

Our Country Our Future



Clean

Working Together to Fight Corruption

What is the Clean Hand?

The "Clean Hand" represents the fight against corruption. The white represents purity, and the blue background represents wisdom. The logo is not associated with any political party, and it is not owned by any one organization.



The Clean Hand campaign provides education and awareness activities aimed at reducing corruption in Cambodia. This campaign involves the use of publications, radio shows, television, posters and many other materials.

Acknowledgements

The Centre for Social Development and Pact Cambodia would like to thank all of the public servants that provided valuable feedback on the content of this handbook and who also gave us permission to use their photographs.

Produced by:



Centre for Social Development

No. 19, Street 57, Sangkat Boeung Keng Kang I, Phnom Penh
Kingdom of Cambodia
Tel: 023 364 735
info@csdcambodia.org
<http://www.csdcambodia.org>

Supported by:



This publication is made possible by the generous support of the American people through the United States Agency for International Development (USAID) and the Danish Government through the Danish International Development Agency (DANIDA). The contents are the responsibility of the Centre for Social Development and do not necessarily reflect the views of USAID or the United States Government, Danida, Pact or Padco.

Our Country Our Future

Edition 1

© September 2006

We encourage you to copy part or all of this guide and to share it with others.

Table of Contents

Introduction	4
Everyone has the Equal Right to Government Services	6
Corruption is a Problem in Cambodia	8
What is Corruption?	10
Every Day the Government Loses \$1 million of our Money to Corruption	14
Why is there Corruption in Cambodia?	15
Corruption Affects Everyone	16
Our Actions as Public Servants Affect Everyone	18
Corruption is Illegal	20
We Can Make a Difference	21
Fighting Corruption Starts with Me	22
How Can I Help Fight Corruption?	27
Reducing Corruption Benefits Everyone	30
Fighting Corruption Takes Courage	31
How and Where to Report Corruption	32
Case Studies	39
Clean Hand Treaty	45

Who is this handbook for?

This handbook is designed to educate all public officials and individuals vested with an elective public office in Cambodia about what corruption is and how to fight it. Public officials include all individuals appointed to permanent or temporary positions in the legislative or executive branches, the military, and government administrative or judicial offices. Individuals vested with an elective public office include any member of the Senate, National Assembly, Commune Councils and any citizen vested with a public office by election. This handbook also contains information that will be useful to all members of the public.

Introduction

The rights of all citizens in Cambodia are determined by the constitution. All citizens have the equal right to access government services such as education, healthcare, and social security.

It is the duty of the government and all public servants to serve the people of Cambodia and treat them in a fair and equal way.

Corruption undermines the rights of every Cambodian by preventing the government and public servants from serving the people equally. Corruption destroys the trust of Cambodian citizens in the government and public servants, and in each other.

Corruption is a widespread problem, but this does not mean that it is viewed as morally or socially acceptable. There is nothing in our culture that makes corruption a fact of life that we cannot change.



We must avoid all types of corruption in all situations. Everything we do is to serve and protect the interests of our society and the Cambodian people. We must avoid providing

benefits to those who want us to commit injustice, any of our family members or yes-men. The Royal Palace is not a secret place for the Cambodian people.

[unofficial translation]

***His Majesty Samdech Preah Boromneath
Norodom Sihamoni King of Cambodia,
October 2004***

This handbook looks at different types of corruption and how it affects our families and communities, as well as the steps that we as public servants can take to reduce corruption.

Corruption is not something that can be wiped out immediately - it will take a long time. But if we do not start now, the future of our children and our country will never improve.



Corruption in different levels - small, medium or large scale - always has negative impacts on society. Corruption affects efficiency in production as well as the implementation of laws. Without virtue in their conduct, some individuals and public servants involved in activities that are against their duties. This transforms public relations to some kind of affairs between individuals for the sake of private interest to the detriment of public interest. This is against the fact that public servants' duties are to serve the people and the state.

***Samdech Hun Sen, Opening Remarks at the Ceremony of the Seminar on the
Draft Law on Anti-Corruption in Cambodia and International Standards - 17-18 August 2005***



Services



Services



Services



Services



Fighting corruption
starts with you

Everyone has the Equal Right to Access Government Services

The rights of all Cambodians are the same, and they are contained in the constitution.

Every Khmer citizen shall be equal before the law, enjoying the same rights, freedom and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status. (Article 31)

Khmer citizens of either sex shall enjoy the right to choose any employment according to their ability and to the needs of the society. Every Khmer citizen shall have the right to obtain social security and other social benefits as determined by law. (Article 36)

Khmer citizens of either sex shall have the right to participate actively in the political, economic, social and cultural life of the nation. Any suggestions from the people shall be given full consideration by the grant of the State. (Article 35)



The health of the people shall be guaranteed. Poor citizens shall receive free medical consultation in public hospitals, infirmaries and maternities. (Article 72)



The State shall protect and upgrade citizens' rights to quality education at all levels and shall take necessary steps for quality education to reach all citizens. (Article 65) The State shall provide free primary and secondary education to all citizens in public schools. Citizens shall receive education for at least 9 years. (Article 68)

The law shall protect life, honor, and dignity of the citizens. (Article 38)



Corruption is a Problem in Cambodia

Cambodia is ranked as one of the most corrupt countries in the region. A study in 2005 by the international organization Transparency International ranked Cambodia 130 out of 158 countries in the Corruption Perceptions Index. Cambodia's rank was based on opinion survey of how Cambodians perceive corruption.



**Least
Corrupt**

**Most
Corrupt**



1



Iceland

59



Thailand

77



Laos

107



Vietnam

130



Cambodia

155



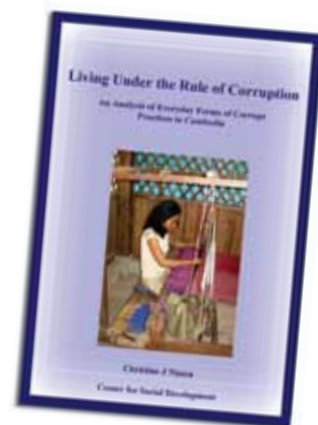
Myanmar

158



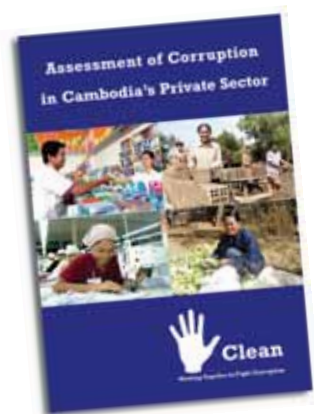
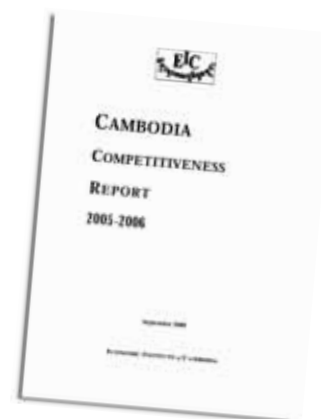
Bangladesh

A study from 2005 found that Cambodians are concerned that all public servants are corrupt and many citizens do not use local government services. According to the Cambodian people, the courts, the taxation system, the customs department, and the police are the most corrupt parts of the government. The likelihood of paying bribes when having contact with the judge/courts is 100%, for the police excluding the traffic police it is 67%, for traffic police alone it is 50%, and likewise 50% for the customs department.



In May 2005, the Ministry of National Assembly-Senate Relations and Inspection released a report called "Past Achievements and Work Plans for 2005" that looked at nine cases of corruption investigated by the Ministry. They found that the total amount of money diverted from government revenue from these cases was \$US 22,452,600.

