

**Minutes of the Eighth Meeting of the  
Government-Donor Coordination Committee (GDCC)  
held on  
5 October 2006, 8:30 am at CDC**

1. H.E. Mr. Keat Chhon, Chairman of the Government-Donor Coordination Committee (GDCC) opened the meeting by welcoming all participants to the Eighth meeting of the GDCC. He informed the meeting of the following points:

- The **proposal** to reform the Consultative Group (CG) mechanism was endorsed by Samdech Prime Minister Hun Sen on 28 September 2006, paving the way for the first CDCF to be held in 2007.
- As an embodiment of the commitment to partnership and the principles guiding the implementation of NSDP, the **Declaration on Enhancing Aid Effectiveness** had been developed and revised, and the signing ceremony would be held immediately after the meeting.
- The work on the **Review** of the GDCC-TWG mechanism has been going on through the ad hoc group that was convened to discuss the CDCF. This is a critical exercise in establishing well-functioning, comprehensive and cohesive dialogue architecture.
- The OECD-DAC **survey** was been finalized. This was a time consuming exercise but worthwhile exercise and would give us objective evidence that allows us to monitor our joint progress on aid effectiveness.
- Several TWGs had asked GDCC to take note of some of the constraints that they faced, which were reported in the **Overview of TWGs Progress** prepared by GDCC Secretariat. These included information sharing and participation; the need to secure funding for programmes; alignment issues; and concern on the Anti Trafficking Law.
- The meeting discussed on the following issues: Human Development; Decentralization and De-concentration; the Anti Corruption Law; and other issues such as land if time permitted.

**Human Development**

2. **H.E. Ou Orhat**, Chair of Planning and Poverty Reduction TWG, delivered a **statement** highlighting the following points:

- In **Health**, infant mortality came down to 95 per 1,000 live births in 2000 and to 65 in 2005. Maternal mortality similarly registered a rapid decline from the highest level in 1979 to 437 per 100,000 births in 2000 but has not shown marked improvement in 2005. The number of births attended by trained health personnel rose to 32% in 2000 and to 44% in 2005. The HIV-AIDS infection rate has been kept under check and after reaching a peak of 3% in 1997 has declined to 1.9% in 2003.
- In **Education**, primary school enrollment of relevant age groups increased to 84% in 2000 and stood at 91.3% in 2005. The proportion of girls enrolled in and completing primary school in the cohort group has increased steadily. The number of girls in higher educational levels also shows clear growth although in a gradual manner.
- Economic growth, carefully directed programs for infrastructure renovation and improvement, improved and expanded irrigation systems, all these positive developments are reflected in rapid decline in poverty.

3. A **Joint Statement on Human Development Indicators** was delivered by **Mr. Douglas Gardner**, United Nations Resident Coordinator, making the following points:

- In **Health**, the demographic health survey shows that infant and child mortality have been substantially reduced. But nearly 30,000 children still die per year from largely preventable causes. Almost 70% of mothers have achieved antenatal care. Proportion of deliveries attended by skilled health personnel has only slowly increased from 32% in

2000 to 44% in 2005. Only 22% of deliveries take place in a health facility. Development partners hold real concern that an unacceptable proportion of women are dying or are at risk during pregnancy and childbirth with achievements of 2010 NSDP targets posing a significant challenge.

- **Water and Sanitation** is something of an "orphan" both in terms of investment and who is responsible. Only 38% of the population has access to safe drinking water and 22% to latrines. Development partners would welcome a focus on this matter during the GDCC including the issue of arsenic contamination of drinking water.
- In **Education**, it is encouraging that enrollment rates in primary schools have increased and are close to targets. But the percentage of children actually completing primary education is stagnant and well below NSDP targets. Less than 50% of formally enrolled children complete primary school. Development partners would strongly urge a spotlight on primary school completion.
- Development partners applauded the **Law on Domestic Violence and Protection of Victims** promulgated last year. We suggested that in addition to steps being taken on disseminating the law and training judges, these be complemented with strategies and actions for the provision of legal, health and counseling services as well as raising awareness of young people on attitudes and the impact of violence.
- Development partners share the RGC's concern on the increasing proportion of husband-to-wife and mother-to-child transmission as the cause of new infections of **HIV/AIDS**. Evidence of widespread infection with other sexually-transmitted diseases is also a growing concern that calls for a rapid and effective response.
- Development partners encourage future GDCC meetings and CDCF to regularly review the status of human development with particular links being made to the reforms in governance and to essential infrastructures supporting social services.

