

## U4 In-Country Training Workshop

**Integrity reform in Cambodia: Taking stock towards shared priorities for donor-government dialogue, Himawari Hotel, Phnom Penh, 27 and 28 January 2010**

### Workshop Report

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#### Summary of main policy suggestions

- Donors can actively pursue within the Anti-Corruption Working Group the development of a common strategy around 2-3 issues with regard to anti-corruption and integrity reform. This strategy could inform the donor group's response to the forthcoming anti-corruption law's contents and the institutional anti-corruption arrangements the new law envisages.
- In terms of dialogue style, a nuanced balance between non-confrontation and confrontation may be helpful, with style possibly determined according to interlocutors, issue area and setting. The notion of donor 'champions' for particular issues could be revived with appropriate recognition of past lessons.
- Potentially fruitful issues for dialogue include opening policy space for deeper implementation of Demand for Good Governance reforms, potential expansion of Decentralization and Deconcentration programmes, the promotion of measured progress within the United Nations Convention against Corruption framework, and possible future entry to the Extractive Industries Transparency Initiative as a means to maximise oil and gas resource potential.
- Long term programmatic focus appears to continue to be warranted in relation to Public Financial Management, Public Administrative Reform, Demand for Good Governance, Legal and Judicial reform and Decentralization and Deconcentration. There is potential to increase programmatic engagement with private sector representatives, with urban populations, and with young people.

#### Session 1: Setting the stage – corruption and integrity in Cambodia

- **Emil Bolongaita** (Carnegie Mellon University) noted that the “Cambodian conundrum” is that high levels of economic growth have been possible despite an overall context of poor governance and high levels of corruption.
- Foreign investment has played a significant role in economic development, particularly in the garment industry, in the construction sector and in real estate. It is striking that corruption is the top concern of private sector firms, but is not among the major concerns of the average citizen.
- International donors continue to provide a significant proportion of the state budget (foreign aid accounts for approximately 85% of central government expenditures).

- How can corruption be addressed given that economic growth is strong? And, given the size of their contribution to the national economy, how can international donors maximize their impacts in terms of addressing corruption?
- **Victoria Ayer** (PACT Cambodia) stated that the judiciary and police are consistently cited by citizens as the most corrupt institutions. Though citizens don't often interact with the judiciary, when they do, the likelihood is that they will have to pay a bribe. In contrast, the water and telephone utilities are not perceived as particularly corrupt, with bribes said to be paid less than 10% of the time.
- Is corruption perceived by citizens to be getting better or worse? Overall, citizens perceive the corruption situation to be improving, although there was a spike of negative responses in Siem Riep in the latest data gathered, which may be linked to high profile land tenure cases.
- In 2008, 67% of citizens surveyed viewed government action against corruption as effective, as opposed to 29% in 2007. There is movement in citizens' perceptions of government action on corruption, but again it is unclear what lies behind this.
- 70% of citizens surveyed think the new anti-corruption law will be effective. Again, there was a spike in negative responses from respondents in Siem Riep, and also from respondents in Sihanoukville.
- Participants noted there is little or no social stigma attached to corruption in Cambodia. Challenges could therefore arise if the new anti-corruption law doesn't fit with citizens' personal ethics. Donors discussing the new anti-corruption law with the government will need to address this at some juncture.
- Survey results have shown that citizens generally don't know the costs of various public services and don't ask for receipts (although this finding was contested). PACT Cambodia developed a leaflet to address this apparent gap in knowledge.
- In terms of the role of the private sector, there are strong coalitions of business groups, and the average person believes you must engage in corruption in order to start a business.
- Participants concurred that there is a need to look beyond bribery in analyzing and discussing corruption challenges in Cambodia. It would be useful to know, for example, what percentage of the face value of everyday consumer products (e.g. a tube of toothpaste) is a hidden cost of corruption.

## Session 2: Anti-corruption and integrity reform

- **Emil Bolongaita** presented findings from two case studies of anti-corruption institutions from the region to tease out some of the macro-governance challenges faced in Cambodia. He focused on the Philippines' Office of the Ombudsman ([www.ombudsman.gov.ph/index.php](http://www.ombudsman.gov.ph/index.php)) and the Corruption Eradication Commission of Indonesia (KPK: [www.kpk.go.id](http://www.kpk.go.id)).
- Both the Philippines and Indonesia have displayed similar levels of economic development, and also display a similar neo-patrimonial political economy influenced by family and regional ties.
- Both countries have also experienced periods of authoritarian rule (Marcos and Suharto) and have similar experience of post-authoritarian democratic pluralism e.g. Indonesia's robust free press.
- Both countries have also experienced similar levels of corruption in terms of state capture and political corruption, which was to be addressed in both cases through the establishment of anti-corruption agencies.

