

ANALYSIS OF JOINT MONITORING INDICATORS AGREED AT THE 8TH CONSULTATIVE GROUP MEETING (2-3 MARCH 2006)

This analysis was prepared by NGO Forum to help explain to NGOs information regarding the Joint Monitoring Indicators agreed between government and donors at the Consultative Group (CG) Meeting on 2-3 March 2006. These Joint Monitoring Indicators will be monitored by the relevant government-donor Technical Working Groups (TWGs) and reported to the quarterly Government-Donor Coordination Committee (GDCC) meetings.

The “indicators” are, in most cases, really *actions* that government and donors agree should be achieved by the time of the next CG meeting. Achievement of these specific actions is considered be a good indication of progress in each sector more generally. The word “benchmarks” was previously used, but government officials requested that the word “indicator” be used instead.

The CG Meeting agreed on 60 joint monitoring indicators (JMIs), up from the 25 agreed at the 2004 CG Meeting and the 10 agreed at the 2002 CG Meeting. Due to the way JMIs have been reworded and regrouped, a direct comparison cannot be made, however the trend is obviously towards monitoring more issues and more indicators, probably at the expense of a more focused approach. There were 40 completely new JMIs. A further 20 JMIs were rolled over from the 2004 CG Meeting (following some re-wording), as they had not yet been achieved. However, 7 JMIs from the 2004 CG Meeting that had not yet been achieved were dropped. The table below shows the number of new, rolled over, or dropped JMIs in each sector. The complete list of JMIs is attached.

TABLE OF JOINT MONITORING INDICATORS AGREED AT THE 2006 CG MEETING

AREA	NO. OF JMIS	NEW JMIS	ROLLED OVER	DROPPED
1. National Strategic Development Plan	1	1	0	0
2. Partnership and Harmonization	3	1	2	0
3. Anti-Corruption	3	0	3	1
4. Legal and Judicial Reform	9	5	4	2
5. Public Administration Reform	4	2	2	0
6. Decentralization and Deconcentration	3	2	1	0
7. Public Financial Reform	1	0	1	1
8. Rural Livelihoods	6	4	2	0
9. Infrastructure	5	5	0	0
10. Human Development	5	5	0	0
11. Natural Resource Management	12	11	1	3
12. Private Sector	8	4	4	0
TOTAL	60	40	20	7

New Joint Monitoring Indicators

Many of the new JMIs were in fact indicators or actions already being monitored by the TWGs, but previously not considered to be priority indicators requiring monitoring by the GDCC and CG. Indicators on infrastructure development, health, education, forestry and nutrition have now been included as JMIs. Many of the new JMIs are focused on the implementation of donor-supported projects.

Completely new indicators include the implementation of social land concessions and the adoption of a strategy and regulations for indigenous people’s land tenure, both of which were strongly advocated by NGOs (although NGOs would have liked to have seen a more specific mention of communal title

for indigenous people). Gender-related indicators include implementation of the National Action Plan to combat violence against women.

Indicators Rolled Over

20 JMIs were rolled over from the 2004 CG Meeting, as they had not yet been achieved. This includes the rolling over of an indicator on disclosure of information about mining concessions and military zones, which was strongly advocated by NGOs.

Indicators Not Included or Dropped

Despite general agreement that indicators agreed in 2004 but not yet achieved should be rolled over into the new set of JMIs, a number of such indicators were in fact dropped, namely:

1. The previous indicator on termination of concessions and developments illegally situated on forestland or in protected areas has been omitted.
2. The previous indicator on maintaining a moratorium on logging, transport of logs and new economic concessions has been omitted.
3. There is now no indicator calling for “application of sustainable management planning, including ESAs, investor evaluations, consultation with local communities, public disclosure and comment period prior to entering into new contracts for private use/management of state managed natural resources (land, fisheries, forestry, and mines).”
4. There is now no indicator calling for a Law on the Amendment of the Supreme Council of Magistrates.
5. There is now no indicator on using existing laws to prosecute cases of corruption (while we are still waiting for an anti-corruption law and implementation plan). However, semi-annual reporting on cases of corruption and convictions is included.
6. There is now no indicator calling for a “legislative framework (such as a Freedom of Information Law)”. The revised indicator calls for a “clear policy framework on access to information” instead. However, experience on the Anti-Corruption Law and other laws shows that it is best to have a policy framework before drafting a law.
7. There is also now no specific mention of “timely disbursement of the budget for Health and Education as agreed in the PFM Action Plan.” However, implementation of the Public Financial Management (PFM) reform program is still included.

