



INTRODUCTION TO THE CAMBODIAN SPATIAL PLANNING SYSTEM

SPATIAL PLANNING SERIES No. 1

**Ministry of Land Management, Urban Planning and Construction
General Department of Land Management**

June 2016

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This Handbook is dedicated to the late

Dr. Franz-Volker Müller

born August 3, 1950

deceased March 22, 2015

**for his outstanding support to land management
and land rights recognition in Cambodia.**



Supported by GIZ Land Rights Programme II

FOREWORD

The Kingdom of Cambodia is home to an increasing population of more than 15 million people. Whereas a majority of the population live mainly from agriculture, the relation of our society to our land has changed considerably in the recent past. The urban population increases relatively faster than the population in rural areas, which strengthens the challenges of job creation, provision of public services and the construction of a Cambodian urban identity.

Transport infrastructures have quickly improved, accessing and connecting not only the capital but many areas throughout the country, fueling economic growth. Dynamic domestic and cross-border migration flows challenge local and national governance and transform the relations of people and land-based resources. While we recognize that past development has affected our forest and other natural resources, we strive to preserve the environment that we all depend upon.

The many uses and functions of land are governed by different ministries and addressed in sector policies and plans. To strike a balance between the often competing uses and functions and to provide for a sustainable territorial development is the purpose of spatial planning. Therefore the Royal Government of Cambodia through the Council of Ministers approved the National Policy on Spatial Planning (April 08, 2011) and mandated the National Committee for Land Management and Urban Planning (NCLMUP) - with the MLMUPC as its secretariat - as the lead agency to implement spatial planning in Cambodia. It is important to emphasize that spatial planning agencies are not stand-alone but are linked to the existing sector and cross-sector planning institutions that articulate sub-national 5-year development and yearly investment plans.

Whereas NCLMUP and the respective sub-national committees are established, it is clear that existing experiences on spatial planning are still limited in the country. It is for this very reason that the MLMUPC embarked on the formulation of sub-national spatial planning handbooks that provide an overall direction, specific procedures as well as practical knowledge and advice based on spatial planning processes that have been piloted across the country in cooperation with GIZ.

These handbooks form a common basis for planners to follow, draw and exchange upon. They are a considerable contribution to an enabling framework for participatory spatial planning and thus for the sustainable territorial development of Cambodia's future.

Senior Minister

Minister of Land Management, Urban Planning and Construction, and
Chairman of the National Committee for Land Management and Urban Planning

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LIST OF ACRONYMS

CDP	Commune Development Plan
CDC	Council for Development of Cambodia
CEMAT	European Conference of Ministers responsible for Spatial/Regional Planning
CMDP	Community Managed Development Partners (NGO)
CWG	Core Working Group (under Municipal Working Group for Urban Planning)
CLUP	Commune Land Use Plan
D&D	Democratic Development (previously Decentralization and Deconcentration)
DCLMUP	District Committee for Land Management and Urban Planning
DED	Deutscher Entwicklungsdienst (German Development Service)
DLUMP	District Land Use Master Plan
DP	Detailed Plan
DSDP	District Strategic Development Plan
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit mbH
ISIC	International Standard Industrial Classification of All Economic Activities
LLMUP	Law on Land Management and Urban Planning
LMUP	Land Management and Urban Planning
LMUP-C	Land Management and Urban Planning Committee
LMUP-WG	Land Management and Urban Planning Working Group
LUMP	Land Use Master Plan
LRP II	Land Rights Program II (by GIZ)
LUP	Land Use Plan
M&E	Monitoring and Evaluation
MCLMUP	Municipal Committee for Land Management and Urban Planning
MIP	Municipal Investment Program
MLMUPC	Ministry of Land Management, Urban Planning and Construction
MLUMP	Municipal Land Use Master Plan
MOI	Ministry of Interior
MPLUP	Master Plan and Land Use Plan
MSDP	Municipal Strategic Development Plan
MSLWG	Municipal State Land Working Group
NCDD	National Committee for Sub-National Democratic Development
NCLMUP	National Committee for Land Management and Urban Planning
NGO	Non-Governmental Organization
NSDP	National Strategic Development Plan
PCLMUP	Provincial Committee for Land Management and Urban Planning
PDLMUPC	Provincial Department of Land Management, Urban Planning and Construction
PIP	Public Investment Program
PSLMC	Provincial State Land Management Committee
PSP	Provincial Spatial Plan
RGC	Royal Government of Cambodia
SFT	Sangkat Field Team
SNEC	Supreme National Economic Council
SWOT	Strengths, Weaknesses, Opportunities and Threats

1 SUB-NATIONAL SPATIAL PLANNING HANDBOOKS: AN INTRODUCTION

The spatial planning system in Cambodia distinguishes national and subnational level, the latter comprising province (and capital), municipality (and khan) and district as well as commune and sangkat. While there is tangible experience as well as guidance for commune level land use planning (CLUP), there is very little on the other two sub-national planning levels. With support from GIZ, two provinces embarked on piloting of provincial spatial planning, while four municipalities and two districts commenced land use master planning. The experiences from these planning processes fed into the formulation of this series of spatial planning handbooks. The series aims to provide a clear procedure but also practical knowledge and advice for those in charge of carrying out such processes in the future.

The handbooks aim to provide a common standard for the different planning processes, thus supporting effective participation, technically sound analysis and planning as well as some institutional vigor for the many planning working groups, which have not yet endeavored to commence spatial planning for their territories. The handbooks are no training manuals, but they do contribute to building capacities in sub-national spatial planning with the many examples included and the clear explanation of steps and tasks to be carried out.

The pilot processes having informed these handbooks were supported by external advisors, who accompanied the planning teams and processes from the start to the end. The handbooks have been formulated in a way that they directly address planning officers of spatial planning committees and working groups, but external advice is often helpful and sometimes inevitable. To the extent feasible, this need and options to address capacity constraints, have been mentioned in the handbooks.

1.1 Background

Spatial planning refers to the methods and instruments used by agencies of the public sector to influence the distribution of people and activities in spaces of various scales. It is an instrument to enable decision makers to take spatially differentiated decisions about the future development of a territory: land use management, development of physical or social infrastructures, protection of resources, etc. Spatial Planning is increasingly recognized as an indispensable tool for sustainable development.

Spatial planning is a rather old discipline, yet relatively new to Cambodia. In conformity with the policy to promote political decentralization and administrative de-concentration initiated in the early 2000s, the Royal Government of Cambodia has developed a set of legal documents and policies to serve as foundations for spatial planning at sub-national levels (province, district and municipality). Laws, implementation sub-decrees and detailed procedures for spatial planning have been drafted and [in part] approved to support the development of sub-national spatial planning at provincial, district and municipal levels.

