

**A Background Study on the District Office's Role and
Potential Facing the
Deconcentration and Decentralization Reform**

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DATE

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1. Introduction

In light of the overall democratization following the constitutive election of 1993, further revisions of the state administration was inevitable, for reasons of deepening democracy as well as for stepping up development efforts, including service delivery. In particular the rural areas were in need of enhancing regime legitimacy by ‘reconnecting’ the civil society and the state. A seminal step in this process was taken in 2001 when the *Law on Management of Commune/Sangkat Administration* and the *Law on Elections of Commune/Sangkat Councils* (the ‘decentralisation’) were assumed in the parliament. This was followed by Commune elections in 2002 and 2007, and was generally regarded as a rather successful establishment of the Commune councils and their multifaceted local development work as well as of the overall democratization of the administration of rural areas (Mansfield 2004; MacAndrew et al. 2004; Pellini & Ayres 2007; Öjendal & Kim 2006; Kim & Öjendal 2007; Öjendal & Kim 2008).

It has, however, become increasingly obvious that the decentralization of state authority to the Commune level needed to be followed up by a ‘deconcentration’ of powers from the national level to the sub-national levels such as Province and District level, both from the government side (‘Strategic Framework on Decentralization and Deconcentration’, 2005), from the donor initiative, as well as from a more detached research perspective (Kim & Öjendal 2007). Enhanced efficiency in terms of service delivery as well as a deepening of the democratic processes were assumed to be an outcome of the process. This process was being processed at central level for a drawn-out period of time, and it was only in December 2007 that a draft of the ‘Organic law’ (OL) for the ‘D n D’ was made public (*Law on Administration and Management of the Capital, Provinces, Municipalities, Districts and Khans – ‘the Organic Law’*). The draft law is far from a simple blueprint for implementation, and the possible effects of this reform/law, particularly on District level, is the focus of this report.

The reformation of the District and Province administrations is to some extent based on the relatively successful Commune reform. There are, however, also major structural differences, such as the District being a much more established, politically laden and professional authority, it has, historically, a role and position that is far from regular people’s everyday life, it contains line department offices, it has a special role in relation to security forces (police, security, military). Moreover, it occupies a ‘middle role’ in-between Commune (being the ‘local’ agency) and Province (being the state proper), and it has a historical democratic deficiency.

In addition, the Commune reform is at large successful in its own right; however, it has become increasingly obvious that it is in itself insufficient for achieving deep democratization, accountability, transparency, enhanced service delivery and other processes necessary for the establishing of democracy and generating dynamic rural development. To put it differently, the reform of the District (and Province) authorities is necessary for realizing the democratic and development potential in previous reforms.

Focus of the Study

The overall aim of this study is *to investigate the potential and nature for the District office to realize the democratic and development potential that the democratic decentralization opened up for.*

The ‘Organic law’ has been long in waiting and constitutes a necessary (although not necessarily sufficient) part of enhancing the speed, quality and precision of rural development

efforts. However, the emerging organic law is neither uncontroversial nor ‘simple’, and several issues would need to be investigated in order to deepen our understanding on how to realize the development and democratic potential in this reform and its subsequent implementation. Shared and distributed knowledge about the role and activities of the District authorities is extremely limited outside the administration itself. Therefore, the ‘background study’ will focus on, but not be limited to:

Background and Structure

- The role and meaning of Khmer terms in the Organic Law
- The historical character and nature of the District Office
- The District Office’s current organisation, activities and mandate

Issues in the Public Sector Reform in Cambodia

- What is the democratic content of the reform/law?
- Which are the dilemmas of establishing a ‘unified administration’?
- District Council vs Board of Governor: who will be dominant?
- How are the vertical relations foreseen to function under the Organic Law?
- How to view the issue of fiscal decentralization, taxation and overall financing of the District Councils?
- What is the preferred division of labour in terms of service delivery?
- How to regulate Natural resource access more efficiently under the current reform?
- To what extent are the private sector and local business interests engaged in district affairs?

Analytical Reflections and conclusions

Methodology

The investigation is limited to a three-week study containing a brief fieldwork, interviews with critical policymakers and key persons in the international donor community, and a limited qualitative survey (as described below). It will also work with available second-hand material such as the little that is available in academic literature, relevant consultancy studies, as well as background documents, such as:

- The Constitution of the Kingdom of Cambodia
- Policy platform and the Rectangular Strategy of the Royal Government of Cambodia
- National Strategic Development Plan 2006-2010
- Strategic Framework on Decentralization and Deconcentration Reform adopted by the Royal Government of Cambodia in June 2005

First-hand material from the District and to some extent the Province and Commune was gathered through a limited interview series with key persons. The interviews were conducted in 4-6 Districts in two distinct parts of the country; they were qualitative and carried out in a semi-structured manner. Here, the District Governor and a number of Deputies were interviewed as well as the Director/Representatives of/from the key Line Ministries such as Health, Education, Rural Development, MAFF, and others.

The quantitative survey covered 18 Districts within 6 Provinces, and worked with a minor questionnaire on approximately 30 questions aiming at the two distinct categories of Governors and his/her deputies, and the technical line ministries respectively (see appendix I and II). The Districts were selected to represent Rural/Semi-urban/Urban (but not Phnom Penh) contexts in each Province and represents the settings in which the reform is primarily designed for.¹ It will also numerically represent almost 10% of the total number of Districts in the country, hence constituting a reasonably representative selection also nationwide. The survey was carried out by two teams containing two persons, each aiming to complete one District per day. It was done in Khmer, translated into English and carried out by experienced enumerators, trained and supervised by the team. It is statistically treated and accounted for below.

The data is presented in one of two ways: either the respondents have been asked to rank pre-determined options in order of significance. This is preferred where we want to put all issues on the table and order them in a sequence. This is quite illuminative, but we must remember that the discrete steps (priority 1 for security and priority 2 for service delivery, eg.) carry no mathematical truth in the sense of ‘security’ being ‘twice as important’ as ‘service delivery’, or even that the step between 1 and 2 is as big as that between 2 and 3, etc. In these tables, answers have been aggregated in order to make them comparable on the full scale of the survey. They can also be analysed by noting only how the many of the respondees were giving a particular option the top priority. This is a more limited analysis, but perhaps more distinct. The Tables are compiled in such a manner that both these ways of analysing the material are available. Another option we have utilized is to force a single answer from the respondee,s which will force greater gaps and more distinct differences between answers. Key findings are integrated in the text, whereas the full result of the survey can be found in Annex I and II. The questions as well as the predetermined answer options were derived from the authors previous knowledge of the topic, in combination with a pilot study performed by very qualified and especially trained enumerators.

These data will be compared/contrasted to those gathered at Commune, Province and National level, as well as to those gathered in the qualitative interviews. The study has indirectly drawn on previous research performed by the members of the team.

2. Some key Khmer Terms used in the Organic Law and the work surrounding it²

While we have a more comprehensive listing of Khmer terms in Annex V, below, we conduct a brief discussion of some Khmer terms with confused or controversial translations into English, and/or terms which are used in an ‘unusual way’ in the Organic Law.

Rothabal Ekhapheap is the ‘Unified Administration’, which has a historical precedence in the autarchic district rule in the 1980s. *Rothabal* is ‘Administration’ and *Ekhapheap* ‘agreement’, ‘single’, or ‘consent’. In combination, this means an administration which is managed from a single source. It could however also mean ‘administration which is managed with consent’, which is a bit ‘softer’ than the English ‘Unified administration’ and definitely softer than how the Districts were ran in the 1980s.

Vi Machaka (Decentralization): This term is the key term in the commune reform, but one that is highly unclear/unusual in Khmer. It is likely to be superficial for most Cambodians

¹ The Northeast Highland society is, however, the exception to this general claim to representativity. This is due to the limited nature of the study and the logistics involved in covering these areas.

² See Appendix 2 for a fuller review.

too. *Vi* is ‘devolving’ or ‘out from’, *Machaka* is ‘centralization’; the two terms combined make up ‘decentralization’, but in a fabricated way.

Similarly, the Khmer word used for denouncing ‘deconcentration’, *Vi Sahakmachaka*, is very difficult to make sense of in regular Khmer. *Vi* is ‘devolving’, *Sahak* is ‘integration’, and *Machaka* is ‘centralization’. Semantically, as well as vernacularly, this is a challenge to make sense of.

‘Accountability’ is another English term not readily translatable into Khmer. *Kanakneiyapheap* can be split into *Kanakneiy*, ‘accounting’, and *Pheap* is just suffix making it a noun, together constituting a rather detached and clinical word, ill-suited for this kind of debatable, politically laden context.

‘Service Delivery’ is another self-evident term in English development administrative language. It translates into *Ka Pdol Seva*, where *Ka Pdol* means to give, offering, and *Seva* refers to ‘service’. While this is easy to grasp in Khmer, it does indicate more of a gift and a one-way activity, eluding the reciprocal aspect inherited in the English administrative usage.

Kanak Ak Phibal (‘Board of Governors’) is a new term but connotes meaning from the communist era; a similar term was used a lot during the Khmer Rouge, for instance the *Kanak Tombon* was the Regional Commander (Region similar to district in the KR time). Literally, *Kanak* is ‘Committee’, ‘Clan’, ‘Chief’, ‘Group’. *Ak Phibal* is Governor, which could be for district or province. So in this context of the OL, *Kanak Ak Phibal* equals ‘a group of governors’.

This brief review tells us two things: *Firstly*, there is no deep tradition working with these issues. *Secondly*, although several Khmer terms are awkward, they may work fairly well among the experts and policymakers, it is difficult to popularize these terms given their constructed nature or their association to ‘big language’. As such the pedagogical task for lower level civil servants to work with anything resembling popular participation will be huge. None of these points come as a surprise, but going through the semantics involved produces a rather sobering reality check, underlining the fragility of these processes.

3. The Districts in a Historical Perspective

Cambodia’s political and administrative organization was/is greatly influenced by the French administrative practices (Ebihara 1968). Cambodia’s *local administration* was invented by the colonial authority, dating back to the 19th century. At the time, this constituted an attempt to modernize the colonial control of Indo-China (Sreang 2004). The district (*Srok*)³ was the lowest rung of regional administration, staffed by civil servants appointed by the central government. According to Aymonier (1900), in the late 19th century there were 57 districts in the country and 17 provinces. In 1892, the number of district governor deputies (*Chumtup Srok*) were nominated depending on the importance of each *Srok*. They were assigned a variety of duties such as reception of the royal delegates, maintaining people’s register, collecting taxes, disseminating of Royal Ordinance, levying people for warfare, and ensuring security (Forest 1980). Due to the smaller scale (smaller population) of districts at the time, *Me Srok*⁴ functioned more as a contemporary commune chief.

The following organization was, according to Sorn (1995), established on 21 June 1901 when the king issued a royal ordinance: The *Srok* administration included a district chief/governor (*Chovay Srok*), assisted by an executive agency composed of a *balat*

³ *Srok* in Khmer is literally translated as district, but it also means country. For example *Srok Komneut*, country of birth or native place (could be a native village).

⁴ ‘District Governor’ is *Me Srok* or *Chovay Srok*. These terms have also been used for the ‘Chief of Council’ in eras when such have existed.

(secondary or deputy of district governors – Ak Phi Bal Rong or Prachouy Srok) and two ‘Nobles’ (*Kromaka*), together constituting a *Srok* council (Sreang 2004). *Chovay Srok* was directly appointed by the provincial governor (*Chovay Khet*) and the key duties were to collect taxes and execute regulations from above (Sreang 2004).⁵ There were also a minor number of representatives from government bureaus present at the *Srok*. Below the district was the commune (*Khum*) or sub-district, a grouping of several villages into one administrative unit. The *Khum* was created by Royal ordinance in 1908 and further defined in 1910 (Delvert 1961; Roome 1999; Öjendal & Kim 2008). The *Khum* was an artificial creation, neither a historic nor a geographic reality, and its territorial limits were arbitrarily defined by the government. The lowest level was the village (*Phum*), with a village chief (*Me Phum*).

According to Baudoin (1919), after the promulgation of the June 1908 ordinance concerning the organization of *Khum*, the *Srok* was split into *Khet* (province) and *Khum* (commune). However, when the district for a short period of time was eliminated, the administrative gap between provincial and commune level became unworkable and the district was reinstated (Baudoin 1919). Later incentives for tax collection were established where the district officials were allowed to keep 10% of the collected taxes: 7% for *Me Srok* and 3% for deputies and *Kromaka*.

Srok structure after independence 1953

May Ebihara’s work in the early 1960s unveiled that *Sala Srok* (district office) was the highest level of government with which villagers had face to face contact. The district chief/governor (*Chovay Srok*) was a civil servant within the Ministry of Interior, appointed to his post for an *indefinite term* of duty (Ebihara 1968:511). His or her primary duties were, in the broadest sense, to act as a liaison between national and provincial government and the lower levels, to oversee various administrative matters pertaining to his/her district (including the duties to the various sub-district chiefs) and to supervise several offices in *Sala Srok*. The administrative staff included an assistant chief, a police chief, an official in charge of land registration and several secretaries, all of whom were professional bureaucrats (Ebhiara 1968; Chandler 2000). According to Ebihara’s description, the district chief was well-educated and with urban manners and outlook, and considered by villagers as a *Neak Thom* (‘big person’) demanding respect and distance. The social status of the district staff was that of professional civil servants representing the central government, making them figures of respect and authority. According to Sreang and other French writers, the district structure in the 1960s was in conformity with the structure of the early 1900s, with 3 to 4 deputies and 2 *Kromaka*, but added with technical line offices and assistants. The coherence of district administration degenerated by the 1970s when the country was plunged into civil war, and the structure was completely destroyed during the Khmer Rouge when the country administrative control was divided into regions (central government, grouping of provinces, smaller collective groups), working with an altogether different rationality.

Local Administration of PRK (from early 1980 to 1994)

⁵ In fact, there are conflicting sources on how the district officials were selected and it is not clear whether the district governor or council members were elected directly by people or appointed by superiors in the provincial or central government. It is, furthermore, noticed that several provinces were under Thai jurisdiction, and therefore the structure was different.

The nature of local administration of the People's Republic of Kampuchea (PRK) was based on the attempt to protect the country and local population from the Khmer Rouge attacks and to retain political and social control. It was designed from the communist Vietnamese experience, and with heavy Vietnamese influence. With a Prakas from July 1979, signed by Heng Samrin, the post Khmer Rouge system was installed, delegating key powers to the Province and District level. The local administration and the People's Revolutionary Committee (PRC) were vertically organized in parallel structures. The real decisions were taken within the party structure and then the PRC on each level gave the local administration instructions (see Annex VI). According to Slocomb (2004), each district and commune had a PRC which consisted of at least 5 members in each committee. All officials in the district answered directly to the Party Committee, which came down directly from the centre (*Ma Chim*). The primary work/duties of the district at that time were to maintain security, keep up military conscription and support agriculture (basically rice cultivation).

The administration was 'unified' in the sense that the District governor had ultimate power at the district level and all offices were under his command, including the military and the police. Moreover, the district was not downwardly accountable, but the district officials and chief was local party members and in reality accountable to the communist party.

