

Kingdom of Cambodia
National Religion King



Report
On Function and Resource Mapping
Of the Ministry of Social Affairs, Veterans
and Youth Rehabilitation

Prepared by
Decentralization and De-concentration Technical Working Group
Ministry of Social Affairs, Veterans and Youth Rehabilitation

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CHAPTER 1

Introduction

1.1. Rational Decentralization and De-concentration Reform

The vision of sub-national democratic development¹ of the Royal Government of Cambodia has been highlighted in various key policy documents including:

- The Rectangular Strategy Phase 2 (26 September 2008)
- The National Strategic Development Plan (2009-2013)
- The Strategic Framework on Decentralization and De-concentration Reform (2005)
- The Law on Administrative Management of Commune/Sangkat (2001)
- The Law on Administrative Management of the Capital, Provinces, Municipalities, Districts and Khans (2008) generally known as “Organic Law”

The Organic Law 2008 envisions significant government restructuring at the sub-national level, with the establishment of provincial and district/Khan/municipal councils as additional levels of government to the commune and sangkat councils, established in 2002. The Organic Law on Capital, Province, Municipality, District and Commune/Sangkat administrations requires ministries to conduct a functional review process to identify functions for transfer to the councils, in accordance with the procedures outlined in the Law. The review shall ensure that functions and responsibilities are transferred along with the transfer of appropriate resources which are necessary for the management and supervision of those functions and responsibilities. This report will describe the process and a finding of the mapping of functions carried out during 2010 to 2012 and is a first step in the overall functional review process.

A primary mapping process was undertaken during 2010 and 2011, involving MoSVY representatives at national and province level. A primary report was presented in September 2011 and submitted to the NCDD. The NCDD advised MoSVY to do complementary data collection and restructuring of the report in accordance with the NCDD guidelines for functional mapping, which were only officially adopted in September 2012.

Upper sub-national level councils have the broad power to “undertake necessary affairs to achieve” their purpose. Commune and sangkat councils may “perform general affairs to meet the needs of citizens”. This suggests that all levels of council are general-purpose governance bodies with inherent general powers to meet the needs of their citizens. Over time, specific sector functions, together with corresponding resources (finances, skilled personnel and assets) will be transferred from national level to councils. Urban khans and sangkats are treated differently, with their functions and finances coming from their overarching urban councils (the capital and municipal councils). Khan and sangkat councils are, in effect, subordinate to their overarching urban council. All councils have the power to make executive and legislative decisions, and are empowered to conciliate certain local disputes.²

¹ Democratic Development includes: 1. public representation, 2. local autonomy, 3. consultation and participation, 4. response and accountability, 5. promoting the quality of life of local citizens, 6. promoting equity, 7. transparency and integrity, and 8. measure against corruption and abuse of power.

² Flam, Shelley, *Functional Review in Cambodia – A Proposed Process for Discussion*, GIZ, June 2008.

To support SNDD reform, the Royal Decree No. NS/RKAMPOT/1208/1429 created the NCDD as an inter-ministerial committee tasked with: a) Developing and recommending to the RGC the changes in national policy and legal framework required for the SNDD reforms, based on engagement with key actors and informed by empirical evidence from studies and databases; and b) Promoting, coordinating and overseeing the implementation of the National Programme including sub-national institutional transformation, the development of national systems of regulatory oversight and the arrangements for sector development and functional re-assignment.

The National Programme for Sub-National Democratic Development (NP-SNDD) 2010-2019 is the RGC's agenda for the next 10 years in this comprehensive and in-depth governance reform process. It allows for the realization of the SNDD reform goals. The document describes the goals, objectives and scope of the NP-SNDD implementation framework, and sets out the activities planned to achieve sub-national democratic development, including the transfer of functions and resources from central ministries to the sub-national.

A detailed implementation plan for the first three years (IP3) of the reform process was approved in December 2010, covering the period 2010-2013. NCDD is responsible for policy development with regard to SNDD, with a Secretariat (NCDD-S) assisting. Thus far, policy development has been deliberated in sub-committees of NCDD, with inputs from NCDD-S through the assistance of development partners. Under IP3, NCDD-S is mandated to refine the policy and develop workable frameworks for SNDD. However, individual ministries are responsible for implementing the reform.

1.2. The objective of the function mapping

The overall objective of the functional mapping is to identify MoSVY's functions, responsibilities and resources and in specific to identify:

- All current actual functions, and units which manage and exercise functions that fall within their jurisdiction;
- The legal framework under which the functions are exercised;
- The current actual financial resources spent to exercise of the function;
- Current actual human resources assigned to the exercise of the functions;
- Equipment, materials and any other resources assigned to the exercise of the functions.

1.3. Process of transfer of function and resources

Sub-decree No. 68 ANKr. BK on the general process of the transfer of functions and resources to sub-national levels dated 10 May 2012 aims to ensure the transfer of functions and resources from the ministries, institutions, departments, units and authorities at all levels to sub-national levels in a systematic and phased manner with rationale, coordination, consultation, transparency and equity in order to promote the effectiveness of public service delivery and development.

This sub-decree also requests ministries, institutions, departments, units and authorities at all levels to prepare a mapping of functions. Social welfare was selected as one of the priority areas in the process of transferring functions and resources to sub-national levels during the

period of 2012 to 2013. As a result, MoSVY has the obligation to develop a functional mapping report and conduct functional review to be submitted to the NCDD for its review and approval.

The NCDD issued a guideline for ministries, institutions, departments, units and authorities at all levels to serve as the basis for their functional mapping. After approval from NCDD of the functional mapping report, the next step for ministries and institutions is to review their functions, financial and human resources, relevant regulations and the responsibility to carry out those functions to determine the functions and resources to be transferred to sub-national administration.

In May 2009, the Ministry of Social Affairs, Veterans and Youth Rehabilitation (MoSVY) established a Decentralization and De-concentration Working Group³ chaired by a secretary of state and comprised of 4 members including the director general of the general department of administration and finance, director of the department of planning, statistics and recapitulation, deputy director of the department of child welfare and deputy director of the department of rehabilitation and a number of other technical support teams to study and prepare the functional mapping and conduct the MoSVY functional review. The working group is supported by NCDD and UNICEF.

1.4. Scope and Limitations

The MoSVY has reviewed its functions and responsibilities in accordance with the NCDD guidelines. Fieldwork was carried out in 20 provinces and data collected from all 24 provinces. There has been a limitation in accessing data on financial resources in accordance with the guidelines, since MoSVY budgets are assigned to budget line items; it has been challenging to estimate the amounts per function. There has also been a challenge to assess the personnel assigned to each function, since the staff at sub-national level often performs duties across several functions. In addition, in some cases, districts lack staff and some functions are covered by provincial staff. Also, at sub-national level, some of the MoSVY functions are implemented by other sectors and there is a duplication of functions, for example with Women's Affairs and Health.

³ Article 2 of the Prakas No. 377 MoSVY on the establishment of decentralization and de-concentration working group dated 5 May 2009 states that the working group is tasked with the duty to study and review the functions of the ministry and to map out future functions for sub-national levels and develop procedure and liaise with the council at capital, provincial, district, Khan, commune, Sangkat levels in the transfer or delegation of functions determined by the ministry to sub-national level following the principle and plan of the National Committee for Sub-national Democratic Development.

CHAPTER 2

Functional Mapping Method

2.1. Methodology

The Decentralization and De-concentration Working Group has prepared a work plan that was approved by the management of MoSVY for the execution of the functional mapping process at the national and sub-national level by means of the methods outlines below. [Please see annex 1 – table 1: Work plan for functional mapping](#)

2.1.1. Consultations

- National level: The Decentralization and De-concentration technical working group organized a consultation workshop with 96 participants from MoSVY on the process of the functional mapping focusing on the technical departments of the Ministry, presenting in detail the steps contained in the guideline and explaining the national program for sub-national democratic development to participants. After this workshop, the Decentralization and De-concentration Technical Working Group prepared a detailed program to consult directly with all technical departments to discuss the functional structure and regulations in more detail, to obtain the necessary data to fill in the tables and look at possibilities for future transfer of functions to the sub-national level.
- Sub-national level: The Decentralization and De-concentration Technical Working Group conducted a consultation meeting on the process of the functional mapping in 20 provinces inviting representatives from the capital and provincial departments and offices. There were 969 participants in the meeting including 239 women, 793 DoSVY and OSVY staff and 176 district councilors. During the meeting the Working Group representatives presented in detail the steps contained in the functional mapping guidelines and explained the national program for sub-national democratic development, especially in relation to social welfare. In addition, the participants worked in groups, revising the structures, functions/sub-functions and regulations in detail, to obtain the necessary data to fill in the required tables and questionnaires. There was also an initial analysis of possibilities for future transfer of functions to the sub-national level.

2.1.2 Review of Laws, regulations and policies

A desk review was undertaken of the existing policies, laws and regulations related to the functions of MoSVY, as well as ministerial documents related to budget personnel and assets of the Ministry.

2.1.3. Preparation and approval of report

- In accordance with the Guidelines, the technical working group will prepare a functional mapping report which will be shared with relevant units for commenting. Relevant feedback will later be incorporated, and

- The working group will prepare the final report and submit it to the Minister for his review and approval. After approval from the Minister, the report will be forwarded to the NCDD for its review and advice on future action.

2.2. Process

According to the decision dated 28 September 2012 No. 105 D/NCDD on the promulgation of the guideline on the preparation of functional mapping of ministries, institutions, departments, units and authorities at all levels and based on the content of the guideline in point 5, MoSVY shall revise the preliminary report on MosVY functional review submitted to NCDD following the steps below:

1. Prepare and approve the work plan for the functional mapping;
2. Map out the functions as determined in laws and regulations;
3. Verify the functions mapped out in the second phase against actual execution;
4. Conduct further verification of functions determined in laws and regulations against major medium term plans and strategies and summarize the information collected from phase 2 to phase 4 in the table on key functions;
5. Collect information on the deployment of staff and match those staff members with the functions as determined in step 5;
6. Collect information on financial allocations by the government and match these financial allocations with the functions as determined in step 5;
7. Collect information on financial allocations by development partners and match these financial allocations with the functions as determined in step 5;
8. Compile decentralization and de-concentration initiatives to date entered into with the private sector and civil society;
9. Prepare a report on functional analysis and seek approval from the Ministry's management prior to submitting the report to the NCDD.

To implement the steps above, the Decentralization and De-concentration Working Group developed a work plan with coordination and assistance from the NCDD secretariat and UNICEF.