In 2005, the Economic Institute of Cambodia (EIC) surveyed 100 large companies operating in Cambodia to identify the most significant constraints to doing business in Cambodia. Corruption was listed by 80% of those interviewed as their number one concern, as it prevented them from expanding, importing and exporting their goods, employing new staff and conducting new activities.



In 2006, the Economic Institute of Cambodia (EIC) conducted another survey with about 1,200 private sector enterprises. The report found that on average the private sector pays about 2.8 percent of their annual turnover in unofficial fees. This amount is equal to \$US330 million in 2005. This amount does not include unofficial fees paid by import-export companies to custom officers, port and other public officials during goods clearance, nor by companies who have received government contracts.

What is Corruption?

Corruption is an illegal use by a individual of their function, duty, power or influence to obtain personal benefits, in the form of money, objects or other materials, for that person, or for any other person or entity.

Corruption not only happens when powerful people profit illegally but also when people take small gifts. The amount of money involved or the level of your position does not matter - it is still corruption.



**Small or large -
it is still corruption**



According to the draft Anti Corruption law and international standards such as the United Nations Convention Against Corruption, there are several different types of corruption:

Bribery

Bribery occurs when a person gives or receives a gift or reward directly or indirectly (such as through a friend or family member) to get a public official or a citizen invested with an elective public office to:

- refrain from doing their normal duties
- perform a duty that should be done for free
- perform their duties faster than normally required
- influence their decisions

Examples

- Asking for extra money for a service to pay for paper, copying, stamps, transportation, food, and cigarettes, etc.
- Receiving money to speed up the approval of a permit or license
- Receiving money from someone so they avoid a fine for an illegal activity (eg speeding, illegal fishing, illegal logging)
- Asking for money for a service at a health centre that should be free (such as tuberculosis treatments)
- Paying someone to vote for a specific political party in an election
- Receiving a gift or money for providing a public service

Abuse of Power

Extortion occurs when a public official or a citizen invested with an elective public office uses force or intimidation to obtain money or things of value from other individuals.

Examples

- Setting up an illegal check point on a road and demanding payment for goods or people to pass
- Demanding money to resolve a conflict
- Threatening a student that they will fail an exam or subject if they do not pay money
- Threatening to arrest a criminal unless they pay money

Fraud

Fraud is criminal deception or false representation to obtain an unfair advantage.

Examples

- Receiving a salary for a job that you are not doing
- Recording and receiving reimbursement for false expenses
- Deliberately inflating the cost of goods that were purchased with government funds, and keeping the difference
- Keeping the money allocated for employees sick and personal leave



**What you do, you
will get it back**

Nepotism or Favoritism

Nepotism occurs when a public official or a citizen invested with an elective public office gives special treatment or priority to their friends or relatives for appointments, promotions, service, awarding of contracts etc.

Examples

- Hiring or promoting someone that is part of our family
- Transferring a friend to a more popular location or more lucrative position within our department
- Only hiring or promoting employees that belong to our political party
- Deciding not to prosecute an offender because he or she comes from an influential family

Embezzlement

Embezzlement is the wrongful diversion or fraudulent appropriation of a deed, a title, public funds, private funds or any other item by a public official or a citizen invested with an elective public office for their own use.

Examples

- Using commune council funds to buy a new motorbike
- Using funds from an NGO project budget to buy our family a new mobile phone
- Keeping government revenue (fees, taxes etc.) for our own personal use and not recording it
- Keeping a government computer for our family to use at home
- Using a government car for personal use

The vision being pursued is that of a public administration that is neutral, more operational, productive, competent, transparent, responsible and closer to the people, while being of reasonable size and receiving an adequate level of remuneration. Fulfilling such a vision is a long-term process that can only be achieved gradually with determination and discipline.

National Program of Administrative Reform - Serving People Better, Council for Administrative Reform, November 2004

Trading of Influence

To ask for or accept, directly or indirectly, any gifts or benefits from a person or organization that would like to receive an honor or any other favorable decision from a public official, citizen invested with an elective public office, or organization.

Examples

- Receiving money to provide a promotion or transfer to an employee
- Receiving a gift from an accused criminal to provide them with a favorable judgment in court
- Receiving money to approve a contract with the private sector that does not follow established procedures
- Receiving money to bestow a special title (such as okhna)

Conflict of Interest

A family, financial, political, or other personal interest, that may influence, or appear to influence the performance of a public official's or a citizen invested with an elective public office's duties.

Examples

- Not providing medical treatment to a patient and referring them to a private clinic that belongs to you
- Recommending that a government office lease an item (such as a house, car, or moto) that belongs to you
- Awarding the contract for a government project to a company that belongs to a friend or relative
- Approving the development of an area where you own land
- Resolving a dispute that involves a friend or family member



**Corruption increases
if corrupt acts are
not punished**

Every Day the Government Loses \$1 Million of our Money to Corruption*



\$1 million = 1 can of rice per day for every person in Cambodia¹



\$1 million = Enough money to build 50 new 5 room schools²



\$1 million = The monthly salary of 25,000 public servants³

* This estimate is taken from the research report "Cambodian Corruption Assessment", Casals & Associate/USAID, 2004, p. 1

¹ Based on a cost of 300 Riel for a can of rice

² Based on the cost of a 5 room school being \$20,000

³ Based on an average monthly salary of 160,000 Riel

Why is there Corruption in Cambodia?

There are many different reasons why corruption is such a big problem in our country.

Greed and materialism - wanting more and more money because it is easy to obtain

Status and influence - people using their power to demand special treatment

Abuse of power - officials threatening citizens or their employees if they do not pay them corrupt money

Weak governance - money is not managed in an open and transparent way

Impunity - a belief that corrupt acts will not be properly investigated or punished

Relationships and patronage - having to be loyal to our party, boss, family or friends

Threats - receiving threats from our colleagues or superiors to pay them corrupt money

Jealousy - seeing all of our colleagues benefiting when you are not

Hopelessness - feeling like the problem of corruption can never be solved

Lack of awareness - people do not fully understand what corruption is or what its consequences are

Lack of information - people are not aware of what the official fees for a service are

Powerlessness - when people know that they are being cheated and do not know how to report corruption

Violence - people pay bribes for security and safety

Gratitude - thanking someone for a service that they have provided as part of their job



**It is our duty to serve the
people of Cambodia, not
anyone else**

Corruption Affects Everyone



“For every 10,000 Riel we earn from our farm, we lose at least 500 Riel to bribes and corruption”



“Every day when I go to school and give money to my teachers or when I watch my parents pay bribes to government officials, I learn that corruption is acceptable”



“I cannot receive the proper medical treatment because I have to pay fees to the Health Centre staff even though the services are supposed to be free”



“I cannot get my goods to the market because the company that made the road did not build to the high quality that it promised in the contract”



“I have a degree from a good university and a lot of useful skills, but I cannot afford the payments required to get promoted to the position I deserve”



“I am ashamed because I have to ask for payments from my students to feed my family”



“Corruption is the number one problem for all businesses in Cambodia. Bribes eat away at my profit and I cannot expand my business and employ more people”



“I have just graduated from university but I cannot afford to pay the bribes to get a good job in the government”



“When there is corruption public servants will have no confidence in each other or among friends”



“Whenever I go to the police or the commune office to get help they ask for a bribe, and I do not have enough money”



Corruption destroys our children's future

Our actions as Public Servants Affect Everyone

As a public servant, we represent the government. We are linked to every other public servant and citizen in Cambodia. If we are corrupt, it affects everybody in Cambodia.