As seen in this brief chronological review, there has been no clear division of responsibility on the district level; instead, it has been blurred between national, provincial, and commune level responsibility. During the French colonial period, an attempt was even made to eliminate the district. The idea of a district council with many deputies and *Kromaka* was good from a pluralist/representative point of view, but at that time there were no technical agencies at the district level and no efficient District office emerged.

There was a somewhat clearer structure of the district administration during the Sihanouk period, but the district's role in tax collection, for instance, was still not clear. The district governor was appointed by the provincial governor and had full control in the district. During the 1980s, the district had no elections but clearer lines of accountability and by default more well-defined duties. As history has reflected, the district officials have never been purely elected, but appointed by the centre, accountable to colonial masters or communist councils. There has been no clear line of responsibility between the district and the commune – the district has behaved as the superior to the commune, and tax collection and fund allocation has not been clear.

The 'modern' history of the Districts' function starts in the 'post-Untac' era, with major revisions in 1994, in 2000, and then (indirectly) in 2002. The implications of the changes will be reviewed below, and integrated in the more problem-oriented analysis.

4. The District's capacity to pursue democratic governance seen through different lenses – Findings

The Current Mandate

As the District was the key level in pursuing the civil war in the 1980s, it was heavily securitized, dominated by security concerns, and ran by a single source of power (*rot am nach*) exercised by the District Governor, which also routinely was the party chief on the District level. One Governor reminisces: 'I was the boss! Everybody followed my orders. That was easy! No, in fact it was hard work and hard times.' This power structure changed radically after the 1993 election, formalized in the 1994 revision of its mandate. The 1994 reform altered primarily two things: *firstly*, it reduced the significance of the District in the

overall administration of the country (see Annex VII for a sketch) and reduced the status of the district officials in the overall administrative hierarchy. *Secondly*, it broke the previous *Rothabal Ekhapheap* ('Unified administration') and 'allowed' the line ministries to establish vertical lines of accountability, horizontally reducing the clout of the District governor (and indirectly by the MoI). It is likely that it, to a certain extent, also weakened the CPP influence in district (and province) governance due to a change in the party's relation to the state, but also due to a limitation of the Party committee's direct influence on the district level (see Annex VI-VII). This major reform was – in retrospect – surprisingly rapidly introduced and must be seen as an increased emphasis on function and service delivery, hence a shift from 'security' to 'development', signalling a 'normalization' of public administration.

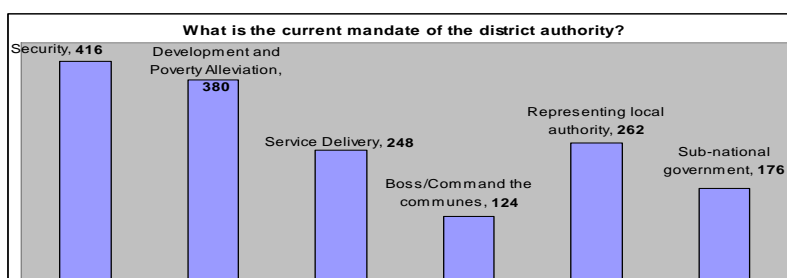
In reality, however, it seems that it, more than anything else, served to reduce state presence on local level. Few Ministries had the resources and manpower to establish proper offices at district level (MoH, MoE, Cadastral office and MAFF excluded), and those who did had miniscule budgets to work with. In effect, it produced a lot of policies, strategies and guidelines at the central level, but with little local level impact (i.e. at commune and below). And although the law on commune management from 2002 was a major improvement for local development seen from the commune point of view, the district's role became even more marginal. If the District from 1994 and onwards was shut out from line ministry concerns, from 2002 it also became shut out from local level concerns. This tendency was amplified by the fact that the District was (almost) involved in the Seila programme, which for some time was the main contributor of funds and capacity building to the Commune and Province level administration. The District offices, or in particular the Technical Offices at District level, did touch this process in the 'District Integration Workshop', which aimed to match the Commune Development Plan with development actors outside the individual communes. In the last couple of years, there has been a pilot study – called the 'District Initiative', and a similar approach focusing on Natural Resource Management, funded by Danida – on the ability of the districts to be development agents. Though extremely interesting from this point of view, the experience from these 'experiments' are yet to be drawn in a systematic way.

In our survey, all but one governor referred the changes described above to 'Untac' and the 'decentralization'. In essence, it has since turned into an administrative level with responsibility for running its own administration. 'It is quite ridiculous when you think of it: we have good people and good organization, there is a big need for us out there, but we have no tasks and no budget', as one District Chief told us. The metaphor of the 'upside down pyramid' (Annex VIII) is often referred to by district officials, in a slightly bitter tone.

From this point of departure, the idea of a joint administration is, by Governors and their Deputies, seen as the return of common sense, resembling the more autocratic days of the 1980s. However, although a certain enthusiasm can be detected for the revival of the 'joint administration', we could not see any romanticizing of authoritarianism as such; quite the contrary: many district Chiefs were ridiculing the bombastic ways of the 1980s, acknowledging that the times are different now. They also explicitly talk about the CPP as a dominant, but legitimate, power in the state administration in a way that none of the authors of this report have experienced before.

TABLE 1: What is the current mandate of the district authority? (District governors and deputies)

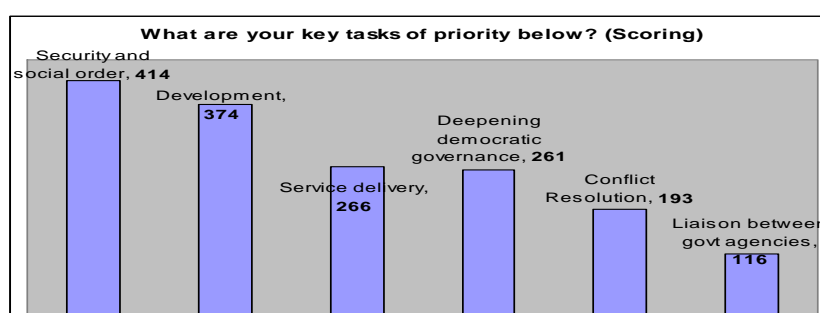
Answers and Ranking	6	5	4	3	2	1	Total
Security	46	22	6	1	1	1	416
Development and poverty Alleviation	23	35	12	5	2	0	380
Service Delivery	1	11	29	17	13	6	248
Boss/Command the Commune	1	0	3	11	11	51	124
Representing Local Authority	5	6	23	26	15	2	262
Sub-National government	2	2	5	15	36	17	176



The current situation is confusing for the District office: when asked which their primary mandate is, the vote is split almost equally between Security and Development/poverty alleviation, with only a smaller portion of the district offices putting major emphasis on Service delivery. Interestingly, ‘commanding the commune offices’ got the lowest score of all possible options. When asked which their own priorities were, a similar pattern emerged (Table 2).

TABLE 2: What are your key tasks of priority below?

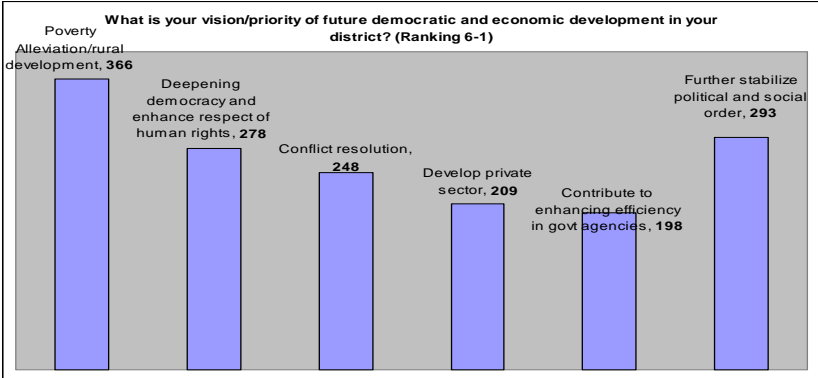
Answers and Ranking	6	5	4	3	2	1	Total
Security and Social order	42	26	7	0	2	0	414
Development	21	32	19	2	3	0	374
Service Delivery	1	13	24	23	13	4	266
Deepening Democratic Governance	6	6	15	35	15	0	261
Conflict Resolution	1	2	9	16	44	5	193
Liaison between various government agencies	6	0	2	1	1	67	116



When the question to pit several values against each other is asked (Table 3), it becomes clear that poverty alleviation and rural development get the upper hand over deepening democracy (contrary to how the rationale of this reform is usually presented at central level).

Table 3: Strategic vision: what is your vision/priority of future democratic and economic development in your district?

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Poverty alleviation/rural development	44	10	13	6	3	1	366
Deepening democracy and enhance respect for human rights	7	21	19	8	9	13	278
Conflict Resolution	2	11	20	21	15	8	248
Develop private sector	3	11	7	16	20	20	209
Contribute to enhancing efficiency in government agencies	0	12	8	16	21	20	198
Further Stabilize political and social order	22	11	13	9	8	14	293



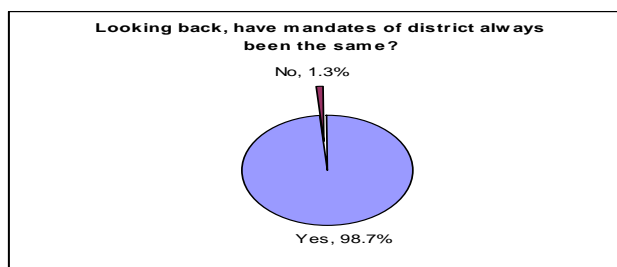
There is a certain degree of consistency when (as Table 1-3 above) asking about formal mandate, current priorities and future visions. Hence, the districts show a mix of conservative views: security hanging in there from the 1980s, but also a swift reaction to new directives, illuminated for instance in the fact that the districts have internalized that they should stay away from the communes. There is also a detectable reluctance to prioritize democratization at the expense of poverty alleviation. The gender balance among District officials is crudely eschewed, which most likely reflects a historical pattern, a pattern which according to the expectations of the district governors is about to change. We are not, however, as confident as the respondees that this will actually happen any time soon.

Table 4: How is female representative in the commune and district?

<i>Answer</i>	
Increasing	71 = 92.2%
Decreasing	0%
Not change/the same	6 = 7.79%

Overall, the District governors express a rather extreme sense of a situation that is rapidly changing (Figure 1); when asked why, they overwhelmingly refer to ‘UNTAC’ and ‘Decentralization’.

Figure 1: *Have the mandate of the District changed over time?*



5. Democratic content of the Organic Law in the political economy of local governance

The democratic content, including lines of accountability, of the Organic Law as such is outside the scope of this report and has been critically analysed elsewhere (Hughes & Devas 2008). However, it remains an interesting empirical question how this is likely to work out on district level. Given the design of the OL, an analysis of this sort is dependent on a certain understanding of the political dynamics also on the commune level.

The overall democratic impact can be seen in largely one of two very different ways. *Firstly*, in the OL, District and Province council will be indirectly elected from the commune level by the commune councillors (OL, Ch. 2 Art. 13). Commune councils are elected on party lists and remain in office only with party permission. District and Province Council is likewise elected through party lists via a predetermined ranking. Given an almost total vertical party loyalty, this implies that the actual election at the District and Province level will be entirely ceremonial. There is not likely to be any deviations (at all) from party loyalty.⁶ This option is not even considered by District Governors in our interviews. Hence, since we know beforehand exactly how many votes each party will get (equals the number of party members on the aggregate from the Commune Councils) and which names are on the party lists, we can say before the election *how large* the representation of each party will be in District and Province councils and *who* the individuals will be in these councils on each level. Hence, the election as such will be entirely irrelevant. Moreover, the capacity to demand downward accountability from below (from CCs), due to the fact that the CCs put the DCs⁷ in office, will be extremely weak if no financial arrangements are put in place to actually give the CCs some real clout over the DCs. The ‘election’ as such is too ‘given’, too ‘natural’ and too politically disciplined to create any major downward gratitude, accountability or vulnerability from the side of the DCs. Viewed in this way, the democratic content is close to zero. Adding to that, the analysis of Hughes and Devas, emphasizing the unclear lines of horizontal and

⁶ That there would be any individuals in the commune councils breaking party loyalty is extremely unlikely, and would certainly trigger punitive action within party hierarchies.

⁷ An interesting financing option has been floated, initiated by UNCDF, where the District funds should be allocated on Commune level and the commune councils would ‘buy’ the services they need from district and other providers. While interesting, and deserving a pilot in itself, it is quite obvious that this would demand rather massive institutional preparation and human education before it is set to sea.

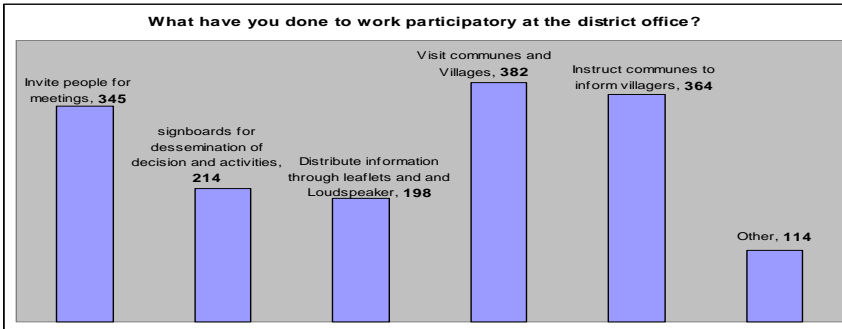
vertical accountability integrated in the law itself, this reform will mean little and not contribute to any tangible democratization of the sub-national governance.

However, seen in another light, if we agree from the above that the political outcome of the indirect election will be identical with the political composition in the CCs, it also implies that it is in the Commune election, and indeed in the political economy of local development and local politics, that the entire political pattern of the sub-national government will be defined. The commune election have so far been regarded as fairly ‘clean’ and open, and the overall decentralization process is seen as a rather successful and progressive reform (Mansfield 2004; MacAndrew et al. 2004; Öjendal & Kim 2006; Kim & Öjendal 2007; Öjendal & Kim 2008). Hence, there is actually a democratic election determining the entire manning of the institutions of sub-national governance. Although there are some peculiarities in the design of the reform and some structural weaknesses, pointed out by Hughes and Devas, this reform stands out as exceptional in terms of democratic content when compared to any other era in Cambodian history. In addition, while in the short term this may consolidate existing power structures, it may be a structure which in the long term vouch for a pluralism of sorts, or at least the possibility thereof.

In terms of historical democratic experience as well as current practice, the district offices have few democratic merits: there has never been any public representation at the district office. Also, contemporary District offices have little popular contact; when they, for instance, state that they work in a participatory way (which many claim), they do not relate to public participation but rather to their role to ‘Instruct commune offices to inform villagers’ and ‘Visit to communes and villages’, piggybacking on the democratic credibility of the communes (Table 4).

Table 4: Participation and Transparency: What have you done to work participatory at the district office?