4. Ambassador of the United Kingdom, **Mr. David Reader**, delivered the **Bilateral Intervention on Human Development**, which highlighted the urgency to address the water and sanitation MDG:

- Findings of a review of the rural water and sanitation sector recently commissioned by DFID/UK show that over half of Cambodia does not have adequate safe water supply.
- 11 million Cambodians do not have access to sanitation services and a safe means of disposal.
- The rural and sanitation sector does not have the institutional capacity or the finance to achieve the CMDGs.
- There is a serious funding shortfall. Less than half the funding needed to reach the sanitation CMDGs is available from donors with RGC contributing only minor budget.

5. **H.E. Keat Chhon**: Despite progress made, water and sanitation remain a challenge, and MEF is now negotiating to secure a USD 40M loan from China Development Bank for water and sanitation.

6. **Dr. Michael O'leary** of the WHO, LDF of Health TWG: National budget allocated for the health sector has fallen between 2005 and 2006, and urged continued strong support for investment in the health sector.

7. **Dr. Sok Saravuth**, Director of Budget, MEF: Well planned strategy is of utmost importance in addressing the Health and Education concerns raised. He urged PAP ministries to take this into account in program budgeting to address these concerns. According to the available record, budget for Health and Education has drastically increased: for Health, in 2005, it was at 10% of total current budget; it reached 11.5% in 2006, and will reach 12% in 2007. In Education, the allocation is 20% for 2007.

8. **Representative of Sweden:** Significant success has been made by RGC in enrolling children in school. Greater number of children from poor household and girls are entering school. But many of them do not stay in school long enough to complete primary education. Data from MOEYS shows that less than half of children who started school complete the sixth grade, which is a great challenge. Studies done in Cambodia have given us considerable knowledge on strategies that would work to increase primary school completion such as early child development for pre-school children, conditional cash transfer for children, and so on. We at the same time also need to work to improve the quality of primary education since staying longer in school will be only valuable for children and their families if they learn and develop skills while in school.

9. **Representative from NGO Medicam:** Nutrition to improve child health remains a major concern on which there is little progress, in particular issues of stunted children and underweighted children. The health system has a major role in service delivery. Good quality of service and accessibility has significant impact on health. But service delivery is not the only determinant of health. There are other social, environmental, economic factors that substantially impact on health especially maternal and child health. We would like to really advocate for social determinant of health, and multiple sector intervention is really needed to improving health. In addition to that, one needs to pay attention to the linkage between human rights and social economic development.

10. **H.E. Keat Chhon:** One thing that is to be answered is why maternal mortality rates have not been reduced still further. I would like to put this issue on the table. If there is any answer, this meeting will record it and we have to address this issue.

11. **Bettina Maas** of UNFPA: Access to skilled attendance is not the sole solution to maternal morbidity and maternal health. Access to emergency care is required and an assessment is being undertaken on how to improve access. It also requires improvement in communication and recognition by the community and the people themselves on how to change their behavior. It requires improved status of women because maternal morbidity is linked to improved women's status and educational attainment of girls.

