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## Local Service Delivery and Commune Councils

Horng Vuthy and Ann Sovatha analyse the potential for  
Commune Councils to help improve service delivery at the local level. \*

The improvement of rural livelihoods is one of the priority actions of the National Poverty Reduction Strategy (NPRS) of the Royal Government of Cambodia (RGC). Effective service delivery at the local level is seen as crucial to the success of this initiative. The Law on Administration and Management of Commune/Sangkat (LAMC) envisions local councils having a lead role in service provision and local development. This is vital to the development of the accountability system at the local level because only when the Commune Councils (CCs) are given clear service delivery responsibility (and adequate resources) can they be justly held accountable

for their performance. The law, however, remains broad in terms of mandates for specific responsibilities. It is, therefore, important to better understand how local services are currently delivered and how Commune Councils can intervene to improve the flow of these services.

Any effective local public service delivery process involves a number of related activities, including planning and budgeting, financing, production, regulation, monitoring and evaluation. There are both “demanders” and “suppliers” for the delivery of public services. Rather than each individual expressing his or her own “demand” for a public service, there must be an arrangement whereby the demands of a variety of consumers are determined collectively. One role that local governments can play in the process is to aggregate the demands for local public services by local residents. Since local governments are closer to the people than provincial or central government officials, they are likely to be more effective in replying to local needs than more distant organisations.

\* This article is based on CDRI’s final report to the United Nations Capital Development Fund (UNCDF), *Study of Local Service Delivery* (Eng, Horng, Ann, and Ngo 2005, forthcoming).



Commune councillors working on birth certificates.

Four locally-provided services<sup>1</sup> are chosen for discussion: maintenance of rural tertiary roads, solid waste disposal, primary healthcare, and education (i.e. formal education at primary level, non-formal education, and early childhood education). Our research shows that the CCs can play a useful role in the delivery of these services.

The discussion below covers the factors/circumstances of the services that allow CCs to have a useful role and recommendations of service delivery functions that CCs could assume and the problems that need to be solved.

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### Local Service Delivery and Commune Councils

In this section, we discuss the “windows of opportunity” for the CCs to play a useful service provision role. The first two services – maintenance of rural tertiary roads and solid waste disposal – can be considered “hard” services, while the other two – primary health and primary education – can be deemed “soft” services. The hard services are those in which CCs can play a more *direct* and *hands-on* role in the delivery (e.g. construction of rural roads, trash collection). The soft services involve CCs only *indirectly* in service provision (e.g. monitoring of teachers absence, working hours of a health centre).

This distinction combined with factors such as service organisation and ‘technology’ needed for effective service delivery, enables us to evaluate what services are appropriate for CCs to manage. Since CCs have the skills to both organise the service and manage the technology, it is appropriate to ask CCs to deliver the hard services. But for soft services, the technicality of the service organisation and the level of technology are not commensurate with the CCs’ capabilities. It is therefore more proper to expect CCs to be involved in the provision of non-technical services such as simple monitoring and evaluation (M&E) of health centre and school working hours.

### Maintenance of Rural Tertiary Roads

The provision and maintenance of tertiary roads is the responsibility of the Ministry of Rural Development (MRD). The National Policy on Rural Roads (2002) identifies tertiary road services as potential commune level responsibilities. However, it is not yet clear what categories (i.e. surface types and traffic volume) and lengths of rural roads have been identified and inventoried.

Rural roads mean road connections from district to district, district to commune, commune to commune, commune to village, and village to village. Under current arrangements, the Provincial Department of Rural Development (PDRD) is responsible for district-to-district roads, and CCs are responsible for district to commune, commune to commune, and commune to village roads.

### Useful Involvement of Commune Councils

Experience and existing institutional arrangements suggest that assigning *periodic and routine maintenance* responsibilities for sub-tertiary roads to CCs is a promising option. The supportive factors include:

- Legislation already envisions these as commune responsibilities;<sup>2</sup>
- Many CCs already have extensive experience managing periodic road maintenance by employing contractors with the Commune Sangkat Fund (CSF);
- Demand for this as a priority service has already been expressed through choices that have been made regarding CSF training;
- Construction and maintenance of tertiary rural roads of certain basic standards (eg 15 cm thickness of laterite surface) is technically feasible for CCs to understand, manage, and monitor;
- There is already good understanding of the cost of this service – a necessary step in the process of en-

suring that the mandate is funded;

- Commune implementation appears to be at least as efficient as any of the alternatives currently being practised;
- CCs can exercise their rights to enforce regulations over road uses within their jurisdiction.