Answers and Ranking	6	5	4	3	2	1	Total
Invite population to open meetings	22	14	26	10	4	1	345
Signboards for dissemination of decisions and activities	2	3	12	27	25	8	214
Distribute information through leaflets and loudspeakers	1	3	6	25	36	6	198
Visit to communes and villages	24	36	11	2	4	0	382
Instruct commune offices to inform villagers	28	17	19	9	4	0	364
Other	2	2	2	4	5	62	114



A bit surprisingly then, we find that when asking who they are primarily accountable to, ‘the people’ turn up as the first priority, together with their ‘boss’ at the Province (Table 5). This may, however, be a remnant of Marxist-Leninist rhetoric, or simply something they believed we wanted to hear. There is nothing, neither in our qualitative interviews nor in the activities

we have seen, that validates this particular answer. To assess the value of this Table, it would be interesting to get insight in the District Initiative and its attempt to work with more participatory methods.

Table 6: Accountability: *Who are you primarily accountable to? Order in terms of correctness*

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Provincial authority	18	27	23	8	1	0	361
People	26	16	12	17	3	3	344
Political party	4	6	11	7	39	10	207
MoI/Phnom Penh	8	15	10	24	18	2	281
Elected Commune Councils	13	13	19	23	6	3	303
Other	8	2	0	0	9	58	134

6. The District under a Unified Administration

The *Rothabal Ekhapheap* ('Unified Administration') may – second only to the introduction of indirect elections – be the most emphasized feature of the proposed change of the upcoming reform. It is mentioned in the introduction of the law and it is explicitly pursued by the MoI, which will, we were told, release their staff and ask the District to re-employ them locally at the first possible instance. District governors, on their side, generally regard this as the only reasonable way forward. In our quantitative material, it is clear that most governors prefer this option, and almost 90% expect 'cooperation to deepen' or 'Integration of all branches'.

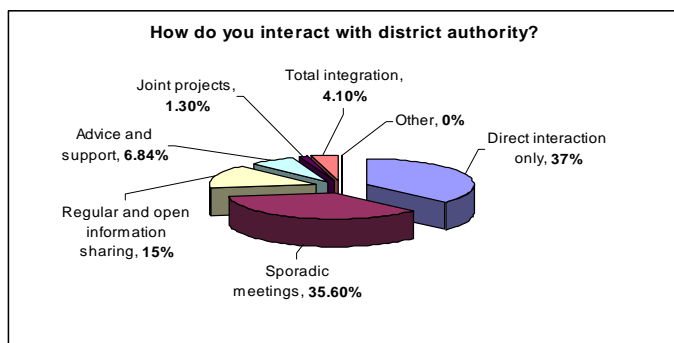
Table 7: *How will these relations change under the OL?*

<i>Answers</i>	
Integration of all branches	47 = 61.03%
Deeper cooperation	21 = 27.27%
No change/the same	0 = 0%
Do not know about the OL	9 = 11.68%
Other	0 = 0%

The above is, however, balanced by a fortified position by the line ministry staff at district level, of which almost three quarters state that their relation to the District Office is miniscule and consists of 'sporadic meetings' and 'indirect interactions' only. And even more say that direct cooperation with the Governor's office is difficult because they have 'different bosses'.

Table 8: *How do you interact with district authority?*

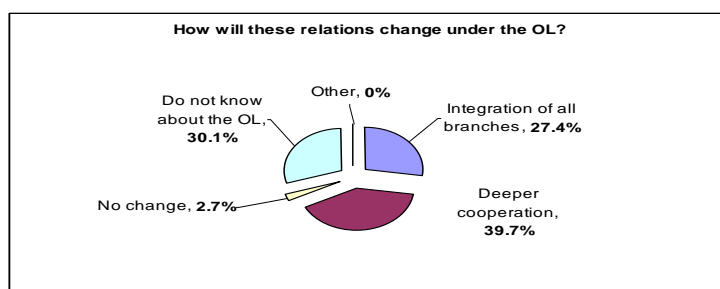
<i>Answers</i>	
Indirect interaction only	27 = 37%
Sporadic meetings	26 = 35.6%
Regular and open information sharing	11 = 15%
Advice and support	5 = 6.84%
Joint projects	1 = 1.3%
Total integration	3 = 4.1%
Other	0



Interestingly though, two thirds of the civil servants at the Technical Offices expect ‘cooperation to deepen’ or ‘Integration of all branches’. This is also backed up by the qualitative material where the Technical offices’ staff has a rather humble view of the prospects of a more intensive horizontal relation (although very few are prepared to give up the vertical accountability). But the major impression from the technical offices is that they have a great deal of confidence in that they can work with ‘two bosses’, and they also expect the district level to work in a more independent way in relation to the province level under the Organic Law. In conclusion, on the data from the district level, there is a major preparedness from the governor to retain a Unified administration and thereby recreate a historical structure, to which the Technical offices to some degree agree to.

Table 9: *How will these relations change under the organic law?*

Answers	
Integration of all branches	20 = 27.4%
Deeper cooperation	29 = 39.7%
No change	2 = 2.7%
Do not know about OL	22 = 30.1%
Other	0



However, adding the views from central level, it is much more questionable how this actually would work out. Are central line ministries expected to give up their staff and their budget? This is not very likely given the particular political economy and its relation to the public administration (nowhere do line ministries give up budgets voluntarily).⁸ Or is there expected

⁸ Unfortunately, it was beyond the scope of this report to assess the opinions of the line ministries in Phnom Penh.

to be a ‘mix’ where line ministries keep their budget but release staff and then ‘buy’ services from their former staff now employed by the District administration? Or will this be a tug-of-war between ministries where *status quo* has the upper hand, *de facto* blocking the entire reform? When asking central policy-makers, they agree that it may be difficult to pursue this aspect of the reform. The only way to enforce Unified administration seems to be heavy involvement from the core of state power, including the Prime Minister himself, something we have not seen any indications of so far. This puts a lot of focus on the National Council (NC), how it will be designed and which significance it will be given; it may be one of the key dimensions of the implementation of the proposed reform.

7. District Council vs Board of Governors

The inclusion of a ‘Board of Governor’ (BoG), *Kanak Ak Phi Bal*, in addition to the ‘District Council’ (DC), *Krom Prek Sa Srok*, is one of the more mysterious features of the entire reform. Although the idea of a District council has a historical precedent, it is not clear how it is aimed to function this time. Is this a division of power, establishing a check and balance? Or is it a consolidation of a particular power structure? Is it a reduction of the democratic feature of the reform? Or is it a practical move to enhance the acting capacity? Is it an introduction of a ‘fallback’ strategy to retain political control would it fall into ‘the wrong hands’? Is it a way to enhance rent-seeking, paying off possible adversaries? Or is it a retiring position for senior CPP members not yet wanting to leave the chains of patronage?

The confusion around this set-up seems to be shared by civil servants and policy-makers alike. Of the people we approached, nobody could shed much light on this issue. It does not help that the Khmer phrasing is semantically somewhat dubious. The two terms in Khmer seem vernacularly confusing: District Council (*Krom Prek Sa Srok*) refers to an elected body such as the elected commune council and is supposed to be a direct function agency. The ‘Board of Governor’ is originally in the law stated as *Kanak Ak Phi Bal* (Committee of Governors). A more direct relation to the English expression ‘Board of Governor’ is *Krom Prek Sa Phi Bal*. This refers, however, to the board of any organization that only has a monitoring function. So, a semantic analysis would indicate that there should be an acting DC and a monitoring BoG, but that may not be the most ‘natural’ division of labour, and it is not really according to the writings in the draft law. What is clear is that the District council will consist of indirectly elected individuals working part-time, whereas the BoG is the chief administrator with (presumably) full day-to-day presence. A key question in this regard is which body will be the dominant one. Two opposite scenarios can be outlined: The first would act on the fact that the Council does have a formally superior position to the BoG:

The board of governor shall provide comments and advice to the council, report to the council and implement decisions of the council... The board of governor shall support the council to fulfill its functions, authorities, and duties in accordance with the provisions of this law.

Ch 3, Art 152

As such, it is a natural leader being politically elected on a (semi-)popular mandate. It will attract senior people with experience and respect who will be the natural ‘power house’ on the district level: some senior present District governors indicated an interest in this, and not from a position of weakness. The opposite view would be that since engagement in the DC is a part-time position, it would not attract individuals with top qualifications and therefore take a rather laid-back position, where the BoG would *de facto* run the show, which would be quite

easy being the one(s) with an everyday presence in the District office and heavy party support. At the very least, there will be a ‘gap’ between DC and BoG, which can be exploited by the governors if there is an interest.

Table 10: *What will the relation be between district council and board of governors*

<i>Answers</i>	
Equal status cooperation	47 = 61.03%
Equal status tension	3 = 3.89%
District council boss over BoG	17 = 22.07%
BoG will be the district council boss	10 = 12.98%
Do not know about the OL	0
Other	0

The key indicator on how this will work out may be which position the current governors will assume. On a direct question, most governors hesitate on which position they would prefer. The quantitative material shows the confusion on this point: the majority of the governors believe that there will be an equal power-sharing between the two bodies. Of the remaining answers, there are approximately twice as many who believe that the DC will be the more powerful compared to those who believe that the BoG is the key body. Although they are at large answering from a position of ignorance (and on a future issue), the slight preference for the DC bodes well for the democratic aspect of the reform.

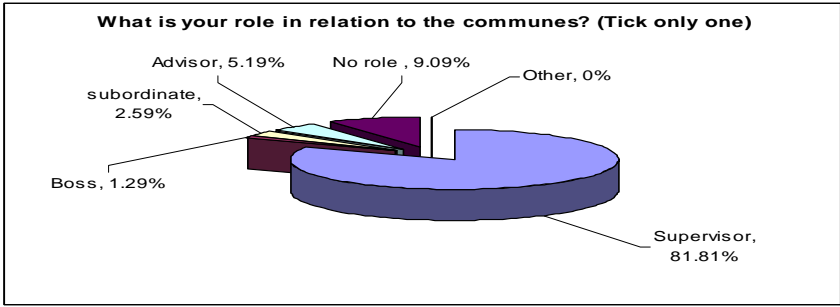
8. District’s relation to Province/Commune – Vertical relations

Decentralization and deconcentration is basically about how to allocate power and responsibilities within the state machinery, which is something every state has to find a way to achieve in an ideal way (Turner 2002). In Cambodia, decentralization has, through the particular history of CARERE, Seila and the subsequent reform, been the forerunner of a more full and balanced public sector reform, which is now being commenced. Therefore, in our view, the argument that the commune should be ‘protected’ because it is working well right now is a bit nearsighted.⁹ In the long run, the rather strong decentralization reform needs to be complemented by a deconcentration reform, especially since the commune development potential has ‘hit the roof’ in the ‘absence’ of any consolidated development presence from the side of the District authority (Kim & Sedara 2007). Having said that, the proposed reform can of course be more or less conducive to the decentralization reform, and more or less efficient for service delivery, etc.

⁹ In fact, this resembles the debate at the end of the 1990s as to whether Seila would ‘abandon’ the villages and aim for the communes, and whether there should be a ‘scale-up’ of the area-based ‘experiment’ within Seila. In retrospect, there should be no doubt that the decision to make Seila ‘real’, integrate it into the state machinery, and scale it up to national level was the correct one (cf. Eastmond & Öjendal 1999; Evans 2000).

Table 11: What is your role in relation to the commune?

<i>Answers</i>	
Supervisor	63 = 81.81%
Boss	1 = 1.29%
Subordinate	2 = 2.59%
Advisor	4 = 5.19%
No role	7 = 9.09%
Other	0%



It has stereotypically been argued that this reform will open up for a renewed dominance of the commune from the side of the districts. Currently, the districts typically regard themselves as ‘supervisors’ to the communes (more than 80% choose this option), and only one deputy governor (out of 77) regarded himself as ‘the boss’ of the commune. Similarly, more than 80% saw themselves as ‘subordinate’ to the province. This confirms a generally held view that hierarchies are maintained although the communes have been given independent room to manoeuvre in spite of the general prevalence of a hierarchical political culture. When asking the governors how they see the primary change in vertical relations under the OL, the dominant answer (almost 1/2) is that there will be a higher degree of independence for the District from the Province, and 2/3 believe, for instance, that the district will fully take over the PFT/DFT function.

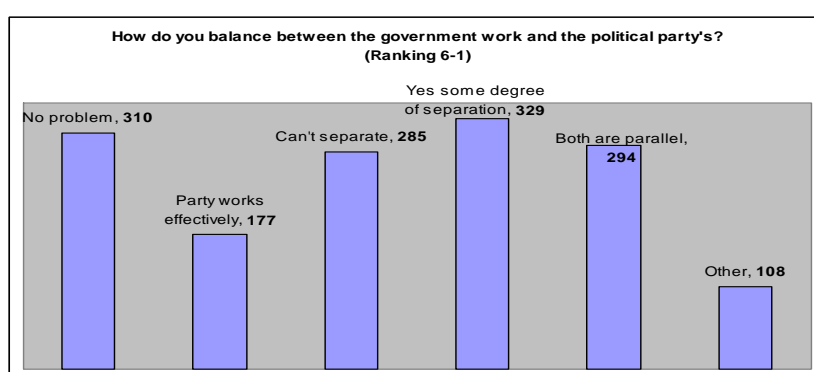
The same question put to the staff at the technical offices reveals an almost identical pattern (although with greater uncertainties due to self-declared ignorance of the OL). One third of the governor respondents believe that the Districts will regulate the communes more, which, according to our qualitative interviews, includes a stronger supervision but not necessary malicious ‘dominance’ (although there may be a fine line here). There is, however, no denying that although we could not detect any ‘revanchism’ or attitudes of ‘reconquering the communes’; just as a joint administration is ‘normal’ and ‘natural’, so is the proposed closer relation between districts and communes. In this regard, we must however not forget that there is a considerable agency with the Commune Councils which would not voluntarily back down from their current position/status as long as there is no change in the decentralization law.

9. Political Party System vs State Administration¹⁰

We stated above that the 1994 reform possibly entailed a reduced influence of the Party (CPP) on the district administration by establishing a line of vertical accountability. It certainly broke with the Leninist ‘tradition’ of having a mandatory parallel structure (PRC) containing a party which in essence took all the important decisions. In a more *ad hoc* manner, however, this structure has recreated itself: The CPP party leader on District level is also the District governor; the CPP leader on Commune level is also the commune chief; the village chief is *both* the local leader and the local party man.¹¹ While the village structure is a bit elusive, there are few deviations from this pattern on district and commune level. More than 40% in our survey admit that there is a certain degree of mixture of the two rationalities – in reality, the figure is likely to be higher than that.

Table 11: How do you balance your government work and the party interest?

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
No problem	20	16	9	12	18	2	310
Party works effectively	4	17	17	16	20	3	177
Can't separate	6	15	24	22	6	0	285
Yes some degree of separation	27	14	6	15	13	2	329
Both are parallel	11	15	21	12	15	3	294
Other	5	0	0	0	6	66	108



An interesting contrast to previous fieldworks performed by the authors was that the party-state relation was much more openly talked about, and seemingly not regarded as anything that needs to be hidden. One District governor told us:

Formally we have no jurisdiction over the Communes. But since I am superior to the Commune chief in the party ranks, I can still command him. This is not good.

¹⁰ Although this section was also covered by our quantitative investigation, this topic is considerably more difficult to study with such methods than the others in this report.

¹¹ On average, 95% of the Commune and District chiefs in our survey belong to CPP. A few commune chiefs were from SRP and a few deputy governors were from FUNCINPEC. However, in our districts, the FUNCINPEC deputies had without exception not come to work since some time. This is likely to be a reflection of the development on the national level party system.

