

# **Land Allocation for Social and Economic Development (LASED)**

## **Civic Engagement Framework**

*(Based on the May 25 Draft LASED Guidelines)*

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## TABLE OF CONTENTS

SUBJECT	PAGE
Acknowledgements .....	iii
Abbreviations & Acronyms .....	iv
<b>How to Use this Civic Engagement Framework Document</b> .....	5
<b>RATIONAL FOR CIVIC ENGAGEMENT</b> .....	6
<b>AN INTRODUCTION TO CIVIC ENGAGEMENT</b> .....	7
<b>BUT, WHAT IS CIVIC ENGAGEMENT?</b> .....	8
<b>AIMS &amp; OBJECTIVES</b> .....	9
<b>ENCOURAGING NGO &amp; CIVIL SOCIETY PARTICIPATION</b> .....	9
<b>When Should Civic Engagement Begin</b> .....	12
<b>Synopsis of the Suggested Phases for Civic Engagement</b> .....	13
1. “Pre-launch” Civic Engagement Activities .....	13
2. Civic Engagement in State Land Identification Activities .....	14
3. Civic Engagement in Beneficiaries Identification Activities .....	14
4. Civic Engagement in Land Allocation Activities .....	15
<b>Some of the Risks of Abuses in the Current Draft SLC Process &amp; Procedures</b> ....	16
<b>Benefits from Civic Engagement Framework</b> .....	18
<b>Risks from Civic Engagement</b> .....	18
<b>Critical Success Factors of Civic Engagement</b> .....	18
<b>Conclusions</b> .....	18
<b>Annex 1 Civic Engagement in Social Land Concessions</b> .....	19
<b>PHASE I . Pre-Launch Civic Engagement Activities for local SLC</b> .....	19
<b>PHASE II. CE activities in State Land Identification Process for SLC</b> .....	20
<b>PHASE III. CE in the Beneficiary Identification Process for SLC</b> .....	24
<b>PHASE IV. Follow up CE Activities</b> .....	26
<b>Annex 2. Public Announcement Guidelines &amp; Sample Notice Template</b> .....	27
<b>Annex 3. Suggested CE Communication Materials</b> .....	29
<b>Annex 4. The dissected CE Framework as Adapted for CSG</b> .....	32
<b>Annex 5. Draft of Contents of Sample Leaflet for Pre-launch</b> .....	40
<b>Annex 6. LASED General Background &amp; Information Note</b> .....	44
<b>Annex 7. Note on CE Framework Development Process</b> .....	48

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## Abbreviations & Acronyms

CC	Commune Council
CE	Civic engagement.
CEF	Civic engagement framework
CS	Civil Society
CSG	Community Support Group
DFT	District Facilitator Team
DWGs	District Working Groups
DKWG	District Khan Working Group
DTSU	District Technical Support Unit
GTZ	German Technical Cooperation
LASED	Land Allocation for Social and Economic Development
LI	Land Identification
NGO	Non governmental organization
MLMUPC	Ministry of Land Management Urban Planning & Construction
MoI	Ministry of Interior
MoEF	Ministry of Economic and Finance
MRD	Ministry of Rural Development
MoAFF	Ministry of Agriculture, Fishery and Forestry
MoC	Ministry of Commerce
NPPT	National Project Preparation Team
NSDP	National Strategy Development Plan
NSLCC	National Social Land Concession Committee
PFT	Provincial Facilitator Team
PLUAC	Provincial Land Use & Allocation committee
PBC	Planning and Budget Committee
RGC	Royal Government of Cambodia
SD	Sub-Degree
SLC	Social Land Concession
TLR	Target Land Recipient

## How to Use this Civic Engagement Framework Document

This Civic Engagement Framework has been prepared in the context of the proposed social land concession process and activities under the forthcoming LASED project in Cambodia with the objectives of:

*Ensuring that activities under LASED will be conducted, following agreed upon principles. The civic engagement framework will guide discussions and consultations with involved and interested stakeholders and observers to ensure that the activities are undertaken in a transparent and participatory manner and ensure that those undertaking the related activities on behalf of the Royal Government (at national, provincial, district, commune and village levels) and involved NGOs are accountable for their actions.*

The proposed civic engagement framework shall include guidance on the following important areas,

- ⇒ Measures for Public Information dissemination and disclosure.
- ⇒ Encouraging Public Participation
- ⇒ Transparency
- ⇒ Accountability
- ⇒ Conflict resolution

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This framework should be viewed as an evolving document as this first version has been prepared at a time when limited experience has been gained or documented by the LASED Project Preparation Team.

At the time of preparation; the state land identification activities have been undertaken in the pilot areas (in two communes in Kratie (started in early 2006) and one commune in Kampong Cham- (started in 2005)) and the output from these are awaiting approval and official endorsement. Experiential (learning by doing) beneficiary identification activities were scheduled for training and initiation at the beginning of the fourth quarter 2006.

The Civic Engagement framework has been developed as a complementary and accompanying document to the advocated approaches for the Social Land Concession under the LASED project (as expressed in the May 25<sup>th</sup> 2006 version of the Draft LASED guidelines). The framework is also aimed to be used on its own to assist and guide those interested in the social land concession process, to enable this; some general background on the Land Allocation for Social & Economic Development (LASED) project is presented (see annex 6) to assist in orienting potential users and observers to the LASED project and of the performance of civic engagement to the goals, objectives, proposed activities and approaches of this important project contributing to poverty reduction. The framework has emerged from consultations and valuable inputs by a multiplicity of stakeholders ranging from the official representatives of the villages and Commune Councils in the pilot project areas, to demands directly expressed from households and communities, through to inputs from the representatives of the District Working Groups (DWGs), and the Provincial Land Use & Allocation Committees (PLUAC) members, and interested NGOs both at provincial and national levels as well as with the guidance and inputs from the representatives of the involved Ministries (MLMUPC, MoI, MoD, MoEF, MRD, MAFF, MOC,) of the Royal Government (also see annex 7 for a note on the CE framework development process).

## **RATIONALE FOR CIVIC ENGAGEMENT**

Emerging experiences here in Cambodia and elsewhere (regionally in India, Indonesia, the Philippines etc...) has shown a critical need to better involve and support:

- **Improved Stakeholder Participation** in and at all stages and steps in programmes and projects
  - Just having people attending meetings should no longer be accepted as participation,
  - People affected (either positively or negatively) by the promoted programmes and projects by implementation stakeholder, should be consulted supported and involved in making decisions that affect themselves; to mitigate and reduce adverse or negative impacts and ensure that targeted beneficiaries are those that actually gain the benefits of projects.
- **Accountability** of public officials (& actually of all involved stakeholders)- through ensuring both social and institutional accountability
  - All too often, from international and national experiences projects are undertaken by and on behalf of Governments with decisions being made elsewhere with little or no effective consultation or knowledge of who is making decision affecting a locality. Efforts to deconcentrate and decentralise decision making and responsibility are worthy and to be commended, but further progress on this is need,
    - One initiative is to ensure that the names and positions of those (usually public official but could also include the NGO personnel) involved in planning and making decisions affecting an area are made known,
      - This has (in some cases) made those responsible improve their performances and better justify, communicate and consult with those being affected and also take the credit for a job well done.
      - Or they can be better held accountable for delays and failures if they occur.
- **Transparency** in and of project activities undertaken
  - This can be contributed to by improving and ensuring that associated processes, procedures, documents and decisions are transparently known about,
  - Through being made available (through a combination of documented means (booklets, posters banner etc) in advance and
  - Having opportunities (more than once) available to affected communities and groups to hear about and discussion the implications of proposed activities and seek clarifications in a timely manner on issues affecting them.

These can only come about if there is:

- **Improved Timely and Appropriate Information Dissemination**
  - To inform, educate, empower and ensure Participation Accountability and Transparency of all stakeholders at all levels
- **An Enabling and Responsive Environment,**
  - Free from coercion and abuses either of authorities or powerful interests or through misinformation.
- **Appropriate Conflict Resolutions Mechanisms**
  - Which can be effectively communicated, applied for and the results respected at all levels & free from the risk of abuse.
  - Ensuring equitable treatment under the Laws of Cambodia

The successful implementation of the proposed LASED project as pro-poor development initiative to ensure that the poor and landless benefit will be

- A major challenge to the institutional stakeholders
  - Due to the proposed innovative and significantly decentralised approach proposed.
  - Due to the transitional nature of Local Governance and civil administration at present
- Likely to be under continuous close examination, scrutiny and analysis by a variety of stakeholders and donors.
- At significant risk of potential abuse due to the current sensitivity and importance of land and land security.

To contributing to access and addressing some of these issues a CIVIC ENGAGEMENT FRAMEWORK is envisaged which aims to clarify and animate the LASED guiding principles.

## **AN INTRODUCTION TO CIVIC ENGAGEMENT**

Taking account of the principles and objectives of LASED “developed<sup>1</sup>”and applied during the preparation of the pilot projects in three communes in Kampong Cham and Kratie<sup>2</sup>. There is an urgent need to improve and ensure that important information and related decisions on the social land concessions under the LASED project process and procedures are communicated through multiple channels to the people especially the poorest and most vulnerable (including indigenous groups) in the proposed commune areas (but also to the surrounding areas)<sup>3</sup> where social concession process are being asked for. To improve on this, the LASED National Project Preparation team (NPPT) has commissioned the preparation of a Civic Engagement Framework to suppose and contribute to operationalising the expressed LASED principles, namely

- (i) Good governance and rule of law
- (ii) Supporting the Land Reform Agenda
- (iii) Participation and Gender
- (iv) Transparency and Accountability
- (v) Sustainability

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<sup>1</sup> As mentioned the pilot process is still underway and not yet completed so experiences are limited

<sup>2</sup> One commune in Kampong Cham started in 2005 and two communes in Kratie started in early 2006

<sup>3</sup> Remarks expressed from existing project stakeholders indicate that abuses and exploitation by unscrupulous unknown groups (individuals, or officials) has and is occurring in areas outside of the pilot areas, in the provinces: In that individual have extorted monies from people in other areas stating that they can either guarantee or ensure that their names will be on list of beneficiary families to be selected for the allocation of land under the SLC process? Local authorities appear unable to challenge or apprehend these individuals? The reported incidences have partially come about due to the lack of clear and documented information, available to the people and legitimate officials. Improved and broader mean of communications to the people through both official and independent (NGOs the media etc) channels will be needed to clarify areas and eligibility of SLC processes in use.

## BUT, WHAT IS CIVIC ENGAGEMENT?

### Attempting to Define Civic Engagement

<p><b>Definition 1</b>          “Civic engagement is the inclusion and meaningful participation of (all) community members in the process of deliberation, prioritisation and decision-making regarding public programmes, projects, services provision, or policy-making”.<sup>4</sup></p>	<p><b>Definition 2</b>          “Civic engagement is the participation of citizens-at-large and civil society organisations through direct and indirect interactions with government, multilateral institutions and private sector establishments to influence decision making and share control over priority setting, policy making, resource allocations (eg land) and access to public goods and services”<sup>5</sup>.</p>
<p>So Civic Engagement, can be one means by which ordinary citizens and/or civil society organizations participate directly or indirectly in exacting improved performance and accountability.</p> <ul style="list-style-type: none"> <li>▪ In a public sector context, social accountability refers to a broad range of actions and mechanisms that citizens, communities, civil society organizations and the media can use to hold public officials and public servants accountable.</li> <li>▪ This can be expanded to ensure accountability of all implementing stakeholders and service providers involved.</li> </ul>	

Social Land Concession activities under the LASED project should therefore integrated a civic engagement approach to:

- Encourage the Social accountability<sup>6</sup> of all stakeholders.
- Ensure the transparency in its implementation, decision making and action.
- Encourage the active engagement and participation of the whole community through local empowerment.
- Ensure timely disclosure of appropriate information.
- Provide assistance & support for active participation by involved and interested stakeholders.
- Apply mechanisms to tackle abuses and counter corruption.

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One of the first tasks that could be initiated both by the Commune Councils requesting to undertaken a Social Land Concession process within their mandated areas and also by those public agencies directly supporting the Social Land Concession process, nationally; namely the LASED project team and the Council for Land Policy to whom LASED will report too) and provincially; Provincial Land Use & Allocation Committee-PLUACs, and its extension through the District Working Group-DWGs in support of civic engagement and the LASED principles. Could be to identify the existing NGOs and civil society entities working both directly in target Communes, the districts and more likely provinces; to see which

4 (Adapted from: “Promising Practices - Innovative Strategies for Engaging Our Communities”. Lessons from The Civic Engagement Project, USA, www.civicengagementproject.org)

5 Source www.developmentgateway.org/civic/rc

6 Social Accountability can is often defined as “a developing approach towards building accountability that relies on civic engagement, namely one in which ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability” from project or programme implementers or proponents . (Source: Social Accountability: An Introduction to the Concept and Emerging Practice.” Social Development Paper No. 76. Washington, D.C.: The World Bank.).

groups are willing, interested or able to participate in or observe the proposed Social Land Concession process to be implemented and become independent but accountable stakeholders supporting the objectives and principles express for the SLC activities of the LASED project and also possibly acting as or supporting the implementation of the related activities by being a mentor, mediator, facilitator, or channel of communication to and from the communities and groups in the SLC target areas.

## AIMS & OBJECTIVES

The Royal Government's LASED preparation team (with support from the World Bank and GTZ) are trying to cooperate to support and facilitate the development of an appropriate and meaningful Civic Engagement Framework (CEF) for the LASED project implementation ensuring that it will provide for:

- **Effective Consideration** of transparency and accountability issues, information dissemination, stakeholder participation, and conflict resolution mechanisms are incorporated into the project and disseminated for the projects' implementation
- **Building Consensus** on the civic engagement concept and approaches by the Royal Government and other stakeholders including NGO and civil society.
- **The Development Civic Engagement Tools and Guides** to initiate and enable the engagement of civil society, NGOs and the participation of all project stakeholders.

