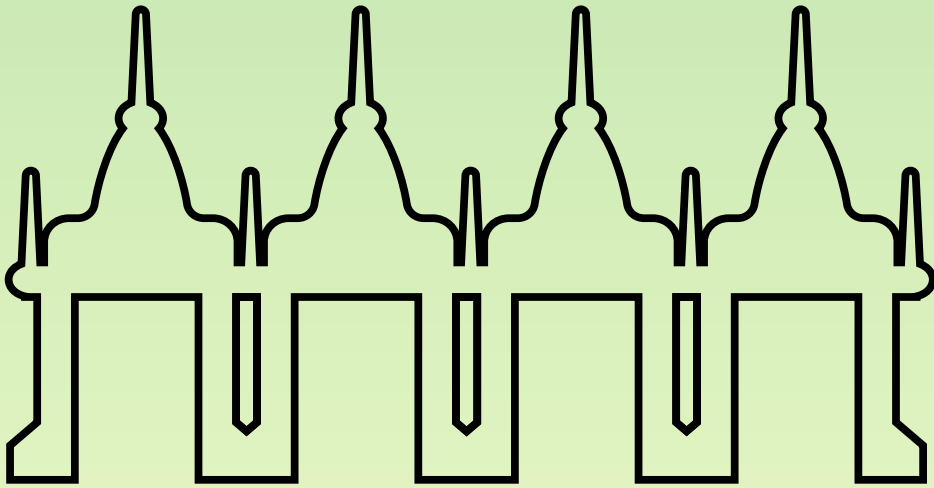


July 2024

# Decentralisation in Cambodia

A look at current and future environmental and natural resources governance



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## Executive Summary

Decentralisation reform has been an ongoing objective of the Cambodian government – to better address local needs, as well as strengthen efficiency of public service delivery and local community development – where the national government has been gradually delegating power to sub-national governmental administrations.

This analysis looks at the current national and sub-national Cambodian government structure, as well as looking ahead to future opportunities and/or changes that may occur, to reflect on gaps and challenges related to governance of the environment and natural resources. Specifically, this analysis narrows its scope to focus primarily on governance of protected areas and community protected areas.

Considering the 2023 Environment and Natural Resources Code's recent entry into force, which mandates a significant delegation of responsibilities to sub-national authorities, there is a vital need to address current and anticipated gaps and challenges to ensure robust and comprehensive environmental and natural resources governance in Cambodia.

This analysis aims to provide knowledge and guidance in order to help improve clarity of delegation of governmental responsibilities to enhance governance of protected areas and community protected areas, as well as to contribute to improved rule of law, particularly in relation to the environmental legal framework.

This analysis provides an overview of decentralisation in Cambodia, including a chronological history of decentralisation reform, as well as explanations of the different sub-national administrations and other relevant governmental authorities that currently exist in Cambodia. Then the analysis shares some insights and recommendations related to governance of protected areas and community protected areas.

### Some key recommendations include:

- Developing legal instruments pursuant to the Environment and Natural Resources Code to clarify and specify delegation of functions to identified sub-national authorities (*e.g.*, provincial, district/municipal, and/or commune/sangkat authorities) to ensure effective implementation and operation of the Environment and Natural Resources Code
- Clarifying potentially conflicting delegation of duties and functions of national (*e.g.*, Provincial Departments of Environment) and sub-national authorities related to protected area and community protected area management—including needed collaboration between governmental authorities—considering relevant current and anticipated future legal instruments (such as the revised Prakas on Guideline on Procedure and Process of Community Protected Area (CPA) Establishment, which is expected to be enacted soon, and a sub-decree on community protected areas, which is in development)
- Ensuring that sub-national authorities are adequately resourced (*e.g.*, staffing, training, budget) to be able to effectively and properly exercise their delegated functions

It is the hope that policymakers, national government officials, sub-national administrations, civil society, and other stakeholders who are interested in, impacted by, or working on decentralisation and/or environmental and natural resources governance in Cambodia will find this analysis useful.

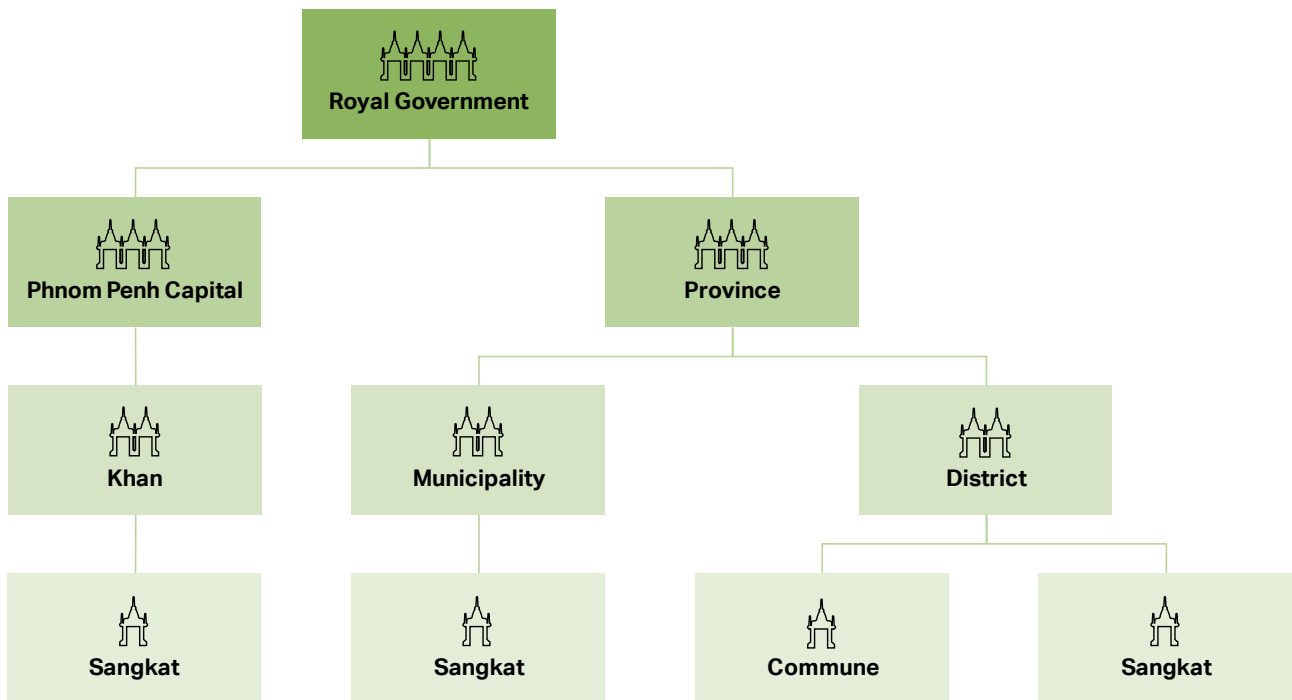


## 1. Introduction

Cambodia has a long history of governmental administration management reform, including deconcentration and decentralisation processes. Many decision-making processes (*e.g.*, power, authority, and responsibilities for public functions) have been transferred from the central government to the intermediate and local government levels, otherwise known as sub-national levels; specifically there are provincial, municipal/district/khan, and commune/sangkat administrations (in respective order from regional to local).

The highest tier of the sub-national governance structure consists of Phnom Penh Capital administration and provincial administrations. Under Phnom Penh Capital, the next tier of sub-national government are khan administrations, and the lowest tier are sangkat administrations. Under provinces, the next tier of sub-national government are municipal administrations and district administrations. The lowest tier of sub-national government under municipalities are sangkat administrations, and under districts are commune administrations and sangkat administrations. See Figure 1 for a visual diagram of Cambodia's sub-national government structure under the central government.

Figure 1: Cambodia’s sub-national government structure



## Types of decentralisation

There are many different types of decentralisation. The three most relevant types of decentralisation in Cambodia are:

- **Democratic/political decentralisation:** Political/democratic decentralisation refers to the transfer of authority from the central government to representatives or elected local governments, which in the case of Cambodia are commune/sangkat councils. This type of decentralisation aims to give citizens and their elected representatives more power in public decision-making. It is assumed that decisions made with greater participation of citizens will be better informed and more relevant to the diverse interests of society, compared to those made only by authorities at the national level.
- **Administrative decentralisation:** Administrative decentralisation is also known as deconcentration, and refers to the transfer of administrative responsibilities related to planning, financing and management of public functions from the central government and its ministries to lower levels of government – in the Cambodian context, that would mean down to the provincial level, municipal/district/khan level, and commune/sangkat level.
- **Fiscal decentralisation:** The term ‘fiscal’ refers to government financial matters such as collecting revenue (through taxes), budgets and expenditures. Fiscal decentralisation therefore refers to the dispersing of centrally concentrated powers to generate revenues or manage funds and expenditures of monies from the central government to the lower levels of government.<sup>1</sup>

<sup>1</sup> This analysis will not delve deeply into fiscal decentralisation.

## Chronological history of deconcentration and decentralisation [D&D] reform in Cambodia

**1993** ● Constitution



Democratic procedures were put in place in Cambodia with the adoption of the Constitution and occurrence of the first ever elections in 1993. The 1993 Constitution established provinces and municipalities as the territorial subdivisions of the Cambodian State. Provinces were further divided into districts and communes, while municipalities were divided into khans and sangkats.

**1998** ● Law on Financial Regime and Property of Municipalities and Provinces



This law defined the financial regime of municipalities and provinces, and the management of property under their control. Municipalities and provinces were authorised to manage budgets and assets (although still under ultimate control of the Ministry of Economy and Finance [MEF] through governors and deputies, as representatives of the central government.) This law also defined tax and non-tax revenue sources.

**2001** ● Law on Commune and Sangkat Administrative Management



A comprehensive democratic and administrative decentralisation reform was formally launched following the passing of the Law on Commune and Sangkat Administrative Management in 2001. The law recognised communes/sangkats as legal entities, with legislative and executive powers which could be exercised through commune/sangkat councils. Commune/sangkat councils are formed of elected council members, and can function as long as they are in accordance with national laws. The Ministry of Interior [MOI] was tasked with supporting and monitoring the administration of the councils.

**2002** ● Law on Election of Commune/Sangkat Councils



This law was passed in the same year as the Law on Commune and Sangkat Administrative Management. This law was put into effect with the first commune council election, which was held in February 2002. The election resulted in 11,261 councillors, who formed 1,621 commune councils. Their first mandate covered 2002-2007 (5-year terms). To date, 5 commune/sangkat council elections have taken place – *i.e.*, in February 2002, April 2007, June 2012, June 2017, and June 2022. This law was subsequently amended in 2006 to clarify the role of the National Election Committee [NEC] in the commune/sangkat council election process, and was again amended in 2008 with the passage of the Law on the Election of Capital/Provincial, Municipal/District/Khan Councils (2008).

**2002** ● Sub-Decree no. 26 on Commune/Sangkat Financial Management System and Sub-Decree no. 16 on the Establishment of the Commune/Sangkat Fund



Despite these sub-decrees' effort to develop and regulate the commune/sangkat financial management system, in practice commune/sangkat funding still almost fully comes from the central government in the form of Commune/Sangkat Fund [CSF] allocations, which are formula-based (calculation factors include population size, poverty status, etc., as well as a baseline amount that is equal for all communes/sangkats).