It creates a 'hidden power' in the system. It would be better if the system allowed me to exercise proper and transparent supervision over the commune. Maybe the new system will allow this. That would be good.

This reform is likely to i) reduce commune independence somewhat, and to ii) integrate line ministries' work more closely with the District Office. Hence, the CPP parties' influence on district level, and indirectly on commune, is likely to increase in the short to medium term. It is not, however, obvious that the net result will be a more pronounced exercise of 'hidden power' and enhanced patrimonialism. Probably rather the opposite: power may be more entrenched, but more transparent. Or put differently, the dominant party's entrenched power position is likely to be further strengthened, but it may be more sanctioned, more transparent, and more 'punishable'. Notably, it would certainly be a non-starter to equalize CPP influence with repression, maldevelopment, or even reluctance to introduce democratic and participatory dimensions in the local administration.

Paradoxically, the increased CPP clout of the various levels goes hand in hand with the introduction of partial democracy. Seemingly, the CPP influence will need to increase in order to make it possible to (start to) establish 'democratic' practices. The key dilemma for donors and others is whether one is prepared to accept increased CPP influence in order to raise the long-term potential for a more plural state administration.

As has been noted before (Kim & Öjendal 2007), it deserves again to be pointed out that conflicts, opposition and debate within CPP is lively, or even fierce at times. We experienced an example where the internal rivalry in getting onto the Party lists was so intense, it was reported to us from within the CPP, that it threatened to tear the local party organization apart.

10. Taxation and fiscal decentralization

As Weber once argued, the key dimension in state-building is the ability of the state to collect taxes and provide services (mainly security), and the willingness of the citizenry to pay these taxes, and of the state to reciprocate. In the absence of this mutual bond, no 'contract' will be established and no mutual loyalty will emerge. Cambodia is in a phase of state-building and reconstruction, following a violent and destructive period, and would need state-society bonding. However, the state largely refrains from collecting taxes (on local level) and abstains from attempting to create this mutual bond, allowing a 'softness' at the very base of state-building.

Sometimes it is argued that there is no taxpaying ability outside the urban areas. While this study cannot confirm this, it is our firm understanding, grounded in previous experiences that 'taxes', 'fees' and 'protection money' is being paid by local entrepreneurs to an extent that corresponds well to a 'regular' level of taxpaying, the difference being that none of these are understood by the payees as legitimate and that they do not benefit the common good by contributing to the state budget. Hence, we have the 'worst of two worlds': local entrepreneurs are under financial pressure, holding back the growing of small scale business', but the state administration still not benefit from tax incomes. This is a curious choice in our understanding, and even more so given the preparedness on the local level to do this work – almost 80% believe that the District, or the District in cooperation with the Communes, should and could collect taxes.

Table 12: Under the Organic Law do you think the District Council should be allowed to collect taxes

<i>Answers</i>	
Yes	38 = 49.35%
“Yes” but shared with the commune council	22 = 28.57%
No	3 = 3.89%
Do not know about the OL	14 = 18.18%
Other	0

The MEF argues the risks for a non-consolidated national budget and for local level corruption, and while these are well-founded fears, the current situation, where these burdens are *de facto* laid on the local entrepreneurs, but not benefiting the public, is certainly more evil. Any formal right to collect legitimate taxes would require an elaborated system of handling these flows. This may create difficulties, but at some point this process needs to be commenced, and it seems to us that many prerequisites are available and that now is the ideal timing for initiating this shift.

The District authorities are certainly prepared to start to collect taxes, and many recognize that there are minor taxes that are best collected by the commune councils. In fact, many are frustrated given the growing financial flows even on local level, the amount of taxable flows that are not collected, and how inefficiently the taxes that are actually collected are being harnessed. ‘I do not know what they are thinking of’, one district governor told us shaking his head and pointing with his finger towards Phnom Penh, ‘this country could be so rich if we started to collect taxes and rebuild our state from below’; he was obviously convinced that the tax base in his district was sufficient to make a big difference for local development, and frustrated for not being allowed.

11. Division of labour for service delivery

Service delivery in current Cambodia is not satisfactory in any measurement. School enrolment in primary school is high but the dropout rate is high (especially for girls): 1 out of 5 die before 5 years age, and only 12% have access to safe water in one of the most water rich countries in the world. The technical offices at the district level are the key responsible agencies for providing adequate services. In one rural district we visited, in this predominantly agricultural country, animal vaccination carried out by two individuals was the only measurable rural support.

With the Commune administration reform of 2002, the Commune Council is the key local development agency, but one with very limited technical capacity and little relation to upper authorities, which for them are a source of frustration. When asking the technical offices at District level which relation they have to the Commune councils, the most remarkable reply was that more than 60% state that they have “No role” in relation to the Commune councils (Table 13) – this in itself goes quite far in explaining the rift between the participatory, democratic dimension of development that is visible within the decentralization reform on the one hand, and the inability to deliver proper services to the rural population from the side of the district level on the other.

Table 13: *What is your role in relation to the commune?*

<i>Answers</i>	
Supervisor	14 = 19.1%
Boss	0%
Subordinate	5 = 6.8%
Advisor	10 = 13.7%
No role	44 = 60.27%
Other	0%

Having said that, the District Offices may still have some way to go to fully grasp the issues of service delivery. In Table 14, it is stated that security is still the key ‘service’ that the Districts should provide. Intriguingly, the last option, ‘All’ (services) gets a very high priority; 23 give it the highest priority (6) and 38 the lowest (1), with very few answers in-between.

Table 14: *Which services you think should be taken care of by the district authorities?*

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Health	1	4	12	15	22	23	186
Security	38	28	6	1	3	1	402
Education	1	8	18	24	24	2	240
Agricultural support	8	16	16	23	8	6	286
Land Registration	6	16	18	11	18	8	256
All	23	5	6	2	3	38	240

Whereas vertical as well as horizontal relations need to be enhanced, Table 14 displays that the solution is not going back to the 1980s with its thorough ‘Unified Administration’ and supremacy of the District governor: the District Office does not in itself have the competence to provide the bulk of service delivery, but rather coordination and cooperation between Province and District, within Districts, and between District level and Commune Councils is what is desirable.

12. The District and its ability to regulate Natural Resource access

Natural Resource mismanagement has turned into one of the most critical areas for poverty creation during the last five years. The rural areas and the poor people are the most vulnerable when fishing rights are misappropriated, forests cut, and land grabbed by those having the means to do so. Among those working within the sector, there is a growing sentiment of a spreading anarchy. And there is also a growing frustration in many circles that the local state is failing to regulate this. It is not clear who would be able to do this, but the District level does nominally control the security forces on local level and has a mandate to upkeep security and social order. However, the task is overwhelming when former generals, ministries, and foreign companies are involved. We asked what they would need to better perform the task of regulating resource access.

Table 15: *What would you need to guarantee proper resource management?*

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Better support from province	38	26	6	2	4	1	393
Allocation of fund	19	23	20	9	6	0	342
Better control of police forces	10	7	26	21	12	1	287
Better training	0	7	13	23	34	0	224
Better cooperation with technical offices	9	15	12	21	20	0	274
Nothing	1	0	0	0	0	76	77

The dominating answer was that the Districts needed better support from the province (Table 15). With this answer in mind, it is quite bewildering that many simultaneously believe that under the current reform, the connection to the Province level will be weaker. Hence, the coarse interpretation would be that we will see even weaker resource management in the future.

Table 16: *How will these relations change under the OL?*

<i>Answers</i>	
District more independent	36 = 46.76%
District regulating Communes more	26 = 33.76%
District more dependent on central MoI	11 = 14.28%
No change	0
Do not know about the OL	4 = 5.19%
Other	0

In fact, there are some passages in the OL that calls for a more responsible and capable resource management: The District Council shall produce ‘A development framework which describe[s] basic principles for the use and management of land and natural resources in that area’ (Ch 2, art 38). And the OL consider ‘abuse of power’ to include ‘Illegal occupation or confiscation of public or private assets or natural resources for his/her own individual benefit’, and when/if causing, ‘Damage to environment and natural resources’. (Ch 2, Article 48).

These passages in the OL could be an important tool to use in case where local state agencies do not act forcefully to counteract resource exploitation, land grabbing and environmental degradation. At the end of the day, however, it remains an issue of power and political will to get this right; the underlying rationale of the political economy of the resource management remains intact, indicating that there still is a challenge to protect access to natural resources for local interests.

13. The Political economy of the District level and the private sector

At the district level in Kampong Speu, we walked in on a land deal by coincidence. A friend of our interviewee at the District Office had just sold his 54 hectares of (previously) agricultural land for 700,000 USD per hectare, netting some 38 million dollars. In Siem Reap, although a bit more secluded, we touched upon a similar process, concluded at the District Office. In a way, we were impressed that the District Governor took his time to talk to us – much more important things were obviously going on. This kind of eschewed political

economy haunted us from Siem Reap to Kampot, and from Kampong Speu to Kampong Cham: many parts of the rural Cambodia is obviously shut out from this kind of money flows, but it is as obvious that the political economy of rural Cambodia has shifted in nature.

Table 17: *Is the private sector interested in Commune and District authorities' work*

<i>Answers</i>	
Not much	37 = 48%
Yes	20 = 26%
Increasing interest in	20 = 26%
Other	0

Predictably, the private sector is leaving the state sector behind in many ways: it is not in the state sector where the big resource flows are to be found, and the budgets for development projects are dwarfed by investment levels, land prices and tourist flows.

However, as a middleman, the state agencies are still very important, and the resource flows that are indirectly dug into are – in the context – overwhelming. That is, rent-seeking, protection and (in)formal licensing are the primary contact points between the state agencies and the private sector. This is going on in the grey sector and not easy to get concrete and valid information about. It is telling though, as seen in Table 18 below, that the only option surpassing ‘nothing’ in the top priority is ‘protection’: the investment climate is favourable but uncertain, and anyone spending a lot of money in rural areas would need other sources than the weak rule of law for protection.

Table 18: *What do you do with the private entrepreneurs?*

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Licensing	10	9	1	19	18	20	222
Contract	15	24	20	8	10	0	334
Protection	20	11	16	10	9	11	298
Witnessing agreement	7	10	18	18	20	4	262
Nothing	22	22	14	9	10	0	345
Other	3	0	5	15	12	42	149

‘Contracts’, which is one of the key categories above, is to a large degree likely to emanate from development project budgets (but typically not the regular state budget) and largely involve small-scale infrastructure. While not really showing up in the quantitative survey, we know from other sources that ‘witnessing agreements’ have turned very lucrative lately: i.e., it is quite common that the buyer and the seller on even very small scale deals seek a witness to seal it (in the absence of laws, courts and trust), and pay a minor sum for the ‘service’. The twist is that with the soaring land prices in large parts of the country, this witnessing of land deals, with even miniscule ‘shaving off’, has turned extremely profitable.¹²

Except for this rent-seeking and management of development project contracts, we have detected little dynamic state-private sector interaction.

¹² Land can be sold with the correct treatment of titling and transfer. However, most people try to avoid that because then a 4% tax will be levied. While avoiding tax, most still want some kind of security, which is where the ‘witnessing’ proves an attractive bypass solution.

14. Some Analytical Reflections

The current mandate of the District offices is a peculiar result of a particular history. A reform has been long in waiting and is badly needed. A reform would ideally institutionalize democracy and accountability, and establish transparency and participation as a practice. It would also enhance efficiency in terms of service delivery and in terms of inter-administration communication, and it would be designed to deal also with project management.

The unified administration and the increased vertical communication with the communes aim to produce a more efficient District office. This seems reasonable to us, and although its implementation may be sluggish – challenging established positions – we have not detected any particular ‘dangers’ here. The vision of a ‘Unified administration’ does trigger images of the autocratic role of the District chiefs in the 1980s (i.e. *Rothabal Ekhapheap*) in many District Governors’ minds. This may not be the best way forward, but there is a rationality for reintegrating the District Offices’ work with that of the technical offices. The closer ties with the communes may carry a risk of subduing the development work on the local level (led by commune councils), but a better coordination between commune development work and district/province level service delivery is, on the other hand, generally wanted also from the side of the commune councils. In terms of service delivery, it is ‘all about scale’ – small scale project and the current registration etc should remain with Commune offices, whereas more systematic services should be vested with the District (or Province) levels.

The democratic content of the reform is a halfway house, and through a combination of indirect elections, party lists, DC-BoG division and vertical party loyalty, there is a major risk of thinning out any real choice for people to elect their preferred representative. However, as long as the commune election is free and fair, the democratic content of sub-national governance will increase considerably. The now dominant party may through democratic and semi-democratic means further establish its entrenched position, although that may in reality be a codification and realization of a ‘hidden’ power structure that is already present, and as such *de facto* increase transparency.

Making a rational assessment of the role of the District Offices in the implementation of the D’n D Reform requires an understanding of the emerging political economy of the rural areas: clearly, some areas remain ‘backwaters’, but many areas are experiencing rapidly growing resource flows in the ‘white’, ‘grey’ or ‘black’ sector. In terms of resources, what is available for development efforts through the state channels is miniscule as compared to private sector flows. This risks marginalizing Commune and District efforts and authority, making them attractive basically for the rent-seeking potential they harbour. This may be a risk of equal significance as the democratic deficiencies in the OL. A serious approach to building a capacity to collect taxes and to make it a ‘culture’ to invest them in local development may be the only remedy in the long term. Another equally important task of the local authorities is the ability to regulate natural resources. At present, there seems to be paralyses in the state administration to deal with this. Or put differently, resource extraction and associated fees are so conducive to rent-seeking that in places they are providing substantial unofficial income to the state administration, so the very same administration cannot be expected to strangle this income opportunity until an alternative income channel is put in place.

15. Conclusions and Recommendations

The organic Law does not meet the expectations that large segments of the donor community harboured. *Firstly*, it was too slow in coming and the process leading up to its first draft was perceived as not open for input or consultation. *Secondly*, in terms of content, it is not an unequivocal triumph for accountability and democracy (Devas & Hughes 2008; cf. this report). While the OL is opening up for ‘more democracy’, neither the district nor the province will be marked by deep democratic practices, including transparency and public participation, in the near future. *Thirdly*, the Law is at point sweeping, and many issues and processes are unclear and left to be defined in the implementation phase (which also promises to be a drawn-out process). For some, this feels like starting from square once again.

However, the content of the draft law is rather consistent with what has been outlined in eg. the ‘Strategic Framework for Decentralization and De-Concentration Reforms’, and the ‘Reform of Sub-National Governance: Draft Policy Framework Paper and Way Forward’, features such as indirect elections, unified administration, division between DC and BoG, increased vertical independence – just to mention the key qualities that were outlined in these preparatory documents. And the fact that the bulk of the content of the reform is left for the implementation phase may rather be seen as an advantage: a law-making process is so heavily politicized that it is difficult to impact on, but lower levels Prakas and Instructions may be less awkward to have an open discussion around.

