



Comments on the proposed Environmental Code of Cambodia and proposed amendments for a better recognition of Customary Tenure rights in Protected Areas

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For discussion with interested partners/ stakeholders and submission to Vishnu Law Group

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1. Background

The « Environment and Natural Resources Code of Cambodia » (Sixth Draft - – 20 November 2016) is a very extensive proposed law (535 pages !) which will have, if adopted, major impacts on many aspects of Cambodian development (Mines, Energy, Urban planning, etc..) but is particularly important for the management of Protected Areas and of Forests and Fisheries. The book 4 concerning the sustainable management of Natural Resources concerns the establishment and management of Biodiversity Corridors, which are proposed to integrate and expand existing Protected Areas (p 187-217), the development of Collaborative management mechanism associating communities and government on part of the biodiversity corridors (particularly for Community Zones and community Forests, and for sustainable use zones) (p 218-222) , and then the Sustainable Forest Management (222-261) (including present CPAs) as well as Fisheries Management(347-354)

The Minister of Environment is apparently very keen to have it finalized before 25th of December, to have it passed early 2017. The code has been elaborated by a panel of experts and several working groups led by Vishnu Law Group. A public national consultation has been organized on 24th and 25th November by MOE, and as a result there has been a call for interested organisations and groups to propose the changes they feel necessary to improve the law.

Process of discussion

MRLG has made an initial analysis the draft law under the lenses of the **recognition and defence of customary tenure rights of smallholders farmers and indigenous people**, as per

its mandate, and shared it with interested stakeholders and partners (especially the ones involved in the “customary tenure L&A) and had a collective discussion before going back to Vishnu with precise suggestions. Other comments that are not related to Customary Land Tenure complete the first part of the document. Based on these comments, we have proposed amendments in Part II of this note, focussing on the recognition of customary tenure rights in protected areas

PART I COMMENTS ON THE V6 OF THE CODE

2. General comments

Whilst the code presents many interesting and progressive proposals concerning the access to public information, public participation, FPIC, mediation mechanism, etc. and in general proposes a greater participation of communities in the management of protect areas under the concept of « collaborative management », we feel that it falls short of effectively recognizing and protecting customary tenure rights, as is recommended in the Voluntary Guidelines for the Governance of Tenure (VGGT) adopted by the UN Committee on Food Security in 2012 : *“States should provide appropriate recognition and protection of the legitimate tenure rights of indigenous peoples and other communities with customary tenure systems”* (VGGT § 9) , and remains too much cantered on biodiversity, and not enough on social development. It even represents a new threat to some communities, as the proposed biodiversity corridor will be larger than present PA, and will therefore include new areas, many of them occupied by IP and khmer communities.

In addition, the environmental code seems to silence important legal and institutional dispositions that are already approved and which should have a more central role in land and natural resources management, e.g. spatial planning institutions.

It looks that the purpose of the code is to achieve sustainable development through the protection of environment and conservation of natural resources. We have concern over the word at 'conservation'. If the conservation is not linked to the 'sustainable management' of resources with the local people's participation, there are likely have conflicts between local people and government agencies.

We wish the code could:

- consider meaningful participation of local people at every stage
- ensure the tenure rights of local people over land and forest resources
- creation local employment and income opportunities through promotion of environmentally friendly enterprises: and reduction of poverty through active and sustainable management of resources by local people (do not see under list of objectives)

3. Specific Comments related to the recognition of customary tenure rights of local communities and indigenous people over land, forest, and fisheries

1) Lack of use of FPIC in new protected areas and biodiversity corridors

Although the code states that FPIC is one of its basic principles, the way it plans to institute new biodiversity corridors (which will be bigger than the present PA) does not respect this principle. The « corridors » will be decided by the Minister without consultation of the affected communities, and of course without their FPIC.

« The Ministry of Environment is responsible for nominating areas to be managed as Biodiversity Conservation Corridors or other protected areas. The establishment of new Biodiversity Conservation Corridors or other protected areas or expansion of the boundaries of existing Biodiversity Conservation Corridors or other protected areas is issued through sub-decree. » (p 193)

After establishing the Corridor, a comprehensive land use planning process will be conducted. The law proposes that this LUP should be based on « A requirement to conduct meaningful consultations with all stakeholders (meaningful stakeholder consultations) » (p195). But this remains very vague and open to interpretation and do not guarantee the FPIC of the communities located within the newly established Corridors.

