

Briefing note

The Senate, Region 6

Challenges of Commune/Sangkat in Bar Phnom District, Prey Veng Province

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May 2015



Parliamentary Institute of Cambodia

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1. Introduction

Since 2002 after the first commune/sangkat election took place, Cambodia has made significant progresses with its decentralization and de-concentration (D&D) reform. Not only has the reform achieved its most important goal which is local peace and stability, but also, local councils have proved very helpful for local service delivery, especially in the provision of rural infrastructure¹, some social affairs intervention and other administrative services.² In this briefing note, the roles and challenges of the commune/sangkat councils, who are the representatives of the local people and the providers of local public services, are of interest.³

This paper explores the challenges in service delivery at the commune/Sangkat level focusing on local public service fees, safety, vertical communication, and what should be done to improve these areas. Desk research review and consultation meetings with Senate Region 6 were used for this paper.

2. Administrative service provision and fees at the commune level in Prey Veng province

Public services are concerned with the provision of services for various sectors, but not limited to, health, education, drinking water and sanitation, and other administrative services provided by the government.⁴ In the context of the commune/sangkat in Cambodia, the provision of administrative services consists of two main services: (i) civil registrations such as birth certificate, identification card (ID) , residence book, family book, etc., and (ii) issuance of permission letters to citizens such as letter

¹ EIC, "Report of the Second Citizen Satisfaction Survey in Target Commune of the Laar Project," (Phnom Penh: Economic Institute of Cambodia (EIC), 2010); NCDD, "The First Three Years Implementation Plan (2011-2013) of Np-Snodd (Ip3)," (Phnom Penh2010).

² COMFREL, "Assessment of the Second Term of Decentralization in Cambodia: Commune Council Performance and Citizens' Participation, 2007-2012," (Phnom Penh: The Committee for Free and Fair Elections in Cambodia (COMFREL), 2013).

³ Royal Kram, "The Law on the Administration and Management of Commune/Sangkat," (Phnom Penh2001).

⁴ Mark Robinson, "Introduction: Decentralising Service Delivery? Evidence and Policy Implications " *IDS Bulletin* 38, no. 1 (2007).

certifying single status, widowhood, etc.⁵ Administrative services and fees have been delegated from the central government to sub-national governments including commune/Sangkat administrations by Inter-Ministerial Prakas on the Provision of Administrative Services to Sub-National Administration dated on December 02, 2013.⁶ This enables the commune/sangkat administration to generate its own sources of revenues through the administrative fee (i.e., citizens and users of services pay a fee to the local government). Therefore, the commune/sangkat administration may have more budgets for the development of their locality.

The administrative fees charged by the commune/sangkats in the provinces across Cambodia range from 1000 Riels to 30000 Riels⁷ for three working days (e.g. copy of birth certificate and marriage certificate) to seven working days (e.g. certificate on land background). They generate more revenues but at the same time they do not have sufficient copies of birth certificate, i.e. in Sithor Kandal and Pearang districts of Prey Veng province and receive a number of complained from villagers about the high prices they charged for a copy of a birth certificate, marriage certificate, single status certificate, background of land certificate, and house rental certificate.⁸ Table 1 shows that the fees for these services at the commune level are from 4,000 Riels to 15,000 Riels. Though it is seen that in 2014 the fee is reasonable, some villagers still perceived that these fees are high.⁹ "It might be due to the fact that the services were free and when they are charged, it invites a strong reaction from the villagers."¹⁰

Table 1: Main five service fees at the commune level

No	Description	Fees (in KH Riels)	Fees (in USD)	Processing time (working days)
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⁵ RGC, "Inter-Ministerial Praka on the Provision of Administrative Services to Sub-National Administration," (Phnom Penh2013).

⁶ Ibid.

⁷ Ibid. p. 23-24, it should be noted the administrative service fees for five provinces (including Rattanakiri, Mondulkiri, Steung Treng, Preak Vihear and Odor Meanchey provinces) are lower than that of in other provinces.

⁸ The senate region 6, "Report on the Results of District Forum on Commune Public Services of Sithor Kandal and Pearang Districts," (2014).

⁹ Ibid.

¹⁰ Ibid.

1	copy of birth certificate	10000	2.50	3
2	marriage certificate	15000	3.75	3
3	singleton certificate	5000	1.25	3
4	Background of land certificate	10000	2.50	7
5	house rental certificate.	5000	1.25	7

Source: RGC, "Inter-Ministerial Prakas on the Provision of Administrative Service to Sub-National Administration," Phnom Penh, 2013, p. 23-24.