If we are corrupt it creates a bad reputation
for all public servants

If we refuse to provide a free service to a
person we make them lose faith in their
government

If we demand money for a service that is
free, we are preventing a very poor person
from accessing the service

If we do not collect the proper fees, we are
diverting money that could be used to pay
for another public servant's salary

Our Actions as

If we demand money for a position we are lowering the morale of qualified youth who cannot find jobs

If we accept bribes from a rich person and serve them first, we may be denying an important service to a poor person who needs the service more

Civil Servants

If we take a bribe to stop a criminal investigation or to release a criminal early from jail, we are putting our children and all Cambodians citizens at greater risk of theft, robbery, rape and murder

If we take a bribe we set a bad example for our children

If we give a job to a person that has paid money, we are preventing someone else who may be more qualified from getting the job



If we are part of the problem, we are part of the solution

Corruption is Illegal

Existing laws in Cambodia allow officials to prosecute corrupt activities. The UNTAC Criminal Law and Procedure (1992) contains articles relating to comprehensive active and passive bribery offenses:

Article 37 - Embezzlement by Public Officials

1. Any elected official, civil servant, military personnel or official agent of any of the four Cambodian parties to the Paris Agreement, or any political official who, while performing official duties or tasks related to such duties, with a view to owning or using, misappropriates, sells, rents, embezzles for personal profit or for that of a third party, property, services, money, personnel, any advantage, document, authorization or any function belonging to any public authority, is guilty of the felony of embezzlement of public property and shall be liable to imprisonment for a term of three to ten years.
2. The court may remove the convicted person from elective office and may also prohibit him or her, after serving the sentence, from standing for election or from holding any position in the public administration for a period of two years.
3. The penalty for this felony shall also include a fine of double the sum of money or value of the property embezzled.



Article 38 - Corruption

1. Without prejudice to possible disciplinary action, any civil servant, military personnel or official agent of any of the four Cambodian parties to the Paris Agreement, or any political official who, while performing official duties or tasks related to such duties, solicits or attempts to solicit or who receives or attempts to receive property, a service, money, staff, a professional position, a document, an authorization or any benefit in exchange for any one of these same elements is guilty of the felony of extortion and shall be subject to a punishment of three to seven years in prison.
2. The court may remove the convicted person from elective office and may also prohibit him or her, after serving the sentence, from standing for election or from holding any position in the public administration for a period of two years.
3. The penalty for this felony shall also include a fine of double the sum of money or value of the property extorted.

Article 58 - Bribery

Any person who corrupts or attempts to corrupt any elected official, civil servant, military personnel, or official agent of any of the four Cambodian parties to the Paris Agreement or of any registered political party who, while performing official duties or tasks related to such duties, by promising property, service, money, staff, professional position, document, authorization or any benefit whatsoever in exchange for any one of these same benefits is guilty of bribery and shall be liable to a punishment of one to three years in prison.

We Can Make a Difference

As public servants we can help reduce corruption:



We want our families and communities to lead a better life



We represent the government



We have a responsibility for the transparent and accountable use of public funds



We have a responsibility to uphold the high moral and ethical values of Cambodian society



We have a responsibility to set a good example to the people we serve



We are part of the problem, so we are part of the solution

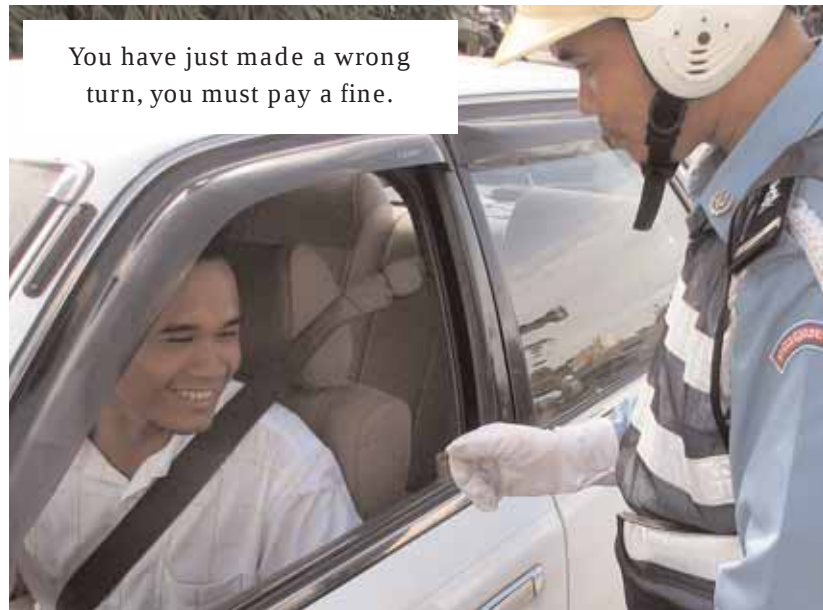
The key thrust of the Royal Government of Cambodia's strategy to fight corruption is to take concrete actions that attack the roots of corruption. The implementation of the anti-corruption strategy will be supported with enough tools and resources to prevent and to substantially crack down on corrupt entities.

The priorities of the Royal Government to combat corruption during its third mandate are to:

- Streamline the delivery of public services to reduce opportunities for corrupt practices particularly in areas related to trade, commerce and investment.
- Establish a Citizen's Bureau as a check and balance mechanism to reduce corrupt practices.
- Develop and enforce codes of ethics for the public sector.
- Improve transparency of public tenders and contract award procedures.
- Continue to strengthen Public Financial Management.

"Implementing The Rectangular Strategy and Development Assistance Needs", Government Position Paper

Fighting Corruption Starts with Me



Your baby will be better now he has had the injections.



Can I give you a gift to thank you for helping him?



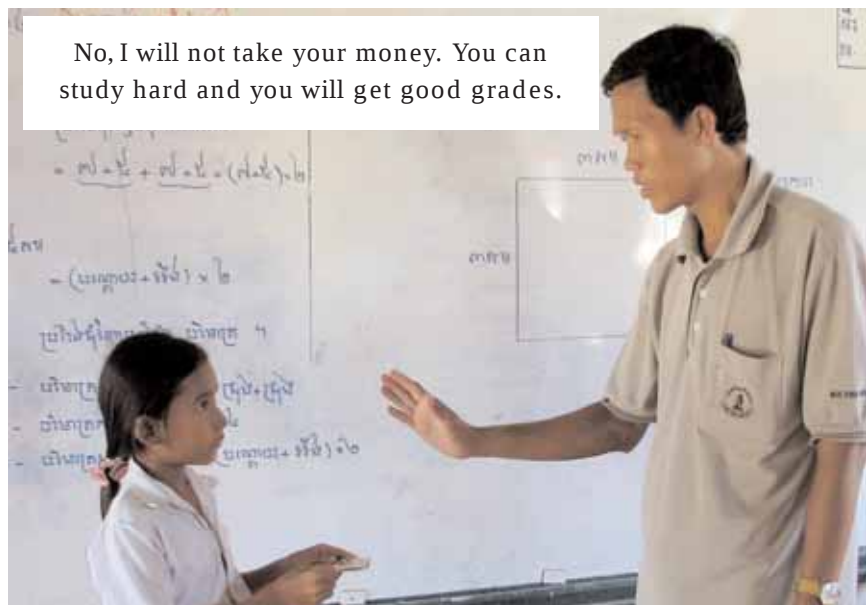
No, I will not take any gifts. It is my job to serve you and give you the best care I possibly can.



Teacher, my parents want me to pass the next exam.



No, I will not take your money. You can study hard and you will get good grades.