2) Co management should be a right, not a request

On the contrary, local communities and IP will have to ask for the creation of co-managed areas within the biodiversity corridors, and the process is going to be very complicated. And it will depend on Ministry acceptance. There is no guarantee that their existing customary rights will be respected.

« Local communities, in collaboration with local authorities in any Biodiversity Conservation Corridor, or other protected area, or any provincial, municipal, or local protected areas or other state public lands with ecosystem or conservation values, **have the right to submit** applications for the establishment of Collaborative Management Protection Zones to the Ministry of Environment »

Co management is therefore indicated as a possibility, not as a right or an objective that government should pursue. From a conservation perspective, co-management should be the principle adopted for the management of the whole area ; not only for specific CPA or SUZ.

“In preparing an application, local communities’ and local authorities’ representatives shall determine **Collaborative Management arrangements, site-specific land use planning and zoning** for Collaborative Management Protection Zones, **local community eligibility**

requirements for Collaborative Management, and other Collaborative Management requirements.

“Completed applications shall contain **proposed structure of a Collaborative Management Committee, membership and voting rights of all Collaborative Management community members.** (..) Completed applications shall also include proposed land use planning and zoning for the Collaborative Management Protection Zone, and a proposed **Collaborative Management Plan.** »

These requirements are out of the capacity of communities, and repeat the experience of the very complicated, costly and long process for the establishment of indigenous communal lands, which has hampered and delayed the registration of Communal lands.

« The Ministry of Environment shall review all applications according to clear criteria and procedures and shall provide a decision within three months of receipt of the application. »

3) **The recognition of customary land rights** is not sufficiently explicit

Although article 2 , page 3 states that the objective of the code is :

« To guarantee and enhance the health and wellbeing of all people in Cambodia, including by safeguarding the individual and collective rights of poor and vulnerable people and indigenous peoples »

There is not explicit recognition of customary tenure over land and natural resources, and the definition given of « **Customary User rights** – Rights which result from a long series of habitual or customary actions, constantly repeated, which have, by such repetition and by uninterrupted acquiescence, acquired the force of a law within a geographical or sociological unit. » is a bit restrictive and does not mention rights over land which are central in VGGT.

Furthermore, no mention of customary tenure rights is made in the establishment and management of Biodiversity Corridors

4) **Co-management communal title will weaken existing customary rights**

The communities are entitled to get co-management communal titles, once a co-management zone has been created. But these titles will be only temporary and can be removed if they don't respect the management provisions. This will weaken their already existing tenure rights.

« Upon designation of a Collaborative Management Protection Zone, those communities located within the Collaborative Management Protection Zone shall receive a Collaborative Management Communal Land right. The communities also shall receive a Collaborative Management Communal Title, whose validity shall remain for the full duration of the Collaborative Management Protection Zone »

« The Collaborative Management Communal Title rights set out in this article are fixed to the duration of the Collaborative Management Protection Zone and are conditioned upon fulfilment of Collaborative Management responsibilities.

The failure by communities to comply with the Collaborative Management Plan and other Collaborative Management rules and regulations shall result in revocation of the Collaborative Management Communal Title. »

5) Conflict resolution mechanism

It is not clear of what will happen if there is a dispute between local people and IPCs with environmental state agencies. The writing of Book 9 article 1 on environmental dispute resolution is not sufficiently explicit on this question

“This Chapter establishes mechanisms for the resolution of environmental complaints arising from violations of the National Resource and Environment Code and relevant legal instruments » (p 512)

Through the experience of communal and collective land titling in Cambodia, MOE always cuts out the land claim by local people and IPCs without consulting with them. MoE even does not have conflict resolution mechanisms which the local people and IPCs access to.

In the Voluntary Guidelines on the Governance of Tenure (VGGT), it is mentioned that states should provides access for dispute resolution mechanisms.

Chapter 21. Resolution of disputes over tenure rights of VGGT on the page 33 has several paragraphs from § 21.1 to 21.6.

All paragraphs are relevant but these 2 paragraphs are very important.

"21.1 States should provide access through impartial and competent judicial and administrative bodies to timely, affordable and effective means of resolving disputes over tenure rights, including alternative means of resolving such disputes, and should provide effective remedies and a right to appeal. Such remedies should be promptly enforced. States should make available, to all, mechanisms to avoid or resolve potential disputes at the preliminary stage, either within the implementing agency or externally. Dispute resolution services should be accessible to all, women and men, in terms of location, language and procedures."

