Cambodia has a sound legal and policy framework that is largely in line with international standards, particularly the 2010 adoption of the Law on Anti-Corruption. The Royal Government of Cambodia’s continued willingness to align Cambodia’s legislation with international treaties and agreements resulted in significant improvements in human development, GDP growth and substantial foreign investment. New legislative reforms in taxation and accounting standards have improved Cambodia’s ability to generate tax revenues and encourage businesses to operate with greater transparency. Areas where improvements in legislation is needed are in the protection of whistleblowers, better regulation of market competition and legislation regulating influences on political parties. Despite the development of robust legislation, the implementation of these frameworks is an ongoing challenge. Agencies entrusted with implementing existing laws are not uniformly effective. Of note, is the increased amount of money laundered and illicit financial flows in Cambodia in recent years despite available legislation and institutional oversight from banking and governance institutions. Some Ministries and provincial level governance bodies are making great strides in transparency and integrity, especially in areas such as taxation and procurement. Others lack transparency, oversight and training and have lower operational capacities that interfere with their ability to enforce adopted standards. There are also differing capacities between urban and rural populations to administer a more regulated operational framework in doing business.

The effectiveness and ineffectiveness of existing legal frameworks in Cambodia stems from several factors:

- Capacity of enforcement agencies to implement the laws;
- Capacities among domestic firms to develop their business in compliance with the law;
- Inadequate coordination between nationally directed projects and sub-national management;
- The challenge of competing for foreign investment while shifting the business environment;
- Lack of political will to call out lagging institutions on sensitive issues in combatting corruption.

The public and private sectors have historically been very interwoven in Cambodia, making the creation of an open, fair, and transparent business environment all the more challenging. The post-conflict context in Cambodia remains relevant in the discussion of greater transparency and accountability in the public sector. Governance bodies at the national and sub-national level must transition from relying on informal and patronage networks that exclude large portions of the population to one that encourages civic participation and the benefits of a business environment with greater transparency and integrity. Destabilising systems of patronage requires a delicate balance of increasing the capacity of actors who were formerly excluded and limiting behaviours that result in opacity and lack of due process from actors who enjoy the majority of the table. In an economy reliant on imports and exports, Cambodia must also increase its competitiveness between two much larger economies (Thailand and Vietnam) in an environment...
where transparency and public accountability are not universally prioritised. As Cambodia transitions from an aid reliant low-income economy to a lower middle-income economy, the State must also transition its governance measures to reduce reliance on informal systems and closed patronage networks.

Key Recommendations

- Expedite the promulgation of key pieces of legislation to increase transparency and accountability such as the draft law on competition; the draft law on the protection of reporting persons; the draft law on the protection of experts, victims and witnesses and provide operational benchmarks for both public and private sectors that are in line with international standards.
  - Create an online legal database of all laws in Cambodia, with translation of all new laws into English, in order to increase awareness of the legal framework in Cambodia and the ability of civil society organisations to monitor legal developments and their implementation.
  - The MoJ and RGC should amend legislation in order to require Judges at all levels of court to publish their decisions and reasoning and ensure that standards are established for open court proceedings.
  - Continue to create an environment of integrity within the ACU and a better relationship between the ACU and the public by i) providing an anonymous mechanism for complaints against ACU investigators (i.e. through the online complaint mechanism administered by the Ministry of Civil Service) ii) making public the general process by which ACU investigations result in charges of corruption iii) providing mechanisms of due process and appeal for public allegations of corruption iv) publishing the terms and conditions of the MoUs that the ACU has signed with Cambodian and international companies and other ministries.
  - Strengthen the effectiveness of CAFIU in investigating and sanctioning instances of suspected money-laundering and in coordinating and consistently reviewing financial institutions.
  - Strengthen anti-corruption legislation within the Law on Taxation and the Law on Customs and link the Anti-Corruption Law with tax and customs regulations through a sub-decree.
  - Disclose all official tariffs levied by the GDCE, the GDT, and other officials publicly, and sanction any officers who request informal tariff payments. Disallow changes to tariff schemes without timely notification to the public.
  - Disclose all Qualified Investment Projects (QIPs) publicly and provide a list of beneficiaries and aggregated data regarding tax incentives and other benefits under the QIP program.
  - Increase online and one-window public services to reduce bureaucratic burdens and costs associated with doing business in Cambodia, particularly for SMEs, and coordination, responsiveness and accountability from relevant Ministries.

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ថ្រតម្រតវមួយ ែដល្រសបតម្របទដានអនរជាតិ ជាពិេសសច្បោប់មានការអភិវឌ្ឍយ័ងរឹងមាំក៏ែដម្រយ ក៏ការអនុវតត្រកបទដាន នែដលបានអនុម័តរួចហីយ។ ការុងេនាំដូចជាពនេនាខែដរ និងលទកមីនេទៀតខះតមាភាពកមសតមាភាពនិងសុចរិតភាពជាពិេសសកែងីសេងបសីពីវស័យសាយរណៈមួយ ែដល្រសបតម្របទដាន នែដលបានអនុម័តរួចហីយ។ ការុងេនាំដូចជាពនេនាខែដរ និងលទកមីនេទៀតខះតមាភាពកមសតមាភាពនិងសុចរិតភាពជាពិេសសកែងីសេងបសីពីវស័យសាយរណៈមួយ ែដល្រសបតម្របទដាន នែដលបានអនុម័តរួចហីយ។
ដូចម្តេចបំបាត់្របព័ន្ធវិទា្រទួលកែដលេគមិនរប់បានប់លេបពីមុនមក និងដួមអ្នកកិរិយាចំពៃះ ែដលទទួលបានផល្របេយាជន៍ភាគេ្រចីន ែដលនាំឱ្យមានភាពមិនច្បោស់លសប់ និងកង់ៃនដំណឹង រកវាមួយែដលពឹងែផកេលីកេលីនាំឱ្យមានភាពមិនច្បោស់លសប់ និងកង់ៃនដំណឹង រកវាមួយ។ នេសដកិចចមួយែដលពឹងែផកេលីកេលីនាំឱ្យមានភាពមិនច្បោស់លសប់ និងកង់ៃនដំណឹង រកវាមួយ ។

អនុសាសន៍សំខាន់ៗ

• មានព័ត៌មានក្នុងែតមួយ (PPP) បានគេ្រមាងសហ្រគាសធុនតូច និងមធ្យមេហីយបេងីនកមុជា ក្នុងកមុជាបរបួសមាតុក្តី រកយើងឬគណេនយ្យភាពពី្រកសួងព័ត៌មាន។

• ផ្សារប្រយោជន៍សំខាន់ៗ អន្តរជាតិ

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