Because of the strong reaction, the fees of these services have recently been reduced by 50% in Bar Phnom District, Prey Veng province.¹¹ Moreover, villagers who possess ID poor levels 1 and 2 do not need to pay for these services.¹² After this intervention, villagers appear to be pleased with these new service prices.¹³ More awareness raising programs will be carried out to explain and provide more information to villagers on the updated prices of the services.¹⁴

3. Commune/sangkat safety

The commune/sangkat councils' task is to maintain security and public order.¹⁵ To strengthen security and public order, in 2010 the Ministry of Interior (MoI) launched the Village-Commune/Sangkat Safety Policy with guidelines¹⁶ which lay out nine criteria to ensure village-commune safety including: 1) stopping stealing, snatching, robbery, 2) no production and dealing of illegal drugs, 3) no prostitution of women, children trafficking and domestic violence, 4) no gangsterism, 5) no illegal gambling, using illegal weapons and crime, 6) lowering of traffic accidents 7) no danger of unexploded ordnance, 8) taking measures to prevent, manage and respond to all issues with efficiency, and 9) no illegal police check-points.¹⁷

¹¹ Communication between a commune chief of Bar Phnom District and secretariat of the Senate group 6. The discount of these services have been discussed and approved by the commune council, and endorsed by the Bar Phnom District Governor.

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Royal Kram, "The Law on the Administration and Management of Commune/Sangkat.", article 43.

¹⁶ Sar Kheng, "Safety Village Commune/Sangkat Policy Guideline " (Ministry of Interior, August 16,2010).

¹⁷ Ministry of Interior, "Guideline on implementation commune/Sangkat policy", accessed on 25 February, 2016

Table 2: Main criteria of village-commune/sangkat safety in Prey Veng province (overall)

No	Description	2012	2013	2014
1	Ratio of Domestic Violence in 1000 family	6.6	5.9	4.7
2	Ratio of Rape case in 100,000 people	2.7	3.9	5.0
3	Ration of Women trafficking in 100,000 people	0.4	0.7	0.1
4	Ratio of family members of drug use in 1000 family	0.1	0.1	0.2
5	Ratio of murder case, robbery, kidnap in 100,000 people	1.0	10.2	3.4
6	Ratio of stealing case in 100,000 people	25.8	20.6	19.3
7	Ratio of conflict in criminal case in 100,000 people	26.9	16.9	13.9
8	Ratio of conflict in civil case in 100,000 people	202.4	141.1	125.9

Source: Provincial Planning Department. "Information Document on Situation of Prey Veng province in 2015"

Table 2 shows the situation of village-commune/sangkat safety in Prey Veng province between 2012 and 2014.¹⁸ It can be seen from the statistics that ratio of domestic violence, trafficking of women, murder, robbery, kidnapping, stealing, conflict in criminal and civil cases steadily decreased from 2012 to 2014. However, the ratio of rape cases in 100,000 people slightly increased from 2.7 in 2012 to 5.0 in 2014, and the ratio of family members using drugs in 1000 families also slightly rose from 0.1 in 2012 to 0.2 in 2014.¹⁹ This suggests that further actions should be carried out to greater reduce the number of instances in these two areas.

¹⁸ Provincial Planning Department, "Information Document on Situation of Prey Veng Province in 2015," (2015).

¹⁹ Ibid, p.59

In addition to the situation of village-commune/sangkat safety in Prey Veng province in general, Table 3 specifically indicates the situation of village-commune/sangkat safety in Bar Phnom district in 2014. It illustrates that the ratio of trafficking of women in 100,000 people (0 instances) was the lowest ratio, while the ratio of family members using drugs in 1000 families was the second lowest. The ratio of conflict in civil cases in 100,000 people was the highest ratio (208), followed by the ratio of conflict in criminal cases in 100,000 people (22.4), and the ratio of stealing in 100,000 people (16.0).

Table 3: Main criteria of village-commune/sangkat safety in Bar Phnom district in 2014

No	Description	2014
1	Ratio of domestic violence in 1000 family	7.2
2	Ratio of rape case in 100,000 people	8.5
3	Ratio of women trafficking in 100,000 people	0
4	Ratio of family members of drug use in 1000 family	0.2
5	Ratio of murder case, robbery, kidnap in 100,000 people	1.1
6	Ratio of stealing case in 100,000 people	16.0
7	Ratio of conflict in criminal case in 100,000 people	22.4
8	Ratio of conflict in civil case in 100,000 people	208.0

Based on the criteria set out for village-commune/sangkat safety, more effort could take place to enhance this area. For example, while there is a high expectation of the commune/sangkat being able to control criminal activities through policy and citizen involvement, in reality, the ability to curb criminal cases is largely dependent on the relationship and strong cooperation between the commune/sangkat chief and/or councils and the police.²⁰ To meet these safety criteria, there also needs to be adequate manpower and financial resources to implement them effectively.

²⁰ Sovannarith. So et al., "Enhancing Local Development of Sangkat in Phnom Penh," (Parliamentary Institute of Cambodia (PIC) 2016).