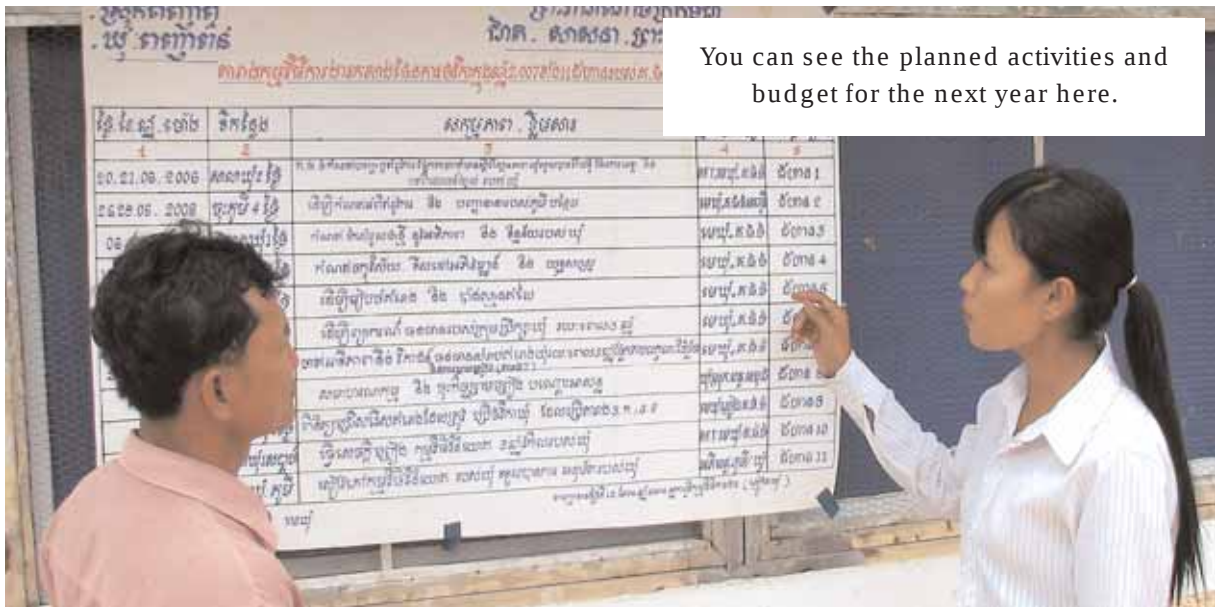
How can I find out about the money our Commune Council is spending?



There is a notice board outside the office that has the Commune Investment plan.

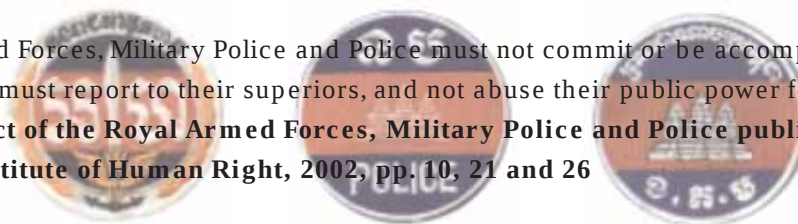


You can see the planned activities and budget for the next year here.



In all circumstances, in all places and at all times, the teacher is always a good model for the citizens. The public never considers acts of the teacher as individual, but as the acts of all teachers
Code of Conduct of the Teacher, 1995-1996, p. 8

The Royal Armed Forces, Military Police and Police must not commit or be accomplices in corrupt practices. They must report to their superiors, and not abuse their public power for private gain.
Code of Conduct of the Royal Armed Forces, Military Police and Police published by the Cambodian Institute of Human Right, 2002, pp. 10, 21 and 26



Here are the application forms for my car registration.



The price is \$22 including all fees, and it will take one week.



If I can give you extra, can I get my registration sooner?



No, I will not take the money.



You can see here that everyone pays the same fees.



You should make sure that I win the case.



I will not take your money. If you have a good case and you did no wrong you will win.



Can we use this money to buy some drinks? I am very thirsty.



No! You cannot!



Every riel that we collect belongs to the Cambodian people. You should record that payment in the ledger.



How Can I Help Fight Corruption?

Fighting corruption is not easy. We all work in an environment where it is difficult to change our behavior, and many things are beyond our control. We may face pressure from our colleagues and our family to keep being corrupt.

If we want to fight corruption, we will have to make special sacrifices and overcome many obstacles.

If we have courage and the desire to make our country's future more prosperous, we can make a difference. There is always something we can do to fight corruption. And it does not matter whether the changes we make affect 1 or 1000 people - we still make a positive difference.

Fighting corruption is about changing our attitudes and behavior, and establishing rules and systems that prevent and punish corrupt acts in our own workplace. Below are some suggestions for how we can fight corruption together:

Provide clearly visible and easy to understand information to the public about official fees (such as a notice board in your office or brochures)



Provide information to the public about the time it takes for each service to be processed by your office



Always provide accurate and official receipts to citizens and give a duplicate copy to the finance officer in your office



Record all payments in your office's ledger





Be open in providing members of the community with official budgets, expenditures and documents



Encourage citizens to participate in planning and monitoring of local development projects



Set up a staff accountability committee to address issues of corruption at work



What can this Committee do?

- Discuss why there is corruption in your office
- Talk about what type of behavior related to corruption you think is acceptable and unacceptable
- Figure out what procedures can be changed or improved to reduce corruption
- Develop ways for better promotion of official fees and procedures to members of the public
- Establish procedures for the ongoing monitoring of the collection of payments and staff expenditure
- Develop a code of conduct that can be signed by all staff in your office



Distribute copies of code of conducts, official rules and procedures to your colleagues and put them in public places in your office



Amend existing codes of conduct to include corruption



Ask your manager as a group to see copies of your office budget

Ask your manager to inform all staff about their sick and personal leave entitlements



Vote for election candidates who are clean and promise to fight corruption



Teach your children about corruption and its effects and tell them that everyone in Cambodia has the same right to access public services



Sign the Clean Hand Treaty (see the back of this handbook) and distribute it to your work colleagues



Speak to a union or the civil servant association to find out about the advocacy activities they are doing to increase public servant salaries



Case study - What happens when salaries are raised?

It is very important that all public servants have enough money to look after their family, but raising salaries does not automatically reduce corruption. Raising salaries may make public servants' jobs highly desirable. For example, a public servant earning 30 dollars per month will not worry about losing his job if he can earn the same as a moto driver, but will want to keep his job if the salary is increased to 60 dollars per month. When salaries for public servants are increased, it is very important to also introduce systems that will monitor corruption and punish public servants for corrupt acts. If the policeman does not fear losing his job, he will continue to take bribes at the same rate, while earning an even higher official salary. In 2005, the government increased the salary of court officials - but there was no major decrease in corruption in the court system afterwards

Reducing Corruption Benefits Everyone

When the government receives and distributes its revenue in a fair and accountable fashion, there will be:

**Greater income and more food
for our families**

**Improved education and health
care services for our family**

**More jobs in the future for
our children**



**Smaller gap between
rich and poor**

Greater trust in the government

**Equal and affordable access
to all government services**

Fighting Corruption Takes Courage

Fighting corruption is not easy - it takes courage.

We may find that we will face opposition and criticism from our colleagues. It is natural for us to feel a fear of threats or losing our jobs.

If everyone starts to change their behavior individually and as a group - we will have a better future for our children and our country.