The series consists of three main documents. This introduction presents the role, the institutional framework, key principles and the scope of sub-national spatial planning. A second handbook is then dedicated to the Provincial Spatial Planning processes and a third handbook addresses the District and Municipal Land Use Master Plan. This third handbook also includes Land Use Planning in municipalities and urban centers of districts.

1.2 Purpose of the handbooks

These spatial planning handbooks aim to guide the formulation of spatial plans at sub-national level, to improve their quality and to provide a basis for building capacity of spatial planners in Cambodia. The handbooks shall serve as reference that should enable spatial planning practitioners (planning officers as well as potential advisors or trainers) to do spatial planning on the ground and authorities to make informed decisions. They shall inform and complement the official procedures approved at ministry level by presenting a stepwise process that includes the necessary tasks to be undertaken and the desired outputs to be produced. It is conceived as a refer-

ence document easy to consult for quick orientations concerning the spatial planning process. It shall stimulate the understanding and creativity of planners to reflect on the specificities of the areas where they are engaged.

1.3 How to use the handbooks

The drafting of these handbooks commenced at a time when spatial planning was still at its infancy in Cambodia. Existing capacities and learning opportunities on spatial planning remain limited, particularly at the sub-national level. In consequence, the handbooks are not conceived as a theoretical manual but rather as an enabling instrument to engage in simple but meaningful spatial planning as a step-by-step approach. External support might still be needed, but it is mostly within the capacity of a well-trained provincial, district or municipal working group to tackle the steps and tasks proposed in these handbooks.

The main addressees of these handbooks are the provincial, municipal and district land management and urban planning committees and working groups. Furthermore, they address organizations interested to support or engage in spatial planning processes, as well as government officials of concerned sectors, in particular those in charge to support the formulation of the five year development plans. It is finally also serving as an orientation for concerned stakeholders interested in understanding the concept, components and mechanism of spatial plans.

1.4 The structure of the handbooks

The provincial spatial planning handbook is structured in six main steps each including several tasks; each task is detailed in activities/methods, participants, inputs, tools and desired outputs. Indication of duration for each task is also provided. Generally, it comprises a preparation or inception phase, then embarking on a comprehensive situation analysis followed by a predication and suggestion of likely and desired future developments, complemented by strategies linking the current situation with those future developments. These steps are followed by activities in support of the implementation of the plan and eventually the approval process.

The handbook on district and municipal land use master planning and land use planning follows the same type of structure though the number of steps for both land use master planning and land use planning has been adjusted to those foreseen by the detailed procedure for the development of the Municipal, District and Khan Land Use Master Plan and Land Use Plan (NCLMUP 2013). The particularity of this handbook is to propose an integrated planning approach for districts and municipalities. This choice is grounded in several rationales. Land use in each and every district and municipality in the country is not exclusively rural or urban. Their territories consist of a mosaic of urban and rural forms of land use, though their relative importance and balance vary from place to place. Specific spatial planning approaches and focuses need to be applied to urban and rural areas respectively, but need to interact and influence each other; these linkages lie at the heart of district and municipal spatial planning and form a main reason why this handbook integrates land use master planning approaches and procedures. Given the fact that land use planning is framed and guided by land use master planning, the procedures for the [urban] Land Use Plan are logically integrated in this handbook, as the continuation of land use master planning procedures.

2 THE ROLE OF SUB-NATIONAL SPATIAL PLANNING

The goal of spatial planning is to integrate the different, sometimes competing, uses of land towards a balanced territorial development and physical organization of space (CEMAT 2007). Spatial planning is an instrument usually endorsed by the public sector [territorial administrations] that serves as a reference for anybody with a stake in the territorial development: the population and their community-based organizations, the governmental institutions, the development partners and the private sector.

2.1 Objectives of sub-national spatial planning

In the context of rapid modernization and socio-economic development, spatial planning is an important process that can address the challenges and harness the existing and emerging opportunities for development. Spatial planning needs to be conceived as a process that contributes to sustainable development:

- To promote economic efficiency: enhance economic activities, create wealth and added value in all economic sectors and raise standards of living;
- To guarantee social justice and inclusiveness: ensuring that the needs of all people are met now and in the future and reduce social disparities between and within regions. This requires to particularly pay attention to the most vulnerable groups in society and accessibility for all to basic public services and infrastructures;
- To ensure environmental sustainability: protecting natural resources which are important for the territorial reproduction and sustainability and enabling the use of natural resources within their regenerating capacity;
- To safeguard the cultural identity: protect elements of heritage, traditions and built or natural cultural landscape that have a meaningful value to the local people.

2.2 Challenges and opportunities of sub-national spatial planning

The land use systems that form the basis for food security and economic development in Cambodia have changed dramatically over past decades. Under the influence of different social, political and ecological drivers, these changes comprise a diversity of processes that have interacted across multiple scales:

- High levels of deforestation have been reported (Hansen et al. 2013; Save Cambodia's Wildlife 2014), as well as land degradation resulting from poor soil conservation practices (Bai et al. 2008; Seng 2014), and a decline in aquatic habitat quality and thus yield per fisher (Baran 2005);
- A vast movement of agrarian colonization from lowland rice plains to uplands associated with lowland-upland migration (Diepart, Pilgrim, and Dulioust 2014) has contributed to redistribute the population in the entire country and create new demands for physical and social infrastructures;
- There is a diversification of cropping systems to annual and perennial crops, mostly as a result of new market drivers. New forms of agricultural development are emerging with stronger reliance on external large-scale investments, which now co-exist with a family farming sector, often in a conflicting manner;
- All across Cambodia, urbanization is taking roots: population growth in urban centres is rapid and expansion of urbanized areas is associated with increasing need for services, settlements and employment. Urbanization is also associated with new environmental challenges and new forms of social exclusions. On the positive side, it also promotes economic growth and innovations as well as poverty alleviation.
- Industrialization is on the move, also in rural areas, which creates conflicting demand for land, causing relocation of population, emergence of new settlement areas and need for infrastructures;
- The gradual change in our climate, usually manifested through modifications (intensification)

in the water cycle, induces changes in ways people engage in agriculture and increases the risk of natural disasters in rural and urban areas (floods, droughts, storms, and so on) and with it, new forms of vulnerabilities are emerging.

However, Cambodia is located in a highly dynamic region that has witnessed sustained economic growth over the past 15 years. National and foreign investments, local and innovative economic development initiatives are flourishing. The diversification of the agricultural sector offers also new directions in development. Institutionally, the decentralization and de-concentration process is bringing more political and administrative responsibilities and functions to sub-national levels, and with it increasing budgets for financing development measures and infrastructures. Development opportunities are real and need to be grasped in ways that benefit the entire population.

3 FRAMEWORK FOR SUB-NATIONAL SPATIAL PLANNING IN CAMBODIA

3.1 Legal and policy framework

The emerging legal and policy framework, which serves as a cross-sector reference for the development of sub-national spatial planning, rests on two main pillars: the Land Reform and the Democratic Development Reform.