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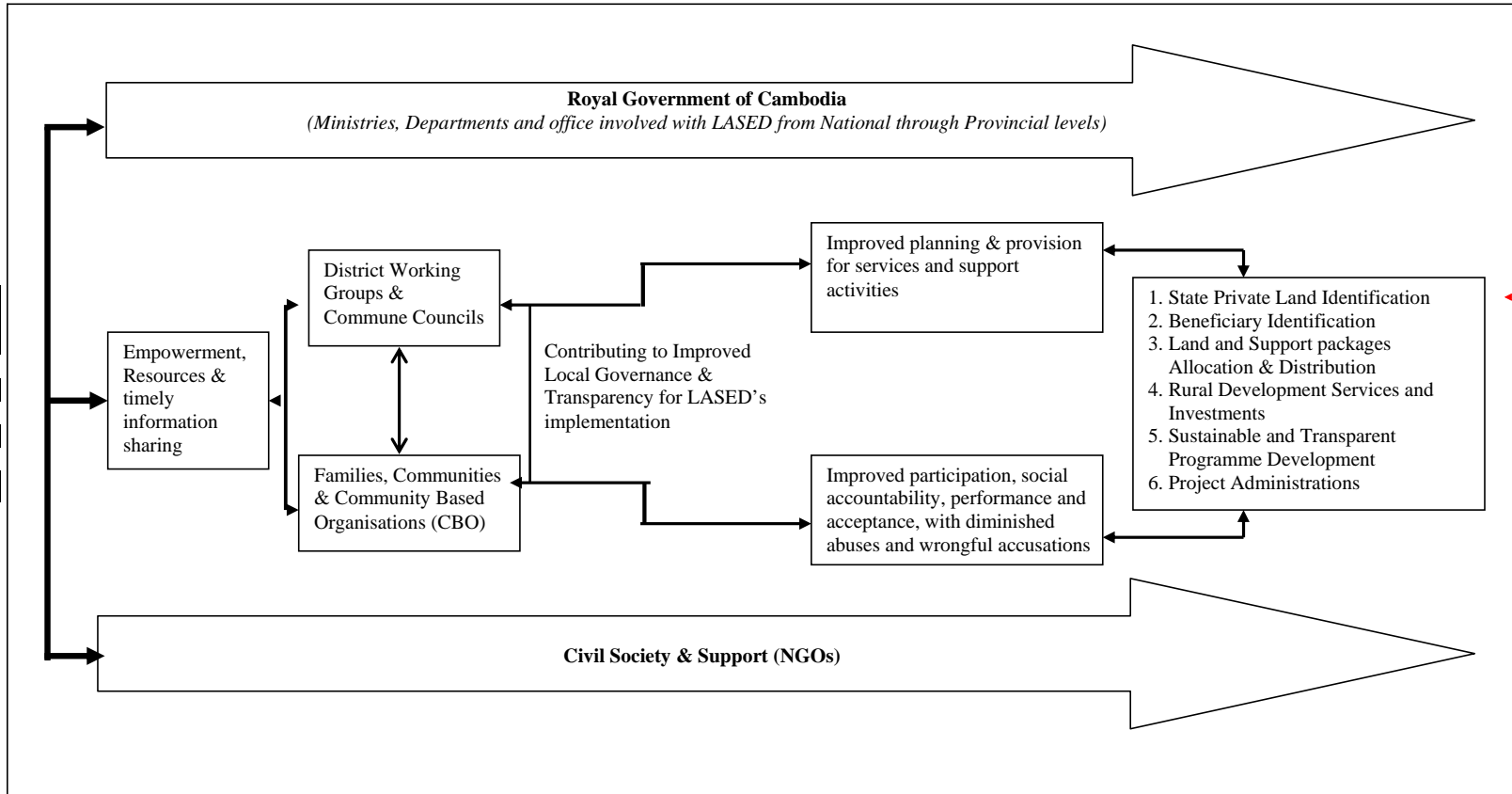
The importance of access to land and gaining secure and legitimate tenure to and for livelihood security and socio-economic development is vital to significant sections of the population. Therefore any actions or activities that improves' access or adversely affects existing livelihood opportunities are of the utmost important to the population. The Royal Governments' Social Land Concession process through the LASED project is one of measures and actions to addressing access to land for residential and livelihood purposes particularly aimed at poor families and identified vulnerable groups in the communes in the country. The project will be implemented through the Royal Government structure (from national to Commune and village levels) during a period of transition with future deconcentration and decentralisation reforms pending which may (and are likely to) change the nature of governance in Cambodia. At the time of writing the Royal Government has also expressed a desire and broad support both in the Rectangular Strategy 2004 and the recent National Strategic Development Plan-2006<sup>7</sup> for greater and improved governance and public participation in achieving the set development goals, objectives and countering corruption.

### ENCOURAGING NGO & CIVIL SOCIETY PARTICIPATION

One set of challenges for the Social Land Concession processes through LASED will be to encourage and gain support for the independent participation of the non-governmental organisations (NGOs) and local civil society groups. As often they are reluctant to work in what they feel is "under the control of" the Royal Government as this often effects the publics' and their donors' perceptions of their independence and objectivity, it will also be necessary to avoid the adversely "us and them" mindset of some public officials towards NGOs. The roles and relationship to be established and maintained between RGCs' implementation stakeholders and interested and involved NGOs needs as mentioned to complement each other as indicated in the conceptual framework pictured below, as both sets of what should be supporting stakeholders are striving to contribute to the successful implementation of the SLC process and ensure that poor families gain meaningful access and secure tenure to land and the means of production.

<sup>7</sup> "The Rectangular Strategy"- Sections 2.1, The National Strategic Development Plan NSDP section 2.12, 4.09, and 19  
CE Framework for SLC

**Figure 1: Conceptual Framework for Civic Engagement in SLC of LASED**



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The challenges mentioned above have been tackled and crossed by having a transparent and documented process where all stakeholders know what has, is and will happen during the course of the SLC process at different stages. Also ensuring that if problems or deviations occur that they are measures such as:

- ⇒ Regular open consultations with involved institutional stakeholders (Commune Councils, DWG, PLUAC and with the LASED) for discussions, clarification, updating on progress and or delay and follow ups on issues arising
- ⇒ Channels for prompt communication through to identified and contactable focal points at the different levels (LASED, PLUACs ....) to help in clarifying issues,
  - Initiating and promptly investigating reported incidence of abuses for immediate documentation and action (if required) to counter abuses if they occur.

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One cannot deny that there will not be occasions where disagreements will come about between the implementation stakeholders of RGC and the interested and involved NGOs but these need to be dealt with in an objective and fair manner. By ensuring a transparent and accountable process of all involved and interested stakeholders. The risks of conflicts caused by disagreements and misunderstandings can be significantly diminished and where abuses occurred they can be dealt with promptly and legitimately with by those designate and authorised<sup>8</sup> to do so.

Many non-governmental organisations and civil society groups have experience and skills to complement and support the overall objectives of LASED by:

- ⇒ Ensuring that Villagers and communities are better informed and able to understand, participate and engaged with those involved with officially implementing in the Social Land Concession Process.
- ⇒ Providing additional means of communicating and explaining information on the process, procedures and empowering people to be involved at all stage of the SLC process and activities.
- ⇒ Can support, observe and communicate concerns and issues arising from the people (as there is often a reluctance by people to be seen to confront the public official and appointees)
  - Reporting on and/or contributing to validating incidence of abuses to involved responsible agencies enable better feedback and communication to involved institutional stakeholders (*such as to PLUAC under one of its roles an/or proposed compliant and grievance section of LASED-250506 guidelines Sec4 national level institutional structure*).

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#### Observation

The civic engagement consultant noted that it was often left to the consultant to make contacts and arrangement invitations for any discussions with national, provincial or locally based NGOs and Civil Society.

In the future ability of official implementers at the different levels (national – Commune) involved in the SLC process to build up and maintain a network of interested and involved NGOs and civil society groups for effective communication needs to be highlighted.

<sup>8</sup> The LASED guidelines (250506) indicate that a complaints and grievance section is to be established at LASED and also integrated into the PLUAC roles, however this section is poor elaborated upon, discussions and guidance from RGC is required prior to address this before implementation .

## When Should Civic Engagement Begin

The proposed activities in the civic engagement framework are based on premise of continuous and timely provision of and access to information and support related primarily to the locally initiated (commune council) social land concession process. The CE framework as proposed and outlined in the “Phases of Civic Engagement” Section (and Annex 1) provide an initial “map” to and a list of options for suggested activities and actions to complement and support the SLC processes and procedures;

- Improving and enhancing communication and disclosure,
- Details measures to encourages and ensure greater participation –“informed family decision making”
- Contributes to improving transparency in and accountability of those involved

This provision of information and having opportunities to openly discuss this information and seek clarifications and explanations must start as soon as a commune requesting a SLC get approval by the PLUAC to go ahead with initiating the process in the commune.

The primary obligation to disclosure and support information dissemination lies with the Royal Government institutions from national to village levels as the Social Land Concession process is an initiative and programme of the Royal Government to contribute to poverty reduction and economic development. The Government and institutional stakeholders (LASED, PLUAC, District Working Groups and Commune Councils) will and should be the primary informants, as LASED is the Royal Government programme for land distribution. They should at each level have access to explanatory documents and the necessary resources<sup>9</sup> (including sufficient funding to enable them to support and undertake their roles) and training to enable them to provide information to encourage families and communities in SLC areas to participate. Also best efforts should be made by involved local institutional stakeholders (Commune Councils, PBCs, and Village administrations) not just to provided documented information to families but also provide residents with the opportunity(ies) to seek formal explanations of what these documents contain.

The usual approach of literally calling for or having a (single) village meeting is no longer acceptable or effective (as commented up by village, commune representatives and even Provincial Governor), as frequently they have been poorly scheduled (insufficient time in advance), poorly communicated to (all) families (often just verbally or with a single notice) to enable people to effectively participate.

NGOs and local civil society groups should be asked to support and

- Complement the opportunities for community information sharing, discussions, by
- Possibly establishing and empowering community support groups-CSG (likely through some form of village elective process<sup>10</sup>)
  - Which can provide additional information,
  - Assistance in understanding eligibility and applying for the SLC and
  - Help with completing the required paperwork for illiterate families,
  - Providing and support clarifications,
  - Initiate and facilitate discussions and
  - Assisting when asked by official institutional representatives (who are not elected by the people, and are at risk of being accused of partisanship) to observe or assist them in meetings.

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<sup>9</sup> As this at present appears deficient in the pilot areas (due to the experiential “learning by doing approach”) and is a source of frustration by communes and other local official (DWGs and provincial) and is acting as one barrier to effective communication to the people

<sup>10</sup> With at least one male and female representative, per village depending on the size and layout of the village

The CSGs can also provide an alternative and complementing channel for the communications of abuses or in the identification of problems in particular stages of the SLC process, this can help to ensure that the attention of institutional and other stakeholders are drawn to these issues for follow up and action.

## Synopsis of the Suggested Phases for Civic Engagement

The initial Civic Engagement Framework envisages a number of phases which are likely to overlap<sup>11</sup>

### I- “Pre-launch” Civic Engagement Activities

General Information dissemination at the start of the overall process when a Commune Councils wishes to consider undertaking a Social Land Concession process in the commune (see annex 1 for suggested eight steps and objectives).

This leads to the involvement and institutional support from the District and PLUAC - ideally this stage should also alert NGOs and existing civil society entities in the (to be involved) communes, districts and province of the demand for SLC activities and the need for support. **Resulting in the provision of documented information to all families in a Social Land Concession area,** ideally some information need to disseminate to neighbouring communes and areas to avoid the risk of abuses in those areas as appears to have occurred due to the pilots.

The identification of the area in the provinces through the local media and across the commune as being involved in and undertaking a social land concession process eligible for all existing residents in the commune only<sup>12</sup>.

NGOs wishing to be involved express their interest and support to PLUAC which issues letter of recognition and support (signed and stamped by the chair of PLUAC) to facilitate their involvement with provincial and other authorities.

NGOs through the commune councils begin discussions and support in communities undertaking SLCs and begin their process to establish or support to community based organisations (community support group) and vulnerable groups.

#### Suggested Improvement in the Village Notification Approach

To improve on the notification of villagers to participate in associated meeting and activities with the SLC the Civic Engagement Framework proposes a systematic village communication approach for prior notification (see Annexes 1& 2 for possible tool and process), based on

- ⇒ Units of 30 households in villages (entailing on average six public notices for every village)
- ⇒ Through place notices at agreed/approved by the Commune Councils (and informed to DWG and PLUAC and other interested stakeholders) pre-identified sites in the villages
- ⇒ The scheduling of multiple information meetings
  - At different times (morning and early evening)
  - At different locations in villages - to allow for people to participate
    - For example for those who may be away of working in the fields etc..

The posting of all notices and other SLC information in advance (at least 7 days for most village meetings **except as required by the RGCs sub-decrees and policies (usually 30days-e.g posted list of applications for consideration as per Prakas 200 on SLC, Sec 15.)**

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<sup>11</sup> The current framework primarily deals with initiation of SLC activities in Commune up to the stage of decision making on land distribution. It does not adequately cover (i) actual land allocation activities (ii) support package distribution (iii) and the proposed integrated rural development activities. As these are yet to be effectively developed.

<sup>12</sup> This may not be the case in nationally established social land concession which may involve relocation by families to other areas

## 2- Civic Engagement in State Land Identification Activities

The state land identification process has significant risks of creating or initiating conflict as it may lead to families being adversely affected by related activities. **Because land they have used is identified as State private or public land.**

Therefore it is important to ensure that all families are aware of and encouraged to take part in the state land identification process (see annex 1 phase II for suggested 15 steps and objectives). This may only come about through:

- ⇒ Being informed of the start of the State Land identification
- ⇒ The officials and departments to be to be involved.
- ⇒ Being adequately informed of their legal rights and or the States right to the land based on the provisions 2001 Land Law.
- ⇒ The right of appeal and to compensation (if eligible).
- ⇒ The location(s) of the public display
- ⇒ Participation and checking on the information to be displayed
- ⇒ How to go about appealing steps and stages involved with this) to mitigate against conflict during this stage of related activities.

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Towards the end of this phase it would be useful to all stakeholders review/consultation involving; villagers implementation stakeholders (LASED, PLUCA, DWG, Commune, village authority), NGOs, donors and others to review progress of state land identification process in the commune (or a number of communes). This review would assist in

- Identifying barriers, constraints and issues confronted by different stakeholders
- Actions or measures taken to resolve tackle the barrier
- Provide the opportunities for initiatives for further improvements and replication,

This review should also involve representatives of other communes and communities considering or in the process of initiating a social land concession process as a learning activity.