12. **H.E. Ing Kantha Phavi**, Minister of Women's Affairs:

- MoWA has been working closely with the Ministry of Health to ease the access of health information to the village level by creating mobile team. A team was formed to locate health centers closer to the villages.
- MoWA is collaborating with UNFPA, and MOH to upgrade trained midwives and practitioner midwives because traditional midwifery is no longer appropriate. The number of midwives has been decreasing in Cambodia because young women are not interested in becoming midwife because the work is hard, and the salary is not appropriate.
- Maternal mortality rate is linked to the status of women. We doing the work of promoting and getting more women involved in the health information campaign.
- Related to violence against women, the National Action Plan to Combat Violence Against Women, especially on the part of domestic violence is not yet finalized, but we are almost at the end of the process. Cambodia is one of the first countries to include violence against women as an indicator in measuring country's development. Drafting of a prevention plan is part of CMDGs, and in order to draft this national action plan, a wide range of governmental and non governmental actors are needed. In November 2005, MoWA called an advisory board. Members of the board come from several line ministries such as MoWA, Minstrt if Information, MoI, MoJ, and other government institutions and NGOs. In line with the participatory approach, members addressed relevant topics in the following areas: information and awareness, social services for victims and legal issues. MoWA reviewed the recommendations and prepared the first draft plan, which has been submitted to the advisory board for consultation. Though the consultation may be time

- consuming and are still on-going, this is an important process because this is an important national planning effort to prevent violence based on consensus from a wide range of governmental and non governmental actor.
- MoWA added an introductory section to the National Prevention Plan, which introduced the definition of violence and prevention. Moreover, it provides an overview of the situation of women and the prevalence of violence in Cambodia.
  - We organized three seminars to raise awareness. As the next step, once the draft plan is agreed by the advisory board, discussions with all partners are needed.
  - Policy recommendations have been developed, but specific indicators and activities have to be further developed to allow for monitoring of the implementation of the action plan. The challenges in implementing the national action plan are required funds. Though we have funds from GTZ, UNFPA, IOM, UNDP, more are needed to expand the scale of the implementation.
  - MoWA is collaborating with MoJ on the draft of the Anti Trafficking Law to ensure that the draft is complying with the Penal Code, because some inconsistencies have been discovered, and the UN Protocol on Cross National Crime on Trafficking. We hope the new draft will come out at the end of the year or in early 2007.

### **Decentralization and Deconcentration**

13. **H.E. Prum Sokha**, Chair of D&D TWG, outlined **progress** over the last nine months which highlighted three major components:

- Completion of the draft Organic Law in mid May. It has been translated into Khmer. MOI has been reviewing the law and has presented summaries in various forum with partners in the government and non government sectors at national and local levels.
- The Preliminary Implementation Framework identifies the main components, priorities and sequencing of activities for the reform and implementation of the Organic Law and associated policies.
- Additional steps that have been taken to advance the national policy on sub national democratic development, particularly the creation by Royal Decree of the National Committee to Manage Decentralization and Deconcentration (NCDD).

14. Representative of **Sweden** delivered an **Intervention on D&D** with the following key messages:

- The creation by Royal Decree of the NCDD is a critical step to prepare for a new phase of D&D reforms.
- Good governance is central to NSDP, and D&D are considered key in improving sub national governance and development, which in turn are expected to enhance the well being of Cambodia citizens particularly the poor. There is a strong interdependence between D&D and RGC's agenda on anti corruption, public administration and public finance reform.
- D&D TWG has been inactive since its first meeting in February this year. Following the establishment of the NCDD and in order to make further progress on effective support to a complex reform agenda, the donor community currently engaged in D&D and those wanting to participate in it is looking forward to an improved engagement and dialogue with NCDD and its partners under the auspices of the D&D TWG. A starting for reengagement would be to review the current status of the JMIs and to agree on a D&D Action Plan.

15. **Nisha Agrawal of the World Bank**: We have been supporting the D&D program and welcome the setting up of the NCDD. The future steps depend on the Organic Law. There have been consultations on summary features of the Law. We hope the government is committed to having consultation with all stakeholders on the full law before it is submitted to NA. We hope

that with the setting up of NCDD and responsibilities within MOI clarified, we can start having a much more regular dialogue through the D&D TWG.