3.1.1 Land reform

Since 2015, the National Land Policy or White Paper (Council for Land Policy 2015) is the prime policy document in the sector. As part of the land management sub-sector, the land policy foresees that based on the ground of the Law on Administrative Management of Capital, Provinces, Municipalities, Districts, Khans, and the Law on Administrative Management of Communes/Sangkats, competent authorities take initiative, arrange, coordinate, and approve Spatial Planning comprising four administrative levels namely: National/Regional, Capital/Provincial, Municipal/District/Khan and Commune/Sangkat levels.

The National Policy on Spatial Planning of the Kingdom of Cambodia, adopted by the Council of Ministers on 08 April 2011, is the key document to support sub-national spatial planning system (Royal Government of Cambodia 2011). It provides a clear vision, goals and strategic objectives for spatial planning in Cambodia, namely:

- Territorial development in Cambodia;
- Determination of central places, settlement priorities, development poles and development axes;
- Planning and management of economic development and employment opportunities;
- Planning of social and cultural infrastructure;
- Planning and management of natural areas which support life;
- Planning and management of agricultural land, forestry, fisheries, industry, mines, energy and conservation area;
- Planning of technical infrastructure and services.

It also specifies the mechanisms, preparation and hierarchy of spatial plans at national to sub-national levels.

So far, the 1994 Law on Land Management and Urban Planning (LLMUP) is the most relevant piece of legislation for spatial planning (Royal Government of Cambodia 1994). It paves the way for provinces, cities and municipalities to draw up their own development master plans for the re-organization and development of their respective territory. Presently, this Law is under revision and will provide a more comprehensive and detailed legal basis for land management and urban planning in the future. To what extent spatial planning safeguards, implementation instruments and incentives will already be part of this law or have to be developed subsidiary to it, still remains to be seen.

The LLMUP is complemented and further operationalized through the Sub-Decree No. 42 ANKR. BK (Royal Government of Cambodia 2015) on Urbanization of the Capital, Municipalities and Urban Areas, which was promulgated on 03 April 2015. The sub-decree defines the scope, content and the procedures to develop three different urban physical plans namely Land Use Master Plan/Master Plan, Land Use Plan and Urban Detailed Plan. It differentiates between the buildable area, where built-in construction is allowed, and the control area, where construction is only allowed subject to specific circumstances in the agricultural zone.

The Royal Decree NS/RKT/0512/463 established the National Committee on Land Management and Urban Planning (NCLMUP) as the inter-ministerial and prime institution to direct spatial planning in Cambodia (Royal Government of Cambodia 2012a). It was complemented first through the Sub-Decree No. 108, which determined the mandate of the Ministry of Land Management, Urban Planning and Construction (MLMUPC) as the secretariat of the NCLMUP. In 2012, the Sub-

Decree No. 77 was released on the establishment of the Capital, Provincial, Municipal, District and Khan Committee for Land Management and Urban Planning (Royal Government of Cambodia 2012b), which has paved the way for the assignment of responsibilities in sub-national spatial planning. The NCLMUP has since embarked on formulating the respective administrative planning procedures, enacted through decision by the committee (NCLMUP 2013). This handbook series complements the administrative procedures from a more technical and practical perspective, focusing on enabling the spatial planners to carry out the respective processes.

3.1.2 Democratic Development (D&D) reform

The D&D reform aims to replace the management structure and systems of public institutions and to develop new management systems that rest on principles of democratic representation, participation of people, public sector accountability and effectiveness (Royal Government of Cambodia 2005).

The basic substance of the reform is to create unified provincial and district/khan/municipal administrations and empower these administrations to prepare, adopt and implement unified plans and budgets, manage staff and coordinate the development and delivery of public services within their area of jurisdiction. The term “unified” suggests that policies, work-plans and budgets from ministries are integrated in the unified 5-year development plan, 3-year investment program and annual budget plan.

The roles of the different sub-national administrative bodies are now clearly stated in the law on Administrative Management of the Capital, Provinces, Municipalities, Districts and Khans. It differentiates a sub-national council, board of governors and a number of committees assigned by the council to support specific administrative tasks (Royal Government of Cambodia 2008a).

The council has the authority to make legislative and executive decisions. It shall apply its legislative power through the issuance of by-laws and be accountable directly to all citizens for making decisions and for ensuring democratic development within its jurisdiction. The board of governors represents ministries and institutions of the Royal Government in supervising, coordinating and directing all line departments and units of the government ministries and institutions that operate within the jurisdiction of the council. The governor is accountable to the Royal Government and government ministries and institutions.

The council assigns several committees that each have specific tasks. The technical facilitation committee ensures that the development plans and budgets of the ministries, institutions or departments and units of the Government (involved in direct provision of services, equipment and infrastructure within the council’s jurisdiction) are well integrated within the five-year development plan, three-year rolling investment program, medium term expenditure framework and annual budget plan of the sub-national administrations.

3.2 Planning framework

The Royal Government of Cambodia (RGC) has developed a planning framework that assigns defined and specialized planning roles and responsibilities to different levels of administration (see Table 1). Spatial planning is an indispensable part of that overall planning framework.

National Strategic Development Plan

At national level, the RGC endorses the 5-year National Strategic Development Plan (NSDP), a strategic planning document that serves as a comprehensive road map for the development of the country (Royal Government of Cambodia 2010). It serves to design the annual public investment program (PIP). The implementation of this national strategic development plan is coordinated by the Ministry of Planning, the Ministry of Economy and Finance, the Supreme National Economic Council (SNEC) and the Council for the Development of Cambodia (CDC) by different technical working groups, with participation of representatives of the donor community.

Sector planning

Based on the NSDP, each ministry designs a sector strategy and a clear plan with vertical ac-

countability to provincial departments and district/municipal offices. These sector policies and plans are supposed to guide the work of line agencies of the government at sub-national levels. Nevertheless, substantive policies and a clear vertical planning system exist mostly in ministries where long-term reliable donor funding is available (Horng and Craig 2008).

Sub-national unified administration planning

At sub-national levels, the “Democratic Development Reform (D&D)” has considerably changed the planning system that was in place before the promulgation of the Law on Administrative Management of the Capital, Provinces, Municipalities, District and Khans in May 2008 (Royal Government of Cambodia 2008a).

Each sub-national unified administration has now the mandate to produce a 5-year development plan and a 3-year rolling investment program including:

- Vision, goals and objectives for development within its jurisdiction;
- Assessment of the level of existing development status within its jurisdiction;
- Assessment of priority development needs (services, facilities, public infrastructure, poverty reduction and needs of women-men, youth, child and of vulnerable groups);
- Development of a framework with principles for use and management of land and natural resources;
- Disaster management plan;
- Financial plan which includes a 3-year rolling investment program; an updated 12-month budget plan and a capital development plan;
- Strategy for implementation with key performance indicators.

