

Cambodia–Canada Legislative Support Program

NEWSLETTER

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Letter from Women Parliamentarians of the National Assembly and the Senate of the Kingdom of Cambodia

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On behalf of the group of women parliamentarians of the National Assembly and the Senate, we would like to express our sincerest gratitude to the Cambodia-Canada Legislative Support Project (CCLSP) in promoting democracy and rule of law in Cambodia.



Under the leadership of the CCLSP field director, the project, in addition to including activities aimed at strengthening legislative capacity of parliamentarians and Secretariat staff, has also provided various opportunities for Women parliamentarians of the Senate and the National Assembly to participate in roundtables, workshops, and study tours that enhance our experience in the areas of legislative review and gender analysis.

The most recent study tours to South Korea and Japan provided an opportunity for women parliamentarians to consolidate our relationships across party lines, and to reach—despite our political differences—the main goal of promoting gender sensitivity in lawmaking.

These study tours also provided an opportunity for us to get first hand knowledge on the work of Korean and Japanese parliamentarians in strengthening the representative capacity of women and participation of women parliamentarians in drafting law proposals related to gender and other social issues, based on public consultations and research. We also had an opportunity to learn about women parliamentarians' struggle in Korea and Japan to get their voice heard in their respective parliaments; about their efforts to promote gender equality; and to encourage women to actively participate in the electoral process.

We would like to reiterate our appreciation to the CCLSP and to stress that we hope for further support from the CCLSP to Women's Group in the National Assembly and the Senate of the Kingdom of Cambodia.

HE Mrs. Ty Borasy HH Princess Sisowath Santa HE Mrs. Ho Naun

SPECIAL FEATURE

Study Visits by Women Parliamentarians to South Korea and Japan

In August and September 2006, two delegations comprising Cambodian women parliamentarians visited the Republic of Korea and Japan. The delegations primarily investigated the legislative management policies as they are practiced in these two countries. The study visits also helped to provide an in-depth analysis of the two countries' problems related to women's issues and the way they are being addressed. Measures to prevent and combat trafficking in persons, especially women and children, were among the questions discussed by the delegates with their counterparts.

In Japan, delegates met with the President of the Senate, as well as officials dealing with social and health delegation had an opportunity to look at Japan's social system and the way it not only protects women from abuse, violence and discrimination, but also encourages them to pursue higher levels of education and professional development.



met with the President of the committees and senior women's affairs and various related issues. The opportunity to look at system and the way it not from abuse, violence and discrimination, but also pursue higher levels of professional development.

In Korea, delegates studied the role of parliament in endorsing gender equality, the impact of proportional electoral system upon presenting women with more opportunities to actively participate in political life. They had also an opportunity to learn the role that the Legislation Committee plays in reviewing legislation for gender mainstreaming and the role that the Committee on Gender Equality plays in gender budgeting.

In interviews conducted following the study visits, delegates reported that the meetings in both countries helped them to better understand the role of parliamentarians in addressing gender inequality and enhancing the situation of women in their country. They have also indicated the need to cooperate internationally with their peers to share lessons learned in strengthening participation of women in social activities; they feel that networking has increased their skills and strengthened the Women's Caucus.

Publication of the First Parliamentary Quarterly Bulletin

The first issue of the Parliamentary Quarterly Bulletin was published in September 2006. The Bulletin was compiled by legislative staff of the Parliament of the Kingdom of Cambodia, who have received training through CCLSP since 2002 in areas such as rule of law norms, law review, gender analysis, and legal research. Currently, they are being trained in legal research by a local

mentor, Dr. Khim Y, in close collaboration with Dr. Bill Neilson, the team leader for CCLSP's legislative activities.

This first Bulletin was well received by legislators who appreciated the work done by parliamentary staff. They acknowledged that staff have improved their skills in legal research, review, and analysis. Appreciation came also from law students in Cambodia.

