



BANGLADESH



Shallow, hollow reform

Political structure

Unitary form of government divided into six Administrative Divisions headed by a Divisional Commissioner. Each Division is sub-divided into Districts with a District or Deputy Commissioner as Chief Administrator. Districts are divided into sub-districts. The Divisional level is the highest tier of administration after the national level, whereas districts are the focal points in the administrative system. Local government is entrusted to elected Municipalities in urban areas and to elected Union Councils in rural areas. Four of the largest municipalities have been given metropolitan status of city corporations and are run by elected mayors. In addition some urban centres are under military Cantonment Boards.

Local government system

By law, rural Bangladesh is supposed to have a four-tier local government system with units at the district (Zila Parishads), Upazilla (Upazilla Parishads), Union (Union Parishads) and village (Gram Parishads) levels. In practice, however, elected local government bodies exist only at the union level. Union Parishads were constituted through election in December 1997.

The two higher-level tiers, namely, the Upazila Parishad and the District Parishad, have been defunct, since 1991 and before 1991, respectively. The Gram Parishads started functioning only since August 2003.

Urban areas have a separate set of local governments. The Bangladesh Census Commission recognized 522 urban areas in 1991 (with a minimum population of about 5000 or more) but

only about 269 of the larger urban areas have urban local governments. The six largest cities have a City Corporation status, while the rest are known as Pourashavas, or Municipalities, which are classified according to financial strength.

Local autonomy

Elected representatives at the Union level effectively remain subservient to the central government officials at the Upazila level, and through this, to the district and national levels. Even where the relationship between elected representatives and local level government officials is good, this owes largely to expectation of mutual (sometimes unlawful) financial (unlawful) gain. Senior bureaucrats at the local level control officers of local government bodies as they are seconded or appointed by the government. As argued by Siddique, "the central government has always tended to favor bureaucrats in their relationship with the local elected functionaries".

A recent central government policy giving Thana Executive Officers the authority to nominate the members of the village local government unit (LGU) is expected to extend central government control to the grassroots level. Another policy allowing the Members of Parliament to be directly involved in development work may impinge on the power of the (future) Upazila level elected chairperson and members as well as the Union LGU Chairperson. There is still an unresolved debate on the issue.

The introduction of the Village LGU may also cause tensions between the Village LGU Chief and the Union LGU chairperson, in regard to sharing power and responsibilities. The Rural and ru-

ral-regional local government system seems headed towards uncertain times, to put it mildly. As far as the urban local governments are concerned, relationships are also far from satisfactory. Even the largest City Corporations are in many ways controlled by the central government bureaucracy. They are dependent on central government not only for financial grants, but also for appointments to the corporation. The situation at the Pourashava, or municipal, level is even worse. Officials appointed by the central government at such levels are accountable to the central government and not to the local government elected representa-

tives. The Chief Executive Officer has scope to take decisions on his/her own without proper authorization from the Chairman of the Municipality. Municipalities are moreover often constrained by government orders, which contradict Municipal Ordinance provisions. Municipalities and City Corporations sometimes receive support from the central government in implementing donor-supported projects, like infrastructure improvement or even poverty alleviation. In contrast, urban and local bodies are not allowed to receive donor grants directly. Everything is channeled through the central government and its agencies. There remains, therefore, little scope for strengthening of local government bodies.

Like in rural regions, MPs in urban areas are being encouraged to get involved in local level development and services delivery activities. This may not augur well, if City Mayors and Pourashava Chairmen feel uneasy with each other, especially where MPs and Mayors are not from the same political party.

Local government reform

At different times, various efforts have been undertaken to strengthen Bangladesh's local government bodies. However, almost all of the major local government reform efforts have addressed only secondary issues, i.e., number of tiers, relationship between tiers, and composition, etc. Substantive and core issues, like devolution of authorities and powers and transfer of wide ranging functions to the local bodies towards enabling them to function as decentralized self-governing local units have not received adequate attention.