How and Where to Report Corruption

If you suspect that there is corruption within your office, you have the right to report the corruption to internal or external authorities. There are several different things that you can do to report corruption:

- Talk to your colleagues about why they are behaving in a corrupt manner
- Try to collect evidence about the corruption (write a record of corrupt activities in a book, or make copies of relevant documents)
- Inform your manager about the corrupt acts
- Report the corruption to one of the organizations listed below. You can either write to these organizations or call them. In some cases, your reports can be anonymous if you need to protect yourself from threats.

Government Agencies

There are several levels of government that you can approach regarding corruption.



Ministry of National Assembly and Senate Relations and Inspection (MoNASRI)

Under the "Law on Establishment and Function of Ministry of National Assembly and Senate Relations and Inspection", MoNASRI has the power to:

- Initiate and assign inspectors to inspect all public sectors including Ministries; Secretariats; Municipalities; Provinces; public administration institutions, and public enterprises to ensure the implementation of laws and regulations
- Enforce measures against public wrongdoing and corruption by public servants; army officials; national police whose actions negatively affect the development of the nation
- Call for explanation from related persons through the relevant authority to give testimony to inspectors.
- Temporarily halt any activities, public or private, that negatively impact national interest and submit the case to the head of the Royal Government
- Submit to the head of Government for approval to prosecute any person or legal entity found committing serious grievances against the national interest

Contact:

N° 126, Samdech Sothearos, Phnom Penh

Tel: 023 221 491 / Tel: 023 884 254 / Tel: 023 882 761



Anti-Corruption Unit, Office of the Council of Ministers

The Anti-corruption Unit was established in August 2006 to prevent corruption, strengthen laws related to corruption, and educate the public about the combating corruption.

The Investigation Unit of the Anti-corruption Unit is responsible for:

- Receiving complaints and investigating information related to corruption
- Conducting research and collecting documents related to corruption and reporting them to the leaders of the Anti-corruption Unit
- Cooperating with relevant authorities to conduct field investigations into any cases of embezzlement, exploitation of state property, the loss of national budget funds and other corrupt activities
- Monitoring documents and national budget revenue/expense activities and the use of national and international aids at the ministries, state secretariats, institutions, local authorities of the provincial and municipal offices, public administrative establishments, public enterprises, and state owned enterprises in order to conduct assessment, assumption, and propose measures to its leader

The Law Enforcement Promotion Unit is responsible for:

- Studying and analyzing complaints of corruption with the relevant ministries/institutions to determine the crime and then request for approval from its leader
- Cooperating with the Investigation Unit and relevant units and judicial police in completion of formality for referring the case and send the offender to the court under procedure in force
- Following up and monitoring the law and regulation enforcement by the Royal Government and by the ministry/institution to ensure the integrity, efficiency, and transparency, and accountability

The Education, Prevention, Elimination, and Cooperation Unit is responsible for::

- Developing an action plan on the combating corruption based on the vision, policy program, rectangular strategy and national development plan
- Cooperating with the relevant ministries/institutions in organizing meetings, national and international seminars, and creating awareness programs for dissemination to the public on the consequences of corruption
- Providing education on codes of ethics to civil servants, local authorities, pupils, students, the armed forces, and the general public

Contact:

Office of the Council of Ministers

N° 41, Confederation de la Russie, Phnom Penh, Cambodia

Tel: 023 880 619 or 023 881 307



Commission on Interior, National Defense, Investigation, Anti-Corruption, and Public Service Administration

This National Assembly Commission administers complaints that are received from both the general public and from Members of the National Assembly. The complaints it receives are examined and are passed on to the appropriate Ministries.

Contact:

71, Samdech Sothearos Blvd, Phnom Penh

Telephone: 023 215 938

Name	Position	Party	Telephone
H.E. Mr. Yim Sovann	Chairman		012 788 999
H.E. Mr. Pal Sam Oeun	Vice-Chairman		012 551 611
H.E. Mr. Som Chen	Secretary		012 804 572
H.E. Mr. Sin Pisen	Member		012 935 882
H.E. Mr. Hul Savorn	Member		012 723 224
H.E. Mr. Sim Soly	Member		012 842 184
H.E. Mr. Koy Dok	Member		012 635 959
H.E. Mr. Chrea Sochenda	Member		012 957 097
H.E. Mrs. Chem Savay	Member		012 940 919



Commune/Sangkat Fund Accountability Working Groups

The Commune/Sangkat Fund Accountability Working Groups in each province and municipality are responsible for managing complaints about and conduct investigations into the misuse of the Commune/Sangkat funds. Any member of the public or the government can submit confidential reports about the misuse of the Commune/Sangkat funds. Contact details for the Commune/Sangkat Fund Accountability Working Groups in each province and municipality are on the next page.

Banteay Meanchey	016 892 972	Pailin	011 906 633
Battambang	012 627 547	Phnom Penh	016 832 086
Kampong Cham	012 974 476	Preah Vihear	012 962 202
Kampong Chhnang	016 872 305	Prey Veng	011 759 250
Kampong Speu	012 808 589	Pursat	012 914 353
Kampong Thom	012 957 573	Ratanak Kiri	012 629 125
Kampot	012 247 334	Siem Reap	012 589 305
Kandal	011 557 890	Sihanouk Ville	016 898 350
Koh Kong	012 786 240	Stung Treng	012 439 435
Kratie	012 194 7603	Svay Rieng	011 872 206
Mondul Kiri	012 726 594	Takeo	011 746 665
Oddar Meanchey	011 696 337		

Other ways to Report Corruption

Government agencies are not the only ways of drawing attention to acts of corruption. There are other groups of people that you can approach.

! Practical Tips

- Try to collect some evidence first (such as copied documents, photographs)
- Try to write down a history of how and when the corruption occurred
- Ask your colleagues who support you if they would also be willing to speak about the issue
- Try to work with other people - it is possible to break one chopstick but not many
- Do not put yourself at risk - reporting corruption can sometimes be very dangerous



Donors

If you are aware of corruption within a government project that is being funded by a donor, you can contact the donor directly. All donors are always very interested in finding out if their funds are not being used correctly and would be happy to talk to you.



Media

The media regularly write stories about issues of corruption. If you are aware of an act of corruption that affects a large number of people, you can contact a local radio or newspaper journalist who might be interested in investigating the story. There have been many examples where an investigation by the media has been publicized and led to official investigations being launched into corruption cases.

Case Study - Working with the Media to reduce Corruption

In early 2006, a journalist from Rasmei Kampuchea began receiving complaints from contract teachers who were being told they had to pay bribes to get a full-time government paid teaching job. The promises of a full-time position were false. The journalist began interviewing other teachers and discovered that more than 500 teachers were affected. These teachers were often forced to sell their cows, farmland, and other property to pay the \$300-\$400 bribes for jobs they never received.

On 14 March 2006, Rasmei Kampuchea published a lengthy story investigating the claims of corruption which included the demands by the teachers that this wrong be made right, and that those responsible be punished.

The day after the article was published, Prime Minister Hun Sen said in a speech at a graduation ceremony at the National Institute of Education in Phnom Penh that, "I saw an article printed about contract teachers in Battambang province being swindled...Officials must go down to conduct an investigation."



One week following the Prime Minister's public remarks about the corruption, government authorities sent an investigation team from the Ministry of Education to Battambang. They discovered the problem was even worse than reported in Rasmei Kampuchea, and that nearly 1,000 contract teachers in the province were cheated. The report was then submitted for review to government officials.

On May 26, the Ministry of Education disciplinary committee decided to dismiss the provincial official who solicited bribes from contract teachers in exchange for the promise of full-time teaching positions. The Ministry of Education later sent another team of investigators to Battambang province to determine other provincial and district level officials who were part of the scandal. The Ministry of Education also issued enhanced policies regarding hiring.