"21.4 States may consider using implementing agencies to resolve disputes within their technical expertise, such as those responsible for surveying to resolve boundary disputes between individual parcels within national contexts. Decisions should be delivered in writing and based on objective reasoning, and there should be a right to appeal to the judicial authorities."

6) Forest management

Concerning forest management, the code is very limitative in the recognition of local rights. It does not even mention community forests.

Although it states that « In all aspects of Sustainable Forestry Management, the relevant institutions shall engage with, and maintain or enhance the social and economic wellbeing of workers, local communities and Indigenous peoples, by these actions:

1. Identify and uphold Indigenous Peoples' legal and customary rights of ownership, use and management of land, territories and resources;
2. Contribute to maintaining or enhancing the social and economic wellbeing of local communities;
3. Uphold the right of local communities to protect and utilize their traditional knowledge (..)
4. Uphold the legal and customary rights of local communities to maintain control over management activities within or related to the Forest unit to the extent necessary to protect their rights, resources, lands and territories.

It also states « All Forest Products and By-products located and originating from the Forest are State property, unless the rights of these products have been conveyed to an individual or legal entity..”

Then “All activities related to the permanent forest estates and forest products and by-products (Timber Products and Non-Timber Forest Products) throughout the Kingdom of Cambodia shall require the following permits:

1. Permit to set annual harvesting quotas for forest products and by-products;
2. Permit to harvest of forest products and by-products;
3. Permit for transport quotas of forest products and by-products;
4. Permit to transport of forest products and by-products;
5. Permit for use of forests;

Etc ... (12 permits listed in whole)

The only exception is “Harvesting of Forest Products, by members of local or indigenous communities, at the amount equal to or below customary subsistence use defined in this Title, shall not require permits »

So the present code is a status quo for community forestry. It does not improve the situation of existing community forests, where commercial use of timber is still under very heavy control of the State, with very little concrete incentive for villagers to effectively manage and conserve their forests , as they cannot use if for commercial timber or NTFP production (in particular in CPAs).

Furthermore, the present code seems to ignore the fact that some community forest areas have a strong production focus (firewood, charcoal, NTFPs), mostly for subsistence purposes. There is a wealth of experience with ComFor in Cambodia which is not reflected at all in this code. Instead of starting from what is already in place, it tries to use a completely different terminology and, as already stated above, cements the status quo.

7) Community fisheries

Besides some indication under the title 7. Coastal Zone Management in book 4, community fisheries are not mentioned in the whole document.

This is arguably a serious shortcoming given the lessons that need to be taken from the design and 10 years implementation of community fisheries in Cambodia. This is particularly important in consideration the second wave of fisheries reforms initiated with the complete cancellation of fishing lots in 2012. Community Fisheries management is in limbo due to top-down design and inadequate co-management principals wherein the role and place of the fisheries administration is far too dominant. As in the case of community forest, community fisheries (CFi) is limited to family-scale non-commercial fishing which greatly limit the sustainability of these collaborative associations. Yet, CFi represent a very important area size, particular in the Tonle Sap flood plain (which has a very limited space in the code) whereas it represents a social-ecologic system of high importance in the ecology of Cambodia and livelihoods of millions of people.

The present achievements in community fisheries, the pertaining regulations etc. etc. are completely ignored and the new code therefore misses the opportunity to improve on the current system in place. Cambodia has more experience in CFi than any of its neighbours. This should be integrated. There is a need to have more inputs from high-level technical expert into this draft environment and natural resources code.

8) Other comments on spatial planning

The code is also silent on the newly established institutions for spatial planning (national policy, national and sub-national committees) whereas these institutions will inevitably have a key role in bringing the code into cross-sector planning and in addressing the trade-offs that will need to be addressed between conservation and development of natural resources.

Spatial Planning refers here to inter-ministerial coordination mechanisms that goes far beyond the so-called Land Use Planning endeavours foreseen for each biodiversity corridors. Urban Planning and housing policy (passed) is not even mentioned in the Title 4 Sustainable Cities and Urban Settlements in Book 3 There is also not specific provisions to address the specificities of transition area that are interface between forest/water and water (rivers lakes) though these ecological intersections represent a very important aspects of multi-functionality of rural livelihood in Cambodia.