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## 3- Civic Engagement in Beneficiaries Identification Activities

Once the physical area of state private land available has been identified and approved (in theory this will allow for the start of the beneficiary identification process<sup>13</sup>). Again every effort should be made to reach out to every household in the SLC consideration area by providing a briefing document as a basis and reference which can be built upon through community discussions to; (also see annex 1 phase III for suggested 16 steps and objectives)

- ⇒ Inform them of the start of the beneficiary identification process, how and where to apply ( and the availability of possible assistance with this),
- ⇒ On the proposed process and procedures
  - For applying-
    - The application form, (obtaining from and explaining)
    - Period of application,
  - To review the lists of application (posted for 30 days) ideally in multiple locations
- ⇒ Encourage taking an active part in the village ranking meeting when it is scheduled.
  - Calling for a review and appealing of the process
    - Who is responsible for reviewing
    - How to appeal and the possible stages of an appeal.
- ⇒ Obtain information on the eligibility criteria to be applied

<sup>13</sup> It may be unrealistic to begin beneficiary identification prior to this as the likely “carrying capacity” of the area available for the social land concession will be unknown. Attempting to undertake beneficiary –target land recipients identification prior to this could create unrealistic and unachievable expectations in the villages and commune where SLC is been undertaken.

- Those as defined in the Sub-decree #19
  - The local criteria as proposed by the Commune Council and approved by PLUAC
- ⇒ Highlight Issues of the risks possible abuses by nepotism, favouritism and conflicts of interest by local implementation stakeholders (CC members, Village administration and PBC members and their immediate families)

#### 4- Civic Engagement in Land Allocation Activities

Once the potential list of beneficiary “target land recipients” have been finalised after the completion of all appeals and reviews. The Commune Council begins the process to set about distributing the available land. The current proposed process (in the 25/05/06 draft) appears to be still in development and may led to conflicts between recipients and implementer. It is suggested that once the physical area has been approved that some preliminary planning be undertaken (as indicated in step 2; this will require technical inputs and support from DWG/PLUAC agencies) to demarcate what areas should be used for

1. Residential areas (as clustering of household will be beneficial for the provision of services etc)
2. Agricultural purposes
3. Areas for common usage
4. Infrastructure (roads and pathways, areas for educational and health services)

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This aspect should be undertaken prior to the allocation and it is suggested to allocate residential land (depending on the overall area and location(s) available for the SLC land and the numbers of application (based on the applicable categories)<sup>14</sup> first before endeavouring to distribute agricultural land,

- In terms of the steps suggested in the draft guidelines it is noted that NGOs and CBOs are “observer” rather than active participants in the training. Community representative (as proposed through the community support groups) should be actively involved in the training (step 0) undertaken prior to the public announcement of the land allocation process.
- The process of allocations should be open to the public and not just to the target land recipients and notified in advance to enable people to participate.
- Land recipients and others encouraged to review the publicly displayed allocation maps (ideally at multiple locations for the 30 days) and visiting the proposed sites.
- Target Land Recipients of each category for land should be informed of their entitlements (in terms of the proposed support packages) and the conditions attached to the usage of the land being made available and the required contractual usage before secure tenure through the issuing of the land titling can be issued<sup>15</sup>.
- An opportunity for eligible land recipients to swap allocation sites (between recipient families only) should be considered prior to finalisation and contract signing (they should have to sign at the end of the visit to the allocation land as inferred) with a reasonable period of time after the visit.

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<sup>14</sup> Residential only; agriculture only; both

<sup>15</sup> Experience in Cambodia indicate that many recipient families in (urban relocations) rapidly sell up the interests in allocated land (mainly due to the sites being unsustainable, no employment opportunities and limited land) but this defeats the purpose of resettlement etc. Additionally this trading of land is often colluding in by local officials. This needs to be countered from the start with a clear under standing of a commitment for five years by families in the land.

## Some of the Risks of Abuses in the Current Draft SLC Process and Procedures

There are references in the guidelines on addressing Complaints & Grievances however this is poorly elaborated upon with only general commitments but no benchmarks or indicators. It is felt that it would be improper to assume the role in address this (as a national consultant). Efforts have been made in preparing the CE framework to make the process more transparent and accountable and suggestions made on how to make those involved more accountable to reduce the risks of some forms of abuses.

However due the known importance and value of land issues, the SLC and LASED related activities are at some risk of potential abuse and corruption! It will require a strong commitment from the involved RGC institutions to have “zero tolerance” to abuses and corrupt practice in SLC and LASED.

They should/could consider and develop a “Public Charter for SLCs” which can be provided to the public, villages, communities and stakeholder groups clearly stating what is unacceptable behaviour or abuses, how to communicate incidents of this to responsible implementation focal points (named individuals and contact detailed) and what measures will be taken to rapidly investigate (with 2 weeks) and if abuses and corruption found what “penalties” will be imposed on those found abusing their positions or authority in the SLC process.

Where incidents of abuse/corruption are found they should be utilised to publicly show the expressed Royal Governments’ commitments (in the “Rectangular Strategy” and in the “NSDP”) to tackling abuses and corruption.

As mentioned the development and commitment made to back a “Public Charter for SLCs” against abuses and corruption could be one measure

Another approach would be publicly identifying the RGC personnel<sup>16</sup> involved in the local SLC process from PLUAC down, could also be used to

- Enable the public to identify officials involved (rather than being faceless representatives “of the Government”)
- Contribute to better performance and commitments in their duties of RGC personnel (if the proposed adequate resources are made available to enable them to do so at local level).
- Be a preventative measure against the risk of abuses of those involved.
- Reduce the risk of being misinformed as comments and concerns raised during the provincial consultations indicate that villagers often did not know who was officially involved and that group of individuals stating they were representatives of the Government, had come and allegedly had taken land which this the villagers had sadly associated with the SLC process.

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<sup>16</sup> With their photographs, names and positions  
CE Framework for SLC

The following table identified a number of other raised risks that may need to be addresses Through the consultations for the development of the Civic Engagement Framework a number of areas for potential abuse have been identified and highlighted by involved stakeholders in the pilot areas which

IDENTIFIED RISKS		Suggested actions to counter abuses
<p>Individual or groups inferring that they can ensure families (be they inside or from outside a SLC area) getting an allocation of land.</p> <p>It is alleged<sup>17</sup> that this appear to be ongoing in or near the pilot areas and monies have been paid to some officials</p>	<p>The opportunities for this has and will be contributed to by the lack of verifiable information to the public/media and others about what is going on;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> In terms of what is actually the SLCs processes;</li> <li><input type="checkbox"/> Where they (SLCs) are going on and</li> <li><input type="checkbox"/> Who is eligible to apply and benefit and</li> <li><input type="checkbox"/> Who is responsible for them?</li> </ul> <p><b>What action should be taken by responsible Government agencies if officials from different departments are involved?</b></p>	<p>May require high level interventions for effective action</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>It is recommended that <b>IF</b> officials are involved that they be publicly identified and removed from their positions (preferably sacked from Government) to show the Government commitment to tackling abuses and corruption</p> </div> <p>If unscrupulous individual are involved measure under the Laws of Cambodia need to be examined for criminal action.</p>
<p>Khmer identity and residence to be eligible to apply</p>	<p>The SLC sub-decree give simple explanation of what this means but the interpretation of it could be abused</p>	<p>Poor families are often illiterate and cannot obtain the official documents to validate this and that may be asked of them</p> <p>Additionally monies may be demanded (which the poor do not have) to recognised or obtain the paperwork required.</p> <p>Some families may not be recognised by the existing local authorities even though resident for a number of years. As they are awaiting the official transfer from their former areas and acceptance by their new local authority</p>
<p>Demands for fees for information, application forms or supporting documentation</p>	<p>It has been identified that additional unofficial monies/fees are demanded from the residents for forms or for endorsement of documents required to make applications.</p>	<p>Clearly state that no charges are to be applied and have a means to tackle this through communicated complaints to identified focal point who document and investigate incidents.</p>
<p>The reliance on Commune (Commune Councils) and village based entities (Village Authorities/ Planning and Budgeting Committees) may cause a conflict of interest</p>	<p>There is a risk of abuse by individuals within these groups to show nepotism, preferential treatment or discriminate in making decisions that may affect their family members or friends. This is contributed to by</p> <ol style="list-style-type: none"> <li>1. The current political imbalance in the local power structures</li> <li>2. The appointment of PBC members rather than having them elected as representatives of villages.</li> <li>3. Poor remuneration and "opportunity cost" of their efforts in existing and in the proposed activities</li> </ol>	<p>Suggest that following the application period and during the display period that those involved should</p> <ol style="list-style-type: none"> <li>1. Complete a public declaration of relationship if any family members or relatives have applied, this is provided for public display and to PLUAC for referencing and verification later</li> <li>2. That involved representative at the ranking stage make a declare of their relationship and the right to object/call for a review of the ranking of any know relatives</li> </ol>
<p>Local implementation members (PBC members and CC) are intimidated</p>	<p>There is a risk that outside (of the SLC area) element may attempt to intimidate local involved officials and stakeholder to add names to the list of residents and or in the selection of those not poor .</p>	<p>Ensure that PLUAC etc is aware of the risk and ensure that support from the highest level is with the local members to report on incidences of this, if it occurs.</p>

<sup>17</sup> And commented upon by provincial, district and commune representatives as well as through NGO representatives participating in the consultation processes  
CE Framework for SLC

### **Benefits from Civic Engagement Framework**

- Contributing to strengthening (advocated) public sector reforms and decentralisation objectives (as expressed in D&D framework and NSDP).
- Contribute to targeted poverty reduction
- Provide citizens a voice and empower them, at the local level, especially for the poor.
- Enhanced transparency in implementation process
- Improved accountability of those involved in the implementation of the activities
- Reducing possible corruption and abuses by authorities, officials and others
- Contributing to good governance
- Improving the performance of programmes projects and their components.

### **Risks from Civic Engagement**

- Raised target community expectations
- May be difficult to sustain or institutionalise
- Fail in obtaining possible service provision improvements
- Superficial with little true community involvement
- Lack of inclusiveness—may involve only a small group of “well-behaved” NGOs, professionals,.

### **Critical Success Factors of Civic Engagement**

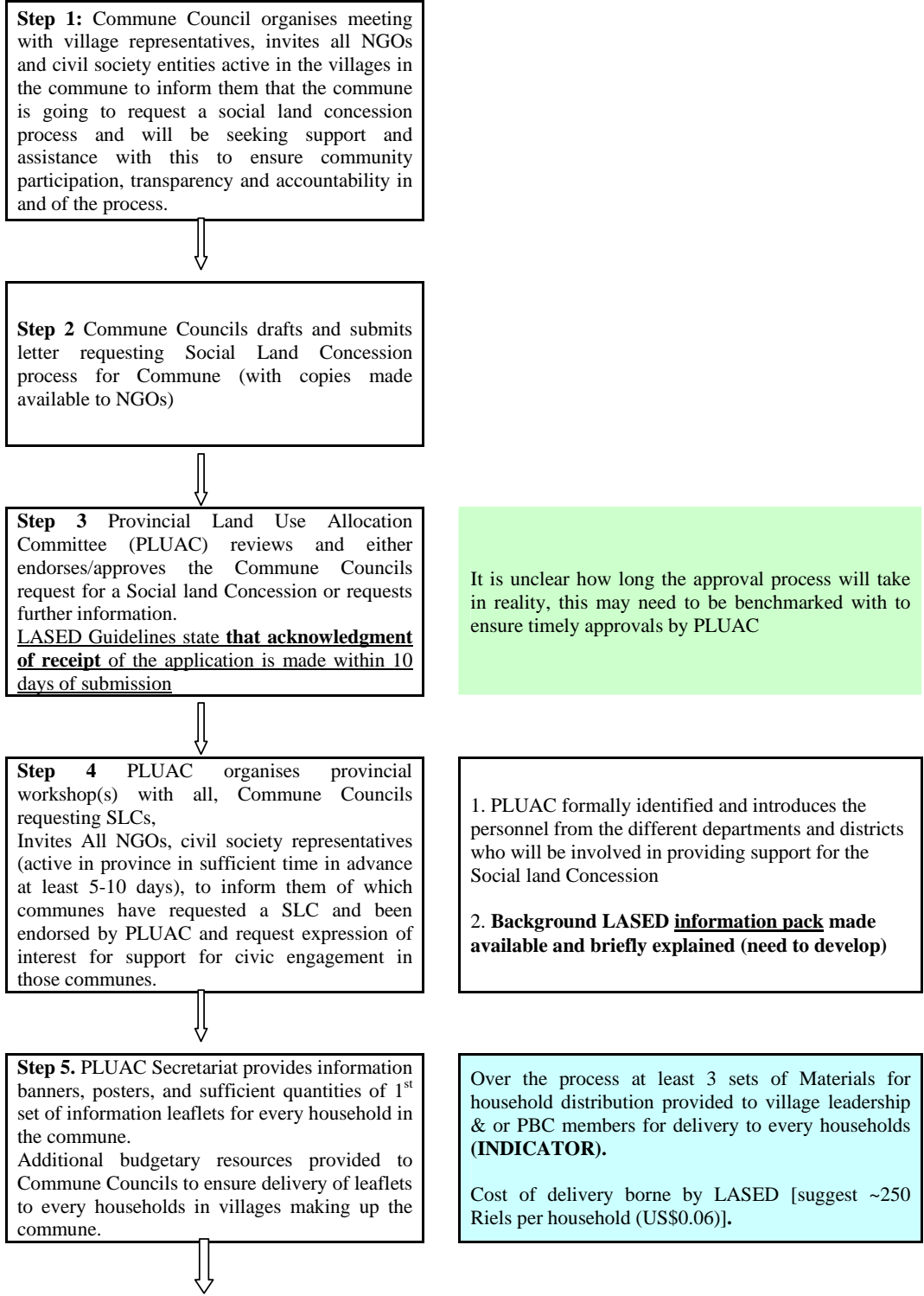
- The emerging social and political context and culture-
  - Is there a willingness for true civic engagement?
- Institutionalising civic engagement across the project /programme
  - What we’re trying to do
- Ensure access to information and disclosure of the information and decisions that affect the project
- State agency capacity and oversight of its officials
- Civil society’s capacity and active participation
- State- civil society interactions and synergies.