Contact details for major media organizations are below.:

Newspapers

Koh Santepheap Daily

No. 240, St. 271, Sangkat Beung Tumpun, **Phnom Penh**

Tel: 023 211 818, 012 866 686

Rasmei Kampuchea Daily

No 474, Preah Monivong, Sankat Boeung Trabek, **Phnom Penh**

Tel: 023 362 472

Kampuchea Thmey Daily

N° 805, Kampuchea Krom, **Phnom Penh**

Tel: 023 882 990

Moneaksekar Khmer

N° 15A, Street 293, **Phnom Penh**

Tel: 012 850 690, 012 550 955

Samleng Yuvachun Khmer

N° 23Eo Street 374, **Phnom Penh**

Tel: 012 900 664, 012 859 142

Cambodia Today

N° 21E1 Republique Populaire de Pologne (St. 163), **Phnom Penh**

Tel: 023 217 000

Somne Thmey

No. 6, Street 288, 12302 **Phnom Penh**

Tel: 023 224 303, 012 550 110

Phnom Penh Post

No. 10A, Street 264, **Phnom Penh**

Tel: 023 426 568, 023 210 309

Cambodge Soir

No. 26CD, Street 302, Sangkat Beoung Keng Kang I, **Phnom Penh,**

Tel: 012 462 092, 012 790 880

Radio and Television

Radio FM 102 Women's Media Centre of Cambodia

No. 30, Street 488, **Phnom Penh**

Tel. 023 212 264, 023 726 556

Radio FM 105 MHz

No. 44G, Street 360, Sangkat Boeung Keng Kang III, **Phnom Penh**

Tel: 023 210 401

Radio Free Asia

No. 63 EoE1, Street 240, Sangkat Chey Chumneah, **Phnom Penh**

Tel: 023 982 403, 023 722 380

Voice of America

No. 521, Street 99, **Phnom Penh**

Tel: 023 426 666, 012 847 356

Voice of Democracy

No. 42, Street 242, Sangkat Chak Tonulk, **Phnom Penh**

Tel: 023 221 596, 092 921 902

Cambodian Television Network (CTN)

National Road 5, Khan Rusey Keo, **Phnom Penh**

Tel: 023 999 434, 012 800 843

Bayon Radio & Television

N° 3 Chakrey Nhek Tioulong (St. 466), **Phnom Penh**
Kasekam Village, Sro Nge Commune, **Siem Reap**

Tel: 023 726 617

Tel: 092 971 713

Apsara TV (11) & Radio FM 97MHz

N° 69 Street 57 Corner Street 360, **Phnom Penh**

Tel: 011 878 431, 012 828 666

TV 5 Cambodia & Radio FM 98 MHz

Tchecoslovaquie (St. 169) Borei Keila, **Phnom Penh**

Tel: 023 303 925, 023 306 064

TVK - National Television of Kampuchea

N° 62 Preah Monivong, **Phnom Penh**

Tel: 023 430 760

Case Studies

The following case studies have been selected to provide you with an example of some of the new initiatives that the Royal Government of Cambodia is currently working on to reduce corruption and promote accountability and transparency in the public service.

Commune/Sangkat Fund Accountability Working Groups

In 2005 the government established Commune/Sangkat Fund Accountability Working Groups in each province and municipality to manage complaints about and conduct investigations into the misuse of the Commune/Sangkat funds. The Working Groups are made up of government representatives, commune councilors and public society members. Any member of the public or the government can submit confidential reports about the misuse of the Commune/Sangkat funds by:

- Filling out the form contained in the Commune/Sangkat Accountability Working Group leaflets
- Putting a written complaint in the accountability boxes located in every commune, and district and provincial level government offices
- Contacting any member of the Commune/Sangkat Fund Accountability Working Group directly by phone or in person

Form used for providing feedback to the Commune/Sangkat Accountability Working Group

៤. សូមមេត្តាផ្តល់ព័ត៌មាន ស្តីពីភាពមិនប្រក្រតីនៃការប្រើប្រាស់មូលនិធិឃុំ សង្កាត់ ដែលលោក-អ្នកបានឃើញ ដោយសរសេរព័ត៌មាននេះ នៅខាងក្រោម ហើយដាក់ចូលក្នុងប្រអប់សំបុត្រគណនេយ្យភាពមូលនិធិឃុំ សង្កាត់ :

៥. សិទ្ធិរបស់ប្រជាពលរដ្ឋ និងអ្នកពាក់ព័ន្ធនានា :

- ប្រជាពលរដ្ឋ និងអ្នកពាក់ព័ន្ធទាំងអស់ មានសិទ្ធិរាយការណ៍អំពីបញ្ហាមិនមានគណនេយ្យភាព នៃការប្រើប្រាស់មូលនិធិឃុំ សង្កាត់ តាមរយៈសន្លឹកប័ណ្ណព័ត៌មាននេះ ឬតាមរយៈមធ្យោបាយផ្សេងទៀត ហើយយកទៅដាក់នៅក្នុង " ប្រអប់សំបុត្រគណនេយ្យភាពមូលនិធិឃុំ សង្កាត់ " ដែលនៅជិតផ្ទះរបស់ខ្លួន ។
- ប្រជាពលរដ្ឋ និងអ្នកពាក់ព័ន្ធទាំងអស់ អាចរាយការណ៍ផ្ទាល់មាត់ ឬ តាមរយៈទូរស័ព្ទ ទៅសមាជិកក្រុមការងារគណនេយ្យភាពសាមីក្រុង (ដូចមានរាយនាមនៅក្នុងចំនួនមីនៈសមាជិកភាពរបស់ក្រុមការងារ) ។

៦. របៀបរបបប្រជុំរបស់ក្រុមការងារគណនេយ្យភាព :

- ក្រុមការងារគណនេយ្យភាព ត្រូវធ្វើការប្រជុំយ៉ាងតិចចំនួនមួយដងក្នុងមួយខែ ។
- កិច្ចប្រជុំនឹងយកការងារ លុះត្រាតែមានវត្តមានសមាជិកក្រុមការងារគណនេយ្យភាព លើសពីពាក់កណ្តាលនៃចំនួនសមាជិកទាំងអស់ ។
- សេចក្តីសម្រេចនៃអង្គប្រជុំ ដែលចាត់ទុកជាការសម្រេចត្រូវតែសេចក្តីសំរេចនោះ ត្រូវបានអនុម័តដោយសម្លេងភាគច្រើន នៃចំនួនសមាជិកក្រុមការងារគណនេយ្យភាព ដែលបានចូលរួមប្រជុំ ។

៧. វិធានការដាក់វិវិធី ឬទណ្ឌកម្ម :

- ក្រុមការងារគណនេយ្យភាព បានកំណត់វិធានការដាក់វិវិធីឬទណ្ឌកម្ម ចំពោះបុគ្គលណាដែលមានការពាក់ព័ន្ធនឹងបញ្ហាមិនមានគណនេយ្យភាពនៃការប្រើប្រាស់មូលនិធិឃុំ សង្កាត់
- ក្រុមការងារគណនេយ្យភាព នឹងចាត់វិធានការដាក់វិវិធីឬទណ្ឌកម្ម យ៉ាងតិចបីដង និងដោយគ្មានលើកលែង ដល់បុគ្គលដែលត្រូវបានរកឃើញថា បានពាក់ព័ន្ធនឹងបញ្ហា មិនមានគណនេយ្យភាពនៃការប្រើប្រាស់មូលនិធិឃុំ សង្កាត់ ។

