

“What is most important is that because China is a regional power, it should set an example for the region.”

Chinese Teachers, Cambodian Students

Author: Lu Minghe, Southern Weekend, Reporting from Phnom Penh, Cambodia

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As is China’s past, so is Cambodia’s present. Like China years ago, Cambodia currently has no strict requirements for environmental impact assessment (EIA), it is very difficult for the government to prevent environmental destruction, and even in the few cases where EIA has been done, punitive measures have yet to be used.

One after another, Cambodian students raise their hands to ask questions. Occasionally a participant asks a question that seems so simple that the classroom roars with laughter; sometimes questions make even the teachers feel a bit awkward: “China has such a good environmental protection law – can you use it to regulate your companies here in Cambodia?”

On September 13, a very special training course was held in the main building of the Cambodia Ministry of Environment (MOE). Standing before a large class of Cambodian environmental protection officials are the technical experts of the Appraisal Center for Engineering and Environment (ACEE) of the Chinese Environmental Protection Agency (EPA).

H.E. Prach Sun, the Secretary of State of Cambodia’s Ministry of Environment notes that “we mainly want to understand how China conducts EIA and learn from its experiences.” We really hope to learn from “China’s experiences in EIA for the exploration of mines, exploitation of natural gas, development of hydropower and coalfire power and the development of urban infrastructure.”



Cambodian students attend the training course.

“Cambodia Needs China so Much”

The Cambodia MOE hoped that the Chinese experts would take them out into the field and actually show them how to do EIA. The Chinese thought that this was too complicated and just not practical.

“Cambodia needs China’s help so much,” Puth Sorithy, the Director of the EIA Department of the Cambodia MOE said frankly. While Cambodia issued an EIA Sub-decree in 1999, it was not able to do any EIA related work on development projects until 2004.

Compared with China, Cambodian EIA officials and EIA law is still in its preliminary stages, and the national Cambodia MOE reviews only a very small number of projects, while provincial environmental authorities can do even less.

The Sub-Decree of the Cambodia MOE on EIA requires that the EIA process must be completed and an EIA report submitted to the Cambodia MOE before a project is approved and before work begins on a project. However during the 5 years from 2004 to 2009, work began on 1600 development projects approved by the government, while only 84 of these completed the EIA process. In 2009, the Cambodian national MOE conducted only 8 assessments, while provincial assessments were even fewer in number.

Of course, every country has its own development process, and as Mr. Liu Weisheng, the Assistant to the director of the ACEE notes, “in 2003, China’s EIA reports were only about 1.5 pages long. After the practice developed for several years, they are now an absolute minimum of 10 pages in length. “

Jason Tower, a representative of the American Friends Service Committee (AFSC), the organization that financed this training pointed out that China is the primary investor in Cambodia, and by coming to China to provide this training, he thought that China might gain a better sense of the local situation. At the same time, Tower noted that China’s EIA framework and technology are quite good, and that Chinese trainers have experience in conducting training in remote places in China such as Gansu or Qinghai, which are similar to Cambodia.

In one sense, it seems only natural that China would cooperate with the AFSC to provide such training. The AFSC, which was established as a nongovernmental organization just after World War I, has maintained friendly relations with the Chinese Communist Party since the Yanan period. During the Cold War era, the AFSC made a significant contribution in initiating dialogue between the US and China, and as such has always been seen as a friend of China. What is more important is that “the Service Committee does not accept funding from the US government, and has independent channels for obtaining funding,” Tower noted.

Prior to the official training, two Chinese experts were sent to Phnom Penh to communicate with the Cambodia MOE regarding the course contents. Tower told reporters that at the time the Cambodians had hoped that the Chinese trainers might take them into the field and actually demonstrate to them how to conduct an EIA on site. The ACEE though that that “this would be too complicated, as back in China such a training might need a full month’s time, and for a first training such an activity would not be so practical.”