It is beyond the scope of this report to recommend policy-makers how to act. However, our bottom lines may be the following:

- The public sector in Cambodia urgently needs reform and the District level, while at the same time harbouring a major potential, is perhaps the part in most need of reform. Whether from a development projects, service delivery, deepened democratization, or resource regulation point of view, the districts have a major potential. The OL and the anticipated reform work may not be the ultimate solution, but they are a step in the right direction. The District Initiative is the best ‘pilot’ we have, and the parallel to the evolution of the commune reform is too close to resist. Before that initiative is realized ‘by default’, it needs to be followed up and discussed in light of the upcoming full reform.
- The law is a result of Cambodia’s history and the existing political culture and can hardly be expected to deliver a revolution from within. What is reasonable to expect is a law that opens up for a process with democratic dimensions, rather than closing a process. While the current draft can be seen to do a bit of both, we tend – after all – to see that there is a progressive potential in the reform, which constitutes a step forward in a historic comparison. The key activity for the governance donor community may be to identify where the dangers are for democratization to derail and work to communicate this – and their views on these risks – to the Cambodian policy-makers. Speeches by Samdech Hun Sen and H.E Sar Kheng have indicated that this reform is here to stay and will be the springboard for future reforms too. They do not expect to see the ultimate outcome of the OL any time soon.
- A paradox is that 15 years into democratization, the habit of actors further entrenching their power positions is commonly seen when authoritarian regimes prepare to slowly democratize; i.e. they need to *first* structurally consolidate their hold on power *before* they dare to allow democratic mechanism to go to work. This tells us a bit about the current state of democracy in Cambodia, and a bit about this reform. Yes, in this

regard, Cambodia behaves as an authoritarian state; Yes, the Organic Law will entrench the dominant party's hold on power for some time; and Yes, the same law is a real step in a slow march towards more democratic governance. For the donors, to ride this horse where it is going is a gamble with their own values and priorities, but it may after all be better than to walk endlessly behind it in its traces, or even worse, stand still and hope that the horse will return before sunset.

Identified 'Hot-spots' – Junctures for a close scrutiny and further assistance

Given the many open ends, and some unclear passages, the key to the eventual success of the D'n D reform is to be found in the implementation phase. An important exercise is then to identify what we should keep an eye on in the implementation phase. Although this study has not focused on this, we still have come across some junctures we believe are critical. These would be:

- * How does the division of power fall between DC and BoG? Where do the current governors go? Which provisions for working in DC? What kind of profiles of the people working there?
- * The CSF must remain protected. This report has rather high hopes that this reform will not lead to a reversal of the progress gained in the commune reform. However, to realize that, the CSF integrity must remain intact. Will it?
- * An evaluation of the District Initiative should be performed as soon as possible. As with the communes, the districts have few merits to show in terms of working with accountability and under democratic practices. They may, however, like the communes, master this fairly well, given the opportunity. The DI is the best experience we have so far to gain further knowledge on whether this is feasible, and if so, how that can/should be pursued.
- * In line with the analysis above about the democratic content of the OL, the quality of the commune elections becomes critical, and so does general development work on the local level. This is interesting because now we have a situation where working on local level, with issues of poverty alleviation, basic education, gender equality and general empowerment may trigger a certain political dynamics, and indirectly cause a more democratic governance.
- * For the realization of the entire reform, it seems as if the National Council will be critical – especially which powers the council will carry. The design of this body needs further attention.

This law opens up for a vast field of uncertainties, and we can be sure that there are major issues emerging that we cannot see now, so preparedness to learn and evaluate should also be mobilised.

Annex I:

Results from Survey for District Governors and Deputies

Total Sample: 77 respondents (district governors and deputies)

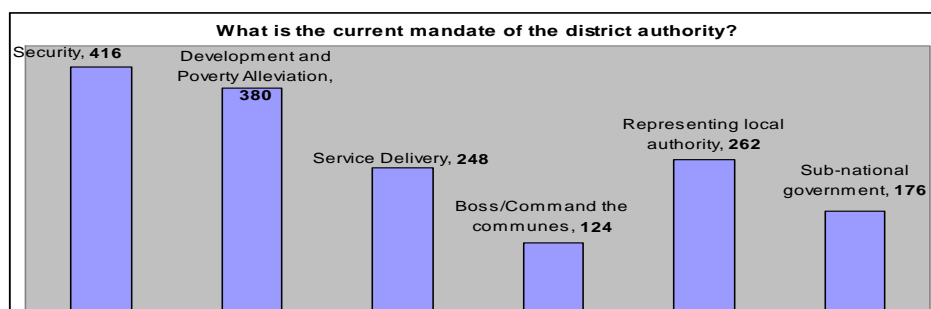
Provinces: Siem Reap, Battambang, Svay Rieng, Kompong Cham, Sihanouk Ville, Kompot

Total districts: 18 districts

Theme A: Descriptive information about the district

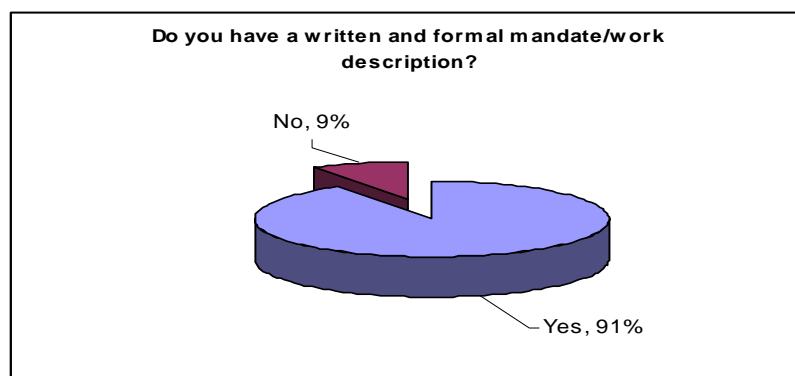
Q1: What is the current mandate of the district authority? (Ranking 6-1)

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Security	46	22	6	1	1	1	416
Development and poverty Alleviation	23	35	12	5	2	0	380
Service Delivery	1	11	29	17	13	6	248
Boss/Command the Commune	1	0	3	11	11	51	124
Representing Local Authority	5	6	23	26	15	2	262
Sub-National government	2	2	5	15	36	17	176



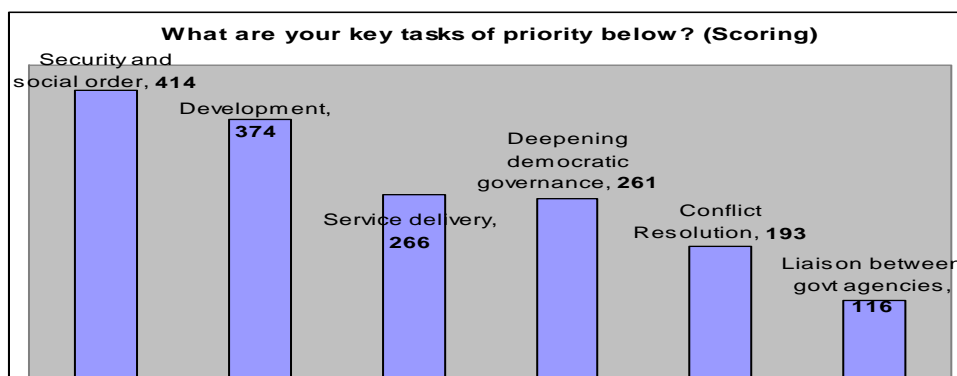
Q 2: Do you have a written and formal mandate/work description?

Yes	70 = 91%
No	7 = 9%



Q 3: What are your key tasks of priority below? (Ranking 6-1)

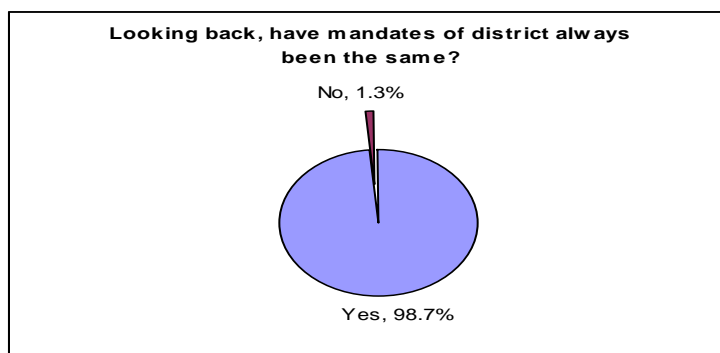
<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Security and Social order	42	26	7	0	2	0	414
Development	21	32	19	2	3	0	374
Service Delivery	1	13	24	23	13	4	266
Deepening Democratic Governance	6	6	15	35	15	0	261
Conflict Resolution	1	2	9	16	44	5	193
Liaison between various government agencies	6	0	2	1	1	67	116



Q 4: Looking back, have the mandates of the District always been the same?

Yes	1 = 1.3%
No	76 = 98.7%

- If No, when did it change: UNTAC and Commune election 2002

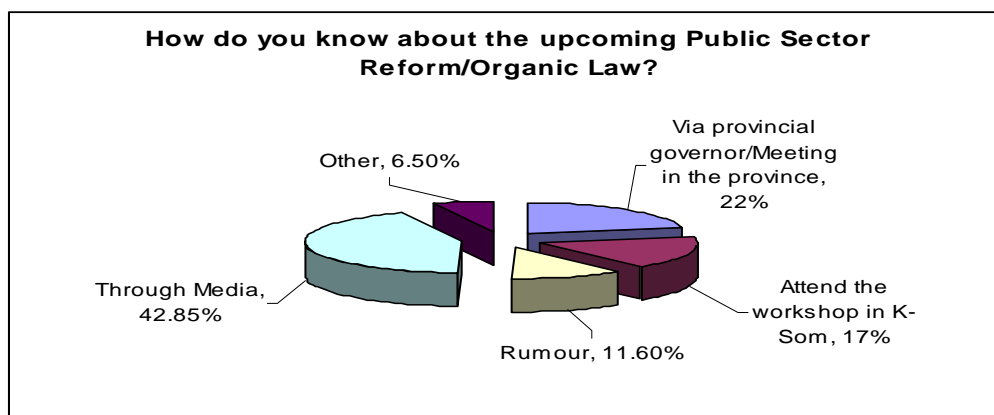


Theme B: Democratic governance

Q 5: How do you know about the upcoming Public Sector Reform/Organic Law? (Tick the most correct one)

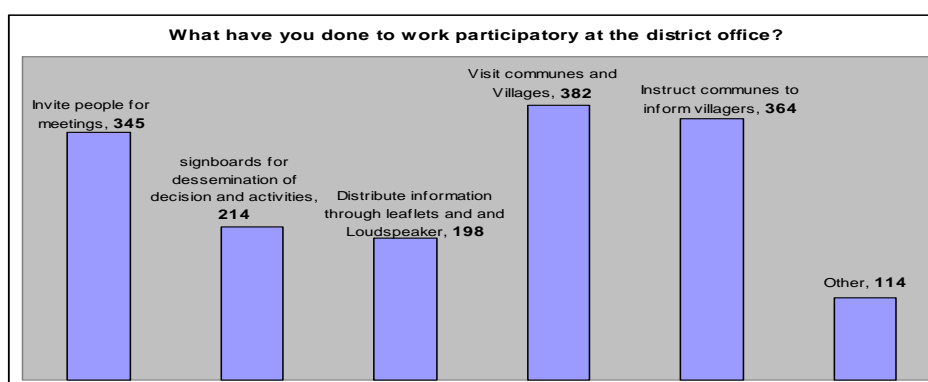
Answers

Via provincial governor/Meeting in the province	17 = 22.07%
Attend the workshop in K-Som	13 = 16.88%
Rumor	9 = 11.68%
Through Media	33 = 42.85%
Other	5 = 6.5%



Q 6: Participation and Transparency: What have you done to work participatory at the district office? (Ranking 6-1)

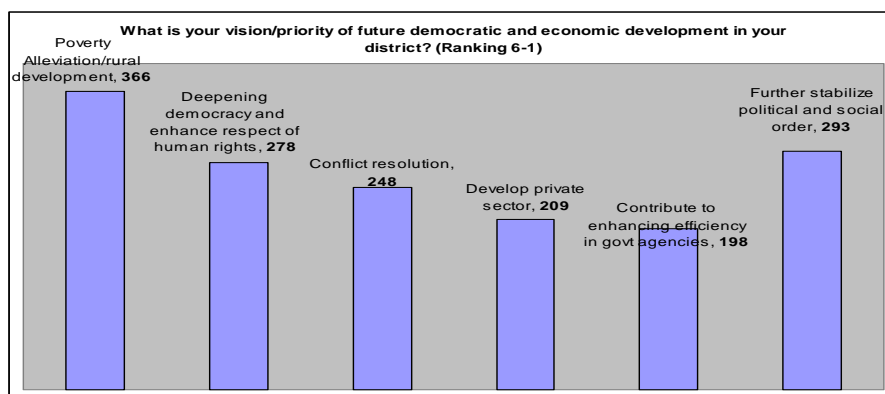
<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Invite population to open meetings	22	14	26	10	4	1	345
Signboards for dissemination of decisions and activities	2	3	12	27	25	8	214
Distribute information through leaflets and loudspeakers	1	3	6	25	36	6	198
Visit to communes and villages	24	36	11	2	4	0	382
Instruct commune offices to inform villagers	28	17	19	9	4	0	364
Other	2	2	2	4	5	62	114



Q 7: Strategic vision: what is your vision/priority of future democratic and economic development in your district? (Ranking 6-1)

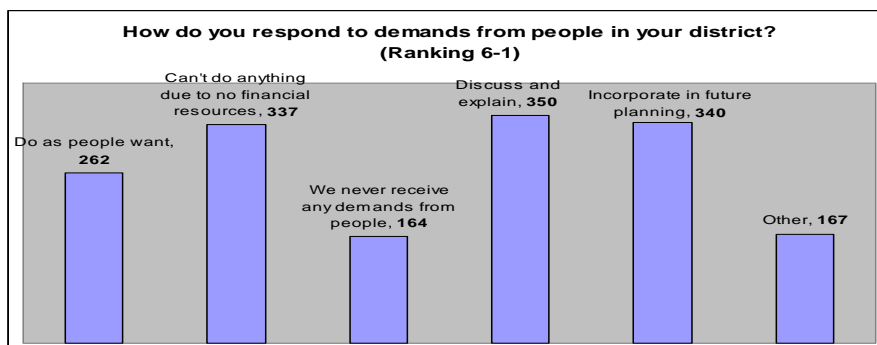
<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
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Poverty alleviation/rural development	44	10	13	6	3	1	366
Deepening democracy and enhance respect for human rights	7	21	19	8	9	13	278
Conflict Resolution	2	11	20	21	15	8	248
Develop private sector	3	11	7	16	20	20	209
Contribute to enhancing efficiency in government agencies	0	12	8	16	21	20	198
Further Stabilize political and social order	22	11	13	9	8	14	293



Q 8: Responsiveness: how do you respond to demands from the population in your district? Which is the most likely in the below? (Ranking 6-1)