### **Conclusions**

The current Civic Engagement Framework as developed by the national consultant for the LASED Project Preparation Team has evolved as activities for Social Land Concession process are undertaken in the three pilot areas, these pilots appear to be undertaking a “learning by doing” approach, and experiences being gained have yet to be fully documented and reviewed as activities are still underway. Because of this the framework has evolved through a number of versions based on consultations, inputs and feedback from residents in communities, through to local involved officials (from villages and communes) to members of the district working groups and PLUACs in the pilot provinces and their views and demand have hopefully been incorporated. Inputs have also been provided by the representatives of the involved Ministries and involved donors (World Bank and GTZ) and Non-governmental organisation from national, provincial and local levels.

It is hoped (and needed) that the Framework approaches and activities will continue to evolve and be refined and developed as experiences are gained. However one must say that the current framework contributes to achieving some of the objectives set for it but would hardly be comprehensive in address all the wished for objectives. It is felt that the current framework will contribute to improving the levels of actual participation, ensuring greater transparency and communication of relevant and important information to families and communities undertaking and close to Social Land Concession in a timely manner and by doing reduce (but it is unlikely to eliminate all conflicts and disputes). Some of the issues being raised will ensure improved social accountability of the public official and other stakeholders to those communities undertaking SLCs. It should also be noted that there is need to involve and encourage a broader range stakeholders and interested groups to get involved in SLC process as it expands.

**Annex 1 CIVIC ENGAGEMENT in SOCIAL LAND CONCESSIONS, LASED**  
**PHASE I - Pre-Launch Civic Engagement Activities for Local Social Land Concession Activities**



**Step 6. (After the distribution of materials to households)** the Commune Councils<sup>18</sup> announces (at least 7 days in advance) a series of public meetings in each villages to explain at least:

- (i) The objectives of the social land concession in the commune,
- (ii) Who is eligible and how to apply
- (iii) What are the principal steps in the process are,
- (iv) Complaints and grievance procedures &
- (v) Request community participation in the process for accountability
- (vi) Identify local stakeholders and facilitators involved.



**Step 7.** With support from PFT and DFTs, Commune Councils and PBC complete application procedure requirements, may require additional village meetings as part of general Commune Planning Process- again adequate prior notification should be provided (>7 days in advance).



**Step 8** Following submission (PLUAC acknowledging receipt within 10 days) and review of the SLC request to PLUAC.

Then the Formal approval is documented and converted to Public Notice for placing in the identified locations throughout the villages in the Commune.

Village leadership identifies and documents locations for public notices in each villages which is submitted and agreed by CC (~1 location per 30 households) **(POSSIBLE INDICATOR),**

Copies of the lists of locations provided to DWG/PLUAC and made available to interested parties.

**(To attempt to ensure effective communication of the information more than one meeting in each village should be schedules ideally at different times and location to enable farmers and villages to attended).**

Usually this will involve some steps covered by the State land identification process

## **PHASE II - CE activities in State Land Identification Process for SLC**

**Step 1.** Commune endorsed public notices informing villagers of the start of the State Land Identification process in the villages making up the commune put up

Ideally a list/poster of the officials (ideally names, positions and photos) from District Working Group and the Provincial State Land Management Committee involved

And  
Seeking villagers co-operation if requested.



**Step 2 Parallel with notices being put up, a 2<sup>nd</sup> information leaflet detailing**  
(i) State land identification process  
(ii) The rights of individuals- including as in the constitution, as covered in the 2001 Land Law, and the Right to compensation (if involuntary resettlement is applied)  
(iii) The procedures and process for lodging a complaint.  
**Delivered to every household in the social concession commune.**



**Step 3.** Invitation made in advance to (all members) of the Commune Councils, representatives of the villages leadership, NGOs civil society active commune and villages to participate in the "Training cum Planning" Workshop on technical procedures for State (private) Land Identification process to be (likely) arranged and held at district level.



**Step 4.** Parallel with training in 3 above additional Village Information Meetings should be called through public notices (as per proposed guidelines) erected in the villages.

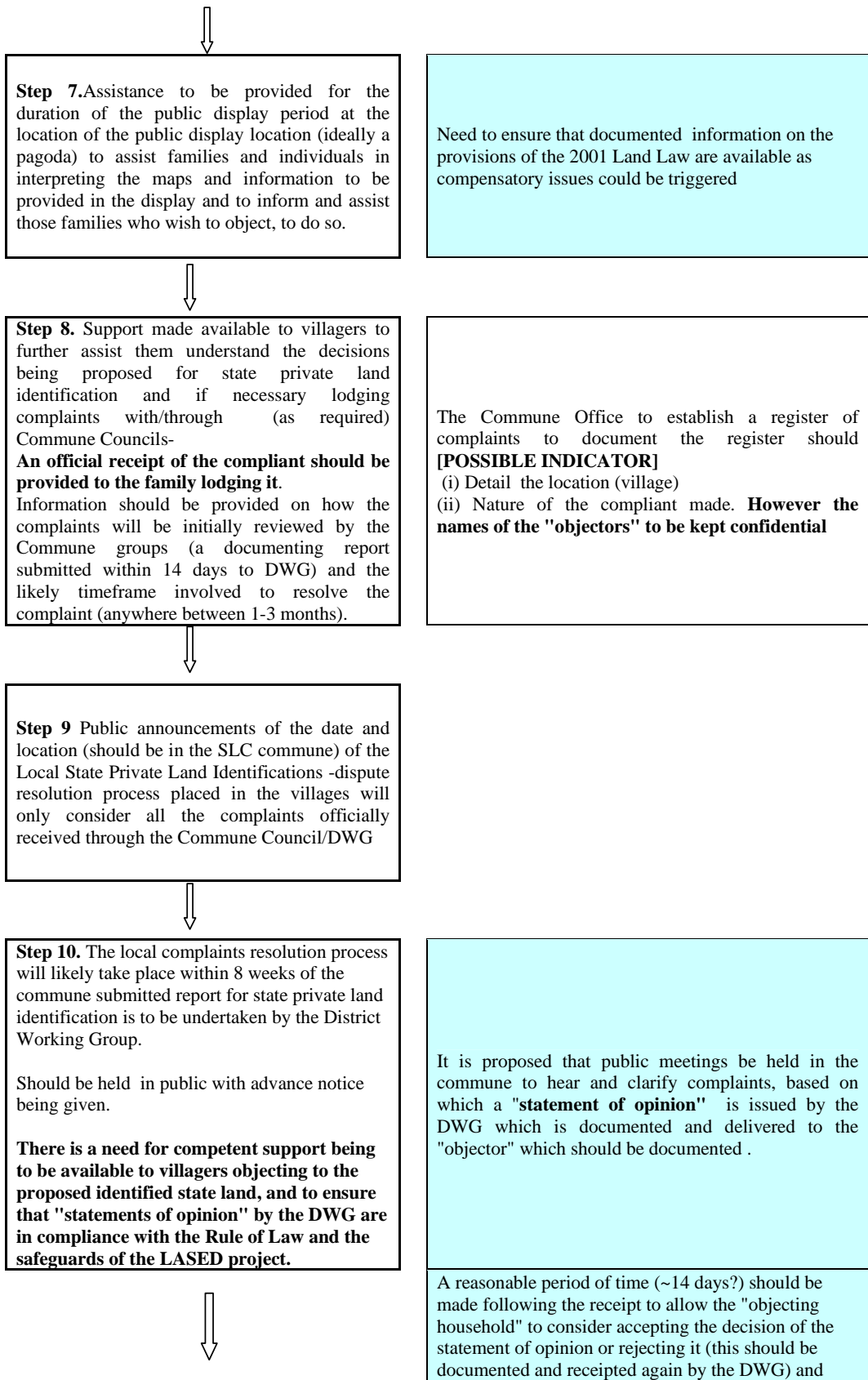


**Step 5.** Village Information Meetings held at village level to inform people about  
(i) The state (private) land identification process  
(ii) Land Rights if adversely claimed  
(iii) The importance of participating in the public display process to check that the proposed identified state land does not adversely affect families within the meaning of the 2001 Land Law,  
(iv) The process for lodging a complaint if adversely affected and or right to claim compensation?



**Step 6.** Public Notices placed (at agreed locations) in advance informing villagers of the  
(i) Location of the Public display of DRAFT the findings of the state private land identification process  
(ii) the dates and duration (30 days) of the public display  
(iii) Encourage people to checking to ensure if State land identification has not adversely affected families and if so  
How to lodge an objection/complaint allowed only during the duration of the public display (i.e.30 days).

The LASED guidelines indicate only a commune level meeting which is not be sufficient to ensure effective communication to villagers of the possible issues/impacts from State land identification process.



**Step 7.** Assistance to be provided for the duration of the public display period at the location of the public display location (ideally a pagoda) to assist families and individuals in interpreting the maps and information to be provided in the display and to inform and assist those families who wish to object, to do so.

Need to ensure that documented information on the provisions of the 2001 Land Law are available as compensatory issues could be triggered

**Step 8.** Support made available to villagers to further assist them understand the decisions being proposed for state private land identification and if necessary lodging complaints with/through (as required) Commune Councils-  
**An official receipt of the compliant should be provided to the family lodging it.**  
 Information should be provided on how the complaints will be initially reviewed by the Commune groups (a documenting report submitted within 14 days to DWG) and the likely timeframe involved to resolve the complaint (anywhere between 1-3 months).

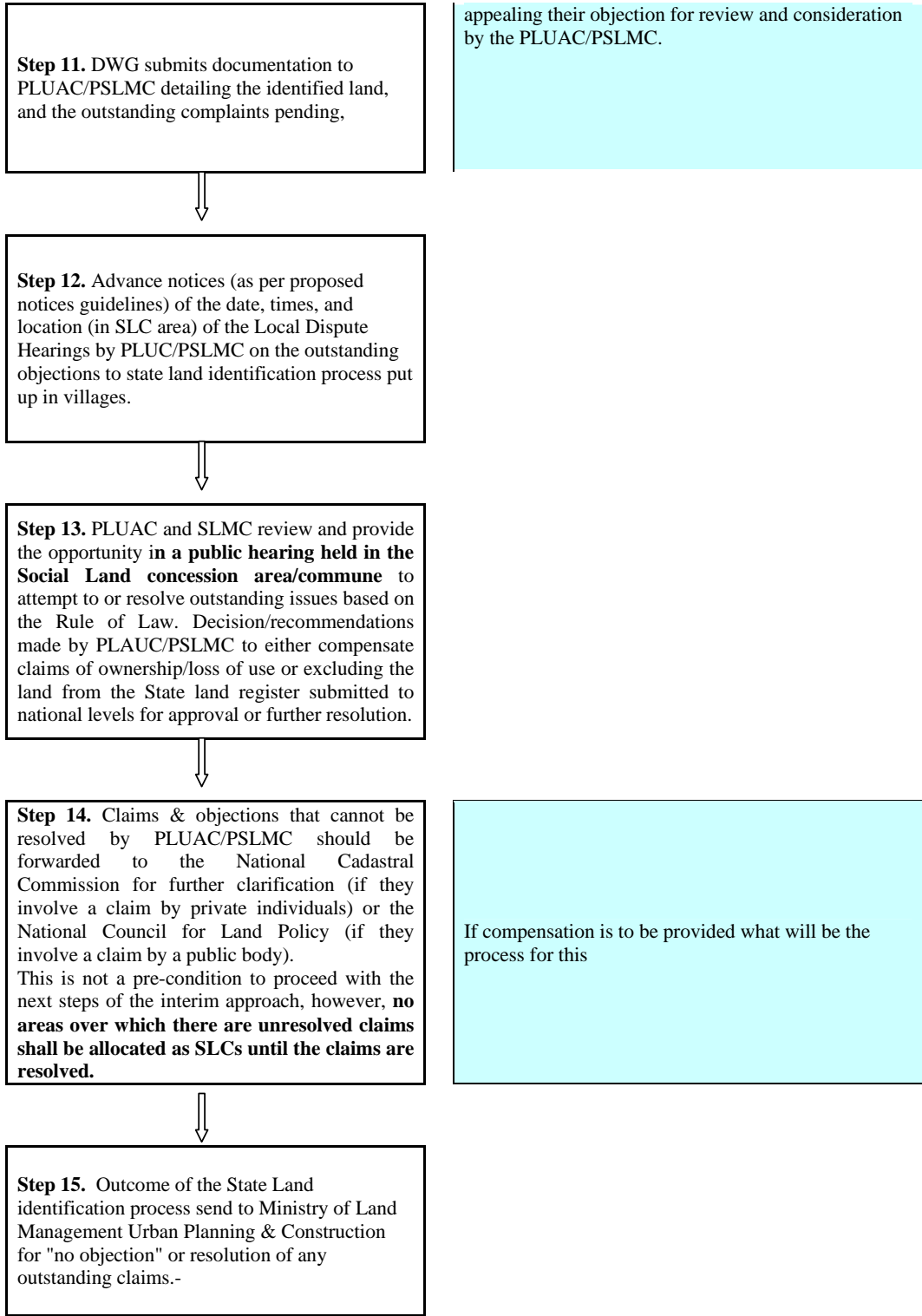
The Commune Office to establish a register of complaints to document the register should  
**[POSSIBLE INDICATOR]**  
 (i) Detail the location (village)  
 (ii) Nature of the compliant made. **However the names of the "objectors" to be kept confidential**

**Step 9** Public announcements of the date and location (should be in the SLC commune) of the Local State Private Land Identifications -dispute resolution process placed in the villages will only consider all the complaints officially received through the Commune Council/DWG

**Step 10.** The local complaints resolution process will likely take place within 8 weeks of the commune submitted report for state private land identification is to be undertaken by the District Working Group.  
 Should be held in public with advance notice being given.  
**There is a need for competent support being to be available to villagers objecting to the proposed identified state land, and to ensure that "statements of opinion" by the DWG are in compliance with the Rule of Law and the safeguards of the LASED project.**

It is proposed that public meetings be held in the commune to hear and clarify complaints, based on which a **"statement of opinion"** is issued by the DWG which is documented and delivered to the "objector" which should be documented .

A reasonable period of time (~14 days?) should be made following the receipt to allow the "objecting household" to consider accepting the decision of the statement of opinion or rejecting it (this should be documented and receipted again by the DWG) and



### **PHASE III Civic Engagement in the Beneficiary Identification Process for SLCD**

**Step 1.** When ready to begin the potential beneficiary identification process. The Commune Councils issues public notices to be put up in each villages (as per the proposed guideline).

The notices should be put up in advance of the official start date for applications and state when, where application form can be obtained from, the duration of the period to apply etc..