Almost all of the major local government reform efforts have addressed only secondary issues. Substantive and core issues have not received adequate attention.

As a result, local governments have remained institutionally and financially weak, and poorly managed, lacking social and political credibility. They are regarded as mere extensions of the national government, and elicit only limited local participation.

Steps have been taken by the Government in recent years to give more importance to the empowerment of local governments, beginning at the village to the district levels. The Gram Parishad Bill (1997), Union Parishad Bill (1997) and the Gram Sarker Bill (2003) have already been approved, but the Upazila/Thana Parishad and

Zila Parishad Bills have yet to be submitted to the Parliament. The Upazila Parishad Bill carries enormous significance as there is huge popular demand for the re-establishment of the Upazila Parishads. The present government had also promised the same in its 2001 election manifesto, but remains undecided about its implementation. The District LG like the Union LG system, has a very long history in this country. All political parties also recognize it and a section of administrative theorists to be an effective development oriented meso-level local government hierarchy. Some consider the Upazila and Union LGs to be the viable two-tier local government hierarchy (Siddiqui, 2000 and Ahmed, 2002). Yet, it appears that the government is not enthusiastic about the recommendation to transfer or devolve 26 Departments of the central government at the Upazila and district levels. However, the debate is ongoing and a positive outcome is expected.

The autonomy of urban local governments is also yet to be discussed, and was not included in the Terms of reference of the Commission set up in 1997. The opposition to Dhaka's proposal of forming a Metropolitan government indicates increased resistance to granting autonomy even to the country's largest city.

Since Independence in 1971, successive governments have tried to use the local government system for their own political interest. The party or regime in power has wanted to make the local government representatives their power base and manipulated the system to this end.

In a recent paper, a Dhaka University Professor of Public Administration notes that:

"The existing administrative structure and elected local bodies do not reach the grassroots level and have almost all the features necessary for participatory decentralized administration. But this structure has failed so far to perform efficiently for two reasons. Despite the strong support for local government enshrined in the Constitution, the central government has compromised these advantages by exercising control over local government and starving these agencies of resources. Most administrative decisions still remain to be taken centrally. Frequently they involve top-level officials in the secretariat, even some ministers depending on the subject. Several abortive attempts have been made at decentralization, but the system has remained highly centralized. As such, local bodies are characterized by weak administrative capacity, a limited financial and human resource base and little public participation" (Ahmed 1997).

Aware of the above problems, the Awami League Government had set up a high-powered Reform Commission, with the objective of:

"Establishing truly representative democratic local bodies entrusted with administrative and financial powers with a view to expediting decentralized development process and ensuring spontaneous people's participation in planning and management of local level development" (Ahmed 1997).

The intention of the Government was clear and straightforward. It had already shown sufficient commitment, but still had to prove whether the intent could be transformed into reality. In that respect, the December 1997 election of the 4503 Union Parishads under the new local government provisions was a big test case.

The real outcomes have been far from satisfactory, because of many factors, but primarily because of the center's lack of genuine commitment to real decentralization.

The past BNP-led coalition government had also laid emphasis on empowering local governments. It held elections in three of the four older City Corporations and, for the first time, in the two newly established City Corporations (Sylhet and Barisal). The Government has also recently held elections to more than half of the 4451 Union LGUs of the country. Elections in Bangladesh

are held with great fanfare, but not without some violence and irregularities.

The power of municipalities and corporations needs to be enhanced in Bangladesh, in both political-administrative terms as well as economic terms. Higher degrees of self-reliance on the part of the urban local bodies would be necessary for their autonomous existence and reduction of central control.

Local participation

The Constitution of Bangladesh (1972) emphasizes the need for establishing local government with a representative character (Chapter 3, Article 59). It also provides for direct participation of the people in constituting local bodies and in managing the affairs of such bodies. However, in the years following the adoption of the Constitution, the spirit of people's participation in local bodies has not always been adequately maintained. Frequent changes in the local government structure are partly responsible for this. The extent and quality of people's participation have also been variable. The best manifestation of participation was the opportunity of casting votes during the election of local bodies (2002-2003). But elections have not been held at regular intervals.