Table 1 Cambodian Administrative Hierarchy and Operational Planning Instruments

Level		Development Planning	Investment & Budget Planning	Sector Planning
National		5-year NSDP Poverty Reduction Strategy Millennium Development Goals	Public Investment Program (PIP)	Sector Plans from Line Ministries
	Capital		3-year Investment Program	Sector Plans from line ministries
Sub-National	Provinces	5-year Strategic Development Plan	Annual Budget Plan	
	Municipalities, Districts and Khans		3-year Investment Program Annual Budget Plan	Sector Plans from line ministries
Local	Sangkats and communes	5-year Commune/Sangkat Development Plan (CDP)	3-year rolling Commune/Sangkat Investment Plan (CIP)	Sector Plans from line ministries
	Villages	Local Development Plan		

3.3 Spatial planning system

The national spatial planning policy specifies the hierarchy of spatial plans in the Kingdom. It foresees spatial plans across different administrative levels, identifies the overall scope of each plan and specifies mechanisms for their preparation and approval (Royal Government of Cambodia 2011) (see Figure 1).

National, Regional and Provincial Spatial Planning refers to planning with a vision and strategic direction of land use planning and physical development, based on geographical potentials of each individual area within the respective provincial, regional and national territory.

District, Khan, Municipal and Capital Land Use Master Plan (in the municipal context often just “Master Plan”) refers to planning with a vision and overall strategies for physical development and for zoning, with a well-defined main infrastructure and road network and with an integration of district, Khan, municipal and capital planning frameworks into the regional and national spatial planning.

Municipal and Capital Land Use Planning refers to detailed planning of the current and future urban area, to be derived from the Master Plan, with zoning, regulations on land use, land development and construction, as well as with well-defined infrastructure networks and being integrated into the regional and national spatial planning. This includes the elaboration of building regulations for the urban area. By extension, land use planning can also be envisaged in other urban centers of a district.

Commune/Sangkat Land Use Planning refers to land use planning for the whole commune/Sangkat, both state owned land and privately owned land, by considering the potential of land and water resources, possible uses of land, and social and economic characteristics, so that appropriate use of land can be made.

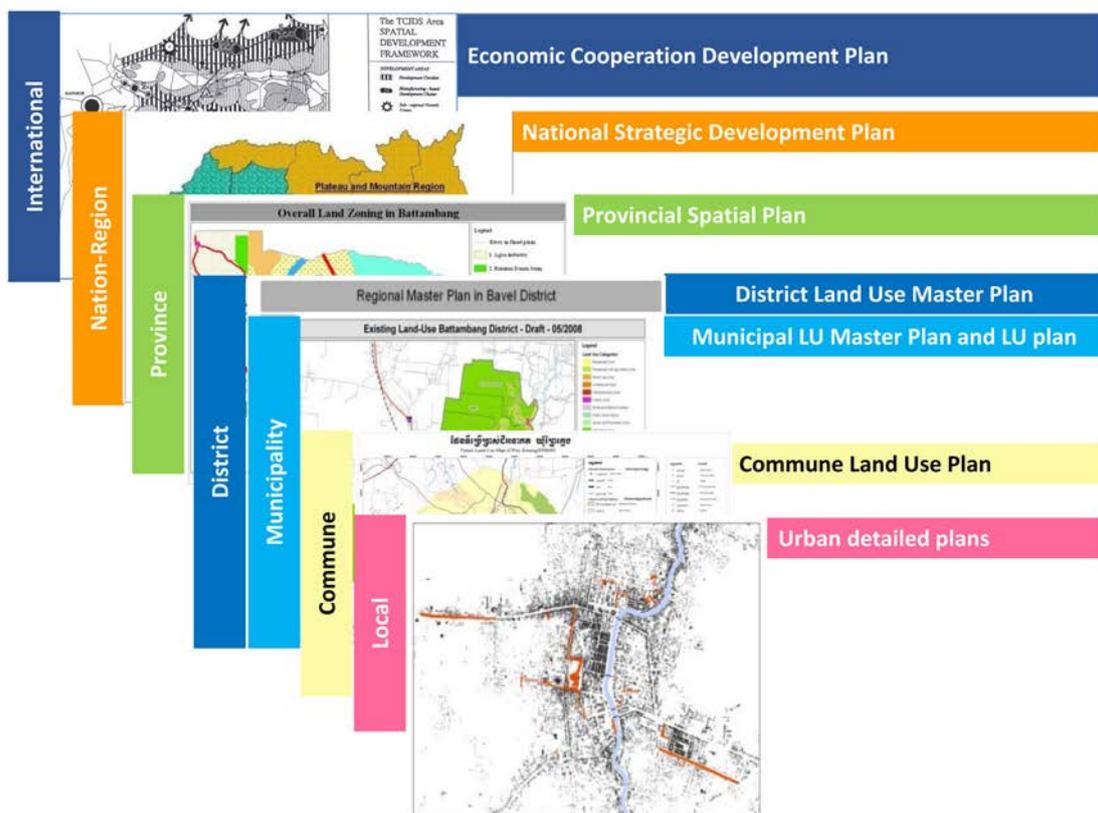


Figure 1 Hierarchy of Spatial Planning in Cambodia

4 SCOPE AND CONTENT OF SUB-NATIONAL SPATIAL PLANS

All sub-national spatial plans, while following comparable procedures and being guided by the same principles, are clearly distinct with regard to their scale, scope, the strategies developed and thus also to how each plan is implemented. It is particularly important to ensure that the different spatial plans from province to commune level form a coherent integrated spatial planning framework. The strategies identified should complement and concretize each other, not repeat and overlap. In this regard, lower level plans also serve in the implementation of the respectively superior plan on the next higher planning level, while higher level plans contribute to the complementarity of adjacent lower level planning territories.

In this integrated provincial spatial planning framework, the national level policies cascade down through the different planning levels, stepwise contributing to their implementation while further detailing it in reflection of the local situation. Vice versa, the local level realities inform the (updating of) higher level plans, providing on the ground verified land information, demands and potentials. This integrated planning framework gains further stability and quality during the updating of plans. As a whole it describes the aspired end in view of the various spatial planning processes within a province. This is what the National Spatial Planning Policy refer to as a two-way approach (bottom-up / top-down) for any decision making (Royal Government of Cambodia 2011).

4.1 Provincial Spatial Plan

Type of plan	<p>The provincial spatial plan (PSP) is a spatial development framework based on a vision. It provides strategic directions for the spatial development of the province:</p> <ul style="list-style-type: none"> • The vision outlines the long-term aspired territorial developments. • The strategy is linking the aspired territorial developments with the means proposed to achieve them.
Role and Scope	<p>The PSP establishes the link between national level spatially relevant policies, programs, plans and strategies (PPPS) and the local level spatial planning on one hand, and it coordinates and integrates sector PPPS with the aims of spatial planning itself on the other.</p> <p>It further informs the provincial mid-term development planning (under the NCDD-S) and guides the lower level spatial planning of municipalities and districts.</p> <p>The PSP aims to determine the envisaged future spatial structure of the province, and assigns corresponding functions to the different areas of the provincial territory. Therefore,</p> <ul style="list-style-type: none"> • it reviews and considers the characteristics of the province within the region; • it identifies and analyses existing spatial structures and patterns of spatial development; • it formulates the desired spatial structure of settlements and infrastructure, open space and areas with particular functions, as well as their interrelation, based upon the local need and potential and in compliance with national directions (PPPS); • it designates functions for the different urban and rural areas and formulates corresponding measures promoting sustainable development; • it provides direction, orientation and restrictions to the subsequent Land Use Master Planning of districts and municipalities within the province; and • it provides reference to mid-term development planning and investment programming of the province.

Themes addressed in a PSP include

- the envisaged development of the settlement structure within the province, constituted basically by a hierarchy of settlements (high- to low-order centres with specific linkages to their rural surroundings) endowed with social and technical infrastructure and facilities, and by development axes connecting the centres or development poles;
- the envisaged open space structure, particularly for the provision of habitat and protection of ecosystems, agriculture and extractive industries, designation of areas for flood control, tourism and recreation;
- the suitable routes for corridors and sites for transport and supply infrastructure, ensuring the circulation and mobility of people and goods needed for economic development and access to social infrastructure, while avoiding or mitigating the fragmentation of ecosystems;
- areas with particular functions, e.g. areas suitable for social or economic land concessions, special economic zones, etc., while ensuring the mitigation of impacts on conflicting land uses (e.g. residential, environmental);
- measures to secure the envisaged spatial development include the prioritization and restriction of uses and functions for certain areas, or the assessment of alternative development options for sites and routes regarding their environmental and social impacts.

Time horizon

20 years

Scale

1:250,000 to 1:100,000

Authority and institutions

The Provincial Committee for Land Management and Urban Planning initiates the planning process under the supervision of the Provincial Council. If the committee is not directly technically involved in the planning process, a Provincial Land Management and Urban Planning Working Group is to be assigned to work it out. The Provincial Council oversees the whole process, endorses a draft provincial spatial plan and submits it to the National Committee for Land Management and Urban Planning for final approval (Figure 2).

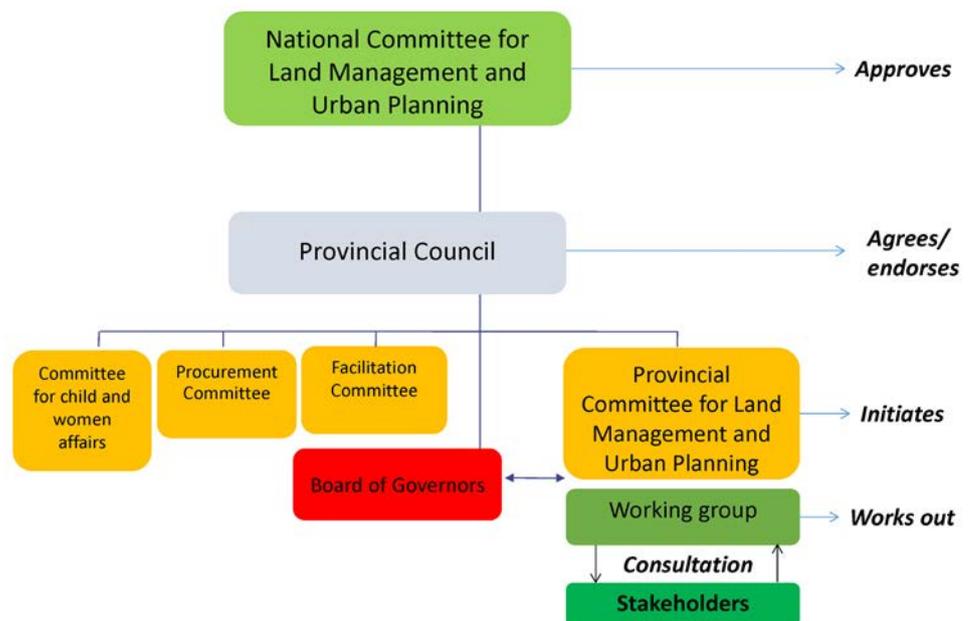


Figure 2 Institutional Structure and Stakeholders in a Provincial Spatial Plan (PSP)

Overall planning procedure

The planning procedure to design a provincial spatial plan is a sequence of six main steps that take action over the course of approximately 2 years (Figure 3). This is an indicative time-frame, assuming a smooth and un-interrupted process, which requires sufficient capacities and resources. If capacity development measures have to accompany the process, the time needed for the planning would increase correspondingly.

Steps	Tasks	Timing
Step 1 - Preparation and launch of the Provincial Spatial Planning process	Task 1.1 Introduction of spatial planning to provincial authorities	1 month
	Task 1.2 Establish the provincial spatial planning agencies	
	Task 1.3 Enable the spatial planning agencies	
	Task 1.4 Identification and gathering of stakeholders	
Step 2 - Situation analysis (diagnosis)	Task 2.1 Data collection and database management	9 months
	Task 2.2 Data analysis and maps production	
	Task 2.3 District level verification, updating and analysis workshops	
	Task 2.4 Institutional analysis on provincial level	
	Task 2.5 Analysis of the current spatial structure of the provincial territory	
Step 3 - Envision the future	Task 3.1 Identification future development scenarios	2 months
	Task 3.2 Elaborate vision and long term development goals	
Step 4 – Spatial development strategies	Task 4.1 Spatial development strategies	6 months
	Task 4.2 Align sector strategies and update sector plans	
	Task 4.3 Internal consultation with provincial authorities	
Step 5 – Implementation Monitoring, Evaluation and Plan Updating	Task 5.1 Implementation and monitoring	1 month
	Task 5.2 Evaluation, updating and harmonization of planning instruments	
Step 6 – Finalization of the planning process	Task 6.1 Final public consultation of all stakeholders	5 months
	Task 6.2 Preparation of the final technical report	
	Task 6.3 Public display and endorsement of the Spatial Plan by the Provincial Council	
	Task 6.4 Approval by National Spatial and Urban Planning Committee	