### Constraints

Before CCs can effectively assume the responsibilities for maintaining tertiary roads, the following issues must be dealt with:

- Would the government be prepared to fund periodic and routine maintenance of commune roads? If added to the CSF, it would roughly double the amount of money transferred to communes each year. The Ministry of Rural Development (MRD) and Ministry of Economy and Finance (MEF) would then have to develop a national formula to allocate rural road funds for all the communes in the country.
- If allocation were to be carried out nationally according to a formula based on the number of kilometres of road per commune, is it possible that this could be adjusted at the district or provincial level in order to ensure that communes where roads deteriorate quicker (due to heavier traffic or flooding) receive higher allocations?
- How can CC performance in monitoring road construction be strengthened so that quality is not compromised?
- How can supervision and support from the provincial level be re-configured in order to make the provisions more efficient?
- What are the best available models for conducting routine maintenance?
- To assign rural road responsibility to the Commune Councils, an inventory of the rural roads is needed.

### Solid Waste Disposal

The Joint Inter-ministerial Prakas between the Ministry of Interior (MoI) and Ministry of Environment (MoE) on Solid Waste Management states that the local authority in cooperation with the Department of Environment shall be in charge of the management of solid waste disposal in its locality. Japan International Cooperation Agency (JICA) assists the Municipality of Phnom Penh (MPP) in the piloting of solid waste management projects, which attempts to involve the less urbanised *Sangkats* in the outskirts of Phnom Penh in the actual management of disposal. The pilot is managed by Phnom Penh Waste Management (PPWM), a semi-autonomous authority under MPP. The pilot is arranged to have *Sangkats* assist PPWM in the collection of trash from narrow pathways where dump trucks cannot gain access. They also collect service fees and get paid a percentage of the collected fees.<sup>3</sup>

### Useful Involvement of Commune Councils

The pilots involving the *Sangkat* Councils in the management of solid waste have illuminated circumstances where the Councils can substantially make an impact on service delivery. These circumstances encompass, but are not limited to, the following:

- Pilots involving CCs in managing solid waste dis-

posal in the four *Sangkats* in the outskirts of Phnom Penh have proven successful. The trash from narrow pathways is picked up and brought to the main pick-up areas by trash collectors employed by the *Sangkats* and paid for by the commission received;

- Constant migration of people in and out of the locality calls for particular intervention from the CCs to determine the customer base. The local CC is an authority that can provide the most accurate number of potential customers of the solid waste disposal service
- Involvement of CCs appears crucial in getting waste off the narrow pathways where dump trucks cannot gain access, as manifested by the pilot experience mentioned above;
- CCs are more effective in resolving disputes over fee collection.

Given the proven success of the pilot, it is strongly recommended that *Sangkat* councils be given the tasks of updating the population registry, collecting trash from small pathways that dump trucks cannot access, collecting service fees, and resolving disputes over the amounts of fees.

In a more rural setting where most solid waste generated is from the small local markets, there are strong reasons favouring CCs to assume the *monitoring* function. The current arrangement in which the province manages markets of medium size<sup>4</sup> has not translated into sanitary conditions for these markets. A Commune Council could be allowed to manage the local market<sup>5</sup> within its jurisdiction and be mandated to keep it sanitary. Commune Councils are believed to have greater incentive than the provincial authorities to monitor the service provided by the CCs-approved contractors and see the area they live in as cleaner and more sanitary.

### *Constraints*

Despite the favorable factors cited above, a range of constraints can be identified and need to be tackled. In urban or peri-urban areas, the arrangement could be viable if (1) the areas are populated and the surrounding areas do not contain open waterways or abandoned/unused lands that people could use as an alternative dumping site, (2) the urban communes or *Sangkats* are willing to cooperate with an approved contractor to facilitate all necessary activities, and (3) main trash collection responsibility is under an approved contractor or a semi-autonomous public agency. In a rural setting, there needs to be a transfer of authority (ownership) to manage the local markets from the provinces to the communes. In addition, the communes need to be given the power to sign the garbage collection agreement with the private contractor so that they can hold the contractor accountable.

### *Primary Health and Education*

As a signatory to the Millennium Development Goals (MDGs), Cambodia has committed to improving its public services, such as education and health, improvement of which has a strong potential to achieving most of the MDGs (goals 1 to 6). Evidence of this commitment can be seen in the government policies, namely National Policy on Primary Health Care, and Education for All Plan which ensure that education and health be

equally accessible by all citizens (RGC 2000, RGC 2003). These policies consider community involvement an essential element as can be seen by the presence of local bodies such as Health Centre Management Committee (HCMC), Commune Education For All Committee (EFAC) and Cluster School Supporting Committee (SSC). Each of these committees has participation and/or representation from the elected Commune Council.

Local level primary health services examined by the study refer to the 14 services of Minimum Package of Activities (MPA) and other services (i.e. outreach activities) provided at the health centre, which covers between 8,000 and 12,000 inhabitants. Education services include formal education at the primary level (grade 1 to 6), non-formal education (literacy classes), and early childhood education (community pre-school).

### *Useful Involvement of Commune Councils*

The main factors that enable local government to have substantial impact on service delivery include, though are not limited to, the policy environment, current pilot initiatives and practice.