**2005** ● Strategic Framework for Decentralisation and Deconcentration Reform



In June 2005, the Cambodian Government issued a 'Strategic Framework for Decentralisation and Deconcentration Reform', setting out the Government's vision and objectives for expanding sub-national governance reform to include provinces, municipalities, districts, and khans. This document outlined the official policy for sub-national democratic development through the restructuring of all levels of sub-national administrations. The Strategic Framework envisioned two main changes to the overall administrative structure. First, in addition to

<p>2006 ● National Committee for Sub-National Democratic Development</p> <p>2006 ● Ministry of Interior District Initiative</p>	<p>directly elected commune councils, the government would establish indirectly elected councils at the provincial and municipal/district/khan levels and empower them with functions, resources, and capacity to deliver basic governmental and public administrative services. Second, provinces, municipalities/districts/khans, and communes/sangkats were expected to adopt unified administrations that would coordinate public administration activities within their territories in order to develop and provide public services.</p> <p>In order to move the strategic framework forward, the government established the National Committee for Sub-National Democratic Development [NCCD], an inter-ministerial body, in 2006.</p> <p>In 2006, following the issuance of the 2005 Strategic Framework and the establishment of the NCCD, the MOI launched a 'District Initiative' to define and strengthen the role of districts as facilitators and supporters of commune/sangkat development efforts and to provide impetus to the deconcentration of line ministries. This experimentation ended in 2010, replaced by implementation of the 2008 Organic Law.</p>
<p>2008 ● Law on Administrative Management of Capital, Provinces, Municipalities, Districts and Khans [Organic Law]</p>	<p>The government passed the Law on Administrative Management of Capital, Provinces, Municipalities, Districts and Khans (also known as the 'Organic Law') in April 2008. Broadly based on the 2005 strategic framework, the Organic Law established new levels of sub-national government at the Capital/provincial and municipal/district/khan levels and reaffirmed existing commune/sangkat councils and indirect election (by commune/sangkat council members) of Capital/provincial and district/municipal/khan councils.</p>
<p>2011 ● Law on Financial Regime and Property Management of Sub-National Administrations</p>	<p>The Law on Financial Regime and Property Management of Sub-National Administrations was adopted in June 2011, which helped define responsibilities related to budget formulation at Capital, province, municipality, district, and khan levels, in order to try to better link resource allocation with policymaking.</p>
<p>2019 ● Sub-Decree no. 182 on Functions and Structure of Municipal Administrations</p> <p>2019 ● Sub-Decree no. 183 on Functions and Structure of Khan Administration of Phnom Penh Capital</p> <p>2019 ● Sub-Decree no. 184 on Functions and Structure of District Administrations</p>	<p>These three sub-decrees were adopted in December 2019 to determine functions, structures, roles, responsibilities, working relations, and accountability of municipal/khan/district administrations. The sub-decrees united offices and units based on sectoral departments.</p>



## 2. Functions of sub-national administrations

### 2.1 Function of provincial administrations

Provincial administrations represent central ministries and agencies and oversee all aspects, business, and service delivery of sub-national administrations within their jurisdictions. Provincial administrations are also in charge of social and public order, conflict resolution, and respect for human rights within their jurisdictions. Provincial administrations – along with municipal/district/khan administrations – have indirectly elected councils, a board of governors, and an appointed governor. Councils can make legislative and executive decisions, and are directly accountable to citizens. Governors represent, supervise, and coordinate with central ministries and agencies operating in the area (particularly on issues of security, social and public order, law, and human rights); governors are accountable to the central government, MOI, and central ministries and agencies. Governors are the officially delegated signatories on behalf of councils. Boards of governors provide advice and support to councils; boards of governors themselves cannot make decisions.

All councils (including those of provincial administrations and municipal/district/khan administrations) can employ personnel who come under the direct management and supervision of the board of governors. Council personnel do not include the regional staff of central ministries and agencies (*e.g.*, Provincial Departments of Environment [PDoEs] of the Ministry of Environment [MoE]) or those provided by the central government for security and public/social order, law, and human rights.

Provincial administrations – along with municipal/district administrations – have their own budgets. Budgets for khan and sangkat administrations in Phnom Penh Capital are included in the Capital city's budget, and budgets for sangkat administrations in municipalities are included in municipal administrations' budgets.

Under Sub-Decrees no. 182, 183, and 184, provincial administrations have responsibility to provide support to municipal/district/khan administrations,<sup>2</sup> such as by: providing legality checks of Deika (by-laws) and decision-making of municipal/district/khan administrations; endorsement for certain tasks; and technical support, intervention and capacity development. Provincial administrations are also responsible for monitoring, evaluating and inspecting the performance of delegated functions; directing and coordinating with municipal/district/khan boards of governors to ensure public order and security, human rights, and law enforcement; and consulting and cooperating to ensure the effectiveness of public service delivery and local development.

Unlike for municipal/district/khan administrations, however, functions of provincial administrations are not further elaborated. In contrast, the annexes of Sub-Decrees no. 182, 183, and 184 contain a list of functions and sub-functions/activities for municipal/district/khan administrations. Only Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations from May 2017 briefly states the transfer of 28 delegated functions/positions to sub-national authorities from central ministries and institutions for priority sectors, with the annex of Decision no. 39 detailing delegated functions to provincial administrations and municipal/district administrations.

## 2.2 Function of municipal/district/khan administrations

Municipal/district/khan administrations are public legal entities with authority to perform delegated functions, in accordance with the Constitution, laws, royal decrees, sub-decrees and other legal instruments. Councils at this level of sub-national government are elected, as is also the case at the provincial level. Municipal/district/khan administrations (along with provincial administrations) are expected to promote democratic development, which is defined as public representation, local autonomy, citizen consultation and participation, responsiveness and accountability, promotion of quality of life, equity, integrity and transparency, and anti-corruption policies. Municipal/district/khan administrations serve a critical role in provision of public services and local development in assigned sectors, which include agriculture; education; forestry; natural resource management and environment; health; economic development; water resource management; and tourism. Municipal/district/khan administrations (as well as provincial administrations) can make legislative and executive decisions through their councils, pertaining to their own jurisdiction.

Sub-Decrees no. 182, 183, and 184 require municipal/district/khan administrations to establish certain units and offices, namely: Administration and Finance Office (or Administrative and Personnel Office, for khan administrations of Phnom Penh Capital); Procurement Unit; Human Resource Management Office (not a specified office for khan administrations of Phnom Penh Capital); Planning and Commune/Sangkat Support Office (or Planning and Finance Office, for khan administrations of Phnom Penh Capital); Internal Control Office (not a specified office for khan administrations of Phnom Penh Capital); Council Secretary/Secretariat Office; Land Management, Urban Planning, Construction and Land Office; Legislation and Local Conflict Mediation Office; Public Works, Transportation, Hygiene, Environment, and Public Order Office (or Agriculture, Natural Resources and Environment Office, for district administrations); Economy and Community

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<sup>2</sup> With Phnom Penh Capital, which is considered the same level of sub-national administration as provincial administrations, serving in an equivalent capacity to khan administrations.



Development Office; Social Affairs and Welfare Office (or Social Affairs and Social Well-Being Office, for khan administrations of Phnom Penh Capital); and One Window Service Office.



See Annex for a comparative table of functions and structures of municipal/district/khan administrations

Municipal/district/khan administrations have specific working relationships with central ministries and institutions, provinces/Phnom Penh Capital, and communes/sangkats:

- 1) between municipal/district administrations and central ministries and institutions, central ministries and institutions are responsible for developing strategic plans, policies, technical standards and service standards to guide functional performance of each sector;
- 2) provincial administrations have oversight and support responsibilities, as noted above (see section 2.1), while in general municipal/district administrations have autonomy, except for certain works required by law or regulations where municipal/district administrations are directly accountable to provincial administrations (khan administrations are under the supervision and management of Phnom Penh Capital administration); and
- 3) municipal/district administrations provide oversight and support to commune/sangkat administrations, similar to how provincial administrations do so for municipal/district/khan administrations, and khan administrations can provide support and supervise sangkat administrations through delegation from the Phnom Penh Capital administration.

### 2.3 Function of commune/sangkat administrations

Communes/sangkats are the most local level of sub-national government in Cambodia, the highest/most regional being provinces/Phnom Penh Capital. Each commune/sangkat typically encompasses as few as 3 or as many as 30 villages, depending on the population. Commune/sangkat administrations are tasked with addressing basic community needs, serving common interests, and supporting national policies within their jurisdictions.

**Formation of commune/sangkat councils:** Citizens of each commune/sangkat elect their commune/sangkat councillors, who have a mandate for five years. The mandate expires when a new council is elected and takes office. Only citizens who are registered and have his/her name enrolled in the list of voters may vote in commune/sangkat elections. Commune/sangkat council elections are conducted using a system of proportional representation, meaning that: All commune/sangkat council members are selected from political parties' candidate lists, and the number of commune/sangkat council seats are allocated based on the number of votes each political party receives (with appointments starting from the top of the party's candidate list). The highest ranked candidate of the political party list gaining the most votes becomes presiding councillor and commune/sangkat chief. The chief has 2 assistants – a first deputy chief (highest ranked candidate from political party with 2<sup>nd</sup> highest number of votes) and a second deputy chief (highest ranked candidate from political party with the 3<sup>rd</sup> highest number of votes). Where results are based on only one political party's candidate list, all 3 appointees come from their order on that list. Where results are based on two political parties' candidate lists, the first deputy is the second person on the winning candidate list while the second deputy is the first person on the 2<sup>nd</sup> place candidate list.

**Structure of commune/sangkat councils:** Each commune/sangkat council has between 5 and 11 members, known as councillors, depending on the demographic and geographic size of the commune/sangkat. Each commune/sangkat council has a commune/sangkat chief, two deputy chiefs, a clerk (appointed and employed by the MOI), and councillors.

**Function of commune/sangkat councils:** Commune/sangkat councils are responsible for addressing local needs (local affairs), but also represent the national government where assigned or delegated functions. Local affairs that commune/sangkat administrations are responsible for include: security and public order, essential public services, well-being of citizens, socioeconomic development and better living standards, environmental preservation, generating tolerance and reconciling conflicts, and generally responding to local community needs.<sup>3</sup>

Specific duties include:

- Appointing a village chief for each village in their commune/sangkat;
- Preparing the 5-year Commune/Sangkat Development Plan and reviewing and updating the annual Commune/Sangkat Investment Plan;
- Maintaining security and public order, which may include taking measures to reduce crime and violence, introducing rules affecting public markets and cooperating with police;
- Providing public services, such as water sanitation, road construction and repair, health services, education and waste management;
- Fostering the comfort and welfare of citizens, such as by establishing a local park or playground;
- Promoting social and economic development and upgrading the living standards of citizens, such as by seeking investors for development projects in the commune/sangkat;
- Protecting and conserving the environment, natural resources and national culture and heritage, which may include implementing programs to protect local wildlife, flora, and local natural resources;
- Reconciling the views of citizens to achieve mutual understanding and tolerance, such as by assisting in resolving disputes within the commune/sangkat; and
- Performing general affairs to meet the needs of citizens.

Commune/sangkat councils have no power/authority with respect to forestry, posts and telecommunications, defense, national security, monetary policies, foreign affairs, fiscal and taxation policies, and other matters set out in laws including those defined as provincial powers.<sup>4</sup>

## 2.4 Function of Provincial Departments of Environment [PDoEs]

Although not considered sub-national authorities, PDoEs work to represent the MoE at the provincial level and play an important role related to governance and management of the environment and natural resources. Technically, PDoEs are considered national authorities and are under direct MoE supervision. PDoEs are units of the MoE that are responsible for

<sup>3</sup> Law on Commune and Sangkat Administrative Management (2001)

<sup>4</sup> Law on Commune and Sangkat Administrative Management (2001)

implementation and facilitation activities relevant to the environmental sector within their respective jurisdictions. Unlike provincial administrations – whose role is typically to support the implementation of policies, strategies, laws, regulations, and programs/projects related to the environment and natural resources (*e.g.*, by integrating national policies into provincial plans) – PDoEs play a more active, hands-on role related to management of the environment and natural resources. Municipal/district/khan administrations and commune/sangkat administrations typically cooperate more actively with the PDoEs relevant to their jurisdictions to implement policies, legal instruments, strategic plans, guidelines, and programs/projects (*e.g.*, for operational support, guidance); whereas with provincial administrations, municipal/district/khan and commune/sangkat administrations may execute duties like reporting.

Roles and responsibilities of the PDoE in each province are defined in a prakas. The MoE issued a Prakas on the Organization and Functioning of the Provincial Departments of Environment, which is applicable to all PDoEs in the country and can be used as a prakas “template” that is tailored to the unique context of a particular province. The aforementioned prakas states that PDoEs have roles and responsibilities to lead the implementation of policies, strategic plans, and legal instruments related to the environment; management of natural resources crime and its prevention, biodiversity conservation, and local community development; support of local economic infrastructure, promotion of environmental education and participation in forest patrols, and creation of green jobs and additional income for communities; and strengthening and expanding cooperation with local authorities, development partners, civil society organisations, the private sector, local people, and other stakeholders.



