register and apply for an annual quota permit at the ministry responsible for environment and natural resources.
- 2. Procedures and formats for registrations and annual quarter permit applications shall be determined in a *prakas* by the Minister of Responsible for environment and natural resources.

Article 340. Application for importation, exportation, and transportation

Importation, exportation, cross-border transportation, or destruction of ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants shall receive a permit from the ministry responsible for environment and natural resources.

Article 341. Labelling on containers of ozone-depleting substances or coolant

Persons who import ozone-depleting substances and coolants shall notify the ministry responsible for environment and natural resources for controlling and labelling all containers with ozone-depleting substances and coolants.

CHAPTER 4

COMMERCIAL ACTIVITIES AND THE USE OF OZONE-DEPLETING SUBSTANCES, COOLANTS, AND PRODUCTS CONTAINING OR USING OZONE-DEPLETING SUBSTANCES AND COOLANTS

Article 342. Permit application for sale and distribution of ozone-depleting substances

Persons who sell, distribute, or transfer containers for ozone-depleting substances or coolants shall apply for a permit from the ministry responsible for environment and natural resources or subnational administration.

Article 343. Control of commercial activities of ozone-depleting substances

1. The sale or distribution of ozone-depleting substances and coolants shall come with labels issued by the ministry responsible for environment and natural resources.
2. Sale or distribution sites shall have at least one professional staff who has received technical training to manage ozone-depleting substances, coolants, and products containing or for using ozone-depleting substances and coolants from the ministry responsible for labour and vocational training or the ministry responsible for environment and natural resources

Article 344. Consumer registration

Persons who use ozone-depleting substances, coolants, and products containing or using them in their production operation or business activity shall register as consumers at the ministry responsible for environment and natural resources or subnational administration.

CHAPTER 5
INSTALLATION, MAINTENANCE, AND REPAIR SERVICES FOR PRODUCTS
CONTAINING OR FOR USING OZONE-DEPLETING SUBSTANCES AND COOLANTS

Article 345. Registration of product installation, maintenance, and repair service

Persons providing installation, maintenance, and repair services for products containing or using ozone-depleting substances and coolants shall register their service at the ministry responsible for environment and natural resources or subnational administration.

Article 346. Permit for treatment or destruction of ozone-depleting substances and coolants

Persons intending to treat or destroy ozone-depleting substances and coolants shall have a permit from the Ministry of environment and natural resources.

Article 347. Professional staff

All sites for importation, sale or distribution and installation, maintenance, and repair services for products containing or for using ozone-depleting substances and coolants and cleaning or destruction sites for ozone-depleting substances and coolants shall have at least one professional staff who has received technical training to manage ozone-depleting substances and coolants from the ministry responsible for labour and vocational training or the ministry responsible for environment and natural resources.

BOOK 4

**MANAGEMENT OF NATURAL PROTECTED AREAS AND
MANAGEMENT OF COASTAL, ISLAND AND MARINE NATURAL
RESOURCES**

**SECTION 1
NATURAL PROTECTED AREAS**

**CHAPTER 1
GENERAL PROVISIONS**

Article 348. Purpose

This section aims to ensure the management, protection, and conservation of natural resources sustainably to preserve cultural and natural heritages, an abundance of natural resources and biodiversity, ecosystem function and services, and living thing evolution to support income sources, food, and daily consumptions for local community people to contribute to the support for development, economy, society, culture, and environment.

Article 349. Scope

This section shall apply to management, protection, conservation, and development in natural protected areas in compliance with the provisions of this Code as well as government policies and international legal instruments to which the Kingdom of Cambodia is a state party.

**CHAPTER 2
RESPONSIBLE INSTITUTIONS**

Article 350. Responsible institutions

1. The ministry responsible for environment and natural resources and subnational administration shall be responsible for managing natural protected areas in compliance with the provisions of this Code.
2. Roles, responsibilities, and specific collaboration of the competent ministries or institutions and subnational administration concerning natural protected areas shall be determined by the Royal Government.

Article 351. Roles and Duties of the Ministry Responsible for environment and natural resources

1. The ministry responsible for environment and natural resources shall be the government's secretariat in managing and conserving biodiversity and using natural protected areas in the Kingdom of Cambodia.
2. The ministry responsible for environment and natural resources shall have the following duties:
 - a. Develop drafts of national policies, national strategy plans, management plans, legal instruments, and technical guidelines for managing natural protected areas.
 - b. Research, assess, and demarcate natural protected areas borders for registration.
 - c. Develop forest cover mapping, watershed mapping, and each official natural protected area mapping.
 - d. Propose modification for any natural protected areas as required by the Royal Government or in compliance with international legal tools to which Cambodia is a state party.
 - e. Assess and classify types of forest, fishery, and biodiversity resources in natural protected areas
 - f. Research, collect, compile, and create a forest fishery and biodiversity resource database.
 - g. Educate, disseminate, and promote public awareness to preserve and protect natural resources in natural protected areas.
 - h. Act to control, research, prevent, and crack down on natural resource crimes, build the cases following applicable procedures, and act as a civil party unit to claim compensation for damage and restore natural resource damage before the competent court.
 - i. Develop capacity and provide technical support to subnational administration and local community in managing natural protected areas.
 - j. Inspect, monitor, and evaluate the management of natural protected areas.
3. The ministry responsible for environment and natural resources shall have an expert unit responsible for natural protected areas as a secretariat for natural protected areas management. The specialist unit responsible for natural protected areas shall be determined in a sub-decree.

Article 352. Roles and responsibilities of sub-national administration

1. The subnational administration shall have the role to manage and conserve biodiversity and ensuring the use of natural resources in protected areas in its jurisdiction in compliance with national strategic plans, legal instruments, and technical guidelines for natural protected area management and provisions of this Code.

2. Subnational administration shall have the following roles and responsibilities:
 - a. Ensure sustainable management of natural protected areas and increase reforestation on degraded or empty forest land.
 - b. Develop and implement a natural protected areas management action plan in its jurisdiction.
 - c. Take actions to control, prevent, research, and crack down on natural resource crimes in natural protected areas and take cases to court following applicable legal procedures.
 - d. Prevent and take actions against all activities that damage or adversely impact natural protected areas including but not limited to cutting, excavating, invading or encroaching forest land, flooded forests, mangrove forests, sea grass, coral reefs, harvesting of timber and non-timber forest products, fishery, water pollution, poisoning, using chemical substances, disposal of solid or liquid waste into water or on land or underground, using electrocution equipment, polluting biodiversity resource centre/surrounding, forest fire, swamp land fire, nomadic agricultural farming, importing pest diseases and alien animals, plants or plant seeds.
 - e. Control permit and another document as provided in this Code.
 - f. Control all exportation and importation of animals, plants, plant seeds, and samples in natural protected areas.
 - g. Support local communities' traditional and customary use of natural resources in conservation and sustainable use zones.
 - h. Provide permission principles and recognize natural protected area community establishment in sustainable use areas and community areas that receive approval from the ministry responsible for environment and natural resources.
 - i. Manage and develop natural protected area communities and ecotourist communities.
 - j. Educate and disseminate information to raise awareness among citizens about the importance of biodiversity management and conservation, environmental restoration, and sustainable use of natural resources.
 - k. Mobilize resources to support biodiversity protection, conservation, and restoration.
 - l. Cooperate with relevant ministries or institutions, development partners, national organizations, international organizations, civil society organizations, and generous individuals to strengthen capacity for management, conservation, and development of natural resources.
3. The government or the ministry responsible for environment and natural resources shall have the right to transfer additional functions or modify other transferred functions concerning the management of natural protected areas to subnational administration.
4. Allocation of functions, roles, and duties to each administration of subnational administrations should be determined by sub-decrees.

5. Subnational administration shall have the unit responsible for natural protected areas management as a secretariat to manage and conserve natural resources in natural protected areas within their jurisdiction.

Article 353. Limitation of rights of sub-national administration

Without permission from the Royal Government, the subnational administration shall not decide on the following tasks:

- a. Permission to cut, excavate, invade, clear the forest, burn the forest land to build houses, huts, halls, possess the land, or plant crops in naturally protected areas.
- b. Permission to build all types of physical infrastructure in natural protected areas.
- c. Sale, rent, gift, or transfer of land tenure right in natural protective areas, whether in part or whole.
- d. Permission to explore or commercialize all types of mines and stones and excavate and take them from or into natural protected areas.
- e. Issuance of certificate or permit to buy, sell, and possess all types of land in natural protected areas.
- f. Permission to plant types of alien plants or non-native alien plants, which has the potential to impact the biological nature of native plants in natural protected areas.
- g. Transforming any part of natural protected areas into residential land or village.
- h. Permission to harvest timber or non-timber forest products in natural protected areas for economic purposes.

CHAPTER 3

NATIONAL POLICIES, STRATEGIC PLANS, AND ACTION PLANS FOR NATURAL PROTECTED AREA MANAGEMENT

Article 354. National policies on natural protected areas

1. The ministry responsible for environment and natural resources shall develop a draft national policy on natural protected areas directed at sustainable natural protected areas management.
2. The national policy on natural protected areas shall be launched by the Royal Government.

Article 355. National strategic planning for natural protected areas management

1. The ministry responsible for environment and natural resources shall develop national strategic plans for natural protected areas management in compliance with national policies on natural protected areas in consultation with relevant ministries or institutions, subnational administrations, and relevant stakeholders.
2. National strategic plans for managing natural protected areas shall be decided by the royal government as proposed by the Ministry of Responsible for environment and natural resources.

Article 356. Review and modification of natural protected areas management plan

1. The ministry responsible for environment and natural resources shall develop, review, and modify national strategic plans for natural protected areas every five (5) years in consultation with relevant ministries or institutions, subnational administrations, and relevant stakeholders.
2. National strategic plans for natural protected areas shall be reviewed and modified in a period of less than five years in the following necessary cases:
 - a. There is specific scientific information and awareness of natural resources and ecosystems, including types of animals, plants, biological resources, resources punto, economic, social, and cultural resources.
 - b. Existential threats to natural protected areas.
 - c. Implementation in compliance with the government policies.

Article 357. Action planning

1. The ministry responsible for environment and natural resources and subnational administration shall develop action plans for natural protected areas management in compliance with the national strategic plans on natural protected areas in consultation with local communities and stakeholders.
2. The ministry responsible for environment and natural resources should launch action plans for natural protected area management.

CHAPTER 4

ESTABLISHMENT AND MODIFICATION OF NATURAL PROTECTED AREAS

Article 358. Establishment of natural protected areas

1. The establishment of natural protected areas shall be determined in a sub-decree upon proposal by the ministry responsible for environment and natural resources or upon proposal by a subnational administration to the ministry responsible for environment and

natural resources in consultation with relevant ministries or institutions, subnational administration, and relevant stakeholders.

2. The establishment of any natural protected area shall be based on the findings of the research, special features, value, use, and potentials for natural resources, biodiversity, ecosystem, historical site, geological, economic, social, and environmental factors, the purpose of management, right to use natural resources and other relevant factors as well as policies and strategies of the royal government.
3. Establishment of natural protected areas shall be based on at least one of the following criteria:
 - a. Habitats of plant and animal species that are rare, nearly extinct, or threatened.
 - b. Habitats of one or more migratory species.
 - c. Areas of water sources or watershed, mountain, swamp land, and forests that support ecosystems, biodiversity, and unique scenery for tourism
 - d. Special features related to history include cultural properties, the history of origins caused by geological, physical, or biological factors, or human intervention.
 - e. Habitats of coral reefs, marine plant species, spawning grounds, or habitats of marine species that are important for conservation, research, and entertainment.
4. Other criteria for establishing natural protected areas shall be determined by sub-decree.

Article 359. Categories of natural protected areas

Types of natural protected areas are as follows:

- a. National Park.
- b. National Marine Park
- c. Wildlife Sanctuary.
- d. Protected Landscape
- e. Multiple Use Area
- f. Ramsar Site
- g. Biosphere Reserve
- h. Natural Heritage Site
- i. Other Natural Protected Areas.

Article 360. Modification of natural protected areas

1. Any modification of natural protected areas shall be determined by a sub-decree upon the proposal by the ministry responsible for environment and natural resources or proposal by subnational administration to the ministry responsible for environment and natural resources in consultation with relevant ministries or institutions, subnational administrations, and relevant stakeholders.

2. Any modifications of natural protected area shall be based on research findings, criteria, management purpose, right to use natural resources, land tenure rights, and other relevant factors
3. Any modification of natural protected areas shall comply with:
 - a. The importance of biodiversity, topography, geology, history, culture, and conservation of the areas proposed to modify the natural protected areas.
 - b. Conditions and situations of the areas proposed for modification of natural protected areas by attaching clearly scaled maps indicating the site, boundaries, and size of the natural protected area.
 - c. The managements of the region and existential threats.
 - d. The use of natural resources and land in natural protected areas
 - e. The outcomes from the consultation with relevant ministries or institutions, subnational administrations, and stakeholders.
 - f. The applicable provisions of government policies and strategies.

Article 361. Incorporation of natural protected areas into the international framework

1. The Royal Government may modify any natural protected areas with national and international significance and apply for world or regional natural heritage status in compliance with criteria in the national or regional legal instruments
2. For any natural protected area listed as a world or regional natural heritage, the royal government shall take necessary measures to ensure the conservation management of the site in compliance with regional or international legal tools.

Article 362. Determination of protected and conservation sites in natural protected areas

1. In each natural protected area, there may be the determination of genetic diversity, protection and conservation sites, and classification, categories and types of forest, wild plants, wild animals, fishery, and biodiversity resources.
2. The determination of genetic diversity, protection and conservation sites and classification, categories and types of forest, wild plant, wild animals, fishery, and biodiversity resources shall be determined in the *prakas* by the Minister responsible for environment and natural resources.

Article 363. Natural heritage preservation and protection

The ministry responsible for environment and natural resources and the ministries or institutions responsible for cultural heritage shall collaborate to establish or modify natural heritage site protection, preservation, and conservation.

CHAPTER 5 ZONING

Article 364. Zoning

1. Each natural protective area may be divided into different zones as follows:
 - a. **Core Zone:** has high value for conservation of (animal or plant) species that are rare, nearly extinct, or threatened, wild animal breeding sites, and fragile ecosystems. Access to this zone shall be prohibited except for officials responsible for natural protected areas management on duty and natural scientific researchers to protect and conserve natural resources, biodiversity, and the environment with prior authorization from the ministry responsible for environment and natural resources and when it is necessary for national security and defence.
 - b. **Conservation Zone:** This is adjacent to the Core Zone and has value for natural resource conservation, ecosystems, watersheds, and natural scenery areas. Access to this Zone shall have prior authorization from officials responsible for natural protected areas management, except for national security and defence necessity. The use of by-products of natural resources in the Zone for local community livelihood, which does not affect biodiversity, shall be under the control of the officials responsible for national protected area management.
 - c. **Sustainable Use Zone:** has economic value for national economic development, direct management, and conservation of natural protected areas, and contributes to raising the local community's livelihood. The royal government may allow for sustainable biodiversity development in the area as proposed by the ministry responsible for environment and natural resources in consultation with relevant ministries or institutions, subnational administrations, and local communities in compliance with legal procedures.
 - d. **Community Zone:** contributes to economic and social development of a local community with existing activities including but not limited to housing, rice fields, plantations, and public physical infrastructure. Issuance of an immobile property ownership certificate or permission to use land in this Zone shall receive prior approval from the Ministry of environment and natural resources in compliance with the applicable law and regional instruments.
2. Determination of zoning in each natural protected area shall be determined by a sub-decree.
3. These natural protected areas shall not cover those designed to and managed by APSARA Authority or other authorities entrusted by the Royal Government.

Article 365. Criteria for zoning

1. Zoning and zone modification, as stated in Article 364 (Zoning) of this Code, shall be based on the following criteria:
 - a. The purpose of zone management
 - b. Potential natural resource value in each zone
 - c. Economic, social, and cultural impacts on the zone
 - d. Possible support of natural resources
 - e. Zone's geographical location
2. Guidelines for each zoning in natural protected areas shall be determined in the broadcast of the minister responsible for environment and natural resources.

Article 366. Modification of zone boundary

Modification of a zone boundary as stated in Article 364 (Zoning) of this Code shall be based on the following:

- a. Specific scientific and ecosystem information, including about wildlife species, biodiversity resources, traditional knowledge, genetic diversity, economic, social, and cultural resources that have changed or been threatened.
- b. Compliance with government policies and strategies.

Article 367. Mapping, installing boundary markers, and registering state public land

1. The ministry responsible for environment and natural resources shall establish an official mapping of each natural protected area, define on the map with precise coordinates under participation from the Ministry or institutions responsible for land management, urban planning, and construction, relevant ministries or institutions, subnational administration, in consultation with local communities.
2. The ministry responsible for environment and natural resources under participation from relevant ministries or institutions and subnational administration shall develop zoning as stated in Article 360 (Zoning) and Article 365 (Criteria for zoning) of this Code and install boundary markers and register state public land in each natural protected area as indicated in the designated map.

CHAPTER 6

LOCAL COMMUNITY'S PARTICIPATION AND RIGHTS TO USE

Article 368. Participation

Local communities, the public, and civil society shall be encouraged to participate, provide, and receive information concerning the management, protection, conservation, and development of natural protected areas.

Article 369. Right to use natural resources

1. The state shall recognize and ensure the right of local communities to use natural resources in line with their traditional, customary, and religious practices in natural protected areas.
2. The right to use natural resources in traditional and customary ways to meet the household needs of local communities shall be made possible in sustainable use and conservation zones in compliance with the guidelines determined in a *prakas* by the minister responsible for environment and natural resources.

Article 370. Use of natural resources

1. Using natural resources in compliance with this Code shall be possible in the sustainable use zones and community zones. These conditions shall not prevent using natural resource by-products in conservation areas as permitted by Article 369, the right to use natural resources of this Code.
2. The use of natural resources shall comply with the management plan and technical guidelines of the ministry responsible for environment and natural resources to ensure the sustainability of natural resources in natural protected area communities.

Article 371. Establishment of community protected areas

1. The ministry responsible for environment and natural sources shall have the authority to establish community protected areas in sustainable use zones under the administrative management of subnational administration.
2. Subnational administration may initiate, coordinate, support, give permission principles, and recognize the establishment of community protected areas after receiving approval from the ministry responsible for environment and natural resources.
3. Subnational administrations shall study the possibility of designating community protected areas and determining specific appropriate locations and sizes in consultation and coordination with local communities and relevant stakeholders.

4. Community protective areas communities shall enter into an agreement with subnational administration, in which the agreement's validity shall not exceed 25 years.
5. If community protected area communities do not comply with the agreement and management plan of the community protected area, subnational administrations shall have the right to suspend the operation of community protected areas to review and reassess.
6. Subnational administrations shall have the right to revoke the community protected area agreement after receiving approval from the ministry responsible for environment and natural resources in cases the communities do not comply with the agreement and management plan of the community protected area.
7. When it is found that community protected area communities do not adequately comply with the agreement, the ministry responsible for environment and natural resources shall have the right to order subnational administration to revoke the agreement.
8. Rules for establishing and managing community protected areas shall be determined in a sub-decree.
9. Guidelines for procedures and processes to designate community protected areas shall be determined in a *prakas* of the minister responsible for environment and natural resources.

Article 372. Prohibited activities for community protected areas

1. Community protected area communities and/or their members shall not have the right to cut, excavate, or clear the forest lands in the community protective area and convert them to agricultural land or privately own, sell, change, rent, pawn, give, exchange labour, allocate, trade, or transfer the community protected area's management zones.
2. Provision of additional cultivating land to local communities shall be determined in a sub-decree upon proposal by the ministry responsible for environment and natural resources in consultation with subnational administration or upon proposal by subnational administration to the ministry responsible for environment and natural resources.

Article 373. Participation in organizing community protected areas

Generous individuals, private sector, and civil society shall be encouraged to participate, support, and coordinate in the organization and operation of community protected areas.

Article 374. Community Protected Area Planning

Community protected area communities shall develop a natural resource management plan recognized by subnational administration. This plan should be reviewed every three years or before if necessary. The natural resource management plan of community protected area communities should be integrated with the subnational administration's plan.

CHAPTER 7
**EDUCATION, DISSEMINATION, RESTORATION, AND IMPROVEMENT OF NATURAL
PROTECTED AREAS**

Article 375. Participation in the protection, conservation, and restoration of natural resources

Citizens, Buddhist monks, students, civil servants, armed forces, publicly elected citizens, and others shall have duties to participate, protect, conserve, and restore natural resources in natural protected areas.

Article 376. Education and dissemination programs

1. The ministry responsible for environment and natural resources and subnational administration shall comprehensively develop all formats of education and dissemination programs on natural resources protection and conservation, restoration, and improvement of biodiversity resources and degraded and lost ecosystems.
2. Annually, on National Environment Day, World Environment Day, and International Convention Days, the ministry responsible for environment and natural resources and subnational administrations shall organize biodiversity and ecosystem restoration activities in natural protected areas to educate and disseminate to the public about the value of natural protected areas and to promote participation in natural resources protection and conservation.
3. The National Environment Day and World Environment Day shall be annually organized on 5th June, to be presided over by His Majesty King of the Kingdoms of Cambodia or the Royal Representatives with participation from the Senate, National Assembly, Royal Government, embassies, national and subnational civil servants, Buddhist monks, development partners, and the public. Being highly presided over by His Majesty King is to express attention to environmental protection, conservation of natural resources and biodiversity sustainable development, tree planting, releasing national fish and wild animals, and other Royal activities that provide the best multiple interests for humans and planets.

Article 377. Environmental improvement in natural protected areas

The ministry responsible for environment and natural resources and subnational administrations shall restore and improve the environment in degraded areas of natural protected areas in collaboration with local communities, natural protected area communities, generous people, private sectors, and civil societies.

CHAPTER 8 PERMISSION AND PROHIBITION

Article 378. Permitted activities and projects

1. The ministry responsible for environment and natural resources shall have the right to issue permits, enter into agreement or contract in natural resource conservation and management targets in natural protected areas in consultation with relevant ministries or institutions, subnational administrations, and stakeholders on the following activities or projects:
 - a. Conservation cooperation projects
 - b. Ecotourist Development projects
 - c. Hunting games
 - d. Farming permitted wildlife in Category 1
 - e. Study visits on national protected areas management
 - f. Other activities or projects determined in a *prakas* by the minister responsible for environment and natural resources
2. Subnational administrations shall have the right to issue permits or enter into agreements or contracts for activities or projects above by requesting prior approval from the ministry responsible for environment and natural resources.
3. The procedures to apply for and format of permits, agreements, or contracts for activities or projects above shall be determined by a *prakas* of the minister responsible for environment and natural resources.

Article 379. Public or private projects

1. The development of all construction and public infrastructure projects in the natural protected areas shall be subject to prior consultation with the ministry responsible for environmental and Natural Resources and subnational administrations.
2. All private construction or building projects in the natural protected areas shall receive a prior permit from the ministry responsible for environment and natural resources or subnational administrations.
3. All constructions, buildings, or public infrastructures across or in natural protected areas shall have signposts indicating natural protected areas clearly and appropriately.
4. Signposts or the determination for the use of signposts for constructions, buildings, or public infrastructure across or in natural protected areas shall be determined by the inter-ministerial *prakas* of the ministry responsible for environment and natural resources and the ministries or institutions responsible for public work and transport.

Article 380. Armed forces stations in natural protected areas

1. For permanent or temporary stations or relocation of stations of the armed forces in natural protected areas, the ministry responsible for armed forces shall, in collaboration with the ministry responsible for environment and natural resources and subnational administration, study and request approval from the Royal Government and ministry of natural resources and environment.
2. When current armed forces stations in natural protected areas are disbanded, the armed forces unit shall return the station to the ministry responsible for environment and natural resources and subnational administration for their management.
3. Exercises, training, and camping of the armed forces in natural protected areas shall be prohibited except as necessary for national security and defence. These activities can be conducted only in sustainable use zones and/or conservation zones with permission from the ministry responsible for environment and natural resources.

Article 381. Importation, exportation, and breeding of alien animal and plant species

All exportations and importations of plant seeds and crossbreeding of alien wildlife, wild plants, alien non-native plants, and fish in natural protected areas shall be researched, diagnosed, and assessed and shall receive permission from the ministry responsible for environment and natural resources.

Article 382. Importation, exportation, and trading

Non-commercial exportation and importation, and trading of animals, plants, plant seeds, crossbreeding, and sample natives in the natural protected areas of the kingdoms of Cambodia with other countries shall be researched, diagnosed, and assessed and shall have permission from the ministry responsible for environment and natural resources.

Article 383. Wildfire prevention

1. It is prohibited to cause wildfire in natural protection areas
2. The use of fire may be allowed by officials responsible for natural protected areas for the benefit of silviculture, fire path, or forest hygiene.
3. Citizens, armed forces, and subnational administration shall be obligated to collaborate in preserving and protecting forests against wildfire.

Article 384. Prohibition of activities impacting natural resources

Each natural protected area shall protect, prevent, and prohibit all activities of cutting, excavating, invading, encroaching on forest lands in violation or for commercial activities, polluting biodiversity resources surrounding, wildfire, swamp area fire, nomadic agriculture,

import of disease, pest/insect, alien plants or animals that would ham or impact natural protected areas, as well as the following prohibited activities:

- a. Removing, pulling out, or destroying boundary markers or signs indicating boundaries of natural protected areas
- b. Exercising the right to use natural resources in breach of legally recognized or permitted rights.
- c. Cutting, felling, sterilizing, or destroying trees, poison or uprooting the tree stump
- d. Hunting, collecting eggs, and offspring of wildlife and birds in all forms
- e. All forms of water pollution, poisoning, chemical use, disposal of solid and liquid waste into water or the earth's surface, use of electrocution equipment
- f. Trading, transporting, stocking, purchasing, selling of wildlife and all types of samples, raising wild animals and plants for commercial activities without permission.
- g. Destroying natural grasslands, plants, and wildlife habitats.
- h. Releasing animals and walking hunting dogs (on a leash)
- i. Fishing practices that cause damage to national resources in marine and freshwater territories flooded forests, mangrove forests, coral reefs, and sea grass, violating this Code
- j. Establishing facilities and processing aloe wood, holy basil (*Ocimum sanctum*) and rabbit vine (*Teramnus labialis*) or other prohibited natural resource by-products and freshwater or saltwater aquaculture in violation of the provisions in this Code and techniques that lead to pollution or destruction of biodiversity and ecosystems surrounding.
- k. Using equipment that causes noise, vibration, wave, and smoke disturbance, which may cause damage to natural resources and environmental protection in Core Zones and Conservation Zones.
- l. Destroying, changing, erasing, or damaging all kinds of information signposts.
- m. Extracting stones, gravel, sand, and minerals; pulling out, clearing, excavating without permission
- n. Deposit fill in the land, water territories, catchment, watercourses, natural lakes, wetlands, floodplain, spring, or reservoir without permission
- o. Importing of motorized saws and other machinery without permission.
- p. Destroying public infrastructure
- q. Blocking environmental water flows of lakes, rivers, canals, and streams without permission
- r. Placing surrounding boundary markers or signposts on state land in natural protected areas to possess and procure ownership rights.

Article 385. Prohibition of natural resource by-product processing

1. Natural resource by-products processing, establishing and operating facilities for wood-sawing, wood-cutting, sawmill, wood-processing, natural resource by-products handicraft, and all kinds of kilns that use natural resources by-products shall be prohibited in core zones and conservation zones except for sustainable use zone and community zones with permission from the ministry responsible for environment and natural resources.
2. Natural resource by-products processing, establishing and operating facilities for wood-sawing, wood-cutting, sawmill, wood-processing, natural resource by-products handicraft, and all kinds of kilns that use natural resource by-products in natural protected areas shall be prohibited.

Article 386. Prohibition of individual's rights

Persons shall not be permitted to directly or indirectly clear forest lands, own lands, cut trees, capture all kinds of wildlife, or commence all sorts of activities to collect natural resource by-products in natural protected areas in violation of the provisions in this Code.

Article 387. environmental impact assessment

1. To minimize environmental impact and to achieve strategic objectives of natural protected areas management, development, or investment project in sustainable use zones and community zones, the ministry responsible for environment and natural resources shall conduct prior environmental impact assessment in collaboration with relevant ministries or institutions and subnational administration to ensure that development or investment project implemented sustainably.
2. Procedure for environmental impact assessment for development or investment projects or any activity shall comply with applicable provisions related to the environmental impact assessment process.

SECTION 2

MANAGEMENT OF NATURAL RESOURCES, CULTURAL PROPERTIES AND ECO-TOURISM IN NATURAL PROTECTED AREAS

CHAPTER 1

GENERAL PROVISIONS

Article 388. Purpose

This section shall aim to develop mechanisms and formats for managing, protecting, and conserving natural resources, including but not limited to water, land, forest, wildlife, wild plants, fishery, watershed, minerals, tourism, and cultural properties in natural protected areas.

Article 389. Scope

This section shall apply to all activities of management, protection, conservation of biodiversity and natural resources, cultural properties, ecotourism, and development in natural protected areas.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 390. Responsible institutions

The ministry responsible for environment and natural resources and subnational administrations shall manage, protect, and conserve biodiversity and natural resources in natural protected areas in collaboration with relevant ministries or institutions in compliance with the provision of this Code and applicable laws and legal instruments.

Article 391. Roles and duties

1. The ministry responsible for environment and natural resources and subnational administration shall have the roles and duties to manage, protect, and conserve biodiversity and natural resources, cultural properties, and development in natural protected areas in compliance with section 1 (Natural Protected Areas Management) in Book 4 of this Code.
2. Competent ministries or institutions shall have the roles and duties to manage natural resources outside natural protected areas and cultural properties in compliance with applicable sectoral laws and liquid instruments.
3. Relevant ministries or institutions shall collaborate and consult with the ministry responsible for environment and natural resources and subnational administration before handling, withdrawing, or commencing any activity on natural resources that may affect Core Zones and Conservation Zones of natural protected areas.

CHAPTER 3 WATERSHED MANAGEMENT

Article 392. Watershed management collaboration

1. The ministry responsible for environment and natural resources, relevant ministries or institutions, subnational administrations, and stakeholders shall collaborate for sustainable watershed management to ensure sustainable natural resources management and use for the environment's best interest and economic, social, and environmental development.
2. Decisions for watershed management shall ensure consultation with relevant stakeholders.