- The KPK was founded in 2003 and began to operate in 2004. The Philippines' Ombudsman is now twenty years old.
- Despite being older, the Philippines Ombudsman has made few inroads in addressing corruption in the country. A handful of mayors have been convicted, and a governor was tried but later acquitted by the Supreme Court.
- Though the Philippines has been able to successfully repatriate some of the assets looted during the Marcos era, corruption remains a low risk and high return activity.
- Of the Ombudsman's cases in 2001, the conviction rate was 6%, with 94% of cases either dismissed outright or overturned upon appeal.
- On the other hand, the KPK, in just five years, has caused more convictions, recovered more assets and created more institutional prevention mechanisms than all its predecessors together.
- The KPK sought to address the risk factor surely: they saw almost all institutions as potentially corrupt. They have been able to obtain a 100% conviction rate and this has been sustained by the Supreme Court. They began with a small number of cases, including the electoral commission, but this number has continued to grow.
- This appears to have made an impact in terms of the risk environment for corruption. Convictions have been at the minister, ambassador and director-general level. The KPK has also focused on the local government level and on specialized government agencies. They have even recently caused the conviction and imprisonment of the father-in-law of the President's son, who was deputy manager of the Central Bank.
- The maximum KPK trial time is six months, and the appeal decision has to be made two months later. So there is a very short and specific time frame for proceedings.
- The KPK has been accused of being too effective, given the seismic nature of the shift it is causing. Also, there is no longer a great element of surprise in its actions and the phenomenon of corruption is mutating as a result. There is a dramatic push-back on the role of the KPK currently in Indonesia. But there is also public support for the KPK's actions in terms of rallies, protests on social networking internet sites, and public campaigns (e.g. the crocodile versus gecko campaign).
- The KPK has used its resources effectively. It is half the size of the Philippines' Ombudsman, at around 500 employees. And KPK positions are well sought-after: of 85 staff positions recently advertised, 28,000 individuals applied. When seven senior positions were advertised, 2000 individuals applied.
- The KPK is also slowly but surely resourced, with the stolen assets now recovered exceeding the total budget for the KPK over the past five years.
- The judicial system in Indonesia played an important role in the KPK's success, as has access to information (proliferation of mobile phones and internet) and strong leadership within the organization.
- Three main macro-political conditions have underpinned the KPK's success:
  1. A robust civil society and a free press
  2. Continuing public anger towards corruption (citizens are not blasé about the issue)
  3. High level political support from the president
- These conditions were necessary but insufficient for the success of the KPK. A key question is whether an anti-corruption agency has the capacity needed to get the job done. The Philippines' Ombudsman has the same formal authority as the KPK, but doesn't have the resources to back up this authority.

- Corruption prevention work accounts for 70% of total staffing of the KPK, while this type of expertise is minimal within the Philippines' Ombudsman. The KPK take performance management very seriously, and has closely aligned its human resources policies to its mission.
- This comparison of the KPK and the Philippines' Ombudsman leads us to ask some key questions for Cambodia:
  1. Are the macro-political factors noted above present in Cambodia?
  2. If these factors are missing or weak, what options can be considered for addressing them?
  3. If an anti-corruption agency with authority but no real capacity is established, then what can be done in this setting?
- Participants questioned what could logically be achieved in Cambodia in the shorter term, given that the macro-political factors noted above are unlikely to be present for some time to come.
- It was noted that there are few incentives for changing the rules of the game on the part of Cambodia's elites. There are interlocking linkages between the main sources of power in Cambodia: the political party apparatus, the military and big business. If one group steps back then this coalition could become more porous, making greater pluralism potentially feasible. Exporting firms, in particular, may have incentives to support a more stable legal and regulatory framework.
- Rent-seeking in Cambodia is much more convenient for maintaining the status quo than coming up with effective public policy.

