

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.

Sources

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