Article 393. Watershed determination and classification

1. Location determination and classification of watershed shall be done with participation from relevant ministries or institutions and subnational administration responsible for managing and using watershed resources.
2. Classification of watershed shall be based on one of the following criteria:
 - a. Physical feature and geomorphological condition
 - b. Slope level, attitude, land type, landform, and risks of soil erosion
 - c. Quantity, quality, and drainage density always, seasonally, and annually.
 - d. Quantity and quality of forest and other wild plant cover.
 - e. Use, functions, and potential of the watershed
 - f. Catchment in watershed
 - g. Other criteria as determined in a sub-decree.
3. Location determination and classification of watershed shall be determined in a sub-decree upon the proposal of the ministry responsible for environment and natural resources or subnational administrations submitting a proposal to the ministry responsible for environment and natural resources.

Article 394. National coordination mechanism for watershed management

1. A national coordination mechanism for watershed management shall be established by a sub-decree to coordinate cooperation management and develop mechanisms for watershed, catchment, and river basin management activities.
2. The composition of the national coordination mechanism for watershed management shall include the ministry responsible for environment and natural resources, relevant ministries or institutions, and subnational administrations.

Article 395. Sub-national coordination mechanism for watershed management

1. The national coordination mechanism for watershed management shall be determined in a *prakas* by the minister responsible for environment and natural resources based on the actual situation.

2. The composition of a national coordination mechanism for watershed management shall include sub-national administration, relevant provincial departments, and local communities in or near the watershed.

Article 396. Watershed management operation

The ministry responsible for environment and natural resources shall have the roles and duties to coordinate with ministries or institutions, subnational administrations, relevant stakeholders, and local communities to develop watershed management plans in compliance with applicable laws and legal instruments.

Article 397. Strategic plan and action plan

1. The ministry responsible for environment and natural resources shall develop strategic plans and action plans for watershed management with participation from subnational administrations and relevant stakeholders.
2. Sections and types of activities concerning the use of natural resources and ecosystems permitted at each portion of the watershed shall comply with the broadcast by the minister responsible for environment and natural resources.

Article 398. Monitoring, evaluation, and update

1. The watershed management plan shall be monitored and evaluated regularly against indicators appropriate for each watershed.
2. A monitoring and evaluation plan shall be done with the participation of stakeholders in the watershed, and the findings from monitoring and evaluation shall be prepared appropriately and disseminated to relevant stakeholders.
3. The Watershed management plan shall be updated regularly based on the monitoring and evaluation plan findings.

Article 399. Watershed-depleting activities

Watershed-depleting activities shall be determined by a *prakas* of the Minister responsible for environment and natural resources.

CHAPTER 4
CONSERVATION AND MANAGEMENT OF CULTURAL PROPERTIES
IN NATURAL PROTECTED AREAS

PART 1
RESPONSIBLE INSTITUTIONS

Article 400. Responsible Ministries or Institutions

The ministry responsible for cultural heritage, the ministry responsible for environment and natural resources, and subnational administrations shall collaborate to preserve, protect, and designate cultural heritage sites in natural protected areas and collaborate with relevant ministries or institutions in compliance with the provisions of this Code, applicable laws, and legal instruments.

Article 401. Roles and duties

The ministry responsible for cultural heritage and the ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Collaborate and determine cultural heritage sites in natural protected areas.
- b. Collaborate in preserving, protecting, and conserving cultural properties in natural protected areas.
- c. Study, assess, collect, and compile cultural heritage site data in natural protected areas
- d. Participate in managing, preserving, protecting, and conserving natural heritage in natural protected areas.

Article 402. Stakeholder consultation

The ministry responsible for cultural heritage shall consult with the ministry responsible for environment and natural resources, subnational administrations, local communities, and relevant stakeholders before deciding to designate any cultural heritage site in a natural protected area as a cultural heritage resort, archaeological protected site, or urban heritage site as stated in article 404 (Categories of cultural heritage protected areas) of this Code.

PART 2
ESTABLISHMENT OF CULTURAL HERITAGE PROTECTED AREAS
IN NATURAL PROTECTED AREAS

Article 403. Establishment of cultural heritage protected areas in natural protected areas

1. Cultural heritage protected areas in natural protected areas shall be established by legal instruments as proposed by the ministry responsible for cultural heritage or proposal by subnational administrations to the ministries or institutions responsible for cultural heritage in consultation with the ministry responsible for environment and natural resources and relevant stakeholders.
2. The establishment of any cultural heritage protected areas in natural protected areas shall be based on the findings of the research, unique features, values and potential of heritage, cultural properties, beliefs, histories, economy, society and cultures, management purpose, and other relevant factors as well as policies and strategies of the government.
3. Criteria for establishing cultural heritage protected areas in natural protected areas shall be determined in inter-ministerial *prakas* of the ministry responsible for cultural heritage and the ministry responsible for environment and natural resources.

Article 404. Categories of cultural heritage protected areas

Cultural heritage protected areas shall be divided into three categories as follows:

- a. Cultural heritage park
- b. Archaeological site
- c. Urban heritage site

Article 405. Proposal for establishing cultural heritage protected areas

Cultural heritage protected areas shall be determined by a sub-decree as proposed by the ministries or institutions responsible for cultural heritage in consultation with the ministry responsible for environment and natural resources, relevant ministries or institutions, and sub-national administrations.

Article 406. Cooperation in establishing cultural heritage-protected areas

The ministry responsible for cultural heritage shall collaborate with the ministry responsible for environment and natural resources to establish cultural heritage protected areas in natural protected areas in case cultural heritage remains in the natural protected areas.

Article 407. Criteria for establishing cultural heritage protected areas

Criteria for establishing cultural heritage-protected areas shall be determined by the legal instruments of the ministries or institutions responsible for cultural heritage.

Article 408. Cooperation in establishing archaeological sites

The ministry responsible for cultural heritage shall collaborate with the ministry responsible for environment and natural resources to establish archaeological sites in natural protected areas in case cultural properties remain in the natural protected areas.

Article 409. Archaeological site protection

Archaeological sites shall be strictly protected by not allowing any development activity, including agricultural activities, by local citizens, except for national defence under the government's decision.

Article 410. Archaeological site-protected compound

Designation for archaeological site-protected compounds in natural protected areas shall be determined in the *prakas* of the minister responsible for cultural heritage in consultation with the ministry responsible for environment and natural resources.

PART 3

CHANCE DISCOVERIES DURING VARIOUS ACTIVITIES

Article 411. General obligation to notify about the chance discoveries

Persons who know or discovered by chance any object suspected to be cultural property or ancient building structures or other ancient objects during various activities shall report urgently to relevant ministries or institutions and subnational administrations

Article 412. Obligation to halt work and report to sub-national authority

Persons who discover by chance the cultural property, ancient building structures, or other ancient objects during excavation, digging, construction, or other activity shall temporarily suspend their work, report, and bring the discovered cultural property to relevant competent institutions immediately.

Article 413. Notifying the ministry or institution responsible for cultural heritage

1. Subnational administration shall report to the ministries or institutions responsible for cultural heritage and take necessary measures to protect cultural properties and sites containing cultural properties until ministries or institutions responsible for cultural heritage conduct site inspections.

2. The ministries or institutions responsible for cultural heritage shall notify relevant ministries, institutions, or subnational administrations to protect and manage the discovered cultural properties safely.

Article 414. Preliminary determination of importance of cultural properties

1. The ministries or institutions responsible for cultural heritage shall preliminarily determine the significance of the cultural properties within 14 days of getting notified or reported. This duration may be extended once for another 14 days.
2. The ministries or institutions responsible for cultural heritage shall notify in writing about the extension of the possessors or owners of the immovable properties where the objects were discovered and are suspected to be cultural properties, ancient building structures, or other ancient objects.

Article 415. The decision to temporarily halt work or additionally halt work suspension

1. The ministries or institutions responsible for cultural heritage shall issue decisions to halt work temporarily or additionally halt work on the site where cultural properties were discovered as stated in article 411 (general obligations to notify about chance discoveries) in this code.
2. The decision to temporarily hold work or additionally halt work shall be valid for 30 days after a preliminary determination as stated in article 414 (Preliminary determination of the importance of cultural properties) of this Code.
3. Possessors or owners may resume their activities if the ministries or institutions responsible for cultural heritage fail to issue a new decision after 30 days.

Article 416. Obligation to record

Possessors or owners, as stated in article 414 (preliminary determination of the importance of cultural properties) of this code, shall collaborate with expert officials to record and take photos of the cultural properties or ancient objects in compliance with the instructions of the Ministry or institutions responsible for cultural heritage.

Article 417. Measures for not reporting

The competent ministries or institutions shall halt, withdraw, or revoke the permit, license, or certificates from all persons who fail to report their chance discoveries, as stated in article 411 (General obligations to notify about chance discoveries) of this code, before determining the value and significance of the cultural properties.

PART 4
PREVENTIVE EXCAVATION

Article 418. Required preventive excavation

With permission from the government to build or develop various infrastructures, investment project owners shall have the obligation to do preventive excavation in compliance with the Investment Law of the kingdoms of Cambodia.

Article 419. Implementation of preventive excavation

Investment project owners shall contact expert officials of the ministries or institutions responsible for cultural heritage or archaeological specialization unit, as in Part 5 (Legal Entities as Archaeological Specialization Unit), Chapter 4 (Conservation and Management of Cultural Properties in Natural Protected Areas), section 2 (Management of natural resources, cultural properties, and ecotourism in natural protected areas) of Book 4 of this Code in collaboration with the ministry responsible for environment and natural resources to implement preventive excavation.

Article 420. Deemed as state property

Cultural heritage or ancient objects discovered during preventive excavation shall be state property.

Article 421. Preventive excavation expense

Investment project owners shall be responsible for preventive excavation expenses.

Article 422. Obligation to record

1. Expert officials of the ministries or institutions responsible for cultural heritage or archaeological specialization units implementing preventive measures shall have an obligation to record and preserve all cultural properties or ancient objects collected from preventive excavation.
2. Moveable cultural properties and ancient objects shall be preserved in the state museums for the public interest.

PART 5
LEGAL ENTITIES AS ARCHAEOLOGICAL SPECIALIZATION UNIT

Article 423. Accreditation of legal entity as archaeological specialization unit

1. For the nation's best interest, the ministry or institution responsible for cultural heritage shall give the right to national private legal entities as archaeological specialization units to conduct research, conserve, and repair cultural properties, or implement precautionary excavation or restoration excavation on development project sites.
2. Format, procedures, and requirements for registering legal entities as archaeological specialization units shall be determined by legal instruments of the ministries or institutions responsible for cultural heritage.

Article 424. Duties of legal entities accredited as archaeological specialization unit

Legal entities as archaeological specialization units shall implement the following activities:

- a. Conduct research on cultural properties and collaborate with national or international scientific institutions to repair and conserve cultural properties.
- b. Report precautionary or rescue excavation to the ministries or institutions responsible for cultural heritage.
- c. Provide recordings of all discovered cultural properties or chance discoveries to the ministries or institutions responsible for cultural heritage after each phase.
- d. Report on precautionary excavation to the competent authority.
- e. Collect, compile, and publish research findings.

PART 6

UNDERWATER CULTURAL HERITAGE PROTECTION

Article 425. Underwater cultural heritage

Underwater cultural heritage refers to movable or immovable tangible cultural properties that were sunk underwater in part or whole for some time or permanently, which include but are not limited to:

- a. Location, structures, buildings, ancient updates, or human and animal remains.
- b. Junk ship, boat, ship, plane, other vehicles or their parts and objects.
- c. Other objects with prehistoric, historical, or artistic value.

Article 426. Reporting obligation

Persons shall report to the ministries of institutions responsible for cultural heritage and subnational administrations about any underwater cultural property discoveries or chance discoveries.

Article 427. Prohibition for damage, salvage, or destruction of underwater cultural properties

All activities of salvage damage or destruction of underwater cultural properties shall be prohibited.

Article 428. Protection, scientific evaluation, and exploration of underwater cultural heritage

The ministries of institutions responsible for cultural heritage shall develop legal instruments for protection, scientific evaluations, and explorations of underwater cultural properties.

Article 429. Issuance of permits for underwater cultural property survey on activities affecting underwater cultural properties

1. The ministries or institutions responsible for cultural heritage may issue permits for underwater cultural property services on activities affecting underwater cultural properties.
2. Requirements and procedures for issuing permits for underwater cultural property services and activities affecting underwater cultural properties shall be determined by legal instruments of the ministry responsible for cultural heritage.

Article 430. Handling, preservation, and exhibition of underwater cultural heritage

1. The ministries or institutions responsible for cultural heritage shall handle, preserve, and exhibit discovered moveable underwater cultural properties or transport them from the original location by preserving their original value at the museum.
2. Format and museum management procedures shall be determined in legal instruments by the Ministry of Institutions responsible for Cultural Heritage.

PART 7

DISPUTE RESOLUTION AND PREVENTIVE MEASURES

Article 431. Representation in dispute resolution

The ministries or institutions responsible for cultural heritage shall act as a civil party in conflict resolution procedures that affect cultural properties.

Article 432. Halting activities threatening or harming cultural heritage

1. The ministries or institutions responsible for cultural heritage or subnational administration shall halt any work, construction, or clearance in case the site or cultural properties are harmed or destroyed, regardless of whether the sites or cultural properties have been registered in the National Heritage List.
2. The period of halting these activities shall comply with the provisions of this Code and applicable laws and legal instruments.

PART 8

PROMOTION AND PROTECTION OF INTANGIBLE CULTURAL HERITAGE

Article 433. Protection and promotion of intangible cultural heritage

Intangible cultural heritage shall be protected and promoted in compliance with applicable laws and legal instruments.

Article 434. Protection and promotion of intangible cultural heritage measures

The ministries or institutions responsible for cultural heritage shall develop legal instruments to protect and promote intangible cultural heritage in compliance with international legal tools concerning intangible cultural heritage, to which the Kingdom of Cambodia is a state party.

Article 435. Promotion of intangible cultural heritage value

The ministries or institutions responsible for cultural heritage, the ministry responsible for environment and Natural Resources, and subnational administration shall promote and conserve intangible cultural heritage by creating important events at local, national, regional, and international levels, including festivals, art performances, or exhibitions.

Article 436. Training on and transfer of intangible cultural heritage forms

1. The ministries or institutions responsible for cultural heritage shall encourage education and dissemination programs in collaboration with relevant ministries or institutions to share intangible cultural heritage forms existing in the territory of the Kingdom of Cambodia, especially the nearly extinct intangible cultural heritage forms.

2. Ministries or institutions responsible for cultural heritage shall create various programs to train and transfer knowledge of intangible cultural heritage to the next generation and for sustainability.

Article 437. Support for survey and publication of intangible cultural forms

The ministries or institutions responsible for cultural heritage shall enhance support and encouragement for the survey and publication of intangible cultural heritage forms, especially those needing conservation and emergent salvage.

CHAPTER 5 SUSTAINABLE WATER RESOURCES MANAGEMENT

PART 1 RESPONSIBLE INSTITUTIONS

Article 438. Responsible institutions

1. The ministries or institutions responsible for water resources shall manage, control, and implement provisions concerning water resources and relevant legal instrument instruments in consultation with relevant ministries or institutions and subnational administrations, if necessary.
2. In case of extracting water that may cause an impact on the causal or conservation zone of natural protected areas, the ministries, or institutions responsible for water resources shall consult with the ministry responsible for environment and natural resources and subnational administrations.

Article 439. Roles and duties

1. The ministries or institutions responsible for water resources shall be the secretariat of the Royal Government in managing, controlling, and implementing provisions concerning water resources of this code and other relevant legal instruments.
2. The ministries or institutions responsible for water resources shall have the following roles and duties:
 - a. Develop draft national policies, national strategic plans, action plans, legal instruments, and technical guidelines for water resource management.
 - b. Develop draft water resource management, conservation, and development policies, master management plan, and data mapping for water resource management.

- c. Review and propose implementing relevant international legal tools for the royal government.
- d. Research, assess, collect, compound, and maintain water resource information data.
- e. Manage river basins, tributaries, watershed water, underground water, and underground catchment.
- f. Educate, disseminate, and raise awareness to the public to participate in water resource preservation and protection.
- g. Develop capacity and provide technical support to subnational administrations and communities for water resource management.
- h. Inspect, monitor, and evaluate water resource management.

Article 440. Principles of integrated water resources management (IWRM)

To sustainably manage and develop water resources, the relevant ministries or institutions shall adhere to the following principles:

- a. Social equity: which ensures access to an adequate quantity and quality of water by focusing mainly on underrepresented groups to an insufficient amount and quality of water necessary to sustain human well-being.
- b. Economic efficiency: which brings consumers the most significant financial benefit from using water resources.
- c. Environmental sustainability: This requires adequate allocation to sustain the natural functioning of threatened species and ecosystems.

Article 441. Considerations in Implementation

When implementing integrated water resources management, the ministries, or institutions responsible for water resources and relevant ministries or institutions shall take consider the following:

- a. All aspects of water resources
- b. Linkages between water resources and other natural environment components including land, fisheries, forest, flora, and fauna.
- c. The requirements for effective and sustainable water use by humans and the natural environment.

Article 442. Cooperation of competent ministries and institutions

1. All competent ministries or institutions responsible for water use, development, and sustainable management of living aquatic resources and their associated ecosystems shall collaborate to implement integrated water resources management.

2. Collaboration to implement integrated water resources management shall be determined by applicable legal instruments.

Article 443. Participation of stakeholders

The relevant competent ministries and institutions shall collaborate with public and private legal entities to manage, invest, oversee commercial activities, conserve, and develop water resources.

Article 444. National inventory of water resources

The ministries or institutions responsible for water resources shall maintain a national inventory of the water resources of the Kingdom of Cambodia.

Article 445. Data on water resources

1. Data regarding water quantity, quality, and any other water-related information collected by the competent ministries or institutions shall be submitted to the ministry responsible for water resources in accordance with technical standards determined by the ministries or institutions responsible for water resources.
2. Water-related data shall be submitted to the ministries or institutions responsible for water resources at least once a year.

Article 446. Availability of data

1. The information and data shall be provided free of charge to all competent ministries or institutions and relevant stakeholders for the public interest.
2. The ministry or institution responsible for water resources may require the payment of a fee for data and information requested for commercial purposes.
3. The information stated above does not include information classified as confidential.

Article 447. Development of legal instruments

The ministry or institution responsible for water resources may develop legal instruments covering but not limited to the following aspects:

- a. Areas prohibited from water use or the construction of infrastructure/
- b. Development of provisions concerning infrastructures that take or use water resources.
- c. Establishment and management of a River Basin Authority.
- d. Identification of priority matters to be included in the River Basin Water Resources Plans.

- e. Incentives for research on or developing innovations to reduce waste, improve water quality, and increase water use efficiency.
- f. Incentives and disincentives related to financial mechanisms include but are not limited to use charges and inclining block tariffs to encourage the efficient use of water resources.
- g. Creation and management of water-use farmers associations.
- h. Declaration of natural protected water use zones.
- i. Designation and management of flood and drought retention areas.
- j. The infilling or alteration of natural watercourses.
- k. Development of provisions on groundwater development and the groundwater development industry, including but not limited to:
 - Qualifications for bore contractors and bore pump installers
 - Requirements certifying that a drilling machine is being operated under a certificate of drilling competence held by a certified contractor
 - Taking samples, tests, analyses, surveys, and logs of bore data and the submission of them to the ministry or institution responsible for rural water supply
 - The reclamation of bores and the methods and requirements to be observed in reclamation operations
 - Constructing and repairing activities
 - Control, monitor, and evaluate bore drilling
 - Methods of bore drilling and of determining sources of groundwater
 - Measures and precautions to be taken before and during the drilling and improvement of a bore
 - Respecting the preservation of inactive bores.
 - Repairing and maintaining inactive bores
 - Regular maintenance and operation of active bores
- l. Fees are imposed to cover the costs of water resources management and ecosystem payment in accordance with the provisions of this Code.

PART 2

GOVERNMENTAL COOPERATION

Article 448. National Committee of River Basin Planning and Management

1. The ministry or institution responsible for water resources, in collaboration with the competent ministries or institutions and the Cambodia National Mekong Committee, shall develop a legal instrument that will establish the National Committee for River Basin Planning and Management.
2. The roles and duties of the National Committee for River Basin Planning and Management shall be determined by a sub-decree.

PART 3
WATER RESOURCES PLANNING

Article 449. National strategic water resources plan and river basin water resources plans

The ministry or institution responsible for water resources shall plan for the allocation and sustainable management of water to meet the Kingdom of Cambodia's future water demand through a National Strategic Water Resources Plan and River Basin Water Resources Plans.

Article 450. Participation of stakeholders

The ministry or institution responsible for water resources shall collaborate with competent ministries, institutions, subnational administrations, and relevant stakeholders to develop the National Strategic Water Resources Plan and any River Basin Water Resources Plans.

Article 451. Delegation of authority

The ministry or institution responsible for water resources may delegate the tasks to the National Committee for River Basin Planning and Management to develop the National Strategic Water Resources Plan and River Basin Water Resources Plans.

Article 452. Developing and implementing the river basin water resources plans

The river basin authority responsible for developing and implementing The River Basin Water Resources Plans shall follow the provisions of this section.

Article 453. Information for Planning Purposes

The ministry or institution responsible for water resources shall collect, store, and use information for planning purposes by:

- a. Regularly verify and keep records of the volume and quality of water.
- b. Collect information on water demand and impacts of water management on threatened ecosystems, biodiversity, freshwater, marine fisheries, and fisheries resources from the competent ministries or institutions and stakeholders.
- c. Collecting information about current and future water use and demand.
- d. Continually upgrading the national monitoring network to collect relevant information.

Article 454. Technical advisory board

1. The ministry or institution responsible for water resources shall establish a technical advisory board.
2. The technical advisory board shall be comprised of technical experts with adequate qualifications. Qualifications of technical experts shall be determined by the ministry or institution responsible for water resources.
3. The technical advisory board shall provide advice on the following:
 - a. The draft of the National Strategic Water Resources Plan or River Basin Water Resources Plan.
 - b. Amendment or update for a National Strategic Water Resources Plan or River Basin Water Resources Plan.
 - c. Provision of other rights or authorities in accordance with the provisions of this Code and applicable laws and legal instruments.

PART 4

NATIONAL STRATEGIC WATER RESOURCES PLAN AND RIVER BASIN WATER RESOURCES PLANS

Article 455. National strategic water resources plan

1. The ministry or institution responsible for water resources shall collaborate with relevant ministries or institutions and stakeholders to develop a National Strategic Water Resources Plan to determine:
 - a. Long-term water supply security.
 - b. Sustainability of the water resources.
 - c. Protection for ecosystems that depend on water flow and environmental flow.
 - d. Fair and effective allocation and utilization of water to prevent disasters and conflicts.
2. The requirement to develop a national strategic water resources plan shall be determined by the legal instruments of the ministry responsible for water resources.

Article 456. River basin water resources plans

1. The ministry or institution responsible for water resources shall develop River Basin Water Resources Plans to:
 - a. Define the availability of water for each purpose.
 - b. Provide a framework for sustainable management and consumption of water.
 - c. Identify priorities and mechanisms for dealing with future water demand.
 - d. Provide a framework for developing water allocations.
 - e. Provide a framework for water allocations.

- f. Provide a framework for reversing the completely dry or degraded areas due to destruction in ecosystems, wetlands, or rivers, causing water resource loss.
 - g. Define rights to access water resources.
2. Requirements, format, and procedures in developing the River Basin Water Resource Plan shall be determined by legal instruments of the ministries or institutions responsible for water resources in consultation with relevant ministries or institutions.

Article 457. Moratorium on development

When the ministry or institution responsible for water resources issues a notification for the development of a River Basin Water Resources Plan, a moratorium on development within the watershed of that river basin shall take effect. The moratorium shall be valid until:

- a. The water resources plan is approved.
- b. The issuance of notification for cancelling or modifying the development of River Basin Water Resources, wetlands, and watershed.

Article 458. Rules of moratorium on development

1. In case of a moratorium on development as stipulated in Article 457 (Moratorium on development) of this Code:
 - a. All development project proposals shall not be considered if resource plans have not been approved or notified about cancelling or modifying the development of river basin water resources, wetlands, and watersheds.
 - b. Development process development operation shall not be permitted; in that case, the permission may cause the following effects:
 - Increase of water that may be taken
 - Change the location from which water may be taken
 - Increase of water rate at which water may be taken
 - Change of flow conditions under which water may be taken
 - Change of purposes for which the water may be taken
2. New works shall not be permitted to start in the area covered by the moratorium.
3. The works that have been started may proceed until completion; however, they shall have written approval of the ministry or institution responsible for water resources and shall be subject to deadlines and other conditions determined by the ministry or institution responsible for water resources.
4. The completed works shall not be enlarged or modified.

Article 459. Effects of river basin water resource plans

A River Basin Water Resources Plan of a river shall have the effect unless there are two distinct, separate plans between inland and underground water resources.

Article 460. Implementation of river basin water resources plan

A developed River Basin Water Resources Plan shall be submitted for approval from the Royal Government of the Kingdom of Cambodia before implementation.

PART 5

RIGHTS, AUTHORIZATION, AND PROHIBITION TO USE WATER RESOURCES

Article 461. Right to use water resources

All persons shall reserve the right to use water resources without the need for an authorization as follows:

- a. Vital human needs, including drinking, washing, bathing, sanitation, the irrigation of domestic gardens and orchards, and other domestic purposes.
- b. Firefighting and other emergency purposes.

Article 462. Protection of the legal rights of others

Taking and using water resources shall be done in a manner that does not affect the legal rights of persons.

Article 463. Activities requiring authorization

1. All activities that require a permit shall be determined by the legal instruments of the ministries or institutions responsible for water resources and relevant ministries or institutions.
2. The following activities are permitted with written approval from the ministries or institutions responsible for water resources and relevant ministries or institutions:
 - a. Any use, diversion, or taking of water resources other than by Articles 461 (Right to Use Water Resources) and 462 (Protection of the Legal Rights of Others) of this Code.
 - b. The construction or operation of any infrastructure for the use, diversion, or taking of water resources other than by Articles 461 (Right to Use Water Resources) and 462 (Protection of the Legal Rights of Others) of this Code.
 - c. The extraction of sand, soil, stones, gravel, minerals, petroleum, and gas from the beds, banks, coasts of oceans, rivers, streams, ditches, and lakes.

- d. The filling, lining, channelling, or alteration of rivers, streams, ditches, lakes, canals, reservoirs, clean water sources, and natural reservoirs.

Article 464. Thresholds for uses, diversion, and taking of water resources

The ministry or institution responsible for water resources may develop a legal instrument to determine thresholds for using, diversifying, or taking water resources.

Article 465. providing approval on permits to use water resources

Approvals for applications for authorization to use water resources shall comply with requirements determined by this code and applicable laws and legal instruments.

Article 466. Infrastructure permits

1. The ministries or institutions responsible for water resources shall issue infrastructure permits to use water resources in accordance with the River Basin Water Resources plan.
2. The requirements, formats, and procedures to issue infrastructure permits to use water resources shall be determined by legal instruments of the ministries or institutions responsible for water resources.

Article 467. Register of water access entitlement

The ministry or institution responsible for water resources shall maintain a register of all water access entitlements which are publicly available.

Article 468. Conditions of water access entitlement

The use, diversion, or taking of water resources shall be undertaken through a water access entitlement determined by legal instruments of the ministry or institution responsible for water resources.

Article 469. Legal right to water access entitlement

1. Landowners and occupiers may apply for water entitlement at the ministry or institution responsible for water resources to take water from:
 - a. Various water sources, lakes, and groundwater sources on or adjoining any of the land.
 - b. An aquifer under any of the land.
 - c. Water flowing across any of the land surface.

- d. Infrastructure operated under an infrastructure permit that can supply water to the land.
2. Requirements, formats, and procedures for water entitlement application shall be determined by the legal instruments of the ministries or institutions responsible for water resources.

Article 470. Exception for environmental flows

The ministries or institutions responsible for water resources shall maximize water allocation for environmental flows to balance ecosystem functions.

Article 471. Announcements of water access entitlements

Before the start of each water year, the ministry or institution responsible for water resources shall announce water access entitlements for the following year in accordance with priority groups and water sharing rules as determined in the River Basin Water Resources Plan.

Article 472. Adjustments to the nominal volume

1. The nominal volume of water allocation and any other conditions may be adjusted at the end of the River Basin Water Resources Plan.
2. There shall be no compensation for the above adjustment of the nominal volume of water allocation and conditions.

Article 473. Water supply agreement in line with infrastructure permit

In the case of having a permit to use water resources to supply infrastructure that is operated under an infrastructure permit, the holders of the permit to use water resources and the infrastructure permit holders shall enter into a joint water resource supply agreement unless they are the same legal entity.

Article 474. Standard water supply agreement

1. The ministry or institution responsible for water resources shall develop a standard supply agreement for the storage and/or delivery by water license and infrastructure permit holders by the provisions on water access entitlements.
2. The standard supply agreements may vary from location to location.

Article 475. Application of standard water supply agreement

1. The standard supply agreement for the location to which the water access entitlement relates shall comply with water access entitlement unless a separate supply agreement has been:
 - a. Agreed between the infrastructure permit holder and the water access entitlement holder.
 - b. Submitted to the ministry or institution responsible for water resources.

Article 476. Application for water license or permits

1. Persons may apply for a water license or permit at the ministries or institution responsible for water resources to commence the following activities:
 - a. Excavate in a watercourse, lake, wetland, floodplain, spring, or reservoir.
 - b. Place fill in a watercourse, natural lake, wetland, floodplain, spring, or reservoir.
 - c. Water bore driller.
 - d. Groundwater pump installer.
2. Requirement, formats, and procedures to apply for or revoke a water license, permit, and certificate shall be determined by legal instruments of the ministries or institutions responsible for water resources.

Article 477. Proof of water license, permit, and certificate

When conducting inspections, competent officials may require the natural persons to show water licenses, permits, and certificates in case of the following activities:

- a. Constructing, deepening, enlarging, or casing a water bore in pump construction operation.
- b. Removing, replacing, altering, or repairing the casing or lining in pump construction operation
- c. Decommissioning a water bore.
- d. Installing, replacing, altering, or decommissioning a pump.