See Annex for an example of roles and responsibilities defined in the prakas of the PDoE in Sihanoukville province, as well as potential roles assigned to PDoEs according to the May 2024 draft of the revised 2017 Prakas on Guideline on Procedure and Process of Community Protected Area (CPA) Establishment [CPA Guideline]



### 3. Findings

#### **Roles and duties of sub-national authorities under the Environment and Natural Resources Code**

Cambodia's newly enacted Environment and Natural Resources Code [ENR Code] was adopted on 30 May 2023 by the Cambodian National Assembly, approved by the Senate on 13 June 2023, signed and endorsed by the King on 29 June 2023 (with the ENR Code set to come into effect one year from this date), and officially released to the public on 5 July 2023. The ENR Code mandates a significant delegation of responsibilities to sub-national authorities, but does not specify which sub-national authorities are being referenced. Thus, there will need to be follow-up legal instruments issued providing further details in order to fully implement the ENR Code.

The ENR Code is organised into 12 "books," encompassing 865 total articles. Book 4 covers management of protected areas [PAs] and management of coastal, island and marine natural resources, with PA management primarily covered in articles 348-387.<sup>5</sup> The ENR Code serves as a revision of the 2008 Protected Area Law (with the enactment of the ENR Code, plans related to legal reform of the Protected Area Law were absorbed into the ENR Code), and repeals and replaces the 2008 Protected Area Law.<sup>6</sup> The ENR Code states that the MoE<sup>7</sup> and sub-national

<sup>5</sup> There are additional articles in other parts of the ENR Code that relate to PAs.

<sup>6</sup> Environment and Natural Resources Code (2023), Article 864

<sup>7</sup> Specifically referred to as the "ministry responsible for environment and natural resources" in the ENR Code, and meant to be understood contextually as the Ministry of Environment (seemingly most of the time). Interestingly, this term is used throughout the ENR Code, with the meaning of which ministry/ministries it is referring to meant to be understood based on the context of the article.

authorities are responsible for managing protected areas.<sup>8</sup> Some roles and duties are listed in Article 351 (roles and duties of the MoE) and Article 352 (roles and responsibilities of sub-national authorities); prohibited actions of sub-national authorities are noted in Article 353; and other responsibilities of sub-national authorities are covered in Articles 357, 358, 360, 367, 371, 374, 376, 377, 378, 379.



See Annex for further description of national and sub-national responsibilities, related to PA and community protected area [CPA] management, as well as a table comparing roles and responsibilities between various levels of government based on select legal instruments

However, as noted above, how assigned roles and responsibilities of sub-national authorities will specifically be implemented – a primary starting point being which roles and responsibilities will be assigned to which tier(s) of sub-national administration(s) – is not determined in the ENR Code. Articles 350 and 352 refer to future governmental determinations/sub-decrees that will further address allocation of functions, roles, and responsibilities to each sub-national administration.

### **Roles and responsibilities specifically related to management of community protected areas**

Under the ENR Code, sub-national authorities are responsible for supporting the establishment and management of CPAs, which includes authority to recognise CPA management plans (which must be integrated into sub-national administration planning); sign CPA management agreements of applicant CPA communities; review and assess CPA management operations; and revoke CPA management agreements in cases where CPA communities do not comply with their CPA management agreement and CPA management plan terms.<sup>9</sup> The ENR Code does not, however, identify which sub-national authorities are responsible for these duties.

One source of guidance could be Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations, which states functions related to the environment and forestry that are transferred to provincial and municipal/district administrations.

### **Coordinating or overlapping responsibilities between municipal/district administrations<sup>10</sup> and PDoEs related to establishment, management, and revocation of community protected areas**

Currently, PDoEs are specialised units that represent the MoE at the sub-national level, supporting implementation on the ground and facilitating activities related to the environmental sector. The roles and responsibilities of the PDoE in each province are defined by prakas. Roles and responsibilities of PDoEs may include implementation of policies, strategic plans, laws and regulations; leading, facilitating, and supporting offices and units; administration management; guidance and input on revision of laws and regulations, development of agreements (*e.g.*, CPA management agreements, agreements with private actors/concessionaries), and resolution of disputes; recording and reporting revenue and expenses; promoting environmental knowledge and education and encouraging participation in sustainable management of the environment and natural resources; supporting rangers responsible for patrol and law enforcement; etc.

<sup>8</sup> Environment and Natural Resources Code (2023), Article 350

<sup>9</sup> Environment and Natural Resources Code (2023), Articles 371, 374. Sub-national authorities are still required to obtain approval from the MoE in order to recognise CPA establishment and revoke CPA management agreements.

<sup>10</sup> Only municipal/district administrations have CPA-related responsibilities, as no CPAs/PAs are established in khan administrations.

When it comes to CPA management, municipal/district administrations are responsible for studying feasibility of CPA establishment, endorsing and recognising establishment of CPAs in Sustainable Use Zones and Community Zones of PAs upon official approval by the MoE, and facilitating development of CPA management structures and by-laws; supporting, following up, monitoring, evaluating, and amending/renewing CPAs; managing development of CPAs and community-based eco-tourism; studying, assessing, and identifying potential areas to establish community-based eco-tourism; promoting and increasing participation in conservation of traditions and customs; updating, managing data, and monitoring the implementation of eco-tourism investment project activities; cooperating to mobilise support and encourage local communities to organise community eco-tourism development projects; and cooperating to explore and determine boundary demarcation, as well as facilitating designation and setting up of boundary poles, of eco-tourism investment projects.

Crucially, with the anticipated revision of the 2017 CPA Guideline (which is expected to be promulgated in July 2024), it appears there will be some overlap of roles and responsibilities between PDoEs and municipal/district authorities related to management of the environment and natural resources in protected areas – and more specifically, related to the establishment, management, and revocation of CPAs.

According to the May 2024 draft of the revised CPA Guideline, PDoEs would be responsible for studying feasibility of establishing CPAs and submitting requests for CPA establishment to the Minister of the MoE; facilitating the establishment and approval of CPA management plans and CPA management agreements; cooperating with local authorities to resolve disputes within CPAs; disseminating guidance, legal frameworks, and other information related to CPAs; building cases to file complaints to courts related to offenses within CPAs, based on requests from CPA committees; participating in monitoring and evaluation of implementation of CPA management plans; evaluating implementation of CPA management agreements and requesting cancellation of CPA management agreements in cases where serious misconduct is determined; and developing quarterly reports on progress of CPAs to the MoE.

If such responsibilities were assigned to PDoEs, this could also cause confusion as the ENR Code delegates overlapping responsibilities to sub-national authorities – and as mentioned earlier, PDoEs are not considered sub-national authorities, as PDoEs are part of the MoE.

This poses a critical question: how should overlapping roles and responsibilities between PDoEs and municipal/district authorities be clarified?

## **Power dynamics between provincial and municipal/district administrations**

As noted above, provincial administrations represent central ministries and agencies and oversee all aspects, business, and service delivery of sub-national administrations within their jurisdictions. As provincial authorities are the highest level of sub-national government, decisions or actions of provincial authorities can be difficult for municipal/district authorities to challenge. Even with certain delegation of functions and authority transferred to municipal/district administrations, in reality exercise of their powers is still limited and require support, guidance, and decision-making from provincial authorities. Municipal/district administrations have not yet achieved the capability to operate as separate and independent entities. Improving staff capacity and resource allocation at the municipal/district level could perhaps aid implementation of transferred functions.

## **Roles and responsibilities of commune/sangkat administrations related to management of protected areas and community protected areas**

Commune/sangkat authorities play an active role in management of the environment and natural resources in PAs, as well as CPAs. Their functions include protecting and preserving the environment and natural resources,<sup>11</sup> as well as active involvement in CPA establishment and management. Commune/sangkat authorities support and facilitate CPA establishment; observe CPA committee elections and issue warrants of recognition of elected CPA committees; issue orders to restructure CPA committees if warranted; support development of CPA by-laws; sign CPA by-laws; integrate CPA management plans into Commune/Sangkat Development Plans and Commune/Sangkat Investment Plans; sign CPA management plans; and monitor and evaluate implementation of CPA management plans.<sup>12</sup> In practice, at times commune/sangkat authorities may participate in the process of CPA boundary demarcation, help develop CPA management plans, and conduct joint patrols for law enforcement purposes. In rare cases, commune/sangkat authorities allocate a portion of commune/sangkat funding to support CPA communities' proposals for local development. Due to the critical localised services provided by commune/sangkat authorities, it is important that the role of commune/sangkat authorities are recognised in the legal framework.

Assigned or delegated responsibilities to commune/sangkat authorities should be matched with capacity building, resources, and available finance.<sup>13</sup> In February 2016, the MoE delegated CPA management-related functions and allocated budget to 72 commune/sangkat administrations through the issuance of Prakas no. 37 on Delegation of Functions Related to Management of Community Protected Areas to Commune/Sangkat Administrations.

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<sup>11</sup> Law on Commune and Sangkat Administrative Management (2001)

<sup>12</sup> Prakas on Guideline on Procedure and Process of Community Protected Area (CPA) Establishment (2017), Articles 10, 16, 17, 22, 23, 26, 29, 30

<sup>13</sup> Law on Commune and Sangkat Administrative Management (2001)



## 4. Recommendations

### **Roles and responsibilities of sub-national authorities should be clarified and aligned with the ENR Code**

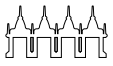
Relevant legal instruments (*e.g.*, Sub-Decree no. 182 on Functions and Structure of Municipal Administrations; Sub-Decree no. 183 on Functions and Structure of Khan Administration of Phnom Penh Capital; Sub-Decree no. 184 on Functions and Structure of District Administrations; Prakas no. 37 on Delegation of Functions Related to Management of Community Protected Areas to Commune/Sangkat Administrations; Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations) will require follow-up regulations, technical guidelines, and administrative rules before they can be fully operationalised. They are still notable as a decisive step towards transferring real functions and associated resources to sub-national administrations.

Now with the ENR Code having come into effect in late June 2024, there is a pressing need to align relevant legal instruments with the ENR Code, clarify responsibilities amongst the various levels of governmental authorities, and develop follow-up legal instruments and guidance to fully operationalise the ENR Code and improve governance of the environment and natural resources in Cambodia.



Some suggestions for how to implement certain responsibilities mandated by the ENR Code include:

**Developing national policies, national strategy plans, management plans, legal instruments, and technical guidelines for managing protected areas**



**National authorities**

The MoE is responsible for developing drafts of national policies, national strategy plans, management plans, legal instruments, and technical guidelines for managing PAs.<sup>14</sup> National strategic plans for PA management should be developed in compliance with national policies on PAs and in consultation with relevant ministries/institutions, sub-national administrations, and relevant stakeholders.<sup>15</sup> The MoE and sub-national administrations are to develop actions plans for PA management in compliance with national strategic plans on PAs and in consultation with local communities and stakeholders.<sup>16</sup> National policies, strategy plans, management plans, legal instruments, and technical guidelines are enforced at the sub-national level. The MoE is responsible for providing support by developing capacity and providing technical support to sub-national administrations and local communities in managing PAs,<sup>17</sup> as well as for oversight by inspecting, monitoring, and evaluating management of PAs.<sup>18</sup>



**Provincial authorities**

Provincial authorities represent the MoE within their jurisdictions, and are responsible for maintaining awareness of laws, legal frameworks, and technical guidelines related to protection and conservation of PAs.<sup>19</sup> Provincial authorities also have certain responsibilities towards district/municipal authorities, including: legality checks of Deika (by-laws) and decisions of district/municipal administrations; endorsement for certain tasks of district/municipal administrations; technical support, intervention, and capacity development of district/municipal administrations; and monitoring, evaluation, and inspection of district/municipal administrations' performance of functions.<sup>20</sup>



**District/municipal authorities**

District/municipal authorities are responsible for organising and implementing action plans related to PA management.<sup>21</sup> Without excluding the possibility of delegating to and/or involving other sub-national authorities, district/municipal authorities could be responsible for developing and implementing PA management action plans in their jurisdictions.<sup>22</sup>



**Commune/sangkat authorities**

Commune/sangkat authorities are responsible for supporting national policies within their jurisdictions. Commune/sangkat authorities can address local needs, such as those related to environmental preservation, but can also represent the national government where assigned or delegated functions.<sup>23</sup>

<sup>14</sup> Environment and Natural Resources Code (2023), Article 351(2)(a)

<sup>15</sup> Environment and Natural Resources Code (2023), Article 355

<sup>16</sup> Environment and Natural Resources Code (2023), Article 357

<sup>17</sup> Environment and Natural Resources Code (2023), Article 351(2)(i)

<sup>18</sup> Environment and Natural Resources Code (2023), Article 351(2)(j)

<sup>19</sup> See Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations (2017)

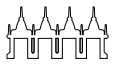
<sup>20</sup> Sub-Decree no. 182 on Functions and Structure of Municipal Administrations (2019), Article 41; Sub-Decree no. 184 on Functions and Structure of District Administrations (2019), Article 41

<sup>21</sup> Sub-Decree no. 182 on Functions and Structure of Municipal Administrations (2019); Sub-Decree no. 184 on Functions and Structure of District Administrations (2019)

<sup>22</sup> See Environment and Natural Resources Code (2023), Article 352(2)(b)

<sup>23</sup> Law on Commune and Sangkat Administrative Management (2001)

## Establishing protected areas



### National authorities

The MoE is responsible for researching, assessing, and demarcating PAs for registration; developing forest cover mapping, watershed mapping, and official maps for each PA; proposing modification of PAs; and assessing and classifying types of forest, fishery, and biodiversity resources in PAs.<sup>24</sup> Zoning of PAs involves relevant ministries/institutions and sub-national administrations, and developing official PA maps involves the Ministry of Land Management, Urban Planning and Construction, relevant ministries/institutions, sub-national administrations, and consultation with local communities.<sup>25</sup>



### Provincial authorities

Provincial authorities are responsible for managing, developing, and conserving PAs that cover multiple provinces and coordinating between provinces to jointly manage inter-provincial PAs.<sup>26</sup> In some instances, some provinces form technical working groups to manage and protect PAs. Provincial authorities will coordinate with relevant provincial departments, PDoEs, district/municipal authorities, and commune authorities to implement action plans, such as those related to identification of zones within PAs; development of PA management plans; boundary demarcation of PAs; and collection and recording of data for regulation of land and natural resources use.