The training program that was ultimately developed began with the simplest concepts and introduced more difficult elements of EIA incrementally. The training began by providing a basic introduction to China’s environmental management system and to the basic concepts of EIA. While these are very simple concepts, Mr. Liu Weisheng and his colleagues were shocked to discover that for many of the Cambodian officials even the most basic concepts such as environmental capacity and the classifications of environmental impact assessments were completely mysterious.



An insufficient EIA framework allowed unauthorized work to begin on a construction project, which filled in the Bueong Kak Lake with sand, leaving only a shallow pool of water. (Photo / Lu Minghe)

“China’s past is Cambodia present”

“The mining industry has already entered the exploration phase, yet there not even a mining law. Large scale exploitation of Fossil fuels and natural gas is slated to begin in 2012, but there are still no guidelines or basic principles.”

Comparing the Cambodian situation with the complex technology and sophisticated framework introduced by the Chinese trainers, the students of the training course noted that “Cambodia’s present is China’s past – we have an underdeveloped legal system, and there are many problems with implementing public participation.”

The Cambodian students seemed to envy the Chinese trainers throughout the course, “When China does an environmental impact assessment, a wide range of experts from different fields will work on different elements of the assessment. In Cambodia though, only one person does the entire study – how can we possibly be professional?”

What is critical for Cambodia is that “the mining industry has already entered the exploration phase, yet there not even a complete mining law. Large scale exploitation of Fossil fuels and natural gas is slated to

begin in 2012, but there are still no guidelines or basic principles,” Mr. Puth Sorithy noted awkwardly, as if he had just revealed a dirty secret.

“Preferential investment policies for foreign investors really may have aggravated the situation,” Puth Sorithy, the Director of the EIA Department of the MOE admitted. The Boeung Kak Lake property development project in Cambodia’s capital, Phnom Penh offers an example of this. The Boeung Kak Lake has been described by backpackers in Cambodia as being reminiscent of Hangzhou’s beautiful West Lake. Yet without going through any EIA approval process, a real estate project has broken ground right on this site.

On September 15, a Southern Weekend reporter visited the Boeung Kak Lake project site only to discover the large, scenic and peaceful lake he had seen in pictures had already been almost entirely buried under a great pile of sand, and that only a shallow pool of water remained. This despite the fact that furious residents of the lake area had gathered in front of the Phnom Penh Municipal government to demand that the filling in of the lake be ceased.

China’s past is Cambodia present – as Cambodia has no strict requirements for environmental impact assessment (EIA), it is very difficult for the government to prevent the destruction of the environment, and even in the few cases where EIA has been done, punitive measures have not been used. “We hope to be able to develop our own technical capacity in EIA, and to enhance the effectiveness of our work,” said Mr. Puth Sorithy. The truth is that while there are more than 10 EIA consulting firms registered in Cambodia, only 5 or 6 are capable of actually doing projects, while most technical staff lack any experience.

“We see that the Chinese EPA releases information on all of its projects on the internet, and we think that Cambodia can learn from this example,” an official participating in the training noted. Over the past few years quite a few foreign companies have entered Cambodia to develop hydropower stations, to invest in mines and to exploit natural gas and oil fields and to develop real estate projects. “We should follow China’s advanced experiences, and better regulate these companies.”

“Chinese investors are not the best, but they are not the worst either.”

“There are many actual problems, but there are also many misunderstandings caused by difficulties with communication.”

The Cambodian participants in the training course seemed to have a natural tendency to think about how what they learned in the course might apply to Chinese companies. “Are Chinese companies required to observe Chinese environmental protection law when they go overseas?” “Are the international treaties that China has signed in this area applicable only within China, or might they also extend to Chinese companies operating overseas?”

The newest report released by the Cambodian Development Council (CBC) in July 2010 indicates that at the time of release China has already become the largest source of foreign direct investment in Cambodia with total FDI of 8.1 billion US dollars.

While the relentless stream of Chinese investment going into Cambodia has been welcomed by some, it has also generated much controversy. Guo Jiguang, an Assistant Professor in the Chinese Academy of Social Sciences who has conducted field research on Chinese investment in Phnom Penh noted frankly that Chinese investors in Cambodia have received some criticism from local groups, and that while “There are many actual problems, there are also many misunderstandings caused by difficulties communicating.”