Article 478. Reporting requirements

1. All persons undertaking work about water bores for professional or commercial purposes shall report to the ministry or institution responsible for water resources.
2. The detailed information required in the report shall be determined by the legal instrument of the ministries or institutions responsible for water resources.

Article 479. Record of activities

1. A water license, permit, and certificate holder shall keep information on the activities carried out in alignment with the provisions of this Code.
2. A water license, permit, and certificate holder shall provide the information stated in the above paragraph to the ministries or institutions responsible for water resources upon request.

Article 480. Authorizations for water supply and use

No person shall supply or use water unless authorized to do so by the ministries or institutions responsible for water resources in compliance with the provisions of this Code, relevant laws, and legal instruments.

Article 481. Breach of authorization

The holder of an authorization shall not breach the conditions specified in the authorization letter.

Article 482. Access of competent officers to private land

Competent officials of the ministry or institution responsible for water resources shall have the right to access the private lands of owners or occupiers to conduct technical surveys, assessments, or monitoring of matters unless:

- a. The ministry or institution responsible for water resources has not provided the landowner or occupier with prior written notification.
- b. The competent officer does not provide identification evidence and possesses a letter of authorization from the ministry or institution responsible for water resources.

Article 483. Exemptions for water access entitlement

All persons shall have water access entitlement without a permit for the following activities:

- a. Irrigation of land less than ten (10) hectares total area.
- b. Clean water supply, in which the water used is less than 40 (forty) cubic meters per day.
- c. Run-of-river hydropower or other hydropower techniques that do not require water impoundment, diversion, or abstraction.

Article 484. Determination of banks and shores

A sub-decree shall determine the determination of banks, shores, and components of river basins.

CHAPTER 6

SUSTAINABLE FOREST RESOURCES MANAGEMENT

PART 1

RESPONSIBLE INSTITUTIONS

Article 485. Responsible ministries or institutions

1. The ministry responsible for environment and natural resources and subnational administration shall manage, protect, conserve, and control sustainable forest resources in natural protected areas.
2. Managing forest resources, wildlife resources, and forest lands outside natural protected areas shall be under the competence of the ministries or institutions responsible for forestry.

Article 486. Roles and duties

1. The ministry responsible for environment and natural resources and subnational administrations shall have the following roles and duties:
 - a. Develop draft policies, strategic plans, action plans, and legal instruments and enforce the laws concerning forest resource and ecosystem management.
 - b. Manage, protect, conserve, and control sustainable forest resources, including but not limited to sustainable forest-based energy consumption, issuance of permits, and management and control of technical guidelines for sustainable forest.
 - c. Study and collect forest data for scientific, economic, social, and environmental purposes to create a matrix and standard and establish a management plan for sustainable forest management.
 - d. Conduct a complete and timely assessment of all forest resources and other developments concerning activities that may affect the environment and society before approval.
 - e. Prepare a proposal for establishing, altering, and revoking sustainable forest management in compliance with applicable legal instruments and international legal tools to which the Kingdom of Cambodia is a state party.
 - f. Promote education and information dissemination to the public about the importance of managing, preserving, and protecting forest resources to encourage participation in conserving and protecting natural resources in forest areas for sustainable management.

- g. Restore forest land ecosystems by planting threatened trees to promote and achieve carbon emission mitigation from forest loss and degradation.
 - h. Clearly define the legal status of all forest lands for sustainable management.
 - i. Define forest boundary and inventory forest land, analyse, maintain the data, and update the data to use for sustainable forest management.
 - j. Develop and implement measures in collaboration with competent ministries or institutions to systematically protect the forests from forest resource use without permission or illegal settlement and other illegal activities.
 - k. Consult on public road construction projects within the forests.
 - l. Publicly disseminate and transparently implement all aspects of sustainable forest management.
 - m. Participate in international forest product and management certification programs
 - n. Collaborate with ministries, institutions, subnational administrations, and local communities to strengthen sustainable forest management.
 - o. Investigate, research, prevent, crackdown, build cases, and act as plaintiff before the competent court.
 - p. Develop the capacity to respond to forest crimes promptly.
 - q. Compile, manage, and disseminate forest resource database.
2. Allocation of specific functions, roles, and duties to subnational administrations shall be determined in a sub-decree.

Article 487. Duties for forest conservation and restoration

The ministry responsible for environment and natural resources and subnational administrations shall improve the protection, conservation, and restoration of natural environmental value and ecosystem services in forest areas under sustainable forest management by repairing and mitigating adverse impact on:

- a. Forests that are affecting watersheds.
- b. Environmental quality of land, water, and air.
- c. Quality of ecology and ecosystems.

Article 488. Other duties

The Ministry of environment and natural resources and sub-national administration shall ensure the following:

- a. Timber is collected at or below the sustainability level
- b. Processing, services, and added value concerning timber are conducted at authorized locations.

- c. Participation in international forest product and sustainable forest management certification programs with support from the ministry responsible for environment and natural resources and relevant ministries or institutions.
- d. Implementation of procedure to preserve evidence of products not for domestic consumption.

PART 2

CLASSIFICATION OF FOREST

Article 489. Forest

All types of forest that are components of natural resources shall be regarded as state property except where provisions of this Code and relevant laws and legal instruments provide otherwise.

Article 490. Classification of forest

1. The ministry responsible for environment and natural resources and subnational administration shall identify, classify, and map forests in compliance with the provisions of this Code.
2. Classification of forests shall be based on updated data, maps, and scientific assessments considering the following:
 - a. Forest ecological, economic, and social functions.
 - b. Abundance of forest.
 - c. Functions and significance of the areas.
 - d. Potential areas for forest carbon storage and mitigation of greenhouse gas emission due to deforestation, forest degradation, and sustainable forest management, conservation, and improvement of forest carbon storage via REDD+ and other programs.
 - e. Potential areas for preservation of water sources and watersheds.
 - f. Consultation with local communities.
 - g. Other conditions shall comply with legal instruments.
3. Sustainable forest resource management shall be classified as private forests, sustainable production forests, restored forests, reserved forests, and economic land concessions:
 - a. Private forests: All types of forest land that are in privately owned land.
 - b. Sustainable production forests: All types of forest land located on state public lands, including tree plantations, seed plantations, natural protected areas communities, timber forest, concession forests, and forest lands that can be afforested.
 - c. Restored forests: All forest lands located in state public land and lost or degraded forest lands, reforested lands which create natural or artificial forest cover.

- d. Reserved forests: All types of forest land located in state public land which protect central system and natural resources including but not limited to:
 - Biodiversity habitat forest
 - Research forests
 - Botanical gardens
 - Hunting forests
 - Sacred forests
 - Reserved forest lands for future conservation
4. The ministry responsible for environment and natural resources and subnational administration may create additional forest classification sustainable management forests, including but not limited to recreational forests, production forest communities, experimental forests, and restored forests. Additional forest classification shall be assessed in accordance with the principle of sustainability, research significance, and management plan purposes.

Article 491. Modification of forest classification

1. All proposals to modify forest classification or any part of sustainable management forests shall be required as follows:
 - a. Scientific and social-economic justification for modifying forest classification.
 - b. Efforts to maintain the situation of current classification.
 - c. The nature of modifying classification shall be to promote livelihood and customary rights of local communities.
 - d. Expectations for conservation and ecosystem value increase. Loss of conservation and ecosystem value by any means shall be compensated for the damage.
 - e. Appropriate consultation with affected stakeholders and local communities.
 - f. The above information shall be appropriately adjusted in accordance with the proposal.
2. All proposals for modifications of forest classification or any part of sustainable management forests shall comply with the provisions of this Code.
3. Approval for the modification of forest classification shall be permitted in writing by the ministry responsible for environment and natural resources.

Article 492. Sustainable forest management map-making/production

In implementing forest resource management activities, the ministry responsible for environment and natural resources and subnational administration shall be responsible for producing the following maps:

- a. Map of forest resources assessment and forest lands change.
- b. Map of forest classification.

- c. Map of forest carbon stock assessment.
- d. Map of the catchment and watershed classification.
- e. Map of existing wildlife sanctuary and vulnerable biodiversity.
- f. Map of tree plantations and seed plantations.
- g. Map of stock places and wood processing plants.
- h. Map of road construction across forest areas and other potential maps.

Article 493. Forest land use map and registration

1. The ministry responsible for environment and natural resources and subnational administration shall lead in producing forest land use data and maps for sustainable forest management.
2. The process to take the lead in producing forest land use data and maps for sustainable forest management shall consult relevant stakeholders and assess and define forest boundaries to register national forest land in accordance with the classification and forest land use maps.

Article 494. Data management

In consultation with stakeholders, the ministry responsible for environment and natural resources at the subnational level shall lead, create, collect, and compile basic information and data on forest resources and maintain the data for sustainable forest management planning.

PART 3

SUSTAINABLE FOREST USE MANAGEMENT PLANNING

Article 495. Sustainable forest use and management planning

1. The ministry responsible for environment and natural resources and subnational administration shall develop a five-year sustainable forest use planning and a five-year sustainable forest management planning, or as deemed necessary.
2. The ministry responsible for environment and natural resources and subnational administrations shall organize separate and unique consultations for areas resided by the local community or related to the interests of the local community to affirm the respect of the value of customary and traditional interests and rights.

Article 496. Sustainable forest use plans

A sustainable forest resource use plan shall take into consideration the following:

- a. Type, quantity, and quality of forest based on forest resource data.

- b. Forest ecological value.
- c. Location of local communities and need for livelihood.
- d. Positive and negative operations outside.

PART 4

PERMIT

Article 497. Relevant activities

All persons requesting activities in sustainable management forest areas shall apply for a permit from the ministry responsible for environment and natural resources or subnational administrations as follows:

- a. Taking timber products and non-timber forest products for commercial use.
- b. Managing timber products and non-timber forest products for commercial use.
- c. Harvesting and selling of timber products and non-timber forest products for commercial purposes.
- d. Transporting of timber products and non-timber forest products.
- e. Exporting of timber products and non-timber forest products.
- f. Using forests for technical or scientific research.
- g. Establishing a stock place to sell and distribute timber and non-timber forest products.
- h. Establishing a facility for the forestry industry, sawmill, or timber and non-timber forest product processing.
- i. Establishing any kiln using timber and non-timber forest products as raw material.
- j. Production of charcoal and firewood.
- k. Any other commercial activity shall comply with this Code's provisions.
- l. All commercial activities in sustainable production forests shall have a prior permit.

Article 498. Review of the permit application

The ministry responsible for environment and natural resources or subnational administrations shall review permit applications considering the following conditions in relation to the proposed activity:

- a. It is consistent with the surrounding landscape's conservation purpose.
- b. It supports and improves local communities' livelihoods
- c. It contributes to biodiversity and ecosystem value protection
- d. It's consistent with national and subnational land use, and sustainable forest management plans
- e. It follows guidelines by competent ministries or institutions in project design, project implementation, and closure.
- f. It meets other practical requirements.

PART 5
TRADITIONAL USE RIGHTS

Article 499. State obligation to guarantee use rights

The state shall recognize and guarantee the rights of use for traditional practice, customs, beliefs, religion, and local community livelihood in or near sustainable management forest areas in compliance with the provisions of this Code.

Article 500. Traditional use rights

1. The additional use rights of local communities for timber products in non-timber forest products shall not require a permit.
2. Additional use rights include but are not limited to the following:
 - a. Gather deadwood, pick wild fruits, collect honey, extract resin, and collect other non-timber forest products.
 - b. Cutting grass and releasing animals for food.
 - c. Household subsistence and traditional use of timber products and non-timber forest products.
 - d. The right to traditional barter and exchange and sale in local communities does not require a permit. Persons intending to commercialize non-timber forest products with local communities shall have a permit as stated in Article 497 (Relevant activities) of this Code.

PART 6
SUSTAINABLE FOREST TRADE MANAGEMENT PLAN AND REPORT

Article 501. Scope of Forest Trade Management Plans

Forest trade management plans established for all sustainable management forest commercial activities shall be proportional to the size, density, and risks of these commercial activities. Forest trade management plans shall be implemented and regularly updated based on survey, monitoring, and evaluation data to promote sustainable forest management.

Article 502. Section of forest trade management plans

Forest trade management plans shall:

- a. Define forest trade in specific areas in accordance with commercial activities, including but not limited to the descriptions and location of the planned activities.

- b. Define the targets, purpose, and outcome of commercial activities related to resources to be used, social criteria, and incomes.
- c. Define the roles and responsibilities of relevant stakeholders.
- d. Define quotas for collections of timber products and non-timber forest products.
- e. Define implementation dates and periods.
- f. Define a budget plan.
- g. Define appropriate management implementation based on relevant legal instruments.
- h. Define silviculture implementation plan.
- i. Define the procedure for forest product certification, if applicable.
- j. Define forest product processing and transportation.
- k. Define strategy for monitoring, evaluation, and reporting.

Article 503. Forest trade management report

1. The ministry responsible for environment and natural resources and subnational administrations shall prepare annual forest trade management reports with participation from relevant ministries or institutions.
2. Forest trade management plans and reports should be made publicly available in accordance with the provisions of this Code.

PART 7

FOREST ROYALTIES AND PREMIUMS

Article 504. Forest royalties and premiums payment

1. Persons collecting timber and non-timber forest products for commercial purposes in sustainable management forest areas shall pay forest royalties and premiums to the ministry responsible for environment and natural resources or subnational administrations.
2. Quality and quantity assessment shall be conducted before transportation.

Article 505. Redistribution of forest royalties and premiums

Redistributions of collected forest royalties and premiums shall comply with an inter-ministerial *prakas* of the ministry responsible for environment and natural resources and the ministries or institutions responsible for economy and finance.

Article 506. Requirements for forest royalties and premiums waiver

Payment of forest royalties and premiums shall be exempted in the following cases:

- a. Collection of timber products and non-timber forest products from private forests.

- b. Traditional use by local communities.
- c. Scientific purposes.

Article 507. Delay in forest royalties and premiums payment

1. If the permit holder does not pay forest royalties and premiums by the agreed date with the ministry responsible for environment and natural resources at the sub-national level, timber and non-timber forest products shall be retained.
2. Delay in forest royalties and premiums payment shall be in accordance with criteria stated in a *prakas* by the minister responsible for environment and natural resources.

Article 508. Procedure for forest royalties and premiums payment

Procedures for forest royalties and premium payments shall be determined in an inter-ministerial *prakas* of the ministry responsible for environment and natural resources and the ministries or institutions responsible for economy and finance.

PART 8

SUSTAINABLE FOREST MANAGEMENT MECHANISM

Article 509. Mechanism for greenhouse gas emission reduction from deforestation and degradation (REED+)

The ministry responsible for environment and natural resources and subnational administrations shall collaborate with relevant ministries and institutions to implement mechanisms for greenhouse gas emission reduction from deforestation and degradation (REDD+) to promote sustainable forest management, increase forest carbon stock, and encourage local community livelihood.

Article 510. Reforestation

The ministry responsible for environment and natural resources and subnational administration shall enhance and promote reforestation in degraded forest lands to improve ecosystem and biodiversity value in sustainable forest management areas.

Article 511. Tree plantations

The ministry responsible for environment and natural resources shall develop technical guidelines to determine the rules on tree plantations to encourage people to plan and maintain tree

plantations for sustainable forest management and to meet environmental, economic, and social targets.

Article 512. Prevention and control of wildfire

1. The ministry responsible for environment and natural resources shall prevent and control wildfires by establishing a Wildfire Combating Committee to work in forest areas.
2. Citizens, the Armed Forces, and subnational administration shall be obliged to protect and preserve forests and prevent wildfire.

Article 513. International standard forest certification and management

The ministry responsible for environment and natural resources may develop a broadcast concerning international standards for a certificate, which includes but is not limited to the following:

- a. Implementing procedures to trace and label timbers.
- b. Wood and pulp products and non-timber forest products confiscated or determined not for domestic consumption.

Article 514. Nationwide permitting and monitoring system

1. The ministry responsible for environment and natural resources shall develop a committing and monitoring system for the production and consumption activities of all timber products from sustainable forest management areas.
2. A permitting and monitoring system shall be required for all operators to follow the permit requirements as stated in this Code.

CHAPTER 7 WILD PLANTS PROTECTION

PART 1 RESPONSIBLE INSTITUTIONS

Article 515. Responsible ministry or institution

The ministry responsible for environment and natural resources and subnational administration shall protect, conserve, and manage wild plants in natural protected areas. Wild plant management outside natural protected areas should be under the authority of the ministries or institutions responsible for forestry.

Article 516. Roles and duties

1. The ministry responsible for environment and natural resources and subnational administrations shall have the following roles and duties:
 - a. Develop draft policies, strategic plans, action plans, and legal instruments and enforce the laws related to wild plants management.
 - b. Research, monitor, and evaluate the economic, social, cultural, and environmental aspects of wild plants.
 - c. Assess and manage alien non-native species or those non-existent in the Kingdom of Cambodia.
 - d. Develop a category list to manage and protect wild plants, especially the threatened species.
 - e. Establish a national list of threatened wild plants and those listed in the Appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
 - f. Undertake measures and mechanisms for wild plant conservation, management and utilization, and sustainable ecosystem management.
 - g. Restore threatened wild plants and ecosystems with a high risk of extinction.
 - h. Compile, manage, and disseminate wild plants database and ecosystem information.
2. Allocation of specific functions, roles, and duties to each administration of subnational administration shall be determined by sub-decrees.

Article 517. Cooperation of competent ministries or institutions

The ministry responsible for environment and natural resources and subnational administrations shall collaborate with relevant ministries or institutions to share information and data on threatened wild plans and ecosystem crimes, as follows:

- a. Findings of national and international investigations on illegal trafficking and transportation of wild plants and species of trees.
- b. Reports on confiscating threatened wild plants as stated in this Code and illegal tree species as stated in relevant provisions.
- c. Legal complaint documentation concerning the threatened wild plants and ecosystems.

PART 2
CLASSIFICATION OF WILD PLANTS

Article 518. Wild plants

All species of wild plants that are components of natural resources should be regarded as state property, except where they are subject to special provisions of this Code, relevant laws, and legal instruments.

Article 519. List of wild plant categories

The ministry responsible for environment and natural resources and subnational administration shall coordinate and collaborate with relevant ministries or institutions to record and manage a list of wild plant categories, including threatened categories, for management and protection purposes. The list of wild plant categories shall be determined in a *prakas* of the minister responsible for environment and natural resources.

Article 520. Wild plant categories

1. Wild plants are divided into the following eight categories as follows:
 - a. Category 1: Extinct (EX)
 - b. Category 2: Extinct in the Wild (EW)
 - c. Category 3: Critically Endangered (CR).
 - d. Category 4: Endangered (EN)
 - e. Category 5: Vulnerable (VU)
 - f. Category 6: Near Threatened (NT)
 - g. Category 7: Less Concern (LC)
 - h. Category 8: Data Deficient (DD)
2. The above categories shall be determined in accordance with the actual situation in consultation with relevant stakeholders and technical experts.
3. The definition and criteria for each wild plant category above shall be based on actual situations and scientific data.
4. Wild plant categories shall be updated based on actual situation and criteria in compliance with the provisions of this Code.

Article 521. Upgrading wild plant categories

All wild plant categories may be upgraded to a higher category based on the level of risk or threat, wild plant status, and cultural heritage value or economic significance in accordance with the categories as stated in Article 520 of this Code.

PART 3
PROHIBITED ACTIVITIES AFFECTING WILD PLANT HABITATS

Article 522. Prohibited activities affecting wild plant habitats

Activities that destroy or cause changes to natural habitats of threatened wild plants directly or indirectly shall be prohibited, except for permission from the ministry responsible for environment and natural resources or subnational administrations in accordance with the provisions in Chapter 7 (Wild Plant Protection), section 2 (Management of natural resources, cultural properties and ecotourism in natural protected areas) in Book 4 of this Code.

Article 523. Prohibited activities affecting threatened wild plants

Collecting, storing, destroying, using, commercializing, or transporting threatened wild plant species or their parts as stated in the National List of wild plant categories shall be prohibited except for permission from the ministry responsible for environment and natural resources or subnational administrations in accordance with the provisions in Chapter 7 (Wild Plant Protection), section 2 (Management of natural resources, cultural properties and ecotourism in natural protected areas) in Book 4 of this Code.

PART 4
ISSUANCE OF PERMITS, COLLECTION AND TRADE

Article 524. Permits for international activities

The ministry responsible for environment and natural resources shall issue a permit involving international activities in wild plant species listed in Category 3 to 8 of Article 520 (Wild Plant Categories) of this code and their specimens as follows:

- a. Preservation.
- b. Transportation.
- c. Exhibitions.
- d. Storage.
- e. State-level gifting.
- f. Involving in international activities organized in the Kingdom of Cambodia.

Article 525. Required Permit

1. The ministry responsible for environment and natural resources and subnational administrations shall issue a permit for the trade or transportation of wild plants listed in Categories 6 and 7 of Article 520 (Wild Plant Species Categories) of this Code for household consumption and medicinal purposes.
2. Any permit issuance shall define that activity's appropriate threshold and period without affecting nature or restoration.

Article 526. Permit exemptions

The following activities shall not require a permit:

- a. Collection, transportation, and wild plant species in category 7 for household consumption and traditional use.
- b. Collection of timber products and non-timber forest products from private plantations.

Article 527. Non-issuance of permit

The ministry responsible for environment and natural resources and subnational administration shall not issue a permit in cases of insufficient scientific information.

Article 528. Issuance of permits for scientific research purposes

1. The ministry responsible for environment and natural resources and subnational administrations may issue a special permit for collecting wild plant species listed in Categories 3 to 8 of Article 520 (wild plant categories) of this Code from a particular place for scientific research purposes in the case that the collection does not cause impact impacts on the conservation of biodiversity within and outside the Kingdom of Cambodia.
2. A permit may be issued upon request from academic institutions, research institutions, conservation organizations, herbariums for research, or botanical gardens.

Article 529. Insufficient scientific information

1. The ministry responsible for environment and natural resources and subnational administrations shall develop short-term, medium-term, and long-term management and restoration plans for threatened wild plant species and biodiversity within their territorial jurisdiction as determined in wild plant Categories of Article 520 (Wild Plant Categories) of this Code.
2. If the permit issued for scientific purposes lacks sufficient scientific information for making a precise determination, the ministry responsible for environment and natural resources and subnational administrations may make a judgment that sets the limit to

reduce collection possibilities and activities that will cause the extinct of threatened wild plants species or cause irreplaceable damage.

Article 530. Permits to collect wild plants

An application for a wild plant collection permit shall be submitted to the ministry responsible for environment and natural resources or subnational administrations.

Article 531. Suspension or revocation of a permit

When necessary, the ministry responsible for environmental resources for subnational administrations shall have the right to temporarily suspend without a set duration or revoke the permit based on new data, scientific information, or newly discovered threats on threatened wild plants and their habitats.

PART 5

WILD PLANT MANAGEMENT AND RESTORATION PLANS

Article 532. Wild plant management plan

1. The ministry responsible for environment and natural sources and subnational administration shall develop short-term, medium-term, and long-term management and restoration plans for threatened wild plant species and biodiversity within their territorial jurisdiction as determined in wild plant Categories of Article 520 (Wild Plant Categories) of this Code.
2. The short-term, medium-term, and long-term management and restoration plans may cover many wild plant species, including wildlife species.
3. The ministry responsible for environment and natural resources and subnational administrations shall collaborate with other ministries or institutions and technical experts to develop management and restoration plans for threatened wild plants and biodiversity.
4. The management and restoration plans for threatened wild plant species and biodiversity may be incorporated into natural protected areas management plans.

Article 533. Wild plant management and restoration plan

The management and restoration plans for threatened wild plant species shall specify the following sections:

- a. Objectives, criteria, measures, and expected outcomes.
- b. Management and conservation activities to ensure ecosystem functions and roles.

- c. Direct and indirect threats with necessary response measures to mitigate the threats and ensure the safety of those wild plant species.
- d. Main or unique habitats for wild plant conservation.
- e. Mainstreaming into Natural Protected Areas management plans.
- f. Mainstreaming of national strategic plans and national action plans on biodiversity and other conservation plans.
- g. Time frame and financial resources for implementation.

Article 534. environmental impact assessment for restoration of threatened wild plants

environmental impact assessment shall be conducted for wild plant restoration projects, plans, or activities, as stated in Section 2 (environmental impact assessment) in Book 5 of this Code in cases of severe impacts to habitats, functions, and roles of ecosystems.

Article 535. Reporting and monitoring

The ministry responsible for environment and natural resources and subnational administrations shall collaborate with relevant stakeholders to develop a monitoring and reporting system for the implementation of the management and restoration plans for threatened wild plant species and biodiversity.

PART 6

ALIEN SPECIES MANAGEMENT

Article 536. List of alien species

1. The Ministry of environment and natural resources and subnational administrations shall coordinate and collaborate with relevant ministries or institutions to record or manage a list of alien species within their jurisdiction. After receiving the list from the subnational administration, the ministry responsible for environmental and natural Resources shall verify the list before submission to the Royal government for review and approval.
2. Importing alien species without approval from the ministry responsible for environmental and natural resources and subnational administrations is prohibited.

Article 537. Alien species management

1. The ministry responsible for environment and natural resources and subnational administrations shall develop alien species management activities by considering the

adverse impacts and risks to wildlife, wild plants, ecosystems, environment, economy, and society.

2. The ministry responsible for environment and natural resources and subnational administration, in collaboration with relevant ministries or institutions and technical experts, shall develop alien species management activities to determine:
 - a. Pathways that alien wild plant species enter their jurisdiction.
 - b. Methods to manage alien wild plant species existing in their jurisdiction.
 - c. Method to eradicate alien and disastrous wild plant species.

Article 538. Alien species management plan

The alien species management plan shall specify the following:

- a. Objectives, criteria, measures, monitoring indicators, and expected outcomes.
- b. Management activities, measures, and methods to destroy, prevent, and stop alien species.
- c. Size, location, geography, source, and types of alien species.
- d. Biodiversity resources, ecosystems, and main habitats at locations to manage alien species.
- e. Direct and indirect infectious path, response, and necessary measures to prevent and stop alien species.
- f. Mainstreaming of national strategic plans and national action plans on biodiversity and other conservation plans.
- g. Time frame and financial resources for implementation.

Article 539. List of alien wild plants

The ministry responsible for environment and natural resources, in collaboration with the relevant ministries or institutions and subnational administrations, shall develop a national list of dangerous alien wild plant species in the Kingdom of Cambodia or the importation of those wild plant species into the Kingdom of Cambodia.

Article 540. Alien wild plant eradication plan

The ministry responsible for environment and natural resources and subnational administrations shall develop an alien wild plant eradication plan to minimize the impacts of alien wild plant species on the environment, economy, and society.

Article 541. Permission requirement

Importing alien wild plant species into the natural protected areas shall receive prior approval from the ministry responsible for environmental and natural resources and sub-national administrations.

CHAPTER 8 WILDLIFE MANAGEMENT, PROTECTION AND CONSERVATION

PART 1 RESPONSIBLE INSTITUTIONS

Article 542. Responsible institutions

1. The ministry responsible for environment and natural resources and subnational administration shall protect, conserve, and manage wildlife species in natural protected areas.
2. Wildlife species management outside natural protected areas should be under the authority of the ministries or institutions responsible for forestry.

Article 543. Roles and duties of the ministry responsible for environment and natural resources

1. The ministry responsible for environment and natural resources and subnational administrations shall have the following roles and duties:
 - a. Develop legal instruments and procedures for wildlife species management, protection, and conservation.
 - b. Develop and implement national strategic plans, management plans, and action plans to conserve threatened wildlife species; in compliance with international legal instruments or tools, the Kingdom of Cambodia is a state party.
 - c. Track, investigate, and prevent wildlife crimes in natural protected areas, including importation, exportation, storage, circulation, commercial activities, wildlife use, and eating wild meat collected without a permit.
 - d. Enforce relevant laws and liquor instruments, investigate, control, and build wildlife criminal cases, and act as a civil party in legal proceedings.
 - e. Establish, manage, and maintain a wildlife crimes database.
 - f. Strengthen existing mechanisms to prevent wildlife trafficking and establish additional methods for combating cross-border wildlife crimes or using the Kingdom of Cambodia as a transit country.
 - g. Update Wildlife Species categories.

- h. Establish and implement endangered wildlife protection, conservation, monitoring, and research programs as stated in article 546 (Wildlife Species Categories) of this Code.
 - i. Develop legal instruments and management activities and issue wildlife hunting permits for local communities in or outside natural protected areas.
 - j. Review, refuse, or permit wildlife hunting with conditions in compliance with the provisions of this Code.
 - k. Control, monitor, and/or issue operational directives in wildlife parks, conservation breeding facilities, wildlife rescue and rehabilitation centres, and wildlife collection sites for commercial purposes.
 - l. Review, refuse, or permit non-lethal capture of wildlife species for conservation breeding.
 - m. Ensure the permit and permit issuance process are transparent and publicly disseminated.
 - n. Develop strategies for wildlife health monitoring and healthcare in collaboration with relevant ministries or institutions and coordinate responses in case of disease outbreaks, infectious diseases, and wildlife health.
 - o. Collaborate with relevant ministries, institutions, and stakeholders and cooperate internationally.
 - p. Promote public education and disseminate programs about the importance of sustainable wildlife management, protection, and conservation.
 - q. Prohibit destruction or modification to natural habitats of wildlife species without permission.
2. Allocation of specific functions, roles, and duties to each administration of subnational administration shall be determined by sub-decrees.

PART 2

CLASSIFICATION OF WILDLIFE

Article 544. Wildlife

All wildlife species that are components of natural resources should be regarded as state property except where subject of special provisions of this Code, relevant laws, and legal instruments.

Article 545. List of wildlife categories

The ministry responsible for environment and natural resources and subnational administration shall coordinate and collaborate with relevant ministries or institutions to record and manage a list of wildlife species categories, including threatened categories, for management

and protection under their jurisdiction. The list of wildlife species categories shall be determined in a *prakas* of the minister responsible for environment and Natural Resources.