For urban local bodies the voting participation record (in 2002) was satisfactory in four City Corporations for the first time since the 1994 elections. At the recommendation of the Local Government Commission, direct election of women representatives for all levels of local government (both for reserved and unreserved seats) is also encouraged. The Union Parishad bill has already approved this. The first elections for the Union LGUs, where women were represented, was held in 1998, and subsequently in 2003. The Commission has also recommended the participation of various categories of disadvantaged groups in local body activities, through their nomination in committees or in the Village LGU.

At the Union level, local people are able to participate in activities through their membership in different committees, like project implementation committees, standing committees, tender committees, etc. But the authority of the Deputy Commissioner to approve/endorse the committees limits the authority of the local government.

Local citizens can also get involved in Union level planning, budget formulation, accounting and auditing. LGUs are required to display in their offices and other public places information such as budget, accounts, audit reports and information on major decisions reached at the Union LG meetings, particularly with regard to development projects. But this practice is almost absent in most of the existing Union LGUs. This is due to the reluctance of Union LG chairpersons to share information with the community and the people's lack of awareness of such an important provision.

At the village level, people's participation is very much evident in all NGO-led programs, as well as in many government-led ones. In urban areas, local level (i.e. Ward level) participation has been sought, but with limited success so far. The urban local governments with slum improvement projects, are quite effective in encouraging participation by community members, especially women. Some City Corporations and Municipalities with Healthy City Projects (including Chittagong, Rajshahi, Cox's Bazar and Sylhet) have also been able to ensure public participation in their activities. However, it should be mentioned that public participation in purely local government led programs is still limited. In fact, local governments are as slow as their central government counterparts in initiating good programs or in devising innovative actions. As a reactive measure, civil society groups are now coming forward to begin action and invite/encourage local governments to participate with them.

Related issues in local participation

Politics and NGOs

There are about 20,000 non-governmental organisations (NGOs) in Bangladesh, probably more than in any other country. Yet, Qazi Faruque Ahmed, president of Proshika, claims that their (NGOs') influence in the country has waned in recent years.

Proshika claims it has had its activities curtailed because the government believes it has links with the Awami League, the main opposition party. Ahmed says the government has no evidence of such links. But he says that Proshika supports "women's empowerment, good governance and promotion of human rights", and that fundamentalist religious parties in alliance with the government "are very much against these activities".

Ahmed reckons that as much as \$40m due to Proshika from overseas donors has been stopped by the government. He claims

that his home and Proshika's training centre have been raided on government orders, and says that two members of Proshika have been charged with treason.

The government maintains that employees of Proshika campaigned for the Awami League in rural areas during the 2001 general election. So bitter is the division between the Bangladesh Nationalist Party and the Awami League that such partisanship is considered unforgivable. However well-meaning the NGOs of Bangladesh may be, they are continually at risk of being caught up in the country's stormy politics.

Women's participation

The election of women to the Union and Village LGUs was widely acclaimed in the country, as women had been left out of local government institutions in Bangladesh for many years.



However, after the elections the women members found that their participation in Union level functions was limited by the resistance of the chairperson (usually male) and other male members of the Union LGU. This is due to the ambiguity in the law concerning the role of members holding "reserved seats" in relation to that of members holding "general seats".

Eventually, some selected functions were assigned by government order to the women members (i.e., membership in Project Implementation Committee (PIG), Social Development Committee, Road Maintenance Project and Old Age Pensioner Selection Committee, Tube-well Selection Committee etc). Nevertheless, the legal framework remains unclear as to the role of the female members in the regular functions of the Union Government; as a result, the women have been excluded from mainstream Union activities.

Again, because of limitations in the Ordinance, even though women members are now directly elected and represent larger constituencies, they have not been provided with the corresponding powers and functions. This has led to a power imbalance among the male and female members of the Union LGU, which in the long run would have significant social implications in regard to women's empowerment in formal political organizations and in the community.