### District/municipal authorities

District/municipal authorities work closely with PDoEs to implement national and provincial action plans related to PA management and protection. District/municipal authorities are responsible for collecting and providing socioeconomic and environmental data related to PAs for land use mapping; participating in boundary demarcation, setting up boundary poles, maintaining boundary poles, determining control areas, and implementing PA management plans in their jurisdictions; and participating in research and identifying/proposing establishment of new PAs.<sup>27</sup> Without excluding the possibility of delegating to and/or involving other sub-national authorities, district/municipal authorities could be the sub-national authorities responsible for proposing PA establishment and modification to the MoE, which shall include consultation with relevant ministries/institutions and relevant stakeholders.<sup>28</sup>



### Commune/sangkat authorities

Commune/sangkat authorities support district/municipal authorities, provincial authorities, and PDoEs when it comes to zoning and management plans of PAs by providing data and information on historical and current land and natural resources use; Indigenous peoples' traditional/customary use of natural resources; socioeconomics; land conflicts; and concessions and development projects related to PAs within their jurisdictions.

<sup>24</sup> Environment and Natural Resources Code (2023), Article 351(2)(b)-(e)

<sup>25</sup> Environment and Natural Resources Code (2023), Article 367

<sup>26</sup> Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations (2017)

<sup>27</sup> Sub-Decree no. 182 on Functions and Structure of Municipal Administrations (2019); Sub-Decree no. 184 on Functions and Structure of District Administrations (2019)

<sup>28</sup> See Environment and Natural Resources Code (2023), Articles 358, 360

## Managing community protected areas



### Provincial authorities

Provincial authorities are responsible for facilitating the process of establishing CPAs, as well as making decisions on CPA management agreements and CPA management plans (upon getting approval from the MoE).<sup>29</sup>



### District/municipal authorities

District/municipal authorities are responsible for studying feasibility of CPA establishment, endorsing and recognising establishment of CPAs in Sustainable Use Zones and Community Zones officially approved by the MoE, and facilitating the development of CPA management structures and by-laws; managing development of CPAs and community-based eco-tourism; supporting, following up, monitoring, evaluating, and amending/renewing CPAs; studying, assessing, and identifying potential areas to establish community-based eco-tourism; updating, managing data, and monitoring the implementation of eco-tourism investment project activities; and cooperating to mobilise support and encourage local communities to organise community eco-tourism development projects.<sup>30</sup>

As certain CPA-related responsibilities are mandated by the ENR Code to be delegated to sub-national authorities, the following responsibilities could be assigned to district/municipal authorities<sup>31</sup>: initiating, coordinating, supporting, providing permission principles, and recognising CPA establishment in Sustainable Use Zones and Community Zones of PAs upon receiving approval from the MoE (including determining specific appropriate locations and sizes in consultation and coordination with local communities and relevant stakeholders); managing and developing CPAs and eco-tourism; entering into agreements with CPA communities (*i.e.*, via CPA management agreements) for up to 25 years; suspending operation of CPAs to review and reassess, if CPA communities are not complying with CPA management agreements and CPA management plans; revoking CPA management agreements, after receiving approval from the MoE, in cases of community noncompliance with CPA management agreements and CPA management plans; and recognising CPA management plans under the ENR Code.<sup>32</sup> In implementing such delegated functions, district/municipal authorities should work closely with PDoEs (as PDoEs currently implement many of these functions) and commune/sangkat authorities (who can provide support). District/municipal authorities should also be provided with sufficient capacity building and training.



### Commune/sangkat authorities

Commune/sangkat authorities are responsible for collecting, formulating, and managing data on CPAs within their jurisdictions; leading facilitation of benefit sharing related to CPA management; ensuring CPA communities do not go beyond approved CPA boundaries, when it comes to CPA management; leading facilitation of integrating CPA management plans into 5-year commune development plans and commune investment plans; and monitoring and

<sup>29</sup> Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations (2017)

<sup>30</sup> Sub-Decree no. 182 on Functions and Structure of Municipal Administrations (2019); Sub-Decree no. 184 on Functions and Structure of District Administrations (2019)

<sup>31</sup> This analysis and its recommendations have mainly been limited to desk research and review of relevant legal instruments; fieldwork that was initially planned for was ultimately unable to be conducted, and thus this analysis lacks additional insight from such fieldwork.

<sup>32</sup> See Environment and Natural Resources Code (2023), Articles 352(2)(h), 352(2)(i), 371(2)-(7), 374

evaluating implementation of CPA management plans.<sup>33</sup> Commune/sangkat authorities are responsible for developing monthly, quarterly, semi-annual, and annual update reports on the implementation of delegated functions to the MoE and PDoE through the district governor.<sup>34</sup>

It could be beneficial for all levels of sub-national administrations to integrate CPA management plans into sub-national administration planning, which the ENR Code broadly mandates sub-national authorities to do.<sup>35</sup>

## **Roles and responsibilities of district/municipal administrations should be supported with necessary resources**

District/municipal administrations are responsible for managing, executing, and performing obligatory functions within their respective jurisdictions, provided that they have the necessary resources to perform their obligatory functions.<sup>36</sup> Obligatory functions are defined by law, royal decree, sub-decree, or other legal instrument based on requests of the NCDD, ministries, and agencies with clear definitions of obligatory requirements and timeframes for implementation.<sup>37</sup> Where an obligatory function is fully transferred with resources, it is permanently assigned to the relevant tier of sub-national administration.<sup>38</sup> District/municipal administrations have discretion to choose and implement any permissive functions.<sup>39</sup> Permissive functions may be transferred, which may be implemented based on capacity and resources transferred.<sup>40</sup> Before the transfer of functions, the NCDD must have decided on resources required and capacity development needs of recipient sub-national administrations<sup>41</sup>; sub-national administrations are meant to have needed resources to perform assigned and delegated functions. Such resources may include personnel, financial resources (to cover administrative costs, legal requirements, performance of duties), assets, etc.<sup>42</sup> It is insufficient to solely delegate functions – provision of needed resources is additionally required. This is especially important if responsibilities per the ENR Code are delegated to district/municipal authorities.

So far, the MoE has transferred functions along with a budget of 249 million riels to support 72 commune/sangkat administrations, located in 41 municipalities/districts in 16 provinces.<sup>43</sup> It is not clear if district/municipal administrations have similarly been allocated a budget/resources along with delegated functions.

<sup>33</sup> Prakas no. 37 on Delegation of Functions Related to Management of Community Protected Areas to Commune/Sangkat Administrations (2016)

<sup>34</sup> Prakas no. 37 on Delegation of Functions Related to Management of Community Protected Areas to Commune/Sangkat Administrations (2016)

<sup>35</sup> See Environment and Natural Resources Code (2023), Article 374

<sup>36</sup> Sub-Decree no. 182 on Functions and Structure of Municipal Administrations (2019), Article 5; Sub-Decree no. 184 on Functions and Structure of District Administrations (2019), Article 5

<sup>37</sup> Law on Administrative Management of Capital, Provinces, Municipalities, Districts and Khans (2008)

<sup>38</sup> Law on Administrative Management of Capital, Provinces, Municipalities, Districts and Khans (2008)

<sup>39</sup> Sub-Decree no. 182 on Functions and Structure of Municipal Administrations (2019), Article 6; Sub-Decree no. 184 on Functions and Structure of District Administrations (2019), Article 6

<sup>40</sup> Law on Administrative Management of Capital, Provinces, Municipalities, Districts and Khans (2008)

<sup>41</sup> Law on Administrative Management of Capital, Provinces, Municipalities, Districts and Khans (2008)

<sup>42</sup> Law on Administrative Management of Capital, Provinces, Municipalities, Districts and Khans (2008); Sub-Decree no. 182 on Functions and Structure of Municipal Administrations (2019), Articles 70-77; Sub-Decree no. 184 on Functions and Structure of District Administrations (2019), Articles 70-77; Law on Financial Regime and Property Management of Sub-National Administrations (2011), Articles 2, 17, 48

<sup>43</sup> Prakas no. 37 on Delegation of Functions Related to Management of Community Protected Areas to Commune/Sangkat Administrations (2016)

## **Roles and responsibilities between district/municipal administrations and PDoEs related to management of protected areas and community protected areas**

When it comes to management of PAs and CPAs, the roles and duties of PDoEs and district/municipal administrations should be clarified in terms of coordination, leading roles, and executive decision-making in the forthcoming revised CPA Guideline and anticipated CPA sub-decree.

Roles and duties prescribed in the ENR Code and Sub-Decrees no. 182 and 184 should be aligned and assigned to the Agriculture, Natural Resources and Environment Office and Economy and Community Development Office of district administrations and the Public Works, Transportation, Hygiene, Environment, and Public Order Office and Economy and Community Development Office of municipal administrations.

Responsibilities of the Agriculture, Natural Resources and Environment Office and Economy and Community Development Office of district administrations and the Public Works, Transportation, Hygiene, Environment, and Public Order Office and Economy and Community Development Office of municipal administrations should be further detailed. It is recommended that these 2 offices of district/municipal administrations work closely with relevant PDoEs, commune/sangkat authorities, and other institutions of the MoE (such as the Department of Community Livelihood). District/municipal administrations' action plans should be aligned with action plans of relevant PDoEs.