Article 546. Wildlife categories

1. Wildlife species are divided into the following eight categories:
 - a. Category 1: Extinct (EX)
 - b. Category 2: Extinct in the Wild (EW)
 - c. Category 3: Critically Endangered (CR).
 - d. Category 4: Endangered (EN)
 - e. Category 5: Vulnerable (VU)
 - f. Category 6: Near Threatened (NT)
 - g. Category 7: Less Concern (LC)
 - h. Category 8: Data Deficient (DD)
2. The above categories shall be determined according to the actual situation in consultation with relevant stakeholders and technical experts.
3. The definition and criteria for each wildlife species category above shall be based on the actual situation and scientific data.
4. Wildlife species categories shall be updated based on the actual situation and other criteria in compliance with the provisions of this Code.

Article 547. Upgrading wildlife categories

All wildlife species categories may be upgraded to a higher category based on the level of risk or threat, wildlife status, and cultural heritage value or economic significance in accordance with categories as stated in Article 546 of this Code.

PART 3

PROHIBITION OF WILDLIFE HUNTING

Article 548. Prohibition of wildlife hunting

1. Hunting, snaring, capturing, poisoning, killing, harassing, or destroying any wildlife by any means and of the following species shall be prohibited:
 - a. Wildlife species listed in Category 2 to Category 6 as stated in Article 546 (Wildlife Categories).
 - b. Wildlife species listed in Category 7 by using legally prohibited means.
 - c. Hunting by local communities without a quota-assigning permit issued by the ministry responsible for environment and natural resources and subnational administrations.

- d. Possessing, producing, keeping, transporting, or bringing wildlife hunting equipment, including but not limited to snares, traps, firearms, hand-made weapons, wire, bicycle or motorbike brake cable, electrocution equipment, nets, and other equipment.
 - e. Transporting or owning wildlife species listed in Category 8 as stated in Article 546 (Wildlife Categories) of this Code without hunting and transporting permit.
 - f. Illegally capturing, collecting, or purchasing wildlife species in natural protected areas to produce offspring, to keep in wildlife farms, zoological institutions, or for private collection.
 - g. Bringing pets into the Core Zone and Conservation Zone.
2. All activities stated above shall be exempted for wildlife management and conservation purposes or establishment of conservation breeding facilities and genetic resource conservation, wildlife rescue centres, and zoological institutions to keep all types of wildlife species, where are permitted by the ministry responsible for environment and natural resources and subnational administration in compliance with the provisions of this Code.

Article 549. General prohibition

1. Hunting, snaring, trapping, capturing, poisoning, killing, harassing, or destroying any wildlife by any means shall be prohibited for:
 - a. Wildlife species listed in Category 2 to Category 6 as stated in Article 546 (Wildlife Categories), except for cases determined in compliance with the provisions of this Code.
 - b. Wildlife species listed in Category 7 as stated in Article 546 (Wildlife Categories) by using legally prohibited means.
 - c. Hunting by local communities without a quota-assigning permit issued by the ministry responsible for environment and natural resources and subnational administrations.
 - d. Producing, processing, purchasing, trafficking, transporting, snaring, trapping, netting on the ground or in the air, using handmade weapons, explosives, poison, and other means.
2. The above prohibitions shall be exempted for wildlife species listed in the category stated in Article 546 (Wildlife Categories) of this Code for household and traditional use by local communities.

PART 4
EXCEPTIONS FOR WILDLIFE HUNTING

SUB-PART 1
MANAGEMENT OF HUMAN LIFE-THREATENING DANGERS

Article 550. Management of human life-threatening dangers

1. If any wildlife poses a danger to human life, the ministry responsible for environment and natural resources and subnational administrations may take appropriate measures to kill the wildlife, if necessary.
2. The ministry responsible for environment and natural resources shall develop a *prakas* on the control of wildlife that poses a danger to human life.

Article 551. Methods to manage dangerous wildlife

The ministry responsible for environment and natural resources shall develop methods to manage wildlife species that pose a danger to ensure wildlife welfare and mitigate risk to other life or human life, in compliance with legal instruments.

Article 552. Authorization for the killing of wildlife

Authorization may be granted to kill wildlife that has caused a danger to human life. Wildlife that has been injured beyond recovery shall be killed in compliance with applicable legal instruments.

Article 553. The right to manage wildlife species listed from Category 2 to Category 8

Persons may manage wildlife species listed from Category 2 to Category 8, which may cause danger to human life, with permission from the ministry responsible for environment and natural resources or competent ministries or institutions.

Article 554. Wildlife non-native to the Kingdom of Cambodia

Wildlife species listed from Category 2 to Category 6 and/or non-native in natural protected areas that may pose danger or invade biodiversity shall be managed in or outside natural protected areas. In case of wildlife posing a threat to human life or invading biodiversity, the ministry responsible for environment and natural resources and subnational administrations may be permitted to kill or injure them.

Article 555. Non-lethal capture of wildlife for conservation purposes

Non-lethal capture of wildlife species listed in any Category for conservation breeding or management shall be permitted by the ministry responsible for environment and natural resources or subnational administrations.

Article 556. Conservation management

Conservation management includes:

- a. Translocation of any wild animal to an alternative suitable habitat for restoration, reintroduction, or supplementation of wild populations or to prevent the inevitable extinction of a wild population
- b. Research or population management of living things without killing or destroying wild animals.
- c. Capture of wild animals for the explicit purpose of balancing wildlife species and conservation breeding population of a threatened species in a registered conservation breeding facility.

Article 557. Wildlife Relocation

Relocation and capture of wildlife listed from Category 2 to Category 2 for conservation breeding or conservation management may be permitted by the ministry responsible for environment and natural resources or subnational administrations.

Article 558. Quarantine and wildlife health monitoring

The ministry responsible for environment and natural resources for specific national administrations shall be required to quarantine wildlife to monitor their health in wildlife farms before relocation, reintroduction, or any transfers between quarantine facilities and natural habitats, wildlife farms, conservation breeding facilities, wildlife rescue centre or zoological institutions. After quarantine and wildlife monitoring, the ministry responsible for environment and natural resources or subnational administration shall certify as follows:

- a. The wildlife has been held in quarantine and subject to health monitoring for no less than 14 (fourteen) days before relocation to natural habitats or transfer to other locations.
- b. The wildlife did not exhibit any signs of disease or injury.
- c. The healthy and deceased wildlife have been identified with tags.

Article 559. Methods for wildlife health monitoring

The ministry responsible for environment and natural resources or subnational administration shall:

- a. Identify wildlife diseases and declare the public notification on the identified diseases.
- b. Establish a method for wildlife disease surveillance and wildlife health monitoring.
- c. Investigate, document, and respond to wildlife disease outbreaks.
- d. Report the findings of wildlife health monitoring and wildlife disease investigations.

Article 560. Wildlife health monitoring

The ministry responsible for environment and natural resources or subnational administrations may require holders of hunting, collecting, or purchasing permits to provide specimens of hunted or collected wildlife for health monitoring.

SUB-PART 2 ***ZOOLOGICAL INSTITUTIONS***

Article 561. Requirements

1. Zoological institutions shall apply for a permit to create, import, and export for zoological institutions from the ministry responsible for environmental resources or subnational administrations.
2. Income collected from issuing a license or permit shall support wildlife conservation and biodiversity, including implementing wildlife restoration and management plans or use for other conservation purposes.

Article 562. Prohibition

Hunting, snaring, capturing, collecting wildlife species, and the activities related to wildlife in natural forests as listed from Category 2 to Category 6 of the list of Wildlife Categories to serve the purpose of zoological institutions shall be prohibited, except for special permission from the government.

Article 563. Application

Applications to collect, snare, or capture wildlife as listed from Category 7 and Category 8 to serve the purpose of the zoological institution shall be permitted by the ministry responsible for environment and natural resources or subnational administrations.

Article 564. Issuance and temporary suspension of permits

1. The ministry responsible for environment and natural resources or subnational administrations may permit zoological institutions to commence commercial activities on wildlife in compliance with applicable legal procedures and their provisions of this Code.
2. The ministry responsible for environment and natural resources or subnational administrations may issue a letter of temporary suspension, location closure, or confiscate wildlife in the zoological institution and its compounds in the case that the operator or the owner of the zoological institution fails to follow the permit requirements and legal instruments issued by the ministry responsible for environment and natural resources or subnational administrations.

PART 5

WILDLIFE HUNTING PERMIT

Article 565. Wildlife hunting permits

1. Hunting of wildlife listed in Categories 7 and 8 shall have a permit from the ministry responsible for environment and natural resources or subnational administrations.
2. Determination of location, equipment, weapon types, wildlife species, and quantity of wildlife to be hunted shall be determined in the sub-decree.
3. Natural persons with permission for hunting shall have the right to take specimens from the hunted wildlife. The ministry responsible for environmental and natural resources shall control the actual amount of hunted wildlife to determine the payment to be paid into national revenue.
4. Service payment for permit issuance for hunting and wild species to be hunted shall be determined by an inter-ministerial *prakas* of the ministry responsible for environment and natural resources and ministries or institutions responsible for economy and finance.

Article 566. Wildlife hunting

1. Hunters must always bring along the hunting permit.
2. Hunters must present hunting permits to competent units before entering areas permitted for hunting.

3. The ministry responsible for environment and natural resources or subnational administrations may require hunting permit holders to provide specimens or any part of the hunted wildlife for research or health monitoring purposes.

Article 567. Application for permits

1. Persons intending to apply for a hunting permit shall submit their applications to the ministry responsible for environment and natural resources or subnational administrations.
2. The application for a hunting permit shall be reviewed against guidance before approval by the ministry responsible for environment and natural resources or subnational administrations.

Article 568. Requirement for issuance or non-issuance of permits

1. The ministry responsible for environment and natural resources shall develop application forms for wildlife hunting permits and issue wildlife hunting permits.
2. Issuance or non-issuance of the hunting permit shall be conducted in compliance with the following:
 - a. Issuance of the permit shall be transparent.
 - b. Only one permit shall be issued for one family or one group.
 - c. A permit shall not be issued to persons with a history related to illegal wildlife hunting.
 - d. Selling or transferring a hunting permit or hunting rights by the owner to another person is prohibited.
3. The hunting permit shall be valid for no more than six (6) months. Hunters may request to renew wildlife hunting permits by attaching the expired permit.
4. In cases of loss of the permit, the permit holder shall urgently notify the ministry responsible for environment and natural resources or subnational administrations.

Article 569. Suspension or revocation of hunting permits

1. The ministry responsible for environment and natural resources may suspend or revoke wildlife hunting permits of the holders who violate the conditions of the permit.
2. Subnational administrations may suspend the wildlife hunting permits of the permit holders who violate the conditions of the permit. In this case, subnational administrations shall notify the ministry responsible for environment and natural resources.

Article 570. Wildlife Data Management System

1. The ministry responsible for environment and natural resources or subnational administrations shall develop a data management system of wildlife, wildlife hunting permits, and hunters for surveying, monitoring, controlling, and regulating hunting activities.
2. Data management systems may be permitted for public access in compliance with the provisions of this Code.

PART 6

WILDLIFE FARMING AND TRADING

Article 571. Wildlife farming

1. All persons may farm wildlife for commercial purposes with permission from the ministry responsible for environment and natural resources or subnational administrations. The list of wildlife that may be farmed with a permit and procedures to establish wildlife farms, transportation, and killing shall be determined in a *prakas* by the minister responsible for environment and Natural Resources.
2. All persons may farm life for entertainment without permission from the ministry responsible for environmental resources, competent ministries or institutions, or subnational administrations. The list of wildlife species that may be farmed for entertainment without permission shall be determined in sub-decrees.

Article 572. Domestic trading

1. Persons may commence domestic trade of wildlife species, their parts or products from wildlife farms as follows:
 - a. Purchasing, acquiring, possessing, cooking, or selling any wildlife meat.
 - b. Offering or advertising for sale any good or product made of wildlife.
 - c. Producing taxidermy that contains wildlife parts.
 - d. Manufacturing products that are sourcing wildlife parts.
2. Domestic trade of wildlife species, transportation, and products of all types of wildlife species shall receive permission from the ministry responsible for environment and natural resources or sub-national administrations.

Article 573. International trade

1. Persons may commence activities involving international trade in wildlife species or their parts or other living modified organisms as follows:

- a. Possession
 - b. Transport
 - c. Exhibition
 - d. Storage
 - e. Trading and gifting
 - f. Scientific research
 - g. Any other activity within the Kingdom of Cambodia involved in international trade in wildlife part specimens.
2. Procedures to issue permits for international trade or involvement in international activities in wildlife species, wildlife specimens, and living modified organisms shall be determined in a *prakas* of the minister responsible for environment and Natural Resources.
 3. Procedures and formats of international trade shall be implemented in compliance with the laws and legal instruments of the ministries or institutions responsible for commerce.

Article 574. Prohibited activities

1. Trading, transporting, importing, exporting, re-exporting, possessing, purchasing, selling, transferring, storing, gifting, eating, farming, and using in all forms for commercial purposes of any part of wildlife organs and products of all types without the required permission is prohibited.
2. Disseminating information or advertising the sale of wildlife, trophies or parts of wildlife organs, wildlife meat, or wildlife products without permission is prohibited.
3. Manufacturing fake products advertised as wildlife products or any part of wildlife organs is considered a crime, the same as the crimes involving real wildlife or wildlife parts.

Article 575. Non-liability of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources or subnational administrations shall not be responsible for the following cases:

- a. Damage to properties or impacts caused by farmed wildlife or the escape from wildlife farm captivity.
- b. The loss or death of any farmed wildlife either due to escape or disease if the ministry responsible for environment and natural resources or subnational administrations may be required to kill the escaped or disease-farmed wildlife or in other conditions.

PART 7
**CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA
AND FLORA (CITES)**

Article 576. Implementation of wildlife and wild plants

1. Laws, legal instruments, and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) may apply to the following wild fauna and flora:
 - c. Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
 - d. Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
 - e. Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora.
2. The Kingdom of Cambodia shall collaborate with other countries parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora to promote effective implementation.

Article 577. Prohibitions

The following activities are prohibited:

- a. Importation, exportation of wildlife species from outside the Kingdom of Cambodia into the Kingdom of Cambodia or from the Kingdom of Cambodia to outside the Kingdom of Cambodia as stated in appendixes of CITES without permission from Cambodia's governing body of CITES.
- b. Re-export, transfer, or transit The Kingdom of Cambodia to a foreign country of wildlife species as stated in appendixes of CITES without permission from Cambodia's governing body of CITES.

PART 8
INTERNATIONAL COOPERATION

Article 578. International cooperation for combating wildlife offences

The ministry responsible for environment and natural resources and competent ministries or institutions shall collaborate and provide relevant information to law enforcement authorities of other or concerned States to prevent, identify, and combat offences under its jurisdiction in compliance with the Criminal Procedure Code and other applicable laws.

Article 579. Investigation and proceedings

1. The Royal Government of Cambodia of the Kingdom of Cambodia (RGC) may collaborate with international law enforcement authorities and/or international organizations regarding:
 - a. Providing documentary, testimonial, witnesses, materials, and demonstrative evidence for analysis or investigative purposes.
 - b. Providing or exchanging personnel, experts, or other officers of other functions.
 - c. Conducting separate or joint investigations.
 - d. Taking legal proceedings.
 - e. Any other assistance as required for individual cases.
2. as stated in Paragraph 1 of this article, Assistance shall comply with Mutual Legal Assistance in Criminal Matters (MLATs) and provisions of other applicable laws.

PART 9

WILDLIFE RESTORATION AND MANAGEMENT PLAN

Article 580. Wildlife restoration and management plan

1. The ministry responsible for environment and natural resources and subnational administrations shall develop restoration and management plans for wildlife species of all categories, especially those from Category 2 to Category 6 native in natural protected areas. The plan shall have a period of ten (10) years.
2. After public consultation, the ministry responsible for environmental and resource management and subnational administrations shall coordinate with relevant ministries or institutions to develop a wildlife restoration and management plan.

Article 581. Conditions for wildlife restoration and management plan

The ministry responsible for environment and natural resources and subnational administrations shall determine the following conditions:

- a. Protection and conservation activities in Wildlife Species restoration and management plan.
- b. Main habitats for wildlife species conservation shall contain management measures according to each habitat and areas in protection and conservation targets.
- c. Habitat and landscape area management activities in restoration and management plans of natural protected areas.
- d. Measurable indicators may then improve each target. Wildlife restoration and management plan shall determine the time frame and financial resources for implementing activities and measures.

- e. Translocation, conservation measures outside natural habitats, conservation breeding, and conservation-restoration.

Article 582. Permits

1. The ministry responsible for environment and natural resources or subnational administrations shall issue the permit for wildlife restoration projects or activities involving research, data collection, photo taking, and voice recording of wildlife by using automatic cameras or broadcasting live, film, or video making concerning the determination of wildlife species from category 2 to category 6.
2. Before issuing a permit, the ministry responsible for environment and natural resources or subnational administrations shall review the wildlife restoration and management plans.

Article 583. Wildlife situation monitoring

The ministry responsible for environment and natural resources or subnational administrations shall collaborate with relevant stakeholders to monitor the status of wildlife from Category 2 to Category 6 within ten years after each wildlife Category status has changed, in compliance with relevant legal instruments or the provisions of this Code.

PART 10

MANAGEMENT OF CONSERVATION BREEDING FACILITIES, GENETIC RESOURCES, WILDLIFE RESCUE CENTERS, AND ZOOLOGICAL INSTITUTIONS

Article 584. Registration

The establishment of conservation breeding and genetic resource conservation facilities, wildlife rescue centres, and zoological institutions to keep all wildlife species shall have a permit and be registered with the ministry responsible for environment and natural resources or subnational administrations.

Article 585. Inspection

The ministry responsible for environment and natural resources or subnational administrations shall inspect conservation breeding and genetic resource conservation facilities, wildlife rescue centres, and zoological institutions.

Article 586. Permit revocation or temporary suspension of operation

The ministry responsible for environment and natural resources or subnational administration should have the right to revoke the permit or temporarily suspend the operation of conservation breeding and genetic resource conservation facilities, wildlife rescue centres, and zoological institutions, as well as confiscating all wildlife in the case that the implementation violates the section in the permit on wildlife keeping or collection.

Article 587. Monitoring and record

Operators for owners of conservation breeding and genetic resource conservation facilities, wildlife rescue centres, and zoological institutions shall have the duty to report the birth, death, and transfers of wildlife to the ministry responsible for environment and natural resources or subnational administrations.

Article 588. Transfer or translocation of wildlife

1. All transfers or translocations of wildlife shall have a transportation permit and/or inform, in advance, the ministry responsible for environment and natural resources or subnational administrations.
2. Transfer or translocations of wildlife from one place to another shall be recorded and notified, and documentation shall be provided to law enforcement officers of the ministry responsible for environment and natural resources or subnational administrations.

Article 589. Disposal of parts, meat, specimens, trophies

1. Disposal of parts of organs, meat, specimens, or trophies of kept and farmed wildlife shall be done in accordance with applicable legal instruments.
2. Keeping whole or part of life wildlife in conservation breeding and genetic resource conservation facilities, wildlife rescue centres, and zoological institutions shall be prohibited except permitted by the ministry responsible for environment and natural resources or subnational administration.

Article 590. Condition for wildlife treatment and location

Wildlife kept in conservation breeding and genetic resource conservation facilities, wildlife rescue centres, zoological institutions, and wildlife stock places shall be treated humanely and in compliance with animal welfare protocols or applicable legal instruments.

Article 591. Natural conditions of wildlife

1. Operations in all wildlife conservation breeding and genetic resource conservation facilities, wildlife rescue centres, zoological Institutions, and wildlife stock places shall ensure the natural conditions of wildlife. In contrast, the cage conditions shall meet appropriate and acceptable animal health standards.
2. Operations in all wildlife conservation breeding and genetic resource conservation facilities shall prepare wildlife registrar affirming breeding or farming programs in accordance with applicable legal instruments.
3. Types of reproduction, breeding events, and same gene species shall be accurately recorded regarding biological parents and their offspring. The offspring of biological parents shall have permanent labels that could recognize the percentage and birth of the offspring.

Article 592. Data management system

The ministry responsible for environment and natural resources or subnational administration shall develop a data management system for surveying, monitoring, controlling, and managing the maintained wildlife and facilities.

Article 593. Release of wildlife

1. Facilities, where wildlife are maintained or born in captivity and required for release, shall follow legal instruments of the ministry responsible for environment and natural resources or subnational administrations.
2. Before release, wildlife health checks, identification, and preparation for naturally suitable release sites shall be conducted, while post-release monitoring shall be conducted.

PART 11

MANAGEMENT OF CONFISCATED WILDLIFE AND WILDLIFE PARTS

Article 594. Management procedures

Management of confiscated wildlife or their parts shall be implemented as follows:

- a. Native live wildlife shall have their health checked and suitability assessed before being released into natural forests. If not suitable, they shall be sent to wildlife rescue centres permitted for treatment and care.
- b. Dead wildlife, parts, or specimens may be destroyed or maintained in accordance with legal instruments determined by the Ministry responsible for environmental and natural resources for subnational administrations.

- c. Live wildlife non-native in the natural protected areas may be sent to the authorized wildlife rescue centres but, if necessary, may be returned to the original location or have action taken according to the actual situation.

Article 595. Reporting for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

1. The Ministry of environment and natural resources, competent ministries or institutions, and subnational administrations that confiscate nearly extinct wildlife in whole or in parts as listed in the CITES Convention shall report to the individual country's governing authority.
2. The individual country's governing authority of CITES shall report to the CITES Secretariat in accordance with the Convention's reporting obligations.
3. In the case the wildlife species listed in the Convention have been confiscated during transit or distribution in the Kingdom of Cambodia, the ministry responsible for environment and natural resources, competent ministries or institutions, or subnational administrations may maintain them or take action to destroy in compliance with the provisions in Book 9 of this Code.

Article 596. Cooperation for international law enforcement

The ministry responsible for environment and natural resources or competent ministries or institutions may propose the Royal Government to negotiate and determine various agreements with international law enforcement authorities, international organizations, or regional organizations to promote international law enforcement cooperation.

CHAPTER 9 FISHERIES MANAGEMENT

PART 1 RESPONSIBLE INSTITUTIONS

Article 597. Responsible institutions

1. The ministry responsible for environment and natural resources and subnational administrations shall manage, conserve, and develop fisheries resources in natural protected areas.

2. The management, conservation, and development of fisheries resources outside natural protected areas shall be under the jurisdiction of the ministries or institutions responsible for fisheries.

Article 598. Roles and duties

1. The ministry responsible for environment and natural resources and subnational administrations shall have roles and duties for the management, conservation, and development of fishery resources in natural protected areas as below:
 - a. Develop draft policies for management, conservation, and development of fisheries resources, management plan, Master Plan, and data map for fisheries management.
 - b. Determine fishing territory to permit fishing activities in Fisheries Resource Conservation areas.
 - c. Manage, conserve, and develop fisheries resources to promote food security and preserve national aquatic resources for the best interest of the Kingdom of Cambodia.
 - d. Manage and determine aquacultural activities.
 - e. Conduct scientific research, fisheries techniques, economy, society, and environment.
 - f. Collaborate and share data on the management, conservation, and development of fisheries resources with relevant ministries or institutions.
 - g. Educate and disseminate to raise public awareness to participate in fisheries preservation and protection.
 - h. Inspect, monitor, and evaluate fisheries management.
 - i. Research, investigate, and take legal actions against fisheries crimes, build the case, and act as a complainant unit before the competent court.
2. The ministry responsible for fisheries shall have the right and authority to implement their roles and duties in accordance with this code or their sectoral laws.
3. Allocation of specific functions and duties to each administration of subnational administration shall be determined in a sub-decree.

PART 2

SUSTAINABILITY OF FISHERIES MANAGEMENT

Article 599. Fisheries management principles

Fisheries management shall adhere to the following principles:

- a. Sustainable management, conservation, development, and use of fisheries resources based on scientific information and data.

- b. Equitable use and allocation of fisheries resources.
- c. Promotion of collaboration for transparent and inclusive management of fisheries resources.
- d. Promotion of aquacultural development in potential areas.
- e. Effective adherence to international agreements and other relevant international and regional legal tools to which Cambodia is a State Party.
- f. Assurance of appropriate working conditions in fisheries employment on fishing ships or other fishing ships to protect laborers against trafficking in person or forced labour.
- g. Assurance of food safety.
- h. Better improvement of fisherman's livelihood.

PART 3

FISHERIES PROTECTION AND CONSERVATION

Article 600. Classification of fisheries management areas

The ministry responsible for environment and natural resources shall designate areas for fisheries resources' protection and conservation in natural protected areas in compliance with the provisions of this Code and other relevant sectoral laws to promote the effectiveness of management, protection, and development of fisheries resources.

Article 601. Prohibited activities in fishery conservation areas of conservation zones and core zones in natural protected areas

Prohibited activities in fishery conservation areas shall include the following:

- a. All types of fishing except for permission from the ministry responsible for environment and natural resources or subnational administration for experiment and technical and scientific fishery research.
- b. Navigable passage to set fishing gear with an attempt to fish or for other activities that affect fisheries resources.
- c. The use of fishing gear or other activities prohibited by the Law on Fisheries.

Article 602. Permitted activities in fishery conservation areas of conservation zones and core zones in natural protected areas

Permitted activities in fishery conservation areas of conservation zones and core zones in natural protected areas shall be as follows:

- a. Fishing in fishery conservation areas of conservation zones and core zones that do not affect fishery resources conservation targets may be permitted by the ministry responsible for environment and natural resources or subnational administrations.

- b. Digging up or excavating stones, sand, and minerals in fishery conservation areas of conservation zones and core zones may be permitted with prior consultation and joint decision between the ministry responsible for environment and natural resources and ministries or institutions responsible for mineral resources.

Article 603. Development of fishery-based ecotourism

The ministry responsible for environment and natural resources shall have the right to establish fishery-based ecotourist sites in conservation zones and core zones of natural protected areas in consultation with ministries or institutions responsible for fisheries and subnational administrations.

PART 4

FISHING MANAGEMENT IN COMMUNITY AND SUSTAINABLE USE ZONES

Article 604. Citizens' rights

Khmer citizens or persons legally residing in the Kingdom of Cambodia shall have the right to fish and participate in activities involving fishing practices in Community Zones and Sustainable Use Zones of natural protected areas in compliance with the provisions of this Code and laws on fisheries.

Article 605. Types of fishing practice

1. Types of fishing practices shall be categorized as follows:
 - a. Small-scale fishing practices.
 - b. Medium-scale fishing practices.
 - c. Large-scale fishing practices.
2. Types of fishing practice shall be categorized according to the types of fishing gear and fishing boats. Types of fishing gear shall be determined in a *prakas* by the minister responsible for fisheries.

Article 606. Fishing practices

1. The ministries or institutions responsible for fisheries or subnational administrations shall have the right to issue a permit for fishing practices or commercialization of fishery catch and products or aquacultural activities in compliance with the provisions of this Code and Law on Fisheries in Community Zones and Sustainable Use Zone, except when the permission affect the management objectives of those Zones.

2. The procedure to issue a permit shall be determined in a *prakas* by the minister responsible for fisheries.

CHAPTER 10 ECOTOURISM

Article 607. Responsible institutions

The ministry responsible for environment and natural resources shall coordinate and collaborate with the ministry or institution responsible for tourism and subnational administrations to manage ecotourism projects in natural protected areas.

Article 608. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, legal instruments, strategic plans, management plans, action plans, and technical guidelines for managing ecotourism development investment projects and community-based ecotourism development projects.
- b. Coordinate and collaborate with relevant ministries or institutions, subnational administrations, and private sectors to manage ecotourist investment projects.
- c. Study, coordinate, and manage ecotourism development investment projects and community-based ecotourism development projects in collaboration with relevant ministries or institutions.
- d. Coordinate to establish, control, monitor, and evaluate the implementation of ecotourism packages to attract national and international guests to visit natural protected areas in collaboration with relevant ministries or institutions.
- e. Coordinate to determine the location and install boundary markers for ecotourism development investment projects in natural protected areas.
- f. Prepare, monitor, and review the implementation progress of ecotourism development investment projects and community-based ecotourism development projects.
- g. A review and adjustment of the master plan and development programs for ecotourism development investment projects.
- h. Coordinate dispute resolution and irregularities involving implementing ecotourism development investment programs and projects.
- i. Develop income collection mechanism from ecotourist services to support natural protected area conservation activities.

- j. Mobilize financial and technical assistance from development partners and private sectors to support effective ecotourism development.
- k. Study to create tourist products in natural protected areas and strengthen the capacity of subnational administrations and local communities on ecotourism development in collaboration with relevant ministries or institutions and development partners.

Article 609. Roles and duties of the ministry or institution responsible for tourism

The ministry or institutions responsible for tourism shall have the following rovers and duties:

- a. Develop draft policies and ecotourism development plans in natural protected areas in collaboration with the ministry responsible for environment and natural resources, subnational administrations, and relevant stakeholders.
- b. Develop national and regional tourist plans and submit them to the Royal Government for review, approval, and incorporation into the National Strategic Development Plan.
- c. Manage and control ecotourist industry in natural protected areas with the ministry responsible for environment and natural resources.
- d. Issue licenses and permits to the ecotourism industry in natural protected areas.
- e. Collaborate with the ministry responsible for environment and natural resources and subnational administrations to study and define potential areas for ecotourist implementation in natural protected areas.
- f. Monitor control and inspect the implementation of ecotourism industry licenses and permits.
- g. Implement additional roles and duties in compliance with the law on tourism.

Article 610. Obligation of ecotourism development investment project owners

1. Ecotourism development investment project owners shall have the obligation to protect, preserve, manage, and conserve biodiversity and natural resources in compliance with licenses and permits.
2. Ecotourism development investment project owners shall contribute to planting trees in permitted areas.

Article 611. Resource efficiency assessment

1. All ecotourism development activities or projects that adversely impact the environment and natural resources exceeding the permitted level or do not follow ecotourist standards shall conduct a resource efficiency assessment to ensure environmental protection and natural resources conservation.

2. Formats and procedures for resource efficiency assessment shall be determined by an inter-ministerial *prakas* of the ministry responsible for environment and natural resources and the ministries or institutions responsible for tourism in consultation with subnational administrations.