### **Session 3: The role of donors in supporting anti-corruption reform**

- **Sokbunthoeun So** (VU University Amsterdam) addressed how donors in Cambodia have engaged in anti-corruption and integrity related programming over the past five years. He asked how can we describe the dynamics of donor-government dialogue on these issues, and what are the challenges that donors face in approaching anti-corruption and integrity related reforms.
- Cambodia has undergone significant change in the past 10-20 years with increasing political stability coupled with strong economic growth. But inequitable development remains a central challenge, and poor governance is commonly viewed as an important impediment to good development outcomes in the country.
- Sokbunthoeun referred to the mapping study commissioned for the workshop, which aimed to provide an overview of donor approaches to anti-corruption and integrity reform in Cambodia over the past five years. The findings were based on desk research and interviews with bilateral and multilateral donor agency staff present in the country.
- Corruption is commonly conceptualized by donors in Cambodia as the abuse of public authority for private gain. A distinction is also commonly made between small scale and large scale political corruption.
- Donors have operated within the frameworks of their country assistance strategies in terms of anti-corruption and integrity related programming. The harmful effects of corruption are recognized and partly explain the donors' intensified risk management and good governance reform focus.
- The high sensitivity of corruption issues, however, has meant that a non-confrontational approach has been the preferred modus operandi of most donors. This has meant that anti-corruption has been integrated or mainstreamed across a range of programmatic areas, and intermediary implementing partners have been utilized to deliver some programming.

- Donor projects and programmes that have been linked to anti-corruption and integrity have addressed both the demand and supply sides of good governance: Public Financial Management, Public Administrative Reform, legal and judicial reform, and the Demand for Good Governance (DFGG) programme.
- The nature of Cambodia's aid dependency means donors have some leverage to promote good governance reform. Three factors can, however, be said to impact upon donors' leverage in this regard:
  1. The lack of a common and unifying strategy on anti-corruption
  2. The emergence of non-traditional donors that appear not to have prioritized institutional reforms
  3. Expected future revenues from oil and gas production
- A main challenge for donors in approaching anti-corruption and integrity reform is that the Cambodian political economy appears to be resistant to reform, with limited space for either supply- or demand-side governance programmes.
- Direct donor-government dialogue is considered useful in this political-economy context but the sensitivities surrounding corruption have meant dialogue has been limited to specific individuals at sector level (and not government leaders).
- The future of good governance reforms appears to depend upon whether donors can use their limited leverage in specific areas of dialogue and programming. Some tentative thoughts on where a future focus might be warranted were:
  1. Dialogue with ruling party leaders might be able to stem increasing intolerance toward civil society: to open up political space for DFGG.
  2. Explore the possibility of donors and Cambodian leaders' direct dialogues.
  3. Support and possibly expand decentralization and deconcentration programmes (D&D)
- Donor agency representatives provided further information on the range of activities they are undertaking with links to good governance and integrity reform in Cambodia:
- SIDA
  - D&D/local government support
  - PFM reform (currently preparing a new strategy)
  - Support to the National Institute of Statistics
  - Strengthening capacity of local NGOs to address governance
  - Climate change related issues (problems of access and governance of resources)
  - Democratic governance (perhaps the closest area of work to anti-corruption)
- DFID
  - D&D
  - Natural resource management/extractive industries (including civil society reform)
  - Budget support (setting some conditionalities that affect disbursement)
  - Land reform
- AusAID
  - Legal and judicial reform (for 13 years)

- Demand for good governance (media programme)
- PFM
- No longer working on 'strengthening electoral processes'
- Salary supplementation (agree that donor consistency here is a challenge)
  
- CIDA
  - Capacity building support for the legislative assembly and senate
  - Strengthening democracy and the electoral process
  - Legal framework and policy in land titling (land administration is largest sectoral area of support, working with GTZ and Finland, and includes a good governance framework)
  - Embedded staff within Ministry of Land which helps communication with government
  - Supported a paper on historical neo-patrimonial system in Cambodia
  
- UNDP
  - Legal framework planning
  - Democratic governance
  - Natural resources and extractive industries
  - D&D support for over 15 years
  - Supported an anti-corruption project until 2007
  - Support to the Commune Council for Women and Children (with UNICEF)
  - Communal information database
  - Accountability boxes
  - Champions of change approach (included Hong Kong Independent Commission Against Corruption involvement)
  - Mainstreaming approach now being finalized (following mission from UNDP Bangkok)
  - Electoral project: new voter registration system and citizen ID system
  
- USAID
  - Sectoral programmes on health, education, human rights, economic growth, local government
  - Stand alone anti-corruption project and freedom of information policy work
  - Work with the business community (clean business)
  - Support for process of drafting the anti-corruption law
  - Financing for small research studies
  - Million signature campaign and concert
  - Capacity building support to anti-corruption unit
  