៨. អាសយដ្ឋានប្រអប់សំបុត្រគណនេយ្យភាព :

ប្រអប់សំបុត្រគណនេយ្យភាពមូលនិធិឃុំ សង្កាត់ ត្រូវបានដាក់នៅតាម :

- សាលាខេត្ត ក្រុង
- ការិយាល័យគណៈកម្មាធិការប្រតិបត្តិ នៃគណៈកម្មាធិការអភិវឌ្ឍន៍ជនបទខេត្ត ក្រុង (កម្មវិធីសិលា)
- ការិយាល័យគណៈកម្មាធិការជាតិដោះស្រាយអំពើពុករលួយ
- ការិយាល័យអង្គការមិនមែនរដ្ឋាភិបាលនៅខេត្ត ក្រុង
- សាលាស្រុក ខណ្ឌ
- សាលាឃុំ សង្កាត់



Case Study 1 - Siem Reap

In October 2005, the Siem Reap Commune Council/Sangkat Accountability Working Group conducted an audit of the procurement of tree seedlings for a community forestry project in Pras Dak commune funded by Danida. The Working Group found that the deputy chief of the Natural Resources and Environment Management (NREM) unit of the provincial Executive Committee had been using the funding for his own personal use and invited him to discuss the issue further.



In November the Working Group met with the deputy chief to get more information and identify the other people involved in the case. At the meeting the deputy chief signed an agreement stating that he would pay back the 2,280,000 riel (\$570) that he took within a specific timeframe.

After another meeting later that month to discuss how to proceed with the case, the Working Group prepared a case report for the Department of Environment on the irregular use of DANIDA funds which recommended legal measures, and further action.

In December, the Working Group collaborated with the Department of Environment and the chief of NREM unit to hold a meeting with the deputy chief's parents to set a date of mid January for the return of the project funds.

The final investigation found that the deputy chief of the NREM unit had fraudulently misused the NREM budget and also improperly used office equipment at his home. The Working Group decided to fire the deputy chief from his position and demanded the return of the misused budget funds and all the office equipment.

Case Study 2 - Kampong Speu

Under the current national Seila structure, every provincial Executive Committee has an internal auditor. The internal auditor is an independent officer who is responsible for conducting investigations into the misuse of Provincial and Commune/Sangkat funds.

In January 2006, the internal auditor in Kampong Speu received information about the misuse of Commune/Sangkat funds in several communes. The Executive Committee established a committee with the authority of the first deputy governor to investigate this complaint. The committee was comprised of the Internal Auditor, the Deputy Chief of the Provincial Local Administration Unit (PLAU), the Deputy Chief of the Technical Support Unit (under Ex/Com), a Partnership for Local Governance (PLG) advisor, and representatives from the District and Provincial Facilitation Teams.

This committee conducted a field investigation in 13 communes across 5 districts. The committee found that 13 Commune/Sangkats had used forged receipts to purchase equipment (such as desks and chairs) and photocopy items that did not exist, or were not the same as the number delivered. The committee also found that there had been collusion between the Commune Council Chiefs, Commune Council Clerks and the suppliers to embezzle Commune/Sangkat administrative funds.



The committee then submitted a report of their investigation to the Commune/Sangkat Fund Accountability Working Group. The Working Group held a meeting in February 2006 and reviewed the report and made the following recommendations:

- The 13 Commune Councils that misused the funds had to use their own money to purchase the additional missing equipment for the Commune
- The 13 Commune Councils should follow the Commune/Sangkat guidelines about procuring equipment and sharing the monthly financial report at Commune meetings
- All Commune Councils in Kampong Speu should no longer purchase equipment from the two companies involved in the case

The Working Group gave verbal warnings to the Commune and Treasury officials involved in this case. The Working Group also decided to widen the investigation to cover all the Commune Councils in Kampong Speu to find out if similar embezzlement had occurred.

One Window Service Office, Siem Reap

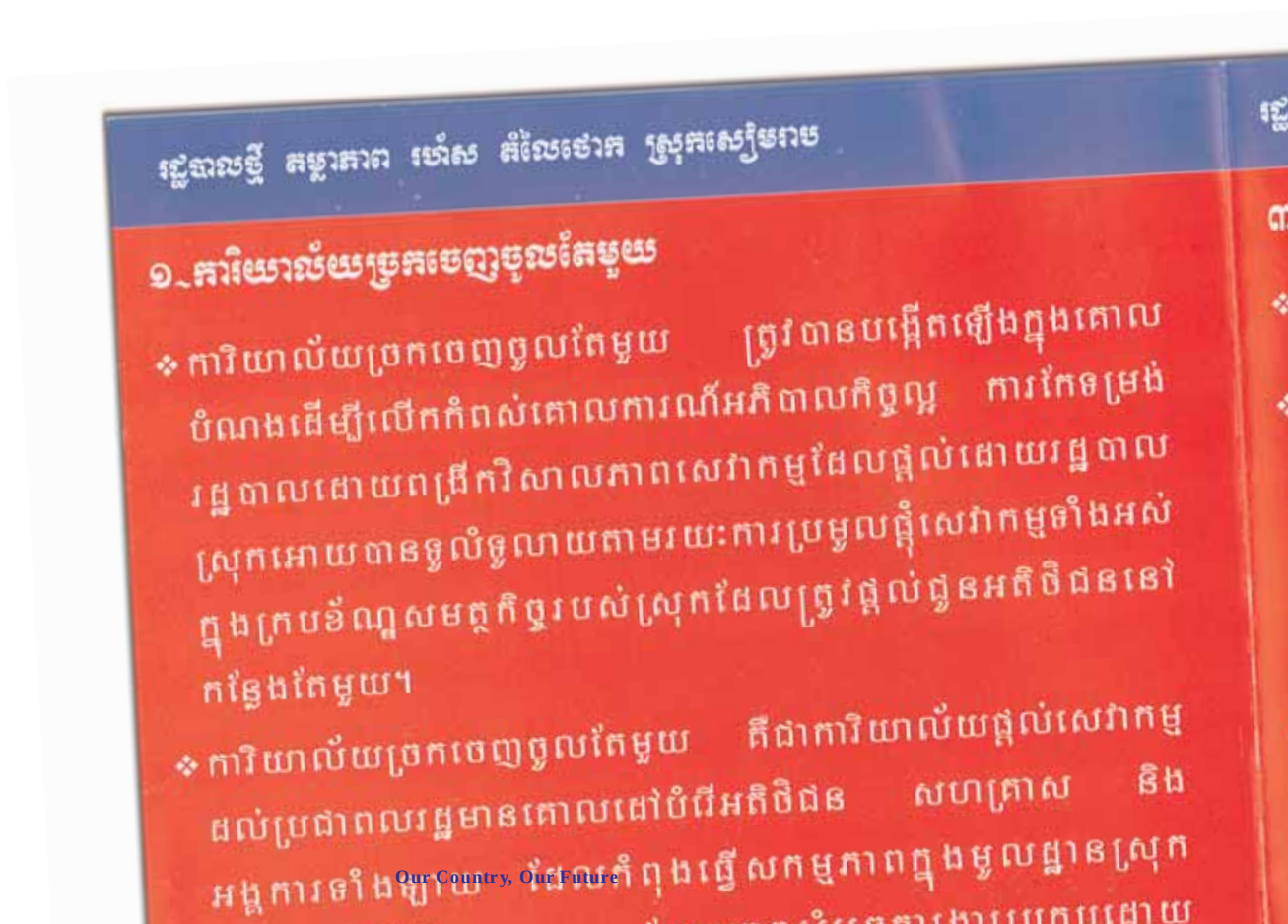
In 2005 the Ministry of Interior supervised the opening of a One Window Service Office in Siem Reap District in Siem Reap. The One Window Service Office is designed to provide a range of government services to citizens in a single location.