Article 612. Development of legal instruments concerning the sustainability of ecotourism development

1. The ministry or institution responsible for tourism, in collaboration with the ministry responsible for environment and natural resources, relevant ministries or institutions, and sub-national administrations, shall develop legal instruments on format, procedures, and criteria for sustainability control of tourist development projects and activities.
2. The ministry responsible for environment and natural resources, in collaboration with the ministries or institution responsible for tourism, relevant ministries or institutions, and sub-national administrations, shall develop legal instruments on ecotourism development and management in natural protected areas in compliance with national and international ecotourism standards.

Article 613. Entrance fee to community-based ecotourism

1. The ministry responsible for environment and natural resources may charge an entrance fee for community-based ecotourism within the natural protected areas to serve natural resources protection and conservation targets.
2. Entrance fees to community-based tourism within the natural protected areas shall be determined by an inter-ministerial *prakas* between the ministry responsible for environment and natural resources and the ministry or institutions responsible for economy and finance in collaboration with the ministries or institutions responsible for tourism.

Article 614. Prohibited activities

The following activities of ecotourism development projects are prohibited:

- a. Poisoning or destroying natural resources in permitted project areas.
- b. Transforming or modifying the original shape of the areas, which causes severe impacts on the functions of natural protected areas.
- c. Cutting, uprooting, clearing, and felling the trees in the project areas except for being permitted by the ministry or institution responsible for environment and natural resources.
- d. Cutting, uprooting, or clearing forest lands to transform the land into private possession.

CHAPTER 11

MINERAL RESOURCE MANAGEMENT

Article 615. Responsible institutions

The ministry responsible for environment and natural resources shall coordinate and collaborate with the ministry or institution responsible for minerals and subnational administrations to manage mineral resource commercial projects in natural protected areas. The management of all types of mineral resources commercial projects shall be under the authority of the ministry responsible for minerals.

Article 616. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Coordinate and collaborate with relevant ministries or institutions to manage mineral resource investment projects that may cause severe environmental impacts.
- b. Coordinate to create, control, monitor, and evaluate the implementation of mineral resource commercial projects in natural protected areas in collaboration with relevant ministries or institutions.
- c. Survey, monitor, and review the implementation of environmental management plans or environmental protection agreements for mineral resource commercial projects.
- d. Study and propose to the Royal Government that mineral resource commercial projects cause severe environmental impacts compared with economic gain from the mineral resource commercial projects.
- e. Jointly consult and decide before submitting the proposal to the Royal Government for review and approval on all mineral resource commercial projects in the Conservation Zone and Core Zones of natural protected areas.

Article 617. Roles and duties of the ministry or institution responsible for mines

The ministry of institutions responsible for mines shall have the following roles and duties:

- a. Develop draft policies, legal instruments, strategic plans, management plans, action plans, and technical guidelines for managing mineral resource commercial investment projects.
- b. Control, monitor, and evaluate the implementation of mineral resource commercial projects.
- c. Issue mineral resources licenses or other permits in compliance with the Law on managing and commercializing mineral resources and relevant legal instruments.

- d. Study and assess economic gain from mineral resource commercial projects.
- e. Monitor, control, and enforce the laws.
- f. Inspect mineral resources commercial projects in accordance with the licenses and other permits.
- g. Consult with the ministry responsible for environment and natural resources, relevant institutions, and subnational administrations if any mineral resource commercial project has caused an impact on the environment and cultural heritage areas.
- h. Jointly consult and decide with the ministry responsible for environment and natural resources before submitting the proposal to the Royal Government for review and approval on mineral resource commercial projects in Conservation Zones and Core Zones of the natural protected areas.

Article 618. Obligations to avoid environmental harm

1. Mineral resource commercial project owners shall have the application to avoid severe environmental pollution or harm from their mineral resource commercial operations or projects.
2. Utilization of modern environmentally friendly technology in mineral resources commercial activities shall be encouraged.
3. Mineral resource commercial project owners shall be responsible for repairing the harm to the citizens affected by mineral resource commercial projects

Article 619. Reporting obligation

1. Mineral resource commercial project owners shall urgently report to the ministry responsible for environment and natural resources and the ministries or institutions responsible for mines in cases of leakage or spillage of acid, metallic substances, or hazardous waste that cause environmental and social impact.
2. As stated in Paragraph 1 above, the expense for environmental restoration shall be the responsibility of mineral resource commercial project owners.

Article 620. List of modern environmentally friendly technology

The ministry responsible for environment and natural resources should collaborate with the ministries or institutions responsible for mines to develop legal instruments on modern environmentally friendly technology lists for commercial mineral resource projects.

Article 621. Prohibited activities

The following activities are prohibited:

- a. Constructing mineral base storage reservoirs near the river, ocean, or water sources necessary for people's consumption and shallow storage reservoirs in breach of the provisions on environmental impact assessment.
- b. Drainage or leakages of acid or metallic substances from mineral resource commercial activities which cause environmental and social impact.
- c. Prospecting, exploring, and commercializing mineral resources without a permit.

CHAPTER 12 ENERGY MANAGEMENT

Article 622. Incentives for responsible energy use

The ministry responsible for environment and natural resources shall incentivize responsible energy use projects and renewable energy in natural protected areas to ensure sustainable energy and to reduce electricity consumption that may cause environmental impacts.

Article 623. Installation of power grid line through conservation or core zones

The ministry responsible for energy shall consult with the ministry responsible for environment and natural resources before implementing the power grid line through the conservation zone or core zones.

Article 624. Equal implementation of provisions

1. Except for the provisions in this Chapter, the provisions in Section 10 (Responsible Electricity) in Book 2 of this Code shall be equally implemented on energy management in natural protected areas.
2. Responsible energy, as stated in Section 10 (Responsible Electricity) in Book 2 of this Code, shall not apply to management and use in case responsible energy management and use contradict the objective of environmental protection and natural resource management in natural protected areas.

SECTION 3 COASTAL, ISLANDS AND MARINE RESOURCE MANAGEMENT

CHAPTER 1 GENERAL PROVISIONS

Article 625. Purpose

This section shall aim to manage coastal, island, and marine resources via environmental protection, conservation of natural resource use, and other development to ensure the balance of ecosystems of coastal zones, islands, and seas and to enhance the local community's economy.

Article 626. Scope

This section shall apply to coastal, island, and marine resource management in the Kingdom of Cambodia.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 627. Responsible institutions

1. The ministry responsible for environment and natural resources shall manage, protect, and conserve coastal, island, and marine natural resources in natural protected areas in the Kingdom of Cambodia.
2. The Royal Government shall define specific roles, responsibilities, and collaboration for competent ministries or institutions.

Article 628. Roles and duties

1. The ministry responsible for environment and natural resources shall be the secretariat of the Royal Government in managing, protecting, and conserving coastal, island, and marine resources in natural protected areas in the Kingdom of Cambodia.
2. The ministry responsible for environment and natural resources shall have the following roles and duties:
 - a. Developed draft national policies, national strategic plans, action plans, legal instruments, and technical guidelines for coastal, island, and marine resource management.
 - b. Develop draft policies, Management plans, master plans, and geographical maps for coastal, island, and marine resource management.
 - c. Review and propose to the royal government to participate in implementing international legal tools.
 - d. Study, assess, collect, compile, and maintain coastal, island, and marine resource data.
 - e. Educate and disseminate to raise public awareness to participate in coastal, island, and marine resource preservation and protection.

- f. Develop capacity and provide technical support to subnational administrations and local communities in coastal, island, and marine resource management.
- g. Inspect, monitor, and evaluate coastal, island, and marine resource management.

Article 629. Technical guidelines

Format, procedure, and technical guidelines on coastal, Islands, and Marine Resource Management in natural protected areas shall be determined in a *prakas* of the Minister responsible for environment and Natural Resources in consultation with relevant ministries or institutions and subnational administrations.

Article 630. Establishment of natural protected areas concerning coastal zones, islands, and marine area

The establishment of natural protected areas involving coastal, islands, and Marine areas shall be conducted as stated in Article 358 (Establishment of natural protected areas) of this Code.

Article 631. Monitoring and evaluation

The ministry responsible for environment and natural resources, in collaboration with relevant ministries or institutions and subnational administrations, shall investigate, control, monitor, and evaluate the implementation of the strategic plan for conservation management and restoration of the coastal, island, and marine biodiversity and ecosystems in natural protected areas.

Article 632. Requirement for activities or development projects

Approval for coastal, island, and marine development activities or projects shall be based on the following criteria:

- a. The proposed activities or projects by all persons shall align with the land use plan in coastal, island, and marine zones.
- b. The proposed activities or projects by all persons shall include measures to avoid and minimize impacts on coastal, islands, and marine zones.
- c. Impacts of climate change and disaster risk shall be forecast to prevent and reduce soil erosion and dangers posed by flood and drought in coastal, islands, and marine zones by developing procedures to evacuate the citizens and to protect infrastructures.
- d. Impact of solid and liquid waste discharge into coastal zone shall be minimized and avoided through efficient waste management.
- e. Land reclamation for use shall be minimized.

- f. Project activities shall be implemented in accordance with social and environmental impact assessment measures.
- g. Other requirements as determined in the legal instruments of the ministry responsible for environment and natural resources.

Article 633. Prohibited projects

1. Infrastructure construction, mining, and investment projects that cause pollution or severe damage to the environment, natural resources, and ecosystems in coastal, island, and marine zones are prohibited in the following areas:
 - a. Habitats of marine animal species and rare species.
 - b. Seagrass and coral reef areas.
 - c. Mangrove forest areas.
 - d. Areas of food sources for wild animals and aquatic animals.
 - e. Forest areas, grasslands, lakes, and freshwater sources on islands.
 - f. Areas of national aquatic inland and marine reproduction and other fishery resources.
2. Activities or projects as stated above may be undertaken with permission from the Royal Government.

SECTION 4 IMPLEMENTATION OF SECTORAL PROVISIONS

CHAPTER 1 GENERAL PROVISIONS

Article 634. Purpose

This section shall aim to develop mechanisms for coordination, collaboration, and consistency in implementing legal provisions and sectoral legal instruments concerning fisheries, forestry, wildlife species, wild plants, tourism, mines, water resources, energy, cultural heritage, watershed, and other relevant sectors concerning management of natural protected areas and all natural resources in natural protected areas as stated in Section 1 (natural protected areas management) to Section 3 (coastal, islands and marine resource management) in Book 4 of this Code.

Article 635. Scope

This section shall apply to the fulfillment of roles and duties of the ministry responsible for environment and natural resources, relevant ministries or institutions, and subnational administrations provided by separate sectoral laws and this Code.

CHAPTER 2 IMPLEMENTATION OF RELEVANT SECTORAL LEGAL PROVISIONS

Article 636. Implementation of sectoral legal provisions, laws, and legal instruments

1. The ministry responsible for environment and natural resources shall have the right to implement laws and legal instruments concerning fisheries, forestry, wildlife, wild plants, tourism, mines, water resources, energy, cultural heritage, watershed, and other relevant sectors to complement the implementation of roles and duties in the management, protection and conservation of natural resources in natural protected areas as provided in this Code to ensure sustainability of natural resources, biodiversity and ecosystems for the best interest of the Kingdom of Cambodia.
2. The ministries or institutions responsible for relevant sectors and subnational administrations whose duties are provided by separate laws shall have the right to implement the provisions of this code in addition to their respective sectoral roles and duties.

3. The ministry responsible for environment and natural resources shall collaborate and coordinate with relevant ministries or institutions and subnational administrations to implement the provisions of this code to enhance the effectiveness of management, preservation, protection, and conservation of natural protected areas and natural resources in natural protected areas for the best interest of the Kingdom of Cambodia under their jurisdiction in line with the policies of the Royal Government of Cambodia.

Article 637. Determination of rights to withdraw natural resources and investment projects

Relevant ministries or institutions whose rights and authorities are provided by sectoral laws involving all management of natural resources in the Kingdom of Cambodia may extract natural resources and give permission to any investment project in Community Zones and Sustainable Use Zones in natural protected areas after prior consultation with the ministry responsible for environment and natural resources or subnational administrations. All extraction of natural resources and decisions to permit any investment project in Conservation Zones and Core Zones may be implemented only when they comply with the provisions stated in Section 1 (natural protected areas management) to Section 3 (coastal, islands, and marine resource management) in Book 4 of this Code.

BOOK 5
ENVIRONMENTAL ASSESSMENT

SECTION 1
STRATEGIC ENVIRONMENTAL ASSESSMENT

CHAPTER 1
GENERAL PROVISIONS

Article 638. Purpose

This section shall aim to ensure the effectiveness of strategic environmental assessment on development policies, plans, and programs of the Royal Government in various sectors with public participation.

Article 639. Scope

This section shall apply to a strategic environmental assessment under the Royal Government's development policies, plans, and programs for industry, mines, energy, agriculture, tourism, infrastructure, telecommunication systems, and other important sectors.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

Article 640. Responsible institutions

The ministry responsible for environment and natural resources should organize strategic environmental assessments under the Royal Government's development policies, plans, and programs.

Article 641. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Determine priority sectors required for strategic environmental assessment.
- b. Review and make decisions on strategic environmental assessment reports.

- c. Collaborate with relevant ministries or institutions and subnational administrations to develop legal instruments for strategic environmental assessments.
- d. Determine Guidelines for strategic environmental assessment reporting.

Article 642. Strategic environmental assessment framework

All development policies, plans, and programs of the Royal Government must include strategic environmental assessments.

CHAPTER 3 PROCEDURE FOR STRATEGIC ENVIRONMENTAL ASSESSMENT

Article 643. Implementation of Strategic Environmental Assessment

The ministry responsible for environment and natural resources shall develop legal instruments to provide additional detailed information on the procedure for strategic environmental assessment implementation in this section, which includes but is not limited to:

- a. Detailed Strategic Environmental Assessment procedure.
- b. Screening criteria for determining the potential of policies, plans, and programs to have significant environmental impacts.
- c. Implementation of the provisions on public participation and access to environmental information in accordance with the provisions of this Code.
- d. The section and format of Strategic Environmental Assessment Reports.

Article 644. Procedure

1. The Strategic Environmental Assessment procedure shall include the following steps:
 - a. Screening and classification of policies, plans, and programs.
 - b. Scoping of policies, plans, and programs.
 - c. Preparation of the Strategic Environmental Assessment Report.
 - d. Reviewing the Strategic Environmental Assessment Report.
 - e. Deciding on the Strategic Environmental Assessment Report.
 - f. Monitoring the application of the Strategic Environmental Assessment.
2. Strategic Environmental Assessment procedure shall be determined in a sub-decree.

Article 645. Public participation in strategic environmental assessment

1. Strategic environmental assessment procedure must have public participation processes in stages of the strategic environmental assessment.
2. Public participation procedure shall be determined by legal instruments of the ministry responsible for environment and natural resources.

Article 646. Responsibilities for strategic environmental assessment reporting

Other ministries or institutions and/or subnational administrations shall prepare strategic environmental assessment reports and submit them to the Royal Government for decision after the review and comments from the ministry responsible for environment and natural resources.

Article 647. Implementation of strategic environmental assessment report

1. Ministries or institutions and subnational administrations responsible for environment and Natural Resources shall implement strategic environmental assessment reports approved by the Royal Government.
2. Projects continue to develop environmental impact assessment report as stated in the section tool environmental impact assessment of book file of this code

Article 648. Monitoring

1. The ministry responsible for environment and natural resources and subnational administrations shall monitor the environment and society as the strategic environment assessment report provides.
2. Relevant ministries or institutions and subnational administrations shall forward strategic environment assessment monitoring reports to the ministry responsible for environment and natural resources every 3 (three) or 5 (five) years.
3. The procedure for strategic environment assessment monitoring shall be determined by a sub-decree.

SECTION 2 ENVIRONMENTAL IMPACT ASSESSMENT

CHAPTER 1 GENERAL PROVISIONS

Article 649. Purpose

This section shall aim to ensure the effectiveness of environmental impact assessment for private and public investment projects with public participation to prevent, avoid, or mitigate adverse environmental and social impacts caused by investment projects.

Article 650. Scope

1. This section applies to public and private projects, including proposed projects, existing projects, or operations that may cause environmental, health, economic, social, and cultural impact.
2. In cases where the development project may cause environmental, health, economic, social, and cultural cross-border impacts, the project proponents shall further conduct cross-border environmental impact assessment in compliance with international laws and legal instruments concerning cross-border environmental impact assessment which the Kingdom of Cambodia is a state party.

Article 651. Exceptional projects

environmental impact assessments shall not apply to the State's development projects or State activities approved by the Royal Government or the National Assembly and considered necessary for emergency projects concerning national security, territorial integrity, national sovereignty, or disaster management.

CHAPTER 2 RESPONSIBLE INSTITUTIONS

Article 652. Responsible institutions

The ministry responsible for environment and natural resources shall organize environmental impact assessments for all public and private investment projects.

Article 653. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following rules and duties:

- a. Develop draft policies, legal instruments, strategy plans, action plans, technical guidelines, and procedures for environmental impact assessments.
- b. Screening/classification of the investment project, defining Terms of References, scoping the study, and preparing environmental impact assessment report.
- c. Review, comment, approve, and reject environmental impact assessment reports and issue letters concerning environmental impact assessment.
- d. Promote public participation from relevant persons in accordance with the provisions of this Code.
- e. Monitor, control, inspect, investigate, instruct, and take actions to implement environmental impact assessment reports, environmental protection plans, agreements, and other legal instruments concerning investment projects.
- f. Develop and issue legal instruments on public participation in environmental impact assessment processes.
- g. Determine conditions, qualifications, format, and procedures for registering environmental impact assessment consultants as natural persons or legal entities.
- h. Develop legal frameworks and other instruments for cross-border environmental impact assessment.
- i. Determined compositions of officers to be qualified as judicial police officers.

CHAPTER 3

PRINCIPLES OF ENVIRONMENTAL IMPACT ASSESSMENT

Article 654. Fundamental Principles of environmental impact assessment

1. All development projects shall have an environmental impact assessment conducted with approval from the ministry responsible for environment and natural resources before submitting to the competent authority or individual ministry and/or the Royal Government for approval.
2. All issuance of licenses, permits, or decisions on development projects by competent authorities or individual ministries and/or the Royal Government shall comply with conditions stated in the letter or certificate of approval on environmental impact assessment reports or environmental protection agreements.
3. All licenses, permits, or decisions contrary to this Article's provision shall be considered null and void.

Article 655. General principles of environmental impact assessment

The environmental impact assessment process shall be valid only when it is conducted in accordance with the conditions and principles of public participation as stated in Section 2 (environmental impact assessment) in Book 5 of this code.

CHAPTER 4 ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

Article 656. Classification of development projects

1. The ministry responsible for environment and natural resources shall classify development projects to request the project owners to prepare the following documents.
 - a. Full environmental impact assessment report.
 - b. Initial environmental impact assessment report.
 - c. Environmental protection agreements.
2. The types of projects required to prepare a full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreements shall be determined by legal instruments of the ministry responsible for environment and natural resources.

Article 657. Requirements of full environmental impact assessment reporting, initial environmental impact assessment reporting, or environmental protection agreement

1. Full environmental impact assessment reporting shall be required for projects determined in the legal instruments of the ministry responsible for environment and natural resources or project development that have severe social and environmental impact.
2. Initial environmental impact assessment reporting shall be required for projects determined in the legal instruments of the ministry responsible for environment and natural resources or project development with moderate social and environmental impact.
3. An environmental protection agreement shall be required for projects determined in the legal instruments of the ministry responsible for environment and natural resources or project development that have minor social and environmental impact.

Article 658. The requirement to be with or without a consultancy company for the initial environmental impact assessment reporting

1. For a project proposal requiring a full environmental impact assessment report, the project owner shall collaborate with a registered consulting firm accredited by the ministry responsible for environment and natural resources to develop Terms of Reference for the

study and complete environmental impact assessment reporting in compliance with the provisions and legal instruments of the ministry responsible for environment and natural resources and shall seek approval from the ministry responsible for environmental natural resources.

2. For a project proposal requiring an initial environmental impact assessment report, the project owner shall prepare the report by themselves and/or by environmental impact assessment consultants as a legal entity or natural person and seek approval from the ministry responsible for environmental natural resources.
3. For projects requiring only an environmental protection agreement, the project owner shall enter into an environmental protection agreement by attaching environmental management plans and relevant documents and seek approval from the ministry responsible for environmental natural resources.

Article 659. environmental impact assessment consultants as a legal entity or natural persons

1. environmental impact assessment consultant as a legal entity or natural person shall be registered with and accredited by the ministry responsible for environment and natural resources before professionally developing environmental impact assessment reports.
2. environmental impact assessment consultants shall be professionally independent and responsible for all complete environmental impact assessment reports and initial environmental impact assessment reports.
3. Conditions and procedures for accreditation to be qualified as an environmental impact assessment consultant as an illegal entity or a natural person shall be determined by a legal instrument of the ministry responsible for environment and national resources.

Article 660. Review and comments on full environmental impact assessment report

1. The ministry responsible for environment and natural resources shall review and comment on the full environmental impact assessment report within 90 (ninety) working days starting from receipt. The 90-days shall cease when the ministry responsible for environment and natural resources has decided to reject, approve, or order to adjust or correct the report.
2. The 90-working day period for review and comments shall start all over again when the ministry responsible for environment and natural resources has received a proposal to review the full environmental impact assessment report adjusted by the project owners according to instruction or order provided earlier by the ministry responsible for environment and natural resources.

3. If the ministry responsible for environment and natural resources fails to provide comments within the 90-working day period, competent ministries, or institutions and/or the Royal Government may determine that the project has fulfilled the requirement of this Code.
4. Project owners shall be responsible for any injury caused by their mistakes leading to being late or failing to adjust as instructed or ordered.

Article 661. Expert review committee

1. All development projects required to conduct a full environmental impact assessment shall receive technical comments from the expert review committee.
2. Expert review committee shall comprise the ministry responsible for environment and natural resources, relevant ministries or institutions, subnational administration, and independent experts with suitable qualifications and experiences in reviewing full environmental impact assessment reports.
3. Roles and duties of the expert review committee shall be determined by a legal instrument of the ministry responsible for environment and natural resources.

Article 662. Consultative meeting of expert review committee

1. The ministry responsible for environment and natural resources shall review and comment on the full environmental impact assessment report after the following:
 - a. Listening to and considering the official presentation and defence of the report by the project owner and consulting firm.
 - b. Considering comments from those directly or indirectly affected by the projects and relevant public opinion.
 - c. Consider the recommendations of the Expert Review Committee only for full environmental impact assessment.

Article 663. Review and comments on initial environmental impact assessment report

1. The ministry responsible for environment and natural resources shall review and comment on the initial environmental impact assessment report within 60 (60) working days starting from receipt. The 60-day shall cease when the ministry responsible for environment and natural resources has decided to reject, approve, or order to adjust the report.
2. The 60-working day period for review and comments shall start all over again when the ministry responsible for environment and natural resources has received a proposal to review the initial environmental impact assessment report adjusted by the project owners according to instruction or order by the ministry responsible for environment and natural resources.

3. If the ministry responsible for environment and natural resources fails to provide comments within the 60-working day period, competent ministries or institutions and/or the Royal Government may determine that the project has fulfilled the requirement of this Code.
4. Project owners shall be responsible for any damage or loss caused by their mistakes leading to late submission or failing to adjust the environmental impact assessment report as instructed or ordered.

Article 664. Review and comments on environmental protection agreement

1. The ministry responsible for environment and natural resources shall have 30 (thirty) working days to review and comment on the environmental protection agreement and/or environmental management plan. The period shall start when the ministry responsible for environment and natural resources receives the environmental protection agreement and/or environmental management plan and relevant documents.
2. The 30-working day period for review and comments shall start all over again when the ministry responsible for environment and natural resources has received a proposal to review the environmental protection agreement and/or environmental management plan adjusted by the project owners according to instruction or order by the ministry responsible for environment and natural resources.
3. If the ministry responsible for environment and natural resources fails to provide comments within the 30-working day period, competent ministries or institutions and/or the Royal Government may determine that the project has fulfilled the requirement of this Code.
4. Project owners shall be liable for any damage or loss caused by their mistakes leading to late submission or failing to adjust the environmental protection agreement and/or environmental management plan as instructed or ordered.

Article 665. Approval, rejection, or adjustment to full environmental impact assessment or initial environmental impact assessment

1. Approval, rejection, or further adjustment to the full environmental impact assessment report or the initial environment impact assessment report shall consider the positive and adverse impacts on the environment, economy, society, and culture, as well as economic gains and costs of environmental harm.
2. In the case that the ministry responsible for environment and natural resources approves a full environmental impact assessment report or initial environmental impact assessment report, the ministry responsible for environment and natural resources will issue an approval letter or certificate for a full environmental impact assessment report or initial environmental impact assessment report, with an attachment of an environmental protection agreement.

3. If the ministry responsible for environment and natural resources rejects the full environmental impact assessment report or initial environmental impact assessment report, the ministry responsible for environment and natural resources will justify its decisions.
4. If the ministry responsible for environmental and natural resources requests corrections to the full environmental impact assessment report or initial environmental impact assessment report, the ministry responsible for environment and natural resources shall justify and indicate the points to be corrected.

Article 666. Validity of full environmental impact assessment, initial environmental impact assessment, or environmental protection agreement

1. A full environmental impact assessment report shall be considered valid only if it has been prepared by an environmental impact assessment consulting firm accredited by the ministry responsible for environment and natural resources in compliance with the procedures, conditions, provisions, and other legal instruments.
2. Initial environmental impact assessment report shall be considered valid only if it has been prepared by the project owners and/or by an environmental impact assessment consultant as a legal entity or a natural person in compliance with the procedures, conditions, provisions, and other legal instruments of the ministry responsible for environment and natural resources.
3. The environmental protection agreement shall be considered valid only if it complies with the procedures, conditions, provisions, and other legal instruments of the ministry responsible for environment and natural resources.

Article 667. Validity of approval letter and certificate on environmental impact assessment report

1. Approval letter and certificate on the full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreement shall be valid according to the development projects determined in the sub-decree.
2. In the case that the ministry responsible for environment and natural resources finds that there are changes to the master plan and/or that the full environmental impact assessment report or initial environmental impact assessment report is not adequate or effective for the implementation of environmental and social impact mitigation measures, the ministry responsible for environment and natural resources has the right to require the project owner to re-prepare a full environmental impact assessment report or initial environmental impact assessment report and/or to update a full environmental impact assessment report or initial environmental impact assessment report to receive a new approval letter and certificate for the full environmental impact assessment report or initial environmental impact assessment report.

Article 668. Prohibition of construction activities or project operations

1. The project owner shall not commence any construction activity or operation before receiving the approval letter and certificate on the full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreement. In the case of not having an approval letter and certificate on the full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreement, the ministry responsible for environment and natural resources shall have the discretion to suspend construction activities or the project operation in entirety.
2. The project owner shall display the sign or approval letter and certificate at the worksite's entrance on the full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreement.
3. All concession agreements granted by the Royal Government of Cambodia at the national and subnational levels shall have an approval letter and certificate on the full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreement.

Article 669. Transfer or change of project owner

1. In case of any changes or transfer of the project owner, the approval letter and certificate on the full environmental impact assessment report and/or initial environmental impact assessment report and/or environmental protection agreement shall be automatically transferred to the new project owner.
2. Any change or transfer of the project owner involving environmental impact assessment is valid only if the change or transfer has received approval from the ministry responsible for environmental and natural resources.

CHAPTER 5 ADDITIONAL ENVIRONMENTAL ASSESSMENT

Article 670. Purpose of risk assessment

Risk assessment shall be conducted to:

- a. Identify and prioritize activities to be undertaken.
- b. Assist in the allocation of resources to minimize environmental harm
- c. Determine the extent of restoration necessary to remedy adverse environmental impacts

- d. Determine when restoration may be finished and completed
- e. Ensure deposits or insurance to manage the risks resulting from the activities or the projects
- f. Inform the members of the public
- g. Prevent and minimize adverse environmental and social impacts

Article 671. Targets of risk assessment

Risk assessment shall aim to identify and evaluate potential environmental, public safety, and human health risks that the decisions and approvals of the activities or projects in compliance with the provisions of this Code may cause.

Article 672. Scope of risk assessment

1. Risk assessment should be conducted by the project owners and submitted to the ministry responsible for environment and natural resources, relevant ministries or institutions, or competent subnational administrations before issuing decisions or approvals, including but not limited to permits or letters of approval as stated in this Code for activities or projects that pose a threat of adverse environmental and social impacts.
2. Risk assessment shall be a part of the full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreement.

Article 673. Requirement for certified consultants

All risk assessments should be conducted by a consulting firm accredited or approved by the ministry responsible for environment and natural resources and other competent ministries or institutions.

Article 674. Legal instruments on risk assessment

The ministry responsible for environment and natural resources shall develop legal instruments on risk assessment, including but not limited to guidelines on the section and format of the risk assessment report, the responsibility of relevant ministries or institutions, and required qualification for recognized and approved consultants to undertake a risk assessment, by using scientific principle and risk assessment best practices.

Article 675. Reports on risk assessment

The ministry responsible for environment and Natural Resources, other relevant ministries or institutions, or subnational administrations shall ensure the reports of risk assessment findings

are developed in compliance with relevant legal instruments. Risk assessment reports shall be prepared and considered by accredited or certified consultants to the ministry responsible for environmental resources, relevant ministries, institutions, or subnational administrations.

Article 676. Preparation of risk assessment report

In the preparation of risk assessment reports, the responsible consultants shall comply with the principles stated in this Code.

Article 677. Access to information on risk assessment

A data management system on all risk assessment activities and completed risk assessment reports shall be made publicly available by the ministry responsible for environment and natural resources in compliance with the provisions on the right to access information of this Code. The ministry responsible for environment and natural resources and relevant subnational administrations shall maintain the data management system.

Article 678. Sustainability risk assessment

All financial institutions and legal entities providing financial guarantees, financial assurances, or loans to activities or projects shall conduct a sustainability risk assessment to determine if the proposed activities or projects have assessed and considered potential environmental impacts in the design, environmental management, operation, and closure of the proposed activities or projects.