For delegated functions related to PA management, the Agriculture, Natural Resources and Environment Office and Economy and Community Development Office of district administrations and the Public Works, Transportation, Hygiene, Environment, and Public Order Office and Economy and Community Development Office of municipal administrations could perform the following tasks:

- Cooperating with PDoE and relevant institutions of the MoE to organise and implement action plans related to management of PAs
- Cooperating with PDoE and rangers to take action to patrol, control, investigate, and crack down on natural resource offenses and any activities damaging or negatively affecting PAs, including forest fires
- Cooperating with PDoE to control imports and exports of all types of animals, plants, seeds, and samples in PAs
- Cooperating with PDoE and relevant institutions of the MoE to collect and provide socioeconomic and environmental data related to PAs and biodiversity conservation corridors (which are now considered part of PAs) for land use mapping
- Participating in boundary demarcation, setting up boundary poles, maintaining boundary poles, determining control areas, and implementing PA management plans in districts/municipalities
- Participating in research and identification of potential PAs and proposing establishment of new PAs

- Mobilising resources and cooperating with relevant stakeholders to support protection, conservation, and rehabilitation of biodiversity, as well as capacity development related to natural resources management
- Cooperating with PDoE and MoE to preserve and conserve cultural heritage in PAs
- Checking, monitoring, and reporting on natural heritage areas
- Promoting and increasing participation in conservation of Indigenous traditions and customs and contributing to improving the livelihood of Indigenous communities residing within and adjacent to PAs

For delegated functions related to CPA management, the Agriculture, Natural Resources and Environment Office and Economy and Community Development Office of district administrations and the Public Works, Transportation, Hygiene, Environment, and Public Order Office and Economy and Community Development Office of municipal administrations could perform the following tasks:

- Working with PDoE and commune/sangkat authorities to conduct feasibility studies of CPA establishment, endorsing and recognising CPA establishment in Sustainable Use Zones and Community Zones of PAs officially approved by the MoE, and facilitating the development of CPA management structures and by-laws
- Working with PDoE and commune/sangkat authorities to manage CPA development and community-based eco-tourism
- Working with PDoE to support, monitor, evaluate, and amend/renew CPAs
- Working with PDoE to study, assess, and identify potential areas to establish community-based eco-tourism
- Promoting and increasing participation in conservation of traditions and customs
- Updating, managing data, and monitoring the implementation of eco-tourism investment project activities and submitting reports to PDoE and relevant institutions of MoE
- Disseminating laws, guidelines, and regulations related to eco-tourism investment projects to relevant stakeholders
- Cooperating with PDoE to mobilise support and encourage local communities to organise community eco-tourism development projects
- Cooperating with PDoE and relevant institutions of the MoE to explore and determine boundary demarcation, as well as facilitate designation and setting up of boundary poles, of eco-tourism investment projects

# ANNEX Compilation of relevant roles and responsibilities of national and sub-national authorities related to management of the environment and natural resources in protected areas

## Ministry of Environment [MoE]

The MoE is the ministry in charge of managing and conserving biodiversity and managing protected areas in the Kingdom of Cambodia. (ENR Code, Art 351)

Article 351 of the ENR Code further delineates certain duties of the MoE:

- 1) Developing drafts of national policies, national strategy plans, management plans, legal instruments, and technical guidelines for managing protected areas;
- 2) Researching, assessing, and demarcating PA borders for registration;
- 3) Developing forest cover mapping, watershed mapping, and each official PA map;
- 4) Proposing modification of PAs as required by the Royal Government or in compliance with international legal tools to which Cambodia is a state party;
- 5) Assessing and classifying types of forest, fishery, and biodiversity resources in protected areas;
- 6) Researching, collecting, compiling, and creating a forest fishery and biodiversity resource database;
- 7) Educating, disseminating, and promoting public awareness to preserve and protect natural resources in protected areas;
- 8) Acting to control, research, prevent, and crack down on natural resource crimes, build cases following applicable procedures, and act as a civil party unit to claim compensation for damage and restore natural resource damage before the competent court;
- 9) Developing capacity and providing technical support to sub-national authorities and local communities in managing protected areas; and
- 10) Inspecting, monitoring, and evaluating the management of protected areas.

Article 351 of the ENR Code also states that the MoE shall establish an expert unit responsible for protected areas, who shall act as a secretariat for PA management.

According to Sub-Decree no. 234 on the Organisation and Functioning of the Ministry of Environment (2021) and the May 2024 draft of the revised CPA Guideline, the division of the MoE that is in charge of PA management is the General Directorate of Protected Areas and the division that is in charge of CPA management is the General Directorate of Local Communities.

In the May 2024 draft of the revised CPA Guideline, Articles 4 and 5 highlight roles and duties of the General Directorate of Local Communities and the Department of Community Livelihood (which is under, and represents, the General Directorate of Local Communities) related to CPAs. The General Directorate of Local Communities is responsible for managing and coordinating work related to biodiversity conservation and the appropriate and sustainable use of natural resources in PAs – including facilitating development of legal frameworks related to CPAs; facilitating the

involvement of relevant institutions, development partners, and private sector actors in providing support for CPA development; and facilitating dispute resolution within CPAs. The Department of Community Livelihood has responsibilities including researching and evaluating potential for CPA establishment in collaboration with relevant institutions and local authorities; facilitating development of legal frameworks related to CPAs; facilitating and providing recommendations on CPA by-laws, management plans, and management agreements; providing training relevant to CPA-related duties to sub-national officers, local authorities, and CPA communities; promoting and disseminating knowledge of relevant legal frameworks and policies of the Royal Government; facilitating resolution of any conflicts arising from proposed CPA establishment; and monitoring and evaluating the implementation of CPA by-laws, management agreements, and management plans.

## Provincial Departments of Environment [PDoEs]

PDoEs represent the MoE at the sub-national level. Their roles and duties may include<sup>44</sup>:

- 1) Leading on implementation of policies and strategic plans, as well as determining other priorities related to the environmental sector, natural resources in protected areas, biodiversity, forest, and wildlife, in collaboration with other departments and relevant units at the sub-national level where protected areas are established;
- 2) Implementing laws and regulations related to environmental protection measures, protected areas, wild plants, animal species, biodiversity conservation, sustainable use of natural resources, sustainable development, and environmental services;
- 3) Leading, supporting, facilitating and providing feedback to departments and relevant units related to environmental protection measures, management of protected areas, biodiversity and forest conservation, sustainable use of natural resources, bio-safety, green economy, climate change, science and technology;
- 4) Managing general administration, human resources, budget, state property, and other departmental planning;
- 5) Providing feedback on articles, contracts, agreements, disputes that relevant departments base on laws and legal instruments;
- 6) Preparing cases related to offenses to file in provincial courts, cooperating with provincial courts of first instance, and attending court hearings for cases that involve natural resources, biodiversity, forest, and wildlife;
- 7) Recording income from payment of transitional fines and reporting to relevant units;
- 8) Updating and managing data related to the environment and leading facilitation on environmental knowledge dissemination, as well as managing important events related to the environmental sector;
- 9) Developing reports on the situation of the environment within their respective provinces;
- 10) Promoting education of and disseminating knowledge among the public on environmental protection measures and biodiversity conservation through sustainable use of natural resources and sustainable development via media and other activities;
- 11) Encouraging public participation and consultation in environmental protection measures and biodiversity conservation through sustainable use of natural resources and sustainable development;

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<sup>44</sup> The example roles and responsibilities listed here come from the prakas defining roles and responsibilities of the PDoE in Sihanoukville province.



- 12) Producing and promoting information related to environmental protection measures, biodiversity conservation, sustainable use of natural resources, and sustainable development to the public;
- 13) Inspecting quality of water, soil, air, noise, and vibrations, as well as radiation and electromagnetic radiation, with facilitation from other departments and units;
- 14) Implementing legal instruments and procedures on environmental impact assessments for public and private investment projects;
- 15) Checking and providing technical recommendations related to environmental protection measures of all proposals and investment projects within their provincial jurisdictions;
- 16) Promoting participation from other sectors, the private sector, local authorities, civil society, and development partners related to PDoE action plans on management of protected areas and biodiversity conservation;
- 17) Managing and leading directors, deputies, and rangers of protected areas for conducting research studies, monitoring wildlife species and wild plants, prevention activities, cracking down on illegal activities related to natural resources and forests within protected areas, and biodiversity conservation;
- 18) Managing and facilitating sustainable use of natural resources in collaboration with other departments and units within their province;
- 19) Encouraging and motivating investments for environmental support measures, biodiversity conservation, sustainable use of natural resources, and sustainable development;
- 20) Mobilising and managing resources for environmental support measures, management of protected areas, biodiversity conservation, forests, wildlife species, sustainable use of natural resources, and sustainable development;
- 21) Cooperating with development partners, local and international non-profit organisations [NGOs], and local communities to contribute to supporting environmental support measures, biodiversity conservation, sustainable use of natural resources, and sustainable development;
- 22) Developing monthly, quarterly, semi-annual, and annual reports to submit to MoE and relevant units; and/or
- 23) Implementing other assigned tasks from the MoE and relevant provincial administrations.

Potential roles of PDoEs, according to the May 2024 draft of the revised CPA Guideline:

- 1) Studying feasibility of establishing community protected areas and submitting requests for CPA establishment to the Minister of the MoE;
- 2) Facilitating the establishment and approval of CPA management plans and CPA management agreements;
- 3) Cooperating with local authorities to resolve disputes within CPAs;
- 4) Disseminating guidance, legal frameworks, and other information related to CPAs;
- 5) Building cases to file complaints to courts related to offenses within CPAs, based on requests from CPA committees;
- 6) Participating in monitoring and evaluation of implementation of CPA management plans;
- 7) Evaluating implementation of CPA management agreements and requesting cancellation of CPA management agreements in cases where serious misconduct is determined; and
- 8) Developing quarterly reports on progress of CPAs to the MoE.

## Sub-National Authorities

Under the ENR Code, sub-national authorities have responsibilities related to managing and conserving biodiversity and ensuring the use of natural resources in protected areas within their jurisdiction in compliance with national strategic plans, legal instruments, and technical guidelines related to PA management and provisions of the code (Art 350, 352).

Some of the duties that sub-national authorities are responsible for include:

- Ensuring sustainable management of PAs and increasing reforestation on degraded or empty forest land (ENR Code, Art 352(2)(a))
- Developing and implementing PA management action plans in their jurisdictions (ENR Code, Art 352(2)(b))
- Taking actions to control, prevent, research, and crack down on natural resource crimes in PAs and take cases to court following applicable legal procedures (ENR Code, Art 352(2)(c))
- Preventing and taking actions against all activities that damage or adversely impact PAs (ENR Code, Art 352(2)(d))
- Controlling permits and other relevant documents as provided in the ENR Code (ENR Code, Art 352(2)(e))
- Controlling all exportation and importation of animals, plants, plant seeds, and samples in PAs (ENR Code, Art 352(2)(f))
- Supporting local communities' traditional and customary use of natural resources in Conservation Zones and Sustainable Use Zones of PAs (ENR Code, Art 352(2)(g))
- Providing permission principles and recognising CPA establishment in Sustainable Use Zones and Community Zones that receive approval from the MoE (ENR Code, Art 352(2)(h))
- Managing and developing CPAs and eco-tourism (ENR Code, Art 352(2)(i))
- Educating and disseminating information to raise awareness among citizens about the importance of biodiversity management and conservation, environmental restoration, and sustainable use of natural resources (ENR Code, Art 352(2)(j))
- Mobilising resources to support biodiversity protection, conservation, and restoration (ENR Code, Art 352(2)(k))
- Cooperating with relevant ministries or institutions, development partners, national organisations, international organisations, civil society organisations, and generous individuals to strengthen capacity for management, conservation, and development of natural resources (ENR Code, Art 352(2)(l))
- Implementing additional or modified functions concerning the management of PAs (ENR Code, Art 352(3))
- With the MoE, developing action plans for PA management in compliance with national strategic plans on PAs in consultation with local communities and stakeholders (ENR Code, Art 357(1))
- Proposing PA establishment to the MoE (ENR Code, Art 358)
- Proposing modification of PAs (ENR Code, Art 360)
- Assisting the MoE in developing an official map of each PA, including identifying and determining zoning within PAs, demarcating boundaries, and registering PA land (ENR Code, Art 367)

- Administratively managing CPAs (ENR Code, Art 371(1))
- Initiating, coordinating, supporting, giving permission principles, and recognising establishment of CPAs after receiving approval from the MoE – this shall include studying the possibility of designating CPAs and determining specific appropriate locations and sizes in consultation and coordination with local communities and relevant stakeholders (ENR Code, Art 371(2), (3))
- Entering into agreements with CPA communities (*i.e.*, via CPA management agreements) in which the agreements' validity shall not exceed 25 years (ENR Code, Art 371(4))
- Suspending operation of CPAs to review and reassess, if CPA communities do not comply with CPA management agreements and CPA management plans (ENR Code, Art 371(5))
- Revoking CPA management agreements, after receiving approval from the MoE, in cases of community noncompliance with CPA management agreements and CPA management plans (ENR Code, Art 371(6),(7))
- Recognising CPA management plans (ENR Code, Art 374)
- Integrating CPA management plans into sub-national administration planning (ENR Code, Art 374)
- Issuing permits or entering into agreements or contracts for activities or projects in PAs by requesting prior approval from the MoE (ENR Code, Art 378(2))
- Along with the MoE, consulted prior to development of all construction and public infrastructure projects in PAs (ENR Code, Art 379(1))
- Providing permit prior to all private construction or building projects in PAs (ENR Code, Art 379(2))
- Bringing compensation claims for environmental and natural resources harm, environmental restoration, or complaints to prevent activities that will harm or pollute the environment and natural resources (ENR Code, Art 802(b))
- Appointing sub-national level officials responsible for PAs management within their jurisdiction, who shall have duties to monitor, control, and enforce the laws within PAs and may be qualified as judicial police officers who shall control natural resources offences within their jurisdiction and have the power to search, seize evidence, summon relevant persons, and fulfil other procedural tasks in compliance with the Criminal Procedural Code (ENR Code, Art 810)
- Appointing environmental inspection officers, who will be responsible for inspection concerning environmental crime prevention and protection and may be qualified as judicial police officers to enforce natural resources offenses within their jurisdictions and have the power to search, seize evidence, summon relevant persons, and fulfil other procedural tasks in compliance with the Criminal Procedural Code (ENR Code, Art 814, 816)