### **Anti Corruption Law**

16. Representative from the **Council of Ministers** briefed the meeting of the recent restructuring and strengthening of the Anti Corruption Unit through Sub Decree 84 dated 22 August 2006. The purpose is to strengthen the implementation of RGC's Rectangular Strategy, which consider good governance as its core, the second Governance Action Plan 2005-2008, and Public Service Delivery Policy, and in time when corruption has become more complex. The ACU has four sub units: Finance, Administration and Human Resource; Education, Prevention and Cooperation; Investigation; and Law Enforcement. The four sub units function in a coherent manner and in a way that supports each other. Tasks of the ACU shall comprise collection of corruption related information, which ensures the anonymity of information source; take action on corruption; prepare an action plan to combat corruption in line with second GAP; receive complaints; and conduct investigation and send the issue to court for prosecution. To enable the ACU to effectively implement its tasks, support from development partners and other government ministries/agencies in terms of funds and logistics are needed.

17. Representative of **MONASRI** :

- MONASRI submitted the draft Anti Corruption Law to the COM on 12 January 2006. It was reviewed by OBSESS and the Council of Jurists, and was subsequently revised on 17 March 2006 in collaboration with the Ministry of Justice, to ensure its consistency with other laws in force. The revised draft law was scheduled for a review by an inter-ministerial meeting on 12 September 2006. However, the meeting was postponed because the draft law was not deemed ready for discussion in the inter-ministerial meeting. The draft law then was referred back to MOJ and MONASRI for further revision. A working group of MOJ and MONASRI with support from French experts have met three times since then. The latest draft was finalized on 29 September 2005. It is scheduled to arrive at the MONASRI on 5 October 2005, then it will be submitted to COM for inter-ministerial review before submission for approval by COM.
- MONASRI has prepared a priority action plan to formulate the draft Anti Corruption Law, and the draft law on access to information to complement the draft Anti Corruption Law. MONASRI is seeking support from partners in drafting the draft law on access to information. MONASRI working group has met with Japanese experts on the draft Law on Inspection and was suggested that the drafting be undertaken following the adoption of the Anti Corruption Law.

18. Ambassador of **Japan** delivered a **statement** on behalf of development partners in Cambodia stressing the following points:

- Development partners express deep concern that the Royal Government has not yet submitted the draft law on anti-corruption to the National Assembly, which was supposed to be done by the end of June 2006.
- Development partners urge the Government to promptly enact the anti-corruption law and provide clarifications, if any, as to the obstacles that are faced in the process such as issues of consistency with the existing legal system and laws.
- There is need for the anti corruption law to satisfy established international practices and well-functioning practices of other countries. But development partners reiterate that consistency and coherence within Cambodian legal system is of utmost importance as a fundamental basis for the country's nation-building and development.
- There is a need for the newly created Anti-Corruption Body to be harmonised with existing anti-corruption institutions in the country in terms of purposes and jurisdiction.

19. Representative of **Ministry of Justice**:
- Consistency with the existing Cambodian legal system has been considered a basis for preparing the anti corruption law. Three main issues have been emphasized in the recent draft: the anti corruption body; its independence; and constitutionality of the draft law and its consistency with the current Penal Code.
  - Effectiveness and independence of the anti corruption body have been ensured. Its secretariat has been entrusted with the judicial policy role as well as prosecutorial power for investigation and indictment.
  - The Penal Code currently under the drafting process contains stipulations on corruption, which cover the crime in a more comprehensive manner than the initial draft law on anti-corruption. To address this, MOJ and MONASRI, with support from French cooperation, agreed to revise the draft anti corruption law to include provisions from the draft Penal Code that provide for a number of crimes considered as corruption.
20. Representative from **Council of Ministers**:
- The Anti Corruption Unit is RGC's commitment to fight against corruption when the law is still being drafted.
  - Once the anti corruption law comes into force, the Anti Corruption Unit may be transformed or phased out upon consideration by RGC.