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The first issue of the Parliamentary Quarterly Bulletin includes analyses on review mechanisms for government regulations; amendments to the Constitution; review on the draft of the Procedure of the Civil Code; and amendments to the Election Law.

The second edition of the Parliamentary Quarterly Bulletin is expected in December 2006.

To receive a free electronic copy of the bulletin (available in Khmer only), please visit the Parliamentary Centre's website at http://www.parlcent.ca/asia/cambodia_e.php or send an email to koulai@parl.gc.ca

International Parliamentary Forum on Budget Oversight (May 18-19, 2006)

The Governments of Cambodia and other South-East Asian countries have long recognized the fundamental importance of improving their administration of public finances. As such, development partners, including bilateral and multilateral donors, have strongly supported the efforts of Executives in the budget process. In recent years, there has been a realization by development partners of the need to provide investment in the role that other actors, including legislatures, play in the budget process. With the support and financing of CCLSP, UNDP, World Bank and other multilateral donors, the International Parliamentary Forum on Budget Oversight was held in Cambodia from May 18-19, 2006. The Forum aimed to help strengthen the National Assembly and Senate's capacity to effectively oversee the budget and to assist them in understanding the Public Financial Management Reform Program launched by the Cambodian government in December 2004.

According to Cambodia's Constitution, the members of the National Assembly and Senate, serving as the elected representatives of their constituents, have the responsibility to oversee the budget; therefore it is essential for the National Assembly and the Senate to fulfill that constitutional requirement by holding government accountable for the expenditure of

public funds.

Parliamentarians recognized that the existence of an independent supreme audit institution is crucial in holding government to account, as well as admitted that the participation in budget oversight should include media, civil society organisations, donors and international financial bodies. The Forum strengthened the notion among parliamentarians that their participation in the budget cycle is a key instrument to fighting corruption, implementing poverty reduction policies, and ultimately improving public accountability and good governance in the country.

As a follow-up to the Forum, the CCLSP is preparing a Budget Oversight Handbook for Parliamentarians, which is scheduled to be released in January 2007. This Handbook will essentially provide an overview on the Budget Process in Cambodia and provide recommendations for Parliament's role in the budget process. A draft of the Handbook was discussed in December 2006 at the Annual National Budget Workshop for parliamentarians and senior government officials involved in reviewing the draft law on the 2007 National Budget.

Guidelines for the Parliamentary Review of Regulations: Staff Research Group Workshop (June 12-15, 2006)

As a part of ongoing training provided by Canadian and Cambodian experts to parliamentary staff of the National Assembly and the Senate of Cambodia, 10 staff members participated in an intensive legislative workshop, led by Dr. Bill Neilson and Dr. Khim Y, from June 12-15, 2006, which intended to build the capacity of the research group to effectively encourage and support the work of parliamentarians in reviewing government regulations.

The participants had an opportunity to consider the legal significance of subordinate legislative instruments through studying the experiences of Canada and France in using measures to establish "checks and balances" on executive law-making.

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They also learned about the effect of the tendency to publish regulations without consultation long after laws have been passed by the parliament. Finally, and perhaps most importantly, the research group studied the practice of parliamentary committees in several countries to monitor government regulations with the power to recommend that defective regulations be withdrawn. The relevance and compatibility of these measures to the Cambodian situation were closely discussed and assessed.

Study Visit to Indonesia (July 15-22, 2006)



From July 15-22, 2006, a delegation comprising Members and senior parliamentary staff of the National Assembly of Cambodia visited Indonesia to study legislative management policies and consultations processes. The study visit provided parliamentarians with comparative legislative models; they also had an opportunity to study the legislative review process, which in Indonesia involves participation of the Ministry of Justice, which is not the current practice in the Cambodian system. In Indonesia, the lawmaking program is controlled by the parliament, not the executive - as a result, participants who went to Indonesia indicated that they would like to have more power over the legislative agenda and program. They have also expressed interest in producing a publication on the lawmaking process for the general public. The delegates learned as well about the parliamentary process and the role that the Supreme Court and the Ministry of Law and Human Rights play in it.