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CAMBODIA



Starting up the engines of reform

Political structure

Multiparty democracy under a constitutional monarchy.

Local government system

Article 145 of the Constitution (adopted on September 21, 1993) provides for three administrative levels for both cities and provinces: cities are divided into Khans (districts) which, in turn, are sub-divided into Sangkats (communes), while provinces are sub-divided into Sroks (districts) and Sroks into Khums (communes).

People's Committees have been established in all provinces, municipalities, districts, communes, and wards and these take charge of local administration, public security, and local order. Within this system provincial officials and the governor effectively control the armed forces and security services, tax collection, civil service—and through these, 80% of the Cambodian population. The country's provinces have remained under the control of the Cambodian People's Party (CPP), beholden to old political loyalties rather than to the central authority of the State of Cambodia. To change this system the National Assembly passed laws to secure central control of the economy. On January 1, 1994 laws governing the national budget and finance were enacted to try to ensure that all revenues came totally and directly to the national treasury.

Relationship between the central and local government

Provinces, cities, and districts are subordinated to the Ministry of Interior which represents the central government in all administrative and socio-economic matters within their boundaries. Districts are immediately subordinate to the province/city.

All provincial/city governors and district heads (also called "governors") are appointed and paid by the central government.

Local administration, particularly of communes by the districts, is based on "a traditional-political-personal relationship rather than a legal one." Prum Virak, in his paper entitled "Reforming Cambodian Local Administration: Is Institutional History Unreceptive for Decentralization?", quotes Kea [Kea Kiri Renol (2005). "A Perspective from the Village in Cambodia: Toward Democratization from Below", *Forum of International Development Studies*, Number 28], thus:

"Commune leaders are loyal to the ruling party. They believe that they would benefit from maintaining good relationships with their political leader. If they do not follow their party's policy, their villages may be cut off from national level development assistance [...]."

Prum suggests that the central-local relationship is dictated not so much by bureaucracy as by tradition. The government hierarchy has been built on traditional authority figures or structures which the localities have retained. For instance, throughout the socialist period (1980-1993), a *Mekhum* (Mayor)'s post was held by the same person.

Prum argues that the provinces are highly autonomous. Prum quotes Devas [DEVAS Nick (1996). "Reshaping government at the local level in Cambodia: with an example of urban water supply in Battambang", *Public Administration and Development*. Vol. 16:31-41] who puts forward two reasons for this. Firstly, security reasons would not allow the central government to exercise "any uniform control". Secondly, the provinces have retained a large part of collected taxes and exercised "a degree of control over resources".

Local government reform and related issues

An important step towards decentralization was the election of Commune Councils (CCs) on February 3, 2002. (The Law on Khum/Sangkat Administration [LKSA], promulgated in March 2001, made the commune a directly elected administrative unit.) After the election, 1,621 commune and sangkat councils were established. Each council is headed by a commune chief; in total 11,261 commune councilors were elected during the February 2002 elections.

The elections were touted to be the beginning of a new political process in which popularly elected Commune Councils (CCs) would undertake roles and functions relating to public service delivery, promotion of local social and economic development, protection of natural resources and meeting citizen's overall needs. However, the CCs as it turned out are not as autonomous as they were made out to be. It was widely believed for instance that the authority of the commune would cover everything except that which is prohibited by central rules. However, the "memorandum outline of the scope and content of decentralization in Cambodia" prepared by the Ministry of Interior (MoI) has made it very clear that "specific or general functions and powers [of the] commune must still be identified by sub-decree" (MoI, 2000: 7) and that it is necessary to develop guidelines that will specify which functions would be decentralized (devolved) and which would be deconcentrated (MoI, at 8). As of 2005, such specific or general guidelines have not yet been established, rendering the government's decentralization policy nothing more than lip-service, argued Prum.