Figure 3 Overall Planning Procedure for a Provincial Spatial Plan

4.2 District and Municipal Land Use Master Plan and Land Use Plan

Type of plan	The District/Municipal Land Use Master Plan (LUMP) is a strategic spatial plan. Well-articulated and aligned to the Provincial Spatial Plan, it provides more detailed directions for spatial development. Additionally, the District/Municipal Land Use Master Plan provides a preparatory basis for detailed urban area land use plans and comprehensive commune land use plans (CLUP).
Role and Scope	<p>The municipal LUMP with the integrated LUP in urban areas is the most important plan for the urban development of any city, town or urban area. In concretizing and addressing the role and functions of the town as identified in the provincial spatial plan, the LUMP is the key instrument for managing urbanization and sustainable urban development.</p> <p>The municipal LUMP defines general land use types (buildable and control or non-buildable areas) as well as a strategic allocation of land use by main type. It integrates the development of greenery and water systems, of the transport system, as well as of physical and social infrastructure, however subsequent detailed sector plans are needed to concretize and complement the LUMP in particular with regard to transport and physical infrastructure. This can be part of urban detailed plans, for which priority areas will likely result directly from the LUMP. The LUP further complements the LUMP by providing the regulatory framework for construction and use of urban and sub-urban land. It includes regulations for townscape and building structure such as building coverage ratio, land use index and building heights.</p> <p>The district LUMP will have similar elements as the municipal LUMP when it comes to its urban administrative center, again building on the identified role and function of the urban center according to the provincial spatial plan. For the majority of districts in Cambodia, the focus will however be on the rural areas and rural-urban linkages. In this regard the district LUMP builds on the respective directions of the provincial spatial plan, but allows much more detail when developing strategies with regard to land and natural resource management. At the core of this are strategies in line with sustainable watershed management, aiming for the sustainable but productive use of the agricultural areas and the protection oriented use of forest and fishery resources.</p> <p>The district LUMP would further inform where CLUP are most needed and effective, through which it would be further concretized and complemented.</p>
Time horizon	15 years
Scale	1:50,000 to 1:25,000
Authority and institutions	A District/Municipal Land Management and Urban Planning Committee initiates the planning process under the supervision of the district council. Very likely, the committee will not be involved technically in the planning process, so a District/Municipal Land Management and Urban Planning Working Group is assigned to work it out. The district/municipal council coordinates the whole process and agrees on a draft land use master plan. It then forwards it to the Provincial Council through the Provincial Committee for Land Management and Urban Planning for agreement. After this double agreement process, the plan is submitted to the National Committee for Spatial and Urban Planning for final approval (see Figure 4).

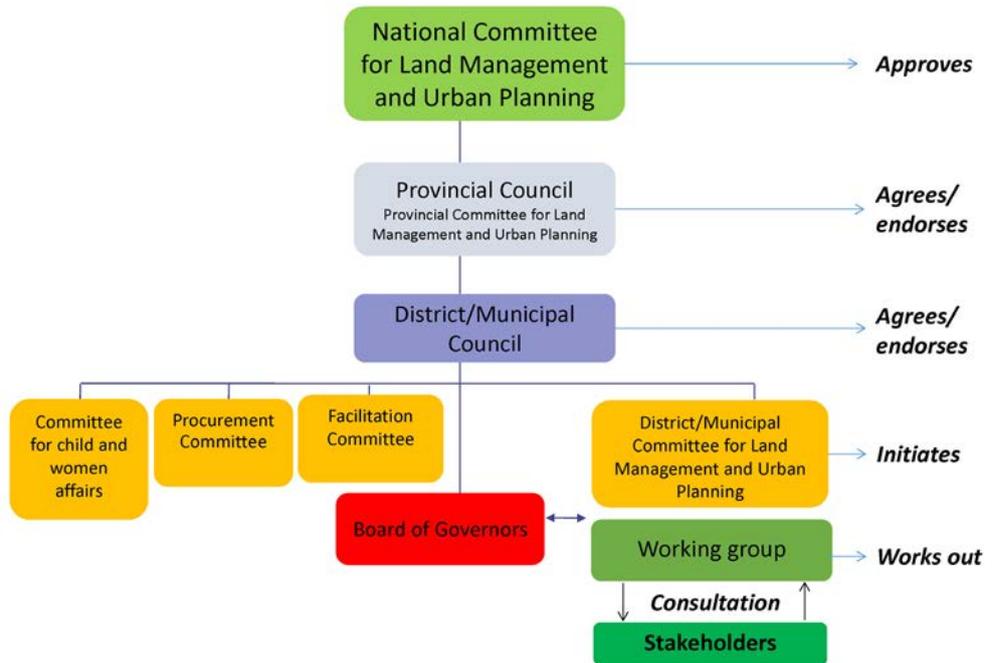


Figure 4 Institutional Structure for District/Municipal Land Use Master Planning

Overall planning procedure

The planning procedure to design a Land Use Master Plan comprises a sequence of nine steps that take action over the course of approximately 26 months (see Figure 5). This is an indicative timing, assuming a smooth and un-interrupted planning process, which is in practice rarely the case. The division of the process into nine steps and this indicative timing is based on the Decision on the Detailed Procedure for Development of the Municipal, District and Khan Master Plan and Land Use Plan released by the National Committee for Land Management and Urban Planning (NCLMUP 2013).

Steps	Tasks	Time
Part A – Elaboration and Approval of District/Municipal Land Use Master Plan (LUMP)		
Step 1 - Preparations and launch of the district/municipal spatial planning process	Task 1.1 Scoping and Inception	30 days
	Task 1.2 Establish the Land Management and Urban Planning Committee and Working Group	
	Task 1.3 Identification and gathering of stakeholders in 1 st Spatial Planning Stakeholder Forum	
	Task 1.4 Capacity development needs assessment, team building and work planning	
Step 2 – Data collection and data management	Task 2.1 Data and information collection	150 days
	Task 2.2 Geo-database management	
Step 3 – Situation analysis and envisioning the future	Task 3.1 Data analysis and maps production	90 days
	Task 3.2 Environmental analysis	
	Task 3.3 Analysis of land use management at commune/Sangkat level	
	Task 3.4 Analysis of land use management and governance by District/Municipal Land Management and Urban Planning Committee	
	Task 3.5 Presentation and discussion of situation analysis in 2 nd Spatial Planning Stakeholder Forum	
	Task 3.6 Scenario analysis	
	Task 3.7 Discuss scenarios, identify long-term development goals and development vision with District/Municipal LMUP Committee	
	Task 3.8 Validate long-term development goals, development objectives and vision in the 3 rd Spatial Planning Stakeholder Forum	
	Task 3.9 Finalization and documentation of results from planning step 3	
Step 4 - Draft the Land Use Master Plan	Task 4.1 Elaborate the strategy matrix	120 days
	Task 4.2 Elaborate the spatial development model with District/Municipal LMUP Committee	
	Task 4.3 Draft thematic plans and strategies at district/municipal level	
	Task 4.4 Draft the integrated Land Use Master Plan	
Step 5 – Review of Draft Land Use Master Plan by district/municipal stakeholders	Task 5.1 Consultation on integrated spatial development strategies and draft Land Use Master Plan with commune/Sangkat authorities	90 days
	Task 5.2 Validate integrated spatial development strategies and draft Land Use Master Plan in a 4 th Spatial Planning Stakeholder Forum	