**Roles and duties of governmental authorities related to management of protected areas and community protected areas**

**Function: Management of Protected Areas**

**National Government**

*(ENR Code (2023),  
Decision no. 39 on  
Preparation of Position  
Transfer to Sub-National  
Administrations (2017))*

*\*note: not including PDoE  
roles & responsibilities\**

- Develop drafts of national policies, national strategy plans, management plans, legal instruments, and technical guidelines for managing PAs
- Research, assess, and demarcate PA borders for registration
- Develop forest cover mapping, watershed mapping, and each official PA map
- Propose modification for any PAs as required by the Royal Government or in compliance with international legal tools to which Cambodia is a state party
- Assess and classify types of forest, fishery, and biodiversity resources in PAs
- Research, collect, compile, and create a forest fishery and biodiversity resource database
- Act to control, research, prevent, and crack down on natural resource crimes, build the cases following applicable procedures, and act as a civil party unit to claim compensation for damage and restore natural resource damage before the competent court
- Develop capacity and provide technical support to sub-national administrations and local communities in managing PAs
- Inspect, monitor, and evaluate the management of PAs
- Conduct research for conservation and sustainable development
- Strengthen capacity of institutions and human resources at national and sub-national level
- Approve decisions to establish CPAs
- Provide technical support and mobilise funding from national and international sources for protection and conservation
- Follow up, monitor and evaluate the implementation of policies, strategic plans and legal frameworks
- Strengthen the effectiveness of implementation at sub-national level
- Administer the protected areas fund in accordance with the provision on mechanism and utilisation of protected area fund and environmental and social fund
- The Minister responsible for environment and natural resources shall appoint national-level officials responsible for protected area management, who shall have duties to monitor, control, and enforce the laws within PAs and shall be qualified as judicial police officers who shall control natural resources offences within their jurisdiction and have the power to search, seize evidence, summon relevant persons, and fulfil other procedural tasks in compliance with the Criminal Procedural Code

**Provincial Administrations**

*(Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations (2017))*

- Maintain awareness of laws, legal frameworks, and technical guidelines related to protection and conservation of PAs
- Manage, develop, and conserve PAs that cover multiple provinces and coordinate between provinces to jointly manage inter-provincial PAs

**Municipal/District Administrations**

*(Sub-Decrees no. 182 and 184 (2019))*

- Organise and implement action plans related to PA management
- Take action to patrol, control, investigate and crack down on natural resource offenses and any activities damaging or negatively affecting PAs, including forest fires
- Control imports and exports of all types of animals, plants, seeds and samples in PAs
- Collect and provide socioeconomic and environmental data related to PAs and biodiversity conservation corridors for land use mapping
- Participate in boundary demarcation, setting up boundary poles, maintaining boundary poles, determining control areas, and implementing PA management plans in municipalities/districts
- Participate in research and identifying potential PAs and proposing establishment of new PAs
- Mobilise resources and cooperate with relevant stakeholders to support protection, conservation and rehabilitation of biodiversity, and capacity development related to natural resources management
- Preserve and conserve cultural heritage in PAs
- Check, monitor, and report on natural heritage areas
- Promote and increase participation in conservation of Indigenous traditions and customs and contribution to improving the livelihood of Indigenous communities residing within and adjacent to PAs

**Commune/Sangkat Authorities**

*(Prakas no. 37 (2016))*

- Responsibly and transparently manage allocated budget for delegated functions
- Develop monthly, quarterly, semi-annual and annual update reports on the implementation of delegated functions to the MoE and PDoE through the district governor

**Function: Management of Community Protected Areas**

**Provincial Administrations**

*(Decision no. 39 on Preparation of Position Transfer to Sub-National Administrations (2017))*

- Facilitate process of establishing CPAs
- Make decisions on CPA management agreements and CPA management plans, upon getting approval from the MoE

**Municipal/District Administrations**

*(Sub-Decrees no. 182 and 184 (2019))*

- Study feasibility of CPA establishment, endorse and recognise establishment of CPAs in Sustainable Use Zones and Community Zones officially approved by the MoE, and facilitate the development of CPA management structures and by-laws
- Manage development of CPAs and community-based eco-tourism
- Support, follow up, monitor, evaluate, and amend/renew CPAs
- Study, assess, and identify potential areas to establish community-based eco-tourism
- Promote and increase participation in conservation of traditions and customs
- Update, manage data, and monitor the implementation of eco-tourism investment project activities
- Cooperate to mobilise support and encourage local communities to organise community eco-tourism development projects
- Cooperate to explore and determine boundary demarcation, as well as facilitate designation and setting up of boundary poles, of eco-tourism investment projects

**Commune/Sangkat Authorities**

*(Prakas no. 37 (2016))*

- Collect, formulate, and manage data on CPAs within its jurisdiction
- Lead facilitation of benefit sharing related to CPA management
- Ensure CPA communities do not go beyond approved CPA boundaries, when it comes to CPA management
- Encourage promotion and awareness of climate change to CPA members
- Lead facilitation of integrating CPA management plans into 5-year commune/sangkat development plans and commune/sangkat investment plans
- Lead facilitation of developing climate change adaptation strategies related to CPAs
- Monitor and evaluate implementation of CPA management plans
- Lead implementation of the CPA Guideline

**Function: Dissemination**

**National Government**

*(ENR Code (2023),  
Decision no. 39 on  
Preparation of Position  
Transfer to Sub-National  
Administrations (2017))*

*\*note: not including PDoE  
roles & responsibilities\**

- Educate, disseminate, and promote public awareness to preserve and protect natural resources in PAs
- Develop draft policies, legal instruments, strategic plans, action plans, budget plans, guidelines, and other programs concerning scientific research activities, technological development, innovative capacity related to the environment, data management, education, and dissemination of environmental information as well as assessment/evaluation of environmentally-friendly operation
- Collect, analyse, compile, and manage environmental information and data and establish and manage an environmental data collection system
- Develop and coordinate environmental information media assets
- Report on the state of the national environment in collaboration and coordination with the relevant ministries or institutions and sub-national administrations
- Promote public awareness of the environment by mainstreaming environmental education into formal and nonformal systems, disseminating environmental knowledge, and incentives for environmentally friendly operations
- Produce and disseminate through information system on activities, status, and achievements related to environmental protection, natural resource management, and sustainable livelihood
- Organise and undertake public events related to disseminating environmental activities via information systems
- Coordinate and collaborate with various units under relevant ministries or institutions, development partners, and private sectors to strengthen cooperation and enhance effectiveness in environmental data management and environmental education and dissemination via information systems

**Municipal/District Administrations**

*(Sub-Decrees no. 182 and  
184 (2019))*

- Disseminate laws, principles, regulations, and information related to PAs and the environment to citizens and relevant stakeholders, in order to increase knowledge and awareness of environmental issues
- Facilitate and call for implementation of environmentally-friendly activities, as well as facilitate and lead all environment-related events
- Disseminate laws, guidelines, and regulations related to eco-tourism investment projects to relevant stakeholders

**Function: Sustainable Development**

**Municipal/District Administrations**

*(Sub-Decrees no. 182 and 184 (2019))*

- Mainstream climate resilience
- Collect and manage data related to biodiversity, ecosystem, and biosafety
- Mainstream awareness and enforcement of implementation of relevant regulations and national policies in order to ensure biodiversity and ecosystem functions, services and value
- Monitor and evaluate municipal/district sustainable development and green development works and participate in clean municipal/district and sustainable municipal/district competition



**Comparative table of municipal, khan, and district administrations' structures and functions**

<b>Sub-Decree no. 182 on Functions and Structure of Municipal Administrations</b>	<b>Sub-Decree no. 183 on the Functions and Structure of Khan Administration of Phnom Penh Capital</b>	<b>Sub-Decree no. 184 on Functions and Structure of District Administrations</b>
<p><b>Administration and Finance Office</b></p> <ul style="list-style-type: none"> <li>▪ Administration, documentation, information, protocol, public relations and international cooperation</li> <li>▪ Civil registrations</li> <li>▪ Managing and maintaining of stamp, documents, and legal documents of municipal administration</li> <li>▪ Review and modification of the municipal administration structure</li> <li>▪ Developing administrative and financial procedures for the municipal administration unit in accordance with applicable principles and regulations</li> <li>▪ The financial affairs, budgets and properties of the municipal administration</li> <li>▪ Public order works</li> <li>▪ Monthly, quarterly, semi-annual, and annual reports and financial statements of the municipality administration</li> </ul>	<p><b>Administrative and Personnel Office</b></p> <ul style="list-style-type: none"> <li>▪ Administration, documentation, information, protocol, public relations and international cooperation</li> <li>▪ Civil registrations</li> <li>▪ Managing and maintaining of stamp, documents, and legal documents of khan administration</li> <li>▪ Review and modification of khan administration structure</li> <li>▪ Managing, administering and employing personnel of khan administrations as authorised by the Capital Administration</li> <li>▪ Khan administrations' human resource capacity training and development</li> <li>▪ Monthly, quarterly, semesterly and annual reports of khan administrations</li> </ul>	<p><b>Administration and Finance Office</b></p> <ul style="list-style-type: none"> <li>▪ Administration, documentation, information, protocol, public relations and international cooperation</li> <li>▪ Civil registrations</li> <li>▪ Managing and maintaining of stamp, documents, and legal documents of district administrator</li> <li>▪ Review and modification of the district administration structure</li> <li>▪ Developing administrative and financial procedures for the district administration unit in accordance with applicable principles and regulations</li> <li>▪ The financial affairs, budgets and properties of the district administration</li> <li>▪ Public order works</li> <li>▪ Monthly, quarterly, semi-annual, and annual reports and financial statements of the district administration</li> </ul>
<p><b>Procurement Unit</b></p> <ul style="list-style-type: none"> <li>▪ Preparing annual procurement plans</li> <li>▪ Preparing bidding documents, procurement advertisements, providing bidding documents,</li> </ul>	<p><b>Procurement Unit</b></p> <ul style="list-style-type: none"> <li>▪ Preparing annual procurement plans</li> <li>▪ Preparing bidding documents, procurement advertisements, providing bidding documents,</li> </ul>	<p><b>Procurement Unit</b></p> <ul style="list-style-type: none"> <li>▪ Preparing annual procurement plans</li> <li>▪ Preparing bidding documents, procurement advertisements, providing bidding documents,</li> </ul>

<p>receiving bidding proposals, maintaining bidding proposals, arranging the place for and opening bidding proposals</p> <ul style="list-style-type: none"> <li>▪ Preparing bid opening reports and minutes</li> <li>▪ Preparing and coordination in the technical evaluation of bidding proposal</li> <li>▪ Preparing contracts and notifications on contract awards</li> <li>▪ Publicising bidding results</li> <li>▪ Monitoring contract implementation and preparing procurement reports on procurement implementation</li> </ul>	<p>receiving bidding proposals, maintaining bidding proposals, arranging the place for and opening bidding proposals</p> <ul style="list-style-type: none"> <li>▪ Preparing bid opening reports and minutes</li> <li>▪ Preparing and coordination in the technical evaluation of bidding proposal</li> <li>▪ Preparing contracts and notifications on contract awards</li> <li>▪ Publicising bidding results</li> <li>▪ Monitoring contract implementation and preparing procurement reports on procurement implementation</li> </ul>	<p>receiving bidding proposals, maintaining bidding proposals, arranging the place for and opening bidding proposals</p> <ul style="list-style-type: none"> <li>▪ Preparing bid opening reports and minutes</li> <li>▪ Preparing and coordination in the technical evaluation of bidding proposal</li> <li>▪ Preparing contracts and notifications on contract awards</li> <li>▪ Publicising bidding results</li> <li>▪ Monitoring contract implementation and preparing procurement reports on procurement implementation</li> </ul>
<p><b>Human Resource Management Office</b></p> <ul style="list-style-type: none"> <li>▪ Managing, executing and utilising municipality administration’s personnel</li> <li>▪ Training and capacity development of municipality administration’s personnel</li> <li>▪ Managing other personnel upon transfer of authority from the Government or the ministries, institutions</li> </ul>		<p><b>Human Resource Management Office</b></p> <ul style="list-style-type: none"> <li>▪ Managing, executing and utilising district administration’s personnel</li> <li>▪ Training and capacity development of district administration’s personnel</li> <li>▪ Managing other personnel upon transfer of authority from the Government or the ministries, institutions</li> </ul>
<p><b>Planning and Sangkat Support Office</b></p> <ul style="list-style-type: none"> <li>▪ Developing and implementing the 5-year development plan, 3-year rolling investment program, annual activities and budget plan and development projects of municipal administration</li> <li>▪ Monitoring and evaluating the implementation of the 5-year development plan, 3-year rolling investment program, annual activities and</li> </ul>	<p><b>Planning and Finance Office</b></p> <ul style="list-style-type: none"> <li>▪ Preparing and implementing the 5-year development plan, 3-year rolling investment program and annual workplan and budget of khan administration</li> <li>▪ Studying, developing and implementing projects of khan administration</li> <li>▪ Monitoring and evaluating the implementation of the 5-year development plan, 3-year rolling</li> </ul>	<p><b>Planning and Commune/Sangkat Support Office</b></p> <ul style="list-style-type: none"> <li>▪ Developing and implementing the 5-year development plan, 3-year rolling investment program, annual activities and budget plan and development projects of district administration</li> <li>▪ Monitoring and evaluating the implementation of the 5-year development plan, 3-year rolling</li> </ul>