CHAPTER 3

Key Functions from Laws and Regulations

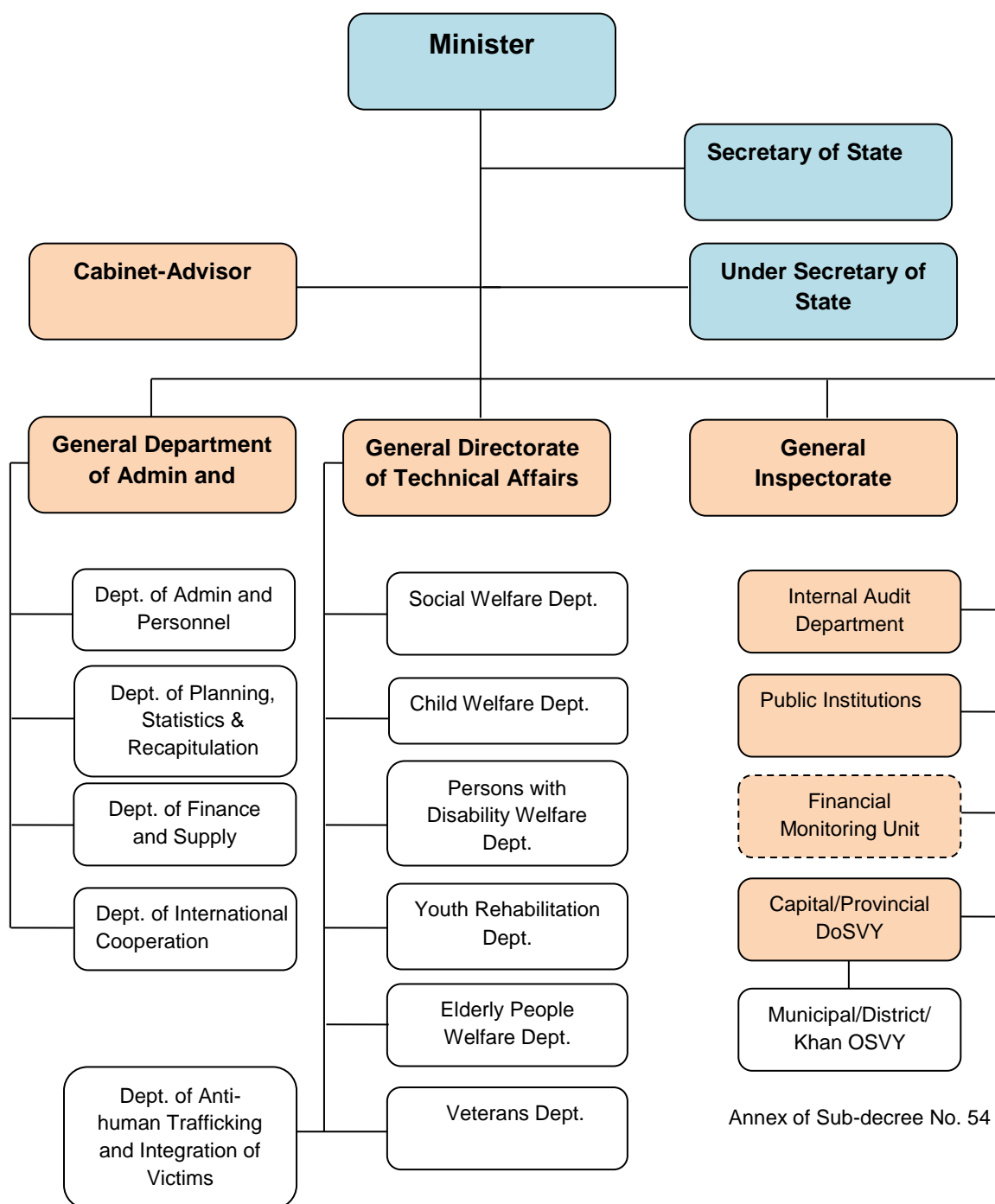
3.1. Terminology

- **Decentralization:** The royal government of Cambodia gives councils the ownership of functions, authorities and resources to respond to the local needs. The council must be accountable to local residents.
- **De-concentration:** The royal government of Cambodia, ministries or institutions delegate functions and resources to their lower unit or to one of the council categories to implement on behalf of the royal government, the ministries or the institutions. The unit or the council shall be accountable to the royal government or ministries, institutions in accordance with the requirements of the delegation.
- **Function:** Acts or activities including the provision of public services, infrastructures and other mechanisms. Functions are divided into sub-function that is grouped together under that function. (NCDD guidelines on functional mapping)

3.2. Organization and Functioning of MoSVY

MoSVY was established by the Royal Kram No. NS/RKM/001 dated 17 January 2005 which promulgates the law on the establishment of MoSVY. Sub-decree No. 54 ANKr.BK on the preparation and functioning of MoSVY dated 24 March 2011 determines the functions of the Ministry.

Figure 1: MoSVY Organization chart



Annex of Sub-decree No. 54

3.2.1. The management of the Ministry

Figure 1 presents the overview of MoSVY. The top management of the Ministry includes the:

- Minister
- Secretary of State
- Under Secretary of State
- Cabinet-Advisor

The top management is accountable to the head of the government with regard to the implementation of sub-decree No. 54 ANKr.BK. The functions and responsibilities are stated in article 3 of the sub-decree No. 54 ANKr.BK.

3.2.2. General Department of Administration and Finance

As shown in figure 1, the General Department of Administration and Finance is led by 1 director general and 5 deputies who assist in the management of four departments including the:

- A-Department of Administration and Personnel
- B-Department of Planning, Statistics and Recapitulation
- C-Department of Finance and Supply
- D-Department of International Cooperation

The General Department is tasked with the duty to facilitate administrative and managerial affairs to support the execution of the functions of the MoSVY. The functions and duties of the general department of administration and finance are stated in article 8 of sub-decree No. 54 ANKr.BK.

A-Department of Administration and Personnel

The Department of Administration and Personnel is led by 1 director and 5 deputies who assist in the management of four offices including the:

- Administration Office
- Personnel Office
- Salary Office
- Human Resource Development Office

The functions and duties of the Department of Administration and Personnel are stated in article 9 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 397 MoSVY dated 14 February 2011. Please see annex 2 – table 1: functions of the offices under the department of administration and personnel.

B-Department of Planning, Statistics and Recapitulation

The Department of Planning, Statistics and Recapitulation is led by 1 director and 4 deputies who assist in the management of five offices which include the:

- Data management and Relations Office
- Planning and Information Technology Office
- Recapitulation Office
- Information Office
- Legislation Office

The functions and duties of the Department of Planning, Statistics and Recapitulation are stated in article 10 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices

are detailed in Prakas No. 2581 MoSVY dated 08 December 2011. Please see annex 2 – table 2: functions of the offices under the Department of Planning, Statistics and Recapitulation.

C-Department of Finance and Supply

The Department of Finance and Supply is led by 1 director and 4 deputies who assist in the management of six offices which include the:

- Finance Office
- Procurement Office
- Equipment and Supplies Office
- Management Office
- State Asset Office
- Development Partner Budget Office

The functions and duties of the Department of Finance and Supply are stated in article 11 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 1243 MoSVY dated 13 June 2011. Please see annex 2 – table 3: functions of the offices under the Department of Finance and Supply.

D-Department of International Cooperation

The Department of International Cooperation is led by 1 director and 4 deputies who assist in the management of five offices which include the:

- Data management and Relations Office
- Cooperation Office
- International Affairs Office
- ASEAN Office and ASEAN Socio-Cultural Community Secretariat
- Protocol Office

The functions and duties of the Department of International Cooperation are stated in article 12 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 696 MoSVY dated 05 April 2012. Please see annex 2 – table 4: functions of the offices under the Department of International Cooperation.

3.2.3. General Directorate of Technical Affairs

The role of General Directorate of Technical Affairs is to assist the Ministry in the implementation of an extensive social security system for the general population and to coordinate the management in the specialized areas of social welfare, child welfare, welfare of persons with disability, youth rehabilitation, welfare of elderly people, veterans, anti-human trafficking and integration of victims. The general directorate of technical affairs is led by 1 director general and 4 deputies who assist in the management of seven specialized departments including the:

- A-Social Welfare Department
- B-Child Welfare Department
- C-Persons with Disability Welfare Department
- D-Youth Rehabilitation Department
- E-Elderly People Welfare Department
- F-Veterans Department
- G-Department of Anti-Human Trafficking and Integration of Victims

The functions and duties of the General Department are stated in article 13 of sub-decree No. 54 ANKr.BK.

A-Social Welfare Department

The Social Welfare Department is led by 1 director and 4 deputies who assist in the management of five offices which include:

- Data management and Relations Office
- Prevention and Protection of People Living and Working on the Street Office
- Office for the Protection of Persons who Live with HIV/AIDS and other Communicable Disease
- Social Protection Office
- Family Welfare Office

The functions and duties of the Social Welfare Department are stated in article 14 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 2249 MoSVY dated 10 October 2011. Please see annex 2 – table 5: functions of the offices under Social Welfare Department.

B-Child Welfare Department

The Child Welfare Department is led by 1 director and 4 deputies who assist in the management of six offices which include the:

- Data management and Relations Office
- Orphanage Affairs Office
- Community-based Child Service Office
- Domestic Adoption Office
- Child Care Inspection Office
- Child Care Centers

The functions and duties of the Child Welfare Department are stated in article 15 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 225 MoSVY dated 09 September 2011. Please see annex 2 – table 6: functions of the offices under Child Welfare Department.

C-Persons with Disability Welfare Department

The Persons with Disability Welfare Department is led by 1 director and 5 deputies who assist in the management of six offices which include the:

- Data management and Relations Office
- Rehabilitation Office
- Office for Vocational Training, Livelihood and Employment of Persons with Disabilities
- Technical Coordination Office for Disability, Sign Language and Brail
- Office for Women and Girls With Disabilities, Arts and Sports
- Office for the Administration of the Rights of Persons with Disabilities

The functions and duties of the Persons with Disability Welfare Department are stated in article 16 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 2172 MoSVY dated 09 September 2011. Please see annex 2 – table 7: functions of the offices under Persons With Disability Welfare Department.

D-Youth Rehabilitation Department

The Youth Rehabilitation Department is led by 1 director and 4 deputies who assist in the management of six offices which include the:

- Data management and Relations Office
- Office for the Protection of Children in Conflict with the Law
- Office for the Rehabilitation of Children in Conflict with the Law
- Drug Rehabilitation Office
- Office for the Prevention of Crime and Drug Use
- Chom Chao Youth Rehabilitation Center

The functions and duties of the Youth Rehabilitation Department are stated in article 17 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 2175 MoSVY dated 14 September 2011. Please see annex 2 – table 8: functions of the offices under Youth Rehabilitation Department.

E-Elderly People Welfare Department

The Elderly People Welfare Department is led by 1 director and 3 deputies who assist in the management of five offices which include the:

- Data management and Relations Office
- Office for the Elderly Associations
- Office for the Care of Elderly People
- Office for Former Civil Servants
- Office for Secretariat Affairs

The functions and duties of the Elderly People Welfare Department are stated in article 18 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 2601 MoSVY dated 09 December 2011. Please see annex 2 – table 9: functions of the offices under Elderly People Welfare Department.

F-Veterans Department

The Veterans Department is led by 1 director and 7 deputies who assist in the management of six offices which include the:

- Data management and Relations Office
- Office for the Cambodian Veterans Association
- Office for the Pension of Deceased Veterans
- Office for the Pension of Retired Veterans and Veterans who Lost their Professional Fit
- Office for the Pension of Veterans with Disabilities
- Office for Economic Land Concession and Development of Veterans Center

The functions and duties of the Veterans Department are stated in article 19 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 1858 MoSVY dated 04 August 2011. Please see annex 2 – table 10: functions of the offices under Veterans Department.