The proposed code is not consistent with the spatial planning system in place in Cambodia. There is no mentioning of the latest Land Management and Urban Planning Law, the land use

masterplans which exist or are already under elaboration for various towns. Urban planning is too complex an issue and can also not be summarized under “sustainability” or environmental aspects. As mentioned before, there is a complete structure of committees from National, Provincial, Municipality to District level which has been created and is in charge of supervising and eventually approving the masterplans. There is no need to duplicate this and to centralize it under the MoE. MoE and its line agencies at the other administrative levels are full members of the existing “Land Management and Urban Planning Committees” in place.

It uses inappropriate terminology for Cambodia (using American terms instead). In the context of urban planning reference is made to “strategic plans” and strategic planning” a term which the RGC uses exclusively for socio-economic and national development plans (not for urban planning!).

In view of the limited time available it will be difficult to review the Title 4 Sustainable Cities and Urban Settlements in Book 3, but this part definitely needs some fundamental revision!

9) Pollution

Despite the increasing number of serious pollution accidents (oil spills in rivers, air pollution by water factories with Ammonia, etc.), the code remains very weak on sanctions for such crimes. This would have been the centrepieces of the new code in view of the serious environmental and pollution issues this country faces and the recognition that Cambodia has become a net emitter of climate gases in recent years.

PART II- RECOMMENDATIONS FOR CHANGES IN THE V6 OF THE ENVIRONMENT CODE

NOTA BENE : The proposed amendments focus on **the recognition of the community customary rights in protected areas** – We had not time or capacity to propose amendments in the forest, fishery management sections neither in other chapters. Proposed changes appear *in bold italic*.

BOOK 1

ARTICLE 2 OBJECTIVES OF THE ENVIRONMENT AND NATURAL RESOURCES CODE

- a) In order to achieve the purpose described in Article 1, all provisions of this Code shall be interpreted, implemented and complied with in a manner consistent with the Constitution of Cambodia and the following objectives: Protect and preserve the environment, so that it can support the needs of the people of Cambodia, including present and future generations ;
- b) Maintain and enhance the ability of Cambodia’s Natural Resources to provide valuable goods and services *through sustainable management*;
- c) Ensure that the multiple benefits and values of the environment and natural resources are fully integrated into national and regional planning, and decision-making concerning economic and social development;
- d) Preserve and promote Cambodia’s national culture, preserve ancient monuments and artefacts, and restore historic sites;
- e) Guarantee and enhance the health and wellbeing of all people in Cambodia, including by safeguarding the individual and ***collective customary tenure rights of local communities and indigenous people over land and forest resources***
- f) ***Create local employment, income opportunities and reduction of poverty through active and sustainable management of resources by local people and promotion of environmentally friendly enterprises***
- g) Promote gender equality and the empowerment of women and girls; Promote collaborative, transparent and inclusive approaches to decision-making about the environment and natural resources, in particular by ensuring the participation of poor and vulnerable people, individuals or groups who are marginalised from decision-

- making processes, and those most at risk from changes to the environment;;
- h) Achieve full implementation of Cambodia's rights, obligations and responsibilities under relevant international agreements;
 - i) Respect the principles of environmental decision-making described in Chapter [3].

Chapter 3 Definitions and glossary

(....)

Customary Subsistence Use – use of natural resources that will meet only the food security and subsistence needs of the family. The use of natural resources for sale, gifting, trade, economic benefit, or any other use beyond the immediate family, is not included in customary/subsistence use.

Customary Tenure rights – Rights *over lands and natural resources* which result from a long series of habitual or customary actions, which have acquired the force of a law within a geographical or sociological unit. ***Customary rights are socially legitimate within the community and are regulated and protected by the communities themselves.***

ARTICLE 21 THE PRINCIPLE OF FREE, PRIOR AND INFORMED CONSENT

States shall consult and cooperate in good faith with the indigenous peoples and local communities concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their ***customary rights over*** lands or territories and other ***natural*** resources, particularly in connection with the development, utilization, or exploitation of mineral, water, or other resources, ***as well in the process of establishing protected areas.***

BOOK 4 – SUSTAINABLE MANAGEMENT OF NATURAL RESOURCES

ARTICLE 2

All Biodiversity Conservation Corridors, or other protected area, or any provincial, municipal, or local protected areas shall be managed according to the following objectives:

1. Biodiversity, wildlife, and natural resource conservation: Management zones shall be developed in consideration of the need to conserve natural resources, including biological diversity, and to ensure the long term sustainability of these resources through proper management, research and awareness raising.
2. Conservation of ecosystem values, goods and services: Management zones shall be developed in consideration of the various values, goods and services that ecosystems

provide, such as natural resource products, pollination, pollution filtration, climate stabilization and change mitigation, prevention of soil erosion, clean water supply and watershed integrity, and the need to ensure the long term optimization of these goods and services.