**Step 2.** Parallel with the public notices, being put up, A public information leaflet should be delivered to each household in the villages in the commune which should clearly state

- (i) The eligibility criteria both the Formal one (as per sub-decree #19) and those agreed by PLUAC (likely a inserted page of the approved local criteria)
- (ii) The questions to be answered by the family applying
- (iii) What lands can be applied for
- (iv) The process to be followed for beneficiary identification
- (v) Details and measures to counter abuses.

**Step 3.** Notices of village meetings put up in advance (parallel with step2)

**Step 4.** A series of village meetings (held at different times, locations and dates in the village) are held to explain

- (i) **The steps in the beneficiary identification process,**
- (ii) **Where to obtain the application forms,**
- (iii) **What are the questions on the form to be answered (honestly)**
- (iv) **Who is available to assist families in filling the application forms,**
- (v) **The closing date where to submit the application form**
- (vi) **The need to check the posted list of applications in a couple of weeks**
- (vii) **Measures to counter abuse and corruptions.**

**Step 5** When application are submitted (to the Commune Office), a family should be provided with either a commune stamped and clearly dated (as received) copy of their application or else a formal receipt (stamped and dated) of having submitted an application for consideration.

**Step 6.** Typed copies of the complete list of applications in the villages are posted at the agreed locations for a period of 30 days as required. Applying families encouraged to checked and validate information entered and if error observed inform CC of the error for checking against original and correction.

**Step 7.** The agreed and endorsed (by PLUAC) local eligibility criteria (if different from the LASED suggested ones) are posted in the villages to inform people in advance of them *parallel with next step*

**Step 8.** Notices of the date, time and location (**30 days in this instance as suggested in LASED guidelines**) of where it is suggested that a combined "Eligibility Check and Ranking" and Public "Village Meeting to Evaluate Applicants" will be undertaken which should be done in a public forum to ensure transparency, put up in advance (as per guidelines)

**Step 9.** Public review and ranking of applications (part1) submitted undertaken by the village leaders and PBC members (CC members observe).  
The public forum allows for the ranking to be observed in public and also for the explanation of the process for objections.  
Objections can also be lodged, date of follow up meeting scheduled.

**Step 10** Depending on the number of objections listed and lodged the Village leaders/PBC members with other community selected village representatives (suggested village elected commune support group) visit the properties and land of objector and see if a change is justified.

**Step 11** a Commune Council chaired (**ideally all members of the Commune Council should participate in these important decision making events or at least a quorum of the members**) public follow up meeting to hear objections and findings from villagers on the village ranking.

The meeting also informs villages of the opportunity and right to appeal the decision of the list coming from the meeting

The resulting list is copied and put on public display at the agree locations for period of 20 days

**Step 12.** During the 20 day public display of the ranking beneficiary lists, families lower down can appeal in writing to PLUAC their or others ranked positions. **If no appeals lodge the Commune Councils endorse and finalises the ranked list**

**IF APPEALS ON RANKING ARE SUBMITTED TO PLUAC**

**Step 13.** If the PLUAC receives an appeal within the 20 days period. A dated and endorsed receipt should be issued to the appellant and the Commune Informed that appeals have been lodged. **And likely to delay the final endorsement of the land recipients list for 30 days**

**Step 14.** Copies converted to Public notices of the appeals are put up in the villages as soon as possible after the appeal is lodged.

**Step 15.** Designated members of the PLUAC secretariat will visit the commune office and review the materials held in the office and also visit the appellants properties and those likely to be affected by the ranking to verify or not the justification of the appeal.

**Step 16.** Public notice of the date, time, location of the appeal meeting to hear and decide upon appeals lodged by villagers in the commune.

**Step 17.** Designated PLUAC & secretariat members hold public hear (at least in commune) to adjudicate on the appeals decisions & propose finalised list for endorsement by Commune Council.

#### **PHASE IV Follow-up Civic Engagement Activities**

The scope and scale of the follow up activities in terms of the distribution of settling in, livelihood support and housing kits/packages to be provided and the integrated rural development approaches and activities to be supported and undertaken, is in still under development. Appropriate civic engagement activities will need to be developed as the LASED process evolves.

**Annex 2 Public Announcement Guidelines & Sample Notice Template.**

**All copies of official public announcements are to be Endorsed (stamped by) by the Commune Council.**

1	<b>All related Public Notices should be presented on A3 paper and all official copies to be endorsed/stamped by the Commune Council</b>	<p>To be large enough to be seen and provided adequate space for the provision of important information Such as</p> <ul style="list-style-type: none"> <li>(i) The objective of proposed event.</li> <li>(ii) Date, times and locations of the events.</li> <li>(iii) General rationale of LASED and Civic engagement</li> </ul> <p>The notices should be protected from the weather in clear plastic and placed at least 1.2 metres above the ground.</p>
2	<b>Placed in pre-identified public locations</b>	<p>Early in the LASED process prominent and visible public sites should be identified and used for all the public notices generated during LASED (for example (but not limited to these)</p> <ul style="list-style-type: none"> <li>▪ Outdoor public notice boards in the villages or</li> <li>▪ In front of markets/ business areas,</li> <li>▪ If the village contains</li> <li>▪ A Pagodas/mosques, Schools or Health clinics-Across the road from the entrances of these</li> <li>▪ Or the commune office the notice should be place at the public road entrance outside of the CC office)</li> </ul> <ul style="list-style-type: none"> <li>(i) A minimum of 1 notice for every 30* families should be distributed throughout the village to enable all households to possible see the notice</li> <li>(ii) The notices should be located where they can be easily seen by members of the public from public roads and pathways, and possibly verified by NGOs and civil society members and DWG members of LASED.</li> </ul>
	<b>Notice shall be erected a minimum of 7 days in advance of the date(s) of any proposed event or meetings</b>	<p>Depending on the activities of the population and the size of the commune. A minimum of 7 day prior notice is recommended before holding an LASED related event.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: fit-content;"> <p>In some parts of the country where many of the heads/decision makers of households may be working elsewhere or use agricultural land far from the village a longer period is recommended</p> </div>

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\* As the average size of villages in Cambodia contains between 170-183 families/ households per village so on average 6 copies of any public notices to be put up would be required to be distributed throughout the villages

**Nation Religion King**  
**Royal Government of the Kingdom of Cambodia**

**PUBLIC ANNOUNCEMENT NOTICE**  
For the Social Land Concessions Process in your Commune  
under the  
Land Allocation for Social & Economic Development Project

**SUBJECT:** \_\_\_\_\_

**PURPOSE & OBJECTIVES OF THE PUBLIC MEETING(S):**

1. _____	<b>SAMPLE</b>	
2. _____		
3. _____		
<b>SCHEDULE:</b> Public Meetings will be held on		
1. DATE.....,	TIME.....	LOCATION.....
2. DATE.....,	TIME.....	LOCATION.....
3. DATE.....,	TIME.....	LOCATION.....

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**BACKGROUND INFORMATION on**

**Social Land Concessions under the Land Allocation for Social & Economic Development Project**

The Royal Government of the Kingdom of Cambodia has committed itself to distributing identified surplus state land in participating Commune areas to community identified poor families from villages in those communes. The Royal Government wishes this process to be undertaken in a participatory and transparent manner and invites and encourages representatives of all households in the villages to actively take part (whether they will beneficiary or not) and observes that the process is free and fairly undertaken and benefits the poor in your community.

The process is under the auspices of the local Commune Council with involvement from the Provincial Authorities through the Provincial Land Use Allocation Committee (PLUAC)

If any difficulties are observed or confronted with the process and a member of the public wishes to make a compliant please do so and contact either or both of the following phone numbers:

PLUAC: \_\_\_\_\_ LASED: \_\_\_\_\_

Approved by

### Annex 3 Suggested Civic Engagement Communication Materials

Indicator	When	Some of the suggested contents	Remarks
<p><b>Publication and distribution of relevant documented reference information to all families/ households in the Social Concession Areas/Communes.</b> Materials should also be made available to Commune Councils, village administrations (troika) in surrounding communes as well as to All NGOs active in the province for reference.</p>	<p>1. Immediately following approval of the SLC activities in the commune by the PLUAC.</p>	<p>⇒ General introduction to the SLC process under LASED, (based on Sub-decree 19)-draft sample prepared (Eng/KH),</p> <p>⇒ Should if possible have a timeframe/ goals to be aimed for.</p> <p>⇒ Should encouraging active participation of all families to monitor the process</p> <ul style="list-style-type: none"> <li>• Assisting others (illiterate families) to understand</li> </ul> <p>⇒ Contain information on the need to counter the risks of abuses,</p> <ul style="list-style-type: none"> <li>• Provide possible examples of these.</li> <li>• How and to whom report to?</li> </ul>	<p>The content of the materials should be drafted and discussed with interested and involved NGOs (especially legal and Rights based organisations) and pre-tested prior to publication and application to ensure the contents and language used generally understandable</p> <p>All documents should have a section on accountability and reporting of abuses.</p> <p>Attempt should be made not to exceed 8 pages in Khmer for each booklet</p>
	<p>2. At the start of the State Land Identification process.</p>	<p>⇒ Aims and objectives of the State Land Identification Process.</p> <p>⇒ Identify who is to be involved</p> <ul style="list-style-type: none"> <li>• Representatives of which departments/ offices, (<i>see below</i>)</li> </ul> <p>⇒ What are the steps involved</p> <p>⇒ How to lodge a complaint</p> <ul style="list-style-type: none"> <li>• To whom,</li> <li>• How the complaints procedure will work,</li> <li>• Its likely duration.</li> <li>• How the decision will be communicated</li> <li>• Appealing</li> </ul> <p>⇒ Taking notice and rationale of the announcements (publicly displayed notices) of the public display</p> <p>⇒ Participating in the public display and checking not adversely affected.</p>	

INDICATOR  
All have received copies of the reference (at least the first 3 booklets) materials and the Citizen report cards at the different stages of the SLC process

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Indicator	When	Some of the suggested contents	Remarks
	3. Just prior to the Beneficiary identification process.	<ul style="list-style-type: none"> <li>⇒ Aims and objectives of the beneficiary identification process and the RIGHT to a review.</li> <li>⇒ The schedule (public notices put at the start of the application process,</li> <li>⇒ Where to obtain a application form, the Right to get an application</li> <li>⇒ No charges or payment to be made (to be reported-contact details/numbers on booklet)</li> <li>⇒ Encourage participation and monitor</li> <li>⇒ The national criteria as per the SD#19 and inform</li> <li>⇒ The locally approved (by PLUAC) criteria (most likely will be a insert)</li> <li>⇒ The steps in the beneficiary identification process.</li> <li>⇒ The need to review and check the lists</li> <li>⇒ How to lodge a appeal <ul style="list-style-type: none"> <li>• To whom,</li> <li>• How the appeal procedure will work,</li> <li>• Its likely duration.</li> <li>• How the decision will be communicated</li> <li>• Appealing to higher</li> </ul> </li> </ul>	
	4. To identified and approved target land recipients on what are the entitlements, conditions, support to be made available to the TLR, and other support.	<i>To be developed once Integrated Rural Development Activities and packages are confirmed</i>	
	<p><b>5. The Citizen Report Cards</b></p> <p>(i) For All families in the villages and communes</p> <p>(ii) For Land recipients families following the actual distribution of land and (possible after a couple of months).</p>	To provide once source of quantitative feedback on the SLC of LASED for beneficiaries and non beneficiaries	This would contribute to more to an internal evaluation process.
Publication and distribution of Banners for the communes and villages in the Social Concession	Following approval of the SLC process in a communes	Identify the commune and village for a Social Land concession process	

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Indicator	When	Some of the suggested contents	Remarks
Areas.			
Publication and distribution of Posters for the communes and villages in the Social Concession Areas.	At different stages of the process and also to households in the villages	Pictorial Posters of the different stages of the process should be developed and put up to help explain (i) The stages in the SLC process. (ii) Show samples of the forms to be used and other supporting documentation that may be required to. (iii) Encourage participation and transparency by enable and providing information residents in the target communes of the risks and types of abuses that could occur and provided mechanism to counter and report these abuses if they occur.	
Public Notices put up in different parts of the villages (1 per 30 HH) at least 7 days in advance of the start of different steps, Call for village meeting(s)	As proposed in the pre launch phase public notice locations need to be identified and monitored to ensure that progress information is put and available in time to enable people to be informed in advance to enable them to participate.		
Banners (on PVC plastic) of the officials involved with photos, names and positions provided for each village to know who is involved	When PLUAC and District appoint personnel in implement and be responsible for SLC activities	To counter the risk of others interfering or pretending to be involved or faking official endorsement.	
Radio & TV spots produced and broadcast (through local networks –if existing) Or nationally with a focus on the provinces undertaking SLC	During the course of the SLC process	What is SLC, who is involved, and eligible for applicant where is it been undertaken (communes, district and provinces) Countering abuses and corrupt Interviews with senior personnel involved and villages	

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## Annex 4. The dissected Civic Engagement Framework as adapted for the Community Support Group

Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
<b>PRE-LAUNCH OF SOCIAL LAND CONCESSION ACTIVITIES UNDER LASED</b>						
1. Commune Council (CC) organise meeting to inform village representatives and authorities, other groups and NGOs that the commune is going to request a SLC process	<ul style="list-style-type: none"> <li>- Participants and potential stakeholders are aware of the initiation of the request for SLC process.</li> <li>- Seek support, cooperation from those expressing an interest to be involved and or support the SLC process.</li> <li>- Request village authority/ reps to identify potential sites for public announce locations to be used during process for consideration &amp; approval.</li> <li>- Identify information needs</li> <li>- Disseminate information (then available to CC)</li> </ul>	<p><b>Participants:</b></p> <ul style="list-style-type: none"> <li>- Village authorities and representatives (Vill. rep),</li> <li>- NGOs</li> <li>- Civil society (CS) entities active in the villages</li> <li>- Representatives of the district facilitation team (DFT)</li> </ul> <p><b>Organiser:</b></p> <p>Commune Councils</p> <p><b>Possible Facilitator/ assistance from</b></p> <ul style="list-style-type: none"> <li>- DTSU/DFT, or NGOs active in commune</li> </ul>	<ul style="list-style-type: none"> <li>- Need to ensure invitation to meeting (date time place) is send in advance (1 week) to a broad range of groups and agencies as possible. To enable scheduling &amp; participation.</li> <li>- Minute of the meeting, are documented &amp; copies sent all participants and stakeholders</li> <li> <ul style="list-style-type: none"> <li>▪ With numbers and sex of participants, who they represent</li> <li>▪ Decisions taken for actions and follow ups of the meeting stakeholders, also</li> <li>▪ Who is responsible for the follow up</li> </ul> </li> <li>Questions raised etc</li> </ul>	<ul style="list-style-type: none"> <li>- Members of the Commune Council.</li> <li>- If requested Village authorities &amp; representatives (likely PBC) to inform villagers of the initiation of the process</li> <li>- Finalise copies of Minutes of meetings are available and or made public and accessible to everyone within 7 days after the meeting by CC.</li> </ul>	<ul style="list-style-type: none"> <li>- List of issues &amp; concerns raised and responses obtained from meetings, are documented in the records (<u>without mentioned the name of the participants who raise the issues</u>) may be provided to DFT/ DTSU /DWG for further documented</li> </ul> <div style="border: 1px solid black; padding: 5px; margin: 5px;"> <p>Suggest districts &amp; provinces establish and maintain an "ISSUES DATABASE or File" for learning, capacity building and response purposes, as use of the SLC process is expanded. This can be monitored and evaluated# by LASED during implementation.</p> </div> <ul style="list-style-type: none"> <li>- NGOs, CS also maintain &amp; share minutes of the meeting (ASAP)</li> <li>- DTSU and invited NGOs may play role as mediator in these meetings when an issue cannot be handled by the facilitator.</li> </ul>	<ul style="list-style-type: none"> <li>- Poor &amp; partial notification to potentially interested groups in advance, may result in limited attendance</li> <li>- Public official/NGO personnel unable to adequately facilitate the meeting due to limited knowledge of issues at this early stage</li> <li>- Participants reluctance to disseminate information about meeting as approval of SLC process by PLUAC not provided yet?</li> </ul>
2. PLUAC reviews and endorses the CC request for SLC or asks for further information.	PLUAC endorses the CC request for SLC.	<p><b>Organiser:</b></p> <ul style="list-style-type: none"> <li>- PLUAC</li> </ul> <p><b>Possible Facilitator/ assistance from</b></p> <ul style="list-style-type: none"> <li>- LASED</li> </ul>	<ul style="list-style-type: none"> <li>- PLAUC issues documented receipt on delivery of the letter from communes.</li> <li>- Provides date for decision and/or follow up communication</li> </ul>	<ul style="list-style-type: none"> <li>- Acknowledgement of receipt of the application is made within 10 days of submission (as per LASED guidelines 25/5/06- lack date/ period for review/ approval issuance).</li> </ul> <div style="border: 1px solid black; padding: 2px; margin: 2px;"> <p>NEED for benchmarking of</p> </div>	<ul style="list-style-type: none"> <li>- Selection of a # of Communes to do SLC process to start with and undertake</li> <li> <ul style="list-style-type: none"> <li>• That is fair and transparent without accusations favouritism</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Following submission / issuance of receipts a long period of time is taken for deliberations of requests for SLC prior to approval.</li> <li>- PLUAC swamped by</li> </ul>

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Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
				period on decision making or hosting of Potential SLC Stakeholder Participant Information Workshop	<u>See below</u>	requests from Communes demanding SLC processes
3. If limited # of commune apply PLUAC approves	PLUAC approval of requesting CC request for SLC	<b>Organiser:</b> - PLUAC <b>Possible Facilitator/</b> assistance from - LASED	Letter of official approval issued. Multiple copies made available to CC for distribution either (converted to) as public notice, or provided to villages and interested NGO	PLUAC approves a commune request for SLC		
4. PLUAC organises provincial information workshop.	- PLUAC undertakes selection of target commune for SLC process. or - PLUAC informs which communes have requested a SLC and been endorsed to start. - Seeks cooperation, support and involvement from NGO active in the province - Identifies (name and contact details) of focal points and officials involved (who is PLUAC and DWG etc).	<b>Participants:</b> - all CCs requesting SLCs (best if a number of reps from each CC attend) - NGOs, CS entities active in the province (as many as possible from different sectors) <b>Organiser:</b> - PLUAC <b>Possible Facilitator/</b> assistance from - LASED, NGOs	- Announcement and invitation to Workshop is sent in advance (at least 1 week) to as broad range of groups and agencies as possible. To enable scheduling & participation.	PLUAC in organising and host workshop and following it up	If a significant number of communes request SLC process, Guidance may need to be sought (LASED) about how many can be supported in 1 <sup>st</sup> year.  Consider a selection lottery held at workshop to be neutral and fair either by communes <sup>19</sup> or districts. <u>Other approaches may result in accusations of favouritism and interference</u>	Poor & partial notification to potentially interested groups in advance. May result in limited attendance

19 If a lottery approach is utilized to select communes, this could result in widely dispersed project SLC implementation areas in a province resulting in difficulties in supporting and higher operational costs. Could use clustering i.e. first select a limited number of districts then a number of communes with each of these

Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
5. PLUAC Secretariat provides information banners, posters, and leaflet to CCs, village leaders or PBC, NGOs and civil society.	CCs, village leaders or PBC raise awareness to every household in the villages making up the commune (Target and all communes in the district).	<p><b>Participants:</b></p> <ul style="list-style-type: none"> <li>- CCs requesting SLCs, village leaders or PBC members</li> <li>- NGOs, CS entities active in the province</li> </ul> <p><b>Organiser:</b></p> <ul style="list-style-type: none"> <li>- PLUAC</li> </ul> <p><b>Possible Facilitator/ assistance from</b></p> <ul style="list-style-type: none"> <li>- NGOs</li> </ul>	<ul style="list-style-type: none"> <li>- Public display of information banners and posters is posted and maintained at numerous locations (Provincial, district, commune and village level) and visible at all times.</li> <li>- Information leaflets are distributed to every household.</li> </ul>	<ul style="list-style-type: none"> <li>- Sufficient quantities of information leaflets for household distribution provided to village leadership &amp; or PBC members for delivery to every households <b>(INDICATOR)</b>.</li> <li>- Public display of the information banners and posters is monitored (locations, period of display etc) by DTSU, NGOs and CS.</li> <li>- Cost of delivery borne by LASED [suggest ~250 Riels per household (US\$0.06)].</li> <li>- Additional budgetary resources provided to Commune Councils to ensure delivery of leaflets to every households in villages making up the commune.</li> </ul>	<ul style="list-style-type: none"> <li>- Draft of information banners, posters and leaflets are tested, commented and agreed by NGOs and civil society before printing and disseminating.</li> <li>- NGOs, CS maintain the information posters and leaflets disseminated for monitoring and evaluation purposes.</li> </ul>	<ul style="list-style-type: none"> <li>- Careless to potential interests who used to work at the field. May results to limit of awareness raising.</li> </ul>
6. CCs organise a series of public meetings	<p>CCs explain:</p> <ul style="list-style-type: none"> <li>. the objectives SLC in the commune,</li> <li>. who is eligible, principle steps of the process,</li> <li>. complaint and grievance</li> <li>. procedure and</li> <li>. request community participation in the process and</li> <li>. identify local stakeholders and facilitators</li> </ul>	<p><b>Participants:</b></p> <ul style="list-style-type: none"> <li>- Village households,</li> <li>- NGOs, CS</li> </ul> <p><b>Organiser:</b></p> <ul style="list-style-type: none"> <li>- CCs, village leaders or PBC</li> </ul> <p><b>Possible Facilitator/ assistance from</b></p> <ul style="list-style-type: none"> <li>- TSU/ DWG, NGOs</li> </ul>	<ul style="list-style-type: none"> <li>- Public display of the meeting invitation (date, time, location &amp; purpose) is posted at least 7 days in advance and maintained at numerous locations and visible at all times.</li> <li>- Participants are encouraged to speak up in meetings.</li> <li>- Minute of the meetings, are documented to all participants and stakeholders with: <ul style="list-style-type: none"> <li>■ numbers and sex of participants</li> <li>■ Decisions taken for</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Village leader identifies and documents locations for public notices in each villages which is submitted and agreed by CC (~1 location per 30 households)</li> </ul> <p><b>(POSSIBLE INDICATOR)</b>,</p> <ul style="list-style-type: none"> <li>- Minute of the meetings are accessible to everyone within 7 days after the meeting.</li> </ul>	<ul style="list-style-type: none"> <li>- To attempt to ensure effective communication of the information, more than one meeting in each village should be schedules ideally at different times and location to enable farmers and villages to attend. For e.g. the meeting at some places can be organised in the evening for villagers who used to work far away from home.</li> </ul>	<ul style="list-style-type: none"> <li>- Poor participation due to lack of timely or effective communication at commune of village</li> <li>- Public official unable to adequately facilitate the meeting</li> <li>- Non-attendance of target beneficiaries "Poor families" due to poor communication and or exclusion from the meetings.</li> </ul>

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Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
	involved.		actions and follow ups of the meeting by stakeholders			
7. PFT and DFTs, support CCs and PBCs to complete application procedure requirements	CCs and PBC complete application procedure requirements	<b>Participants:</b> - CCs and PBC <b>Organiser:</b> - PFT & DFTs <b>Possible Facilitator/ assistance from</b>  - TSU/ DWG, NGOs	- Additional village meetings as part of general Commune Planning Process may require.	- Adequate prior notification should be provided (>7 days in advance). - Usually this will involved step covered by the State land identification process		
8. PLUAC reviews of the SLC request	PLUAC formally approves the SLC and converts to Public Notice.	<b>Participants:</b> Villagers <b>Organiser:</b> PLUAC <b>Possible Facilitator/ assistance from</b> NGOs	The Formal approval is documented and converted to Public Notice for placing in the identified locations throughout the villages in the Commune.	- Acknowledgement of receipt of the application is made within 10 days of submission	- NGOs, CS maintain the public notice of the approval for monitoring and evaluation purposes	
<b>CIVIC ENGAGEMENT IN THE STATE (PRIVATE) LAND IDENTIFICATION PROCESS OF LASED</b>						
1. PLUAC put up Commune endorsed public notices informing villagers of the start of the State LI process in the villages making up the commune	- Villagers and potential stakeholders are aware of the start of the State LI process. - Seek support, cooperation from those expressing an interest to be involved and or support the SLC process.	<b>Participants:</b> - Village households, <b>Organiser:</b> - CCs and Village Chiefs <b>Possible facilitators or Assistance from</b> - NGOs, civil society	- Public notices are posted and maintained at numerous locations (commune and village level) and visible at all times. Committee involved.	- PLUAC and DTSU in organising public notice informing villagers of the start of the State LI process. - Community support group (CSG) is established and build up capacity to enable them reach with the target beneficiaries.	- Post the list of the officials (ideally names, positions and photos) from District Working Group and the Provincial State Land Management	- Lack of access information by target beneficiaries "Poor families" due to poor communication and or working outside the village.

Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
2. CC organises delivery to every household all information materials relevant to SLC.	- Every household in the social concession commune are aware of State land identification process, the rights of individuals as detail in the leaflet.	<p><b>Participants:</b></p> <ul style="list-style-type: none"> <li>- Village households,</li> </ul> <p><b>Organiser:</b></p> <ul style="list-style-type: none"> <li>- CCs and Village Chiefs</li> </ul> <p><b>Possible facilitators or Assistance from</b></p> <ul style="list-style-type: none"> <li>- NGOs, civil society</li> </ul>	<ul style="list-style-type: none"> <li>- An information leaflet briefing:               <ul style="list-style-type: none"> <li>(i) State land identification process</li> <li>(ii) The rights of individuals- including as in the constitution, as covered in the 2001 Land Law, and the Right to compensation (if involuntary resettlement is applied)</li> <li>(iii) The procedures and process for lodging a complaint.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Parallel with notices of the start of the State Land Identification process being put up, sufficient quantities of information leaflets is delivered to every household in the social concession commune.</li> </ul>	<ul style="list-style-type: none"> <li>- NGOs and civil society (CS) play role as facilitators to make sure every household is delivered leaflet.</li> <li>- NGOs, CS maintain the information leaflet disseminated for monitoring and evaluation</li> </ul>	<ul style="list-style-type: none"> <li>- Poor households who are illiterate are unable to adequately access information in the leaflet.</li> </ul>
3. DWG organises training cum planning workshop on technical procedures for State (private) LI process at district level.	- CCs, village leadership representatives, NGOs, civil society active in the commune and villages understand technical procedures for State (private) LI process	<p><b>Participants:</b></p> <ul style="list-style-type: none"> <li>- CCs, village leader representatives, NGOs, civil society</li> </ul> <p><b>Organiser:</b></p> <ul style="list-style-type: none"> <li>- DWG</li> </ul> <p><b>Possible facilitators or Assistance from PLUAC</b></p>	<ul style="list-style-type: none"> <li>- Workshop invitations (date, time, location &amp; purpose) are posted in public and maintained at numerous locations and visible at all times.</li> <li>- NGOs and civil society representatives are invited in sufficient time in advance at least 5 days.</li> <li>- Participants are encouraged to discuss in workshop.</li> <li>- Minute of the workshop, are documented to all participants and stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>- Minute of workshop is accessible to everyone within 7 days after the workshop.</li> <li>- Maps and manuals are provided by PLUAC to DWG during the training (step 2 of land identification).</li> </ul>	<ul style="list-style-type: none"> <li>- Conflict resolution training is of great importance. It should be issue-oriented and practical rather than theoretical.</li> <li>- Non-partisan mediators are to be made available (and trained, if necessary) for the purpose by the Project.</li> </ul>	
4. CCs organise additional village information meetings at village level.	Villagers are aware: <ul style="list-style-type: none"> <li>(i) The state (private) LI process</li> <li>(ii) Land Rights if adversely claimed</li> <li>(iii) The importance of participating in the public display process to check</li> </ul>	<p><b>Participants:</b></p> <ul style="list-style-type: none"> <li>- Village households,</li> </ul> <p><b>Organiser:</b></p> <ul style="list-style-type: none"> <li>- CCs and Village Chiefs</li> </ul> <p><b>Possible facilitators or</b></p>	<ul style="list-style-type: none"> <li>- Parallel with training in 3 above additional Village Information Meetings should be called through public notices in advance at least 7 days.</li> <li>- Meeting invitations (date, time, location &amp; purpose) are posted in</li> </ul>	<ul style="list-style-type: none"> <li>- Village leaders identify location for public notice of the meeting invitation.</li> <li>- CC members organise the meetings.</li> <li>- Minute of meeting is accessible to everyone within 7 days after the</li> </ul>	<ul style="list-style-type: none"> <li>- List of concerns and responses, as obtained from workshop, are documented in the minute of the meeting.</li> </ul>	<ul style="list-style-type: none"> <li>- Non-attendance of target beneficiaries "Poor families" due to poor communication and or exclusion from the meetings.</li> </ul>

Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
	that the proposed identified state land does not adversely affect families within the meaning of the 2001 Land Law, (iv) The process for lodging a complaint if adversely affected and or right to claim compensation?	<b>Assistance from</b> - DWG, NGOs, civil society.	public and maintained at numerous locations and visible at all times.  - Participants are encouraged to have small group discussion in the meeting.  - Minute of the meeting, are documented to all participants and stakeholders.	workshop.		
5. CC organise public notice to inform villagers in advance the public display of the draft of the findings of the State private LI process	Villagers are aware: (i) Location of the Public display (ii) the dates and duration (30 days) of the public display (iii) Encourage people to checking to ensure if State LI has not adversely affected families and if so How lodge an objection/complaint allowed only during the duration of the public display (i.e.30 days).	<b>Participants:</b> - Village households, <b>Organiser:</b> - CCs and village leaders <b>Possible facilitators or Assistance from</b> - DWG, NGOs, civil society.	- Public notices are posted and maintained at numerous locations (commune and village level) and visible at all times. Committee involved.	- Village leader identifies and documents locations for public notices in each village which is agreed by CC (~1 location per 30 households) <b>(POSSIBLE INDICATOR),</b> - DTSU and NGOs, CSG involve in monitoring the visibility of public notice .		
6. CCs and NGOs provide assistance to families and individuals in interpreting the maps and information of the display and to inform and assist those families	- Families and individuals effectively access the map and information display as well as object, it they wish to do so	<b>Participants:</b> - Village households, <b>Organiser:</b> - CCs and village leaders <b>Possible facilitators or Assistance from</b> - DWG, NGOs,			- Need to ensure that documented information on the provisions of the 2001 Land Law are available as compensatory issues could be triggered	

Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
who wish to object, to do so.		civil society, Community Support Group				
7. Assist further to villagers to understand the decision being proposed for state private LI and if necessary to lodge complaints with/ through CCs	- Villagers, especially target beneficiaries understand the		Information should be provided on how the complaints will be initially reviewed by the Commune groups (a documenting report submitted within 14 days to DWG) and the likely timeframe involved to resolve the complaint (anywhere between 1-3 months).		- The Commune Office to establish a register of complaints to document the register should <b>[POSSIBLE INDICATOR]</b> (i) Detail the location (village) (ii) Nature of the complaint made. <b>However the names of the "objectors" to be kept confidential</b> <b>- An official receipt of the compliant should be provided to the family lodging it.</b>	
8. Public announce of the date and location of the Local State Private Land Identifications-dispute resolution process.	Villagers understand the Local State Private Land Identification-dispute resolution process					
9. Hold public meeting in the commune to hear and clarify complaints						
10. Submit documentation to PLUAC/PSLMC						
11. Review and provide opportunity in a public hearing						
12. Forward claims and objections that cannot be solved to NCC or NCLP						
<b>CIVIC ENGAGEMENT IN THE BENEFICIARY IDENTIFICATION PROCESS OF LASED</b>						
1. Display public notice of official application process						
2. Deliver public information leaflet to each household in the village						

Outline of Tasks	Objectives	Participants & Responsibilities	Incorporating			
			Transparency	Accountability	Conflict resolution	Risks involved
3. Organise a series of village meetings						
4. Receive and acknowledge on the each family's application of.						
5. Post the complete list of applications						
6. Post the eligibility criteria						
7. Evaluate the applicants through a combined "Eligibility Check and Ranking" and Public Village Meeting						
8. Organise public forum to observe and lodge the public review and ranking of the applicants.						
9. Visit the properties and land of objector and see if a change is justified.						
10. Organise public follow up meeting to hear objection and finding on the village ranking.						
11. Endorse and finalise the ranked list.						
<b>IF APPEALS ON RANKING ARE SUBMITTED TO PLUAC</b>						
12. Delay the final endorsement of the land recipients list.						
13. Put up copies converted to public notices of the appeals.						
14. Verify the appeals						
15. Post the public notice of the appeal meeting.						
16. Hold public hear to adjudicate on the appeals decisions and propose final list for endorsement.						

## Annex 5. Draft of Contents of Sample Leaflet for Pre-launch

# Kingdom of Cambodia Nation, Religion, King

*Social Land Concessions supported under the Land Allocation for Social & Economic Development (LASED)  
Project*

*What You NEED to Know to get start (Information Leaflet 1)*

**The contents of this reference document will be IMPORTANT to all families in the communes**

The document aims to provide simple introductory information in relation to the Royal Governments' policy and programme of Social Land Concessions for the distribution of land for living and livelihood purposes especially to the poor. It should either

1. Enable your family to decide whether they may be eligible to apply for consideration to become a land recipient, and how to go about this, and or
2. Encourage your family's active participation in the process to ensure that the procedures (for land and potential recipient families) identification are correctly carried out to ensure transparency and the accountability of those involved and that the land is provided to the poor in your area only, without abuses or corruption.

### Introduction

Based on the Royal Government of the Kingdom of Cambodia's comprehensive Rectangular Strategy and most recently expressed in the National Strategic Development Plan 2006-2010, which details the strategies and priorities to rapidly contribute to reducing poverty in Cambodia for the coming years. The Royal Government has committed itself to distributing identified and declared surplus State Private Land to village identified and commune council endorsed poor families in communities and villages in the target communes through Social Land Concessions. To support the development of this program for expansion to other areas of Cambodia, the Royal Government is undertaking a trial/pilot phase to better learn about how to implement successful and transparent land distribution to the poor.

### Objectives of LASED

The development objective of the Land Allocation for Social and Economic Development (LASED) project will be to support the process of social land concessions to provide land with tenure security (after a five-year period) as well as following the distribution up with related supporting services and investments to reduce poverty amongst targeted landless and land-poor households by advancing the Royal Government current land allocation practices to promote more targeted sustainable, and equitable rural economic growth. This will be achieved through:

- The distribution of state land suitable for agriculture, together with appropriate support services (for agricultural and socio-economic development) to qualifying landless and land-poor households and the
- Based on experience, developing more transparent and technically appropriate mechanisms for providing state land and support services to the poor..

### A summary of the likely steps in the local Social Land Concession process

- (a.) Request for social land concession and LASED support initiated by your local Commune Council
- (b.) Agreed to by the Provincial Authorities
- (c.) Technical support for State Land Identification
  - a. Including a public display to reduce the risk of land conflicts
- (d.) Application by eligible families
- (e.) Ranking of applicant families to be distributed land
- (f.) Public display of ranked lists of applicant families
- (g.) A period of appeal on the ranking if required.
- (h.) Finalisation of list of ranked families
- (i.) Distribution of land to the families
- (j.) Planning for rural development support for the families and the community

- (k.) Start of support & development activities [Those families/communities to move to the social concession land will be provided with support and materials to begin livelihood activities in the new areas
- (l.) Review of experience to assist in improving the social land concession process

**Basic Eligibility Criteria for Consideration Social Land Concessions**

To be eligible to apply for consideration a family should not own or possess land equal to or in excess of

- (a.) 3,600 square metres for residential purposes and/or
- (b.) 2 hectares of land for farming purposes

**To be able to apply the following factors are taken into account:**

- (a.) Be a Cambodian national, with legal capacity to own land (over 18 years old).
- (b.) Be the head of the family, which consists of two or more individuals related by blood or marriage and residing in the same household.
- (c.) Not be an owner or possessor of other land equal to or in excess of the size limitations for social land concessions mentioned above (3600m2 for residential and/or 2 hectares of farm land)
- (d.) Be ready, willing and able to participate in the social land concession programme.

No person may deny the right of application and or participation in a social land concession program to head of family who is a female, a person with a disability, a veteran with a disability, or a demobilised soldier.

Where there are more applicants than available land, additional reasonable criteria for giving preference in the selection of target land recipients or the allocation of social land concession land can be based on the following:

- ⇒ Large family size, having six (6) or more members
- ⇒ Duration the family has lived in the commune and its villages,
- ⇒ The head of family is a woman, a person with a disability, a veteran with a disability or a demobilized soldier.

If your family owns or possesses less land than that mentioned above' and meets the factors for applying, your family may be eligible to apply and should obtain, complete and submit (within the time permitted) an application form to be made available from the commune council office or involved village representatives.

Please note that application does not guarantee that land will be distributed to your family as it will be depend on the poverty ranking by the village and also on the quantity of land identified to be made available

**What can an eligible family apply for?**

An eligible family can apply for considerations for social concession land for the following three purposes

- (a.) Residential purposes only
- (b.) Family farming purposes only, or
- (c.) Both.

**How much land, will a family receive if selected?**

Residential land	The <u>maximum</u> amount of land to be granted for residential purposes is 3,600 metres.
Farming land	The current <u>maximum</u> amount of land to be granted for farming purposes is 2 hectare, depending on the quality of the land.

**Conditions attached to the Land to be Provided.**

Each land recipient poor family shall enter into a written agreement with the competent granting authority that specifies the rights and responsibilities of the land recipient family in accordance with the social land concession programme, and the exceptions, such as

- ⇒ For example affected by droughts or disasters or grave illness, which prevent the fulfilment of the families agreed obligations.

Unless an approved social land concession plan specifically provides otherwise, the following occupancy and use rules shall apply to all social land concessions.

<b>Residential Land</b>	<b>Farming Land</b>
A residential structure needs to be built on the on provided residential land within three months and a family member needs reside there for at least six months in a year	The land provided needs to cultivated within 12 months and used

The target land recipient may not sell, rent or donate social concession land during the first five (5) years of the implementation of the social land concession programme and if a target land recipient fails to meet the occupancy and use conditions, the land shall revert to the state for reallocation

**Issuing of Ownership Titles**

1. Only after five (5) years of continuous use and occupation shall the land recipient poor family have the right to claim actually ownership of the land provided by the Royal Government and can request ownership titles according to procedures determined by the Ministry of Land Management Urban Planning & Construction
2. If a name head of a land recipient family dies during the implementation of the social land concession programme, the successors in the land recipient’s family may continue to implement the social land concession to complete the five (5) years and shall have the right to ownership of that land.

**OTHER RELEVANT INFORMATION**

**Tackling Abuses and Corruption in the Social Land Concession Process**

The allocation of state land by the Royal Government to landless and land poor families in the target villages and communes is a key component of the Royal Governments’ Rectangular Strategy to develop Cambodia and reduce rural poverty by ensuring the poor have access to (i) residential land and (ii) the means of agricultural production. Due to the importance of land, the social land concession process is at significant risk of abuse and exploitation by unscrupulous persons.

The Royal Government wishes to draw the public attention to the following:

1. No payments of any sort are required from people or to be paid to involved officials to take part in a social land concession once a family complies with the eligibility criteria as per the sub-decree #19.
2. Family members and relatives of Commune Councillors, members of the village leadership and the Planning & Budgeting Committees can eligible to apply, if they meet both the national criteria and the to be approved by the Province local criteria.

However there is a risk of a Conflict of Interest by those involved in making decisions

- a. Those involved officials/persons have to complete (a written form) and make a public declaration of who they are related to who is applying and not take part in the evaluation of those applicants.

If you hear or observe any abuses please report the incidence to the following for follow up and action

## **Annex 6. LASED General Background and Information Note**

The Royal Government of Cambodia's (RGC) Ministries involved with Social Land Concession under the proposed Land Allocation for Social and Economic Development (LASED) project aims to distribute land to the "poor" and have committed themselves to endeavouring to undertake a civic engagement approach for the future implementation of the LASED project.

LASED will contribute to RGCs' expressed commitments both in the comprehensive 'Rectangular Strategy for Growth, Employment, Equity and Efficiency' of the Royal Government of Cambodia (under side one for "enhancing the agricultural sector") and also in RGCs' recently launched National Strategic Development Plan (NSDP) 2006-2010, (subsections 2.27 & 4.50 on Land Reforms).

Before moving forward on Civic Engagement some background and information on the LASED project is provided to assist in contextualising it.

### **LASED Objectives**

The stated development objectives of the LASED project will be to complement and enhance recent progress in land administration practices, contribute to improving the management of forests and protected areas, and to reorient the Royal Governments' current land allocation practices to support more sustainable and equitable rural economic growth. LASED will achieve this through the :

- Distribution of good quality state land suitable for agriculture, together with appropriate support services to qualifying landless and land-poor households
- Implementation of this through more transparent and technically appropriate mechanisms for state land allocation and management.

RGC has set the goal of distributing land to a minimum of 10,000 'landless' households

### ***LASED Principles***

The LASED project has been developed and it is aimed to be implemented based on the following set of five worthy principles:

#### ***Good Governance and the Rule of Law***

LASED will be implemented within the framework of Cambodia's legal institutions governing the land sector. It will support efforts to strengthen good governance of the country's natural resource base, in particular its agricultural and forestry resources. LASED will not adopt any procedures that are not in full support of Cambodia's legal framework. Capacity building and strengthening of these will be an integral part of LASEDs' efforts.

#### ***Supporting the Land Reform Agenda***

LASED is not an isolated project to allocate land, but one mechanism in support to the Royal Government to proactively integrate land allocation into its overall land management and administration system in order to address landlessness and to stimulate pro-poor, agricultural-led growth. It supports the implementation of the 2001 Land Law, the project will as much as possible and as early as possible be combined with the other pillars of Government land reform, such as land management, state land administration and land registration.

#### ***Participation and Gender***

Planning and implementation activities under LASED will follow a participatory and inclusive process. Men and women will have the same opportunities to actively influence and benefit from the project. Equal representation in the planning and implementation process will be ensured. All stakeholders, particularly in village and commune-level beneficiaries will be able to represent their interests throughout the planning and

implementation process. Ensuring participation in the process of identification of suitable social concession land and supporting a village and commune-driven selection process for selecting target land recipients are considered key principles as they are especially important for the project's effectiveness and sustainability.

**Transparency and Accountability**

Planning and implementation activities for LASED will take place in an open and inclusive manner. Decisions taken by institutions involved in LASED planning and implementation will be made public in a way that will ensure comprehensive and timely information flow to all stakeholders. Stakeholders will have the possibility to challenge decisions that directly influence their livelihood through an appeals process. Decision-making institutions will be held accountable for the outcomes of their decisions. Where they do not exist yet, LASED will ensure that respective structures are put in place. To this effect LASED adopts an "anticorruption and accountability framework."