G-Department of Anti-Human Trafficking and Integration of Victims

The Department of Anti-Human Trafficking and Reintegration of Victims is led by 1 director and 3 deputies who assist in the management of five offices which include the:

- Data management and Relations Office
- Anti-Human Trafficking Office
- Office for the Reintegration and Protection of Victims
- Legislation and Inspection Office
- Poi Pet Transit Center

The functions and duties of the Department of Anti-Human Trafficking and Reintegration of Victims are stated in article 20 of sub-decree No. 54 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 2081 MoSVY dated 30 August 2011. Please see annex 2 – table 11: functions of the offices under Department of Anti-Human Trafficking and Integration of Victims.

3.2.4. Internal Audit Department

The Internal Audit Department is led by 1 director and 4 deputies who assist in the management of four offices which include the:

- Data management and Relations Office
- First Audit Office – which is in charge of conducting the inspection on Phnom Penh, Takeo, Kampot, Preah Sihanouk, Kep, Koh Kong, Kompong Speu and Prey Veng DoSVYs
- Second Audit Office – which is in charge of conducting the inspection on Svay Rieng, Kompong Thom, Preah Vihear, Kandal, Kompong Chhnang, Por Sat, Battambang, Banteay Mean Chey DoSVYs
- Third Audit Office – which is in charge of conducting the inspection on Oudor Mean Chey, Pai Lin, Siem Reap, Kratie, Steung Treng, Ratanak Kiri and Kompong Cham DoSVYs

The functions and duties of the Internal Audit Department are stated in sub-decree No. 40 ANKr.BK while the functions and duties of the different offices are detailed in Prakas No. 684 MoSVY dated 02 April 2012.

3.2.5. General Inspectorate

The General Inspectorate is led by 1 inspector general and 4 deputies who assist in the management of three offices which include the:

- Relations Office
- Inspection Office
- Legislation Office

The functions and duties of the General Inspectorate are stated in article 07 of sub-decree No. 54 ANKr.BK, while the functions and duties of the different offices are detailed in Prakas No. 026 MoSVY dated 21 January 2002.

3.2.6. Cambodian National Council for Children

The Cambodian National Council for Children (CNCC) was established by the Royal Decree No. NS/RKT/1209/ 1201 dated 21 December 2009. The Secretariat General of the CNCC is led by 1 secretary general and 3 deputies who assist with the management of the:

- Administration, Planning and Finance Unit
- Child Protection and Monitoring Unit
- Education, Dissemination and Human Resource Development Unit

The duties of the CNCC are stated in Sub-decree No. 02 ANKr.BK dated 05 January 2010. The CNCC is established at capital and provincial level by decision No. 126 CNCC dated 21 September 2010 and is established at Ministry/institution level by the decision No. 127 CNCC dated 21 September 2010.

3.2.7. National Institute of Social Affairs

The National Institute of Social Affairs was established by sub-decree No. 233 ANKr.BK dated 18 October 2011 and is led by 1 director and a number of deputies to assist with the management of the different faculties, departments and offices which include the:

- Faculty of Sociology
- Faculty of Prosthesis and Brace Engineering
- Vocational Training School for Persons with Disability
- Department of Basic Education
- Administration and Personnel Office
- Accounting and Finance Office
- Research Office

The duties of the institute are stated in the Prakas No. 725 MoSVY dated 06 April 2012.

3.2.8. Secretariat of the Disability Action Council

The Secretariat of the Disability Action Council was established by sub-decree No. 59 ANKr.BK dated 21 June 2010. The Secretariat is led by 1 director and 3 deputies to assist with management of seven units which include the:

- Administration and finance
- Education for children and women with disabilities
- Professional training to increasing incomes
- Public relations and resource raising
- Policy regulations, planning and awareness
- Health and rehabilitation
- Monitoring evaluation and Recapitulation

The duties of the secretariat are stated in the Prakas No.561 MoSVY dated 11 March 2011.

3.2.9. Sub-national Level

A-Capital/Provincial DoSVY

The Capital/Provincial DoSVY is led by 1 director and a number of deputies, depending on the needs in each province, to assist in the management of the different offices under the department, which include the:

- Administration and Personnel Office
- Finance and Planning Office
- Social Welfare Office
- Child Welfare and Youth Rehabilitation Office
- Pension Office
- Veterans Office
- Municipal/District/Khan OSVY
- Orphanage Affairs Office
- Rehabilitation Center
- Social Affairs Center
- Youth Rehabilitation Center
- Drug Rehabilitation Center
- Veterans Development Center

The functions and duties of the capital/provincial DoSVY are stated in the Prakas No. 359 MoSVY dated 16 August 2005. Please see annex 2 – table 12: functions of the offices under the Capital/Provincial DoSVY.

B-Municipal/District/Khan DoSVY

The Municipal/District/Khan OSVY falls under the management of the Capital/Provincial DoSVY and it is led by an office chief and assisted by a number of deputies in the management of:

- Administration
- Social affairs
- Veterans affairs

Its functions and duties are stated in the Prakas No. 395 MoSVY dated 06 September 2005. Please see annex 2 – table 13: functions of the municipal, district, Khan OSVY.

3.2.10. Public Institutions

A-National Fund for Veterans

The National Fund for Veterans (NFV) is a public institution under technical guardianship of MoSVY and under financial guardianship of the Ministry of Economy and Finance. It is tasked with the duty to manage and provide social security scheme to veterans and their family in accordance with the royal decree No. NS/RKT/0710/595 on social security scheme for veterans dated 15 July 2010, and the sub-decree No. 79 ANKr.BK on the establishment of National Fund for Veterans dated 23 July 2010. The NFV is led by 1 director and 5 deputies who assist in the management of a number of offices at the national level including the:

- Administration and Personnel Office
- Finance and Accounting Office
- Inspection Office
- Planning, Statistics and Information Technology Office

- Office for Pension and Loss of Professional Fit
- Office for Soldiers with Disability
- Office for Deceased Soldiers

The NFV branch at provincial level is managed by a chief who is assisted by a number of deputies. An NFV branch can also be found at the Municipal/District/Khan level. The duties and functioning of the National Fund for Veterans are stated in Prakas No. 281 MoSVY dated 11 February 2011.

B-National Social Security Fund for Civil Servants

The National Social Security Fund for Civil Servants (NSSF) is a public institution under technical supervision of MoSVY and under financial supervision of the Ministry of Economy and Finance. It is tasked with the duty to manage and provide social security scheme in accordance with the royal decree No. NS/RKT/0108/039 on social security scheme for civil servants dated 18 January 2008, and sub-decree No. 14 ANKr.BK on the establishment of National Social Security Fund for Civil Servants dated 05 February 2008. The NSSF is led by 1 director and 4 deputies who assist in the management of a number of offices at the national level including the:

- Administration and Personnel Office
- Finance and Accounting Office
- Inspection Office
- Planning, Statistics and Information Technology Office
- Benefit Office

At sub-national level NSSF branches can be found at the Capital/Provincial level and at the Municipal/District/Khan level. The duties of the NSSF are stated in Prakas No. 734 MoSVY dated 28 July 2009.

C-Persons with Disabilities Fund

The Persons with Disabilities Fund (PWDF) is a public institution under technical guardianship of MoSVY and under financial guardianship of the Ministry of Economy and Finance. It is tasked with the duty to prevent and promote the rights of persons with disabilities with reference to the Royal Kram No. NS/RKM/0709/010 and Sub-decree No.118 ANKr.BK dated 13 September 2010. The PWDF is led by 1 director and 3 deputy director who assist in the management of a number of offices at the national level including the:

- Administration and Personnel Office
- Finance and Accounting Office
- Cooperation and Investment Office
- Planning, Statistics and Information Technology Office
- Office for Public Service Management and Pension Scheme
- Inspection Office
- Kien Khlaing National Disability Rehabilitation Center
- Prosthesis and Brace Manufacturing Enterprise
- Cambodian Prosthesis and Brace Manufacturing Training School
- Persons with Disabilities Fund branch at capital/provincial level
- Capital/Provincial Disability Rehabilitation Center

The functions and duties of PWDF offices are stated in Prakas No. 118 MoSVY dated 13 September 2010.

3.3. Functions determined by laws and regulations

The different Sub-decrees and Prakas on the preparation and functioning of institutions and offices under the MoSVY clearly state the functions and duties of the Ministry, the general departments, the departments and their subordinates. With reference to the term “**function**” and in consultation with the national and sub-national level, the working group has listed the following key functions and sub-functions based on laws and regulations:

A. List of MoSVY functions at the national and sub-national levels

1 Social welfare for at-risk and vulnerable groups

1.1 Provide emergency assistance and social relief to victims of disasters and at-risk and vulnerable groups

- 1.1.1 Prepare and implement policies, laws, regulations, projects, programs and activities related to emergency assistance for victims of natural disasters and at-risk and vulnerable groups in the society.
- 1.1.2 Prepare and implement policies, laws, regulations, projects, programs and activities related to social relief for at-risk and vulnerable groups.
- 1.1.3 Prepare and conduct a training program on emergency relief.
- 1.1.4 Collaborate with relevant institutions to assist victims of various hazards which include natural disaster and others.
- 1.1.5 Partner with national and international non- governmental organizations operating in the social sector in various capitals and provinces in the area of social affairs include information provision, provision of guidance and delivery of social services.
- 1.1.6 Encourage and partner with humanitarian organizations and local communities in the establishment of social service support funds to help at-risk and vulnerable groups.
- 1.1.7 Monitor and evaluate the results of emergency and social relief programs.

1.2 Prevention of homelessness and the protection of people living and working on the street

- 1.2.1 Prepare and implement policies, laws, regulations, projects, programs and activities related to the prevention and protection of people living and working on the street.
- 1.2.2 Function as the secretariat of the national committee to address the issues and needs of people living and working on the street.
- 1.2.3 Prepare and implement regulations for the management of support and rehabilitation programs, vocational training centers and the integration of people living and working on the street.
- 1.2.4 Follow-up, monitor and evaluate projects and programs related to people living and working on the street.
- 1.2.5 Establish social networks at the commune/sangkat level.
- 1.2.6 Raise awareness on safe migration at the commune/sangkat level.

1.3 Prevention of HIV transmission and the protection of people living with HIV or AIDS or other communicable diseases

- 1.3.1 Prepare and implement policies, laws, regulations, projects, programs and activities related to the protection of persons living with HIV or AIDS or other communicable diseases.
- 1.3.2 Function as the secretariat of the HIV and AIDS prevention and protection committee.
- 1.3.3 Collaborate with relevant ministries and institutions, national and international organizations and communities in the provision of protection services for people living with HIV or AIDS or other communicable diseases.
- 1.3.4 Provide social services, including psycho-social support, and care to children and families living with or affected by HIV or AIDS or other communicable diseases.
- 1.3.5 Provide training and strengthen community-based HIV and AIDS networks.

