



(Unofficial Translation)

Prakas

on

The Establishment and the Functioning of the Women's and Children's Consultative Committees at Capital Council, Provincial Councils, Municipal Councils, District Councils and Khan Councils

The Deputy Prime Minister, Minister of the Ministry of Interior

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Decree No. NS/RKT/0908/1055 dated 25 September 2008 on the Appointment of the Royal Government of Cambodia;
- Having seen Royal Kram No. 02/NS/94 dated 20 July 1994 Promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen the Royal Kram No. NS/RKM/0196/08 dated 24 January 1996 promulgating the Law on the Establishment of the Ministry of Interior;
- Having seen the Royal Kram No. NS/RKM/0105/002 dated 17 January 2005, promulgating the Law on the Establishment of the Ministry of Women's Affairs;
- Having seen the Royal Kram No. NS/RKM/0508/017 dated May 24, 2008 promulgating the Law on the Administrative Management of the Capital, Provinces, Municipalities, Districts and Khans;
- Having seen the Royal Kram No. NS/RKM/0301/05 dated Mach 19, 2001 promulgating the Law on the Administrative Management of the Communes/Sangkats
- Having seen the Royal Kram No. NS/RKM/1208/1429 dated December 31, 2008 on the Establishment of the National Committee for Sub-National Democratic Development;
- Having seen Sub-decree No. 215 OrNKR.BK dated 14 December 2009 on Roles, Duties and Working Relationship of the Phnom Penh Capital Council and Board of Governors, and the Khan Council and Board of Governors of the Phnom Penh Capital;
- Having seen Sub-decree No. 216 OrNKR.BK dated 14 December 2009 on Roles, Duties and Working Relationship of the Provincial Council and Board of Governors, Municipal Council and Board of Governors and District Council and Board of Governors;
- Referring to decision of the third meeting of the National Committee for Sub-National Democratic Development dated 15 September 2009;

DECIDES

PART 1 GENERAL PROVISIONS

Article 1:

This Prakas has a purpose to determine the establishment and functioning of the Women's and Children's Consultative Committees, abbreviated as WCCC, at the Phnom Penh capital council, provincial councils, municipal councils, district councils and Khan councils.

Article 2:

The Phnom Penh Capital Council, provincial councils, municipal councils, district councils and Khan councils shall establish a WCCC which has the authority and duties to provide advice and recommendations to the councils, board of governors, governors, and other committees of the councils on issues related to gender equality, women, youth and children within the authority, functions and duties of the councils.

PART 2 COMPOSITION, STRUCTURE AND DUTIES

Article 3:

The Women and Children Consultative Committee of the Capital and provincial councils has the following composition:

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| - A female councilor selected by the council | Chairperson |
| - A councilor selected by the council | Vice chairperson |
| - A female deputy governor | Vice chairperson |
| - Director or deputy director of the Department of Social Affairs, Veterans and Youth Rehabilitation | Vice chairperson |
| - Director or deputy director of the Department of Women's Affairs | Permanent member |
| - A deputy administration director | Member |
| - Director or deputy director of the Department of Planning | Member |
| - Director or deputy director of the Department of Health | Member |
| - Director or deputy director of the Department of Rural Development | Member |
| - Director or deputy director of the Department Education, Youth and Sports | Member |
| - Director or deputy director of the Department Labour and Vocational Training | Member |
| - Director or deputy director of Department of Agriculture | Member |
| - Commissioner or a representative of the Police Commissariat | Member |
| - Director or deputy director of Inter-Sectoral Division | Member |
| - Chairperson or deputy chairperson of Association of Commune/Sangkat Councils | Member |
| - Representatives from other institutions or units as needed | Member |

The Women and Children Consultative Committee of the municipal, district and Khan councils has the following composition:

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|--|------------------|
| - A female councilor selected by the council | Chairperson |
| - A councilor selected by the council | Vice chairperson |

- A female deputy governor	Vice chairperson
- Chief or deputy chief of the Office of Social Affairs Veterans and Youth Rehabilitation (if any)	Vice chairperson
- Chief or deputy chief of the Office of Women's Affairs	Permanent member
- A deputy administration director	Member
- Chief or deputy chief of the Office of Planning	Member
- Chief or deputy chief of the Office of Health	Member
- Chief or deputy chief of the Office of Rural Development (if any)	Member
- Chief or deputy chief of the Office Education, Youth and Sports	Member
- Chief or deputy chief of the Office Labor and Vocational Training	Member
- Chief or deputy chief of the Office of Agriculture	Member
- Inspector or a representative of the Police Inspection	Member
- Chief or deputy chief of relevant Office of Sala Krong, Sala Srok and Sala Khan	Member
- Focal person responsible for women and children affairs of the Commune and Sangkat	Member
- Representatives from other institutions or units as needed	Member

The Capital Council, provincial councils, municipal councils, district councils and Khan councils shall issue a decision to recognize the chairperson, vice chairperson and all members of their Women and Children Consultative Committee.