3. Livelihoods development: Management zones shall **recognize and protect** the **customary tenure rights** of the local populations whose livelihoods are linked to and dependent on these areas and their natural resources. **They will aim** to maintain and improve their livelihoods in a manner consistent with the long term sustainability of the conservation and ecosystem service values of the areas.

ARTICLE 4

The management of Biodiversity Conservation Corridors and other protected areas, and any provincial, municipal, or local protected areas shall be under the jurisdiction of the Ministry of Environment and such other institutions and entities in accordance with the provisions in Title ____, Collaborative Management and elsewhere in this Code, and in accordance with. *(cross reference to decentralization)*

Consistent with the provisions of this Code, the management of Biodiversity Conservation Corridors and other protected areas, and any provincial, municipal, or local protected areas shall guarantee the rights of local communities, indigenous ethnic minorities and the public to be consulted and participate in the decision-making on the sustainable management and conservation of biodiversity, to provide **Free Prior and Informed** Consent as required by this Code **if the Biodiversity corridors affect their customary tenure rights over land and natural resources**, to fully participate in the management of these areas, and to ensure fair and equitable access to all such areas for resource users.

ARTICLE 10

Upon designation of a Collaborative Management Protection Zone according to Article ____, those communities located within the Collaborative Management Protection Zone shall receive a Collaborative Management Communal Land right. The communities also shall receive a Collaborative Management Communal Title **for the areas on which they have customary tenure rights**.

Regardless of any additional registration or requirements, such Collaborative Management Communal Title rights may not be infringed by any public or private entity without the community's free, prior informed consent.

The Collaborative Management Communal Rights include the right for communities within the Collaborative Management Protection Zone to reside in, conserve, manage and receive benefits from the sustainable use of natural resources within the Collaborative Management

Protection Zone according to ***their customary rights***. These rights do not include the right to sell or transfer the lands designated as CMPZs.

A failure of any other party to comply with the Collaborative Management Plan and other Collaborative Management rules and regulations, including a failure that results in the cancellation of a collaborative Management Protection Zone, shall not result in revocation of the Collaborative Management Communal Title.

(...)

ARTICLE 16

Comprehensive land use planning for all Biodiversity Conservation Corridors and other protected areas, and any provincial, municipal, or local protected areas, shall consist of the following elements:

- A. A requirement to conduct meaningful consultations with all stakeholders (meaningful stakeholder consultations as defined in Article 17 page 20?) ***and to obtain the Free Prior and Informed Consent of local communities and indigenous ethnic minorities whose customary tenure rights over land and natural resources are susceptible to be affected by the Biodiversity Corridors establishment and management*** (as is required in Article ___ of this Code).
- B. A requirement to research and acquire detailed, site-specific data of physical, social and economic factors including best available data regarding land resource inventory, present land uses, infrastructure, population, ***communities and their cultural practices as well as their livelihood systems, land tenure including customary tenure*** social structure, government, plants, natural disturbances, hydrological functions, energy flows, normal and cross-boundary movement of wildlife and any other information pertaining to current land uses.
- C. A requirement to conduct thorough integrated spatial mapping of all landscapes, land use configurations, land tenures and cultural heritage sites within and adjacent to all Biodiversity Conservation Corridors and other protected areas, and any provincial, municipal, or local protected areas.
- D. A requirement to acquire best available data about potential land uses and immediately foreseeable environmental impacts of potential land uses within and adjacent to all Biodiversity Conservation Corridors and other protected areas, and any provincial, municipal, or local protected areas.
- E. A requirement to identify environmental issues and natural resource management issues that are related to socio-economic development and sustainable environmental management.
- F. A requirement to consult with qualified land and resource conservation experts throughout the comprehensive land use planning process.

ARTICLE 21

Consistent with the public participation provisions of Book __, Title ___ of this Code, management zones for all Biodiversity Conservation Corridors and other protected areas, and any provincial, municipal, or local protected areas shall be designated on a site-specific basis by the relevant stakeholders, including Collaborative Management Committees and Collaborative Management community members in those areas under Collaborative Management. Whether or not each management zone type is appropriate for each area, the extent of each zone type to be included in each area, and any sub-zone categories that may be appropriate on a site-specific basis.

All management zoning designations shall utilize the following zoning framework in addition to any further site-specific sub-zoning:
(....)