**Sustainability**

The mechanisms for supplying services and infrastructure under LASED will take into consideration the issue of long-term sustainability. The project will ensure that delivery mechanisms do not create unsustainable parallel structures. A clear exit strategy for any project support for delivery mechanisms will be prepared. Where other infrastructure and service providers (apart from the Royal Government) are better positioned to ensure support to the rural poor, their involvement will be encouraged. However, for all options the crucial question of long-term sustainability will be addressed.

**PROPOSED LASED COMPONENTS**

The first phase of the LASED project is to have a number of linked and mutually supportive components to achieve its objectives and targets namely the distribution state land to 10,000 community identified poor and needy families, through a decentralised process, For your information LASED is to have four main components which are summarised below as:

Component	Sub components
<p><u>Commune Based Social Land Concession Planning and Land Allocation</u></p>	<p>a) <u>Land use planning</u>: support to be provided to commune councils to prepare land use plans that take into considerations the needs to identify areas for expansion / allocation to poor households</p> <p>b) <u>Land identification</u>: support for a participative and technically sound process to identify, map, and register state private land for distribution as Social Land Concessions</p> <p>c) <u>Land recipient selection</u>: a community managed process to identify and select eligible land recipient and provide them with adequate land for their livelihood</p> <p>d) <u>Land allocation</u>: ensuring the access of eligible recipients to sufficient and suitable residential and farming land</p>
<p><u>Rural Development Services and Investments</u></p>	<p><u>Support for Integrated rural development</u>: involving a support process to identify community needs in terms of social and economic support services To complement land distribution and to provide required services and infrastructure to beneficiary communities in a sustainable way</p>
<p><u>Sustainable and Transparent Programme Development</u></p>	<p>a) <u>Capacity building and training</u>: the provision of technical and management training to meet the planning and implementation needs of Social Land Concessions</p>

Component	Sub components
	<ul style="list-style-type: none"> <li>b) <i>Policy development</i>: technical support to further develop related policies on land allocation and management</li> <li>c) <i>Monitoring and evaluation</i>: support to monitor and evaluate outcomes and impacts, draw lessons learned and make them available for broader SLC implementation</li> </ul>
<u>Project Administration</u>	<i>Project management and administration</i> : to ensure that the necessary and adequate institutional structures are put in place to enable sound project planning, implementation and management, in particular procurement and financial management

### **INVOLVED STAKEHOLDERS IN THE LASED PROCESS**

For the implementation of Social Land Concessions under LASED (which is intended to be undertaken in a decentralised and deconcentrated manner) the most important stakeholders are

#### **At the Local Level**

- The families/households and communities making up the villages in the target communes.
- Community representative groups either existing or to be established (known as Community Support Groups)
- The Commune Council as a whole and its village support structures
  - Village leaders, deputies and assistants
  - The Planning and Budgeting Committee members from the villages

These are to be supported by an institutional support structure based on the provincial administration namely at

#### **District & Provincial Levels**

- These will be supported by local officials from identified departments (as per Sub-decree #19) to form the District Working Groups which operated the under auspices of the Provincial Land Use Allocation Committees (PLUAC) chaired by the Provincial Governor with senior representatives of the involved provincial departments.

National Level

Council for Land Policy

Level	Body	Role	Mandate
<b>National</b>	National Social Land Concession Committee (NSLCC)	<ul style="list-style-type: none"> <li>• Makes national social land concession policy</li> <li>• Adjusts or cancels decisions on land use and allocation, where needed</li> </ul>	Sub-decree Art. 20
	LASED PROJECT IMPLEMENTATION AND COORDINATION UNIT	<ul style="list-style-type: none"> <li>• Awareness raising, outreach, training, technical and institutional support</li> <li>• Technical review work, support to PSC</li> <li>• Complaints &amp; Grievance investigations</li> </ul>	

<b>Level</b>	<b>Body</b>	<b>Role</b>	<b>Mandate</b>
<b>Province</b>	Provincial Land Use & Allocation Committee (PLUAC)	<ul style="list-style-type: none"> <li>Identifies state public and private land</li> <li>Ensures standards for land classification and land use planning</li> <li>Assists commune with land use plan</li> <li>Reviews and assesses land use plan and SLC plan proposed by commune</li> <li>Approves land classification &amp; land use plans at provincial level</li> </ul>	Sub-decree Art. 23
	Development Technical Support Unit (TSU)	<ul style="list-style-type: none"> <li>Oversees general development</li> <li>Ensures infrastructure and facilities are included in the SLC plan are in place in a timely manner</li> </ul>	Sub-decree Art. 25
<b>District</b>	District/Khan Working Group (DKWG)	<ul style="list-style-type: none"> <li>Carries out work of PLUAC at district-level</li> <li>Provides technical assistance to the commune councils in the planning of social land concessions</li> </ul>	Sub-decree Art. 26
	District facilitators (DFT)	Focal point in technical assistance to commune council on behalf of DKWG	SEILA prakas
<b>Commune</b>	Commune council	<ul style="list-style-type: none"> <li>Initiates and considers SLC plan</li> <li>Responsible for fair and efficient allocation of land</li> </ul>	Sub-decree Art. 28
<b>Village level</b>	Village Administration (new) & Planning & Budgeting Committee members	Proposed to implement activities for LASED on a day-to-day basis for commune council	

## Annex 7. Note on the CE framework development process

The need for a Civic Engagement Framework for the social land concession (SLC) process came out of discussions and the evolution of the LASSED project preparations during 2005. A terms of reference was developed and agreed upon, initially a two person team was envisaged as part of the Royal Government's National Project Preparation Team (NPPT) supported by a Japanese Grant (PHRD) through the World Bank. Related project preparation activities only began in mid March 2006 with the commissioning of the local consultant<sup>20</sup> who initially undertook the following tasks for the preparation of the Civic Engagement framework:

- Attend various meetings and discussion with the LASSED National Preparation Team (NPPT) with representation from Min. of Rural Development (MRD), Min. of Agriculture, Forestry and Fisheries (MAFF), Min. of Commerce (MOC), and Min. of Interior (MOI) (Min of Land Management Urban Planning & Construction (MLMUPC)).
  - o These meetings focused on the LASSED program formulation, structural arrangements and proposed fund flows.
- Joined and facilitate the missions of NPPT, World Bank and GTZ representatives in to Kratie and Kompong Cham provinces from 27 March to 31 April 2006 where the three pilot areas are located.
  - o Prior to mission, contacted and briefed the provincial coordination networks of local NGOs and civil society in both provinces that were interested in or involved with land issues.
  - o Participated in the LASSED national secretariat organised coordination meetings with PLUACs in both Kratie and Kompong Cham provinces. The LASSED NPPT assigned the CE consultant to coordinating and facilitating the consultation meetings with NGOs and civil society in both Kompong Cham and Kratie provinces. The local consultant was responsible for preparing agendas and invitations for the consultation meetings, facilitate the locations for the meetings and following up with the participants for the meetings with short notice from the LASSED Secretariat.
  - o The local consultant was informed by PLUAC's representatives in both provinces that they were not responsible to coordinate meeting with local NGOs and civil society on social land concession.

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Sadly this reflects that the PLUAC in both provinces were not clear or aware of the proposed the roles and benefits of consultations and discussions with NGOs and civil society as part of the preparation of the LASSED program.

- In addition to these activities, undertook limited direct consultations with villagers, particularly with poor families the pilot areas in two villages (one in Kratie and another one in Kompong Cham provinces) to assess their levels of understanding and awareness of the proposed social land concession programme, process and procedures as well as to identify possible appropriate methods for information dissemination amongst the people on LASSED specific work processes for land identification, target land recipient identification.

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It was noted that LASSED Secretariat assigned the local consultant to arrange field visits and appointments for other consultants under the proposed civic engagement framework. However little discussion or consideration appears given to how these were to contribute to

<sup>20</sup> According the term of reference provided to the national consultant is under the guidance of an international consultant. However, an international consultant was not recruited at the time and was only later (June 2006) made available from the World Bank with whom the national consultant.

CE, in fact some may have been of taken value only and may have been undertaken to satisfy the World Bank demands for greater consultations and participation, which they did provided but most likely again of limited value. Additional activities organised by the CE consultant included

- Organising a National Consultation Workshop held on 6 April 2006 on the Preparation Status of Land Allocation for Social and Economic Development Project (LASED).
  - o Related tasks of the local consultant for this workshop were invitations and arrangements for local NGOs and civil society from both Kompong Cham and Kratie provinces to attend the workshop, arrangement of the workshop location, organize the workshop schedule, facilitate group discussions undertaken and summarise the findings into a report.
  - o Participated in consultation consultants from the World Bank and representatives from NGOs such as Cambodian Development Research Institute, PACT, NGO Forum, and Norwegian People's Aid, through individual and group meetings discussions, sharing views on civic engagement for LASED project.
- Following these, a 1<sup>st</sup> draft of the civic engagement framework was presented in the meeting of 22 May 2006 to LASED secretariat and NPPT consultants. The outputs of this meeting were not clear since there were contradicting opinions on the suggested community self help groups.
  - o Two consultants saw the aim and benefits of community self help group as being "interfering and a top down approach", creating a lot of demands, raising expectations and not much linked to Commune Council. It was suggested to examine the village network (VDC concept) of GTZs project in Kompong Thom.
  - o Others suggested civic engagement should create a working together environment; to function, and have possible recognition of SHGs by the Commune Councils.
  - o Based on the meeting, the perception of community support group could be appropriated if civic engagement is perceived as a backbone of community mobilization for the project throughout its life cycle and not a vehicle to disseminate information about the project at community level.
- Participated in the meeting at LASED Office on 28.6.06 on discussing on civic engagement framework participated by consultants from World Bank (including their CE consultant), GTZ and Dpy.Dir of LASED project from MLMUPC.
  - o During the meeting expressed MLMUPC contributed it ideas about civic engagement as active participation of NGOs, civil society and communities in LASED steps and not just attending meetings without any idea of what was happening, they strongly supported the roles of the Commune Council do good work for awareness raising and encouraging people to participate in all process of LASED.
  - o In concluding it was suggested to have a briefing on the concept of civic Engagement to enable LASED Preparation Team members at national level to gain a better overview of CE and to brainstorm on the definition of civic engagement (for LASED) and highlight key points for civic engagement to enable the consultant to better develop civic engagement framework accordingly.

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Since July 2006, the local consultant has been working with the support from the World Bank CE Consultant to make progress in developing of the civic engagement framework as below:

- In preparation a number of presentation and reference materials were prepared in Khmer and English and provided to the LASED secretariat for distribution and commenting upon.
- These were also presented to members of the Inter-Ministerial project preparation group on July 12 for discussion and inputs and following which at a meeting of 27 July 2006 the revised civic engagement concept and emerging issue points for the civic engagement frameworks were formally submitted to the LASED National Preparation Team.
- It was also suggested that provincial consultation be undertaken on what was agreed and the CE consultant initially prepared and submitted a proposal (in late July) to the NPPT secretariat requesting the organising of a series of provincial consultations to ensure effective communication and dissemination of the CE concept and emerging framework (based on the May 25<sup>th</sup> draft) at an early stage, so as to provide opportunities for possible feedback, request inputs and or demanding clarification from local implementation stakeholders of the social land concession process.
- These round provincial consultations (with representatives of the PLUACs, DWG, Commune Councils, village authorities NGOs) took place in late August early September following the appointment of a new LASED director. While in the field for the consultation the opportunity was available upon to meet with and consult with household representatives and undertake informal group discussions in villages (in the 3 pilot communes).
  - o In support of the provincial consultations the CE consultant facilitated the series of provincial consultation meetings with different stakeholders and beneficiaries organised by LASED National Project Preparation Team (NPPT) between 29<sup>th</sup> August to 1<sup>st</sup> September 2006 in the two pilot provinces (Kratie and Kampong Cham)<sup>21</sup> with the aim of briefing and seek consensus on the proposed civic engagement concept and framework issues for further integration in the proposed Social Land Concession Project.
    - Most of participants from PLUAC, District, Commune Councils, Village Chief and staff were satisfied and supported the opportunities to obtain documentation and explanation (in most cases) on the CE concept (as this terminology and concept was new for them) and on issues for the civic engagement framework.
    - It was useful as it was tied into the 5 principles of LASED and should ensure effective implementation of the CE activities later.
    - The contributions and suggestions from participants such as for consideration of Khmer terms. Questions and comments on the framework of civic engagement reflected to their interests, understanding and effective involvement in the development of civic engagement framework.
  - o At the provincial level, the consultation meetings were held in provincial hall in Kratie (29/08/06) with the consultation being chaired by H.E. the Provincial Governor while the meeting in Kampong Cham (AM, 01/09/06) was held in the meeting room of the provincial department of land management and chaired by the Provincial General Secretary.
  - o A similar district level meeting was held in Memot (AM, 31/08/06) in Kampong Cham (at the district office of Land Management) which also had participation of commune council representatives from the pilot area.

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<sup>21</sup> Please see field visit schedule dated 22.8.2006 prepared by the LASED National Team.

- A joint commune consultation with representatives from the district level and two pilot Communes in Kratie, (AM, 30/08/06) here the consultation briefing presentations were more verbal in nature with the use of a white board noting key points of CE concepts and framework based on the documents distributed to all participants.
- The same consultation meetings were held with NGOs and civil society working (11 NGOs in Kratie, and 7 NGOs in Kompong Cham) at provincial level.

On return to Phnom Penh, the CE consultant reviewed the extensive notes taken at the meetings and information and comments made by villagers and stakeholders and consolidated these into a report on the provincial consultation (which was submitted to LASED secretariat in Mid October). Issues raised from the provinces and communities such as

- Providing examples of activity plans and
- Guidance on how to improve on encouraging community and household participation
- Outlines of materials and information to be provided; as little had been realistically done as everything was in draft formats and unapproved and representatives from communes, DWGs are (rightly) reluctant to disseminate these, in case these change

Contributions to addressing some of these have been incorporated in the Civic Engagement Framework submitted, as the framework was based on the May 25<sup>th</sup> draft of the implementation guidelines and the CE consultant has not been informed of further changes to this or on its approval for use.

Phnom Penh, 2 November 2006

CE NPPT Consultant.