In the event that the council has no female councilor, the council shall select female deputy governor as the chairperson of the women and children consultative committee.

This decision shall be signed by the chairperson of the council.

Article 4:

In order to promote participation of the women, the Capital Council, provincial councils, municipal councils, district councils and Khan councils shall make their efforts to ensure an appropriate number of the female members in the this committee.

Article 5:

The women and children consultative committee can make a request to its council to establish sub-committees or working group as required by laws or other legal instruments and as needed in order to assist the committee in conducting research studies or providing comments on problems related to its duties.

Article 6:

The WCCC, through the council, has the authority to invite chairperson(s) or representative(s) of the committees of the Capital Council, provincial councils, municipal councils, district councils, Khan councils, commune councils and Sangkat councils, directors of departments, units and youth and children groups related to women, youth and children affairs or other relevant persons to participate in meetings and to provide relevant information to this committee.

Article 7:

The WCCCs have the following duties:

- Participate in the development of a strategic vision for development in the jurisdiction of the council, and the achievement of gender equality and the provision of services with regard to women, youth and children;
- Collect and analyze information and data related to the achievement of gender equality and issues and needs of women and children and integrate this information into the Council Five (05) Year Development Plans and the Three (03) Year Rolling Investment Program;
- Prepare its workplan and annual budget and to incorporate them into the workplan and budget of the council
- Participate in the formulation, monitoring and evaluation of the annual work plan and budget of the Council in order to promote gender equality and to address issues concerning women, youth and children;
- Provide recommendations and advocate for action to the councils, and through the council to the board of governors, and other committees of the council, on issues related to gender equality and women, youth and children within the jurisdiction of the councils;
- Cooperate and provide support to the WCCCs of the other councils in resolving any problems or requests which cannot be addressed by those committees in performing their functions;
- Provide suggestions and recommendations to the council or boards of governors on appropriate measures to be taken by competent authorities and citizens to resolve issues and prevent harm relating to women, youth and children;
- Seek and receive information related to the work of the WCCC;
- Promote understanding of laws and policies related to gender equality and women, youth and children issues in the jurisdiction of the councils;
- Promote information collection by the communities on what happens regularly regarding gender equality, women, youth and children in order to take necessary measures for a response;
- Advocate for women to participate in decision-making relating to development within the councils' jurisdiction;
- Provide suggestions and recommendations to promote communication, collaboration and coordination between different categories of councils, departments, units, service providers, NGOs, volunteer groups and communities to ensure activities are implemented to help women, youth and children;
- Monitor the implementation of policies on gender equality and the situation of women, youth and children, especially to identify disparities in access to services, and to recommend means for addressing disparities;
- Report on a regular basis to the council on gender equality, women's empowerment and issues involving youth and children;
- Support all efforts to mobilize funds for work within the councils' jurisdiction; and
- Perform other duties as assigned by the council.

Article 8:

The councils, board of governors and committees shall thoroughly take into account the recommendations of the WCCC and shall decide whether it can take action within its jurisdiction.

Article 9:

The WCCC is entitled to participate in any meeting of the council, its committees, and the board of governors, except confidential meetings. The WCCC may assign a maximum of two of its members to participate in meetings of the council, board of governors, and the committees of the council. The assigned representatives shall have the full right to contribute in the meeting in the same manner as other members.

In the event that the assigned representatives are councilors, they are entitled to vote in council meetings, but they have no rights to vote in the board of governors meeting.

Article 10:

To participate in these meetings, the WCCC is entitled to receive the agenda and documents of the meeting in the same manner as other members of the meeting.

Article 11:

The WCCC shall prepare and submit report on a monthly, quarterly, semester and an annual basis to its council.

Article 12:

The annual report of the WCCC shall include:

- The general situation of women's participation in promoting democratic development and the status of children under jurisdiction of the council;
- Achievements and challenges of the WCCC, and recommendations for strengthening this committee; and
- Recommendations for improving women's participation in promoting democratic development.

Part 3

Roles and Duties of Committee Members

Article 13:

The chairperson of the WCCC is responsible for:

- Chairing all meetings of the committee. If the chairperson is absent, the chairperson shall assign any one of the deputy chairs of the committee to preside over the meeting;
- Overseeing the integration of gender equality and women, youth and children needs into the Five (05) Year Development Plan and the Three (03) Year Rolling Investment Program of the council;
- Ensuring that suggestions and recommendations of the committee raised in committee meetings and its tasks are included in the council workplans and budgets;
- Advocating and motivating the councils to ensure that appropriate levels of funding are allocated in the investment fund of the council to support social services and economic development projects in the areas under the council jurisdictions;
- Encouraging and motivating other committee members in overseeing and monitoring of the committee activities take place within the council jurisdiction; and
- Assisting the council to mobilize resources to respond to the promotion of gender equality and the needs of women, youth and children as raised in the

Council Five (05) Year Development Plans and Three (05) Year Rolling Investment Programs.