2. Conservation Zone: management area(s) of high conservation values containing natural resources, ecosystems, watershed areas, and natural landscapes, often located adjacent to a core zone.

Access to the conservation zone is allowed only with prior consent of the relevant authorities including the implementers of collaborative management that have a signed agreement to collaboratively manage the relevant areas. When in the interests of national security, and with the express prior authorization from the Prime Minister, security and defense sectors may access the conservation zone. When accessing the conservation zone, the security and defense sectors shall inform the Ministry of Environment, Department of Environment and Protected Area Director and other relevant authorities when any such access is required, and shall cooperate with the Ministry of Environment and all other relevant authorities and actors to minimize any disturbance to the conservation zone to the greatest extent possible.

Small-scale uses of timber, fuelwood, and small scale use of non-timber forest products (NTFPs) to support local communities and local ethnic minorities' livelihood, **according to their customary practices and rights**, may be allowed under strict control of the Ministry of Environment or other relevant authorities, provided that they do not present serious adverse impacts on biodiversity conservation and ecosystem value within the zone.

3. Sustainable Use Zone: management area(s) of both high economic potential and significant conservation and ecosystem value, with high potential for contributing to the sustainable livelihood of local communities including ethnic minority communities.,

In addition to the small-scale uses permitted in the conservation zone, appropriate sustainable harvesting and production, development and investment activities are permitted in this zone in accordance with relevant land use planning and management in the zone, and subject to approval from the Ministry of Environment or other relevant authorities. These activities may include but not be limited to silviculture practices, afforestation, reforestation, sustainable plantation and commercial NTFP cultivation.

4. Community Zone: Management area(s) for socio-economic development of the local communities and indigenous ethnic minorities and, in addition to the uses permitted in the sustainable use zone, may contain existing residential lands, paddy field, and field garden or swidden (Chamkar) **as well as other plantations.**

Any commercial sale of timber and fuelwood from the community zone must be in accordance with the area's approved management plan and a permit from the relevant authorities.

Any commercial development, infrastructure, investment activities and exploration shall not be permitted in Biodiversity Conservation Corridors and other protected areas, and any provincial, municipal, or local protected areas without an approved Environmental Impact Assessment, and approval for the development from the Prime Minister.

Areas under customary tenure of communities should be classified under category 3 or 4 (SUZ or Community zones), unless they agree to abandon their rights under the FPIC process

CHAPTER 2 IMPLEMENTATION OF COLLABORATIVE MANAGEMENT

ARTICLE 3

Local communities, in collaboration with local authorities in any Biodiversity Conservation Corridor, or other protected area, or any provincial, municipal, or local protected areas or other state public lands with ecosystem or conservation values, have the right **to participate in the Collaborative Management of Protected areas.**

Sustainable use Zones and Community Zones are co managed by communities with the Ministry of environment. The Ministry shall provide the necessary support to the communities to develop their management plans, under simplified procedures which can be mastered by communities.

Other areas (such as some conservation and core zones or even parts or whole biodiversity corridors could be also co-managed if the Ministry and concerned communities decide to jointly manage these larger areas.

In preparing **their management plan**, local communities' and local authorities' representatives shall coordinate with the Ministry of Environment, relevant staff from any Biodiversity Conservation Corridor or other protected area, and other institutions, who each shall support the proponents during the preparation of the application.

In preparing the application and its sub-components, local communities' and local authorities' representatives of Collaborative Management may seek technical advice from **the Ministry, from** international and local organizations and other interested parties. Specific roles for these entities in the implementation of Collaborative Management may be included in the Collaborative Management *Proposed Plan*.

Completed applications shall contain proposed structure of a Collaborative Management Committee, membership and voting rights of all Collaborative Management community members. Consistent with Book ____, Title ____ (Biodiversity Conservation Corridor Management) completed applications shall also include proposed land use planning and zoning for the Collaborative Management Protection Zone, and a proposed Collaborative Management Plan.

The Ministry of Environment shall review all ***proposed management plans*** according to clear criteria and procedures and shall provide a decision within three months of receipt of the application.

BOOK 8 ENVIRONMENTAL OFFENSES, ENFORCEMENT AND REMEDIES

ARTICLE 1 PURPOSE AND SCOPE

This Chapter establishes mechanisms for the resolution of environmental complaints ***and conflicts*** arising from violations of the National Resource and Environment Code and relevant legal instruments, ***including claims by individuals or communities that their customary or formal rights have been affected by Ministry of Environment decisions.***