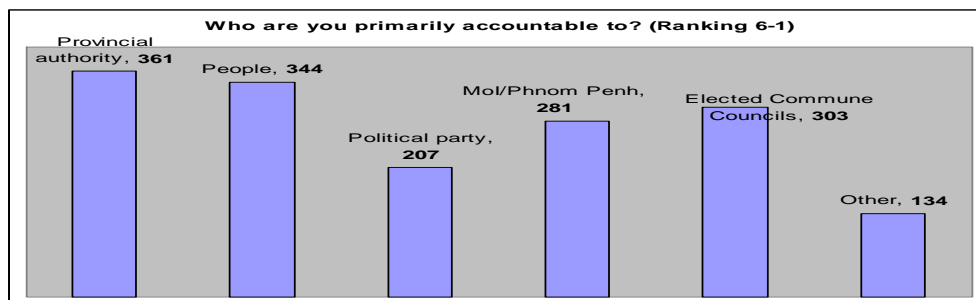
Answers and Ranking	6	5	4	3	2	1	Total
Do as people want	6	17	10	18	21	5	262
Can't do anything due to lack of financial resources	27	8	21	11	8	2	337
We never receive any demands from the people	0	3	7	15	24	28	164
Discuss and explain	17	27	20	8	4	1	350
Incorporate in future planning	20	21	17	12	5	2	340
Other	8	1	2	13	14	39	167



Q 9: Accountability: Who are you primarily accountable to? Order in terms of correctness (Ranking 6-1)

Answers and Ranking	6	5	4	3	2	1	Total
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Provincial authority	18	27	23	8	1	0	361
People	26	16	12	17	3	3	344
Political party	4	6	11	7	39	10	207
MoI/Phnom Penh	8	15	10	24	18	2	281
Elected Commune Councils	13	13	19	23	6	3	303
Other	8	2	0	0	9	58	134

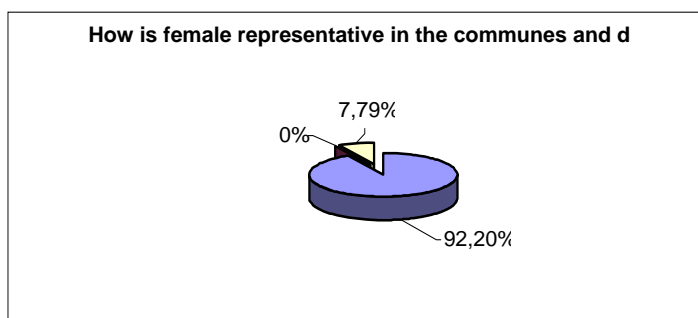


Q 10: Rule of law: How can you exercise the rule of law in your district?

<i>Answers</i>	
Treating all upcoming issues strictly according to legal requirements	58 = 77.32%
Use the court system	3 = 3.89%
Informal reconciliation	6 = 7.79%
Be fair and sensible	10 = 12.98%
Let the police deal with the legal problems	0%
Other	0%

Q 11: How is female representative in the commune and district?

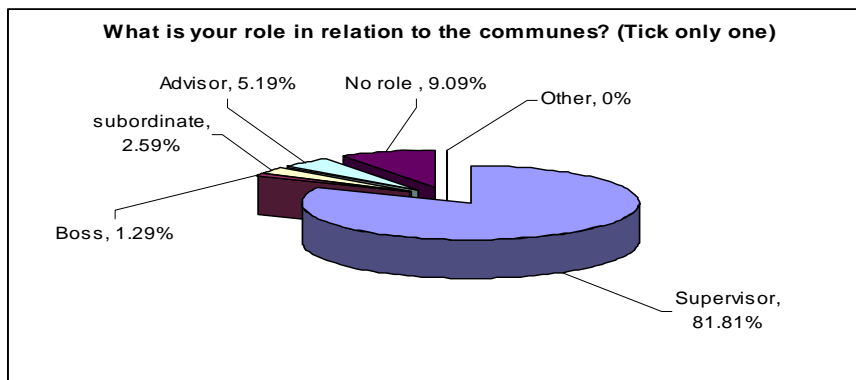
<i>Answer</i>	
Increasing	71 = 92.2%
Decreasing	0%
Not change/the same	6 = 7.79%



Theme C: Inter Level Relationship (Vertical)

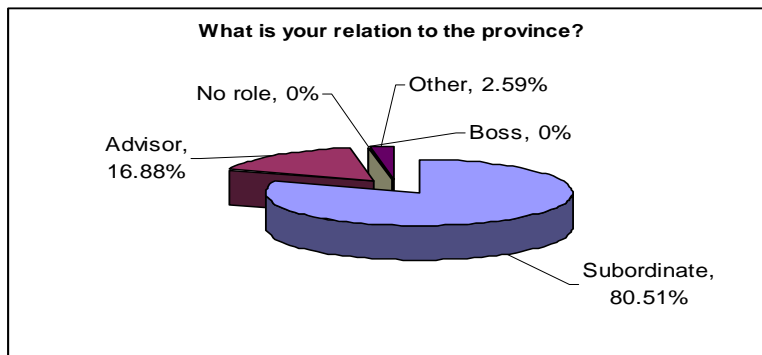
Q 12: what is your role in relation to the commune? (Tick only the most correct one)

<i>Answers</i>	
Supervisor	63 = 81.81%
Boss	1 = 1.29%
Subordinate	2 = 2.59%
Advisor	4 = 5.19%
No role	7 = 9.09%
Other	0%



Q 13: What is your relation to the province? (Tick only the most correct one)

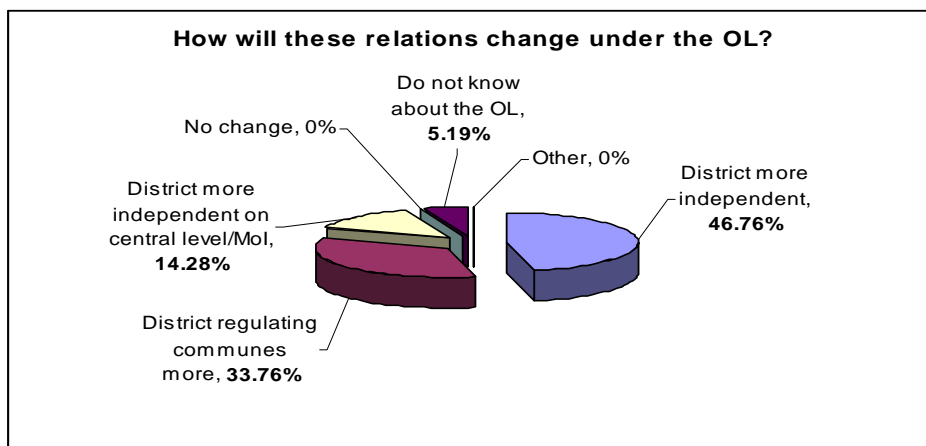
<i>Answers</i>	
Subordinate	62 = 80.51%
Advisor	13 = 16.88%
Boss	0 = 0%
No role	0 = 0%
Other	2 = 2.59%



Q 14: How will these relations change under the OL? (Tick only the most correct one)

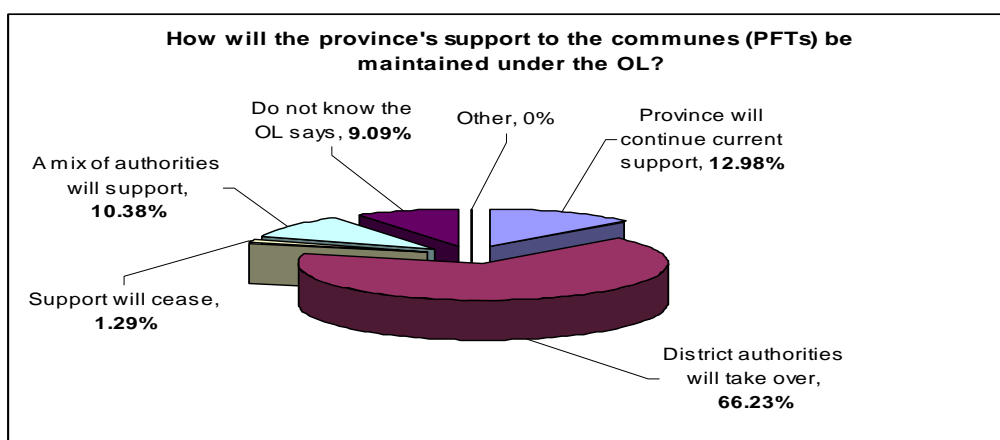
<i>Answers</i>

District more independent	36 = 46.76%
District regulating Communes more	26 = 33.76%
District more dependent on central MoI	11 = 14.28%
No change	0
Do not know about the OL	4 = 5.19%
Other	0



Q 15: How will the province's support to the commune (PFTs) be maintained under the OL?

<i>Answers</i>	
Province will continue current support	10 = 12.98%
District authorities will take over	51 = 66.23%
Support will cease	1 = 1.29%
A mix of authorities will support	8 = 10.38%
Do not know what the OL says	7 = 9.09%
Other	0 = 0%



Themes D: Unified Administration (Horizontal Relation)

Q 16: Which technical offices are actively working in the district level (tick all that is relevant)

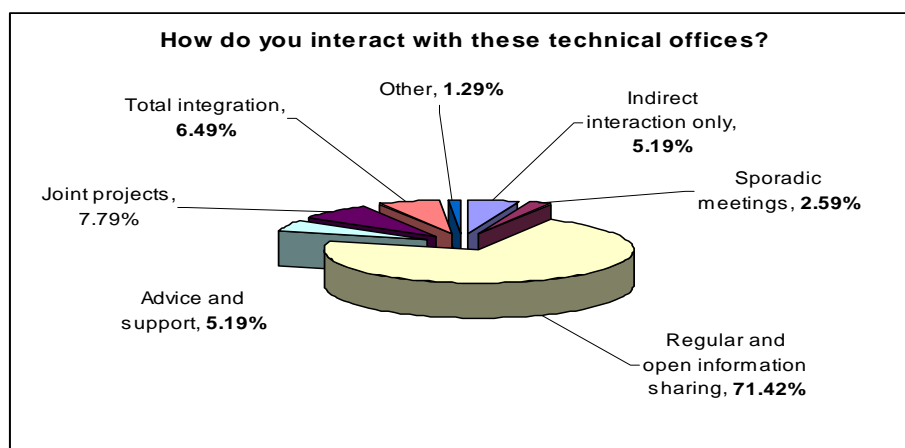
<i>Answers</i>	
Health	59 = 76.62%
Education	71 = 92.2%
Rural development	57 = 74.02%
MAFF	75 = 97.4%
Cadastral	76 = 98.7%
Women Affairs	65 = 84.41%
Public works	53 = 68.83%
Other	58 = 75.32%

Q 17: Which technical offices are you actively working with?

<i>Answers</i>	
Health	20 = 25.97%
Education	36 = 46.75%
Rural development	31 = 40.25%
MAFF	52 = 67.53%
Cadastral	37 = 48.05%
Women Affairs	26 = 33.76%
Public works	31 = 40.25%
Other	

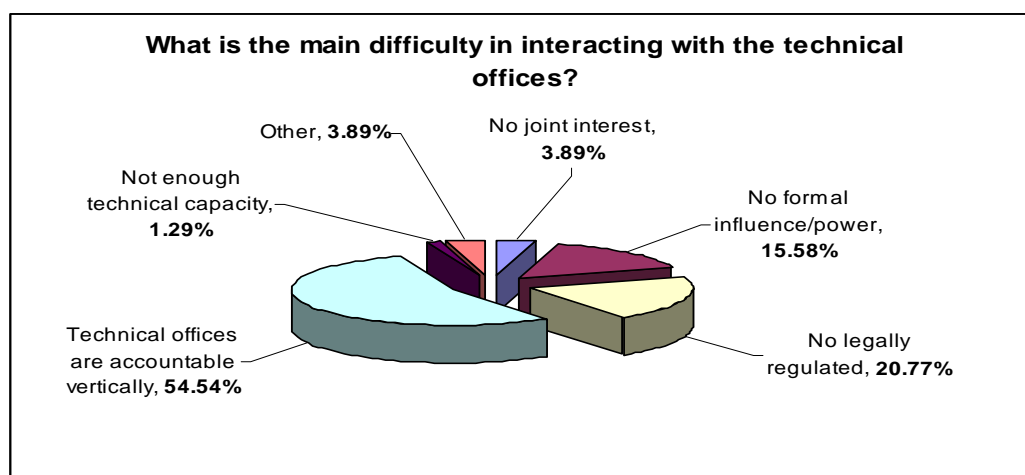
Q 18: How do you interact with these technical offices? (Tick on the most correct one)

<i>Answers</i>	
Indirect interaction only	4 = 5.19%
Sporadic meetings	2 = 2.59%
Regular and open information sharing	55 = 71.42%
Advice and support	4 = 5.19%
Joint projects	6 = 7.79%
Total integration	5 = 6.49%
Other	1 = 1.29%



Q 19: What is the main difficulty of interacting with the technical offices? (Tick only the most correct one)

<i>Answers</i>	
No joint interests	3 = 3.89%
No formal influence/power	12 = 15.58%
Not legally regulated	16 = 20.27%
Technical offices are accountable vertically	42 = 54.54%
Not enough technical capacity	1 = 1.29%
Other	3 = 3.89%



Q 20: How will these relations change under the OL? (Tick the most correct one)

<i>Answers</i>	
Integration of all branches	47 = 61.03%
Deeper cooperation	21 = 27.27%
No change/the same	0 = 0%
Do not know about the OL	9 = 11.68%
Other	0 = 0%

Q 21: What will be the relation between district council and board of governor (Tick only the most correct one)

<i>Answers</i>	
Equal status cooperation	47 = 61.03%
Equal status tension	3 = 3.89%
District council boss over BoG	17 = 22.07%
BoG will be the district council boss	10 = 12.98%
Do not know about the OL	0
Other	0

Theme E: Taxation/Fiscal Decentralization

Q 22: Do the district collect taxes? (Tick only the most correct one)

<i>Answers</i>	
Yes	1 = 1.29%
No	69 = 89.61%
Sporadically	0
On behalf of province	7 = 9.09%
Other	0

Q 23: Under the Organic Law do you think the District Council should be allowed to collect taxes (Tick only the most correct one)

<i>Answers</i>	
Yes	38 = 49.35%
“Yes” but shared with the commune council	22 = 28.57%
No	3 = 3.89%
Do not know about the OL	14 = 18.18%
Other	0

Q 24: How do you think the district council and its activities should be financed? (Tick only the most correct one)

<i>Answers</i>	
Central budget allocation	45 = 58.44%
Self-sufficient through tax collection	30 = 38.96%
Communes “buy” services from district	0
Mix of different sources	2 = 2.59%
Do not know about the OL	0
Other	0

Theme F: Access to Security for regulation of natural resource management

Q 25: Is the district currently capable of securing a proper resource management? (Tick only the most correct one)

<i>Answers</i>	
Yes	26 = 32.76%
Yes, sometimes	49 = 63.63%
Often not	1 = 1.29%

No	1 = 1.29%
Other	0

Q 26: Do the district authorities have sufficient control over the district police/Military police in order to assure proper resources management? (Tick only the most correct one)

<i>Answers</i>	
Yes	53 = 68.83%
No	1 = 1.29%
Sometimes	23 = 29.87%
No need for police	0
Other	0

Q 27: What would you need to guarantee proper resource management? (Ranking 6-1)

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Better support from province	38	26	6	2	4	1	393
Allocation of fund	19	23	20	9	6	0	342
Better control of police forces	10	7	26	21	12	1	287
Better training	0	7	13	23	34	0	224
Better cooperation with technical offices	9	15	12	21	20	0	274
Nothing	1	0	0	0	0	76	77

Theme G: Division of Labor for service delivery

Q 28: Which level of the state administration is best suited to arrange basic services (Health, education, extension services, land registration, civil registration, etc) (Ranking 6-1)

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
The district	25	34	10	5	2	1	380
The commune	8	26	27	12	6	0	334
The province	25	9	24	14	5	0	338
A mix	11	5	11	39	9	2	272
NGOs	3	3	6	6	47	12	181
Other	5	0	0	2	8	62	114

Q 29: Which services you think should be taken care of by the district authorities? (Ranking 6-1).