### **Land Reform**

21. **Ambassador of Germany**, Mr. Puis Fischer, delivered an **Intervention** on Land Conflicts highlighting the following points:
- Clarification is needed on the recent creation of the National Authority for the Resolution of Land Disputes and its relationship with the jurisdiction of cadastral commissions and the courts.
  - Development partners urged the Government to further consider as priority enforcement of measures to protect indigenous lands and communities through moratorium on economic land concessions that involve these lands.
  - Development partners recognize that there has been some progress with regard to land registration and increased transparency through disclosure of some information on economic land concessions. Development partners urged RGC to speed up progress on social land concessions and step up efforts to stop land grabbing and illegal dealing in lands to enforce land rights for all Cambodians.
22. The Chair of **Land TWG**:
- Following adoption of Land Law in 2001, cadastral commissions have been established since 2002 down to the district level. At the district and provincial levels, once land disputes occur, cadastral commissions shall play coordinating/reconciling not adjudicating function. Adjudicating function rests only with the cadastral commission at the nation level, but a clear body of rules on this role has been established and followed before exercising this function. So far, 6-7 cases have been heard by the National Cadastral Commission. As per the JMI, 450 cases successfully resolved out of 800 cases handled in 2006, 219 cases have been resolved as of July, 211 cases were rejected and 20 cases were withdrawn.
  - Resolution of land conflicts through the cadastral commissions, at all levels, is time-consuming. To speed up progress, RGC has established the National Authority for the Resolution of Land Disputes. There is no overlap of role and function of these different bodies dealing with the resolution of land disputes. The National Authority shall resolve only cases that are not being heard by the cadastral commissions or cases that are submitted by the National Cadastral Commission.

- Lands illegally grabbed have been reclaimed which cover more than 199,000 ha. A circular has been prepared to implement Article 18 of the 2001 Land Law.
- The process of indigenous land registration is under preparation. Policy on protection of indigenous lands and community is being prepared. A statute on indigenous people has not been completed by MOI to define identity of indigenous people and communities, although two villages in Rattanakiri have been selected as pilot cases. Protection of indigenous land also involves Forestry Law (article 37) which mandates an adoption of a sub-decree on the definition/demarcation of forest land for indigenous communities. Once there is regulation on identity of indigenous communities and their land, MLMUPC will develop regulations to implement the Policy for the protection of indigenous people and carry out land registration process.
- Two villages, in Kratie and Kompung Cham, have been selected to pilot effort to implement social land concession by granting by the end of the year land to 500 families. Through a participatory approach, an environmental impact assessment has been conducted, location determined, and targets identified participating in social land concession. But there is problem of funding shortage for the task, and a number of difficulties with rules/principles suggested by the World Bank.

23. As an embodiment of the commitment to partnership and the principles guiding the implementation of NSDP, the [Declaration on Enhancing Aid Effectiveness](#) were signed between the Royal Government of Cambodia and 14 development partners: Australia, Canada, Denmark, France, Germany, Japan, New Zealand, Sweden, United Kingdom, United States, Asian Development Bank, the European Commission, UN System, and the World Bank.

24. The Seventh GDCC meeting adjourned at 12:30 AM.

### **List of Participants**

#### **Government**

H.E. Mr. Keat Chhon, Senior Minister, Minister of Economy and Finance, Chairman of GDCC  
H.E. Mr. Chhieng Yanara, Deputy Secretary General of CDC, Secretary General of GDCC

#### *Ministry of Agriculture, Forestry and Fisheries*

Mr. Eang Savet, Deputy Director  
Mr. Sam Nuov, Deputy Director  
Mr. Chan Danith, Forestry TWG  
Mr. Tith Bone, Officer  
Mr. Sok Srun, Officer

#### *Ministry of Commerce*

Mr. Sok Sopheak, Deputy Director General

#### *Ministry of Economy and Finance*

H.E. Mr. Kong Vibol, Secretary of State, Vice Chairman of CDC  
Mr. Sok Saravuth, Director  
Mr. Long Sophat, Officer

#### *Ministry of Education, Youth and Sports*

H.E. Mr. Mak Vann, Secretary of State  
H.E. Mr. Nath Bunroeun, Under Secretary of State  
Mr. Suong Sarun, Deputy Director General  
Mr. Sok Rithy, Deputy Director  
Mr. Kuy Phalla, Deputy Director