- DANIDA
  - Support to civil service (salary supplementation)
  - Support on forestry, fisheries and land management (including monitoring of illegal logging)
  - Support to civil society on anti-corruption
  - Support to advocacy on freedom of information
  
- ADB
  - D&D support

- PFM support to the National Audit Authority, and work on improving credibility of the national budget
- Private sector development focus
  
- EC
  - Support to PFM reform
  - Support to PAR reforms
  - Promotion of human rights, democracy and rule of law
  - Support to local authorities
  
- GTZ
  - Support to D&D with other donors
  - Support to PAR, including National Audit Authority project
  - Sectoral support on land and health
  
- **Vinay Bhargava** (Partnership for Transparency Fund) commented on the findings of the mapping study, noting that almost every conceivable kind of activity has been attempted by the donor community to address corruption. The study describes the limitations of these efforts and the possible reasons for these limitations.
- The recommendation to focus on more informal dialogue with the leadership of the party is intriguing. When leaderships recognize addressing corruption is integral to their survival, they will perhaps engage. The danger, however, is that they may then only focus on petty corruption.
- In terms of challenges, the study rightly recognizes the challenge that increased Chinese engagement may pose in terms of the traditional model for development assistance, and the governance challenges that oil and gas revenues may pose once they come online.
- Change will most likely only happen when citizens want change, which means increasing public demand for good governance is critical. The recommendation to focus here is well-placed.
- There are potentially many explanations for why progress on reform is slow. Promoting better governance is a long term endeavour which is often low on the agenda in post-conflict societies, and it could be argued that Cambodia is doing quite well in terms of a post-conflict scenario. Bureaucratic capacity is also very limited and the government may be unable to deploy the required capacities to deliver better governance at this stage.
- It is important to remember that donor agencies are not pressing for anything which has not already been laid out as goals by the government in its development strategy (NSDP, Rectangular Strategy). It appears as though these documents are written to please donors rather than to provide actual 'management' strategies for the government.
- Two things are important to note in particular: 1) to know and determine the constraints in terms of delivering improved governance, and 2) to identify what can potentially work within these constraints. Donors need to find a way to 'soften' the constraints in this context, and should adjust their timelines and expectations accordingly.
- The private sector, urban populations, and perhaps youth with 'new' values may all be sources of increased demand for good governance. But while internal demand for good governance is still weak, external pressures can still make a difference.
- Within the current constraints, D&D offers potentially the best opportunities for progress, but patience will be required.

- Cambodia is not unique in the challenges confronting it, and other countries face, or have faced, similar constraints. There is a current opportunity for donors to start discussing what to do once the new anti-corruption law is made available.

#### **Session 4: Addressing corruption through donor-government dialogue**

- **Michael Engquist** (Danida) noted that donors are waiting for the new anti-corruption law, so it is timely to discuss these issues now. The workshop's discussions should continue in the donor anti-corruption working group.
- Taking a step back and looking beyond the most recent five years of engagement, it is safe to say that anti-corruption work in Cambodia stopped completely for some time. In 1999/2000, donor-government meetings resumed. USAID/PACT Cambodia/Danida support was given to the drafting of the anti-corruption law, which was done in cooperation with the Ministry of National Assembly and Senate Relations and Inspection (MoNASRI). This was quite a consultative process with international consultant and NGO inputs. The donor working group on anti-corruption was intended to address this process and support it. But the law was shelved and the government no longer wanted to discuss it for some time.
- The draft law was, however, made ready in August 2006. UNDP tabled an implementation plan for the law in 2007. The consensus among the donors was that it was too early to address these implementation issues and that the law should be passed first. Subsequently, there was donor pressure to do so on the government at the GDCC and CDCF meetings.
- Various donor country ambassadors were appointed 'champions' for particular issues, and the Australian ambassador was nominated the champion on anti-corruption.
- In terms of lessons for future donor-government dialogue on anti-corruption and integrity reform:
  1. It was good to have a policy paper prepared before the law was drafted. Unfortunately, there was a policy paper but no subsequent law.
  2. Implementing corruption risk assessments should be considered before signing major financing contracts.
  3. Visiting institutions abroad could be promoted (perhaps the government's anti-corruption unit should have visited Indonesia's KPK).
  4. Perhaps there should have been a greater focus on raising public awareness.
- The following challenges may be foreseen in terms of future progress on anti-corruption and integrity related reform:
  1. Political will is the key, but pressure from civil society and the private sector has had a limited effect on political will thus far. How should donors address this?
  2. Combating corruption requires legal and judicial reform, access to information, as well as extensive capacity building. There are extensive needs on all of the above.
  3. Enforcement is also key. Has there perhaps been insufficient emphasis here?
- In terms of opportunities:
  1. Quite a few donor programmes address corruption either directly or indirectly, and there is scope for greater coordination among donor agencies. The anti-corruption and



human rights working groups could, for instance, coordinate on support to civil society organizations.