Another issue related to the government's decentralization efforts has to do with misperceptions among the general public and even among CC officials of their role and authority. A CC governs the commune administration. It is supposed to actively promote the development of the commune and the well-being of its citizens. However, CC officials tend to understand their roles more in the context of local development planning than broad local governance. They can describe the planning process, elaborate how they complete related forms and collect people's contributions to projects, but they have difficulties, for instance, in relating their roles to local problem-solving, opening local decision-making processes to citizens, or representing citizens' collective interests at higher levels.

In most cases, CCs simply follow the lead and advice of the Provincial Facilitation Team (PFT) and District Facilitation Team (DFT) rather than taking up their own initiatives. This is due not only to low capacity but also to lack of clarity in the respective roles of the CCs and the departments. In the area of natural resource management, in particular, CCs say they are constrained from taking initiative because their authority is unclear.

Decentralization reform in Cambodia has focused heavily on commune level planning. A mandatory responsibility of CCs during their first year in office is to prepare and adopt a long-term strategic development plan. A bottom up participatory planning process has been introduced in order to articulate local needs. A new culture of participation has been introduced at the grassroots level. However, the local planning process has also presented challenges to the CCs:

1. The planning process is complex and does not correspond to the capacity of CCs, citizens and government departments.
2. The process is time consuming, costly and prone to creating high public expectations that may ultimately lead to lack of public confidence in CCs.
3. There is no flexibility in the process enabling accommodation of local circumstances and differing capacity levels.
4. Annual review of plans requires retracing of all steps in the initial planning process.
5. The planning process presumes active coordination between CCs and government departments in terms of information sharing, program implementation, budgeting and capacity development. But these links are weak and participation from the departments is largely ceremonial.
6. CC development plans are activity focused rather than designed as strategic long-term plans.
7. Needs and priorities identified by CCs are not incorporated into sectoral and resource allocation plans at the provincial level.
8. There is a large discrepancy between available resources and local development priorities.
9. Activities other than infrastructure development are being sidelined or abandoned unless there is support from government departments or NGOs.
10. There is no mechanism for follow up on commitments made by government departments to CCs. CCs express concern about the willingness and capacity of depart-

ments to deliver in accordance with temporary agreements signed and about the absence of any mechanism for follow-up with the departments.

11. Inter-commune links are weak.
12. Public awareness remains low.

Nevertheless, governance of the commune in Cambodia has been positively changed in the following aspects:

| BEFORE COMMUNE ELECTIONS | AFTER COMMUNE ELECTIONS |
|---|--|
| One political party | Multi-political party |
| CS chiefs and other members appointed by the Government | CS Council members elected by the people |
| Commune chief made decisions according to central command | CS council decides and approves on commune matters and commune chief is the implementer |
| Accountable to the upper level government | Accountable to the people and the government |
| Top down planning approach | Bottom up planning approach |
| Lack of people participation in CS development | People participation in planning process and other commune matters |
| Lack of participation from civil society and private sector in development of the commune | Encourage and promote participation of civil society such as NGOs and private sector in CS development |
| No commune fund, not able to implement local projects | Commune funds and revenues, able to implement local projects and services |
| Limited capacity | Improved capacity through training provided by NCSC and on the job training |

Local participation

The Royal Government of Cambodia (RGC) has declared its intention to encourage civil society organizations not only to engage in social service delivery but to support good local governance and decentralization, for example through capacity building and social monitoring.

In this regard the RGC "supports" the Cambodian NGO "Commune Council Support Project" (CCSP). The CCSP, which was established in 2000, is an NGO that is "mainly responsible for NGO activities in Cambodia" and coordinates closely with the Ministry of Interior (MOI). *(Such close links with the MOI put the CCSP's independence in doubt.—Ed.)*

CCSP's goal is to promote the decentralization and local governance reforms in Cambodia. CCSP has been able to get the RGC to establish an NGO Liaison Office within the Department for Local Administration (DOLA). The NGO Liaison Office facilitates

the flow and exchange of information between NGOs and the RGC regarding decentralization and local governance reforms. It also collects information that is necessary in coordinating stakeholder efforts in this regard. Furthermore, it supports the development and promotion of government-NGO partnerships at both the national and local levels.