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Health	1	4	12	15	22	23	186
Security	38	28	6	1	3	1	402
Education	1	8	18	24	24	2	240

Agricultural support	8	16	16	23	8	6	286
Land Registration	6	16	18	11	18	8	256
All	23	5	6	2	3	38	240

Theme H: Political party representation

Q 30: Which political party is in majority in the commune councils in your district? (Tick the most correct one)

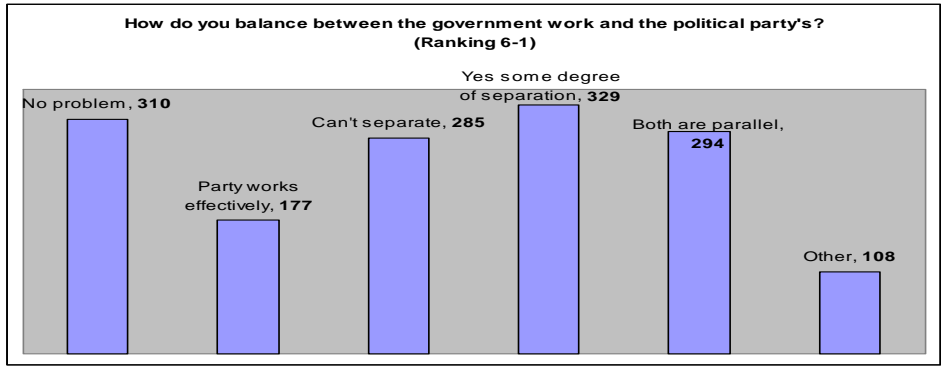
<i>Answers</i>	
All are CPP	70 = 92%
FUNCINPEC	0 = 0
SRP	7 = 8%
There is a mix of party-belonging at commune chief positions	0 = 0
Other	0 = 0

Q 31: Which political party does the governor/you in your district belong to? (Tick the most correct one)

<i>Answers</i>	
All are CPP	74 = 96%
FUNCINPEC	3 = 4%
SRP	0
None	0
Other	0

Q 32: How do you balance your government work and the party?

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
No problem	20	16	9	12	18	2	310
Party works effectively	4	17	17	16	20	3	177
Can't separate	6	15	24	22	6	0	285
Yes some degree of separation	27	14	6	15	13	2	329
Both are parallel	11	15	21	12	15	3	294
Other	5	0	0	0	6	66	108



Theme J: Business sector involvement

Q 33: How much contact do you have with private entrepreneurs in your district?

<i>Answers</i>	
No	5 = 6.55%
Yes	33 = 42.85%
Little interaction	32 = 41.5%
No power/responsibility to deal with them	7 = 9%
Other	0

Q 34: What do you do with the private entrepreneurs? (Ranking 6-1)

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Licensing	10	9	1	19	18	20	222
Contract	15	24	20	8	10	0	334
Protection	20	11	16	10	9	11	298
Witnessing agreement	7	10	18	18	20	4	262
Nothing	22	22	14	9	10	0	345
Other	3	0	5	15	12	42	149

Q 35: Is the private sector interested in Commune and District authorities' work (Tick the most correct one)

<i>Answers</i>	
Not much	37 = 48%
Yes	20 = 26%
Increasing the interest in	20 = 26%
Other	0

Annex II

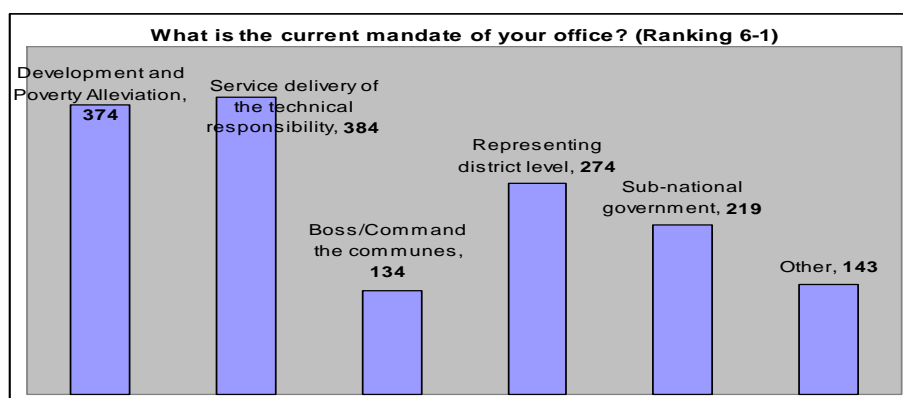
Survey Results of Technical Offices at District Level

Theme A: Descriptive information about the technical offices at the district

Total Sample = 73 respondents

Q 1: What is the current mandate of your office? (Ranking 6-1)

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Development and poverty alleviation	39	18	7	4	5	0	374
Service delivery of the technical responsibility	30	36	4	2	1	0	384
Boss/command the commune	0	0	5	10	26	32	134
Representing district level	0	15	34	16	7	1	274
Sub-national government	1	3	17	34	15	3	219
Other	3	1	6	7	19	37	143

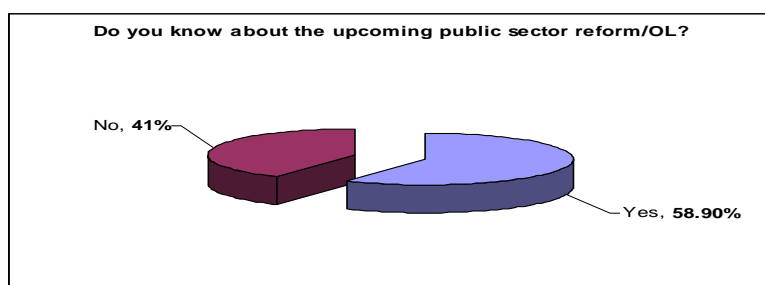


Q 2: Do you have a written and formal mandate/work description?

Yes	73 = 100%
No	

Q 3: Do you know about the upcoming public sector reform/OL?

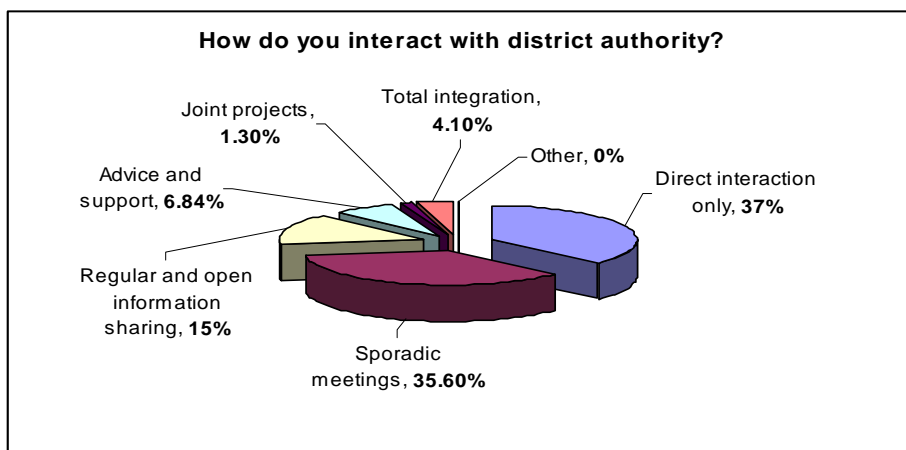
Yes (from whom?)	43 = 58.9%
No	30 = 41%



Theme B: The issue of a unified administration

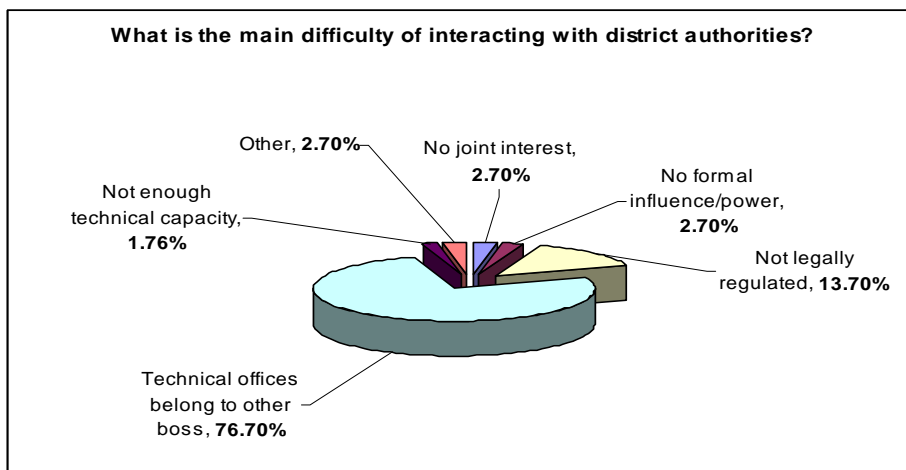
Q 4: How do you interact with district authority? (Tick only the most correct one)

<i>Answers</i>	
Indirect interaction only	27 = 37%
Sporadic meetings	26 = 35.6%
Regular and open information sharing	11 = 15%
Advice and support	5 = 6.84%
Joint projects	1 = 1.3%
Total integration	3 = 4.1%
Other	0



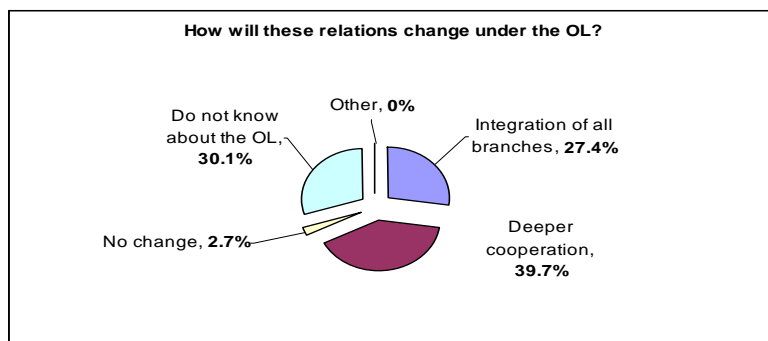
Q 5: What is the main difficulty of interacting with the district authorities (tick only the most correct one)

<i>Answers</i>	
No joint interest	2 = 2.7%
No formal influence/power	2 = 2.7%
Not regally regulated	10 = 13.7%
Technical offices belong to other boss	56 = 76.7%
No enough technical capacity	1 = 1.76%
Other	2 = 2.7%



Q 6: How will these relations change under the organic law? (Tick only the most correct one)

<i>Answers</i>	
Integration of all branches	20 = 27.4%
Deeper cooperation	29 = 39.7%
No change	2 = 2.7%
Do not know about OL	22 = 30.1%
Other	0



Theme C: Vertical relations

Q 7: What is your role in relation to the commune? (Tick only the most correct one)

<i>Answers</i>	
Supervisor	14 = 19.1%
Boss	0%
Subordinate	5 = 6.8%
Advisor	10 = 13.7%
No role	44 = 60.27%
Other	0%

Q 8: What is your relation to the province? (Tick only the most correct one)

<i>Answers</i>	
Subordinate	56 = 76.7%
Advisor	14 = 19.1%
Boss	0
No role	2 = 2.7%
Other	1 = 1.3%

Q 9: How will these relations change under the OL (Tick only the most correct one)

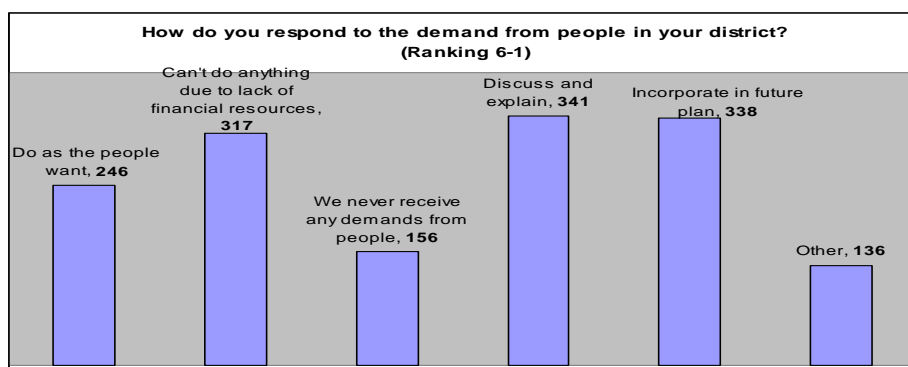
<i>Answers</i>	
District more independent	25 = 34.2%
District regulating commune more	19 = 26%
District more dependent on central MoI	4 = 5.5%

No change	2 = 2.7%
Do not know about the OL	23 = 31.5%
Other	

Theme D: Responsiveness and Accountability

Q 10: Responsiveness: How do you respond to the demands from the population in your district? (Ranking 6-1)

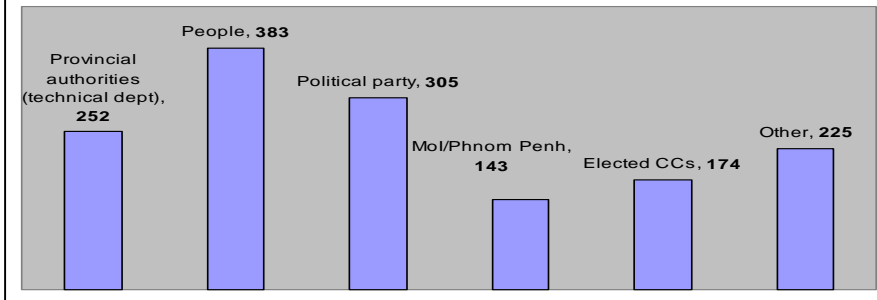
<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Do as the people want	10	12	10	15	15	11	246
Can't do anything due to lack of financial resources	25	7	16	19	5	1	317
We never receive any demands from the people	0	2	5	16	28	22	156
Discuss and explain	18	22	24	9	0	0	341
Incorporate in future planning	21	25	13	9	3	2	338
Other	0	4	5	7	21	36	136



Q 11: Accountability: Who are you primarily accountable to? (Ranking 6-1)

<i>Answers and Ranking</i>	6	5	4	3	2	1	Total
Provincial authorities (technical dept)	9	22	23	11	5	3	252
People	43	16	6	5	3	0	383
Political party	14	22	17	8	7	5	305
MoI/Phnom Penh	1	1	4	16	17	34	143
Elected commune councils	2	4	7	12	30	18	174
Other	4	8	16	20	12	13	225

Who are you primarily accountable to? (Ranking 6-1)



Annex III:

List of documents

1. Review of the Draft Law on Administration and Management of the Capital, Province, Municipality, and Khan. Caroline Hughes and Nick Devas, 2008
2. Strategic Framework for Decentralization and De-Concentration Reforms, RGC, 2005.
3. Reform of Sub-National Governance: Draft Policy Framework Paper and Way Forward, 2nd Draft, MoI/DoLA, 2006.
4. Analysis of Government Structures Created in Relation to Decentralization in Cambodia. Robert Oberndorf, 2003.
5. Cambodia governance Analysis, Caroline Hughes and Kheang Un, 2007.
6. National Workshop on the Formulation of the 2008 NCDD AWPB (Workshop Report), 2007.
7. Public Service Delivery, Council of Administrative Reform (CAR), RCG, 2006.
8. Draft Law on Administration and Management of The Capital, Province, Municipality, District and Khan, November 2007.
9. The Constitution of The Kingdom of Cambodia, 1993.
10. Governance Action Plan, CAR/RGC, 2001.
11. Legal Pluralism and the Role of Interim Institutions: Challenges and Opportunities for Equity in Cambodia, Daniel Adler & Doug Porter, 2007.
12. Fiscal Decentralization: An Exploratory Study on Existing Taxation and Options for Commune/Sangkat Own-Source Revenues, Eng, Netra and Caroline Rusten, CDRI Working Paper, 2004.
13. Where Decentralization Meets Democracy: Can civil society enhance accountability for local government in Cambodia. Kim, Sedara and Joakim, Ojendal, 2007, Working paper 35, CDRI.
14. The Rectangular Strategy for Growth, Employment, Equity and Efficiency in Cambodia, Prime Minister Samdech Hun Sen, RGC 2004.
15. Independent Study of Donor Support for Decentralization and Deconcentration (D & D): Contributing to Democratic Development, Options for Future for Donor Support to Decentralization and Deconcentration, Phnom Penh, 2006.
16. Support for the formulation of a decentralization and deconcentration strategy framework, action plan and donor support program in Cambodia, The Royal Cambodian Government's D & D Working Group, Inception Report, 2004.
17. Pilot Program on Strengthening the District/Khan in Cambodia, Mid Term Review Report, 2006.
18. Guideline on Implementation of District Initiative Program, NCDD, 2007.