1.4 Promote family welfare

- 1.4.1 Prepare and implement policies, laws, regulations, projects and programs related to the promotion of family welfare.
- 1.4.2 Prepare guidelines and organize the International Family Day, 15 May, in collaboration with relevant institutions.

2 Anti-human Trafficking and Reintegration of Victims

2.1 Prevent and protect the victims of human trafficking, abuse and exploitation

- 2.1.1 Collaborate with relevant ministries, institutions and non-governmental organizations to prevent and protect the victims and those at risk of human trafficking, abuse and exploitation.
- 2.1.2 Collaborate with relevant institutions to take legal actions to respond to and prevent human trafficking, abuse and exploitation.

2.2 Reintegration of victims of human trafficking, abuse and exploitation

- 2.2.1 Develop and implement a policy and minimum standards on the protection of the rights of victims of human trafficking, abuse and exploitation.
- 2.2.2 Prepare and manage data related to victims of human trafficking, abuse and exploitation.
- 2.2.3 Prepare and implement a family search program and assess the families of victims of human trafficking, abuse and exploitation.
- 2.2.4 Collaborate with relevant ministries, institutions and non-governmental organizations to develop and implement procedures for reintegration and follow-up of victims of human trafficking, abuse and exploitation.
- 2.2.5 Collaborate with development partners to provide accommodation, education, healthcare, legal services and vocational training to victims of human trafficking, abuse and exploitation.
- 2.2.6 Liaise with countries concerned to exchange information and provide care and repatriation of victims of human trafficking in accordance with existing cooperation agreement.
- 2.2.7 Establish and operate transit centers for victims of human trafficking, abuse and exploitation.

3 Child Welfare: oversight, coordination and service delivery

3.1 Ensure that children in need of alternative care are identified, protected and provided care in their best interest

- 3.1.1 Collect data on vulnerable children at district level and keep all case files based on progress of each individual case.
- 3.1.2 Manage cases related to cross-provincial/district and non-kin foster care, as well as especially difficult cases.
- 3.1.3 Delivery of family preservation services in collaboration with CCWC.
- 3.1.4 Deliver family reunification services in collaboration with the CCWC, when in the best interest of the child.
- 3.1.5 Carry out search for parents or guardians.
- 3.1.6 Carry out permanency planning in cooperation with CCWC.
- 3.1.7 Recruit, train and support families willing to become a domestic adoptive family or foster care family.
- 3.1.8 Update lists of abandoned children and families for foster and kinship care.
- 3.1.9 Collaborate with the relevant ministries/institutions, local and international organizations to provide technical assistance on activities related to child welfare.
- 3.1.10 Provide training and disseminate the procedures and principles of the Alternative Care framework within and outside of MoSVY.
- 3.1.11 Open an investigation and ensure special protection for children, when there are reports of possible incidents of abuse, violence or neglect of a child in alternative care.

3.2 Protection of children in residential care, including setting standards, overseeing and delivering residential care for children in need of temporary institutional care

- 3.2.1 Develop, implement and monitor policies, laws, regulations, projects, programs and activities related to children in need of alternative care.
- 3.2.2 Develop and implement minimum standards on institutional care for children, including inspection of the adherence to the standards.
- 3.2.3 Collaborate with relevant ministries, institutions, sub-national authorities and non-governmental organizations on the implementation of the alternative care policy and the minimum standards.
- 3.2.4 Develop standards for the entry and exit of children into residential care, case management and permanency planning.
- 3.2.5 Develop and implement plans to integrate children into community- and family-based care, through case-management, family support and follow-up mechanisms.
- 3.2.6 Review requests of non-governmental organizations and other actors related to the establishment and management of residential care centers in accordance with the alternative care policy and the minimum standards.
- 3.2.7 Organize trainings and workshops to further strengthen the effectiveness of alternative care, including capacity-building for government and non-government actors on the alternative care framework.

3.3 Set standards, strengthen and promote community- and family based services for the welfare, rights and protection of children

- 3.3.1 Prepare and implement policies, laws, regulations, projects, programs and activities related to community- and family-based services for the welfare, rights and protection of children.
- 3.3.2 Develop and implement minimum standards on community- and family-based care for children, including inspection of the adherence to the minimum standards (including faith-based, pagoda-based and group homes).
- 3.3.3 Collaborate with relevant ministries, institutions, sub-national authorities and non-governmental organizations on the promotion and delivery of community- and family-based care.

3.4 Ensure that inter-country adoption occurs in line with international and national standards and only as a last option, when no domestic options are available

- 3.4.1 Develop and monitor the implementation of policies, laws, regulations and procedures concerning inter-country adoption.
- 3.4.2 Cooperate and facilitate communication concerning inter-country adoption among other Ministries, institutions and agencies competent to deal with ICA in Cambodia, and central authorities and competent authorities responsible for ICA of receiving countries.
- 3.4.3 Assess children eligible for inter-country adoption, conduct matching, facilitate handing-over of child and processing of travel documents, provide post adoption services to the child and his/her family.
- 3.4.4 Review and process the applications on the authorization of inter-country adoption agencies.
- 3.4.5 Review and process applications for inter-country adoption from prospective parents presented by authorized agencies.
- 3.4.6 Take appropriate measures to prevent and stop improper financial or other gain in connection with inter-country adoption.

3.5 Chair and coordinate the sectors participating in the multi-sectorial task force on orphans and vulnerable children

- 3.5.1 Organize regular coordination and information sharing meetings at national and subnational level with all relevant government, NGO and donor actors working on child protection issues.
- 3.5.2 Mobilize resources to work on prevention of and respond to child protection violations.
- 3.5.3 Provide input and advocate for child protection to be included in major policies, plans and legislation.

3.6 Collect, analyze and use data on child welfare for planning and policy development

- 3.6.1 Collect national census data on vulnerable and orphaned children.
- 3.6.2 Collect and analyze data at the community level on children with disabilities, children living with or affected by HIV or AIDS and other at-risk and vulnerable children.
- 3.6.3 Collect information at the community level on children who are receiving services

from NGOs.

3.6.4 Organize trainings on data collection and monitoring at the community level.

3.6.5 Develop and maintain a database of child welfare including abandoned children, reintegrated children, and children in alternative care, children in need of permanency planning and children eligible for national and international adoption.

3.6.6 Develop child protection plans at the local level.

3.7 Preparation of International Children Day, 1 June, and World Day Against Child Labor, 12 June

4 Youth Rehabilitation

4.1 Protection of children in conflict with the law

4.1.1 Prepare and implement policies, laws, regulations, projects, programs and activities related to children in conflict with the law.

4.1.2 Develop guidelines, procedures, forms and regulations related to children in conflict with the law.

4.1.3 Coordinate with relevant competent authorities for the diversion of children in conflict with the law.

4.1.4 Collaborate with relevant ministries, institutions, competent authorities, local authorities, families, guardians and national and international organizations to deliver social and legal services at all stages of police and judicial procedures for children in conflict with the law.

4.1.5 Develop, implement and monitor minimum standards for rehabilitation centers and centers providing care and protection for children in conflict with the law.

4.1.6 Develop education documents for dissemination on social morality, offences, drug abuse, domestic violence and HIV/AIDS.

4.2 Rehabilitate and reintegrate children in conflict with the law

4.2.1 Collect, analyze and manage data on children in conflict with the law staying in youth rehabilitation centers or prisons.

4.2.2 Review requests of authorities and non-governmental organizations for the establishment and management of youth rehabilitation programs.

4.2.3 Develop procedures to admit, manage, refer, monitor and close cases of children and youth staying in rehabilitation centers or participating in rehabilitation programs.

4.2.4 Develop plans and programs to manage cases of children in conflict with the law in youth rehabilitations centers and prisons.

4.2.5 Develop guidelines for the implementation of referral plans.

4.2.6 Collaborate with relevant ministries, institutions, sub-national authorities and national and international organizations on the reintegration and regular follow-up of children in conflict with the law in accordance with established case-management procedures.

4.2.7 Manage youth rehabilitation centers.

4.2.8 Collaborate with relevant institutions and non-governmental organization to provide vocational training in prison for children conflict with the law.

4.3 Rehabilitate and reintegrate adults, youth and children who use drugs

- 4.3.1 Develop guidelines, policies and procedures for the rehabilitation and reintegration of adults, youth and children who use drugs into communities and families.
- 4.3.2 Collect and manage data on adults, youth and children who use drugs in rehabilitation centers and communities.
- 4.3.3 Collaborate with the ministry of health to develop regulations and minimum standard for drug rehabilitation centers and programs.
- 4.3.4 Review requests of authorities and non-governmental organizations on the establishment and management of drug rehabilitation centers and programs.
- 4.3.5 Develop educational and vocational training programs for adults, youth and children who use drugs
- 4.3.6 Develop reintegration and follow-up plans for adults, youth and children who use drugs.
- 4.3.7 Evaluate results in relation to programs targeting the rehabilitation and reintegration of adults, youth and children who use drugs

4.4 Prevent crime and drug abuse

- 4.4.1 Conduct research on the causes and consequences of criminal offences by children and young people.
- 4.4.2 Develop plans to mobilize financial, in-kind and technical support for prevention education.
- 4.4.3 Organize workshops, training courses for social workers in relation to prevention education on crime and drug use.

5 Promote the welfare and rehabilitation of persons with disabilities

5.1 Provide rehabilitation services to persons with disabilities

- 5.1.1 Prepare and implement policies, laws, regulations, projects, programs and activities related to persons with disabilities.
- 5.1.2 Collaborate with relevant ministries and non-governmental organizations to mobilize funds, including through the Persons With Disability Fund and the Charity Box, and to manage rehabilitation centers.
- 5.1.3 Strengthen the management of manufacturing enterprises, rehabilitation centers for persons with disabilities, medical rehabilitation centers and technical training schools for the manufacturing of prosthesis and braces.
- 5.1.4 Coordinate with relevant ministries, institutions and partner organizations when it comes to the rehabilitation of persons with disabilities.
- 5.1.5 Develop and implement community-based rehabilitation programs for persons with disabilities in close collaboration with relevant ministries, institutions and development partners.
- 5.1.6 Develop, implement and document best practices of self-help groups for persons with disabilities.
- 5.1.7 Follow up, monitor and evaluate rehabilitation programs for persons with disabilities and the rights of persons with disabilities.
- 5.1.8 Develop and implement public dissemination programs on the issue of disability and the rights of persons with disabilities.