Article 679. Costs of sustainability risk assessment

The sustainability risk assessment shall include a feasibility study of all proposed activities or projects incorporates the cost for environmental impact assessment, including the cost of environmental management plan implementation, liabilities for remedy and compensation for environmental harm, all required payment for ecosystem services, sufficient financial assurances for closure, environmental restoration, remediation or necessary closure to the projects as may be required to meet any relevant legal requirements.

Article 680. Liability for failure to undertake a sustainability risk assessment

All financial institutions and legal entities providing financial guarantees, assurances, or loans to activities or projects that fail to conduct a Sustainability Risk Assessment shall be liable for harm or compensation for damage from significant environmental impacts resulting from those activities or projects.

Article 681. environmental impact assessment in relation to climate change

1. Full environmental impact assessment shall include an assessment of the impacts of proposed projects that contribute to climate change, which shall consist of a calculation of the greenhouse gas emission of the project and an analysis of future greenhouse gas emissions.
2. The project owner shall assess both low greenhouse gas energy options and the need to mitigate climate-induced changes to the water supply.

Article 682. Analysis and assessment of the potential impact of climate change

Full environmental impact assessment shall analyse and assess project vulnerability resulting from climate change and activities on the environment, economy, society, and culture to achieve economic development that is in line with low greenhouse gas emissions.

Article 683. Health impact assessment

An environmental impact assessment shall include health impact assessment as follows but not limited to:

- a. Baseline data on health in the project areas and affected populations.
- b. Description of potential project impacts due to construction, population flow, and environmental changes.
- c. Mitigation measures to reduce or eliminate adverse impacts of the project and actions that the project owner will introduce to improve the health of the local communities.
- d. Other issues related to monitoring health conditions and managing remaining impacts in the short and long term for the project.

Article 684. Analysis of risks of health impact assessment

In health impact assessment, the project owner shall:

- a. Propose a safety and health management plan as part of the health impact assessment for environmental work by analysing related risks and types of dangers in the project site, including but not limited to morphological, chemical, biological, and radioactive factors.
- b. Identify and assess risks and potentials of safety and health impacts on local communities during project design, construction, implementation, and closure, and

propose protection measures and management plans against identified impacts at all the project stages.

Article 685. Cumulative environmental impact assessment

1. Full environmental impact assessments shall analyse and assess the cumulative impacts that may be caused by existing and future projects in the areas surrounding the project site, which may cause significant environmental, socioeconomic, and cultural effects.
2. In the cumulative environmental impact assessment report, the project owner shall evaluate the capacity of morphological, biological, and socioeconomic resources to accommodate additional impacts caused by temporal factors, geographical conditions, and existing project activities surrounding the project sites.
3. Project owners shall consider alternative mitigation measures to reduce or avoid potential significant cumulative impacts.

Article 686. Transboundary environmental impact assessment

1. Development projects that may have significant transboundary environmental impacts shall conduct a Transboundary environmental impact assessment in accordance with international laws and legal instruments on Transboundary environmental impact assessment, to which the Kingdom of Cambodia is a state party.
2. The ministry responsible for environment and natural resources shall develop legal instruments defining criteria for transboundary environmental impacts requiring a transboundary environmental impact assessment.
3. Format and procedure for implementing transboundary environmental impact assessment shall be determined in a legal instrument of the ministry responsible for environment and natural sources.

CHAPTER 6

PUBLIC PARTICIPATION IN EIA PROCESS

Article 687. Purpose of public participation

1. The primary purpose of public participation shall be to ensure that all relevant stakeholders participate in environmental protection, biodiversity conservation, sustainable natural resource use, sustainable livelihood, and environmental impact assessment processes.
2. The procedures for public participation shall be determined by legal instruments of the ministry responsible for environment and natural resources.

Article 688. Right of public participants to act

Stakeholders with the right to participate publicly may do the following activities:

- a. Reporting to competent authorities and publishing information on activities or decisions that may impact the environment and natural resources.
- b. Raising questions about, requesting clarification on, objecting to, and meeting to discuss activities or decisions that may impact the environment and natural resources; and
- c. Filing complaints or objections against activities or decisions following grievance mechanisms of environment and natural resources disputes as stipulated in Section 1 (Procedure for Grievance Mechanism of Environmental and Natural Resources Disputes) in Book 9 of this Code.

Article 689. Duties of relevant ministry or institution, sub-national administration, and project owners

Before any decision or approval relevant to this Code, all relevant ministries or institutions, subnational administrations, and project owners shall:

- a. Notify, provide necessary information, and give relevant stakeholders reasonable time for public participation.
- b. Provide necessary information to relevant stakeholders in a language that can be understood by all stakeholders and in a culturally appropriate format.
- c. Consider using technical and/or scientific knowledge as a basis to develop the project, action plans, and decision-making.
- d. Pay attention to the needs and values of stakeholders in public participation processes.
- e. Provide a fair and reasonable amount of time to evaluate and respond to information relevant to any proposed project, activities, plans, and decisions.
- f. Considering the extent of public participation shall be proportionate to the size of stakeholder interests.
- g. Ensure that the public participation process is flexible and adaptive in keeping with the reasonable expectations of stakeholders.
- h. Take into consideration all comments from the public in the decision-making process. Acceptance or rejection of the above comments shall be explained with appropriate reasons.

Article 690. Public comments in the environmental impact assessment process

Public participation in environmental impact assessment processes shall:

- a. Record all the comments from public participants in the planning and implementation stages of the environmental impact assessment.
- b. Pay attention to various issues affected parties raise, which may arise from the proposed projects.
- c. Incorporate all the details of the project's impacts on the public and the public's acceptance or rejection of the proposal.
- d. Clear justification of rejection in case the project owners reject any proposal by the public.

Article 691. Prior consultation

1. The public participation process shall ensure a prior consultation with stakeholders affected by the project regarding proposed impact mitigation measures based on prior and informed consultation.
2. For impact mitigation measures, the project owner shall:
 - a. Determine various measures to promote livelihood and assist those affected by the projects.
 - b. Ensure that affected stakeholders participate in resettlement planning to minimize adverse resettlement impacts and ensure that compensation for property loss has been addressed fairly, appropriately, and justly before resettlement, and impact mitigation measures shall be appropriate.
3. If affected local communities object to the mitigation measures proposed by the project owner, the development project shall continue. However, the project owner shall determine alternative mitigation measures or address those impacts on local communities.
4. Grievance procedures for affected local communities and resettlement procedures shall be determined by legal instruments of the ministry responsible for environment and natural resources.
5. Format and procedure for compensation for damage to the affected local communities shall be determined in an inter-ministerial *prakas* between the ministry responsible for environment and natural resources and the ministries or institutions responsible for economy and finance.

Article 692. Public participation in mitigation measures

1. Public participation processes shall seek agreement from affected stakeholders on the proposed impact mitigation measures. Project owners shall provide an environmental management plan allowing public participation in the monitoring process and adhere to the conditions stated in environmental management plans.

2. Environmental impact assessment report and environment management plans shall consider various comments from the affected communities regarding the proposed impact mitigation measures.

Article 693. Public dissemination

1. The ministry responsible for environment and natural resources shall ensure that all information related to full environmental impact assessment and initial environment impact assessment reports and relevant documents are publicly disseminated and stakeholders and the local community affected by the project can receive adequate and precise information.
2. Project owners shall make public dissemination on their website at least documents or copies of full environmental impact assessment or initial environmental impact assessment reports and project plans as well as impact mitigation measures by the proposed projects.
3. The procedure for public participation and the right to access information shall be determined by the legal instruments of the ministry responsible for environment and natural resources.

CHAPTER 7

ENVIRONMENTAL MANAGEMENT PLAN AND PROJECT MONITORING

Article 694. Controlling and monitoring the implementation of the environmental management plan

1. The ministry responsible for environment and natural resources shall be the authority to control and monitor the project owner's implementation of the environment management plan in collaboration with relevant ministries or institutions, subnational administrations, and relevant stakeholders.
2. The project owners shall implement a full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreements and/or environmental management plans within six months from when the ministry responsible for environment and natural resources has approved a full environmental impact assessment report, initial environmental impact assessment report or environmental protection agreements and/or environmental management plans.

Article 695. Environmental management planning

1. The project owners shall develop an environmental management plan.
2. The environmental management plan shall include requirements for environmental and social impact mitigation measures as determined in the full environmental impact

assessment report, initial environmental impact assessment report, or environmental protection agreement.

3. Environmental management plans shall be regularly updated in accordance with the actual development of environmental standards, actual practices generally recognized in each sector, or various changes to the projects.

Article 696. Internal environmental management system

1. All development projects and project operators shall establish a working group responsible for controlling the management of the environmental management plan and maintain an internal environmental management system that ensures procedures and monitoring methodology as stated in the environmental management plan.
2. If environmental impacts are more significant than those assessed in the environmental impact assessment report or environmental management plans, the ministry responsible for environment and natural resources shall take urgent corrective measures or adjust environmental management plans.
3. The adjusted environmental management plans and monitoring program shall receive approval from the ministry responsible for environment and Natural Resources. Conditions, formats, and procedures for adjustment or improvement shall be determined by legal instruments of the ministry responsible for environment and natural resources.
4. Project owners shall prepare quarterly or semi-annual environmental monitoring reports and submit them to the ministry responsible for environment and natural resources for review and evaluation. The ministry responsible for environment and natural resources shall have the right to inspect the site and verify the project owners monitoring findings.

Article 697. The right to report environmental issues

1. Those affected by projects and relevant stakeholders shall have the right to report environmental and social issues and concerns to the project's owners and file complaints to competent ministries or institutions.
2. Competent ministries or institutions shall respond to the complaints or petitions, address relevant environmental and social issues within a reasonable time, and inform stakeholders according to the actual situation.
3. Formats and procedures to address complaints or petitions shall be determined by procedures for grievance mechanism of environmental and natural resources disputes as stated in this Code.

Article 698. Preparation of the environmental monitoring report

1. Each project owner shall prepare and submit the environmental monitoring to the ministry responsible for environment and natural resources.
2. Conditions, formats, and procedures for environmental monitoring reporting shall be determined by legal instruments of the ministry responsible for environment and natural resources.

Article 699. Submission of environmental monitoring report

1. Project owners with an approval letter or certificate on full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreements shall submit their quarterly or semi-annual report to the ministry responsible for environment and natural resources regarding their environmental monitoring and management.
2. Project owners shall reassess all the gaps in quarterly or semi-annual reports reviewed and commented on by the ministry responsible for environment and natural resources. They shall incorporate those gaps in the following quarterly or semi-annual reports and submit them to the ministry responsible for environment and natural resources for review and re-evaluation. To avoid adverse environmental and social impacts, the project owners shall urgently report adverse environmental impacts to relevant ministries or institutions and the public.
3. The project owners shall provide information related to project environmental management to the ministry responsible for environment and natural resources as instructed by the ministry responsible for environment and natural resources.

CHAPTER 8 ENVIRONMENTAL AUDIT

Article 700. Environmental audit

1. The implementation of any project or activity with approval on Full environmental impact assessment report, initial environmental impact assessment record, environmental protection agreements, or any permit shall conduct an Environmental Audit that is independent and documented.
3. An environmental audit shall include:
 - a. Review and ascertain the project or activity's compliance with the requirements of this Code and other relevant laws and legal instruments.
 - b. Identifying the project or activity's environmental impacts.
 - c. Identifying any measure to rectify non-compliance with the requirements.

- d. Minimizing adverse environmental impacts.

Article 701. Scope of projects or activities requiring environmental audit

For the types of projects or activities subjected to an environmental audit, specific procedures and duration for environmental audit shall be determined by relevant legal instruments of the ministry responsible for environment and natural resources.

Article 702. Projects requiring external environmental audit

Projects determined in separate legal instruments of the ministry responsible for environment and natural resources on the list of the projects requiring external environmental audit shall be conducted by an independent environmental auditor whose qualifications are stated in legal instruments of the ministry responsible for environment and natural resources on external environmental audit.

Article 703. Appointment and qualification of environmental auditors

1. Persons accredited as environmental auditors may conduct environmental audits with the approval of the ministry responsible for environment and Natural Resources.
2. Procedures and guidelines to accredit environmental auditors shall be determined by legal instruments of the ministry responsible for environment and natural resources.

Article 704. Roles and duties of independent environmental auditors

Independent environmental auditors shall have the following roles and duties:

- a. Assisting in producing accurate and full environmental records.
- b. Providing professional audit comments, including but not limited to environmental reports with full and appropriate aspects on environmental management of the project or project operations.
- c. Examining the adequacy of implementing management procedures and internal environmental monitoring and recommendations to improve.
- d. Providing information about irregularities and gaps in their internal environmental management.
- e. Providing an original copy of the audit report to the ministry responsible for environment and natural resources.

Article 705. Cost of environmental audit

All costs associated with conducting an environmental audit shall be the responsibility of the operator or project owner.

Article 706. Failure to comply with an order or requirement

1. In the case that a project owner fails to comply with an order or requirement to conduct an Environmental Audit, the ministry responsible for environment and natural resources shall instruct the project owner to select an Environmental Auditor accredited by the ministry responsible for environment and natural resources to prepare Environmental Audit report of that project or activity.
2. All costs associated with conducting an Environmental Audit, as stated in Paragraph 1 above, shall be the project owner's responsibility.

Article 707. Monitoring and reporting

With the approval of the full environmental impact assessment report, initial environmental impact assessment report, environmental protection agreement, or a permit, project owners shall undertake environmental monitoring and reporting as required by this Code and other relevant legal instruments.

Article 708. Remedy for impacts

When an environmental audit reveals that the impacts of a project or activity are more significant than those estimated in the full environmental impact assessment report, initial environmental impact assessment report, or environment protection agreement, the ministry responsible for environment and natural resources shall take immediate action to remedy those impacts and order an adjustment to the environmental management plan to avoid such effects in the future.

Article 709. Availability of information related to the audit report

All information about Environmental Monitoring Reports shall be made publicly available after the reports have been submitted to the ministry responsible for environment and natural resources.

CHAPTER 9
RIGHT OF ACCESS TO INFORMATION AND NATIONAL REGISTER OF ENVIRONMENT

PART 1
RIGHT OF ACCESS TO INFORMATION ON ENVIRONMENT AND NATURAL RESOURCES

Article 710. Making information publicly available

1. The ministry responsible for environment and natural resources, as well as relevant ministries or institutions and subnational administrations, shall ensure that all information about the environment and natural resources is publicly available.
2. Forms, formats, and procedures for information disclosure, as stated in Paragraph 1 above, shall be determined by legal instruments of the ministry responsible for environment and natural resources, relevant ministries or institutions, and subnational administrations.

Article 711. Right to access information from public ministries or institutions

1. Persons shall have the right to request information related to environment and natural resources from the ministry responsible for environment and natural resources, relevant ministries or institutions, and subnational administration except for confidential information.
2. Right to access information stated in Paragraph 1 above, shall comply with applicable laws and legal instruments.

Article 712. Right of access to information from private projects

All persons shall have the right to request information related to private project implementation from the project owners except for confidential information.

Article 713. Request for confidentiality of private investment information

1. Private investment project owners shall have the right to request the ministry responsible for environment and natural resources or subnational administrations to treat any information relating to project operation as confidential.
2. Formats and procedures in defining confidential information of private investment projects shall be determined by legal instruments of the ministry responsible for environment and natural resources, competent ministries or institutions, or subnational administration.

PART 2
NATIONAL REGISTER OF ENVIRONMENTAL INFORMATION

Article 714. Development of national register of environmental information

The ministry responsible for environment and natural resources shall develop a national register of environmental information in collaboration with relevant ministries or institutions and subnational administrations.

Article 715. Access to public information from the national register of environmental information

A national register of environmental information shall be publicly available except for information treated as confidential for protecting wildlife, wild plants, or cultural properties as determined by the ministry responsible for environment and natural resources.

PART 3
NATIONAL ENVIRONMENTAL DATA CENTER

Article 716. National environmental data centre

1. A national environmental data centre shall be established to compound and maintain all information on environmental and natural resources.
2. The organization and the functioning of the national environmental data centre shall be determined by a sub-decree proposed by the ministry responsible for environment and natural resources.

Article 717. Access to information from the national environmental data centre

All data developed by the national environmental data centre shall be made publicly available except for data treated as confidential for protecting wildlife and wild plants or cultural properties and natural heritage.

BOOK 6
LIABILITY FOR ENVIRONMENTAL AND NATURAL RESOURCES HARM

UNITARY PROVISION
RESTORATION AND COMPENSATION FOR ENVIRONMENTAL AND NATURAL RESOURCES HARM

CHAPTER 1
GENERAL PROVISIONS

Article 718. Purpose

This section aims to define the obligations of project owners and operators in repairing, restoring, and compensating for adverse impacts on environmental and natural resources harm.

Article 719. Scope

This section shall apply to all activities of project owners and operators that cause adverse impacts on the environment and natural resources in the Kingdom of Cambodia.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

Article 720. Responsible institutions

The ministry responsible for environment and natural resources shall manage and act for all activities of project owners or operators that cause impacts to the environment and natural resources.

Article 721. Roles and duties

The Ministry of environment and natural resources shall have the following roles and duties:

- a. Develop legal instruments and technical guidelines to manage and determine the extent and types of environmental or natural resources harm.

- b. Take action to avoid, take precautions, and prevent environmental or natural resources harm.
- c. Develop plans, procedures, and formats to restore environmental or natural resources harm.
- d. Take legal action or take cases to court by acting as a plaintiff to claim compensation for environmental or natural resources harm.
- e. Collect and compile data relating to impact on the environment or natural resources.
- f. Inspect, monitor, and evaluate environmental or natural resources harm.
- g. Notify the public in cases of environmental or natural resource pollution that may cause impacts to public welfare.
- h. Compound reports related to environmental or natural resources harm.

CHAPTER 3

OBLIGATIONS OF PROJECT OWNERS OR OPERATORS BEFORE ENVIRONMENTAL AND NATURAL RESOURCES HARM

Article 722. Obligation of project owners or operators to implement measures to prevent environmental or natural resources harm urgently

1. In cases of immediate risks that may cause adverse impacts or harm to the environment or natural resources resulting from their project activities, project owners or operators shall take immediate measures to prevent such harm. If the project owners or operators fail to act or take insufficient measures, the ministry responsible for environment and natural resources may require the project owners or operators to take measures to prevent environmental or natural resources harm.
2. Immediate measures to prevent environmental or natural resources harm, as stated in Paragraph 1 above, must be proportionate to the extent and types of environmental or natural resources harm. All costs related to taking measures to prevent environmental or natural resources harm shall be the responsibility of project owners or operators.
3. After implementing measures to prevent environmental or natural resources harm, project owners or operators shall immediately notify the ministry responsible for environment and natural resources on the implementation of those measures.

CHAPTER 4

LIABILITIES OF PROJECT OWNERS OR OPERATORS IN CASES OF ENVIRONMENTAL AND NATURAL RESOURCES HARM

Article 723. Liability of project owners or operators for environmental and natural resources harm

1. In cases of environmental and natural resources harm, project owners or operators that have caused such harm shall be held liable.
2. Despite the provision in Paragraph 1 above, project owners or operators may not be held liable in any of the following cases:
 - a. When an act of war or *force majeure* caused the harm.
 - b. When environmental harm is caused solely by an act or failure of a third party other than an employee or agent of project owners or operators.
 - c. When environmental harm is caused solely by an authorized activity.
 - d. When the harm is solely caused by an activity specifically authorized and described with specificity as to the types and extent of harm in the environmental and natural resource management plan, environmental impact assessment, and/or environmental impact assessment approval letter and certificate.
3. Non-liability, as stated in Paragraph 2 above, shall not be applicable if the project owners or operators severely violate the implementation of the license or permit procedures or conditions as determined in the license or permit.

Article 724. Obligation to restore environmental and natural resources harm

If the environmental or natural resources harm caused by the project implementation is restorable, the responsible project owners or operators shall restore such harm.

Article 725. Obligation to compensate environmental or natural resources harm

1. Project owners or operators shall compensate for environmental or natural resources harm resulting from their project implementation in any of the following cases:
 - a. Unrestorable harm.
 - b. Project owners or operator's failure to implement the restoration of environmental or natural resources harm as stated in Article 724 (obligation to restore environmental and natural resources harm) of this code.
2. Compensation for environmental or natural resources harm, as stated in Paragraph 1 above, shall be limited to the extent of such harm.

Article 726. Obligation to notify about environmental or natural resources harm

In cases of environmental or natural resources harm, the project owners or operators shall immediately notify the ministry responsible for environment and natural resources about the harm.

Article 727. Procedures for restoration and compensation for environmental and natural resources harm

Formats and procedures for restoration and compensation for environmental or natural resources harm as stated in Article 724 (obligation to restore environmental and natural resources harm) and Article 725 (obligation to compensate for environmental or natural resources harm) of this Code shall be determined by a sub-decree.

Article 728. Entitlement to claim costs for the implementation of measures to restore environmental or natural resources harm

Persons who did not cause environmental or natural resources harm but have spent costs for the implementation of measures to restore environmental and natural resources harm shall be entitled to claim such costs from project owners or operators that have caused such harm, in compliance with the Civil Code and other applicable laws of the Kingdom of Cambodia.

CHAPTER 5

MEASURES TO PREVENT AND RESTORE ENVIRONMENTAL AND NATURAL RESOURCE HARM

Article 729. Implementation of measures to prevent and restore environmental or natural resources harm

1. Despite the provision of Article 722 (obligation of project owners or operators to implement measures to prevent environmental or natural resources harm urgently) of this Code, in cases of immediate risks of environmental and natural resources harm, the ministry responsible for environment and natural resources may on its own take necessary measures to prevent such harm.
2. Despite the provision of Article 724 (obligation to restore environmental and natural resources harm) of this Code, the ministry responsible for environment and natural resources may on its own take necessary measures to restore environmental or natural resources harm.

Article 730. Entitlement to claim costs for the implementation of measures to prevent and restore environmental and natural resources harm

In the case that the ministry responsible for environment and natural resources has implemented measures to prevent harm as stated in Paragraph 1 of Article 729 (implementation of measures to prevent and restore environmental or natural resources harm) or measures to restore and stated in Paragraph 2 of Article 729 (implementation of measures to prevent and restore

environmental or natural resources harm) of this Code, the ministry responsible for environment and natural resources may claim costs for the implementation of such measures from project owners or operators.

BOOK 7

ENVIRONMENTAL EDUCATION, RESEARCH, SCIENCE, TECHNOLOGY, INNOVATION AND AWARENESS

UNITARY PROVISION

POLICIES AND STRATEGIES FOR ENVIRONMENTAL EDUCATION, RESEARCH, SCIENCE, TECHNOLOGY, INNOVATION AND AWARENESS

CHAPTER 1

GENERAL PROVISIONS

Article 731. Purpose

This section aims to promote environmental education, scientific research, technological development, innovation capacity and awareness for sustainable development, harmonization in a good and clean environment, ecosystem safety, and natural resource use through strengthening and expansion of research capacity, education, cooperation, and participation, by relevant institutions.

Article 732. Scope

This section shall apply to ministries or institutions, the private sector, academic institutions, associations and non-governmental organizations, trade unions, and other organizations involving scientific research, technological development, innovative capacity, education and vocational training, and public awareness of the environment.

CHAPTER 2

RESPONSIBLE INSTITUTIONS

Article 733. Responsible institutions

The ministry responsible for environment and natural resources shall be responsible for scientific research, technological development, innovative capacity, environmental data management, education coordination and dissemination of environmental information, and organizing significant environmental events.

Article 734. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Develop draft policies, legal instruments, strategic plans, action plans, budget plans, guidelines, and other programs concerning scientific research activities, technological development, innovative capacity related to the environment, data management, education, and dissemination of environmental information as well as assessment/evaluation of environmentally friendly operation.
- b. Collect, analyse, compile, and manage environmental information and data and establish and manage an environmental data collection system.
- c. Develop and coordinate environmental information media assets
- d. Report on the state of the national environment in collaboration and coordination with the relevant ministries or institutions and subnational administrations.
- e. Promote public awareness of the environment by mainstreaming environmental education into formal and nonformal systems, disseminating environmental knowledge, and incentives for environmentally friendly operations.
- f. Produce and disseminate through information system on activities, status, and achievements related to environmental protection, natural resource management, and sustainable livelihood.
- g. Organize and undertake public events related to disseminating environmental activities via information systems.
- h. Coordinate and collaborate with various units under relevant ministries or institutions, development partners, and private sectors to strengthen cooperation and enhance effectiveness in environmental data management and environmental education and dissemination via information systems.

CHAPTER 3

POLICIES, STRATEGIES, AND COORDINATION MECHANISMS

Article 735. National environmental education policies

The ministry responsible for environment and natural resources shall collaborate to develop a draft national policy for environmental education, which forms the foundation for the development of educational strategies and action plans in all vocational training levels, scientific research, technological development, innovative capacities, and environmental knowledge dissemination by all means and in all formats. National policies for education, scientific research, technological development, and innovative capabilities on the environment may be reviewed and adjusted as necessary and in accordance with actual economic, social, and environmental progress.

Article 736. Coordination mechanisms to implement national environmental education policies

The implementation of national environmental education policy shall be coordinated by the inter-ministerial mechanism responsible for national policies for environmental education, scientific research, technological development, and innovative capacities, to be established by the Royal Government to mainstream strategic plans and action plans for environmental education, scientific research, technological development, innovative capacity into national and subnational development plans.

Article 737. Environmental education strategic plan and action plan

The ministries or institutions and units relating to education and vocational training, research, and dissemination of information to the public on the environment shall develop strategic plans and action plans for environmental education, scientific research, technological development, and innovative capacities within their jurisdiction by complying with the national policy on education, scientific research, technological development, and innovative capabilities. Strategic plans and action plans for environmental education, scientific research, technological development, and innovative capacities shall be updated based on actual needs.

Article 738. Implementation of environmental education strategic plan and action plan

All levels of subnational administrations, units, or establishments under respective ministries or institutions and relevant stakeholders shall implement strategic plans and action plans for environmental education, scientific research, technological development, and innovative capacities appropriately in accordance with the actual situation of their local context to ensure environmental quality, ecosystem balance, and sustainable livelihood.

CHAPTER 4

ENVIRONMENTAL EDUCATION AND RESEARCH

PART 1

ENVIRONMENTAL EDUCATION AND TRAINING IN EDUCATIONAL SYSTEM

Article 739. Environmental education programs and training

All academic establishments under relevant ministries or institutions shall have a core curriculum on environment, and appropriate learning materials, scientific research, technological development, innovative capacities, and vocational training in their respective units. Curriculum development on environment and teaching materials shall comply with national policies for

environmental education, scientific research, technological development, and innovative capacities, and with economic, social, cultural, technical, and scientific progress.

Article 740. Teacher and professor resources

All academic establishments under relevant ministries or institutions concerning environmental education, shall build and develop qualified teacher and professor resources to ensure effective and efficient implementation of respective ministries or institutions' strategic plans and action plans.

Article 741. Education and training needs

All academic establishments under relevant ministries or institutions concerning environmental education, shall determine minimum education and training programs in line with targets for the education and training needs of respective units.

PART 2

RESEARCH, SCIENCE, TECHNOLOGY, AND INNOVATION

Article 742. National environmental data centre

The ministry responsible for environment and natural resources shall establish an environmental resource centre, a hub for environmental data collection, information, science, technology, and innovation for the interest of academicians, researchers, policymakers, and the public.

Article 743. Research, science, technology, and innovation

Ministries or institutions, scientific, academic establishments, and operators relating to the environment shall collaborate to organize collaborative science forums, programs, or activities to synthesize ideas between and among policy-makers, scientists, and operators to form a scientific knowledge foundation to develop strategies and make decisions in addressing ongoing challenges in environmental protection, biodiversity conservation, natural resource management, and sustainable development.

**CHAPTER 5
ENVIRONMENTAL AWARENESS**

**PART 1
PUBLIC DISSEMINATION OF ENVIRONMENTAL MATTERS**

Article 744. Environmental knowledge dissemination programs

Relevant ministries or institutions, subnational administrations at all levels, and stakeholders shall have action plans and knowledge dissemination programs on environmental protection, natural resource management, biodiversity conservation, and sustainable development.

Article 745. Environmental knowledge dissemination activities

Subnational administrations at all levels, competent expert units, public and private establishments, and stakeholders shall be obliged to disseminate policies, strategies, legal instruments, and knowledge of the environment and natural resources as comprehensively as possible by all means and formats.

Article 746. Environmental knowledge promotion

All citizens shall have a duty to promote public awareness of the necessity and importance of environmental protection, natural resource management, biodiversity conservation, and sustainable livelihood.

**PART 2
ENVIRONMENTALLY FRIENDLY ACTIVITIES AND COMPETITIONS**

Article 747. Acknowledgment and incentives for environmentally friendly activities

Persons participating in environmentally friendly operations or activities and using eco-friendly technology should be acknowledged and incentivized.

Article 748. Authority for acknowledgement and encouragement

Acknowledgment and incentives for persons participating in environmentally friendly operations or activities and using eco-friendly technology shall be determined by a legal instrument of the ministry responsible for the environment and natural resources.

Article 749. Environmentally friendly competitions

Relevant ministries or institutions, subnational administrations, and the private sector shall ensure sustainability in organizing competition programs and incentives for persons participating in environmentally friendly operations or activities and using eco-friendly technology.

PART 3 ***ENVIRONMENTALLY FRIENDLY SCHOOLS***

Article 750. Environmentally friendly schools

1. The environmentally friendly schools award program shall be implemented and open for competition every two (2) years to incentivize general education establishments, including but not limited to primary schools and secondary schools to:
 - a. Establish principles and school administration for environmental work.
 - b. Establish the teaching of modules on environment and environmental education activities in school and surrounding areas as extra-curriculum or mainstreaming programs.
 - c. Make environmental education material, equipment, infrastructure, and environmental operation available in general education establishments.
 - d. Collaborate with relevant stakeholders and disseminate environmental education and environmental operation in areas surrounding general education establishment.
2. The ministry responsible for environment and natural resources and the ministries or institutions responsible for education, youth, and sports shall lead, manage, evaluate, and decide on all work related to environmentally friendly school award programs.

