

Project: Partnership for Democratic Local Governance in Southeast-Asia

Title of Assessment Report: Initial Mapping of Good Practices

Country: Cambodia

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I. The Administrative Set Up

The Kingdom of Cambodia, is a country of 181,035 square kilometers, with 13,395,682 inhabitants (6,879,628 female, equivalent to 51.36%), and a population density of 75 per square kilometers (March 2008 Census). By constitution, Cambodia is a unitary state/Kingdom that is indivisible. For territorial administrative management purpose, the constitution of this Kingdom structures its country into capital, province, municipality (urban district), district, Khan (District in the Capital), commune (rural) and Sangkat (urban). Administratively, province is divided into municipalities and districts, the municipalities are further divided into Sangkat and district is further divided into communes and Sangkat. The lowest sub-national administrations recognized by the constitution are communes and Sangkat, which are the administrative units for groups of villages

Presently, there are the Capital, Phnom Penh, 23 other provinces, 26 municipalities, 159 districts, eight Khan and 1,621 communes and Sangkat.

II. Background

Cambodia only ended its 30 year civil war in 1999 when the last fraction of democratic Kampuchea (known as the Khmer Rough or KR) joined the government. Soon after this political reconciliation, the Government has steadily moved to legitimize itself through a nationwide decentralization program instilling a proportional representation direct election system for 1,621 commune councils, the lowest tier of the government in February 2002 and subsequently for the second mandate in April 2007. Recognizing that this establishment of elected commune councils has shown a number of satisfactory results, the government has pursued a further decentralization and deconcentration reform at the higher levels of government that is at the district and province.

The Capital, Phnom Penh, 23 other provinces, 159 districts, 26 municipalities and eight Khan had their councils elected for the first time on May 17, 2009 by their commune councilors. These Councils along with the 1,621 Commune and Sangkat Councils comprise the political and legislative basis for sub-national democratic development in Cambodia. All sub-national elections in Cambodia have been based on party-proportional representation system.

Despite these two major phases of the country-wide decentralization and deconcentration reform have been implemented, local government best practices have had little attention from the country's main reform actors (such as the NCDD,

Ministry of Interior, NLC/S and other agencies). Until 2009, there was almost no performance competition publicly organized to recognize LG's best practices.

III. Local Government Related Best Practices

3.1. The Capital of Phnom Penh

Phnom Penh is the capital of Cambodia since 1862 without interruption, but was turned into a ghost city under the Khmer Rough Regime from 1975 to 1978. With a total area of 377.6 square kilometers and a "day" population of over 1.5 million, the City is much richer than the other 23 provinces of Cambodia. The poverty headcount index in 2009 was at 0.3% while the average was at about 30% (source: the Ministry of Planning, 2010).

Mr. Kep Chuktema has been Phnom Penh mayor from late 2003 and since received several awards mainly for constant efforts in coping with population boom, urban planning, local environmental renovation, but most importantly in changing Phnom Penh into a living spirit for both the rich and poor. Concretely, the City was recognized by the World Leadership Forum for the World Leadership Awards in 2005 and 2007, by the 4th Mayors' Asia-Pacific Environmental Summit in Melbourne, Australia, and amongst ASEAN Cities for ASEAN Environmentally Sustainable City Awards in 2008.

3.2. The 23 Provinces

Until recently, this administrative tier of government has always been considered as management layer for rural development (for instance the set up of the provincial rural development committee – PRDC, and no formal mechanism for urban management). These provinces have been directly supervised by the central government and mainly performed deconcentrated/delegated functions. Similarly, the central line/technical sector ministries control almost all of sectoral authority as well as the provincial line departmental staffing and budget while the sub-national offices have little or no authority in many key functions of service delivery. Reliance upon directives from the top is high. Limited resources available for sub-national level also make planning and budget execution and personnel management ineffective.

Until 2009, the provincial governors were appointed and removed mainly for political purposes. S/he must affiliate with a political party (i.e. the winning party) and general acts as the head of the respective political party in the province. Therefore, provincial best practices have only been recognised by reappointment and/or promotion of individuals through the government bureaucracy and political parties, and no best practices recognized by other non-state institutions.

3.3. The Districts

Until May 2009, 185 districts operated as an arm of the provinces without a budget and/or authority over any resources. Their main role was to ensure security, public order and coordinate projects managed by either the province or the commune.

According to the 2008 Law on the Administrative Management of Capital, Province, Municipality, District and Khan (the Organic Law), district's (and also the municipality) primary role has been recognized as to responding to the priority needs of the communes and Sangkat. It is also envisioned, however, that due to economies of scale, functions will be transferred that have district/municipal wide implications or affect more than one commune or Sangkat. In this case they will be responsible for local development programs and be the direct service provider to the people in their respective territories.

3.4. The Newly Emerged Municipalities

Under the 2008 Organic Law, 26 Municipalities have been created with indirectly elected councils and appointed board of governors as the overall management body. Twenty three of the 26 are the provincial town of the 23 provinces while the other three are the new ones created based on the recent urbanization impact and rapid economic development.

Despite that urban management had never been addressed formally, the idea of piloting district/municipality's functions already started in 2002/2003 when the Ministry of Interior, the Council of Administrative Reform under the Ministers' Council Office and other concerned ministries implemented the One Window Service Program in the Battambang and Siem Reap Districts (now called municipality). Furthermore, the Ministry of Interior and the NCDD have as well piloted in other rural and urban districts the District Initiative and the Inter-Communal Cooperation Projects since 2006. These initiatives have as well been supported financially and technically by the EC (through the Asia Urbs, KAS and UNDP), DANIDA/DfID, the World Bank and others.

The One Window Service Program has been a venue for cross-municipalities' study in the country since 2008 for institutional governance: transparency, efficiency, accountability, access to administrative procedures; as well as for people's participation in planning and decision-making.

Below is a list of municipalities under the One Window Service Program:

Cities/Municipalities under the One Window Service Pilot Program

No.	Municipality***	Area Size (ha)	Population Size (2008)	Implementation Period	Name of Support Agency/Project	Remarks
01	Battambang	11,544	151,656	2002-date	Mol/Asia Urbs	Now DfGG
02	Siem Reap	47,273	191,149	2002-date	Mol/Asia Urbs	Now DfGG
03	Poey Pet	26,097	110,973	2010-2012	Mol/WB-DfGG	
04	Suong	8,071	35,592	2010-2012	Mol/WB-DfGG	
05	Stoeung Sen	36,350	53,433	2010-2012	Mol/WB-DfGG	
06	Ta Khmau	3,178	63,778	2010-2012	Mol/WB-DfGG	
07	Kratie	8,856	29,139	2010-2012	Mol/WB-DfGG	
08	Peam Ro (still a district)	20,390	63,933	2010-2012	Mol/WB-DfGG	
09	Preah Sihanouk	19,590	62,513	2010-2012	Mol/WB-DfGG	
Eight more municipalities will be added in 2011					Mol/WB-DfGG	

- MoI - The Ministry of Interior
 WB - The World Bank
 DfGG - The Demand for Good Governance Project (The MoI/WB Project)
- *** - Detailed Municipal Profile and Map will be provided as attachment

3.5. The Lowest Tier of Government – The Commune/Sangkat

There are altogether 1,621 communes and Sangkat (urban commune) in Cambodia. The commune/Sangkat were elected directly by the people in February 2002 and April 2007 based on proportional representation system and provided with administrative and development funds. All commune/ Sangkat councils have utilized their development funds for projects formulated through a participatory process.

There are also many non-government organizations and other civil society groups who work closely with the commune and Sangkat councils in initiating and implementing innovative programs and projects.

To recognize best performances of the commune/Sangkat councils as well as successful partnership with local NGOs/CSOs, the Ministry of Interior, the National League of Commune/Sangkat and the Cambodia Civil Society Partnership (CCSP), and local NGO, have recently launched an awards program. The Program has been implemented since late last year and lasted until the end of 2010 when champions would be publicly announced and awards are provided.

This is the first time that the Ministry of Interior, the National League of Commune/Sangkat and the Cambodian Civil Society Partnership implement this comprehensive BPA program calling all commune councils (and NGOs working in partnership with the councils) to submit their proposal for the BPAs. Many NGOs have also supported the councils in their target areas to identify the project which meets the set criteria and submit to the BPA Panel.

The Awards Program aims to:

1. Search, select, and recognize outstanding civil society-commune/Sangkat council partnership and commune/Sangkat council good governance initiatives that resulted to significant impact in the lives of the people;
2. Help in the capacity-building of civil society and commune/Sangkat councils by translating winning programs into multi-media educational materials by developing a best practice awards manual, case study reports of winning practices for wider dissemination and learning;
3. Facilitate the replication of winning programs through the creation of learning laboratories what will serve as sources for model building on local governance and the cross fertilization of learning among local government units through organization of regional level best practices dissemination workshops and exchange visits of winning projects and initiatives by CSOs and commune/Sangkat councils;

IV. Brief Overview of Local Government Related Best Practices

Country	Name of Local Government	Type of Local Government	Size of Population	Brief description of BP	thematic fields	rationale for BP	external awards	Awards given by	Date given
Cambodia	Phnom Penh	Sub-national/Local Government: Capital/Metropolitan (formally called Municipality)	"Day Population" of about 1,500,000 year: 2008	effort on enhancing living environment quality as well as on raising awareness of environmental protection and sustainable development among ASEAN member nations' people and leaders	inclusive urban public services with focus on urban environment	Phnom Penh has implemented an environmental renovation policy aiming to promote land, water and air environmental sustainability. In addition to the infrastructure improvement, the City has promoted green space under the "30% greenery policy" by planting trees along the rehabilitated roads and rehabilitating numerous parks in recent years. While having the highest urbanization rate in recent years if compared with all other 10 ASEAN countries'	The ASEAN Environmentally Sustainable City Awards	ASEAN	Oct-08
					inclusive urban public services with focus on urban environment		The World Leadership Awards: 1st Price for Local Environmental Renovation Category		The World Leadership Forum
					inclusive urban public services with focus on urban environment	4th Mayors' Asia-Pacific Environmental Summit for the City's Environment Category under a proposal on Phnom Penh Master Plan	Mayors' Asia-Pacific Environmental Summit (MAPES)	May-06	