- 5.1.9 Promote the integration of persons with disabilities and inclusion of disability issues into various development projects at both the national and community level.
- 5.1.10 Coordinate and promote the integration and inclusion of children with disabilities into the education system, including collaboration with the Ministry of Education to implement the Inclusive Education Policy and the Master Plan for Children with Disabilities
- 5.1.11 Collect, analyze and use of data on persons with disabilities
- 5.2 Develop and implement vocational training programs, generate livelihood opportunities and address the issue of unemployment for persons with disabilities**
 - 5.2.1 Develop and implement policies and technical standards for vocational training programs, livelihood opportunities and the issue of unemployment of persons with disabilities.
 - 5.2.2 Develop standards, programs, plans, and budgets and follow up, monitor and evaluate training programs for persons with disabilities in all vocational training centers.
 - 5.2.3 Prepare and disseminate information on vocational training services and employment market and livelihood opportunities for persons with disabilities.
 - 5.2.4 Conduct research studies on the employment market and determine marketable skills trainings.
- 5.3 Promote the integration and inclusion of women and girls with disabilities into various development projects**
 - 5.3.1 Prepare and implement policies, laws, regulations, projects, programs and activities related to women and girls with disabilities.
 - 5.3.2 Collect, analyze and manage data of women and girls with disabilities.
 - 5.3.3 Mobilize and encourage women with disabilities to take part in social development activities.
- 5.4 Promote integration and inclusion of persons with disabilities into sports and arts**
 - 5.4.1 Prepare and implement sports and arts programs for persons with disabilities.
 - 5.4.2 Prepare and implement programs to strengthen and scale up the Cambodian Paralympics movement, the Cambodian Special Olympic, volleyball for persons with disabilities and other types of sports for persons with disabilities.
- 5.5 Provide technical support and coordination for disability, sign language and brail**
 - 5.5.1 Develop and implement policy and standard for disability facilitation technique, sign language and brail for persons with disabilities.
 - 5.5.2 Conduct research studies to develop disability facilitation techniques, sign language and brail for persons with disabilities.
 - 5.5.3 Liaise and collaborate with relevant ministries, institutions, non-governmental organizations to compile principles on the use of disability facilitation techniques, sign language and brail for persons with disabilities.
 - 5.5.4 Collaborate with relevant ministries, institutions to share information and experiences, disability facilitation techniques, sign language and brail for persons with disabilities.

- 5.5.5 Propose action plans and annual budgets for the development of sign language and brail.
- 5.5.6 Collaborate with state and private media to develop information services in the form of brail and sign language.

5.6 Prevention of disabilities

5.7 Preparation of national and international day for persons with disability, 3 December

6 Strengthen and expand social security and welfare services for the elderly

6.1 Establish associations for the elderly

- 6.1.1 Prepare polices, guidelines and statutes for elderly associations
- 6.1.2 Coordinate with relevant ministries, institutions, sub- national authorities, and development partners to provide in-kind and technical supports to promote the elderly associations.
- 6.1.3 Provide capacity building for officials managing elderly people associations in the communities.
- 6.1.4 Prepare standards and manage data related to elderly association members.
- 6.1.5 Disseminate information and guidelines about the elderly associations and strengthen the cooperation of the associations with relevant ministries and institutions.

6.2 Provide the elderly with support and care and promote their welfare services

- 6.2.1 Develop and implement policies, laws, regulations, program, projects and activities related to the promotion of the welfare of the elderly.
- 6.2.2 Prepare and implement policies, laws, regulations, projects, programs and activities for the residence-based, center-based and community- based care of the elderly.
- 6.2.3 Collaborate with relevant ministries, institutions, sub-national authorities, and development partners to support and promote the welfare of elderly at the local level.
- 6.2.4 Conduct field visits and research on the situation of the elderly in communities.
- 6.2.5 Establish elderly data management systems.
- 6.2.6 Conduct a research study on the preparation of the implementation of international convention to promote the welfare of elderly people in Cambodia

6.3 Promote the welfare of former civil servants

- 6.3.1 Develop and implement policies, laws, regulations, program, projects and activities related to the promotion of the welfare of former civil servants.
- 6.3.2 Mobilize former civil servants to take part in national development projects and programs.
- 6.3.3 Encourage former civil servants to join the elderly people associations at the ministry, institution and community.
- 6.3.4 Strengthen the provision of retirement pensions and pensions for the loss of professional fitness to former civil servants.
- 6.3.5 Provide social insurance schemes for children of deceased civil servants.
- 6.3.6 Follow up on the situation and living conditions of retired civil servant or those

who lost their professional fitness and their families.

6.3.7 Strengthen the operations of the national fund for social security for civil servants in order to increase effectiveness of the implementation of social security schemes.

6.3.8 Establish a health insurance scheme for civil servants and retired civil servants.

6.4 Organize the International Elderly Day, 1 October.

6.5 Effectively manage the human resources of the elderly to ensure the transfer of knowledge and experience to people of the next generation and to the national society.

6.6 Establish a national fund for the provision of social security to at-risk and vulnerable groups

6.6.1 Conduct a feasibility study.

6.6.2 Develop, disseminate and implement policies, laws and guidelines for the establishment of a comprehensive social security scheme for at-risk and vulnerable groups.

7 Strengthen and expand the social security scheme and welfare for veterans

7.1 Collaborate in the management of the Cambodian Veterans' Association

7.1.1 Collaborate with Cambodian Veterans' Association on the dissemination of the veteran policy, the expansion of the network and membership at all levels, and the promotion of the three good principles of veterans.

7.1.2 Collaborate with Cambodian Veterans' Association in the preparation of relevant documentation for the functioning of the assembly and general assembly of the association.

7.1.3 Strengthen the credit and emergency funds of the Cambodian Veterans' Association.

7.1.4 Monitor dispute resolution through the by-law of the association.

7.1.5 Collaborate with relevant institutions, local authorities, all armed forces, and NGOs to enable veterans to have easy access to public services including vocational training, scholarships, employment and livelihood opportunities, treatment and care, and emergency assistance during hazards.

7.1.6 Collaborate with Cambodian Veterans' Association on international cooperation with organizations and associations for veterans from different countries.

7.2 Manage the veteran pension scheme

7.2.1 Collect and manage data related to retired veterans, veterans who lost their professional fitness and deceased veterans and assess their actual living conditions and those of their families.

7.2.2 Conduct studies and prepare legal documents and regulations related to the pension scheme for veterans.

7.2.3 Monitor the payment of pensions to retired veterans, veterans who lost their professional fitness and to the families of deceased veterans.

7.2.4 Collaborate with the national veteran fund in the implementation of social security scheme for retired veterans, veterans who lost their professional fitness and for the families of deceased veterans.

7.3 Implement, strengthen and expand development projects for veterans at the commune level

- 7.3.1 Identify retired veterans, veterans who lost their professional fitness, and the families of deceased veterans who are entitled to receive social land concession.
- 7.3.2 Collaborate with relevant ministries and institutions on the identification of retired veterans, veterans who lost their professional fitness and the families of deceased veterans who are entitled to receive social land concession.
- 7.3.3 Prepare and implement a scheme to build houses for veterans and their families in the community.
- 7.3.4 Guide the development of a commune/sangkat veterans community development committee

7.4 Prepare and implement the international convention related to veterans

7.5 Organize Cambodian Veterans Day, 21 June.

8 Institutional Capacity Development, Partnership, Resource Mobilization

8.1 Administration and personnel

8.2 Planning, statistics and recapitulation

8.3 Finance and supplies

8.4 International cooperation

- 8.4.1 ASEAN related affairs
- 8.4.2 Cooperation related affairs
- 8.4.3 International affairs
- 8.4.4 Protocol related affairs

8.5 Inspection and internal audit

- 8.5.1 Inspection related affairs
- 8.5.2 Internal audit related affairs

8.6 National Institute of Sociology

B. Detail list of MoSVY functions

After having listed down the functions from the sub-decree and prakas as contained in point "A" above, the working group has developed a detailed list of MoSVY functions mapped out and verified against referenced regulation and conducted consultative meeting and verification with implementing institution concerning actual functions. Please see annex 1-Table 2: Detailed list of MoSVY functions.

CHAPTER 4

Verification of Functions Determined by the Laws and Regulations Against Actual Implementation

The Ministry decided to conduct the verification of functions in two steps. First, focusing on the functions and activities determined in the Prakas on the organization and functioning of the different departments and units within MoSVY. Second, verifying functions included in broader legal frameworks. The first step, focusing on the functions and activities in the Prakas, will help the Ministry with the future revision and update of the current Prakas.

4.1. Functions and activities determined by Prakas on department and unit structures against actual implementation~~Updates of the structure and duties of MoSVY functions~~

The working group conducted consultation meetings with relevant officials at the general department, department and subordinates level under MoSVY. It was revealed that there had not been many changes with regard to the organizational structure and functions and duties activities at the national level as the sub-decree No. 55 KNKr.BK on the preparation and functioning of MoSVY dated 08 April 2005, was updated in 2011. Concerning the Prakas ~~on the preparation and that regulate the~~ functioning of the departments and units at both the national and sub-national levels, ~~and, according to the available capacity and resources,~~ there have been a number of changes to the actual functional implementation, based on the availability of resources and capacity.

4.1.1. General Department of Administration and Finance

A-Department of Administration and Personnel

According to discussions with officials, it was revealed that the organizational structure of the department remained unchanged from the Prakas No. 397 MoSVY dated 14 February 2011 and that all 37 functions and duties-activities of the department determined in the Prakas, as verified against actual implementation, have been implemented. Please see annex 3 – table 1: Actual executed functions of the offices under the department of administration and personnel.

B-Department of Planning, Statistics and Recapitulation

According to discussions with officials, it was revealed that the organizational structure of the department remained unchanged from the Prakas No. 2581 MoSVY dated 08 December 2011 and that from the 55 functions and duties-activities determined in the Prakas, verified against actual implementation, 37 functions and activities have been implemented, ~~and~~ 17 functions and have activities have not been implemented ~~and non-function could be transferred to sub-national level in the future~~. Please see annex 3 – table 2: Actual executed functions of the offices under the department of planning, statistics and recapitulation.

C-Department of Finance and Supplies

According to discussions with officials, it was revealed that the organizational structure of the department remained unchanged from the Prakas No. 1243 MoSVY dated 13 June 2011 and that all 26 functions and 96 activities ~~and duties~~ determined in the Prakas, as verified against

actual implementation, have been implemented. [Please see annex 3 – table 3: Actual executed functions of the offices under the department of finance and supplies.](#)

D-Department of International Cooperation

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 696 MoSVY dated 05 April 2012 and that all 48 functions and [duties-activities](#) determined in the Prakas, as verified against actual implementation, have been implemented ~~and one function could be transfer to sub-national level in the future.~~ [Please see annex 3 – table 4: Actual executed functions of the offices under the department of international cooperation.](#)

4.1.2. General Directorate of Technical Affairs

A-Social Welfare Department

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 2249 MoSVY dated 10 October 2011 and that from the 44 functions and [duties-activities](#) determined in the Prakas, verified against actual implementation, 30 functions [and activities](#) have been implemented, ~~and~~ 14 functions [and activities](#) have not been implemented ~~and 14 functions could be transferred to sub-national level in the future.~~ [Please see annex 3 – table 5: Actual executed functions of the offices under social welfare department.](#)

B-Child Welfare Department

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 225 MoSVY dated 09 September 2011 and ~~that from~~ the [54](#) functions and [duties-activities](#) determined in the Prakas ~~54 functions,~~ verified against actual implementation, 26 functions [and activities](#) have been implemented ~~and,~~ 28 functions [and activities](#) have not been implemented ~~and 7 functions could be transferred to sub-national level in the future.~~ [Please see annex 3 – table 6: Actual executed functions of the offices under child welfare department.](#)