Article 751. Indicators of candidates for the environmentally friendly school award

Each educational establishment taking part in an environmentally friendly school award competition, shall be evaluated against the following eighteen (18) indicators:

- a. Vision and missions that reflect environmental promotion.
- b. Environmental operation principles.
- c. Structure to lead the implementation of environmentally friendly school programs.
- d. Budget plan for environmental activities implementation.
- e. Reporting system for environmental and financial activities.
- f. Core curriculum, extra curriculum, or mainstreaming program incorporate modules on environmental education.
- g. Teacher capacity building on environment and natural resources.
- h. Modules and learning activities appropriate for domestic and/or local contexts.

- i. Teaching materials related to the environment
- j. Working groups or activities that disseminate environmental education.
- k. Environmentally friendly facilities
- l. Creativity and creation of new ideas or environmentally friendly activities
- m. Green compounds or green surfaces.
- n. Practical teaching materials outside the classroom
- o. Environmentally friendly operations or activities, students' behaviours in environmentally friendly practices.
- p. Collaborative partners and stakeholders.
- q. Level of partnership and support.
- r. Local dissemination activities.

Article 752. Environmentally friendly school activities

In addition to the indicators, as stated in Article 752 (indicators of candidates of environmentally friendly school award competition) of the Code, the evaluation of environment-friendly school award competition candidates shall also take into account the following, but not limited to, activities:

- a. Planting grass, trees, and vegetables.
- b. Reducing and stopping the use of fossil fuels and replacing them with clean and renewable energy.
- c. Water saving
- d. Managing waste by sorting different types of waste and reducing, reusing, and recycling waste
- e. Prohibiting the sale of food containing artificial taste, colour, or odour in the school compound.
- f. Prohibiting plastic bags for food and drink packaging at school compound food stalls.
- g. Regularly cleaning classrooms and toilets to ensure good health and sanitation.
- h. Disseminating information about Earth Day, International Plastic Bag Free Day, Tree Planting Day, etc.
- i. Presenting rewards to students with achievement and operations for environmental education work.
- j. Environmental art competitions such as recycling fashion shows, photo competitions, and painting competitions.

Article 753. Environmentally Friendly School Award

- 1. Awards shall be presented in the three (3) following categories:
 - a. The Gold Award is valid for four (4) years.
 - b. The Silver Award is valid for two (2) years.

- c. The Bronze Award is valid for two (2) years.
- 2. Award winners shall not be allowed to join environmentally friendly school award competitions within the award valid period.

BOOK 8

**ECONOMIC AND FINANCIAL RULES, ENVIRONMENTAL FEES
AND FUNDS**

SECTION 1

ECONOMIC AND FINANCIAL RULES

CHAPTER 1

GENERAL PROVISIONS

Article 754. Purpose

This section aims to define rules, economic and financial rules, environmental fees, and fund management procedures, and the management of environmental and social funds that provide environmental and natural resources, social, and cultural support.

Article 755. Scope

This section shall apply to economic and financial rules, environmental fees, and environmental and social funds established in the kingdoms of Cambodia in compliance with policies, laws, and legal instruments of the Royal Government, including international legal instruments to which the Kingdom of Cambodia is a State Party.

CHAPTER 2

RESPONSIBLE INSTITUTIONS

Article 756. Responsible institutions

The ministry responsible for environment and natural resources, in collaboration with ministries or institutions responsible for economy and finance, shall define economic and financial rules, funds, and fees related to the environment and natural resources.

Article 757. Roles and duties of the ministry responsible for environment and natural resources

The ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Coordinate with relevant institutions in financial work and funds related to the environment and natural resources.
- b. Develop legal instruments concerning financial principles and funds related to the environment and natural resources to request approval from the Royal Government or ministries or institutions responsible for economies and finance.
- c. Be responsible and coordinate in developing strategic and annual budget plans per the government's policies and plans.
- d. Monitor and evaluate budget implementation.
- e. Prepare budget reports and economic roles in support of the environment, natural resources, society, and culture.
- f. Manage and utilize protected area funds and environmental endowment funds.

CHAPTER 3 ECONOMIC RULES

Article 758. Assessment of opportunities and mechanisms to incentivize environmental and natural resources investment

1. The ministry or institution responsible for economy and finance shall lead the ministry responsible for environment and Natural Resources and other relevant ministries or institutions to regularly assess opportunities and mechanisms for incentivizing investment in environmental protection, conservation, management, and restoration of natural resources.
2. The ministry responsible for environment and Natural Resources or relevant ministries or institutions shall develop a plan, report, and propose economic rules in compliance with prioritized policies of respective ministries or institutions, and the ministry or institution responsible for economy and finance in advance for review, collaboration, and approval or, if necessary, submit to the head of the government for review and approval of such incentives and rules.

Article 759. Economic rules to support environmental policies

1. The ministry or institution responsible for economy and finance, in collaboration with the ministry responsible for environment and natural resources and other relevant competent ministries or institutions, shall develop draft policies and legal instruments on economic rules in support of the environment, natural resources, society, and culture in compliance with different specific laws and legal instruments concerning tax and procurement.
2. Development of such draft policies and legal instruments as stated in the above paragraph shall be in accordance with internationally recognized legal instruments to which the Kingdom of Cambodia is a State Party and shall establish economic rules relating to:

- a. Incorporation of environmental and social performance standards and risk management into decision-making by legal entities from the business and finance sectors.
- b. Private sector investment related to the environment and natural resources.
- c. Reduction of commercial activities on forest and natural resources and promoting biodiversity and ecosystems.
- d. Sustainable production of charcoal and firewood.
- e. Sustainable forestry and sustainable fisheries.
- f. Freshwater conservation, including promoting efficient use of water resources and research to protect and manage water quality and reduce the discharge of wastewater and liquid waste.
- g. Community-based natural resource management, including exemption from value-added tax and other taxation of any income, fees, funds, or other contributions received while implementing collaborative management.
- h. Development and investment in sustainable energy infrastructure, including mini- and micro-grids.
- i. Promotion of household solar systems, including solar panels, batteries, and other installation components.
- j. The use of clean energy, resource-efficient and low-carbon modes of production, and the reduction of pollution on the environment and public health.
- k. Use of best-researched and verified environmental technology.
- l. Development of infrastructure and services for environmental protection and natural resource management.
- m. Equitable revenue allocation from carbon offset mechanisms, as determined by the National Council for Sustainable Development.
- n. Payments for generating or maintaining natural resources and ecosystem services to individuals and communities in collaboration with sub-national administration.
- o. Promoting import and purchase of environmentally friendly vehicles and preventing import of vehicles with high impact on the environment and public health.
- p. Promoting the use of responsible energy, including support for business use of responsible energy sources; businesses that commercialize, install, or provide technical support or maintenance to responsible energy devices; businesses that import, produce, distribute, or sell devices that generate responsible energy or increasing energy efficiency, in compliance provisions concerning health, safety, and environment; and the import of devices that generate responsible energy and increasing energy sufficiency.
- q. Conservation and protection of cultural heritage.
- r. Energy conservation through improvement in combustion and electricity-use efficiency, preventing energy loss, recycling energy waste, substituting with renewable energy, and other means of energy conservation as determined by the ministry responsible for environment and natural resources.

- s. Any other economic measures determined by the ministry responsible for environment and natural resources.

Article 760. Proposals for private or public companies

1. In collaboration with competent ministries or institutions, the ministry responsible for environment and natural resources may issue permits for private or public companies' proposals to develop infrastructure to support the environment and sustainable development in compliance with applicable laws and legal instruments.
2. The ministry responsible for environment and natural resources may require the proposal owner, as stated in the above paragraph, to include proof and supporting documents of financial resources and status, market study, use of sustainable sourcing plans, demonstration of the project's contribution to climate change and low-carbon resilient sustainable development, and capacity for providing ongoing technical support.
3. The ministry responsible for environment and natural resources shall follow the procurement process determined in the relevant policy guidelines on private or private companies.

CHAPTER 4 FINANCIAL RULES

Article 761. Payment of all types of income

Payments of all types of revenues/incomes in accordance with the provisions of this Code shall be paid into an account at the national treasury or partner banks permitted by the ministries or institutions responsible for economy and finance unless there is a separate agreement between the ministries or institutions responsible for economy and finance and competent ministries or institutions.

Article 762. Payments for ecosystem services

The ministry responsible for environment and natural resources shall develop mechanisms to determine payments to natural persons, communities, or legal entities for the ecosystem services which they control, protect, or manage, based on the best available data and statistics concerning both the status and assessed values of ecosystem services.

Article 763. Cooperation of competent ministries or institutions

Competent ministries or institutions shall support and collaborate with the ministry or institution responsible for environment and natural resources to establish, implement, and administer the mechanisms stipulated in Article 762 (payments for ecosystem services) of this Code.

SECTION 2
FEES, FUNDS, AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL FUNDS

CHAPTER 1
ENVIRONMENTAL FEES, ROYALTIES, AND PREMIUMS

Article 764. Responsibility to pay for environmental fees, royalties, and premiums

Persons shall be responsible for the payment of environmental fees, royalties, premiums, and other such amounts in accordance with an inter-ministerial *prakas* between the ministry or institution responsible for economy and finance and the ministry responsible for environment and natural resources and applicable laws and legal instruments.

Article 765. Arrangement for environmental fees, royalties, and premiums

The ministry or institution responsible for economy and finance, in collaboration with the ministry responsible for environment and natural resources or competent ministries or institutions, shall develop legal instruments on the amounts, procedures, administration, and any exemptions for all environmental fees, royalties, and premiums relevant to this Code, including in the following areas:

- a. environmental assessment and monitoring.
- b. environmental management and sustainability mechanisms.
- c. sustainable management of natural resources.
- d. cultural heritage conservation and management.
- e. waste and pollution management.
- f. environmental education and awareness.
- g. environment and natural resources dispute resolution.
- h. any other relevant areas determined by the ministry or institution responsible for environment and natural resources.

Article 766. Financial assurances for the payment of fees, royalties, and premiums

1. The ministry responsible for environment and natural resources and competent ministries or institutions may require persons obliged to pay environmental fees, royalties, premiums, and other such amounts to provide assurances of sufficient financial resources for such payment before officially securing the right to implement any project or activity.
2. The ministry or institution responsible for economy and finance, in collaboration with the ministry responsible for environment and natural resources and competent ministries and

institutions, shall develop legal instruments on the criteria and procedures for the issuance of payment of fees, royalties, and premiums.

CHAPTER 2

PAYMENTS AND MANAGEMENT OF ENVIRONMENTAL AND SOCIAL FUNDS

PART 1

ENVIRONMENTAL FUNDS PAYMENT

Article 767. Environmental endowment fund payment

Persons shall pay into the environmental endowment fund annually in accordance with applicable relevant laws and legal instruments. The ministry responsible for environment and natural resources shall administer this fund in accordance with the provision on environmental and social funds of this Code.

Article 768. Natural protected area fund payment

Persons shall pay into the protected areas fund per applicable laws and legal instruments. The ministry responsible for environment and natural resources shall administer this fund in accordance with the provision on mechanism and utilization of natural protected area fund and environmental and social fund of this Code.

Article 769. Environmental and social fund payment

Persons shall pay into the Environmental and Social Fund in accordance with relevant laws and legal instruments. The ministry responsible for environment and natural resources shall administer this fund in accordance with the provision on environmental and social fund of this Code.

PART 2

ENVIRONMENT AND SOCIAL FUND

Article 770. Sources of income for the environmental and social fund

The environmental and social fund should have income from:

- a. Seed funding from the Royal Government.
- b. Contribution from special tax related to the environment as determined by the Royal Government.

- c. Contribution from civil aviation server fee as determined by the Royal Government.
- d. Premiums from private and public development project owners as stated in the environmental management plan of environmental impact assessment report and or environmental protection agreement.
- e. Income from environmental protection, ecosystem services, and biodiversity conservation.
- f. Contribution from an environmental endowment fund.
- g. Contribution from natural protected areas fund.
- h. Contribution from ticket sale for natural protected areas visit.
- i. Rental fees for antenna installation sites and other infrastructure under the management of the ministry responsible for environment and natural resources.
- j. Contribution from rental fees for electricity grid installation and fibre-optic cable sites under the management of the ministry responsible for environment and natural resources.
- k. Contribution from rental fees for ecotourism development investment project sites under ten (10) hectares under the management of the ministry responsible for environment and natural resources.
- l. Contribution from the sale of carbon credits.
- m. Monies received from solving any complaint in accordance with this Code.
- n. Financial donation or assistance, materials or equipment from charitable individuals, development partners, and national or international private institutions.
- o. Contribution from other service fees related to the environmental sector.
- p. Other sources.

Article 771. Utilization of the environmental and social fund

The environmental and social fund shall be utilized for the following activities:

- a. Environmental protection, natural resource management, biodiversity and ecosystem conservation, and sustainable livelihood.
- b. Restoration of environment and improvement of biodiversity and ecosystem.
- c. Research on the environment, natural resources and culture, biodiversity, and ecosystems.
- d. Participation in infrastructure development and promotion of livelihood of local communities in and near investment project areas or other areas.
- e. Participation in support for the establishment and development of local communities.
- f. Participation in local community development projects and provision of rotating micro credit.
- g. Education and dissemination of information on the environment, natural resources and culture, biodiversity, and ecosystems.
- h. Human resource training for environment and natural resources.

- i. Other activities related to the environment and natural resources.

Article 772. Environmental and social fund committee

1. The environmental and social fund shall be managed by an environmental and social funds committee established by a sub-decree.
2. The government's decision shall determine the roles and duties of the environmental and social fund committee.
3. The environmental and social fund committee shall develop a strategy to manage the long-term fund. Such strategy shall include a consideration of procurement methods, management of the fund, including capitalization and investment, administrative and legal measures, and any other relevant policies. The environmental and social fund committee shall have a secretariat. The organization and functioning of the secretariat should be determined in a *prakas* by the minister responsible for the environment and natural resources.
4. Expenses of the environmental and social fund committee in fulfilling its duties and roles shall be determined in an inter-ministerial *prakas* between the ministry responsible for environment and natural resources and the ministries or institutions responsible for economy and finance.

CHAPTER 3

ESTABLISHMENT AND MANAGEMENT OF THE ENVIRONMENTAL TRUST FUND

Article 773. Rights of settlors

Settlors shall have, but not limited to, the rights as follows:

- a. To receive information relevant to the trust management, including financial reports, audit reports, and other relevant documents.
- b. To appoint and terminate the trust in accordance with the conditions set out in the trust instrument.

Article 774. Obligations of settlors

1. Settlors have, but not limited to, the obligations as follows:
 - a. To transfer the properties or funds to the trustee to manage and handle them as substitute for the interest of the beneficiaries.
 - b. To participate in the coordination of transferring funds to the trustee to manage and handle.

- c. To provide written notices to the ministry or institution responsible for economy and finance for the change of settlors, trust contributors, or the conditions of the trust instrument.
- d. To follow conditions set out by the trust instrument and applicable provisions.
2. If a settlor is not capable or able to fully fulfil their obligations, the ministry or institution responsible for economy and finance performs certain functions as the substitute settlor.

Article 775. Rights of beneficiaries

1. Beneficiaries shall have, but not limited to, the rights as follows:
 - a. Receive benefits as stipulated in the trust instrument.
 - b. Require the trustee to fulfill obligations determined by the trust instrument and applicable provisions.
 - c. Access to information relating to the management and handling of the trust.
 - d. Other rights as stipulated in the trust instrument and applicable provisions.
2. Beneficiaries may receive benefits of the trust from the effective date of the trust unless there are provisions to the contrary.
3. If there are many beneficiaries, all beneficiaries may receive equal or different benefits based on methods in the trust instrument. In the case there is no method of receiving benefits, it is supposed that all beneficiaries shall receive equal benefits.

Article 776. Rights of trustees

Trustees shall have, but not limited to, the rights as follows:

- a. Receive remuneration and fees commensurate with their work experience and professional qualifications for the management of the trust.
- b. Seek other assistance, funds, and investment opportunities to benefit the trust.
- c. Represent the settlor or beneficiary before the law or competent authority.
- d. Follow the conditions determined by the trust instrument or applicable provisions.
- e. Manage and handle the trust funds in accordance with the purpose and conditions of the trust instrument.
- f. Spend on social activities consistent with the trust's purpose and conditions.

Article 777. Obligations of trustees

Trustees shall have, but not limited to, the obligations as follows:

- a. Submit the request for trust registration in accordance with the format and procedure of the ministry or institution responsible for economy and finance.

- b. Report and provide information regarding trust management to the settlor, beneficiary, and all relevant regulators.
- c. Keep minutes of meetings for annual account management.
- d. Respond to all relevant regulators.
- e. Pay all kinds of taxes relating to trust property.
- f. Take appropriate measures to protect trust property and beneficiaries.
- g. Enter into a contract of insurance for responsibilities as trustees.
- h. Trustees shall not transfer their function to another person.
- i. Make a clear distinction between personal property and trust property.
- j. Manage trust property with care and caution.
- k. Maintain honesty and integrity in managing trust property.
- l. Manage and handle trust property effectively and efficiently for the best interest of the beneficiaries.
- m. Register inventory of trust property.
- n. Provide annual financial reports to relevant regulators and the ministries or institutions responsible for economy and finance.
- o. Not to receive any benefit from any third party when there is a conflict of interest.
- p. Follow the conditions determined by the trust instrument or applicable provisions

Article 778. Responsibility of trustees

Trustees shall be responsible for the following activities:

- a. Loss and decrease of trust without reasonable reasons.
- b. Use of Trust contrary to the purposes of the trust.
- c. Any intentional or unintentional mistake made in carrying out their functions.
- d. Any expenses contrary to the purposes of the trust.
- e. Avoid directly and indirectly any conflict of interest that causes impact or damage to the benefits of the trust.
- f. Other responsibilities following the conditions determined by the trust instrument or applicable provisions.

Article 779. Establishment, revocation, and purpose of the environmental trust

- 1. An environmental trust shall be established in accordance with a procedure and format determined by the ministry or institution responsible for economy and finance and registered with the ministry or institution responsible for economy and finance. Any settlor intending to establish or operate an environmental trust shall prepare a trust instrument and register it at the ministry or institution responsible for economy and finance in accordance with the relevant legal instruments relating to trusts.

2. Any settlor may establish or operate a trust independently or in collaboration with any domestic or foreign association.
3. An environmental trust may be revoked in accordance with determined conditions.
4. An environmental trust shall be used for prioritized activities identified in national and sub-national plans for:
 - a. Protecting, conserving, and restoring the environment and natural resources.
 - b. Protecting cultural heritage or biodiversity.
 - c. Promoting sustainable management of natural resources and ecosystem services.
 - d. Promoting research or environmental education.
 - e. Capacity development or institutional strengthening.
 - f. Supporting communities directly affected by development.
 - g. Serving public interest and for any benefit of the environment, as determined by the ministry responsible for environment and natural resources.

Article 780. Management of environmental trust

1. Environmental trusts include but are not limited to funds for environmental protection, biodiversity conservation, appropriate and transparent utilization of natural resources, sustainable livelihood, and other forms of environmental, social, and economic benefit sharing in the Kingdom of Cambodia.
2. Environmental trusts shall be managed by the trustees by transferring the funds from the settlors to trustees to manage for the interest of the beneficiaries as determined by the settlors.

Article 781. Legal instrument on the management and control of environmental trust fund

In collaboration with the ministry responsible for environment and natural resources, the ministry or institution responsible for economy and finance shall develop a legal instrument on rules and procedures for establishing, managing, and controlling environmental trust and their fund accounts.

Article 782. Registration of environmental trust fund

1. An environmental trust shall only be valid if registered at the ministry or institution responsible for economy and finance within three (3) months after establishing the environmental trust. The ministry or institution responsible for economy and finance shall decide on the registration application within ninety (90) days after receiving the complete application.

2. Format and procedure for environmental trust registration shall be determined by legal instruments of the ministry or institution responsible for economy and finance.

Article 783. Assets of environmental trust

1. The assets of an environmental trust fund may be constituted from:
 - a. The national budget.
 - b. Official development aid provided by national and international organizations.
 - c. Payments for ecosystem services.
 - d. Natural resources stewardship services.
 - e. Direct donations from the private sector, charitable individuals, or other sources.
2. All interest arising from the environmental trust shall be paid into and form part of the environmental trust.

Article 784. Conflict of interest to the environmental trust

1. A trustee shall report a conflict of interest in the performance of their duties to the ministry or institution responsible for economy and finance.
2. In the case that the ministry or institution responsible for economy and finance has sufficient evidence and reason to believe that a trustee is acting in conflict of interest to the environmental trust Fund or is acting contrary to the benefit of the environment or the public, the ministry or institution responsible for economy and finance shall coordinate with the ministry responsible for environment and natural resources to initiate an investigation on the issue.
3. The ministry or institution responsible for economy and finance shall suspend the trustee's functions if the investigation discovers that the trustee has a conflict of interest with the trust. In this case, the ministry or institution responsible for economy and finance shall appoint an interim trustee that meets the requirements of the Code and is in accordance with the trust's instrument.

Article 785. Publicly accessible register of annual reports

The ministry responsible for environment and natural resources shall maintain a publicly accessible register of the annual reports of all environmental trusts.

Article 786. Use of assets of environmental trust

A trustee may use the assets of the environmental trust to:

- a. Fund activities or projects that meet the purpose of the environmental trust in accordance with the provisions of this Code.
- b. Pay for operational costs of the environmental trust, including remuneration of the trustees and the costs of administering the environmental trust.
- c. Spend on social activities that are consistent with the purpose of the Trust instrument.
- d. Invest in environmentally and socially responsible investments and securities.

Article 787. Termination of an environmental trust

1. An environmental trust shall be terminated in any of the following cases:
 - a. Reaching the deadline determined in the trust instrument.
 - b. Achieving the purpose of the trust.
 - c. Decision within the discretion or by consensus of settlors.
 - d. Decision by a competent court.
 - e. Other cases as stated in the trust's instrument.
2. The ministry or institution responsible for economy and finance shall be informed at all stages of a trust termination process.

Article 788. Appointment of an interim governor

The settlors or substitute settlors shall have the right to appoint an interim governor to manage the trust if the settlors perceives that there are risks to solvency conditions as determined in the trust instrument.

Article 789. Electing a liquidator

1. If an environmental trust is terminated, the settlors or substitute settlors shall appoint a professional liquidator to manage and evaluate the trust. The trust liquidator shall have the following duties:
 - a. Complete and finish the remaining work of the trustee.
 - b. Collect and pay the remaining debt.
 - c. Evaluate the remaining trust.
2. When completing these requirements, the liquidator shall render a final accounting and provide a report to the ministry or institution responsible for economy and finance and the ministry responsible for environment and natural resources. Any remaining environmental trust assets shall be distributed in accordance with the environmental trust instruments.
3. Fees for the liquidator shall be calculated based on standard professional rates and paid from the environmental trust's assets.

Article 790. Consequences of the termination of an environmental trust fund

1. After the environmental trust liquidation, the trustees shall:
 - a. Transfer all remaining environmental trust in accordance with the conditions of environmental trust.
 - b. Transfer all remaining environmental trust assets to all living beneficiaries equally if no individual was determined to receive the environmental trust assets.
2. The trustees remain liable after the termination of the environmental trust for any losses or damages caused or resulting from the wilful default, negligence, fraud, or dishonesty of the trustees.

Article 791. Disputes relating to the operation of environmental trust

1. Any dispute relating to the operation of an environmental trust shall be resolved by the trust dispute resolution council of the ministry or institution responsible for economy and finance unless determined otherwise by relevant regulators.
2. Any party not satisfied with the decision made by the Trust dispute resolution council of the ministry or institution responsible for economy and finance may bring an administrative complaint or an appeal to a competent court within thirty (30) days starting from the date of the decision.
3. The outcome of all dispute resolution processes shall be made publicly available.

Article 792. Inappropriate management or use of environmental trust

Any trustee who manages or misuses an environmental trust or acts against the purposes of the environmental trust in a manner that causes environmental harm shall be liable for his or her actions in accordance with the provisions of this Code and other relevant legal instruments on trusts.

Article 793. Environmental trust for collaborative management

An environmental trust for collaborative management shall be established to support collaborative management activities in each collaborative management zone. The environmental trust shall be under the management of the collaborative management committee with transparent control, monitoring, and evaluation by the ministry responsible for environment and natural resources in accordance with the provisions of this Code.

The collaborative management committee may receive budget and generate income from the following, but not limited to, sources:

- a. Environmental and social fund.

- b. Various private and public sources.
- c. Service, rental, usage, recreational, or access fees into local communities under collective management.
- d. Contribution, donations, and grants.

Article 794. Use of income, expenses, or other contributions

1. The use of income, expenses, or other contributions received from implementing collaborative management activities shall be used exclusively for the benefit of local communities in the collaborative management zone, the support of collaborative management implementation, the conservation of the collaborative management zone, and adjacent areas under conservation. Transparent methodology on the distribution of the income, expenses, or contributions shall be determined in the collaborative management agreement.
2. Income, expenses, or contributions from implementing activities in collaborative management communities shall be prioritized to be exempted from duties, taxes, and other burdens determined by relevant laws and legal instruments.

CHAPTER 4

FINANCING OF ENVIRONMENTAL MANAGEMENT PLANS

Article 795. Financial resources for environmental management plans

1. The project owner of a proposed project requiring an environmental management plan in accordance with the provisions in Section 2 (environmental impact assessment) in Book 5 of this Code shall be required to provide assurances that it has sufficient financial resources for the implementation of the project's environmental management plan before the issuance of an approval letter and certificate.
2. The types and amount for financial assurances, criteria, procedures, and facilitation in the implementation of the existing projects or the projects approved by the Royal Government shall be determined by an inter-ministerial *prakas* between the ministry or institution responsible for environment and natural resources and the ministries or institutions responsible for economy and finance.

Article 796. Environmental management plan budget

1. A detailed budget estimated for the implementation of the environmental management plan by the project owners shall be included in the environmental management plan, as follows but not limited to:

- a. Budget for mitigation measures of environmental, natural resource, and social impacts.
 - b. Budget for monitoring.
 - c. Budget for grievance mechanism process and project operation.
 - d. Budget for any liabilities for resettlement and compensation to project-affected persons.
 - e. Payments for ecosystem services as stated in the Code.
 - f. Budget for the project activities' closure, restoration, rehabilitation, remediation, or decommissioning.
 - g. Other reserved budget related to the implementation of the project's environmental management plan.
2. The project owners shall be liable for the implementation of the environmental management plan using their budget, which is not an environmental and social budget package.

Article 797. Procedures for financial assurances

The ministry responsible for environment and natural resources shall develop a legal instrument on the criteria and procedures for determining sufficient financial assurances for the implementation of its proposed environmental management plan, including but not limited to:

- a. The scope of the financial assurances to implement the plan.
- b. Acceptable formats of financial assurances.
- c. The required amounts of financial assurances based on size, scale, location, and potential impacts.
- d. The timeframe on which financial resources must be lodged or made available.

Article 798. Financial auditing and reporting

1. Any project owner required to provide financial assurances for implementing an environmental management plan shall comply with auditing and reporting requirements in compliance with the relevant legal instruments on auditing and reporting.
2. The project owner shall annually review the environmental management plan cost estimates and submit them to the ministry responsible for environment and natural resources. An independent auditor shall conduct the estimates.
3. If the annual audit report indicates that the requirements for financial assurance are no longer met, the project owner shall notify the ministry responsible for environment and natural resources and other competent ministries or institutions.
4. The project owner shall meet the updated requirements for financial assurance within thirty (30) days of the notification.

5. The ministry responsible for environment and natural resources may require additional reports or documentation, if necessary.
6. In the case that the annual audit report indicates that there is a surplus in a financial assurance that is required, the ministry responsible for environment and natural resources may request the ministries or institutions responsible for economy and finance to authorize the reimbursement of excess funds upon request by the project owner.

BOOK 9
ENVIRONMENTAL AND NATURAL RESOURCES DISPUTE
RESOLUTIONS

SECTION 1
MECHANISMS AND PROCEDURES FOR ENVIRONMENT AND NATURAL
RESOURCES DISPUTE RESOLUTION

CHAPTER 1
GENERAL PROVISIONS

Article 799. Purpose

This section aims to determine environmental and natural resources dispute resolution mechanisms and procedures.

Article 800. Scope

This section shall apply to dispute resolution concerning environmental and natural resources with respect to following complaints or claims:

- a. Claim for compensation for harm to environmental and natural resources.
- b. Claim for restoration of the environment and natural resources harm.
- c. Claim to determine measures to guarantee a non-reoccurrence of environmental and natural resources pollution or harm.
- d. Claim for determining measures to prevent negative environmental and natural resource impacts.

Article 801. General principles for environment and natural resources dispute resolution

1. Any aggrieved party may bring their dispute to the environmental and natural resource dispute resolution mechanism for mediation before filing a complaint to the court in compliance with the provisions of this Code.
2. The provision of Paragraph 1 above shall not prevent the right to file a complaint to the court directly. If necessary, the court receiving the complaint concerning the environmental and natural resources may refer the complaint to the environmental and natural resources dispute resolution mechanism for mediation. If the parties do not reach any solutions before the environmental and natural resource dispute resolution mechanism, the party shall have

the right to request the court to resume its proceeding in compliance with applicable laws and procedures.

3. Mediation for environmental and natural resources disputes, as stated in Paragraph 1 above, shall not apply to criminal offences punishable according to this Code.
4. Mediation for environmental and natural resources disputes shall not prevent the enforcement of other criminal provisions if the facts subjected to mediation constitute criminal offences punishable under this Code or other applicable criminal laws.

Article 802. Parties to environment and natural resources disputes

- a. Affected parties may bring a complaint to claim for compensation.
- b. The ministry responsible for environment and natural resources or sub-national administrations shall have the right to bring a compensation claim for environmental and natural resources harm, environmental restoration, or a complaint to prevent an activity that will harm or pollute the environment and natural resources.
- c. Associations and organizations registered and recognized by the ministry responsible for environment and natural resources may bring a complaint to stop or prevent any activity, claiming compensation or reparation for environmental and natural resources harm or damages for victims or communities. In cases where a complaint is filed to claim the victims' or community's compensation or damages, they shall have the grant-of-right letter.