Article 14:

The vice chairpersons shall have the following roles and duties:

- Participate in meetings of the committee;
- Act in the interim when the chairperson is absent and through the delegation of the chairperson;
- Cooperate and support the permanent member of the committee to promote the activities set forth for the whole committee to ensure the effective implementation of the committee tasks;
- Provide advisory assistance and relevant technical expertise to the chairperson and permanent member, concerning the committee activities;
- Review reports of the committee before submitting to the committee meeting; and
- Fulfill other tasks as assigned by the chairperson.

Article 15:

The permanent member has the following roles and duties:

- Coordinating the day-to-day administration and preparation of the committee meetings;
- Conducting studies, research and providing suggestions to the WCCC on promotion of gender equality and needs of the women, youth and children in the Five (05) Year Development Plans and Three (03) Year Rolling Investment Programs of the council;
- Assisting, coordinating and contributing to ensure that gender equality and women, youth and children needs are well-integrated into the annual workplan and budget of the council;
- Assisting committee members in monitoring and evaluating the implementation of activities with regard to gender equality and women, youth and children issues within the jurisdiction of the council, and preparing activity reports on these activities for the committee;
- Collaborating and coordinating with other committee members and relevant units to ensure the effective implementation of the committee decisions of the committee as approved by the council;
- Participating and coordinating to enable collection and analysis of information and data related to gender equality and women, youth and children needs in order to include it as part of the committee affairs; and
- Performing other duties as assigned by the chairperson.

Article 16:

The committee members have roles and duties as followings:

- Participate in meetings of the committee;
- Provide suggestions and recommendations on establishing, promoting and sustaining democratic development related to gender equality and women, youth and children issues;
- Participate in the collection and analysis of information and data related to gender equality and women, youth and children issues and their inclusion in the committee affairs;
- Coordinate and advocate for the integration of gender equality and women, youth and children needs related to individual sector into the Council Five (05) Year Development Plan and the Three (03) Year Rolling Investment Program;

- Participate in monitoring the implementation of conformity with international conventions, such as the Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention of the Rights of the Child (CRC), and the Protocol to Prevent, Suppress and Punish Trafficking of Persons in order to promote gender equality and needs of women, youth and children within the jurisdiction of the council;
- Participate in the review, discussion, and adoption process relating to the draft quarterly, semester and annual workplans of the committee and report on their implementation as related to the individual sectors of the council; and
- Participate in preparing the activity reports of the council;

Article 17:

In order to raise an issue or any number of issues to the council or/and board of governors, the WCCC shall organize a meeting.

The WCCC shall organize ordinary monthly, quarterly, semester and annual meetings on a regular basis with agendas and relevant documents. At these meetings, the committee shall:

- Review and adopt its monthly, quarterly, semester and annual workplans;
- Discuss the process and challenges related to the goals of the workplan and propose recommendations for solutions to impediments;
- Discuss the next steps for implementing the workplans of the committee; and
- Review and discuss the reports or minutes of the committee meeting before submitting them to the council.

In necessary cases, the WCCC may conduct extraordinary meeting in accordance with invitation of the chairperson or at the request of the council or at the request of the board of governors or at the request from one third of the total number of the committee members.

Article 18:

All meetings of the committee shall be valid only if the number of committee members present in the meeting is more than half of the total number of members of the committee.

The decision of the committee meeting shall be valid only if the number of approving votes is more than half of the total number of the committee members. In the event that the number of votes is equal, the vote of the chairperson will decide the outcome (superiority).

There shall be minutes of all meetings of the committee.

Article 19:

The meetings of the WCCC shall be conducted in public. The committee may also conduct confidential meetings in cases such as rape or child molestation, where the protection and care of individual privacy is of the utmost importance.

In necessary cases, the Minister of the Ministry of Interior shall issue a guideline on the organization of the above confidential meetings.

PART 4
SUPPORT MECHANISM

Article 20:

The council shall provide secretarial support and other support to the WCCC.

Article 21:

The WCCC of the Capital Council and provincial councils shall assist its respective councils in responding to the needs, and shall provide support to the municipal councils, district councils, khan councils, commune councils and Sangkat councils in resolving problems related to women, youth and children in each commune and Sangkat.

PART 5
FINAL PROVISIONS

Article 22:

Any provisions that contradict to this Prakas shall be abrogated.

Article 23:

The Phnom Penh Capital Council and board of governors, the provincial councils and boards of governors, municipal councils and boards of governors, district councils and boards of governors, the Khan councils and boards of governors of the Phnom Penh Capital and units of the Ministry of Interior shall implement this Prakas from the date of its signature onwards.

Phnom Penh Capital, 30 December 2009

Deputy Prime Minister, Minister of the Ministry of Interior

Sar Kheng

Copy to:

- Office of the Council of Ministers
- State Secretariat for Civil Service
- All Ministries/ Institutions
- Cabinet of Prime Minister
- Cabinet of Deputy Prime Minister
- As Article 23
- Royal Affair
- Archives