C-Persons with Disability Welfare Department

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 2172 MoSVY dated 09 September 2011 and that from the [61](#) functions and [duties-activities](#) determined in the Prakas ~~61 functions,~~ verified against actual implementation, 52 functions [and activities](#) have been implemented ~~and,~~ 9 functions [and activities](#) have not been ~~implemmentedimplemented~~ ~~and 6 functions could be transferred to sub-national level in the future.~~ [Please see annex 3 – table 7: Actual executed functions of the offices under persons with disability welfare department.](#)

D-Youth Rehabilitation Department

According to discussions with officials, it was revealed that the structure of the department remained unchanged from the Prakas No. 2175 MoSVY dated 14 September 2011 and ~~that all~~ [50](#) ~~the~~ functions and [duties-activities](#) determined in the Prakas ~~50 functions,~~ verified against actual implementation, have ~~all~~ been implemented ~~and 10 functions could be transferred to sub-~~

~~national level in the future. Please see annex 3 – table 8: Actual executed functions of the offices under youth rehabilitation department.~~

E-Elderly People Welfare Department

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 2601 MoSVY dated 09 December 2011 and that from the 34 functions and ~~duties-activities~~ determined in the Prakas, verified against actual implementation, 26 functions [and activities](#) have been implemented, ~~and~~ 8 functions [and activities](#) have not been implemented ~~and 15 functions could be transferred to sub-national level in the future. Please see annex 3 – table 9: Actual executed functions of the offices under elderly people welfare department.~~

F-Veterans Department

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 1858 MoSVY dated 04 August 2011 and that from 54 the functions and ~~duties-activities~~ determined in the Prakas, verified against actual implementation, 40 functions [and activities](#) have been implemented, ~~and~~ 14 functions [and activities](#) have not been implemented ~~and 3 functions could be transferred to sub-national level in the future. Please see annex 3 – table 10: Actual executed functions of the offices under veterans department.~~

G-Department of Anti-human Trafficking and Integration of Victims

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 2081 MoSVY dated 30 August 2011 and that from the 65 functions and ~~duties-activities~~ determined in the Prakas, verified against actual implementation, 41 functions [and activities](#) have been implemented ~~and~~, 24 functions [and activities](#) have not been implemented ~~and 7 functions could be transferred to sub-national level in the future. Please see annex 3 – table 11: Actual executed functions of the offices under the department of anti-human trafficking and integration of victims.~~

4.1.3. Internal Audit Department

According to discussions with officials, it was revealed that the [organizational](#) structure of the department remained unchanged from the Prakas No. 684 MoSVY dated 02 April 2012 and that the functions and ~~duties-activities~~ determined in the Prakas, as verified against actual implementation, have all been implemented.

4.1.4. General Inspectorate

According to discussions with officials, it was revealed that the [organizational](#) structure of the General Inspectorate remained unchanged from the Prakas No. 026 MoSVY dated 21 April 2007 and that the functions and duties determined in the Prakas, as verified against actual execution, have all been implemented.

4.1.5. Cambodian National Council for Children

According to discussions with officials, it was revealed that the [organizational](#) structure of the Cambodian National Council for Children as established by royal decree No.NS/RKT/1209/1201 dated 21 December 2009 remained unchanged at that the functions and [activities](#) at the national and sub-national level determined by the Prakas, as verified against actual implementation, have been implemented.

4.1.6. National Institute of Social Affairs

According to discussion with officials, it was revealed that the [organizational](#) structure of National Institute of Social Affairs as established by sub-decree No. 233 ANKr.BK dated 18 October 2011 unchanged and that the functions and [duties-activities](#) determined by the sub-decree, as verified against actual implementation, have been implemented.

4.1.7. Secretariat of the Disability Action Council

According to discussion with officials, it was revealed that the [organizational](#) structure of Secretariat of the Disability Action Council as established by sub-decree No. 59 ANKr.BK dated 21 June 2010 unchanged and that the functions and [duties-activities](#) determined by the sub-decree, as verified against actual implementation, have been implemented.

4.1.8. Sub-national Level

A-Capital/Provincial DoSVY

The Prakas No. 359 MoSVY dated 16 August 2012 contains 21 functions and activities that apply to all DoSVY. According to discussions with officials from 20 Capital/Provincial DoSVY, it was revealed that the organizational structure and the implementation of functions and activities, as stated in the Prakas, had changed and differed from one DoSVY to another, depending on available resources and the scope of service delivery. Please see annex 3 – table 12: Actual executed functions of the offices under the capital/provincial DoSVY.

B-Municipal, District, Khan DoSVY

The Prakas No. 395 MoSVY dated 06 September 2005 contains 8 functions that apply to all municipalities, districts and Khans. According to interviews with OSVY officials from 20 capital/provinces, it was revealed that the organizational structure and the implementation of functions and activities, as stated in the Prakas, had changed and differed from one municipal, district or Khan to another, depending on available resources and the scope of service delivery. Please see annex 3 – table 13: Actual executed functions of the municipal, district, Khan OSVY.

4.1.9. Public Institution

A-National Fund for Veterans

According to discussions with officials, it was revealed that the [organizational](#) structure of the National Fund for Veterans (NFV) remained unchanged at national level; though, it is not yet enforceable in some provinces, municipalities, districts and Khans. The ~~duties-and~~ functions [and activities](#) of the NFV are stated in the Prakas No. 281 MoSVY dated 11 February 2011, and, as verified against the actual implementation, some functions [and activities](#) have not been implemented.

B-National Social Security Fund for Civil Servants

According to discussions with officials, it was revealed that the [organizational](#) structure of the National Social Security Fund (NSSF) remained unchanged at national level; though, it is not yet enforceable in some provinces, municipalities, districts and Khans. The duties of the NSSF are stated in the Prakas No. 734 MoSVY dated 28 July 2009, and, as verified against the actual implementation, some functions [and activities](#) have not been implemented.

C-Persons with Disability Fund

According to discussions with officials, it was revealed that the [organizational](#) structure of the Persons With Disability Fund (PWDF) remained unchanged from the sub-decree No. 118 ANKr. BK dated 13 September 2010 and Prakas No. 1855 MoSVY dated 03 August 2011 at national level; though, it is not yet enforceable at provincial, municipal, district and Khan levels.

[After discussions with departments and units at the national and sub-national level, the D&D working group updated the individual tables relating to the different departments as indicated under section 4.1 and presented in annex 3, grouping the functions and activities into functions and sub-functions and adding functions and sub-functions from other relevant legal frameworks⁴ \(see annex 1 – table 2\).](#)

4.2 Functions and activities determined by legal frameworks against actual implementation

[After reviewing the Prakas under section 4.1, and looking at annex 1 – table 2, it was revealed that some functions have been implemented and some functions have not, including:](#)

- [1.1.3. Prepare and conduct a training program on emergency relief;](#)
- [1.1.7. Monitor and evaluate the results of emergency and social relief programs.](#)
- [1.2.8. Establish social networks at the commune/sangkat level.](#)
- [1.2.9. Raise awareness on safe migration at the commune/sangkat level.](#)
- [3.1.7. Recruit, train and support families willing to become a domestic adoptive family or foster care family.](#)

4.32. Functions implemented not in legal frameworks

[There are no functions implemented that are not determined in the laws and regulations. The working group listed the functions which could be transferred to sub-national level in the future. Please see annex 1 – table 3: List of functions, not determined in the regulation, being executed and list of functions, determined in the regulation, not being executed.](#)

⁴ ICA Law, Alternative Care Framework, MoSVY Work Platform 2008-2013

CHAPTER 5

Verification of functions determined by law and regulation against key medium-term plans and strategies

5.1. MoSVY Work Platform

Based on the rectangular strategy phase 2, MoSVY continues to increase its intervention in the area of social affairs, aimed at promoting employment opportunities, reducing vulnerability of at-risk and vulnerable groups, assisting the most marginalized in the society, enabling access to social services, promoting rehabilitation and reintegration, promoting equitable socio-economic development. Promoting social welfare is a step-by-step process. It starts with emergency assistance and evolves to the development of a comprehensive social protection system, [based on equal benefit sharing](#), in order to ensure the welfare of all citizens regardless of their financial capacity, ~~taking into consideration that it is the key strategy for equitable benefit sharing~~. In order to respond to the above, MoSVY prepared 5 strategies as part of the 2008 – 2013 work programs, comprising 6 priority areas:

5.1.1. Strengthen and expand social welfare service for at-risk and vulnerable groups:

- Continue to expand emergency and social relief programs to provide assistance to victims of natural disasters and at-risk and vulnerable groups;
- Continue to strengthen activities to address the needs of people living and working on the streets;
- Continue to combat human trafficking and promote reintegration of victims into communities and provide follow-up support;
- Continue to strengthen social centers to ensure that quality services are provided to the victims;
- Strengthen and expand family welfare, and promote the role of families and people in social development. Continue the annual organizing of International family day May 15;
- Increase efforts to provide social services to people affected by HIV and AIDS.;
- Participate in the activities of the National Committee for Disaster Management and continue to support the noble humanitarian movement of Cambodian Red Cross, under the leadership of Lok Chumteav Bun Rany Hun Sen, to address the needs of all victims.

5.1.2. Strengthen and expand child welfare and youth rehabilitation services:

- Continue to strengthen the implementation of the child rights. Continue to implement policies on alternative care and minimum standards for institutional care. Mobilize resources to address the problems of vulnerable children.
- Strengthen state-run orphanages and increase the effectiveness of child-care.
- Strengthen the management of domestic and inter-country adoption-related affairs, and push for the passage of the law on inter-country adoption and law on child rights.

- Strengthen the activities of the Cambodian National Council for Children and community-based child protection networks.
- Promote three-model behavior of children: good child, good student and good friend.
- Organize annual June 1 International Children's Day.
- Strengthen morality education programs to prevent violence, crimes and substance abuse among children and youths.
- Strengthen and expand youth rehabilitation centers.
- Promote the protection of the rights of children in conflict with the law in accordance with the convention on child rights within the justice and judicial systems.
- Encourage sports and camping activities and study tours for children and young people.
- Promote advocacy for the inclusion of children's needs into national development plans at all levels.
- Create the law on children in conflict with the law.

5.1.3. Strengthen and expand welfare and rehabilitation services for people with disabilities

- Continue the implementation of policies for people with disabilities; promote and protect the rights of people with disabilities; and promote the implementation of the international convention on the rights of people with disabilities;
- Continue sustainable rehabilitation services for disabled people;
- Continue to expand Braille and sign language training services for people with disabilities and promote these services through IT systems;
- Promote vocational training, provide jobs and community services as well as encourage a movement of self-help for people with disabilities;
- Continue to strengthen and expand the disabled persons sports movement, and organize sports and international events for people with disabilities;
- Continue promoting advocacy for the inclusion of the needs of people with disabilities into development plans at all levels;
- Strengthen the Disability Action Council;
- Push for the passage of the law on the protection and promotion of the rights of people with disabilities;
- Push for the ratification of the United Nations Convention on the Rights of People with Disabilities and Convention No. 159 of the International Labor Organization (ILO).