CHAPTER 2

MECHANISMS FOR ENVIRONMENT AND NATURAL RESOURCES DISPUTE RESOLUTION

Article 803. Structure of the committee for environment and natural resources dispute resolution

1. The committee for environment and natural resources dispute resolution shall have the following structures:
 - a. The national committee for environment and natural resources dispute resolution.
 - b. The capital or provincial committee for environment and natural resources dispute resolution.
2. The organization and the functioning of the national committee for environment and natural resources dispute resolution and the capital or provincial committee for environment and natural resources dispute resolution shall be determined in a sub-decree upon proposal by the minister responsible for environment and natural resources.

Article 804. Authority of the committee for environment and natural resources dispute resolution

1. The national committee for environment and natural resources dispute resolution shall have the authority to mediate environmental and natural resource disputes brought by any party to appeal if they are not satisfied with the mediation by the capital or provincial committee for environment and natural resources dispute resolution or to mediate a complaint brought to it directly by any disputing party.
2. Capital or provincial committee for environment and natural resources dispute resolution shall be able to mediate environmental and natural resource disputes within their capital or provincial jurisdiction.

CHAPTER 3 PROCEDURES FOR ENVIRONMENT AND NATURAL RESOURCES DISPUTE RESOLUTION

Article 805. Mediation for environment and natural resource disputes

1. Environmental and natural resource dispute mediation shall be based on applicable laws and provisions of this Code.
2. Formats and procedures for environmental and natural resource dispute mediation by the national committee for environment and natural resources dispute resolution and the capital or provincial committee for environment and natural resources dispute resolution shall be determined in a sub-decree upon proposal by the minister responsible for environment and natural resources.

Article 806. Settlement agreement

1. A settlement agreement shall be concluded before the national or capital or provincial committee for environment and natural resources dispute resolution in written form, requiring all disputing parties to sign or fingerprint for affirmation by all members of the national or capital or provincial committee for environment and natural resources dispute resolution.
2. As stated in Paragraph 1, the settlement agreement shall be binding by the enforcement letter unless the process is flawed.
3. The settlement agreement shall not be a barrier to any third party who may wish to exercise their legal rights to protect their interests.

Article 807. Appeal in cases where no settlement agreement is reached

If no settlement agreement is reached at the capital or provincial level, the parties to the dispute shall have the right to file an appeal/objection to the national committee for environment and natural resources dispute resolution within ninety (90) days after receiving the no-settlement notice. If no settlement agreement is reached at the national level, parties to the dispute shall have the right to bring the complaint to a competent court in compliance with applicable laws and procedures.

SECTION 2
OFFICIALS RESPONSIBLE FOR NATURAL PROTECTED AREA MANAGEMENT
AND ENVIRONMENTAL INSPECTION OFFICERS

CHAPTER 1
GENERAL PROVISIONS

Article 808. Purpose

This section aims to determine formats and procedures for the execution of roles and duties of officials responsible for natural protected areas management and environmental inspection.

Article 809. Scope

This section shall apply to all work activities of officials responsible for natural protected areas management and environment inspection officials.

CHAPTER 2
RESPONSIBLE INSTITUTIONS

PART 1
OFFICIALS RESPONSIBLE FOR NATURAL PROTECTED AREA MANAGEMENT

Article 810. Appointment and duties of officials responsible for natural protected area management and appointment as police officers

1. The Minister responsible for environment and natural resources shall appoint national-level officials responsible for natural protected area management. Subnational administrations shall appoint subnational-level officials responsible for natural protected area management in their jurisdiction. The appointment of officials responsible for natural protected area management shall be based on qualifications determined in a *prakas* by the minister responsible for environment and natural resources.
2. The officials responsible for natural protected area management shall have duties to monitor, control, and enforce the laws in natural or pathetic areas.
3. National-level and subnational-level officials responsible for natural protected area management qualified as judicial police officers shall control natural resource offences within their jurisdiction and have the power to search, seize evidence, summon relevant persons, and fulfill other procedural tasks in compliance with the Criminal Procedural Code of the Kingdom of Cambodia.

4. Granting recognition and authority to natural protected area management officials as judicial police officers shall be determined in inter-ministerial *prakas* between the Ministry of Justice and the ministry responsible for environment and natural resources. The format and procedure for granting recognition of officials responsible for natural protected areas management as judicial police officer shall be determined in an inter-ministerial *prakas* between the Ministry of Justice and the ministry responsible for environment and natural resources.
5. The content and format of records of natural resources offences shall be determined in an inter-ministerial *prakas* between the Ministry of Justice and the ministry responsible for environment and natural resources.

Article 811. Collaboration and implementation by judicial police officers

Officials responsible for natural protected area management shall have the right to request assistance from subnational administrations, armed forces, and other relevant institutions to control and combat national resource offences or temporarily confiscate and preserve seized items related to the offences.

Article 812. Use of uniform

1. The natural protected area management officials shall wear uniforms, signage, ranks, and mission orders during law enforcement.
2. Uniforms, signage, and ranks for the natural protected area management officials shall be determined in a sub-decree.

Article 813. Use of weapons

1. The officials responsible for natural protected area management qualified as judicial police officers shall have authority to use weapons in compliance with applicable laws and other legal instruments.
2. Weapons shall be supplied and managed by the Ministry of Interior.

PART 2

ENVIRONMENT AND NATURAL RESOURCES INSPECTION OFFICERS

Article 814. Appointment of environment inspection officers

1. Inspection concerning environmental crime prevention and protection shall be conducted by inspection officers of the ministry responsible for environment and natural resources,

the competent ministries or institutions, or subnational administrations under their respective authority in compliance with applicable laws and legal instruments.

2. Formats and procedures for inspection concerning environmental crime prevention and protection shall be determined in an inter-ministerial *prakas* of the ministry responsible for environment and natural resources and other competent ministries or institutions.

Article 815. Duties and roles of inspection officers of the ministry responsible for environment and natural resources

Inspection officers of the ministry responsible for environment and natural resources shall have the following roles and duties:

- a. Inspect, follow, research, control, and enforce the provisions of this Code concerning environmental crime prevention and protection under the authority of the ministry responsible for the environment and natural resources.
- b. Prepare reports on the results of inspections and submit them to the superiors for review and approval.
- c. Take other measures within the framework of the implementation of this Code.
- d. Perform other roles and duties as tasked by the minister responsible for environment and natural resources.

Article 816. Appointment and functions of environment inspection officers and recognition as qualified as judicial police officers

1. Inspection officials of the ministry responsible for environment and natural resources, the competent ministries or institutions, or subnational administrations who are qualified as judicial police officers shall enforce natural resource offences within their jurisdiction and have the power to search, seize the evidence, summon relevant persons, and fulfill other procedural tasks in compliance with Criminal Procedural Code of the Kingdom of Cambodia.
2. Granting of recognition and authority to environmental inspection officers, as stated in Paragraph 1 above, shall be determined in an inter-ministerial *prakas* between the Ministry of Justice and the ministry responsible for environment and natural resources. The format and procedure for qualification as a judicial police officer for environmental inspection officials shall be determined in an inter-ministerial *prakas* between the Ministry of Justice and the ministry responsible for environment and natural resources.
3. Forms and formats of environmental offence records shall be determined in an inter-ministerial *prakas* between the Ministry of Justice and the ministry responsible for environment and natural resources.

Article 817. Use of uniforms of environment inspection officers

1. Inspection officials of the ministry responsible for environment and natural resources, the competent ministries or institutions, or subnational administrations shall have mission order and wear uniforms, signages, and ranks when performing their roles and duties.
2. Uniform, signage and ranks for the inspection officials of the ministry responsible for environment and natural resources, the competent ministries or institutions, or subnational administrations shall be determined in a sub-decree.

PART 3

SEIZED ITEMS RELATED TO ENVIRONMENT AND NATURAL RESOURCES OFFENCES

Article 818. Types of seized items of environment and natural resources offences

1. Seized items of the offences include but are not limited to:
 - a. Products and by-products of natural resources, hazardous substances, or products containing hazardous substances that are seized items related to the offences.
 - b. Materials, equipment, facility, and means used to commit an offence.
 - c. Capital gain or asset gain resulting from the offences.
2. For degradable seized products and by-products of natural resources, the officials responsible for natural protected areas shall have the right to release, destroy, or keep them for public interest reasons with proper record and approval by the Prosecutor.

Article 819. Expenses for handling seized items in the form of hazardous substances or products containing hazardous substances

The cost for transportation, keeping, and destruction of seized items that are hazardous substances or products containing hazardous substances shall be the responsibility of the owners of the seized items.

Article 820. Maintenance and management of seized items in the form of wild plants and parts of wild plants

Maintenance and management of seized items in the form of threatened wild plants or any products from the wild plants shall be as follows:

- a. For live plants: shall bring those wild plants to their original habitats or give them to any institution with the purpose of breeding or propagation, or to an academic institution, research institution, conservation organization, wild plant specimens

- maintaining facility or plant park as determined by the ministry responsible for environment and natural resources.
- b. For dead wild plants or part of wild plants that could not be propagated: shall keep them at locations as determined by the ministry responsible for environment and natural resources after receiving approval from the prosecutor.

Article 821. Maintenance and management of seized items in the form of wildlife, parts, or specimens of wildlife

1. Maintenance and management of seized items in the form of dead wildlife, parts, or wildlife specimens shall be at safe locations or any site determined by the ministry responsible for environment and natural resources after receiving approval from the prosecutor.
2. For seized items in the form of live wildlife, they shall be provided with care, emergency rescue, and first aid and handover to a wildlife rescue centre as determined by the ministry responsible for environment and natural resources. This practice shall have clear records, photos, or videos as evidence.

Article 822. Confiscation of seized items of environmental and natural resource offence

As stated in this Code, the seized items of environment and natural resource offence shall be confiscated and becomes state property through a court order unless provided otherwise.

BOOK 10
PENALTY PROVISIONS

SECTION 1
GENERAL PROVISIONS

UNITARY CHAPTER
COMMON PROVISIONS

Article 823. Types of penalties

Types of penalties under this Code include administrative and criminal penalties.

Article 824. Administrative penalties

1. Administrative penalties include:
 - a. Warning.
 - b. Work halting, temporary suspension, or withdrawal of license, permit, certificate, contract, agreement, or project.
 - c. Revocation or withdrawal of license, permit, certificate, contract, or agreement.
2. Warning, work halting, suspension, withdrawal or revocation of permit, certificate, contract, agreement, or project temporarily, or license withdrawal shall be within the mandate and discretion of the ministry responsible for environment and natural resources, competent ministries or institutions or subnational administrations under their respective jurisdiction, in compliance with applicable laws and legal instruments.
3. Offences subjected to the above administrative penalties shall be determined in a *prakas* of the minister responsible for environment and natural resources or relevant competent ministers.
4. Persons dissatisfied with the decision on administrative penalties as stated in Points (b) and (c) of Paragraph 1 above shall have the right to lodge a complaint to the minister responsible for environment and natural resources or relevant competent ministers within thirty (30) days after the decision was rendered. The minister responsible for environment and natural resources or relevant competent ministers shall decide on this objection within thirty (30) days after the receipt date of the complaint. Persons dissatisfied with the decision by the minister responsible for environment and natural resources or relevant competent ministers over their objection shall have the right to file a complaint before a competent court in accordance with applicable procedure within thirty (30) days after receiving the

decision. The filing of an objection by the above-mentioned persons shall not have effect to halt the enforcement of the administrative penalty decision in question.

Article 825. Criminal penalties

1. Criminal penalties shall include but not limited to:
 - a. Transitional fines.
 - b. Monetary fines.
 - c. Imprisonment.
2. The issuing of transitional fines for environmental and natural resource offences shall be within the authority and discretion of the officials qualified as judicial police officers to control environmental and natural resource offences in compliance with this Code and other applicable laws.
3. Payment of a transitional fine shall lead to the extinguishment of a criminal complaint. Payment of a transitional fine shall not be a barrier to enforcing administrative or criminal punishment in compliance with the provisions of this Code or other applicable criminal laws.
4. Format and procedure for transitional fines, payment of a transitional fine, management of receipt of transitional fines, and the allocation of the proceeds from transitional fines for offences as stated in this Code shall be determined by an inter-ministerial *prakas* between the ministry responsible for environment and natural resources, competent ministries or institutions, Ministry of Justice and Ministry of Economy and Finance. The Royal Government may reward officials who combat the offences, as stated in the Code.

Article 826. Offences subjected to transitional fines

Violation of Article 156 (Waste discharge standard compliance), Article 161 (Obligations against disturbance by noise, vibration, or odour), Article 173 (Application and types of waste permits), Article 189 (Registration of hazardous substances), Article 191 (Registration of products, consumer goods, and toys containing hazardous substances), Article 206 (Prohibition of causing hazardous substance release), Article 234 (Permits for industrial solid waste commercial activities), Article 235 (Permits for solid waste processing services or commercialization and exploitation), Article 236 (Exportation of solid waste or raw materials from solid waste processing), Article 287 (Responsibility of point source owner), 298 (Waste discharge prohibition), Article 299 (Responsibility of watercraft owners), Article 317 (Measures and notifications on air pollution cases), Article 659, (environmental impact assessment Consultants as a Legal Entity or Natural Persons), Article 668 (Prohibition of Construction Activities or Project Operations) of this Code shall be determined as offences subjected to transitional fines, while the amount of transitional fine shall be determined in a sub-decree.

SECTION 2 ENVIRONMENTAL AND NATURAL RESOURCE OFFENCES

CHAPTER 1 OFFENCES RELATED TO ENVIRONMENTAL MANAGEMENT

Article 827. Activities or operations concerning living modified organisms

1. Persons commencing activities or operations concerning living modified organisms that cause impacts or harm to the environment, society, economy, biodiversity, human health, or property shall be punishable by imprisonment from one (1) to five (5) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels.
2. Persons who cause adverse impacts or harm to the environment, society, economy, biodiversity, human health, or property as stated in Paragraph 1 above and fail to fulfill the obligations stated in Article 46 (Obligation to be fulfilled by persons that have caused impacts or harm) of the Code shall be punishable for two offences.

Article 828. Breach of obligation to avoid environmental harm

Persons who fail to utilize the best available technology and best practices to avoid severe environmental pollution or harm as stated in Article 147 (Avoidance of environmental harm) of this Code shall be punishable by imprisonment for a period not less than one (1) month but not exceeding one (1) year and by a monetary fine between 10.000.000 (ten million) Riels and 100.000.000 (one hundred million) Riels.

CHAPTER 2 OFFENCES RELATED TO ENVIRONMENTAL PROTECTION

Article 829. Discharge of waste or pollutants into the environment in violation of waste discharge standards

Persons who discharge waste or pollutants into the environment in violation of waste discharge standards as stated in Paragraph 1 of Article 156 (Waste discharge standard compliance) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels, in cases that the offender was previously punished two (2) times with transitional fines and commits the same offence within one (1) year from the date that the second transitional fine was issued.

Article 830. Noise, vibration, or odour violations

Persons who release noise, vibration, or odour that causes disturbance to the life or affects human health or public or private interest as stated in Article 161 (Obligations against disturbance by noise, vibration, or odour) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 831. Waste discharge or commercial activities without a permit

Persons who discharge waste or commercialize waste without a permit, as stated in Paragraph 1 of Article 173 (Application and types of waste permits) of this Code, shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 832. Failure to register hazardous substances

Persons who fail to register for the production, importation, or distribution of hazardous substances or chemical products containing hazardous substances related to the authority of the ministry responsible for environment and natural resources as stated in Article 189 (Registration of hazardous products) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 833. Production, importation, or distribution of hazardous substances or chemical products

1. Persons who produce, import, or distribute hazardous products or chemical products containing hazardous substances related to the mandate of the ministry responsible for environment and natural resources without permission in compliance with applicable laws and provisions of this Code shall be punishable by imprisonment from one (1) year to three (3) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 300.000.000 (three hundred million) Riels.

2. Persons who produce, import, or distribute hazardous products or chemical products containing hazardous substances related to the mandate of the ministry responsible for environment and natural resources without permission in compliance with applicable laws and provisions of this Code and have caused impacts on the environment, biodiversity, or public health shall be punishable by imprisonment from two (2) years to five (5) years and by monetary fine between 200.000.000 (two hundred million) Riels to 500.000.000 (five hundred million) Riels

Article 834. Failure to register products, consumer goods, and toys containing hazardous substances

Persons who fail to register the production, importation, or distribution of products, consumer goods, and toys containing hazardous substances as stated in Article 191 (Registration of products, consumer goods, or toys containing hazardous substances) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 835. Causing the hazardous substance release

1. Persons who release hazardous substances into the environment as stated in Article 206 (Prohibition of causing hazardous substances release) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.
2. Persons who release hazardous substances into the environment and cause impacts on the environment, biodiversity, or public health shall be punishable by imprisonment from one (1) year to five (5) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels

Article 836. Practices of solid industrial waste collection, transportation, treatment, and dumpster services without permission

Persons who practice solid industrial waste collection, transportation, treatment, and dumpster services without a permit, as stated in Article 234 (Permits for industrial solid waste commercial activities) of this Code, shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2)

times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 837. Practice of solid waste processing services, commercialization, and exploitation without permission

Persons who practice solid waste processing services or commercialization and exploitation without permission, as stated in Article 235 (Permits for solid waste processing services or commercialization and exploitation), of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continues to commit the same offence within one (1) year from the previous transitional fine.

Article 838. Exportation of waste or raw materials from solid waste processing without permission

Persons who export waste or raw materials from solid waste processing without a permit, as stated in Article 236 (Exportation of solid waste or raw materials from solid waste processing) of this Code, shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 839. Importation of solid waste

Persons who import solid waste from a foreign country into the Kingdom of Cambodia in violation of the provision of Article 237 (Importation of solid waste) of this Code shall be punishable by imprisonment from one (1) year to three (3) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels.

Article 840. Failure to comply with the obligations of owners of hazardous waste

Persons who fail to implement the provision of Paragraph 1 of Article 252 (Obligation of owners of hazardous waste) of this Code shall be punishable by imprisonment from one (1) year to three (3) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 300.000.000 (three hundred million) Riels.

Article 841. Disposal of hazardous waste without a permit

Persons who fail to implement the provision of Article 253 (Permit to discharge hazardous waste) of this Code shall be punishable by imprisonment from two (2) years to five (5) years and by a monetary fine between 200.000.000 (two hundred million) Riels to 500.000.000 (five hundred million) Riels.

Article 842. Importation of hazardous waste

Persons who import hazardous waste from a foreign country into the Kingdom of Cambodia in violation of the provision of Article 264 (Prohibition of Hazardous Waste Importation) of this Code shall be punishable by imprisonment from one (1) year to five (5) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels.

Article 843. Failure to comply with the obligations of site owners of production, commercial activities, and services that generate hazardous waste and operators of hazardous waste

Persons who fail to fulfill the obligations as stated in Article 268 (Obligation of site owner of production, commercial activities, and service that generate hazardous waste and hazardous waste operator in production, commercial activities, or services) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels.

Article 844. Activities that cause environmental impacts

Persons who store, discharge, burn, bury, or dispose of hazardous waste that causes impact to the environment, public health, or property damage Article 272 (Impact-causing activities) of this Code shall be punishable by imprisonment from one (1) year to five (5) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels.

Article 845. Failure to implement liquid waste and wastewater management obligations

Persons who fail to safely manage their liquid waste and wastewater before discharge into public water areas as stated in Article 287 (Responsibility of point source owner) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that

transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 846. Release of waste without treatment or permission

1. Persons who release solid waste, liquid waste, wastewater, oil waste, or chemical waste from lands, islands, oil extraction sites, and fishery tools into the sea without prior treatment or permission, as stated in Article 298 (Waste discharge prohibition) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine
2. Persons who release solid waste, liquid waste, wastewater, oil waste, or chemical waste from lands, islands, oil extraction sites, and fishery tools into the sea without prior treatment or permission and have caused an adverse impact to the environment, biodiversity or public health shall be punishable by imprisonment from one (1) year to five (5) years and by monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels.

Article 847. Non-liabilities of watercraft owners

Persons who fail to implement the provision of Paragraph 3 of Article 299 (Responsibility of watercraft owners) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 848. Failure to act and notify about activities causing air pollution

Persons who fail to implement the provision of Article 317 (Measures and notifications on air pollution cases) of this Code shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

CHAPTER 3

OFFENCES RELATED TO NATURAL PROTECTED AREA MANAGEMENT

Article 849. Class 1 natural resource offence in natural protected areas

Any person who commits any of the following offences in natural protected areas shall be punished by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels:

- a. Plant seed exportation or importation, breeding of alien animal or plant species or new alien plant species and all aquatic animals without permission.
- b. Carelessness, negligence, recklessness, or a failure to fulfill an obligation that causes a wildfire or swamp fire.
- c. Using equipment that causes noise, vibration, wave, and smoke disturbance, which may cause damage to natural resources and environmental protection in Core Zones and Conservation Zones.
- d. Mining exploration without a permit.

Article 850. Class 2 natural resource offence in natural protected areas

Any person who commits any of the following offences in a natural protected area shall be punishable by imprisonment from one (1) year to five (5) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels:

- a. Establishment of any kiln or facility to process timber and non-timber forest products, wild plants, and all kinds of natural resources in the Core Zone and Conservation Zone.
- b. Establish any facility to process aloe wood, holy basil (*Ocimum sanctum*), rabbit vine (*Teramnus labialis*), or extract other prohibited plants in the Core Zone and Conservation Zone.
- c. Cutting, felling, sterilizing, tying up, injuring, harming, uprooting, invading, or destroying trees and wild plants listed in Category 5 and 6 without permission.
- d. Capturing by snare, spool, trap, spool, fishnet, hoop-net, fishing rod, or hunting that injures, poisons, kills, or collects eggs or offspring of all kinds listed in Category 5 and Category 6 of Wildlife species without permission.
- e. Transporting, collecting, storing, or stockpiling natural resource products and by-products without permission.
- f. Using weapons, explosives, chemical substances, poisons, or electrocution equipment that harm or pollute natural resources.
- g. Trading of wildlife and all specimens or raising wildlife species for commercial activities without permission.

- h. Harassing or destroying spawning grounds, offspring, and reproduction areas for wildlife and aquatic animals.
- i. Removing, pulling out, or destroying boundary markers or signs indicating boundaries of natural protected areas
- j. Destroying public infrastructure.
- k. Place fill in the land, water territories, catchment, watercourses, natural lakes, wetlands, floodplain, spring, or reservoir without permission.
- l. Blocking environmental water flows of lakes, rivers, canals, and streams without permission.
- m. Placing surrounding boundary markers or signposts on state land in natural protected areas to possess and procure ownership rights
- n. Fishing practices that cause damage to national resources in marine and freshwater territories flooded forests, mangrove forests, coral reefs, and sea grass, violating the provisions of this Code in the Sustainable Use Zone and Local Community Zone.
- o. Extracting stones, gravel, sand, and minerals; pulling out, clearing, and excavating without permission.

Article 851. Class 3 natural resource offence in natural protected areas

Any person who commits any of the following offences in a natural protected area shall be punishable by imprisonment from five (5) years to ten (10) years:

- a. Importing or exporting any of the animal or plant species listed from Category 2 to Category 4 of wildlife and wild plant species without permission.
- b. Cutting, felling, sterilizing, tying up, injuring, harming, uprooting, invading, or destroying trees and wild plants listed from Category 2 to Category 4.
- c. Intentionally causing wildfire or swamp fire.
- d. Fishing practices that cause damage to national resources in marine and freshwater territories flooded forests, mangrove forests, coral reefs, and sea grass, violating this Code in the Core Zone and Conservation Zone.
- e. Capturing by snare, spool, trap, spool, fishnet, hoop-net, fishing rod, or hunting that injures, poisons, kills, or collects eggs or offspring of all kinds listed from Category 2 to Category 4 of wildlife species without permission.
- f. Cutting, uprooting, invading, clearing, burning, and bulldozing forest lands to transform the land into private possession.

Article 852. Intentional damage, salvage, or destruction of underwater cultural properties

Persons who cause intentional damage, destruction, or salvage of underwater cultural properties as stated in Article 427 (Prohibition for damage, salvage, or destruction of underwater

cultural properties) of this Code shall be punishable by imprisonment from one (1) year to five (5) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 500.000.000 (five hundred million) Riels.

CHAPTER 4

OFFENCES RELATED TO ENVIRONMENTAL ASSESSMENT

Article 853. Practicing as an unregistered profession or in an unregistered consulting firm for environmental impact assessment

Persons who do not comply with Paragraph 1 of Article 659 (environmental impact assessment Consultants as a Legal Entity or Natural Persons) of this Code) shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender for two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

Article 854. Breach of terms of reference in the form of data falsification or plagiarism

Persons submitting or giving environmental impact assessment or Risk Assessment report, data, or information with the purpose of misleading the ministry responsible for environment and natural resources shall be punishable by imprisonment from one (1) year to three (3) years and by a monetary fine between 100.000.000 (one hundred million) Riels to 300.000.000 (three hundred million) Riels.

Article 855. Construction activities or project operation in violation of prohibition

Persons who commence any construction activity or operation before receiving the approval letter and certificate on the full environmental impact assessment report, initial environmental impact assessment report, or environmental protection agreement as stated in Article 668 (Prohibition of Construction Activities or Project Operations) shall be punishable by imprisonment from one (1) month to one (1) year and by a monetary fine between 10.000.000 (ten million) Riels to 100.000.000 (one hundred million) Riels in the case that transitional fines had punished the offender two (2) times and continue to commit the same offence within one (1) year from the previous transitional fine.

CHAPTER 5
AGGRAVATING CIRCUMSTANCES, ADDITIONAL PENALTIES FOR NATURAL PERSONS, CRIMINAL LIABILITIES FOR LEGAL ENTITIES AND APPLICATION OF OTHER CRIMINAL LAWS

Article 856. Aggravating circumstances

The acts stated in Article 827 (Activities or operations concerning living modified organisms), Paragraph 2 of Article 833 (Production, importation, or distribution of hazardous substances or chemical products), Paragraph 2 of Article 835 (Causing the hazardous substance release), Article 839 (Solid waste importation), Article 841 (Disposal of hazardous waste without a permit), Article 842 (Hazardous waste importation), Article 844 (Activities that cause environmental impacts), Paragraph 2 of Article 846 (Release of waste without treatment or permission) of this Code shall be punishable with aggravating circumstances in the following cases:

- a. Imprisonment from five (5) years to ten (10) years in any of the abovementioned cases, which cause severe harm to the environment, biodiversity, human health, or permanent disability to other persons.
- b. Imprisonment from seven (7) years to fifteen (15) years in any of the cases stated above, which cause the death of another person unintentionally.
- c. Imprisonment from fifteen (15) years to thirty (30) years in any of the cases stated above, which cause several deaths or with the intention to cause severe harm to the environment, biodiversity, health, or other people's life or committed as an organized crime.

Article 857. Pronouncement of additional penalties for natural persons

1. The court may pronounce one or more additional penalties in Article 53 (Additional penalties) of the Criminal Code in cases where a natural person has committed any of the offences as stated in Article 827 (Activities or operations concerning living modified organisms) to Article 855 (Construction Activities or Project Operation in Violation of Prohibition) of the Code.
2. The content, format, and procedure to enforce additional penalties shall comply with the provisions of the Criminal Code.

Article 858. Criminal responsibility of legal entities

A legal entity may be found to be criminally responsible based on the provisions of Article 42 (Criminal Responsibility of Legal Entities) for offences stated in Articles 827 (Activities or operations concerning living modified organisms) to Article 855 (Construction Activities or

Project Operation in Violation of Prohibition) of the Code. The legal entity shall be punishable by a monetary fine between 1.000.000.000 (one billion) Riels to 2.000.000.000 (two billion) Riels and one or more additional penalties stated in Article 168 (Additional Penalties Applicable to Legal Entities) of the Criminal Code.

Article 859. Application of other criminal laws

The application of the provisions in Book 10 of this Code shall not prevent the application of other criminal laws in case the offence stated in the Code is an offence stipulated in other criminal laws in addition to compensation for damage.

BOOK 11

TRANSITIONAL PROVISIONS

Article 860. Transitional measures for projects submitted before the date of the application of this Code

Project applications submitted before the date of the application of this Code shall be considered to have been submitted and shall resume the remaining procedures in compliance with the provisions of this Code.

Article 861. Transitional measures for projects implemented before the date of application of this Code

Projects implemented before the date of the application of this Code shall continue to be valid after the date this Code becomes applicable.

Article 862. Transitional measures for provisions concerning environmental standards

Provisions concerning existing and applicable environmental standards shall continue to be applicable until new provisions relating to environmental standards exist unless provided otherwise in this Code.

BOOK 12

FINAL PROVISIONS

Article 863. Effects of legal provisions

All legal instruments under the laws concerning the environment and natural resources shall be applicable until substituted by new instruments, except for any provision contrary to this Code.

Article 864. Abrogation

1. The following laws and legal provisions concerning the environment and natural resources shall have no effect from the date of the application of this Code:
 - a. Law on Environmental Protection and Natural Resource Management, promulgated by the Royal Kram No. NS.RKM.1296.36, dated 24 December 1996.
 - b. Law on Protected Areas, promulgated by the Royal Kram No. NS/RKM/0208/007, dated 15 February 2008.
 - c. Law on Biosafety, promulgated by the Royal Kram No. NS/RKM/0208/006, dated 15 February 2008.
2. During the application of this Code, only the incompatible parts of the provisions of other laws in force shall have no effect from the date of the application of this Code.
3. However, the provisions that determine environmental and natural resource offences, as stated in Paragraphs 1 and 2 above, shall continue to have effect after the application of this Code on offences committed before the application of this Code.
4. All provisions of this Code shall be applicable if there are no separate rules provided by a special law.

Article 865. Application of this code

This Code shall be applicable one (1) year after its entry into force.

Roya Palace, 29 June 2023
Royal Signature and Seal
Norodom Sihamoni

No. 2306.1322
Respectfully submitted to the King for signature
Prime Minister
Signature
Samdach Akkak Moha Sena Padey Dekjo Hun Sen

Respectfully submitted to Samdach Akka Moha
Sena Padey Dekjo Hun Sen
Prime Minister of the Kingdom of Cambodia
Ministry of Environment
Signature
Say Samal

Copied
Permanent Deputy Prime Minister
Minister of Council of Ministers
Signature and Seal
Kiti Niti Kosal Dr. Bin Chhin

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