Annex IV:

List of People met

I. District and Heads of technical offices

1. Mr. Pum Sambath, head of agriculture office, Chbar Mon district, Kompong Speu province.
2. Mr. Sok Saphon, governor, Chbar Mon district, Kompong Speu.
3. Mr. Ouch Som Oeun, deputy district governor, Chbar Mon, Kompong Speu.
4. Mr. Him Vy, chief of agriculture office, Ba Theay, Kompong Cham.
5. Mr. Yin Kim Horn, Governor, Ba Theay district, Kompong Cham.
6. Mr. Dok Keasat, Chief of Education Office, Ba Theay district, Kompong Cham.
7. Mr. Em Sochiet, Deputy Governor, Prasat Bakong, Siem Reap.
8. Mr. Seu Savuth, Chief of district, Prasat Bakong Siem Reap.
9. Mr. So Sarin, Chief of Agriculture office, Prasat Bakong district, Siem Reap.
10. Mr. Mak Samphea, Chief of Cabinet, Siem Reap.
11. Mr. Om Sarat, deputy governor, Pourk District, Siem Reap.
12. Mr. Muy Vuthy, deputy governor, Pourk District, Siem Reap.
13. Mr. Phou Sam Art, governor, Prasat Bakong District, Siem Reap.
14. Mr. Chum Trouk, Governor, Samrongtong district, Kompong Speu
15. Mr. Mich Ngnien, deputy governor, Samrongtong district, Kompong Speu
16. Mr. Mar Chin, chief of cabinet of the district, Samrongtong district, K-Speu
17. Mr. Svay Sarin, chief of Agriculture Office, Samrongtong district, K-Speu
18. Mr. Koam Noeun, chief of education office, Samrongtong district, K-Speu

II. In Phnom Penh

1. Dr. Tim Conway, World Bank, Phnom Penh.
2. Andrew DANIDA Phnom Penh.

3. H.E Hang Choun Naron, MeF.
4. H.E Chou Kim Leng, MeF
5. Mr. Hang Chhaya, director KID
6. Steven Tucker, PACT
7. Mr. Sang Polrith, District initiative Program, MoI/UNDP
8. Mr. Chouch Ponlok, district initiative Program, MoI/UNDP
9. Mr. Hans Van Zoggel, MoI/DoLA advisor
10. Mr. Scott Lieper,
11. Mr. William Kugler, PSDD/MoI/UNDP
12. H.E Leng Vy, Director of Department of Local Administration, MoI

Annex V:

Some Khmer Terms in and around the Organic Law

Chbarb Sdey Pi Kar Kroub Krong Rotha Bal Reach Theani Khet, Krong, Srok Khan (Organic Law or The law on administration and Management of the Capital, Province, Municipality, District and Khan).

Rothabal Ekhapheap (Unified Administration)

Vi Machaka (Decentralization)

Vi Sahakmachaka (Deconcentration)

Kanak Neiyapheap (Accountability)

Ske Bon Doy/Ske Bgnag Chor (Vertical line)

Ske Tor Teung/Ske Pdaek (Horizontal line)

Kar Ak Phi Wat Baeb Pra Chea Thipatai (Democratic Development)

Krom Preuk Sa Srok (District Council)

Prathean Krom Preuk Sa Srok (District Council Chief)

Ka Tveu Prothiphou Kam Nei Mokgnae (Delegation of Functions)

Ka Pdol Seva (Service Delivery)

Kanak Kamathika Kich Ka Satrey (Women Committee)

Kanak Kamathika Lathakam (Procurement Committee)

Kanak Kamathika Somrob Somroul Pachaekates (Committee for technical facilitation).

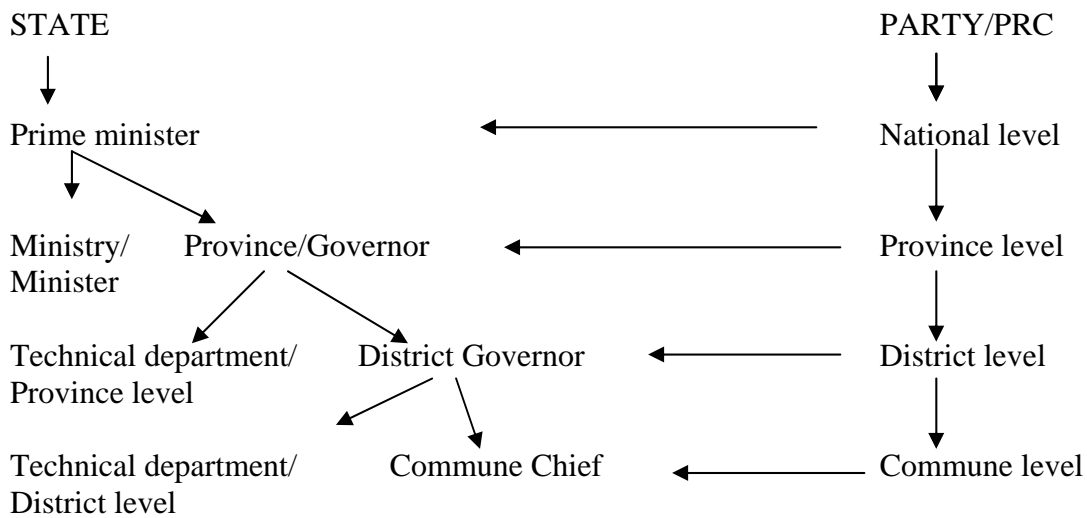
Ak Phil Bal/Ak Phil Bal Srok (District Governor)

Ak Phi Bal Srok Rong (Deputy District Governor)

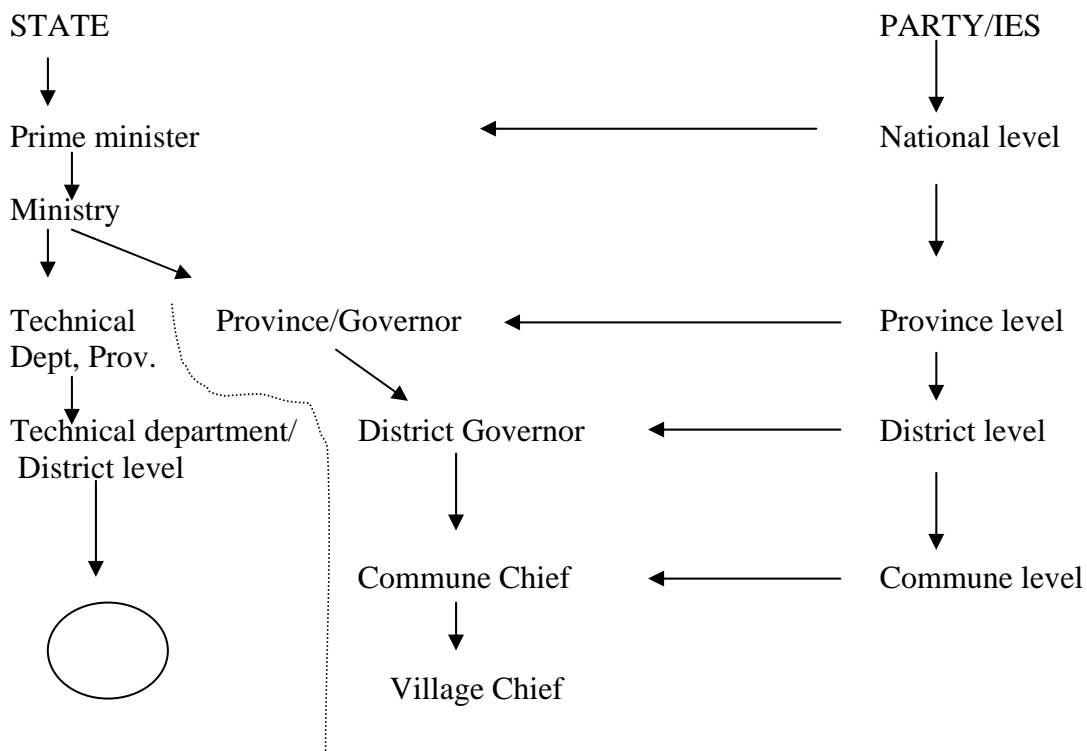
Kanaka k Phi Bal (Board of Governor)

ANNEX VI: Administration Organogram

Relations within state administration before reform of 1993/1994



Relations within state administration after reform of 1994

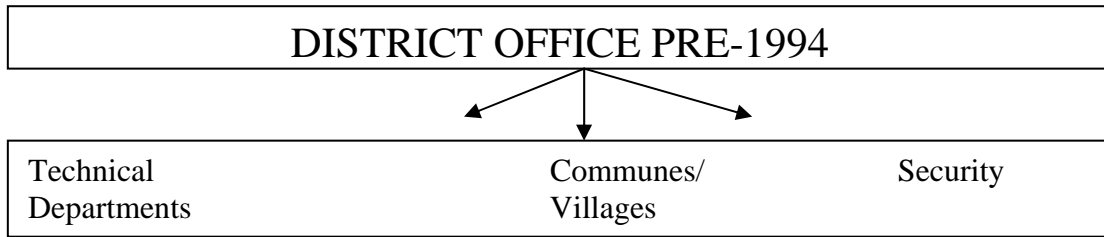


Noteworthy after 1994: i) Status of province/district in the nomenklatura downgraded one level; ii) Role of Province/District Office reduced; iii) Party influence reduced (only indirect to line ministries on Province/District level); iv) Technical department vertical accountability established; v) 'Ground contact' (village level) reduced.

ANNEX VII:

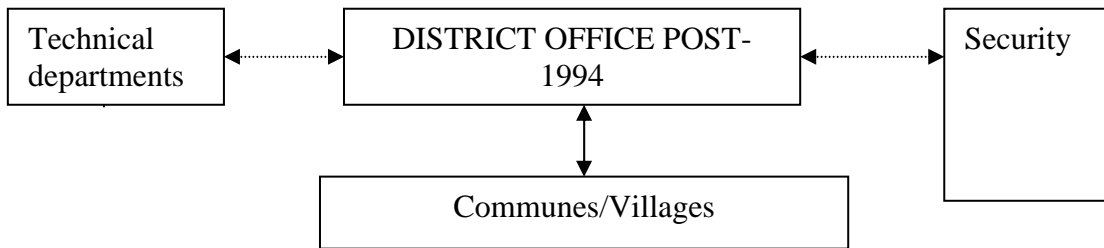
Four historical eras displaying the role of the district office and related agencies

1.



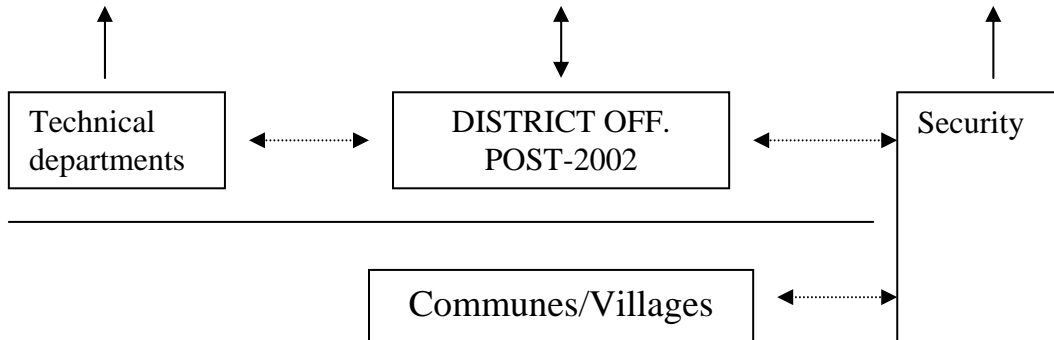
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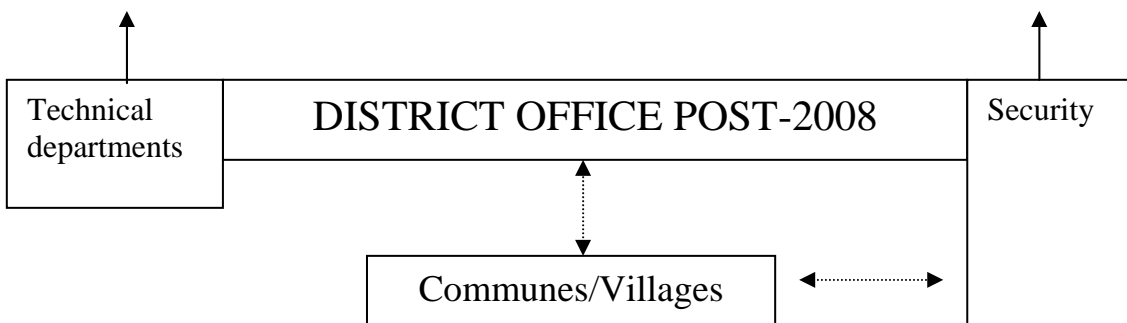
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4.



ANNEX VIII: The Reversed Pyramid

The Reversed Pyramid – the Tragedy of Cambodian Public Administration from a development-point of view