<p>budget plan and development projects of municipal administration</p> <ul style="list-style-type: none"> <li>▪ Population statistic tasks</li> <li>▪ Supporting, coordinating, monitoring and evaluating sangkat administrations in municipality in the preparation of 5-year development plan, 3-year rolling investment program, annual work plan and budget and other projects of sangkat administrations in municipality</li> <li>▪ Guidance and promotion of sangkat and municipality data collection</li> <li>▪ Management and processing of sangkat and municipality data</li> <li>▪ Training and capacity development of personnel and sangkat council as needed</li> <li>▪ Technical support in administration and financials tasks to the sangkat administration</li> <li>▪ Responding to the requests and challenges of sangkat administration</li> </ul>	<p>investment program, annual workplan and budget and development projects of khan administration</p> <ul style="list-style-type: none"> <li>▪ Population statistics</li> <li>▪ Guiding and promoting the collection of local data at sangkat level and data at khan level as scheduled</li> <li>▪ Managing and finding support for processing data at sangkat level and data at khan level</li> <li>▪ Finance and property management of khan administration</li> <li>▪ Financial report of khan administration</li> <li>▪ Provide support to sangkat administrations within khans as delegated by the Capital Administration</li> </ul>	<p>investment program, annual activities and budget plan and development projects of district administration</p> <ul style="list-style-type: none"> <li>▪ Population statistic tasks</li> <li>▪ Supporting, coordinating, monitoring and evaluating commune/sangkat administrations in district in the preparation of 5-year development plan, 3-year rolling investment program, annual activities and budget plans and other projects of commune/sangkat administrations in district</li> <li>▪ Guidance and promotion of commune/sangkat and district data collection</li> <li>▪ Management and processing of commune/sangkat and district data</li> <li>▪ Training and capacity development of personnel and commune/sangkat council as needed</li> <li>▪ Technical support in administration and financials tasks to the commune/sangkat administration</li> <li>▪ Responding to the requests and challenges of commune/sangkat administration</li> </ul>
<p><b>Internal Control Office</b></p> <ul style="list-style-type: none"> <li>▪ Monitoring of compliance with applicable laws, by-law, legal documents and service standards</li> </ul>		<p><b>Internal Control Office</b></p> <ul style="list-style-type: none"> <li>▪ Monitoring of compliance with applicable laws, by-law, legal documents and service standards</li> </ul>

<ul style="list-style-type: none"> <li>▪ Supervision of administrative, personnel, financial and property affairs of the municipal administration</li> <li>▪ Monitoring the implementation of rules, regulations, codes of conduct and working hours of municipality administration personnel</li> </ul>		<ul style="list-style-type: none"> <li>▪ Supervision of administrative, personnel, financial and property affairs of the district administration</li> <li>▪ Monitoring the implementation of rules, regulations, codes of conduct and working hours of district administration personnel</li> </ul>
<p><b>Council Secretary Office</b></p> <ul style="list-style-type: none"> <li>▪ Organising ordinary and extraordinary meetings of the council</li> <li>▪ Taking minutes of council meetings</li> <li>▪ Organising the dissemination and consultation fora of the council</li> <li>▪ Managing, maintaining and storing council files/documents</li> <li>▪ Putting up and publicising council decisions and documents</li> </ul>	<p><b>Council Secretariat Office</b></p> <ul style="list-style-type: none"> <li>▪ Organising ordinary and extraordinary meetings of the council</li> <li>▪ Taking minutes of council meetings</li> <li>▪ Organising the dissemination and consultation forum of the council</li> <li>▪ Managing, maintaining and storing council files/documents</li> <li>▪ Publicising council decisions and documents</li> </ul>	<p><b>Council Secretary Office</b></p> <ul style="list-style-type: none"> <li>▪ Organising ordinary and extraordinary meetings of the council</li> <li>▪ Taking minutes of council meetings</li> <li>▪ Organising the dissemination and consultation fora of the council</li> <li>▪ Managing, maintaining and storing council files/documents</li> <li>▪ Putting up and publicising council decisions and documents</li> </ul>
<p><b>Education, Youth and Sport Office</b></p> <ul style="list-style-type: none"> <li>▪ Early childhood education affairs</li> <li>▪ Primary education affairs</li> <li>▪ Administrative support to secondary education affairs</li> <li>▪ Non formal education affairs</li> <li>▪ Youth development affairs</li> <li>▪ Physical education and sport affairs</li> </ul>	<p><b>Education, Youth and Sport Office</b></p> <ul style="list-style-type: none"> <li>▪ Early childhood education affairs</li> <li>▪ Primary education affairs</li> <li>▪ Secondary education affairs</li> <li>▪ Non formal education affairs</li> <li>▪ Youth development affairs</li> <li>▪ Physical education and sport affairs</li> </ul>	<p><b>Education, Youth and Sport Office</b></p> <ul style="list-style-type: none"> <li>▪ Early childhood education affairs</li> <li>▪ Primary education affairs</li> <li>▪ Administrative support to secondary education affairs</li> <li>▪ Non formal education affairs</li> <li>▪ Youth development affairs</li> <li>▪ Physical education and sport affairs</li> </ul>
<p><b>Land Management, Urban Planning, Construction and Land Office</b></p> <ul style="list-style-type: none"> <li>▪ Land management and urban planning</li> </ul>	<p><b>Land Management, Urban Planning, Construction and Land Office</b></p> <ul style="list-style-type: none"> <li>▪ Land management and urban planning</li> </ul>	<p><b>Land Management, Urban Planning, Construction and Land Office</b></p> <ul style="list-style-type: none"> <li>▪ Land management and urban planning</li> </ul>

<ul style="list-style-type: none"> <li>▪ Develop land use master plan at municipal level, urban land use master plan, urban land use planning, and detailed urbanisation planning in any areas within municipality</li> <li>▪ Land title management             <ul style="list-style-type: none"> <li>▪ Transfer ownership of unregistered properties</li> <li>▪ Protect state’s private and public land by taking prevention measures against intrusion or land grabbing</li> </ul> </li> <li>▪ Construction works</li> <li>▪ Housing works</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop land use master plan at khan level and a detailed urbanisation planning in any area within khan</li> <li>▪ Land work             <ul style="list-style-type: none"> <li>▪ Transfer ownership of unregistered properties</li> <li>▪ Protect state’s private and public land by taking prevention measure against intrusion or land grabbing</li> </ul> </li> <li>▪ Construction work</li> <li>▪ Housing</li> </ul>	<ul style="list-style-type: none"> <li>▪ Develop land use master plan at district level, urban land use master plan, urban land use planning, and detailed urbanisation planning in any areas within district</li> <li>▪ Land title management             <ul style="list-style-type: none"> <li>▪ Transfer ownership of unregistered properties</li> <li>▪ Protect state’s private and public land by taking prevention measures against intrusion or land grabbing</li> </ul> </li> <li>▪ Construction works</li> <li>▪ Housing works</li> </ul>
<p><b>Legislation and Local Conflict Mediation Office</b></p> <ul style="list-style-type: none"> <li>▪ Study, design, and comment on the preparation of legal documents of the municipal administration</li> <li>▪ Dissemination of laws and legal documents to officials, personnel and citizens within the jurisdiction of the municipal administration</li> <li>▪ Legal counselling for citizens</li> <li>▪ Arranging training on mediation skills and law to local sangkat administrations in municipality</li> <li>▪ Receiving complaints and local conflict mediation within the jurisdiction of the municipal administration in accordance with applicable law</li> </ul>	<p><b>Legislation and Local Conflict Mediation Office</b></p> <ul style="list-style-type: none"> <li>▪ Researching, preparing and giving suggestions for the preparation of legal regulations of khan administration</li> <li>▪ Disseminating laws and regulations to officials, personnel and people within the jurisdiction of the khan administration</li> <li>▪ Giving legal consultation for the people</li> <li>▪ Organising legal and mediation skills training for sangkat administrations within khan</li> <li>▪ Accepting complaints and mediating conflicts at the local level within the jurisdiction of khan administration in accordance with the law</li> </ul>	<p><b>Legislation and Local Conflict Mediation Office</b></p> <ul style="list-style-type: none"> <li>▪ Study, design, and comment on the preparation of legal documents of the district administration</li> <li>▪ Dissemination of laws and legal documents to officials, personnel and citizens within the jurisdiction of the district administration</li> <li>▪ Legal counselling for citizens</li> <li>▪ Arranging training on mediation skills and law to local commune/sangkat administrations within district</li> <li>▪ Receiving complaints and local conflict mediation within the jurisdiction of the district administration in accordance with applicable law</li> </ul>

<ul style="list-style-type: none"> <li>▪ The legal check of by-laws and decisions of sangkat administrations</li> </ul>		<ul style="list-style-type: none"> <li>▪ The legal check of by-laws and decisions of commune/sangkat administrations</li> </ul>
<p><b>Public Works, Transportation, Hygiene, Environment, and Public Order Office</b></p> <ul style="list-style-type: none"> <li>▪ Public works and transportation</li> <li>▪ Solid waste management in urban areas</li> <li>▪ Management of sewage system and wastewater treatment system</li> <li>▪ Management of smoke, sound, smell, and atmosphere pollutions</li> <li>▪ Management of natural protected area systems             <ul style="list-style-type: none"> <li>▪ Organise and implement action plan on management of natural protected areas system</li> <li>▪ Take actions to patrol, control, investigate and crack down on natural resources offences and any activities damaging or affecting negatively, and forest fire in the protected areas</li> <li>▪ Control import/export of all types of animals, plants, seeds and samples in natural protected areas</li> <li>▪ Collect and provide data related to socioeconomic and environmental sector in the protected areas and biodiversity conservation corridors for land use mapping</li> </ul> </li> </ul>	<p><b>Public Works, Transportation, Hygiene, Environment, and Public Order Office</b></p> <ul style="list-style-type: none"> <li>▪ Public works and transportation</li> <li>▪ Waste and solid waste management in urban areas management</li> <li>▪ Sewage system and treatment system management</li> <li>▪ Smoke, noise, and air pollution management</li> <li>▪ Planting, management and maintenance of trees and public parks</li> <li>▪ Public lighting management</li> <li>▪ Public parking management</li> <li>▪ Public order</li> </ul>	<p><b>Agriculture, Natural Resources and Environment Office</b></p> <ul style="list-style-type: none"> <li>▪ Agriculture, forestry and fishery affairs             <ul style="list-style-type: none"> <li>▪ Dissemination of agricultural technique works (rice, crop and vegetable)                 <ul style="list-style-type: none"> <li>▪ Disseminate techniques of crop planting which is well-prepared and officially recognised by specialised entities at national level</li> <li>▪ Facilitate and support the establishment of agricultural groups and communities</li> </ul> </li> </ul> </li> <li>▪ Implementation of activities related to forestry             <ul style="list-style-type: none"> <li>▪ Educate and raise awareness and understanding of citizens on the importance of management, maintenance, protection, and development of forest resources</li> <li>▪ Establish, manage, and support community forestry</li> <li>▪ Manage traditional nomadic farming of local communities on registered collective land ownership of Indigenous communities</li> <li>▪ Protect, control, and crack down on forest offenses</li> </ul> </li> </ul>