The study visit also responded to the delegation's

interest to learn about the work of Ombudsman institutions. In the aftermath of the visit, the Chairman of the Legislation Commission of the Cambodian National Assembly asserted that the creation of an Ombudsman office in Cambodia would endorse practices of good governance in the country and therefore is planning to make such a proposal to the government. He requested official support from CCLSP to secure research documents on Ombudsman institutions.

In response to this request, CCLSP will be conducting a number of training sessions in January 2007, which will help to clarify the role and functions of ombudsman institutions and provide a comparative perspective on ombudsman legislation.

Asia-Africa Parliamentary Forum on Corruption, Poverty and Growth (Dar es Salaam, Tanzania September 25-27, 2006)

From September 25-27, 2006, parliamentarians from 14 countries of Asia and Africa met in Dar es Salaam, Tanzania, for the second Asia-Africa Policy Dialogue. The first Dialogue was held in Phnom Penh, Cambodia in 2004. The follow-up Dialogue provided an opportunity for participants to continue the networking that had been initiated two years ago between African and Asian Parliamentary leaders and experts on issues of accountability and governance.

Through their experiences, Asia presents important lessons for development and poverty reduction in Africa, which is currently in search of models for sustainable development. As repeatedly emphasized by the Asia-Africa Forum, one of the major recommendations is a need to establish mechanisms for mutual learning between Asia and Africa, as both seek models for rapid economic growth and governance that is both accountable and sustainable. Working closely with Parliaments could constitute an important dimension of this.

The three-day dialogue has aided in developing a shared understanding about the linkages between

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corruption, poverty and growth through the reviewed experiences in Africa and Asia thereby fostering and strengthening the case for further dialogue among African and Asian experts, academics and parliamentarians on issues of governance and accountability.

The dialogue brought to light the concern that the conventional mechanisms to fighting corruption have proven to be “political and administrative myths,” which address only some of the multifaceted issues of corruption. Conclusive evidence from the dialogue points to the most substantive issue: in order to successfully battle corruption, there has to be political will and wholehearted support from all stakeholders and all three arms of the state in addition to civil society organizations and the citizenry. Emphasis was also placed on the role of Parliament in the PRSP cycle not only in generating input, but also in the evaluation process, thereby ultimately ensuring that constituent concerns are addressed in issues of inequality.

The Dialogue was supported and financed through CCLSP and Africa programmes of the

Parliamentary Centre (CIDA-funded projects), and the World Bank Institute.



Public Consultations on Draft “Road Traffic Law” (August 8-9, 2006)

According to a World Health Organisation report, traffic accidents are the second largest cause of death in Cambodia after AIDS. The growing number of vehicles together with the efforts made by the Government to develop and improve traffic infrastructures (in order to facilitate transportation and to develop the national economy, thus alleviating poverty), leads to a dramatic increase of

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DID YOU KNOW?

Pilot Project for the Establishment of Senate Provincial Offices

In January 2006, the Senate of Cambodia had its first elections by the Commune Councils. As part of its new mandate, the Senate is asserting itself to respond to the needs of its constituencies—the Commune Councils—in order to implement policies of decentralization and rural development. As a result of recent developments, the Secretary General has created a new department in the Secretariat in charge of regional and territorial collectivities in order to facilitate the work of Senators in the 8 regions. With the support of CCLSP, the Senate proposes to follow-up with the establishment of two pilot provincial offices, with the goal of eventually establishing offices in all provinces throughout the country. Kampong Cham and Battambang provinces have been chosen by the Senate for the first pilot offices as a result of geographic, social, and economic factors. It is expected that the provincial offices will provide regional and local information and analyses to the Senate and provide a forum for Senators to consult directly with local authorities and the commune councils.

road traffic accidents of 15% every year.