2. It is possible for the donor agencies themselves to be better at disclosing how they are working on corruption (and in this sense the mapping study is a welcome step).
3. It is possible to raise the issue of public consultations on the anti-corruption law at the next CDCG meeting in March 2010 (if this is not possible, this is a further indicator of the level of the governance challenge).

#### **Session 5: Donor-government dialogue in the social sectors**

- **Harald Mathisen** (U4 ACRC) noted that technical assistance in challenging governance environments is often welcomed by partner governments. Reforms that could spur an internal process of reform, such as a Freedom of Information act, are, however, more difficult to implement.
- International experience from other poor governance environments shows there is no ‘silver bullet’ for sparking improvements in these environments. However, some good interventions can be made, and the KPK case shows that some real improvements can be made given certain macro-political and other conditions.
- It appears these factors are not present in Cambodia currently. But donors may still use these factors as a reference point while continuing, in an intelligent manner, to encourage Cambodian elites to move towards reform.
  
- **Magnus Saemundsson** (SIDA) noted some of the particular governance challenges in relation to the education sector.
- A system of informal fees is in place which facilitates better grades, but also greater attention from teachers.
- Curriculum content offered by teachers during normal public school lessons may not address some or all of the information required by students for examinations. Private fee-based lessons - which may take place in the same classroom and with the same teacher – can be the only way for students to acquire the necessary knowledge to successfully pass an examination.
- More straightforward forms of corruption are also evident. In some instances, bribes may be given to pass an exam, to obtain a scholarship, or to acquire a degree.
- Another form of corruption is teacher absenteeism, where teachers pursue other employment opportunities during normal teaching hours.
- There is a formal mechanism for donor coordination and harmonisation in the form of the Education Sector Working Group (ESWG). Close dialogue has been possible between development partners, NGOs’ and the government in the Joint Technical Working Group on education (JTWG-ed).
- Two priority issues to address in relation to corruption in the education sector are improvements in the rule of law and addressing continued low salaries.

#### **Session 6: Donor-government dialogue in ‘reform-averse’ sectors**

- **Aled Williams** (U4 ACRC) noted that the extractive industries pose particular governance and corruption challenges that donors are likely to increasingly need to address in Cambodia as expected oil and gas revenues come online.
- There is an international ‘toolbox’ of approaches for addressing governance concerns in extractive industries (including the Extractive Industries Transparency Initiative, EITI) which may

be used by donors as tried-and-tested frameworks for dialogue with government on this sensitive and challenging issue area.

- A key challenge for governance reform in the extractive industries, however, is that the revenues derived from these resources are often used to fuel patronage networks, making these sectors particularly 'reform-averse'.
- **Glenn Kendall** (UNDP Cambodia) summarized the prospects for oil and gas production in Cambodia over the next few years, noting production is likely to be at a modest 10-15 thousand barrels per day. Cambodia is therefore unlikely to be a large oil and gas producer, but production is likely to be sufficient for governance issues to be taken seriously.
- There has been a sharp growth in mineral exploration licensing since 2004/2005, with involvement from China, Vietnam and South Korea. There is also Australian investment in gold, copper, iron ore, bauxite and coal.
- Extractive industry decisions in Cambodia are sometimes taken outside of normal government structures and decision-making is essentially top-down.
- Donor assistance in relation to the extractive industries is quite broadly based, and reflects the extent of the needs in the country.
- Technical assistance is provided by such donors as ADB (Oil and Gas); World Bank; Norad (oil & gas); JICA, USAID, UNDP. There is also an informal oil and gas donor working group chaired by the ADB.
- A relatively recent addition to civil society actors addressing extractive industry governance is the group: Cambodians for Resource Revenue Transparency (CRRT), who appear to be able to engage with government to some extent.
- In terms of government institutions: the Cambodian National Petroleum Authority (CPNA) is chaired by the Deputy Prime Minister and has very serious resource constraints (e.g. no computers); the Ministry of Industry, Mines and Energy is seriously understaffed and lacks fairly basic mineral development capacities (e.g. geological mapping); the Ministry of Economy and Finance has more foreign-educated staff and has been promoting progressive resource management approaches. It has also established a special account at the National Bank of Cambodia to hold oil and gas social development contributions.
- UNDP Cambodia has opted to focus on the extractive industries to help achieve the Cambodia Millennium Development Goal of "growth managed well", to maximize potential benefits and minimize conflicts, and to help promote transparency. Its focus is on capacity building, knowledge generation and sharing, and on promoting partnerships and dialogue on extractive industry issues.
- In terms of exposing issues of improved resource governance, a review of the development prospects for the Cambodian oil and gas sector has been completed. An international conference promoting comparative country experiences on poverty reduction with oil and gas revenues has also been held. These activities have resulted in the first public discussions of the oil and gas management issues facing Cambodia. Engagement with the Prime Minister and Deputy Prime Minister has also been possible, and EITI has been flagged as a possible framework for moving forwards.
- In terms of engaging decision-makers, Nobel Laureate Joseph Stiglitz visited Cambodia to talk about his publication: "Escaping the Resource Curse". Stiglitz held a two hour discussion with the Prime Minister on transparency and related issues in resource sectors. Visibility for the new Cambodian NGO CRRT has also been promoted.