A new indicator suggested by donors on protection of personal rights and freedoms has also not been incorporated (despite recent signs that the Government is keen to prove its commitment to human rights).

Overall assessment

The omission of the above-mentioned indicators is regrettable, considering their importance as indicators of political will and their importance to Cambodians generally. Nevertheless, the new JMIs provide a good basis for monitoring Cambodia’s progress, and NGOs should be ready to assist this monitoring. NGOs should also be ready to raise any and all issues that they consider to be important, and which may be important to include in the joint government-donor monitoring in future years.

JOINT MONITORING INDICATORS AGREED AT THE 8TH CG MEETING (2-3 MARCH 2006)

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
1. NSDP monitored annually	i. Develop and implement a framework to monitor the implementation of the NSDP and prepare an annual progress review of NSDP implementation.	MOP (Lead), MEF and CDC	Planning and Poverty Reduction TWG	End June 2006	New JMI.
2. Build partnerships to enhance aid effectiveness and mutual accountability.	i. Implement the RGC's Strategic Framework for Development Cooperation Management.	CDC	P&H TWG	On-going	Indicators revised. The 2004 CG indicator called for implementation and monitoring, on 6-monthly basis, of the Harmonisation Action Plan and Partnership Principles.
	ii. Prepare progress report on a six month basis the implementation of RGC's Action Plan on Harmonization, Alignment and Results	CDC	P&H TWG	On-going	
	iii. review and strengthen aid coordination mechanisms including CG, GDCC and TWGs,	CDC	P & H TWG	3 rd quarter 06	New JMI.
3. Combat corruption	Finalize and approve Anti-corruption Law, based on best international practices, and: a. Prepare an implementation plan to enforce and manage the implementation of the Anti-corruption Law. b. Disseminate information on reported cases of corruption and conviction on semi-annual basis.	MNASRI Leads, COM	L&J TWG	End June 2006	2004 CG indicators called for reported cases of corruption to be brought before the courts under the existing criminal law (while waiting for the passing and implementation of an Anti-Corruption Law). This has been dropped, but dissemination of information on reported cases and convictions remains. Deadline for passing the Law has been extended. Donors and NGOs are concerned that the current draft does not meet international standards, especially regarding independence of the Anti-Corruption body.
		MNASRI Leads, COM	L&J TWG	Oct 2006	
		MNASRI Leads, COM	L&J TWG	On-going	

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
4. Establish a well functioning, transparent and accountable legal and judicial system that protects individual rights as defined in the Constitution.	i. Develop a clear policy framework on access to information	MNASRI Leads	L&J TWG	Dec. 2006	2004 CG Indicator called for a "legislative framework (such as a Freedom of Information Law)". However, experience on the Anti-Corruption Law shows that it is best to have a policy framework before drafting a law.
	ii. Complete the drafting and approval of the remaining fundamental Laws (Penal Procedure Code, Penal Code, Civil Code, Law on the Statute of the Judges, Law on Court Organization and Functioning).	MOJ Leads	L&J TWG	According to the timeframe to be agreed by L&J TWG	Rolled over from 2004. Donors want to see a clear schedule for passing legislation, as there is a backlog of laws needed to be passed. The indicator on Law on the Amendment of the Supreme Council of Magistrates has been dropped, despite advocacy from NGOs.
	iii. Establish timeframes to complete the remaining Laws and regulations needed to meet WTO requirements and carry out the tasks within the established time frames.	MOC Lead		End April 2006	New JMI, requested by donors.
	iv. Establish time frames to complete the drafting, review and approval of various new Laws and regulations and amendments to existing Laws and regulations and ensure timely completion of the review, redrafting, and approval processes within the established time frames.	Office of COM		Every 6 month basis	New JMI, to deal with concern over the backlog of laws needing to pass through the Council of Ministers.
	v. While the priority setting process is being put in place, priority will be given to: a. Complete the Draft Law Against Trafficking in Person and Sexual Exploitation and submit to COM.	MOJ Lead	L&J TWG	September 2006	Rolled over from 2004, now with clear deadline. Previous indicator also mentioned adoption of implementation plan.
	b. Complete and adopt a National Plan to enforce the Law on Domestic Violence and Protection of the victims.	MOWA Lead	Gender TWG	June 2006	2004 CG indicator called for passing of law (now achieved) and adoption of implementation plan (rolled over).