5.1.4. Strengthen and expand the social security system and welfare services for elderly, civil servants and the general people

- Strengthen the provision of pensions for retired civil servants and expand the pension scheme according to the availability of the national budget;
- Promote the implementation of the national fund for social security for civil servants;
- Research and establish the social safety nets for people from all walks of life including traders, entrepreneurs, farmers, laborers etc. and prepare a comprehensive law on social safety nets;

- Provide support services to the elderly; organize the October 1 Elderly International Day; establish retired civil servants' associations and elderly associations in communities; and encourage families and communities to support helpless elderly.

5.1.5. Strengthen and expand social protection system and welfare services for veterans

- Continue to implement national policies for veterans to recognize the good deeds of veterans who have made sacrifices for the country.
- Increase the salary of veterans in proportion with the increase of salary for civil servants and armed forces;
- Continue reforms in the management and provision of salary for veterans to ensure effectiveness;
- Prepare law and regulations on national funds for veterans.
- Construct veterans' villages using the model of veterans' houses recommended by Samdech Akka Moha Sena Padei Techo Hun Sen.
- Promote and implement development projects for veterans at the commune/*sangkat* level.
- Continue to strengthen the operations of the Cambodian Veterans' Association.
- Promote the three good principles of veterans: good use of salary, building a good family and good participation in local development.

5.1.6. Strengthen and expand institutional capacity, partnership, fundraising capacity to increase the effectiveness of social services

- Strengthen the effectiveness and quality of the social affairs administration in providing social services. Strengthen good governance and increase the effectiveness of work through the enforcement of internal rules. Promote the management of civil servants in accordance with the co-statutes of civil servants and the principles for public administrative reforms and increase the quantity and quality of officials in the priority clusters. Enhance the capacity of civil servants through training courses and establish a national institute of social affairs. Increase the cadre of district/*khan* and municipal officials and increase the number of women civil servants at all levels.
- Monitor and evaluate the implementation of action plans and other programs assigned by the ministry. Establish a statistical system for the social affairs sector based on the six priorities of the ministry. Promote the utilization of information technology (IT) and disseminate information on the work done. Continue to implement decentralization and de-concentration policy reforms through the integration of social work into the development plans and investment programs of communes/*sangkats*. Prepare and adjust public investment projects according to the ministry's priorities.
- Strengthen public financial management and public procurement reforms to comply with the financial laws; strengthen the management of movable and fixed properties of the state; and inventory the state properties effectively and transparently. Prepare regulations on the use of budget for more effective provision of social services according to the above-mentioned six priorities.
- Strengthen partnerships with non-governmental organizations, national and international humanitarian organizations and other generous people to seek technical,

material and financial support for providing social services to victims and vulnerable groups in society. Strengthen and expand bilateral and multilateral international cooperation and call on development partners involved with social work to provide support and participate in the implementation of the ministry's work plan.

- Push for the establishment of an inspection and internal audit working-group within entities in the central administration and in provinces/municipalities.

5.2. National Strategic Development Plan Updates

In order to implement priority policy of the royal government to strengthen the social safety net and promote social protection, MoSVY integrated the 6 work programs into the national strategic development plan 2009 – 2013.

5.3. Verification of functions determined by law and regulation against the plan

The working group has verified the policy and the 5 strategies and 6 areas of priority against the regulation, and it was proved that all of the functions are stated in the regulation and are in line with the policy and strategic framework. Therefore, there is no data listed in table 4: list of functions determined in the policy framework and medium term strategic plan, and not determined in the regulation, and functions determined in the regulation but not in line with policy framework and medium term strategic plan of annex 1.

CHAPTER 6

Recapitulation of the List of General Functions

6.1. Recapitulation of function from step 2 to step 4

From step 2 to step 4, the working group conducted verification and organized a number of functions which include:

1. Functions determined by laws and regulations and being executed in line with policy frameworks and medium term strategic plans,
2. Functions being executed in line with policy frameworks and medium term strategic plans, and not determined by laws and regulations,
3. Functions determined in policy frameworks and medium term strategic plans, but not determined by laws and regulations.

6.2. List of General Functions

After the recapitulation from step 2 to step 4, the working group organized a list of functions which are listed in table 5:

1. Functions stated in laws and regulations and executed,
2. Functions executed, but not stated in laws and regulations, and
3. Functions determined in the policies and strategic frameworks, but not stated in the laws and regulations.

[Please see annex 1 – Table 5: List of general functions.](#)

CHAPTER 7

Data of Personnel Matched against the Functions

7.1. Personnel Data

Table 6.1 shows the detailed personnel data of MoSVY divided into three levels – the national level “Ministry”, the sub-national level “capital/provincial level or DoSVY” and the municipal, district, Khan level or OSVY”.

Table 1: MoSVY aggregated personnel data

Unit	Male	Female	Total	Number by level of education ⁵				Number by type of framework			
				1	2	3	4	A	B	C	D
Ministry	351	183	534	77	101	286	70	260	113	91	70
DoSVY	417	261	678	267	129	206	74	90	283	126	179
OSVY	260	79	339	165	71	46	28	11	107	106	115
Total	1,028	523	1,551	509	301	538	172	361	503	323	364

Note: Personnel data as of October 2012

7.2. Analysis of MoSVY Personnel data as of October 2012

A-Personnel data at the national level

Currently, there are 534 staff members at national level, 351 of whom are male and 183 of whom are female, executing a number of functions in the areas of: 1-Social welfare for the at-risk and vulnerable groups; 2-Anti-human trafficking and reintegration of victims; 3-Child welfare: oversight, coordination and service delivery; 4-Youth rehabilitation; 5-Promoting Welfare and rehabilitation of persons with disabilities; 6-Strengthen and expand the social security system and welfare services for elderly, 7-Strengthen and expand the social security system and welfare services for veterans and 8-Strengthen institutional capacity, Partnerships and fund-raising capacity. [Please see annex 1 – Table 6.1: Personnel data at national level.](#)

⁵ 1 = below lower secondary school, 2 = upper secondary school, 3 = diploma or bachelor degree, 4 = post graduate

Table 2: Summary of personnel data at national level by function

No.	Function	No. of Personnel			% Against Total
		M	F	Total	
1	Social welfare for at risk and vulnerable groups	12	10	22	4.2
2	Anti-human trafficking and reintegration of victims	5	10	15	2.9
3	Child welfare: oversight, coordination and service delivery ⁶	37	41	78	14.9
4	Youth rehabilitation	27	6	33	6.3
5	Promoting welfare and rehabilitation of persons with disabilities ⁷	102	41	143	27.3
6	Strengthen and expand the social security system and welfare services for elderly ⁸	25	14	39	7.5
7	Strengthen and expand the social security system and welfare services for veterans ⁹	39	13	52	9.9
8	Strengthen institutional capacity, Partnerships and fund-raising capacity ¹⁰	95	46	141	27.0
Total		342	181	523	100.0

Note: This data is exclusive of the management of the ministry and the two general departments 11 pers.

B-Personnel data at capital/provincial DoSVY and municipal, district, Khan OSVY

There are 678 DoSVY staff members at the sub-national level, 417 of whom are male and 261 of whom are female. Other 339 staff members can be found in the 194 OSVYs, 260 of whom are male and 79 whom are female total **1,017** persons. They are involved in the implementation of functions in their respective jurisdictions¹¹ that are concerned with the delivery of social services. The functions being executed include: 1-Social welfare for at-risk and vulnerable groups; 2-Child welfare & Youth rehabilitation; 3-Retirement pensions; 4-Welfare of Veteran and 5-Centers. The OSVY staff is limited number so they implement multi-function, it could not identify cleared functions: [Please see annex 1 – Table 6.1: Personnel data of capital/provincial DoSVY and municipal, district, Khan OSVY.](#)

⁶ Child welfare and Secretariat of CNCC

⁷ Welfare of People With Disability, Disable Action Council and Person With Disability Fund

⁸ National social security fund for civil servants and welfare of elderly

⁹ National fund for veterans and Veteran

¹⁰ Administration & personnel, planning, finance, international cooperation, inspector, internal audit and national institute of social affair

¹¹ Capital/provincial DoSVY received functional delegation from MoSVY to deliver social services.

Table 3: Summary of personnel data at sub-national level by function

No.	Function	No. of Personnel			% Against Total
		M	F	Total	
1	Administration and Personnel	47	31	78	14.2
2	Finance and planning	43	28	71	12.9
3	Social welfare	27	16	43	7.8
4	Child welfare and youth rehabilitation	36	23	59	10.7
5	Retirement pensions	19	20	39	7.1
6	Veterans	44	30	74	13.5
7	Drug rehabilitation center	4	0	4	0.7
8	Spinal Cord Injury rehabilitation center	7	8	15	2.7
9	Physical Rehabilitation Center	19	9	28	5.1
10	Orphan Center	21	37	58	10.6
11	Rehabilitation Center	42	16	58	10.6
12	Vocational development center for People with disability	2	0	2	0.4
13	Social Center	2	4	6	1.1
14	Po Senchey Vocational Training Center	2	4	6	1.1
15	Center for children with deaf and un-hearing	4	4	8	1.5
	Total	319	230	549	100

Note: This data is exclusive of the management of the DoSVY director and deputies 129 pers.

Table 4: Aggregated personnel data at the level of capital/provincial DoSVY

No.	DoSVY	Number of personnel		
		Male	Female	Total
1	Banteay Mean Chey	14	3	17
2	Battambang	39	29	68
3	Kompong Cham	18	17	35
4	Kompong Chhnang	19	12	31
5	Kompong Speu	32	27	59
6	Kompong Thom	22	21	43
7	Kompot	12	9	21
8	Kandal	17	14	31
9	Kep	8	6	14
10	Koh Kong	13	0	13
11	Kratie	14	7	21
12	Mondol Kiri	2	3	5
13	Odar Mean Chey	9	3	12
14	Pailin	10	9	19
15	Phnom Penh	25	27	52
16	Preah Sihanouk	15	2	17
17	Preah Vihear	12	6	18
18	Prey Veng	21	7	28
19	Pursat	22	6	28
20	Ratanak Kiri	12	3	15
21	Siem Reap	25	20	45
22	Steung Treng	6	4	10
23	Svay Rieng	14	14	28
24	Takeo	36	12	48
Total		417	261	678

Source: 24 Capital/provincial DoSVY

Table 4: Aggregated personnel data at the level of municipal, district, Khan OSVY

No.	Provinces	Number of municipality, district, Khan	Number of personnel		
			Male	Female	Total
1	Banteay Mean Chey	9	8	2	10
2	Battambang	14	29	4	33
3	Kompong Cham	17	42	6	48
4	Kompong Chhnang	8	18	4	22
5	Kompong Speu	8	16	4	20
6	Kompong Thom	8	16	5	21
7	Kompot	8	12	4	16
8	Kandal	11	12	6	18
9	Kep	2	0	0	0
10	Koh Kong	7	1	0	1
11	Kratie	6	2	0	2
12	Mondol Kiri	5	1	0	1
13	Odar Mean Chey	5	2	1	3
14	Pailin	2	3	1	4
15	Phnom Penh	9	12	17	29
16	Preah Sihanouk	4	1	0	1
17	Preah Vihear	8	7	1	8
18	Prey Veng	13	29	5	34
19	Pursat	6	7	6	13
20	Ratanak Kiri	9	0	0	0
21	Siem Reap	12	15	5	20
22	Steung Treng	5	3	0	3
23	Svay Rieng	8	11	5	16
24	Takeo	10	13	3	16
Total		194	260	79	339

