

## (7) Good Practices

<Cambodia>

### Good Practice 1: Citizen Participation in the Establishment of the Environmental Code (including the EIA Act)

1. Stage of EIA Process	(4) Information disclosure/public participation
2. System/ Implementation	System
3. Country	Cambodia
4. Outline of good practice	The Minister of Environment issued an instruction to create an Environmental Code of Cambodia, and the preparation of a draft started in 2015 with support of the UNDP. The Technical Working Group (TWG) in charge of preparing the draft was established, under which six sub-TWGs were formed. Consultation workshops were held several times to allow parties, including general public, NGOs, and communities of indigenous people, to participate initiatively in related discussions, while the contents of the code was open to the public from the draft stage, resulting in building a framework to accept opinions widely from domestic and international sources. Having undergone these processes, the code has now been renamed the Environmental and Natural Resources Code, by adding <i>Natural Resources</i> , and is awaiting cabinet approval. Book 2 of the code contains chapters on EIA.
5. Background and issues identified (why and how does this good practice was started and evolved?)	<p>Although Cambodia established its major laws on the environment in the second half of the 1990s and at the beginning of the 2000s, the Ministry of Environment decided to revise various legal regulations, including the EIA Act in 2012, in order to cope with various issues arising from its economic growth. The current Minister of Environment, who took up his current post after the general election for the National Assembly held in 2013, succeeded in this direction, but prioritized restructuring of the ministry, and renewed its personnel and organization. Subsequently, the minister stated that the unification of ideas and principles is necessary to revise various regulations, and started an investigation for establishment of an environmental law in mid-2015.</p> <p>Meanwhile, although the work to revise the law on EIA has been in progress since 2012, and the revision's final draft was completed in 2015, the law is now part of the Environmental Code and still awaits enactment.</p>
6. Key features of good practice and its consequences/ outcomes	<p>From the planning stage for preparation, this code has been developed with a policy to ensure public participation and information disclosure, and this fundamental principle is reflected in many respects in the current final draft. In addition, the Ministry of Environment of Cambodia has coordinated with other relevant ministries proactively in order to establish environmental legal regulations suitable for sustainable development, making this initiative unprecedented.</p> <p>A framework has been implemented where anyone can read the draft while it is being revised, or directly state an opinion and discuss it at one of the workshops held periodically, or subsequently send a comment, evidencing a thorough application of the policy.</p> <p>The original plan was to use the draft consolidated in December 2016 as the final draft for discussions at the cabinet council, but further revisions and confirmation have</p>

	<p>become necessary, and a necessary arrangement is now underway for approval of the ninth and latest draft.</p> <p><b>Major milestones until now</b></p> <p><b>2015</b>  July: Meeting among members of the Ministry of Environment, Ministry of Agriculture, Forestry and Fisheries, and sub-TWGs.  August: First workshop held; participants included NGOs, indigenous people, and donors.  December: Second workshop held.</p> <p><b>2016</b>  March: First draft prepared.  April: First National Consultation Workshop held.  May: Second draft prepared.  June: Third draft prepared.  July: Second National Consultation Workshop held.  August: Forth draft prepared.  October: Fifth draft prepared.  November: Sixth draft prepared.  November: Last Consultation Workshop held.  December: Seventh draft prepared.</p> <p><b>2017</b>  May: Eighth draft prepared.  December: Ninth draft prepared.</p> <p>Contents of the ninth draft:  Book 1: General Provisions  Book 2: Environmental Assessment and Monitoring  Book 3: Environmental Management and Sustainability Mechanisms  Book 4: Sustainable Management of Natural Resources  Book 5: Cultural Heritage Conservation and Management  Book 6: Waste and Pollution Management  Book 7: Environmental Education and Awareness  Book 8: Economic Measures, Accounts, Fees, and Funds for the Environment  Book 9: Environment and Natural Resources Complaint Resolution  Book 10: Transitional Provisions  Book 11: Final Provisions</p>
7. Lessons learnt/way forward	<p>The approach taken to involve citizens and indigenous people proactively, whose voices hardly reach the process of preparing regulations, and to involve domestic and foreign specialists, is highly appraised.</p> <p>On the other hand, while there are items such as EIA for which discussions show progress to a certain degree, other items coexist for which consideration still seems insufficient. In addition, an approval schedule for this code is not clear at this stage, and possibilities for this code to be further revised before enactment cannot be denied.</p> <p>Furthermore, administration of the law needs to be considered, and building a structure to implement the rules will be necessary on the government’s side, which will require some time.</p>
8. Photos	

**<Cambodia>**

**Good Practice 2: Environmental Consideration in Japanese ODA Projects**

1. Stage of EIA Process	(3) Environmental control plan/monitoring/post-implementation report
2. System/ implementation	Implementation
3. Country	Cambodia
4. Outline of good practices	Initiatives under Japanese ODA projects
5. Background and issues identified (why and how does this good practice was started and evolved?)	<p>The government of Japan supports infrastructure projects in Cambodia through the Japan International Cooperation Agency (JICA). Major schemes used are Finance and Investment Cooperation (ODA Loans) and ODA Grants, for which JICA plans and runs projects according to the Guideline for Environmental and Social Considerations, revised in 2010.</p> <p>The basic principles of this guideline state: “While project proponents etc. bear the ultimate responsibility for the environmental and social considerations of projects, JICA supports and examines appropriate environmental and social considerations undertaken by project proponents etc.,” and JICA’s initiatives conform to these principles.</p>
6. Key features of good practice and its consequences/ outcomes	<ul style="list-style-type: none"> <li>• Urban infrastructure projects consider relieving traffic congestion caused by construction, e.g. placing construction signs from 100 meters away on both sides of a construction site; taking measures to minimize construction areas; in addition to providing advance information to residents, providing information on construction, bypasses, etc. on the radio and by other means.</li> <li>• The projects consider improving construction methods, e.g. using equipment with less noise. Placing cleaning persons at construction sites to tidy and clean the sites. Taking measures to minimize felling of street trees and other trees. Considering scenery at tourist sites.</li> <li>• The projects take measures reflecting inputs from people, e.g. presenting contact details at construction sites for people to contact; taking measures to prevent dust caused by construction based on input from people; improving the situation on access roads to construction sites.</li> <li>• The projects disclose information proactively, e.g. promoting inspection of construction sites by government officials, students, the media, etc.; placing banners at construction sites to present outlines of construction.</li> <li>• The projects consider the labor environment, e.g. improving environments for working women, including installation of toilets; taking measures to prevent accidents, including ensuring safety measures and equipment in place and promoting necessary communication.</li> </ul>
7. Lessons learnt/way forward	In large infrastructure projects, while creating plans and considering measures in advance are important, considering measures while the construction is in progress is equally important, which leads to proper conduct of the projects.
8. Photo(s)	