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
	<p>c. Complete preparation of regulations to enforce State Land Management Sub-Decree.</p> <p>d. Elaborate and Implement Article 18 of the Land Law.</p> <p>e. Adopt RGC's strategy and regulations for the indigenous people</p>	<p>MLMUPC</p> <p>MLMUPC/CLP</p> <p>CLP</p>	<p>Land TWG</p> <p>Land TWG</p> <p>Land TWG</p>	<p>June 2006</p> <p>November 2006</p> <p>November 2006</p>	<p>New JMI, following passing of sub-decree (a 2004 CG indicator).</p> <p>Rolled over from 2004. NGOs raised importance of this indicator, in connection to protecting indigenous land and community access to natural resources.</p> <p>New JMI, advocated by NGOs, though NGOs would have liked to have seen specific mention of communal titling.</p>
5. Further develop the Public Administration to serve people better and to become an effective development partner.	<p>i. Implement the approved "Joint Government-Donor Strategy for Phasing Out Salary Supplementation Practices in Cambodia" by:</p> <p>a. implementing approved sectoral action plans; and</p> <p>b. establishing Priority Mission Groups (PMGs), and PMG/Merit Based Pay Initiatives (PMG/MBPIs) in MEF, MOH, and at least one other ministry/agency.</p> <p>ii. Improve pay and employment conditions in the civil service by developing and implementing:</p> <p>a. a medium term strategy and action plan to enhance remuneration; and</p> <p>b. a redeployment policy and action plan.</p> <p>iii. Design and implement an HRM policy and action plan to improve merit and performance management by introducing an HRM Guide and further developing the Human Resource Management Information</p>	<p>CAR and all ministries</p> <p>CAR</p> <p>CAR and all ministries</p>	<p>PAR TWG and other TWGs</p> <p>PAR TWG</p> <p>PAR TWG</p>	<p>Action planning by end of June 2006; PMGs and MBPIs by Dec.2006</p> <p>Policy work completed by end of June; implementation work by Dec.2006</p> <p>Policy work completed by end of June; implement-</p>	<p>New JMI, following approval of the strategy (a 2004 CG indicator). NGOs should be aware of this new policy when dealing with government counterparts.</p> <p>Rolled over from CG 2004. Previously to be approved by November 2005.</p> <p>Rolled over from CG 2004. Previously to be approved by September 2005.</p>

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
	System (HRMIS) for the Civil Service. iv. Enhance service delivery through developing a One Window Offices (OWOs) policy, legal framework and implementation plan, including establishment of at least 5 OWOs across Cambodia.	CAR	PAR TWG	tation work by Dec.2006 Policy work completed by end of June; implementation work by Dec.2006	New JMI
6. The RGC's Strategic Framework for Decentralization and De-concentration (D&D) reforms developed, and initial preparation made for full implementation.	i. Preparation, Consultation and submission for approval by the National Assembly a set of the organic Laws on democratic development at Sub-national levels. ii. D&D and organic law implementation framework/outline prepared (preliminary provisional pending the enactment-approval by the Nat. Assembly of the organic laws). iii. Review and formulate D&D support program for reform and Investment for Local Development.	IMC IMC IMC	D&D TWG D&D TWG D&D TWG	First draft by end March 06 First and Second Quarter 06 3 rd quarter 06	2004 CG indicator called for completion of the strategic framework (achieved) and completion of first draft for consultation (rolled over). New JMI New JMI
7. The RGC's Public Financial Management reform program implemented.	i. Continue implementing the RGC's PFM Reform Program (complete Stage1/Platform 1 and begin implementing the action plan for Stage 2) and monitor impact through the agreed PFM Performance Management Framework/Indicators.	MEF	PFM	On-going	This is actually a large set of indicators, monitored by IMF. The 2004 CG indicator on "timely disbursement of the budget for Health and Education as agreed in the PFM Action Plan" is no longer specifically mentioned.
8. Improve livelihoods of the	i. Develop a medium term strategy for agriculture and water, building on the NSDP and existing MAFF and	MAFF and MoWRAM	TWGAW	Jan-Dec 2006	Rolled over from CG 2004. Previous deadline December 2005.