<p>Effort to change Phnom Penh from a ghost city to a living spirit and make the city livable for both the poor and the rich: - First BP could be the "People and Government Together Act" Program where people work with the lowest tier of government (Sangkat Council) to make a proposal for road upgrading with own contribution of up to 50% of the total cost;</p>	<p>peoples participation in planning and decision-making</p>	<p>capitals, Phnom Penh still probably have the best air quality if compared with Bangkok, Hanoi, Jakarta and Manila. To improve road its network as well as to solve the city's air pollution problem, the Capital has upgraded more than 69 kilometers of city road network from laterite/earth to either asphalt or concrete ones between 2004-2007 via a program called "People and Government Together Act" or 50+50 Policy</p>	<p>The World Leadership Awards: 1st Price for Urban Renewal Category, Title of the Proposal "Planning for a Population Boom"</p>	<p>The World Leadership Forum</p>	<p>Dec-05</p>
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				- Second BP could be the implementation of RGC policy on annual upgrading of 100 slum communities (20-30 families) through an Urban Poor Development Fund, micro-credit, water supply and road access upgrading for the poor etc.				
Cambodia	Siem Reap	Sub-national/Local Government: Municipality (3rd layer of government) covered by Siem Reap Province	191,149 year: 2008	One Window Service Office (Model City) provides services such as: - Culture and fine arts (among others distribution of licenses to photographers	institutional governance: transparency, efficiency, accountability, access to administrative procedures	Even if only limited number of competences/functions transferred, the "Front and Back Office" arrangement together with the set up of an independent	Under EC-funded Asia Urbs Projects, these two cities have been piloted by the RGC as a model city in transferring competences/functions from the national	The Ministry of Interior, the Secretariat of the National Committee for Sub-National Democratic

Cambodia	Battambang	Sub-national/Local Government: Municipality (3rd layer of government) covered by Battambang Province	151,656 year: 2008	<ul style="list-style-type: none"> or video rent shops); - Tourism (amongst others licensing of guesthouses up to five beds and restaurants up to 50 places); - Transport (amongst others registration of motorcycles); - Mine industry and energy sector (amongst others registration of handy craft shops and businesses in the mining sector); - Commerce (registration of businesses); - Construction licensing for residential housing of 500 square meters and below; and - more 	institutional governance: transparency, efficiency, accountability, access to administrative procedures	ombudsman office proofed to be successful, and service provisions have been improved accordingly	ministries to a local government/city during 2002-2007. Now, the government and the World Bank through a project called Demand for Good Governance (DfGG) is expanding this reform to 24 municipalities.	Development (NCDDS) and the World Bank Country Office (Social Protection Sector)
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Cambodia	Commune/Sangkat (about 400 out of 1,621 expected to get involved in this BPA Program)	Sub-national/Local Government: Commune (or also called Sangkat if it is an urbanized one) is the 4th and lowest layer of government covered by either a district or municipality	The smallest populated commune (Chhumnub in Kok Kong Province): 313 The largest populated Sangkat (Paoy Pet in Banteay Meanchhey Province): 78,315 year: 2009	Commune/Sangkat to receive the BP Awards for a project that score highest in: - Contributing to local development and improvement of its citizen's livelihoods; - Being the priority of own commune development plan; - Having good project management including M&E by the people; - Having people's participation and meeting good governance principles; - Being satisfied by all council members (from different political parties) and project	peoples participation in planning and decision-making	All commune/Sangkat councils have utilized their development funds for projects formulated through a participatory process. This is the first time that the government (the Ministry of Interior), the National League of Commune/Sangkat (NLC/S) and an NGO called Cambodian Civil Society Partnership (CCSP) implement this comprehensive BPA program calling all commune councils (and NGOs working in partnership with the councils) to submit their proposal for the BPAs. Many	The application process ends 30 April 2010. A panel consisting of government, NGO and NLC/S representatives has been set up in all provinces to conduct the rating process which would result for 1st, 2nd and 3rd prizes of BPAs in each province. At the national level, all 3 winners in each province will be screened by the national panel. Three winners will be decided from all provincial winners to gain the national champions of the annual BPA Program.	The Ministry of Interior (MoI), Cambodia n Civil Society Partnership (CCSP) and the National League of Commune/Sangkat (NLC/S)	At Provincial Level: June 2010 At the National Level: November 2010
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beneficiaries;
and
- Having
transferability
characteristics.

NGOs have also supported the councils in their target areas to identify the project which meets the set criteria and submit to the BPA Panel. **The final three winners (decided by November 2010) should automatically be the candidate for any regional and/or international BPA Program.**

Notes: The World Leadership Awards are prepared by the World Leadership Forum and presented to city leaders who have shown exceptional imagination, foresight or resilience in a number of key fields - especially cities that have reversed trends, shaken off traditional images, and acted as an example and inspiration to others