The CCSP launched in 2004 the **Decentralization Award Program for Outstanding Local Organization in Local Governance**. This program aims to identify and promote excellence and creativity in commune governance.

All over Cambodia today, a significant number of NGOs and other civil society groups are collaborating with CCs in initiating and implementing innovative programs and projects that aim to satisfy the objectives of decentralization and sustainable development. A few positive examples of local governance partnerships have emerged that other organizations can learn from. However, there has been no initiative to document and disseminate such models and best practices.

The CCSP Awards Program is dedicated to helping CCs to help themselves, and to ensuring that excellence in local governance partnership is recognized and sustained. The program also assists in building the capacity of CCs and their partner civil society organizations through the dissemination of innovative and effective local government programs. It facilitates an exchange of ideas or learning laboratories that could support the process of formulating policy agenda and undertaking reforms, as well as model-building on local governance.

The experience of one of the recipients of this Award is described in the following case study.

The Alliance Association for Rural Restoration

The Alliance Association for Rural Restoration (AARR) was set up on March 27, 1997. It implements projects related to agricultural development in three target districts, or 40 villages. Its projects focus on capacity building towards promoting food security and augmenting the incomes of the poor.

Economic Impact

AARR has implemented projects to generate jobs in coordination with the Village Development Committee (VDC) and Community Based Organizations (CBOs). Such livelihood generating projects have included the setting up of self-help groups engaged in craft making, home-based chicken and pig raising, and maintaining female buffalo banks, among others. Efforts to increase rice production among poor farmers in the target villages have also been undertaken by AARR.

AARR has also implemented infrastructure projects in response to the needs of marginalized groups. It has for instance taken the lead in repairing damaged irrigation systems, constructing rural roads, and reinforcing water channels. These have helped farmers to properly irrigate their crops and bring their harvest to market on time.

Social impact

AARR promotes local participation in planning for development projects. Transparency and accountability are emphasized in project implementation. Citizens are encouraged to contribute their resources to development projects, such as labor, equipment, money, and even their opinions on how the projects should be conducted. At the same time, AARR promotes information dissemination on health issues (e.g., the spread of HIV/AIDS), helps communities to prepare for natural disasters, and encourages them to settle their problems among themselves using their own resources. Education and training are another feature of AARR's projects.

AARR credits its interventions for the increased motivation among local citizens to actively participate in the decision-making process, such as in the selection of community leaders and of members of the project implementation committees, among others. Poor community members are encour-

aged to run for places in such committees. In fact, many of the committee leaders are poor.

Women especially are encouraged not only to get involved in the implementation of projects but also to actively participate in the decision-making process. Women now lead various committees in the community, thus ensuring that women's issues are more effectively addressed.

Local citizens are also encouraged to take part in the local governance planning process, especially through the Commune Council (CC). Citizens have shared their recommendations on various draft laws, such as the Civil Code, the Constitution, the Water Law, Forestry Law, and Land Law.

Through the coordination of the CCs, partner NGOs and other civil society organizations at the local level, citizens have received capacity building assistance by way of training programs, workshops, study tours, and other exposure visits. These can assist them in the decision-making process and in understanding the roles and responsibilities of citizens within a participatory framework for poverty reduction.

Problems related to decentralization

The limited capacity of CC members to understand the decentralization policy is a key concern of the AARR and of CCSP. Their planning and implementation skills are inadequate as is their understanding of government policy. This affects the cooperation between the local government and civil society organizations because it hinders the commune councillors' participation at all levels.

CCs and local civil society organizations in the remote areas are constrained by financial problems and limited human resources.

Government imposed limitations pose another problem. According to the sub-decree 010 of June 24, 2005, CC members need to ask for permission from the district government and sometimes from the Ministry of Interior before they can participate in a training course or a study tour, for instance.

This sub-decree contradicts the concept of decentralization because it limits the rights of the elected representatives to make decisions on their own.

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