4. Vertical communication in administration fees and Commune/sangkat safety

Communications play a very important role for commune/Sangkat leaders to share, consult, and get permission to undertake activities at both the village and district levels. Communications can be established between individuals or groups when mutual interest is found.²¹ Ideally, individual citizens and commune councilors should interact with each other for their mutual interests on the provision of public services, while the commune councilors should interact with district councilors regarding their roles and responsibilities. Commune/sangkats typically have two formal meetings per month, one at the village level and another at the district level to deal with their roles, present reports, and seek advice and approvals and undertake planning for their localities. The common communication channels they are using include: face-to-face communication, telephone communication, letters and reports. Face to face and telephone communications are very import to seek clarity and informal approval for actions while letters and reports are more formal channels. In addition, a few commune heads can use facebook and email.

Effective communication requires a set of skills including engaged listening, body language, ability to understand and communicating clearly. However, often there is misunderstanding caused by a number of barriers as summarized below:²²

- *Filtering*: A participant (i.e., sender) in the communication can sometimes change information to get a positive response by the receiver;
- *Selective Perception*: People selectively interpret what they see on the basis of their interests, background, experience, and attitudes;
- *Information Overload*: A condition in which information inflow exceeds an individual's processing capacity;
- *Emotions*: How a receiver feels at the time a message is received will influence how the message is interpreted; and
- *Language*: Words have different meanings to different people.

One approach that could be used to facilitate communication would be to have commune councilors and citizens form a 'community' where people are connected to each other in a number of ways and levels.²³

Regarding the public service, commune councilors also have a responsibility through their administrative roles to engage the central government in the

²¹ ONGKIKO, I.V.C. and Flor, A.G. 2006. Introduction to development communication. SEAMEO-SEARCA and UP Open University, Los Banos, Philippines

²² By 2007 Prentice Hall Inc.

²³ Vincent Miller, 2011. Understanding digital culture (Sage: Chennai), pp 185.

welfare of their respective constituencies.²⁴ Despite the fact that the government has strategic plans for local governance processes in Cambodia, there are a few challenges regarding communications at the Commune / Sangkat level including:

- Lack of citizens' participation in formal meetings. For instance, if the commune or village calls for a meeting, not all citizens participate and those that do attend often do not speak.²⁵
- Lack of interaction between the state and citizens. Many citizens seem to lack interest and do not want to raise questions on matters concerning them.²⁶
- Lack of open dialogue may occur in commune council meetings because the voices of citizens may be restricted by the authorities.²⁷

Improving upstream and downstream communication can clarify commune/Sangkat tasks and help to improve misunderstanding between the commune councilors, district head, village chief and villagers who are the main actors for contributing to good communication. On the other hand, local authorities can allow for more opinions from citizens through constructive engagements to promote local public services.

5. Conclusion

This briefing note explores the challenges in service delivery at the commune/Sangkat level focusing on local public service fees, safety, vertical communication, and what should be done to improve it.

The key challenges of the commune/sangkats regarding local public service fees are the lack of provision of acceptable services due to the lack of some materials (certificate forms) and because commune/sangkats are sometimes

²⁴ Cristina Mansfield and Kurt MacLeod, "Promoting decentralization through partnerships", accessed on 27 February, 2016, available at: http://www.pactcambodia.org/Publications/Decentralization/Commune_Council_&_Civil_Society.pdf

²⁵ Kim, Chhorn, Blang Boeurth, Koul Panha, "Assessment of the second term of decentralization in Cambodia: Commune Council Performance and Citizens' Participation, 2007 -2012", p.22, accessed on 27 February, 2016, available at: http://comfrel.org/eng/components/com_mypublications/files/390033Final_report_of_the_Second_Term_of_DD_English.pdf

²⁶ Vong, Mun, "Social Accountability in Service Delivery in Cambodia" p.13, accessed on 25 February, 2016, available at: https://www.researchgate.net/publication/229935043_Decentralisation_Democracy_and_Development_in_a_Post-conflict_Society_Commune_Councils_in_Cambodia

²⁷ World Bank and Asia Foundation, "Voice, Choice and Decision: A Study of Local Governance Processes in Cambodia", p.7, accessed on 25 February, 2016, available at: <http://asiafoundation.org/resources/pdfs/voicechoicedecisionlocalgovCB.pdf>

too busy working on many tasks to deliver services in a timely manner. In addition, the fees charged to citizen can be expensive for poor households. Awareness raising programs and clarification are very important to explain and provide more information to villagers on the updated prices of services which would allow villagers to gain more understanding of the service and fees.

There are nine ambiguous criteria for villages to achieve in order for them to attain an acceptable level of village-commune safety. To implement this criterion effectively, there needs to be adequate manpower and resources and strong cooperation between the commune/sangkat chief or councils, police and citizens.

Finally, there are some challenges regarding communication including the lack of citizens' participation in formal meetings, a lack of interaction between state and citizens, and a lack of open dialogue. Communications between commune councilors and citizens and commune councilors and district levels can be improved when the delivery of the public service is performed responsibly and citizens' needs are understood by the councilors. This requires ongoing public education of citizens and promotion of good communication skills.

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