- In terms of championing dialogue on improved resource governance, there is international evidence that open stakeholder dialogue contributes to social stability, to reduced corruption and to more sustainable growth. Against this background, the current level of stakeholder dialogue in Cambodia is minimal. UNDP Cambodia has begun outreach work to NGOs and the private sector to define common approaches. It has also identified a need to build government capacity for stakeholder consultations, and for (in the longer term) building platforms for stakeholder dialogue.
- A key point is that coordinated messaging is required, along the lines that ‘best practice’ matters for Cambodian economic prospects. Structural barriers to implementing best practices in natural resource governance remain, although some positive but limited signs of change are emerging.

### **Session 7: The way forward for donor-government anti-corruption dialogue**

- Discussions revolved around two main questions:
  1. How might donors focus dialogue with government on corruption and integrity in future and what programming options might be appropriately taken forwards?
  2. How might donors respond to a new anti-corruption law and/or institution?
- It was noted donors should develop a common position around 2-3 key issues with regard to corruption and integrity dialogue with government.
- In terms of the approach taken for this dialogue, confrontation should be balanced with non-confrontation, and engagement sought with ‘new’ actors such as parliamentary committees and an increased range of private sector representatives.
- In the short term, engagement might be sought in areas considered less threatening to the political elite, such as discussing teacher absenteeism in the education sector (based on thorough research).
- In terms of donor programming, PFM, PAR, DFGG and D&D should all continue, though care should be taken that the latter does not facilitate devolution of corruption. Rather, it should facilitate competent revenue collection at a lower level of government.
- Budget transparency work could be promoted, and focus engagement with local CSOs, as a complement to D&D. Further awareness raising activities could focus on high school curricula (developing an ethics-based curriculum).
- In terms of capacity building, support could be brought in from UNODC on the United Nations Convention against Corruption (UNCAC), which offers a comprehensive and established framework for addressing corruption challenges, and involves a country peer-review process.
- South-south training engagement with Indonesia (KPK) could also be considered to strengthen the prosecutorial mandate of an anti-corruption institution, should such an institution be established in the wake of the new anti-corruption law.
- Participants noted that an anti-corruption institution could potentially play a positive role if its mandate to investigate, prosecute, hire and fire were independent of the Cambodian People’s Party and of the judiciary.
- It was suggested that such an institution should report to parliament, and it should perhaps focus initially on prevention only.
- It was underlined that the nomination of the head of any anti-corruption institution is very important, as are time restrictions on the length of the head’s tenure, performance indicators

for staff, and the ability to generate own revenues. It was argued that it would be positive if 3-5 commissioners could be appointed in the case of Cambodia.

- Participants noted likely resistance to a powerful anti-corruption institution and to the disclosure of assets on the part of public officials. It was deemed unlikely that an anti-corruption institution be allowed its own court.
- In terms of the new anti-corruption law, participants noted that it would be positive if the law's definition of corruption was broad enough to encompass both petty and grand corruption, if it would involve the establishment of an independent anti-corruption body, and if it would involve sufficient penalties for those found guilty of corruption (i.e. more than just a minimal fine). It was noted also that asset disclosures should also cover family holdings.
- Possible flaws in a new anti-corruption law were identified as the lack of a clause relating to witness protection, and the inclusion of asset declarations for NGOs. It was suggested that SIDA, on behalf of donors present in Cambodia, submit a query to U4's Helpdesk service on international good practice for anti-corruption law.

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