- Participate in boundary demarcation, setting up boundary poles, maintaining boundary poles, determining control areas and implement a management plan of protected areas in municipal geography
- Participate in research and identify potentials and propose to establish new protected areas
- Mobilise resources and cooperate with relevant stakeholders to support protection, conservation and rehabilitation of biodiversity, development of capacity to manage, to conserve and to develop natural resources
- Establishment, management and support community protected areas
  - Conduct feasibility study on the establishment of CPAs, endorse, and recognise the establishment of CPAs in Sustainable Use Zones and Community Zones approved officially by MoE as well as facilitate to develop structure and statute for CPAs
  - Manage and develop CPAs and community based eco-tourism
  - Support, follow up, monitor, evaluate, and update CPAs
  - Study, assess, and identify potential areas to establish community based eco-tourism

- Implementation of activities related to fisheries
  - Protect, control, and crack down on fisheries offenses
  - Educate and raise awareness to citizens on the importance of sustainable management, conservation, and development of fisheries resources
  - Establish, support, and manage community fisheries
- Water resource affairs
- Management of natural protected area systems
  - Organise and implement action plan on management of natural protected areas system
  - Take actions to patrol, control, investigate and crack down on natural resources offences and any activities damaging or affecting negatively, and forest fire in the protected areas
  - Control import/export of all types of animals, plants, seeds and samples in natural protected areas
  - Collect and provide socioeconomic and environmental data related to protected areas and biodiversity conservation corridors for land use mapping
  - Participate in boundary demarcation, setting up boundary poles, maintaining boundary

<ul style="list-style-type: none"> <li>▪ Preserve and conserve cultural heritages in protected areas</li> <li>▪ Check, monitor, and report on the situation of natural heritage areas</li> <li>▪ Promote and increase participation in conservation of traditions and customs and contribute to improve livelihood of Indigenous communities residing within and adjacent to protected areas</li> <li>▪ Update, manage data, and monitor the implementation of eco-tourism investment project activities</li> <li>▪ Disseminate laws, guidelines, and regulations related to eco-tourism investment projects to relevant stakeholders</li> <li>▪ Cooperate to mobilise support and encourage local communities in organising eco-tourism community development projects</li> <li>▪ Cooperate to conduct studies and set up boundary demarcation, facilitate to define boundary poles of eco-tourism investment projects</li> <li>▪ Dissemination of legal regulations and increase knowledge and awareness related to environment             <ul style="list-style-type: none"> <li>▪ Disseminate laws, principles, regulations, and information related to natural</li> </ul> </li> </ul>		<p>poles, determining control areas and implement a management plan of protected areas in district geography</p> <ul style="list-style-type: none"> <li>▪ Participate in research and identify potentials and propose to establish new protected areas</li> <li>▪ Mobilise resources and cooperate with relevant stakeholders to support protection, conservation and rehabilitation of biodiversity, development of capacity to manage, to conserve and to develop natural resources</li> <li>▪ Establishment, management and support community protected areas             <ul style="list-style-type: none"> <li>▪ Conduct feasibility study on the establishment of CPAs, endorse and recognise the establishment of CPAs in Sustainable Use Zones and Community Zones officially approved by MoE as well as facilitate to develop structure and statute for CPAs</li> <li>▪ Manage and develop CPAs and community based eco-tourism</li> <li>▪ Support, follow up, monitor, evaluate, and update CPAs</li> <li>▪ Study, assess, and identify potential areas to establish community based eco-tourism</li> <li>▪ Preserve and conserve cultural heritages in protected areas</li> </ul> </li> </ul>
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<p>protected areas and environment to citizens and relevant stakeholders</p> <ul style="list-style-type: none"> <li>▪ Sustainable development             <ul style="list-style-type: none"> <li>▪ Mainstream climate resilience</li> <li>▪ Mainstream sustainable city development works and green development concepts into urban planning process</li> <li>▪ Collect and manage data of biodiversity, ecosystem and biosafety</li> <li>▪ Mainstream awareness and enforce the implementation of regulation and national policies in order to ensure functions, services and value of biodiversity and ecosystem</li> </ul> </li> <li>▪ Tree plantation, care and management of public gardens</li> <li>▪ Management of public lighting</li> <li>▪ Management of public parking spaces</li> <li>▪ Public orders</li> </ul>		<ul style="list-style-type: none"> <li>▪ Check, monitor, and report on the situation of natural heritage areas</li> <li>▪ Promote and increase participation in conservation of traditions and customs and contribute to improve livelihood of Indigenous communities residing within and adjacent to protected areas</li> <li>▪ Update, manage data, and monitor the implementation of eco-tourism investment project activities</li> <li>▪ Disseminate laws, guidelines, and regulations related to eco-tourism investment projects to relevant stakeholders</li> <li>▪ Cooperate to mobilise support and encourage local communities in organising eco-tourism community development projects</li> <li>▪ Cooperate to conduct studies and set up boundary demarcation, facilitate to define boundary poles of eco-tourism investment projects</li> <li>▪ Dissemination of legal regulations and increase knowledge and awareness related to environment             <ul style="list-style-type: none"> <li>▪ Disseminate laws, principles, regulations, and information related to natural protected areas and environment to citizens and relevant stakeholders</li> </ul> </li> <li>▪ Sustainable development</li> </ul>
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		<ul style="list-style-type: none"> <li>▪ Mainstream climate resilience</li> <li>▪ Mainstream sustainable city development works and green development concepts into urban planning process</li> <li>▪ Collect and manage data of biodiversity, ecosystem and biosafety</li> <li>▪ Mainstream awareness and enforce the implementation of regulation and national policies in order to ensure functions, services and value of biodiversity and ecosystem</li> <li>▪ Solid waste management in urban area</li> <li>▪ Management of sewage system and wastewater treatment system</li> </ul>
<p><b>Economy and Community Development Office</b></p> <ul style="list-style-type: none"> <li>▪ Industry and handicraft</li> <li>▪ Mines and energy</li> <li>▪ Tourism             <ul style="list-style-type: none"> <li>▪ Management and development of eco-tourism areas and tourist attraction sites</li> </ul> </li> <li>▪ Water resources</li> <li>▪ Rural development             <ul style="list-style-type: none"> <li>▪ Establishment and management of community markets</li> </ul> </li> <li>▪ Commerce</li> <li>▪ Agriculture, forestry and fisheries             <ul style="list-style-type: none"> <li>▪ Dissemination of agricultural technique works (rice, crop and vegetable)</li> </ul> </li> </ul>	<p><b>Economy and Community Development Office</b></p> <ul style="list-style-type: none"> <li>▪ Industrial and handicraft works</li> <li>▪ Mines and energy works</li> <li>▪ Tourism works             <ul style="list-style-type: none"> <li>▪ Management and development of eco-tourism areas and tourist attraction sites</li> </ul> </li> <li>▪ Commerce works</li> <li>▪ Agriculture, forestry and fisheries works             <ul style="list-style-type: none"> <li>▪ Dissemination of agricultural techniques (rice, crops and vegetables)                 <ul style="list-style-type: none"> <li>▪ Disseminate techniques of crop planting which is well-prepared and officially recognised by specialised entities at national level</li> </ul> </li> </ul> </li> </ul>	<p><b>Economy and Community Development Office</b></p> <ul style="list-style-type: none"> <li>▪ Public works and transportation</li> <li>▪ Industry and handicraft</li> <li>▪ Mines and energy</li> <li>▪ Tourism             <ul style="list-style-type: none"> <li>▪ Management and development of eco-tourism areas and tourist attraction sites</li> </ul> </li> <li>▪ Rural development             <ul style="list-style-type: none"> <li>▪ Establishment and management of community markets</li> </ul> </li> <li>▪ Commerce</li> <li>▪ Post and telecommunication</li> <li>▪ Community development</li> </ul>

<ul style="list-style-type: none"> <li>▪ Disseminate techniques of crop planting which is well-prepared and officially recognised by specialised entities at national level</li> <li>▪ Facilitate and support establishment of agricultural groups and communities</li> <li>▪ Implementation of activities related to forestry             <ul style="list-style-type: none"> <li>▪ Educate and raise awareness and understanding of citizens on importance of management, maintenance, protection, and development of forest resources</li> <li>▪ Establish, manage, and support community forestry</li> <li>▪ Manage traditional nomadic farming of local communities on registered collective land ownership of Indigenous communities</li> <li>▪ Protect, control, and crack down on forest offenses</li> </ul> </li> <li>▪ Implementation of activities related to fisheries             <ul style="list-style-type: none"> <li>▪ Protect, control and crack down on fisheries offenses</li> <li>▪ Educate and raise awareness to citizens on importance of sustainable management, conservation, and development of fisheries resources</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Facilitate and support establishment of agricultural groups and communities</li> <li>▪ Implementation of activities related to forestry             <ul style="list-style-type: none"> <li>▪ Educate and raise awareness and understanding of citizens on importance of management, maintenance, protection, and development of forest resources</li> <li>▪ Establish, manage, and support community forestry</li> <li>▪ Manage traditional nomadic farming of local communities on registered collective land ownership of Indigenous communities</li> <li>▪ Protect, control, and crack down on forest offenses</li> </ul> </li> <li>▪ Implementation of activities related to fisheries             <ul style="list-style-type: none"> <li>▪ Protect, control and crack down on fisheries offenses</li> <li>▪ Educate and raise awareness to citizens on importance of sustainable management, conservation, and development of fisheries resources</li> <li>▪ Establish, support, and manage community fisheries</li> </ul> </li> <li>▪ Water resources works</li> <li>▪ Posts and telecommunications works</li> <li>▪ Community development works</li> </ul>	
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<ul style="list-style-type: none"> <li>▪ Establish, support, and manage community fisheries</li> <li>▪ Post and telecommunication</li> <li>▪ Community development</li> </ul>		
<p><b>Social Affairs and Welfare Office</b></p> <ul style="list-style-type: none"> <li>▪ Social works, veterans and youth rehabilitation</li> <li>▪ Health affairs</li> <li>▪ Women’s affairs</li> <li>▪ Cult and religious affairs</li> <li>▪ Employment and vocational training affairs</li> <li>▪ Cultural and fine art affairs</li> <li>▪ Disaster affairs</li> </ul>	<p><b>Social Affairs and Social Well-Being Office</b></p> <ul style="list-style-type: none"> <li>▪ Social works, veterans and youth rehabilitation</li> <li>▪ Health affairs</li> <li>▪ Women’s affairs</li> <li>▪ Cult and religious affairs</li> <li>▪ Vocational training affairs</li> <li>▪ Disaster affairs</li> <li>▪ Cultural and fine art affairs</li> </ul>	<p><b>Social Affairs and Welfare Office</b></p> <ul style="list-style-type: none"> <li>▪ Social works, veterans and youth rehabilitation</li> <li>▪ Health affairs</li> <li>▪ Women’s affairs</li> <li>▪ Cult and religious affairs</li> <li>▪ Employment and vocational training affairs</li> <li>▪ Cultural and fine art affairs</li> <li>▪ Disaster affairs</li> </ul>
<p><b>One Window Service Office</b></p> <ul style="list-style-type: none"> <li>▪ Receiving and providing administrative services to citizens within the jurisdiction of the municipality administration</li> <li>▪ Collection and payment of administrative fees in accordance with established policies and procedures</li> <li>▪ Providing information and publicity related to the provision of administrative services</li> <li>▪ Properly maintaining, keeping and managing of documents related to the provision of administrative services</li> </ul>	<p><b>One Window Service Office</b></p> <ul style="list-style-type: none"> <li>▪ Receiving and providing administrative services to citizens within the jurisdiction of the khan administration</li> <li>▪ Collection and payment of administrative fees in accordance with established policies and procedures</li> <li>▪ Providing information and publicity related to the provision of administrative services</li> <li>▪ The keeping, maintenance and administration of documents related to the provision of administrative services</li> </ul>	<p><b>One Window Service Office</b></p> <ul style="list-style-type: none"> <li>▪ Receiving and providing administrative services to citizens within the jurisdiction of the district administration</li> <li>▪ Collection and payment of administrative fees in accordance with established policies and procedures</li> <li>▪ Providing information and publicity related to the provision of administrative services</li> <li>▪ Properly maintaining, keeping and managing of documents related to the provision of administrative services</li> </ul>

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