Mr. Oung Borat, Staff  
Daisuke Kanasawa, Adviser

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Prince Sisowath Chivan Nariddh, Secretary of State  
Mr. Chea Sam Ang, Deputy Director General

*Ministry of Health*  
Dr. Char Meng Chuor, Deputy Director General

*Ministry of Interior*  
H.E. Mr. Prum Sokha, Secretary of State  
Mr. Ngan Cham Roeun, Deputy Director General  
Mr. Chan Dara, Deputy Director  
Mr. Tep Phearun, Assistant

*Ministry of Justice*  
H.E. Mr. Phov Samphy, Assistant to Minister

*Ministry of Land Management, Urban Planning and Construction*  
H.E. Mr. Chhan Saphan, Secretary of State  
Mr. Sar Sovann, Deputy Director General

*Ministry of National Assembly, Senate Relation and Inspection*  
H.E. Mr. Prak Ham, Secretary of State  
Mr. Keo Kong, Deputy Director General  
Mr. Khiev Kim Heng, Deputy Director  
Mr. Tao Sandy, Deputy Chief

*Ministry of Planning*  
H.E. Mr. Ou Orhat, Secretary of State  
H.E. Mr. Tuon Thavrak, Director General  
Mr. Theng Phagnathun, Director  
Ramanathan Natarajan, Adviser

*Ministry of Public Works and Transport*  
H.E. Mr. Sun Chanthol, Minister  
Mr. Pheng Sovicheano, Deputy Director General  
Mr. Tatsuo HARADA, JICA Expert

*Ministry of Water Resources and Meteorology*  
H.E. Mr. Veng Sakhon, Secretary of State

*Ministry of Women's Affairs*  
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H.E. Ms. Chan Sorey, Secretary of State  
Ms. Anna Collins Falk, Senior Adviser  
Ms. Nhean Sochetra, Director

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H.E. Mr. Chhoeuy Roeun, ACU  
Mr. Nuon Sothimon, Office Chief

*Cambodia Mine Action Authority*

Mr. Kong Vathana, Officer

*Council for Administrative Reform*

H.E. Mr. Chhuon Chham, Deputy Secretary General  
ED Attridge, Adviser

*Council for Legal and Judicial Reform*

H.E. Mr. Suy Mong Leang, Director  
Mr. Ly Chhe, Deputy Director

*National AIDs Authority*

H.E. Mr. May Sam-Oeun, First Vice Chair  
H.E. Mr. Hor Bun Leng, Deputy Director General

**Development Partners**

*Asian Development Bank*

Allain Goffeau, Acting Country Director

*Australia*

H.E. Ms. Lisa Kim Felipetto, Ambassador  
Peter Lindenmayer, First Secretary, AusAID  
Stephen Close, Senior Program Officer

*Canada*

H.E. Ms. Donica Pottie, Ambassador  
Michael Rymek, Head of Aid, CIDA

*Denmark*

H.E. Mr. Mogens Laumand Christensen, Minister Counselor

*European Commission*

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*Germany*

H.E. Mr. Pius Fischer, Ambassador  
Daniel Haas, First Secretary, German Embassy  
Thomas Engelhardt, Director, GTZ  
Volker Muller, GTZ

*International Monetary Fund*

John G. Nelmes, Resident Representative

*Japan*

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Norio Maruyama, Minister  
Kazuhior YONEDA, Resident Representative, JICA  
YUKAI Hikoyuki, Deputy Resident Representative, JICA  
Emi Morikawa, Adviser  
EiiChiro Hayashi, Aid Coordination Adviser, JICA  
Koizumi Yukihiro, JICA  
Nhean Tola, Programme Officer, JICA  
Keiji Ito, Programme Officer, JICA  
Shinji Asankma, Adviser, JICA

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Lynn de Silva, First Secretary, NZAID Manager

*Sweden*

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*UN Agencies*

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*Non Governmental Organizations*

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GJs Koop, Advisor, NGO Forum