In order to address this problem, the National Assembly's 9th Commission undertook public consultations from August 8-9, 2006 on a draft law on road traffic. Participation by the President of the National Assembly and the Vice-President of the Senate in the course of consultations showed an increased awareness and appreciation by parliamentarians of the value of public engagement in the legislative process.

The consultations on the draft law on Road Traffic brought together participants from the government

of both the National and local levels, the National Assembly, the police, students, private transportation companies, medical doctors, lawyers, and relevant NGOs to discuss public safety and the need to adopt a good and comprehensive traffic law in Cambodia. As a result of the consultations, the National Assembly's 9th Commission met with the Ministry's drafter to modify the legislation based on recommendations made during the consultations. Other commissions of the National Assembly saw the value of the consultations and have reported that they would like their own Commissions to conduct public consultations on matters related to the work of their commissions.

DID YOU KNOW?



This November, CCLSP donated 20 computers, 20 printers, and 6 scanners to the secretariats of the National Assembly and the Senate of Cambodia

Forthcoming Activities

Legislation

- Roundtable to finalize and adopt Commission Procedure Guidelines
- Workshop on Comparative Perspectives in Ombudsman Legislation
- Regional Study Visit for Senior Management of the NA & Senate on Legislative Management
- Parliamentary Quarterly Bulletin on Legislative

Issues

- Best Practices Parliamentary Law Making Guide
- Ongoing legal staff training through Legislative Assignments
- Roundtable for Women Parliamentarians on relevant issues of concern

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Representation

- Roundtable on draft Consultation Guidelines with commissions
- Completion of Consultation Framework Guide with commissions based on lessons learned
- Roundtable with Civil Society on Consultative Methods based on Consultation Framework Guide

Secretariat

- Pilot Project on developing Senate provincial offices
- Development of Performance Management Framework for Secretariats

- Effective Staff Relations Workshop – linked with development of Human Resource Policies & Guidelines
- Workshop on Communications Principles and Procedures and Development of a Communication/Outreach Strategy for the Secretariats
- Workshop on Consultative Framework – best practices for delivery of public information
- Workshop on Effective Organizational Communication – as a part of the communications strategy
- Initiate Mechanisms to Improve Research and Library Facilities in the NA and Senate.

Canada-Cambodia Legislative Support Program

The CCLSP, funded by the Canadian International Development Agency, is based on a Memorandum of Understanding between the Governments of Cambodia and Canada. The Parliamentary Centre manages the project and works with local counterparts in order to promote sustainability and local ownership.



services of the Secretariats, and taking into account the principles of gender equality, the project aims to achieve the following sub-outcomes:

Project Objective

The main objective of the CCLSP is to contribute to good governance and democratic development in Cambodia through capacity development of the National Assembly and the Senate.

The project has three components:

1. Enhanced capacity of the National Assembly, the Senate and their Commissions to draft and review legislation;
2. Increased responsiveness of Members of Parliament to constituents;
3. Improved capacity of the Secretariats to support the National Assembly and Senate.

In the areas of legislation, representation and

Legislation

- Improved management of the legislative agenda;
- Improved legislative drafting;
- Professional analysis provided by Commissions of Parliament;
- Incorporation of gender analysis in legislation.

Representation

- Improved public policy consultation by Commissions;
- Improved record keeping by Commissions of Parliament.

Secretariats

- Politically neutral services to all parties, through secretariats;
- Improved communication with the public about Parliament business;
- Improved legislative research support to Commissions;
- Improved management and administration;
- Improved recruitment and use of female staff.

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**THE CCLSP TEAM
WISHES YOU
A HAPPY AND PROSPEROUS
HOLIDAY SEASON!**

We hope you enjoyed this Issue. We welcome your questions, comments and suggestions! Please email them to Irina Koulatchenko at koulai@parl.gc.ca or to Bunleng Men at cclsp_manager@online.com.kh

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