Source: 24 Capital/provincial DoSVY

7.3. Preparation of list of personnel by function and sub-function

The working group reviewed the personnel data at national and sub-national level in table 6.1 and verified the data against the data in table 5 'the list of functions'. After consultation with all relevant units at both the national and sub-national level, the working group obtained the personnel data from table 6.1: national level implementing functions and sub-functions included in table 6.2A and obtained personnel data from table 6.1 for sub-national level to be included in table 6.2B for provincial DoSVY and 6.2C and 6.2D for municipal, district, Khan DoSVY. [Please see annex 1 – table 6.2A, 6.2B, 6.2C, 6.2D](#) and detailed MoSVY personnel data by function as of October 2012. [Please see annex 1 – table 6.2: detailed MoSVY personnel data by function as of 2012.](#)

CHAPTER 8

Government Financial Data Matched Against the Functions

8.1. Financial Data

Table 7.1 shows the aggregated financial data for the years 2009 through 2011 allocated by the government to MoSVY. Based on actual annual expenditures, the budget was divided in 3 categories including: (i) Personnel expenses (ii) Non-personnel expenses (iii) Capital expenses [Please see annex 1 – table 7.1: MoSVY Expense \(financial form\).](#)

8.2. Financial Data Analysis

A-National Level

According to table 5 above for the national level, personnel expenditures have increased throughout the years – 3,198,635,090 Riels in 2009, 3,305,841,680 Riels in 2010, and 3,428,074,130 Riels in 2011. Non-personnel expenditures increased as well – 12,755,029,071 Riels in 2009, 15,466, 224,823 Riels in 2010, and 28,905,460,577 Riels in 2011. There is no data available related to capital expenses.

Table A- Financial Data at the Ministry Level

Expense	2009 (Riels)	%	2010 (Riels)	%	2011 (Riels)	%
Personnel Expenses	3,198,635,090	20.05	3,305,841,680	17.61	3,428,074,130	10.60
Non-Personnel Expenses	12,755,029,071	79.95	15,466,224,823	82.39	28,905,460,577	89.40
Total	15,953,664,161	100	18,772,066,503	100	32,333,534,707	100

According to the analysis and internal consultations, it was revealed that non-personnel expenditures focused on the 6 priority work programs of the Ministry as indicated in chapter 5, point 5.1 (B).

B. Sub-national Level

According to table 2, 3 and 4 for the sub-national level, personnel expenditures increase throughout the years – 155,706,516,446 Riels in 2009, 189,694,787,216 Riels in 2010, and 230,050,947,358 Riels in 2011. Non-personnel expenses increased as well from 2009 to 2010, but decreased again in 2011 – 24,874,749,752 Riels in 2009, 29,274,829,094 Riels in 2010, and decreased in 2011 to 19,094,798,341 Riels. There is no data available related to capital expenses. [Please see annex 1 – table 7.1: Add table 7.1: 1-24 for capital/provinces.](#)

Table B - Financial Data at the Capital/Provincial DoSVY

Expense	2009 (Riels)	%	2010 (Riels)	%	2011 (Riels)	%
Personnel Expenses	155,706,516,446	86.23	189,694,787,216	86.63	230,050,947,358	92.34
Non-Personnel Expenses	24,874,749,752	13.77	29,274,829,094	13.37	19,094,798,341	7.66
Total	180,581,266,198	100	218,969,616,310	100	249,145,745,699	100

According to the analysis and internal consultations with officials at the capital/provincial DoSVY level, it was revealed that personnel expenditures exceeded non-personnel expenditures. Non-personnel expenses focused on the implementation of the 6 priority work programs in accordance with the level of resources available at each province. Non-personnel expenses could not be separated by function as it follows the budget line. The expenses at municipal, district and Khan level are under the management of DoSVY and there is no separate budget available.

Based on the analysis of the data and on internal discussions it was clearly indicated that MoSVY expenses are not program-based, but done through budget line; therefore, the working group was not able to fill out [table 7.2: Ministry's central level expense by program/sub-program 2009, 2010, 2011](#) and [table 7.3: Ministry's expense by function](#). Please see annex 1.

8.3. Assets/Equipments

MoSVY and DoSVY prepared a report and table to see if state assets increased or decreased each year. The data shows the in-kind state assets being used and managed by the Ministry to execute its daily functions.

A-Ministry

According to the state asset comparative report and table 2011¹², MoSVY possesses land with a total size of 105,797 square meters, 36 buildings, 23 cars, 3 motorbikes and several other equipment and furniture. These are presented in the state asset comparative report and table 2011.

B-Sub-national Level

Based on consultations with sub-national skilled officials, it was revealed that the capital/provincial DoSVY possesses assets as land, buildings, technical materials, vehicles and machinery, equipment and furniture in accordance with the size and scope of each respective capital/province to serve social service delivery. A comparative report on state assets is developed on an annual basis. A detailed report may be found at the capital/provincial DoSVY during the transfer of function.

¹² (1) Circular No. 001 SHV.TR dated 20 January 2005 of the Ministry of Economy and Finance, (2) Prakas No. 148 MoSVY dated 13 March 2009

CHAPTER 9

Development Partner Financial Data Matched Against the Functions

9.1. Grant Data

A few development partners transfer funds to the MoSVY budget to strengthen the institutional capacity. For example, UNICEF provided an annual budget of 2,373,248.75 USD and AusAID of 473,225 USD over three years (2010-2012), totaling 2,846,473.75 USD **ADD GLOBAL FUND**.

Another total number of 187 national and international organizations entered into an MoU with MoSVY to implement service delivery projects in relation to: 1-Social welfare for the at-risk and vulnerable groups; 2-Anti-human trafficking and reintegration of victims; 3-Child welfare and youth rehabilitation; 4-Welfare and rehabilitation of persons with disabilities; 5-Welfare for the elderly. Support is provided in target provinces with an annual budget of USD 52,823,829 over three years (2010, 2011 and 2012). The total 3-year budget thus accounts for 158,471,487 USD. These organizations directly implement their programs projects in cooperation with DeSVY and do not transfer funds to the MoSVY budget.

9.2. Analysis of financial data matched against functions

The data for table 8.1 was obtained from Cambodian development partners as well as from data records at the Ministry (data recorded in the MoU's entered into between national and international non- governmental organizations from 2010-2012). Due to some development partners' projects and programs of the non-governmental organizations are multi-purpose. Nevertheless, the working group conducted a data analysis and support to projects and programs could be matched against the functions and sub-functions. Please see annex 1, table 8.1 and 8.2.

CHAPTER 10

Experiences Related to Decentralization and De-concentration and Agreements Entered into with the Private Sector and Civil Society

10.1. Introduction

In this chapter, documents related to the initiatives of MoSVY to date in relation to the decentralization and de-concentration reform have been compiled. Information was mainly obtained through internal consultations with officials at national and sub-national level, and through consultations with development partners and key project managers. To date based on decentralization and de-concentration experiences, MoSVY have experience only to transfer functions through delegation in order to strengthen capital/provincial DoSVY.

10.2. Experiences

A-Decentralization and De-concentration of Functions

Through the analysis it was revealed that MoSVY de-concentrated “delegated” many functions to the capital/provincial DoSVY level related to the delivery of services in areas including:

- Social welfare for at-risk and vulnerable groups
- Child welfare and youth rehabilitation
- Welfare and rehabilitation for persons with disabilities
- Welfare for the elderly
- Welfare for Veterans
- Social security schemes for veterans and civil servants etc.

In general, the technical departments of the Ministry assist the capital/provincial DoSVY level in terms of technical issues and disseminate various regulations for officials for the professional and effective delivery of services. However, the Ministry does not have any experiences in relation to “decentralization”. Recently, the ministry has released a Prakas No. 2280 MoSVY, dated 11 October 2011, on the procedure to implement the policy on alternative care for children, which plans to “decentralize” functions from the national level to sub-national level, including to the commune/Sangkat council.

B-Contract with private sector and social organization

Reference to the consultation with relevant officers and review legal framework, MoSVY did not have experience with contractual to private sector or social organizations.

CHAPTER 11

Summary of Information Collected from step 1 to step 9 and Conclusion

11.1. Summary of Information

Two important objectives of the functional mapping include: (i) Determine functions and sub-functions of MoSVY (ii) Make a list of these functions and sub-functions verified against human and financial resources by the government and those provided by development partners. The functional mapping process is described in chapters 3, 4, 5 and 6. The resource analysis is outlined in chapters 7, 8 and 9. Chapter 10 covers current experiences related to decentralization and de-concentration implemented by MoSVY. Chapter 11 touches up on the summary of information collected from phase 1 to 9 and the conclusion.

11.2. Conclusion

- The functional mapping of MoSVY is the first process following sub-decree No. 68 ANKr.BK and the guideline on functional mapping of ministries, institutions, departments, units and authority at all levels. Despite the fact that the Ministry had completed a preliminary report which was submitted to the NCDD previously; a lot of challenges were faced by the decentralization and de-concentration working group during this functional mapping as data needed to be collected from both the national and sub-national level to be able to fill in all the tables following the guideline in the final version of the NCDD guidelines on functional mapping, which were only adopted after the preliminary report had been finalized.
- The level of understanding by officials at the national and sub-national level on decentralization and de-concentration and the functional mapping is still limited; therefore, the working group had to spend a lot of time for consultation and explanation about the functional mapping and collection of the necessary data.
- There have been challenges determining functions and sub-functions of the departments and subordinates under the Ministry as the sub-decree and Prakas on the preparation and functioning of the Ministry, departments and their subordinates are divided into articles “functions and duties”. The former led to confusion between functions and duties.
- Data on finance allocated by the government for the Ministry to execute its functions and duties cannot be analyzed by function as it is done by budget line; therefore, there is no data available to fill in some of the tables.
- Financial data of development partners and non-governmental organizations was easy to analyze by function as the expenses are based on functions. Though, development partners and non-governmental organizations only have MoU's with the Ministry and

still manage their own budget with the exception of UNICEF who provided its budget to the ministry directly to manage its own functions.

- Consultations with officials at the national and sub-national level including the municipal, district and Khan councils and the functional review workshop held on 19 December 2012, revealed that a number of functions currently under the jurisdiction of the Ministry, capital/provincial DoSVY and municipal, district and Khan DoSVY can be transferred to sub-national administration in the future.
- A number of functions under the jurisdictions of the Ministry, capital/provincial DoSVY and municipal, district, Khan DoSVY have already been executed by sub-national administration; though, it is not clear in terms of responsibilities and human and financial resources. Service delivery by social workers is still limited at the capital and provincial level due to resource constraints (skilled officials, budget and equipment). Most service delivery relies on national and international non- governmental organizations and development partners.

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Table	Actual functions to be executed, functions not executed and possibility of transfer
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