First, as mentioned above, both education and health policies envisage that local government has a role in relation to the provision of these services. Second, the current pilot initiative by UNICEF has empowered the Commune Council to play more substantial roles in both education and health. These initiatives include supporting the commune's advisory bodies such as Commune Committee for Women and Children and identifying poor households for the exemption from fees for services at the health centre. Initial observations of this initiative have indicated that the involvement of the CCs in the service provision has contributed to improved service flows. Lastly, a large number of CCs have already provided social services to their constituents. Examples include the construction of schools, latrines, and wells and a number of outreach services (mobile immunisation in health) through the use of CSF.

Still, evidence from the study suggests that there is considerable room for CCs to assume additional meaningful roles in service delivery. One simple and practical recommendation is to have CCs conduct regular, non-technical monitoring and evaluation of the services<sup>6</sup> to complement the more technical ones done by the central inspecting agencies. Collating the results of this work from many communes and presenting them in a provincial forum is a possible measure to give the councils a more influential voice in demanding accountability.

### *Constraints*

Despite the presence of these promising factors, service delivery in education and health has yet to reach a satisfactory level. The constraints include the expectation of service users, capacity of and support for the CCs, the current workload, and the overall governance system.

*Expectations of service users:* Evidence from the case studies shows that people do not view the CCs as the key agent in solving problems related to education and health. People do not go to the CCs to voice their complaints or dissatisfactions over the quality of such services. The coun-

cils are, thus, perceived to play little role in demanding accountability for better services from the service providers. It is likely that if CCs were perceived by users as a forum to demand accountability, two things might occur. First, it might put pressure on CCs to do something about the services. Another is that the directors of the health centres or primary school principals may feel pressure and begin to address the issues because the voices complaining about poor quality are getting more organised or visible even though CCs do not have jurisdiction over primary schools and health centres.

*Capacity and support:* Commune councillors are only required to be able to read and write. Very frequently, the issue of inadequate knowledge and capacity is a problem for the CCs (Rusten et al., 2004). The Commune Councils are not sufficiently knowledgeable to demand accountability from providers of health and education services by consistently and meaningfully taking part in meetings of Health Centre Management Committee (HCMC) and Cluster School Supporting Committee (SSC). In addition, the support the CCs enjoy from the provincial and district facilitator team is oriented towards infrastructure projects, rendering advice and support mostly relevant to the infrastructure services, not social services (ibid.).

*Workload:* Currently the mandated role of the CCs is to do civil and election registration. The other major and more routine roles the councils have assumed concern local development activities, which range from formulating local priorities, implementing some of the priorities (by means of contracting using its CSF), and monitoring and evaluation (with assistance from provincial technical support staff) of the projects. Considering the average number of councillors, their workload and the administrative support from only one commune clerk, one should take a very cautious approach towards giving more tasks to the CCs which could overload the system.

*Overall governance system:* There is no mechanism currently in place for the CCs to express satisfaction or dissatisfaction of these two services to the provincial departments. Nor do the central ministries have mechanisms to incorporate external evaluation into its monitoring and evaluation (M&E) work. This problem has to some extent hindered the accountability of service providers towards consumers.

### Summary and Way Forward

From the discussion above, two observations can be made. First, the *organisation* of 'hard' services of maintaining rural tertiary roads and solid waste disposal and the *technology* involved in providing these services are fairly simple (not highly technical) for the CCs to manage, and therefore enable them to play 'useful' and more *hands-on* delivery roles. In other words, the current capacity of the CCs is commensurate with the skills required to manage the delivery of the two services. The match between the available capacity of CCs and the skills requirement is critical to the success of the service provision and determines whether other services can be successfully assigned and assumed by CCs.

The second observation is related to the provision of

'soft' services of primary health and education. The highly technical nature of these soft services naturally prohibits CCs from having *direct* provision roles. However, given their existing capacity, they still can play soft yet useful roles such as assistance in mobilising children for vaccinations and registering children for schools as well as awareness raising campaigns (e.g. sanitation, reproductive health care and HIV/AIDS).

The two observations illustrate that before beginning to assign a service provision responsibility to CCs and holding them accountable, care must be taken to examine the nature of services (hard vs. soft) and the organisation and technology required for the delivery of such services.

### Endnotes

1. Due to space limitation, only four of the seven studied sectors were chosen for discussion in this article.
2. For a more detailed review of current policies and legislations related to sectoral service delivery, see the final report of '*Study of Local Service Delivery*' (Eng, Horng, Ann, and Ngo 2005, forthcoming).
3. See the full report on local service delivery (forthcoming 2005) for more details regarding the pilot.
4. These are large markets that attract a wide range of customers and suppliers and serve multiple Communes/*Sangkats* (MEF 2005).
5. Local market is small with low turnover and attracts primarily local suppliers (ibid.).
6. By non-technical, we mean the Commune Councils will use a simple form in which information can be entered by simply ticking "Yes" or "No", for example. This simplicity is vital because it allows the Council to do it quickly.

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