Steps	Tasks	Time
Step 6 – Public display	Task 6.1 Prepare final technical report	60 days
	Task 6.2 Public display (Draft Land Use Master Plan)	
Step 7 – Review of technical report	Task 7.1 Final presentation to provincial authorities and revision	60 days
	Task 7.2 Final presentation to national authorities and revision	
Step 8 – Identification of priority projects	Task 8.1 Identification of priority projects	60 days
Step 9 – Approval of the Land Use Master Plan	Task 9.1 Submit the LUMP to district/municipal and provincial authorities for final endorsement	125 days
	Task 9.2 Submit the LUMP to national authorities for final approval	
Total		785 days

Figure 5 Overall Planning Procedure for District/Municipal Land Use Master Plan

The planning procedure to design a Land Use Plan also comprises a sequence of nine steps that take action over the course of approximately 22 months (see Figure 6). This division of the process into nine steps is based on the Decision on the Detailed Procedure for Development of the Municipal, District and Khan Master Plan and Land Use Plan released by the National Committee for Land Management and Urban Planning (NCLMUP 2013). However, given the fact that the Land Use Planning Process is based upon and elaborated in continuity with the Land Use Master Planning Process, many activities conducted during this initial process do not need to be reiterated, so that the LUP process is shorter than the LUMP one.

Steps	Tasks	Time
Part B – Elaboration and Approval of the Land Use Plan (LUP)		
Step 1 - Preparations and launch	Task 1.1 Scoping and inception of the Land Use Plan	10 days
	Task 1.2 Dissemination and gathering of stakeholders in 5 th Spatial Planning Stakeholder Forum	
Step 2 – Data collection and data management	Task 2.1 Data and information collection	50 days
Step 3 – Data analysis	Task 3.1 Improve geographic attributes of land use units	90 days
	Task 3.2 Analyze existing townscape and building structure	
	Task 3.3 Analyze local tertiary road system (optional)	
Step 4 – Draft the Land Use Plan	Task 4.1 Define future land use type regulations (functional/use-based zoning ordinance) with District/Municipal LMUP Committee	120 days
	Task 4.2 Define future building regulations (form-based zoning ordinance) with District/Municipal LMUP Committee	
Step 5 – Review of Draft Land Use Plan	Task 5.1 Consultation on draft Land Use Plan with commune/Sangkat authorities	90 days
	Task 5.2 Validate draft Land Use Plan in 6 th Spatial Planning Stakeholder Forum	
Step 6 – Public display	Task 6.1 Prepare Final Technical Report	60 days
	Task 6.2 Public display (Draft Land Use Plan)	
Step 7 – Review of technical report	Task 7.1 Final presentation to provincial authorities and revision	60 days
	Task 7.2 Final presentation to national authorities and revision	
Step 8 – Identification of priority projects	Task 8.1 Identification of priority projects	60 days
Step 9 – Approval of the Land Use Plan	Task 9.1 Submit the LUP to district/municipal and provincial authorities for final endorsement	125 days
	Task 9.2 Submit the LUP to national authorities for final approval	
Total		665 days

Figure 6 Overall planning procedure for District/Municipal Land Use Plan

4.3 Commune/Sangkat Land Use Plan

Type of plan	<p>The commune/Sangkat land use plan (CLUP) refers to a land use plan within the respective commune/Sangkat and covering both state owned land and private owned land (Royal Government of Cambodia 2008b).</p> <p>These plans were conceived to support the design and the implementation of the Commune/Sangkat 5-year development (CDP) and the three years rolling investment plan (CIP).</p>
Role and Scope	<p>The CLUP shall comply with the development plans of the commune/Sangkat and indicate the spatial dimension of development initiatives and projects that are foreseen in the CDP/CIP and based on the specific resources or characteristic of the areas. A CLUP is a crucial tool for the Commune/Sangkat Council to effectively manage and use natural resources and land resources in order to support sustainable and equitable socio-economic development, contributing to poverty reduction.</p> <p>The scope of a CLUP (Dummer 2008):</p> <ul style="list-style-type: none"> • Analysis of the existing situation in the commune. Validate and update present land cover/use map (incl. infrastructure, land concessions, protected areas, community forestry etc.) • Analyses of potentials (ELC, SLC areas, agricultural improvement, Community fishery etc.) and constraints (ELC, poor land conditions, land conflicts, poor market conditions, poor infrastructure networks). • CLUP including future land use options • Implementation plan (as part of CDP/CIP) where future development projects are identified on a present land use map, linked to proposed implementation steps and timing <p>The so-called Problem/Cause/Solution (P/C/S) map is central in the CLUP process (Dummer 2008). It displays the range of problems identified by the commune and villagers during the problem/cause/solution analysis and takes the form of a sketch map superimposed on top of the simplified present land use map, with symbols corresponding to a problem/cause/solution table describing the nature, scale and cause of each problem.</p>
Time horizon	10-20 years
Scale	From 1:10,000 to 1:30,000 depending on commune size
Authority and institutions	<p>The CLUP is developed under the authorities of the commune council in close line with the CDP/CIP process. The plan is then submitted to a District Working Group for revision and the Provincial State Land Management Committee for approval (See figure 7). The reason why the institutions slightly differ from those in the PSP and district/municipal LUMP and LUP is that the CLUP process was developed and translated into legal framework well before the Spatial Planning Policy was developed.</p>

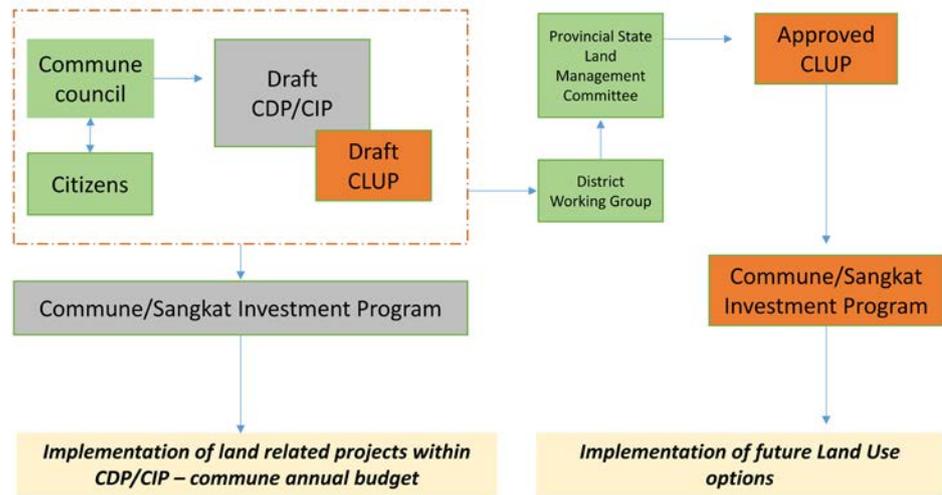


Figure 7 Institutional Structure for Commune Land Use Plan

Overall planning procedure

The planning procedure for CLUP is slightly different than for PSP and district/municipal LUMP in that it is fully embedded in the CDP and CIP process (see Figure 8) (Ministry of Land Management 2007).

