



ROYAL DECREE

On

The Establishment and Management of Tonle Sap Biosphere Reserve

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PREAH CHAU KRUNG KAMPUCHEA THIPA DEI

- seen the Constitution of the Kingdom of Cambodia,
- seen the Royal Decree NS/RKT/1198/72 dated 30 November 1998 on the nomination of the Royal Government of Cambodia
- seen the Royal Kret 02/NS/94 dated July 20 1994, on the creation and the functions of the Council of Ministers,
- seen the Royal Decree on the Creation and Designation of the Protected Areas, dated 1 November 1993,
- seen the Royal Kret NS/RKM/1296/36 dated December 24 1996 on the promulgation of the Law on Environmental Protection and Natural Resource Management,
- seen the Law Kret 33 KR/Ch dated 9 March 1987 on the management of fishery sector,
- seen the Statutory Framework of the World Network of Biosphere Reserve adopted by the 28 Session of the UNESCO General Conference in 20-25 March 1995,
- seen the decision of the International Coordinating Council for Man and Biosphere Programme of UNESCO for the inclusion of Tonle Sap Lake in the World Network of Biosphere Reserve during the meeting of the ICC on 27-29 October 1997,
- Pursuant to the proposal of the Prime Minister as endorsed by the Council of Ministers session dated 23 February 2001.

IT IS HEREBY ORDERED

Part 1

GENERAL PROVISIONS

Article 1

Recognizing the unique ecological, environmental, economical, social, and cultural significance of Tonle Sap Lake, a Tonle Sap Biosphere Reserve is hereby established in accordance with the statutory framework of the World Network of Biosphere Reserve.

The Tonle Sap Biosphere Reserve shall fulfil three complementary functions:

- a) a conservation function to contribute to the conservation of biological diversity, landscapes, and ecosystem, including genetic resources, plant, fishery and animal species, and to the restoration of the essential character of the environment and habitat of biodiversity;
- b) a development function to foster sustainable development of ecology, environment, economy, society, and culture;
- c) a logistic function to provide support for demonstration projects, environmental education and training, research and monitoring of environment related to the local, national and global issues of conservation and sustainable development.

Part 2

ZONATION AND BOUNDARIES OF THE TONLE SAP BIOSPHERE RESERVE

Article 2

In order to fulfil three complementary functions as articulated in article 1, the Tonle Sap Biosphere Reserve is hereby divided into core areas, a buffer zone and a flexible transition zone. Tonle Sap Biosphere Reserve, including the flexible transition zone is limited within the National Road N5 in the west, National Road N6 in the east, the confluence of National road N5 and N6 ($13^{\circ}36'51$ N, $103^{\circ}06'32$ E) in the north, and commune Saeb ($12^{\circ}05'06$ N, $104^{\circ}43'59$ E), district Kampong Tralach, Kampong Chhnang province in the south. The map of Tonle Sap Biosphere Reserve and coordinates are attached in the annex 1 and annex 2 of the Royal Decree.

Article 3

The three core areas are as the following:

1. Prek Toal Core Area is located in Koh Chiveang Commune, Ek Phnom District, Battambang province, and has the area of 21342 ha.
2. Boeng Tonle Chhmar Core Area is located in Peam Bang Commune (Stong District, Kampong Thum province) which has the area of 14,560 ha,

3. Stoeng Sen Core Area is located in Phat Sanday commune (Kampong Svay district, Kampong Thum province) and has the area of 6,355 ha.

The core areas are defined likewise national park or wildlife sanctuary, which are devoted to long term protection and conservation of natural resources and ecosystem, in order to preserve flooded forest, fish, wildlife, hydrological system, and natural beauty. Scientific researches, monitoring, and ecotourism are allowed here in the core areas. Management activities that would cause degradation and destruction of biodiversity are not permitted.

Fishing lots within the core areas of Tonle Sap Biosphere Reserve shall continue to function in accordance with the Fishery Law, while the fishing lot owners must be committed to the long-term conservation objectives as defined above. These fishing lots are then subject to a periodic review every four years and adequate reform in order to be consistent with long term protection and conservation objectives of the core areas.

The family and middle scale fishing located within the core areas shall continue in accordance with the Fishery law by organising community fishery in order to enable local people to participate in the protection as prescribed by this Royal Decree.

Article 4

The buffer zone covers the area of 541,482 ha. Its boundary corresponds to the outer boundary of the Tonle Sap Multiple-Use Area.

The buffer zone surrounding such core areas which is covered by flooded forest of a variety of species. Activities are managed to be consistent to the protection and conservation plan of the core areas. Fishery activities and other development plans will be managed based on existing law and regulations in a co-ordinated and cooperative manner. The buffer zone is also subject to experimental research and discovery of method for the management of flooded forest, fishery, agriculture, housing settlement, land use, water resources, navigation and tourism to ensure their sustainability, increased production, while preserving the environmental quality and fish.

Article 5

The transition area covers an area of 899,600 ha, is limited between the outer boundary of the buffer zone and National Road N5 and National Road N6.

The flexible transition area is the integrated economic zone, which is managed for the sustainable agriculture, human settlement and land uses, without having adverse effects on the flooded forest, water quality and soils of the region around the Tonle Sap Lake.

Part 3

INSTITUTIONAL ARRANGEMENT AND ADMINISTRATION

Article 6

A Tonle Sap Biosphere Reserve Secretariat shall be established under Cambodia National Mekong Committee to coordinate and strengthen cooperation between ministries, agencies, local authorities and communities concerned for the protection and sustainable management of the Tonle Sap Biosphere Reserve. The establishment, the role and the function of this secretariat shall be specified by sub-decree.

Article 7

The Ministry of Environment shall be responsible for the management and preparation of protection and conservation plan for the core areas of Tonle Sap Biosphere Reserve through the coordination of Cambodia National Mekong Committee, with the participation of local authorities, and communities concerned based on article 3 of the present royal decree.

Article 8

The buffer zone and transition zone shall be managed by line ministries concerned through the coordination of Cambodia National Mekong Committee in consistence with article 4 and 5 of the Royal Decree.

Part 4

MODIFICATION OF ZONING

Article 9

The boundary and its related activities of each zone of the Tonle Sap Biosphere Reserve can be revised and changed based on reliable scientific findings pertaining to socio-economic development, conservation and sustainable management needs as defined in article 3, 4, and 5.

The modification of zones and their related activities of the Tonle Sap Biosphere Reserve shall be defined by sub-decree pursuant to the proposal of the Ministry of Environment with the endorsement of relevant ministries and agencies.

Part 5

FINAL PROVISIONS

Article 10

Any provision contrary to the present Royal Decree is considered null.

Article 11

The Prime Minister shall be responsible for the implementation of the present Royal Decree upon the signature of His Majesty the King.

Phnom Penh, 10 April 2001

On behalf of Majesty the King and in respect of his Order

Chea Sim

**The Royal Decree is submitted to your Majesty
The King for signature,
Prime Minister**

Hun Sen

**The Royal Decree is submitted to the Prime Minister
Minister for Environment**

Mok Mareth