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
rural poor, reduce poverty in particular in rural areas, and enhance food security and nutrition based on priorities outlined in the National Strategic Development Plan for 2006-2010.	MOWRAM strategy documents.				
	ii. Establish a mechanism and periodically disseminate information on economic land concessions in accordance with the notice issued by the Prime Minister on 30 June 2005.	MAFF	TWGAW	2 nd Quarter 2006	Rolled over from CG 2004, following some initial disclosure in December 2005. Disclosure of military development zones and mining concessions is included under Target 11.
	iii. Take appropriate action to reflect the priorities of the Fisheries sector to improve the livelihoods of rural communities in commune, district and provincial development plans as well as donor funding levels.	MAFF(Lead)/ Local Authority	TWGF	4 th Quarter 2006	New JMI. Note that wording is very vague.
	iv. To improve the livelihoods of the rural poor, 500 eligible households are settled on social land concessions with livelihood support and at least 10,000 hectares of suitable land confirmed as available for social land concessions.	CLP and MLMUCP	Land TWG	2006	New JMI.
	v. Develop a social safety net policy to ensure food security and nutrition for the most vulnerable groups of the population.	NCDM	TWG-FSN	Dec 2006	New JMI.
	vi. Develop a nutrition surveillance system to monitor food security and nutrition.	MOP	TWG-FSN	DEC 2006	New JMI.
9. Further rehabilitation and development of infrastructure to achieve sustainable socio-economic development and poverty reduction	i. Reach agreement on a clear and transparent mechanism for budget allocation and disbursement and monitoring for repair and maintenance of roads.	MPWT	IRITWG	Mar – Dec 2006	New JMI.
	ii. Submit Road Law to COM for approval	MPWT	IRITWG	Dec 2006	New JMI.
	iii. Submit Telecom Law to COM for approval	MPTC	IRITWG	Jan – Mar 2006	New JMI.
	iv. Submit Water Supply and Sanitation Law (WSSL)	MIME	IRITWG	June 2006	New JMI.

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
goals.	to COM for approval v. Prepare draft of Cambodia National Wood Energy Statistics & Wood Energy Policy	MIME	IRITWG	Dec 2006	New JMI.
10. Foster the development of a socially cohesive, educationally advanced, and culturally vibrant society that is free of illiteracy and disease and follow the RGC's Strategic Plan – Neary Rattanak (women are precious gems).	i. Increase the proportion of deliveries attended by skilled health personnel ii. Increase the net enrolment in primary school (total, and by sex). iii. Increase the survival rate from grades 1 to 6. iv. Implement the National Action Plan to combat violence against women. v. Increase coverage of effective drug & HIV/AIDS prevention, comprehensive care and support, and effective mitigations interventions.	MOH MOEYS MOEYS MOWA NAA & NACD	TWG Health TWG Education TWG Education TWG gender TWG HIV/AIDS	On-going	New JMI. New JMI. New JMI. New JMI. New JMI.
11. Ensure sustainable use of the natural resources taking into consideration the issues of livelihood and needs of the rural communities.	i. Develop and implement National Forest Program, by initial focus on: a. strengthening the enforcement of the Forestry Law, especially combating forest land clearing and encroachment; b. rationalizing and reclassify national forest lands to ensure sustainable use of these resources by further forest demarcation/demarcation of protected areas ; c. completing Forest Cover Assessment 2005/2006.	FA/MAFF/MoE FA/MAFF/MoE FA/MAFF	TWG-F&E TWG-F&E TWG-F&E	Quarterly Report 4 th QuarterGD CC06 4 th QuarterG DCC06	The 2004 CG indicator on maintaining the moratorium on logging, transport of logs and new economic concessions has been dropped, as has the indicator requiring sustainable management planning for land, fisheries, forestry and mining concessions. New JMI. New JMI. New JMI.