Mr. Thy Try, a mining project officer for the Cambodian nongovernmental organization Development and Partnership in Action (DPA) participated in the training. Mr. Try noted that just two months before the training, the Chinese company Zhongxing Resources, Ltd had gotten into a serious conflict with local residents over its gold mining operations. The company had been using a chemical process to extract the gold which had polluted water sources and damaged local crops. To date, this conflict has yet to be resolved.

“Chinese investors are not the best, but they are not the worst either,” a group of Deputy Chairs of the Chinese Chamber of Commerce in Cambodia and several NGO representatives told a reporter from the Southern Weekend.

There are many likely reasons as to why China is blamed for such problems with such regularity. First, many local Cambodians have difficulty distinguishing between Chinese companies from China and those which are run by ethnic Chinese from other countries. Take for example an incident in 2004 which involved serious deforestation, and which led to criticisms of Chinese companies destroying Cambodia’s forest resources. This incident involved the Jinguang Company, which is actually owned by Huang Yicong, an Indonesian Chinese businessman. Similarly, the Shukaku Company which has a terrible reputation in Cambodia, and which is developing the Bueong Kok Lake project is linked to the ethnic Chinese Senator Lao Meng Khin.

What is more important is that Chinese investors lack both experience and interest in communicating with local NGO groups, Mr. Thy Try of DPA complained. The NGO he represents is made up of a network of 156 local organizations. While these organizations have much communication with European companies, it is very hard for them to have any interaction with Chinese investors, and often they are not even able to find company representatives. For example, Mr. Thy Try has tried to contact a Chinese mining company working in Cambodia called “hai lan,” but has not been able to establish contact after 6 months of attempts.

Deputy Chair of the Chinese Chamber of Commerce in Cambodia, Mr. Hu Jinlin admits that “Chinese companies have no experience in dealing with NGOs.” He notes another reason though for the communication problems, which he pinpoints as Cambodia’s lack of institutions. Some NGOs and independent Union leaders even seem to behave like gangsters in Cambodia. “Some NGOs have even

hired police officers to threaten companies.” Mr. Sun Yanjin, the General Secretary of the Chinese Chamber of Commerce in Cambodia and a representative of the Yunnan International Corporation also spoke of similar problems. He noted that in “2008 when we were building a hydropower project, an NGO known as AZ insisted that a reforested area that had been long replanted was a virgin forest that we had destroyed. They told us that we would have to pay for those trees according to rates that local people used to get for lumber.”

“Some enterprises have no choice but to keep these NGOs on their payroll, and are forced to give them monthly payments,” Mr. Zhao Weiguo, also a Deputy Chair of the Chamber of Commerce noted with frustration.

Chinese companies are learning to make changes. Take the Zhongxing Company for example. At first, it refused to meet with representatives of a German NGO. Later when the organization sent a Chinese intern to meet with them, they finally got into dialogue. A number of representatives of local NGOs told reporters though that “what is most important is that because China is a regional power, it should set an example for the region.”

These changes have already been in progress for some time. As a major regional power, China is now contemplating taking on a new type of responsibility in the region.

In early April of 2010, the Chinese EPA established a Center for China-ASEAN Cooperation in Environmental Protection in order to enhance exchanges and cooperation between China and ASEAN in this area. As an official from this Center said: “Now that China has established economic cooperation in the region, it will eventually also begin to place environmental protection in its proper place in the region.” “The International Office of the EPA has already begun working in a positive direction.” Mr. Liu Weisheng told Mr. Puth Sorithy of the Cambodia EIA Department that while this training has not yet been brought into the China-ASEAN framework that upon his return to China he would communicate the wishes of Cambodia, and work to try to establish a regular mechanism for exchanges of this sort.

“We hope that this type of activity might be possible on a quarterly basis in the future, and that it might be possible to have a major activity incorporating a review of our work at least once per year.” Mr. Puth Sorithy exclaimed enthusiastically.

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