CLUP Steps	CDP	CIP
0. Preparation Of Land use maps for use by commune councils in CDP/CIP		
1. Verification by commune/Sangkat Commune/Sangkat councils verify and correct current land use maps	Draft Development Framework (step 1 CDP) Analysis and identification of development problems, and possible solutions (meeting at commune level)	
2. Problem/Cause/Solution Mapping Preparation of map based on outcomes from problem-cause-solution assessment	Draft Development Framework (step 1 CDP) Analysis and identification of development problems, and possible solutions (village meeting and consolidation at commune level)	
3. Mapping CDP Development Objectives Preparation of project map (including needs for Land Use Planning)	Draft Development Framework (step 1 CDP) Consolidation at commune level	
4. Finalization of Support Maps Final P/C/S and project maps for commune development plan	Draft Development Framework (step 3 CDP)	
5. Assist in CIP project design Final P/C/S and project maps for commune development plan		Identification and consultation of citizens on CIP projects
6. Support Project Consolidation Final annual project map (including land use planning project)		Consolidation of proposals and submission of CIP projects to province
7. Support Presentations at District Integration Workshop		District Integration Workshop
8. Map finalization for Council Review		Commune council approves CIP and operations begins
9. Support M&E Training support to CC/PBC on use of maps in M&E	Evaluation	Performance control and feed-back to commune council
10. Support Implementation of LUP projects Support preparation of operational land use plan		Commune council approves CIP and operations begins (in case where LUP projects have been included in CIP)
11. Collect data into databases at commune, district and provincial level		

Figure 8 Overall Planning Procedure for a Commune/Sangkat Land Use Plan

5 MAIN PRINCIPLES OF SUB-NATIONAL SPATIAL PLANNING

5.1 Participatory planning

Information, consultation and active involvement of stakeholders are the corner stones in any spatial planning process. Participation allows for identifying what the planning issues are, optimizing the planning results through broad interdisciplinary inputs and guaranteeing consistent implementation and control through understanding and ownership of stakeholders.

Information, consultation and public engagement are addressed at three levels:

- Information, consultation and participation of public sector institutions are obviously crucial. This refers to both the government technical line agencies, which implement the policies of the royal government of Cambodia, and the territorial authorities, which have the mandate to coordinate the development efforts made in their area of jurisdiction. Both have to negotiate and find the balance between competing interests. They also have a role in linking the planning process with private actors whose actions are usually decisive.
- Particular attention should be given to community voices and their associations. The knowledge generated from their consultation is an essential part in the design of the spatial framework. The lower the planning level, the more inclusive, distinct and locally anchored the planning process needs to be. The higher the planning level, the more crucial becomes a thoughtful identification of representatives, who ensure that the various stakeholder groups are given a voice in the process. Communities are considered as real planning partners and not only as target groups.
- Information, consultation and participation of other stakeholders are also important. International, national and local organizations and research institutions may contribute with their particular knowledge and networks in the planning process and support plan implementation with their resources or alignment of their projects and programs. Involvement of the private sector (small, medium and large enterprises, associations such as chamber of commerce, and so on) helps to target local economic strategies towards local potentials and demands and fosters potential for private sector support to plan implementation. It can further reduce the risk that planning may actually result in more conflicting interests by well informing and moderating between competing stakeholders during the process towards a consensus-based way forward. The participation in the planning process as both suppliers and receivers of information implies that the spatial plan is a democratic instrument for development.

5.2 Integrated planning

Spatial planning is an integrative process, involving actors, policies and plans, potentials and demands across different sectors ('horizontal integration') and across different administrative levels ('vertical integration'). It pays particular attention to the coherence of sector policies, which have clear impacts on the territory. It should ensure a high degree of territorial cohesion and avoid shortcomings such as insufficient synergies, sub-optimal effects of resource allocation and the production of territorial impacts counteracting the desired spatial evolution. The coordination and integration between sectors is one key aspect and also a prime challenge to any spatial planning process, being decisive for the eventual impact of the plan.

Along these lines, it is essential that institutional bodies for sub-national spatial planning processes are well integrated into the sub-national governance. In addition to the three existing committees established within the unified administration, each council may establish additional committees as necessary to assist with its works. In virtue of this principle, the Sub-Decree 77 foresees the establishment of a provincial, district or municipal Land Management and Urban Planning Committee to be in charge of spatial planning within the jurisdiction. This committee is entirely integrated in the unified administration and works under the supervision of the council and of the board of governors.

5.3 Strategic planning

A strategy determines how a certain goal or objective is being reached. Spatial plans differ with regard to the strategies which are developed at the different planning levels, but they all are spatially explicit and highly implementation-oriented. Strategies focus on allocating, locating and directing the various sector developments in a spatially coordinated and optimized manner, reacting to local potentials and demands and in line with national policy direction. By doing so, they delineate the way forward to a desired territorial development and depend on the systematic integration in sector and development plans and programs. For sub-national authorities, it is the lynchpin within the instruments of governance to successfully and sustainably develop their territory in a participatory way.

5.4 Legal effect of spatial plans

As described, spatial plans comprise a number of strategies, which are distinct for the different planning levels. In general, spatial plans are all endorsed by the local authority with the mandate for the development of the concerned territory and approved by the respective higher inter-ministerial committee levels. As a consequence, all plans and projects of the respective local or line agencies have to be aligned with the spatial plan and are the key means of supporting its implementation. All spatial plans therefore bind the concerned administration, though not the population or private sector.

As a consequence however, the spatial plans will imply also legal consequences for the population and the private sector, through the respective implementing sector agencies and their instruments. It is not the spatial plan which has this legally binding effect, but the respective sector plan or action which it influences.

At local level, spatial plans also may directly legally bind not only government, but also the population and private sector. The land use plans in the capital, municipalities or urban centres include as a key feature functional and form-based zoning. The building regulations as part of the detailed LUP in urban areas have a binding effect and serve to regulate construction in the town/city. Through the Law on Land Management and Urban Planning, these regulations of land use plans are part of the legal framework, which directly affects the eligibility of any development (such as construction and use of land) within the scope of the plans.

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