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
	d. implementing Community Forestry program and develop Community Forestry	FA/MAFF	TWG-F&E	Quarterly	New JMI.
	e. implementing capacity building for forestry sector program/tree planting for socio-economic purposes.	FA/MAFF	TWG-F&E	Quarterly	New JMI.
	f. Independent Monitoring in the forestry sector (Subject to donor grant funding)	FA/MAFF	TWG-F&E	To be determined	New JMI.
	ii. Strengthen transparency by disseminating all relevant sector information on the activities of government agencies, including information on mining concession and military development zones, as well as donors and NGOs by periodically postings on TWG-F&E website.	All stakeholder	TWG-F&E	4 th Quarter GDCC 06	New JMI. Disclosure of mining concessions and military development zones was retained following lobbying by NGOs, though it is not clear why it was inserted into this indicator or this TWG. The indicator on termination of concessions and other developments on forest land and in protected areas was dropped.
	iii. Develop and implement a Land Management Policy and associated legal framework to improve sustainable utilization of land resources.	MLMUPC	TWG Land	2006	New JMI.
	iv. Strengthen and expand the scope of land registration by:				
	<ul style="list-style-type: none"> • issuing 300,000 land title certificates in 2006; • increasing the percentage of cases successfully resolved by the cadastral commission: 450 cases successfully resolved out of 800 cases handled in 2006; • Revision of cadastral service fee structure, especially for sporadic and subsequent registration, public dissemination of the new fee 	MLMUPC MLMUPC	TWG Land TWG Land	Dec.2006 Dec.2006	New JMI. New JMI.
		MLMUPC & MEF	TWG Land	June 2006	New JMI.

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
	<p>structure and stamp duty for subsequent registration.</p> <ul style="list-style-type: none"> State land mapping conducted in five districts and results placed in a publicly accessible state land data-base. 	MLMUPC	TWG Land	November 2006	New JMI.
12. Create an enabling environment for the development of private sector.	<p>i. The draft Law on Concessions submitted to the National Assembly. All new Private Participation in Infrastructure (PPI) projects abide by the principles of transparency and accountability specified in the draft Law.</p> <p>ii. To strengthen Trade Facilitation:</p> <p>a. adopt and use a Single Administrative Document (SAD) under the Asycuda system);</p> <p>b. adopt and publish the inter-agency administrative agreements among all the relevant agencies on procedures and guidelines for the inspection and clearance of imported and exported goods; and</p> <p>c. introduce a pilot Single Window (SW) for trade facilitation at the Port Authority of Sihanoukville (PAS);</p> <p>d. draft and adopt a sub-decree on trade facilitation through a risk management approach to inspections and clearance of imports and exports of goods, specifying the Customs and Excise Department (CED) as the lead agency for all types of inspections (documentary, physical, and electronic).</p>	<p>CDC</p> <p>MEF/CED</p> <p>MOC</p> <p>MEF</p> <p>MOC</p>	<p>PSD</p> <p>PSD</p> <p>PSD</p> <p>PSD</p> <p>PSD</p>	<p>2006</p> <p>March 2006</p> <p>March 2006</p> <p>2007</p> <p>March 2006</p>	<p>Rolled over from CG 2004. Previous deadline 2005.</p> <p>New JMI.</p> <p>New JMI.</p> <p>Rolled over from CG 2004.</p> <p>New JMI.</p>

TARGET	ACTIONS NEEDED	RESPONSIBLE GOVERNMENT INSTITUTION	CONCERNED TWG	TIME FRAME	COMMENTS (BY NGO FORUM)
	<p>iii. Prepare and adopt regulations (Prakas) clarifying registration procedures and documentary requirements, specifying procedures for amending Articles of Incorporation, clarifying the minimum requirements for Articles of Incorporation based on the Law on Commercial Enterprises, specifying requirements and procedures for annual declarations, and establishing procedures for decentralization of business registration.</p> <p>iv. Streamline and simplify all license requirements impacting SMEs.</p> <p>v. Establish and make fully operational the "one-stop service" (OSS) in all Special Economic Zones (SEZs) consistent with the trade facilitation reforms to reduce both the time for, and cost of, trade clearance procedures, including the adoption of the SAD and the adoption of a risk management approach to inspections and clearance of goods.</p>	<p>MOC</p> <p>SME Sub-committee</p> <p>CDC</p>	<p>PSD</p> <p>PSD</p> <p>PSD</p>	<p>2006</p>	<p>New JMI.</p> <p>Revised indicator. The 2004 CG called for approval of an SME (small-to-medium enterprise) development framework.</p> <p>Revised indicator. The CG 2004 indicator called for a Single Window for trade facilitation, but did not mention SEZs.</p>