The services offered at the One Window Service Office include:

- Commerce (eg. registration of businesses)
- Transport (eg. registration of motorcycles)
- Mining industry and energy (eg. registration of handicraft shops and businesses in the mining sector)
- Culture and fine arts (eg. distribution of licenses to photographers)
- Tourism (eg. licensing of guesthouses up to five beds and restaurants up to 50 seats)

The Office is managed by a director and a vice-director and staff are appointed in the same way as other district offices. Under Prakas No. 792 PR.K., officials serving in the One Window Service Office are prohibited from:

- Taking administrative working hours to carry out other personal business.
- Utilizing the power of the position held to influence others in order to take advantages of or threaten the people.
- Doing any business which negatively affects the integrity of public servants.
- Being a member of a board of directors or managing a company either directly or indirectly.
- Having a second career in addition to the public servants duties.



Employees at the One Window Service Office are also prohibited from receiving any presents, gifts or any kinds of reward from citizens in return for fulfilling their jobs. Any attempted bribes are supposed to be reported immediately by the official to a higher authority and the director of internal auditing office.

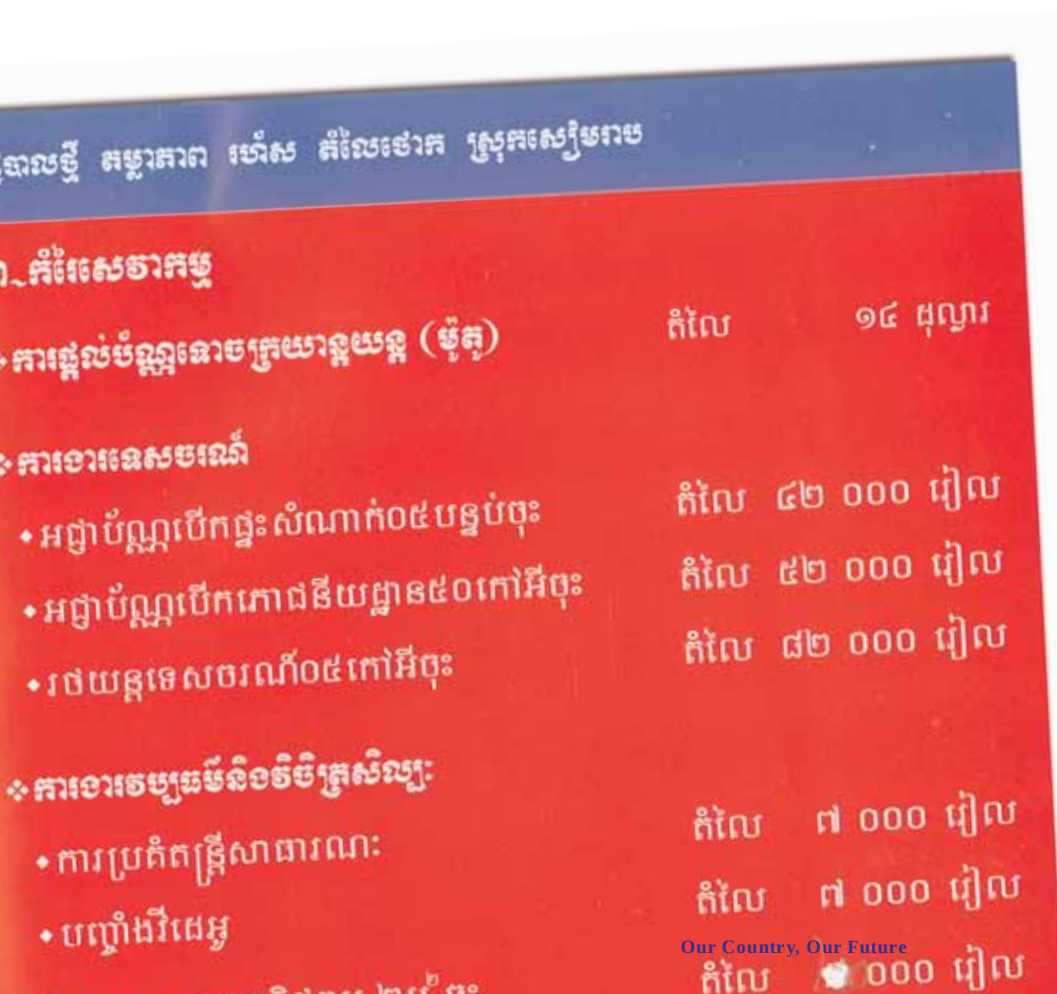
The One Window Service Office is divided into two sections - an administrative back office, and a public front office where all the transactions with the citizens are handled. In order to reduce opportunities for corruption, staff within the front office are divided into three groups:

- Group 1 is in charge of receiving applications, delivering applications/results and supplying information directly to the people.
- Group 2 is in charge of legalization of documents.
- Group 3 is in charge of receiving the administrative service fees



The One Window Service Office in Siem Reap has distributed many brochures to local community members outlining the services they offer. The brochures also contain information about administrative procedures, processing times, and service fees.

A large information board with the official prices for each service is also located on the wall in the Front Office. This allows all the citizens that visit the office to clearly see which fee they have to pay for which service.



Brochure explaining official fees at the One Window Service Office

Once citizens have paid for a service at the cashier, they are given a receipt which is dated and signed by both the official and the citizen. A duplicate copy of the receipt is made using carbon-ink-paper and forwarded to the accounting office.

Citizens or organizations visiting the office are able to make complaints about the One Window Service Office by putting a form in a complaints box in the front office. All complaints are managed by an ombudsman who is independent from the One Window Service Office. The ombudsman in Siem Reap district was elected in August 2005 by a committee of representatives of the District Council, and NGOs. Under Prakas No. 790 PR.K the ombudsman cannot belong to any political party and cannot take any advice from or give any reports or information to the district governor.

When conducting an investigation into a citizen's or organization's complaint, the ombudsman may inspect any document or interview any One Window Service Office staff.





Clean Hand Symbolic Treaty

As citizens of the Kingdom of Cambodia, we are concerned about the threat that corruption poses to the stability and future of our country.

We acknowledge that corruption:

- Is one of the biggest challenges facing the future development of Cambodia
- Affects every individual in Cambodia
- Hurts the economy by preventing the growth of businesses and creating obstacles for potential investors
- Endangers basic democratic values
- Is a transnational phenomenon that affects all societies and economies
- Cannot be blamed on any one person or thing

Reducing corruption is a battle that can be won over time, and we feel that is the responsibility of every Cambodian to fight for a cleaner and more prosperous country. A comprehensive and non-partisan approach is required to prevent and combat corruption effectively.

We welcome the Royal Government of Cambodia's commitment in the Rectangular Strategy for Development to fighting corruption and passing an international standard anti-corruption law. We also welcome the RGC's commitment to increased transparency and administrative reforms within the public sector.

We give our support to the following ways of reducing corruption:

- An anti-corruption law that contains penalties for corrupt activities and clear definitions
- The establishment of an independent body to investigate and prosecute acts of corruption
- Public involvement in the prevention and enforcement efforts
- Provide protection for people who provide information in good faith to authorities about an act of corruption

As a citizen of Cambodia we commit to do our part in fighting corruption so that our country will prosper and the children of Cambodia will have a brighter future.

Signed,



This treaty is not associated with any political party or owned by any one organization

Produced by:



Supported by:

