

ASIAN DEVELOPMENT BANK

TAR:CAM 37251-02

**TECHNICAL ASSISTANCE
TO THE
KINGDOM OF CAMBODIA
FOR
ESTABLISHMENT
OF THE
TONLE SAP BASIN MANAGEMENT ORGANIZATION II**

November 2004

CURRENCY EQUIVALENTS

(as of 2 November 2004)

Currency Unit	–	riel (KR)
KR1.00	=	\$0.0002597
\$1.00	=	KR3,850.15

ABBREVIATIONS

ADB	–	Asian Development Bank
CNMC	–	Cambodia National Mekong Committee
km ²	–	square kilometer
NREMISC	–	natural resource and environmental management sub-committee
SBC	–	sub-basin committee
SBTFT	–	sub-basin technical facilitation team
TA	–	technical assistance
TSBC	–	Tonle Sap Basin Council

TECHNICAL ASSISTANCE CLASSIFICATION

Targeting Classification	–	General intervention
Sector	–	Multisector: agriculture and natural resources; water supply, sanitation, and waste management; transportation and communication
Subsector	–	Water resource management; water supply and sanitation; ports, waterways, and shipping
Themes	–	Environmental sustainability, governance, sustainable economic growth
Subthemes	–	Natural resource conservation, physical infrastructure development, civil society participation

NOTES

- (i) The Tonle Sap basin is, strictly speaking, a sub-basin of the Mekong River basin; however, in conformity with international practice for a system of this magnitude, the term Tonle Sap basin is used in this report. The catchments of the individual tributaries that flow directly into the basin's lake are referred to as sub-basins.
- (ii) The term Tonle Sap basin management organization refers to the combination of the Tonle Sap Basin Council and the Tonle Sap Basin Council Secretariat.
- (iii) In this report, "\$" refers to US dollars.

This report was prepared by O. Serrat.
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I. INTRODUCTION

1. In 2003, the Government of Cambodia requested the Asian Development Bank (ADB) to provide technical assistance (TA) to investigate how infrastructure development and natural resource management in the Tonle Sap basin could be better driven, coordinated, and streamlined. In response, ADB provided TA to design and plan the development of an institutional framework for integrated basin planning and management.¹ Its primary output was a design for a basin management organization. A second output was a roadmap for establishing and effectively operating the basin management organization. A third output was an outline for a second TA to support the establishment of the basin management organization. On 16–23 September 2004, an ADB Fact-Finding Mission visited Cambodia to formulate the TA in line with the program of actions formalized in the poverty reduction partnership agreement between the Government and ADB and ADB's Tonle Sap basin strategy. The Mission reached an understanding with the Government on the goal, purpose, outputs, methodology and key activities, cost and financing, implementation arrangements, and outline terms of reference for the TA. The TA framework is in Appendix 1.²

II. ISSUES

2. The Tonle Sap ecosystem is the permanent core area of the Tonle Sap and the surrounding floodplain, and lies within boundaries constituted by the upper flood lines. It includes the Tonle Sap River, its branches, and its floodplain. The Tonle Sap ecosystem is (i) the main source of animal protein for much of the population of Cambodia because of the productive fisheries of the Tonle Sap, (ii) a direct and irreplaceable source of livelihoods for more than 1 million people living on and around the Tonle Sap, (iii) a seasonal breeding and nursery ground and forage area for fish that subsequently migrate to the Mekong River, and (iv) an environmental hotspot of global significance. The Tonle Sap basin, defined as the catchment area of the Tonle Sap River at its confluence with the Mekong River, has an area of 85,000 square kilometers (km²), of which 80,000 km² lie in Cambodia (5,000 km² lie in Thailand). The Tonle Sap basin includes all or part of 8 of Cambodia's 24 provinces.³ It extends over 44% of Cambodia's total land area, including the Tonle Sap, and is home to 32% of Cambodia's total population, or about 3.6 million people (1998 figure). It is also a reservoir from which water drains in the dry season to control salinity intrusion and conserve mangrove in the Mekong Delta. However, high population growth is increasing the number of people to feed, and consumptive use of the Tonle Sap basin's resources is intense. Threats to the Tonle Sap include over-exploitation of fisheries and wildlife resources, encroachment during the dry season, and cutting of the flooded forest. In the watersheds, the degradation of natural vegetation is destroying habitats and resulting in deteriorating water and soil quality and increased siltation rates. Limited awareness and understanding of the impacts of human actions, insufficient governance and accountability systems, and inadequate mechanisms for management coordination and planning compound these root causes of degradation. Consequently, despite the inherent richness of the lake, most indicators of poverty are worse in the basin than in the nation as a whole. Cambodia faces environmental disaster if the Tonle Sap ecosystem is degraded further.

¹ ADB. 2003. *Technical Assistance to the Kingdom of Cambodia for Establishment of the Tonle Sap Basin Management Organization*. Manila. (TA No. 4212–CAM, approved in the amount of \$135,000 on 7 November 2003.)

² The TA first appeared in *ADB Business Opportunities* (Internet edition) on 5 April 2004.

³ The provinces are Banteay Meanchey, Battambang, Kompong Chhnang, Kompong Thom, Oddar Meanchey, Preah Vihear, Pursat, and Siem Reap.

3. In response, in October 1997, the Government nominated the lake as a biosphere reserve covering 15,000 km² under the Man and the Biosphere Program of the United Nations Educational, Scientific, and Cultural Organization. In September 2001, the Government established the Tonle Sap Biosphere Reserve Secretariat⁴ to serve as a focal point for environmental management. In November 2002, ADB approved a loan and supporting TA for environmental management of the Tonle Sap.⁵ In July 2003, the Tonle Sap basin strategy⁶ was formulated to support the Country Strategy and Program, 2005–2007. This last initiative is consistent with ADB's water policy and a worldwide trend toward managing land, water, and biotic resources within a framework of basin units, as demonstrated by the establishment of the International Network of Basin Organizations. In 2003, the Network of Asian River Basin Organizations was established at the initiative of ADB to improve the effectiveness of basin management organizations in the region through increased information exchange, cooperation, and collaborative activities.

4. The Cambodia National Mekong Committee (CNMC),⁷ with a membership of 10 ministries and a linkage with the Mekong River Commission, is responsible for promoting basin planning and management that recognize the interconnectedness of social, economic, and environmental factors. However, CNMC has experienced difficulty with institutional arrangements. Typically, line agencies define goals in terms of quantitative outputs, not outcomes, for the subsectors over which they hold sway, but the complex dynamics of lakes require that their management be anticipatory, committed, and well planned over the long term. Furthermore, since 1996 the Government has been implementing a program of decentralization and deconcentration that culminated in February 2002 with the first-ever commune elections, and local governments and communities are becoming increasingly involved in local natural resource planning and management. The benefits are clear, but a devolution of authority does increase the risk that actions taken in one province will affect other provinces. Ensuring participation demands the establishment of a structure that involves key stakeholders.⁸ Therefore, in 2003, CNMC began to canvass local governments and communities to move toward some form of basin management organization consistent with the basin planning process of the Mekong River Commission.⁹

5. The first TA (TA 4212–CAM, footnote 1) was implemented from January through March 2004. It determined that the preferred organizational model for the Tonle Sap basin should comprise a basin council and a council secretariat. It specified their mandates and responsibilities, including those of related sub-basin entities and their working arrangements,¹⁰

⁴ The Tonle Sap Biosphere Reserve Secretariat's mandate is to (i) serve as an information clearinghouse open to all, (ii) conduct a nationwide awareness and mobilization campaign in relation to the protection and sustainable use of the Tonle Sap and its catchments, and (iii) effect cross-sectoral policy and strategy coordination.

⁵ ADB. 2002. *Report and Recommendation of the President to the Board of Directors on a Proposed Loan to Cambodia for the Tonle Sap Environmental Management Project*. Manila. (Loan 1939–CAM.)

⁶ ADB. 2003. *Fighting Poverty in Cambodia: The Tonle Sap Basin Strategy*. Manila. The development objectives of the Tonle Sap basin strategy are to foster, promote, and facilitate (i) pro-poor, sustainable economic growth, (ii) access to assets, and (iii) management of natural resources and the environment.

⁷ CNMC's mandate is to assist and advise the Government on all matters concerning the water and related natural resources of the Mekong River basin within Cambodia. CNMC is chaired by the minister of water resources and meteorology.

⁸ Stakeholders are people, groups, or institutions that may be affected by, can significantly influence, or are important to the achievement of the purpose of a development initiative.

⁹ The Mekong River Commission's basin development plan aims to establish a planning framework of rules, policies, and processes to balance efficient use of resources with protection of the environment and promotion of social justice and equity.

¹⁰ These would comprise sub-basin committees (SBCs), associated sub-basin technical facilitation teams (SBFTTs), and natural resource and environmental management sub-committees (NREMSCs).

and outlined a roadmap for their establishment and effective operation. The TA's recommendations were discussed and endorsed at an international consultative workshop held in Phnom Penh on 11 March 2004. CNMC endorsed TA 4212–CAM's findings on 21 April 2004. It also filled out a TA completion questionnaire that evaluated TA 4212–CAM's key activities and outputs, identified lessons learned, and suggested follow-up action. Feedback from CNMC informed the design of the current TA, which marks the first step in implementing the roadmap.

III. THE TECHNICAL ASSISTANCE

A. Purpose and Output

6. The goal of the TA is sound management of natural resources and the environment in the Tonle Sap basin. Its purpose is to advance the establishment of improved institutional and organizational arrangements for managing land, water, and biotic resources in the Tonle Sap basin. The TA will complement the suite of loan and TA projects that ADB promotes under the Tonle Sap Initiative.¹¹ Two outputs will accomplish the TA's purpose (i) the finalization of the design for a Tonle Sap basin management organization, and (ii) the design of sub-basin institutional structures. The TA will also advance the roadmap set out by TA 4212–CAM and outline further TA.

B. Methodology and Key Activities

7. The methodology of the TA will be consultative. TA 4212–CAM was implemented over 3 months and final, broad consensus in relation to the functions and structures of the Tonle Sap Basin Council (TSBC) and the TSBC Secretariat must still be built. Only after this consensus has been built can CNMC propose the new legislation that will establish the TSBC and TSBC Secretariat. CNMC's constituent members will agree to the final structure of the Tonle Sap basin organization at a workshop held 2 weeks after the start of the TA. Extensive field-level consultations are also needed to detail the SBCs, SBTFTs, NREMSCs. The consultative process will be enabled by the establishment of (i) a central working group incorporating the main constituent members of CNMC and representatives of the provinces in the Tonle Sap basin, and (ii) a working group within each province concerned primarily with the design of the SBCs, SBTFTs, and NREMSCs, and consisting of provincial, district, and commune representatives together with representatives from water user and farmer groups, nongovernment organizations, and others as appropriate. Broader consultations with key stakeholders will be effected by conducting workshops to discuss and make recommendations on the midterm report and elicit feedback on the draft final report. The TA will be coordinated with other water-related projects being undertaken by bilateral and multilateral development institutions and nongovernment organizations.

8. **Finalizing the Design of a Tonle Sap Basin Management Organization.** To accomplish this output, key activities will (i) promote agreement on the final structure of a Tonle Sap basin management organization; (ii) spell out the requirements for a robust and effective regulatory framework to underpin basin management; (iii) specify mechanisms for raising public awareness and understanding of the need to manage land, water, and biotic resources in the Tonle Sap basin; (iv) develop institutional and policy arrangements for the TSBC; (v) elaborate the organizational structure and operating protocols for the TSBC; (vi) prepare a statement of the TSBC's responsibilities, including its role in resource planning and management;

¹¹ The Tonle Sap Initiative is a partnership of organizations and people working to meet the poverty and environment challenges of the Tonle Sap based on the Tonle Sap basin strategy.

(vii) elaborate the organizational structure and operating protocols for an office of basin management; (viii) prepare a detailed description of the accountabilities and responsibilities of the TSBC Secretariat; and (ix) specify changes to existing legislation and any new legislation required to give effect to the TSBC and its Secretariat.

9. Designing Sub-Basin Institutional Structures. To accomplish this output, key activities will (i) analyze existing arrangements for natural resource and environmental management at the provincial level and below;¹² (ii) develop the institutional and organizational arrangements for the SBCs, SBTFTs, and NREMSCs;¹³ (iii) conduct a comparative analysis of all sub-basins and identify criteria for selecting a pilot SBC, which will be a primary focus of continuing TA; (iv) recommend the structures, membership, and operating protocols of the SBCs, SBTFTs, and NREMSCs; (v) prepare for the establishment of the pilot SBC.

C. Cost and Financing

10. The total cost of the TA is estimated at \$360,000 equivalent, comprising a foreign exchange cost of \$233,000 and a local currency cost of \$127,000 equivalent. The Government has requested ADB to finance \$300,000 equivalent, which represents the entire foreign exchange cost and \$67,000 equivalent of the local currency cost. The TA will be financed on a grant basis by ADB's TA funding program. The Government will finance the balance of the local currency cost, equivalent to \$60,000, mainly by remunerating and providing per diems for counterpart staff and providing office accommodation and transport. Details of the cost estimates and financing plan are in Appendix 2.

D. Implementation Arrangements

11. CNMC will be the executing agency for the TA. Two international consultants with expertise in river basin management (5 person-months) and institutions (5 person-months) will be engaged individually to undertake the TA. They will carry out their work in two inputs of 3.5 months and 1.5 months, respectively, with a gap of 1 month in between. The river basin management specialist will act as team leader and will take overall responsibility for delivering key activities and accomplishing outputs. In particular, he or she will be directly responsible for finalizing the design of a Tonle Sap basin management organization. The institutions specialist will be directly responsible for designing sub-basin institutional structures. The team leader will have advanced leadership, managerial, diplomatic, and negotiating skills and a history of managing for results. Both international consultants will be familiar with the circumstances of the Tonle Sap basin, such as its complex poverty-environment nexus. Both will be sensitive to gender issues and able to mainstream gender considerations into institutional design.¹⁴ In addition, about 15 person-months of short-term domestic consultants with knowledge of specific basin issues will be engaged as needed. Their exact composition will be identified during TA inception. CNMC will assign counterpart staff to facilitate day-to-day administration of the TA and liaise with CNMC's constituent members. At ADB, a project officer with suitable expertise will be assigned to administer the TA and monitor its progress. All consultants will be engaged

¹² This activity will consider how organizations work and explore their connections to natural resource management. It will also ascertain how organizations are shaped by gender-defined roles and relationships. This is central to determining gender-sensitive structures, memberships, and operating protocols for the SBCs, SBTFTs, and NREMSCs.

¹³ This activity will include preparation of a gender action plan. The action plan will introduce mechanisms for equitable participation by women in the SBCs, SBTFTs, and NREMSCs.

¹⁴ Effective management of natural resources entails ensuring that the disparate voices of all stakeholders are heard and engaged in decisions. The majority of these are women.

on an individual basis in accordance with ADB's *Guidelines on the Use of Consultants by the Asian Development Bank and Its Borrowers* and other arrangements satisfactory to ADB for the engagement of domestic consultants. They will operate from the CNMC Secretariat in Phnom Penh. A key activities and indicative staffing schedule is in Appendix 3. Outline terms of reference are in Appendix 4. Equipment will be procured in accordance with ADB's *Guidelines for Procurement*.

12. The consultants will produce (i) an inception report within 4 weeks of the commencement of the TA; (ii) a midterm report within 14 weeks;¹⁵ (iii) a draft final report within 20 weeks; and (iv) a final report detailing TA outcomes and future actions, which will take into account ADB's comments on the draft final report, within 24 weeks. CNMC will fill out a TA completion questionnaire to evaluate key activities and outputs, identify lessons learned, and suggest follow-up action. The TA's deliverables will be disseminated through the information networks of CNMC and its constituent members, particularly the Ministry of Water Resources and Meteorology. ADB's information networks include the biannual Tonle Sap Initiative brochure¹⁶ and the Tonle Sap Environmental Management Project web site.¹⁷ The TA will be implemented over a period of 6 months starting in January 2005 and ending in July 2005.

IV. THE PRESIDENT'S DECISION

13. The President, acting under the authority delegated by the Board, has approved the provision of technical assistance not exceeding the equivalent of \$300,000 on a grant basis to the Government of Cambodia for Establishment of the Tonle Sap Basin Management Organization II, and hereby reports this action to the Board.

¹⁵ The midterm report will be distributed widely to key stakeholders. Following a 1-month review period, a workshop will be held to discuss its recommendations.

¹⁶ ADB. Various years. *Future Solutions Now: The Tonle Sap Initiative*. Manila.

¹⁷ http://www.adb.org/Projects/tonle_sap/default.asp

TECHNICAL ASSISTANCE FRAMEWORK

Design Summary	Performance Indicators and Targets	Monitoring Mechanisms	Assumptions and Risks
Goal			
Sound management of natural resources and the environment in the Tonle Sap basin.	<ul style="list-style-type: none"> • Policy, regulatory, institutional, organizational, and management systems based on integrated planning and management on a basin and sub-basin basis are improved. • Key stakeholders participate in decision-making. 	<ul style="list-style-type: none"> • TA completion report • TA completion questionnaire • TA framework • Central and provincial government statistics • Research program publications 	
Purpose			Assumptions
To advance the establishment of improved institutional and organizational arrangements for managing land, water, and biotic resources in the Tonle Sap basin.	<ul style="list-style-type: none"> • The institutional and policy arrangements for TSBC are developed by the end of month 3. • The institutional and policy arrangements for SBCs, SBTFTs, and NREMSCs are developed by the end of month 3. • The organizational structure and operating protocols for an office of basin management and the requirements for a robust and effective regulatory framework to underpin its effective operation are elaborated by the end of month 6. • A pilot SBC is established in a selected sub-basin by end of month 6. 	<ul style="list-style-type: none"> • TA completion report • TA completion questionnaire • TA framework • TA reports and review missions • Tripartite meetings • Workshop findings and recommendations • Working group meetings • ADB Water Committee 	<ul style="list-style-type: none"> • CNMC and its constituent members have a clear vision about the sector goal to which the TA will contribute and how this goal is to be achieved. • CNMC and other line agencies act on findings and recommendations from the TA with support from bilateral and multilateral development institutions, including the Mekong River Commission.
Outputs			Assumptions
The design of a Tonle Sap basin management organization is finalized.	<ul style="list-style-type: none"> • The final structure of a Tonle Sap basin management organization is agreed to by the middle of month 1. • The requirements for a robust and effective regulatory framework to underpin basin management are spelled out by the end of month 2. 	<ul style="list-style-type: none"> • TA framework • TA reports and review missions • Tripartite meetings • Workshop findings and recommendations • Working group meetings • ADB Water Committee 	<ul style="list-style-type: none"> • CNMC and other key stakeholders are actively involved in the TA. • CNMC and the consultants develop a close working relationship and partnership and resolve any organizational representation issues that may arise during

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Design Summary	Performance Indicators and Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Sub-basin institutional structures are designed.</p>	<ul style="list-style-type: none"> • Mechanisms for raising public awareness and understanding of the need to manage land, water, and biotic resources in the Tonle Sap basin are specified by the middle of month 3. • The institutional and policy arrangements for the TSBC are developed by the end of month 3. • The organizational structure and operating protocols for the TSCB are elaborated by the middle of month 4. • A statement of the TSBC's responsibilities, including its role in resource planning and management, is prepared by the end of month 6. • The organizational structure and operating protocols for an office of basin management are elaborated by the end of month 6. • A detailed description of the accountabilities and responsibilities of the TSBC Secretariat is prepared by the end of month 6. • Changes to existing legislation and any new legislation required to give effect to the TSBC and its Secretariat are specified by the end of month 6. • Existing arrangements for natural resource and environmental management at the provincial level and below are analyzed by the end of month 2. • The institutional and organizational arrangements for the SBCs, SBTFTs, and NREMSCs are 		<p>TA implementation.</p> <ul style="list-style-type: none"> • The process of deconcentration and decentralization advances and is translated into practical actions. • The Seila Program continues and collaborates actively. • Workshop findings and recommendations are integrated. • The working groups meet regularly and reach agreement on outstanding issues promptly. • The consultants establish processes for reviewing their activities and for redirecting efforts as necessary to meet the purpose of the TA.

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Design Summary	Performance Indicators and Targets	Monitoring Mechanisms	Assumptions and Risks
	<p>developed by the end of month 3.</p> <ul style="list-style-type: none"> • A comparative analysis of all sub-basins that leads to the identification of ranking criteria for the selection of a pilot SBC is conducted by the middle of month 5. • Recommendations for the structures, membership, and operating protocols of the SBCs, SBTFTs, and NREMSCs are completed by the end of month 6. • Preparations for the establishment of the pilot SBC are made by end of month 6. 		
Activities	Inputs		Assumptions
<p>The design of a Tonle Sap basin management organization is finalized. For details of key activities, see appendixes 3 and 4.</p> <p>Sub-basin institutional structures are designed. For details of key activities, see appendixes 3 and 4.</p>	<p>10 person-months of international consulting services in river basin management (5 person-months) and institutions (5 person-months).</p> <p>15 person-months of short-term domestic consulting services.</p> <p>Counterpart staff.</p>	<ul style="list-style-type: none"> • TA framework • TA reports and review missions • Tripartite meetings • Workshop findings and recommendations • Working group meetings 	<ul style="list-style-type: none"> • Linked activities are scheduled appropriately. • All logistical and administrative arrangements are in place.
Inputs	Cost Estimates (\$)		
<p style="text-align: center;">ADB</p> <ol style="list-style-type: none"> 1. International Consultants 2. Short-Term Domestic Consultants 3. International and Local Travel 4. Reports and Communications 5. Equipment 6. Workshops 7. Surveys 8. Miscellaneous Administration and Support Costs 9. Contingencies 	<p style="text-align: center;">200,000</p> <p style="text-align: center;">30,000</p> <p style="text-align: center;">17,000</p> <p style="text-align: center;">2,000</p> <p style="text-align: center;">2,000</p> <p style="text-align: center;">15,000</p> <p style="text-align: center;">4,000</p> <p style="text-align: center;">6,000</p> <p style="text-align: center;">24,000</p>		

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Design Summary	Performance Indicators and Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Government of Cambodia</p> <p>1. Remuneration and Per Diem of Counterpart Staff</p> <p>2. Office Accommodation and Transport</p> <p>3. Data and Publications</p>	<p>25,000</p> <p>10,000</p> <p>25,000</p> <p>Total 360,000</p>		

ADB = Asian Development Bank, CNMC = Cambodia National Mekong Committee, NREMSC = natural resources and environmental management subcommittee, SBC = sub-basin committee, SBTFT = sub-basin technical facilitation team, TA = technical assistance, TSBC = Tonle Sap Basin Council.

COST ESTIMATES AND FINANCING PLAN
(\$'000)

Item	Foreign Exchange	Local Currency	Total Cost
A. Asian Development Bank Financing^a			
1. Consultants			
a. Remuneration and Per Diem			
i. International Consultants	200.0	0.0	200.0
ii. Domestic Consultants	0.0	30.0	30.0
b. International and Local Travel	15.0	2.0	17.0
c. Reports and Communications	0.0	2.0	2.0
2. Equipment ^b	0.0	2.0	2.0
3. Workshops	0.0	15.0	15.0
4. Surveys	0.0	4.0	4.0
5. Miscellaneous Administration and Support Costs	0.0	6.0	6.0
6. Contingencies	18.0	6.0	24.0
Subtotal (A)	233.0	67.0	300.0
B. Government of Cambodia Financing^c			
1. Remuneration and Per Diem of Counterpart Staff	0.0	25.0	25.0
2. Office Accommodation and Transport	0.0	10.0	10.0
3. Data and Publications	0.0	25.0	25.0
Subtotal (B)	0.0	60.0	60.0
Total	233.0	127.0	360.0

^a Financed by the Asian Development Bank's technical assistance funding program.

^b Includes provision for office equipment.

^c In kind.

Source: Asian Development Bank estimates.

KEY ACTIVITIES AND INDICATIVE STAFFING SCHEDULE

Key Activity	Project Month						Responsibility		
	1	2	3	4	5	6	RBMS	IS	DOM
1. The Design of a Tonle Sap Basin Management Organization Is Finalized.									
a. The final structure of a Tonle Sap basin management organization is agreed to.	■						①	②	
b. The requirements for a robust and effective regulatory framework to underpin basin management are spelled out.		■	■				①	②	②
c. Mechanisms for raising public awareness and understanding of the need to manage land, water, and biotic resources in the Tonle Sap basin are specified.			■	■			②	②	①
d. The institutional and policy arrangements for the TSBC are developed.		■	■	■			①	②	②
e. The organizational structure and operating protocols for the TSBC are elaborated.		■	■	■	■		①		②
f. A statement of the TSBC's responsibilities, including its role in resource planning and management, is prepared.			■	■	■	■	①	②	②
g. The organizational structure and operating protocols for an OBM are elaborated.			■	■	■	■	①		
h. A detailed description of the accountabilities and responsibilities of the TSBC Secretariat is prepared.			■	■	■	■	①		
i. Changes to existing legislation and any new legislation required to give effect to the TSBC and its Secretariat are specified.				■	■	■	②		①
2. Sub-Basin Institutional Structures Are Designed.									
a. Existing arrangements for natural resource and environmental management at the provincial level and below are analyzed.	■	■	■				②	①	
b. The institutional and policy arrangements for the SBCs, SBTFTs, and NREMSCs are developed.		■	■	■			②	①	②
c. A comparative analysis of all sub-basins is conducted and criteria for selecting a pilot SBC are identified.			■	■	■		②		①
d. The structures, membership, and operating protocols of the SBCs, SBTFTs, and NREMSCs are recommended.				■	■	■		①	②
e. Preparations for the establishment of the pilot SBC are made.					■	■		①	②
Staffing Schedule									
River Basin Management Specialist-Team Leader	■	■	■	■					
Institutions Specialist	■	■	■	■					
Short-Term Domestic Consultants		■	■	■	■	■			
Reports and Workshops									
Inception Report		■							
Midterm Report				■					
Draft Final Report						■			
Final Report								■	
Workshops	■			■					■
Tripartite Meetings									
		■							■

Full-time activity
 Intermittent activity
 ① Lead role
 ② Supporting role

DOM = Domestic Consultants, IS = Institutions Specialist, NREMSC = Natural Resource and Environmental Management Sub-Committee, OBM = Office of Basin Management, RBMS = River Basin Management Specialist, SBC = Sub-Basin Committee, SBTFT = Sub-Basin Technical Facilitation Team, TSBC = Tonle Sap Basin Council.

OUTLINE TERMS OF REFERENCE

A. Introduction

1. The Cambodia National Mekong Committee (CNMC) will be the executing agency for the technical assistance (TA). It will assign 10 person-months of counterpart staff services and will be assisted by 10 person-months of international consulting services in the fields of river basin management and institutional development. About 15 person-months of short-term domestic consulting services in specific basin issues will be engaged as needed.¹ The TA will be implemented from January 2005 through July 2005.

B. Outline Terms of Reference for Consultants

2. The TA will build on the 2003 TA for the establishment of a Tonle Sap basin management organization.² Activities relating to the establishment of sub-basin institutional arrangements will take all sub-basins into account; however, they will focus on one or more sub-basins that have characteristics that make them promising candidates for selection as future pilot sub-basins.

3. **River Basin Management Specialist/Team Leader** (5 person-months). The team leader will take overall responsibility for delivering key activities and accomplishing outputs. In particular, the team leader will be directly responsible for developing institutional and policy arrangements for a Tonle Sap Basin Council (TSBC) and an organizational structure and operating protocols for an office of basin management based on the CNMC Secretariat, and for elaborating the requirements for a robust and effective regulatory framework to underpin their effective operation. Specifically, the team leader will undertake the following:

- (i) Conclude agreement on the structure of a Tonle Sap basin management organization.
- (ii) Develop institutional and policy arrangements for the TSBC, including recommendations for membership.
- (iii) Prepare a statement of the responsibilities of the TSBC, including its role in planning and managing the basin's resources, and clarify the term "water and related natural resources" that has been used to describe its proposed scope of responsibility.
- (iv) Identify the various government committees and subcommittees that have been established and play some role in natural resource management in the Tonle Sap basin, clarify how these relate to the TSBC, and recommend how they could be rationalized with some of their functions being transferred to the TSBC (if appropriate).
- (v) Prepare operating protocols for the TSBC, including reporting arrangements, meeting frequency, quorum requirements, and voting arrangements.
- (vi) Prepare an indicative agenda for the first meeting of the TSBC and a list of priority matters that might be considered at its initial meetings.

¹ The terms of reference for short-term domestic consultants will be prepared by the international consultants in consultation with CNMC and the Asian Development Bank (ADB). Expectations are that requirements will lie in the fields of (i) river basin management, (ii) institutions, with experience in community participation, (iii) environmental management, and (iv) gender and development.

² ADB. 2003. *Technical Assistance to the Kingdom of Cambodia for Establishment of the Tonle Sap Basin Management Organization*. Manila. (TA No. 4212-CAM, approved in the amount of \$135,000 on 7 November 2003.)

- (vii) Elaborate an organizational structure and operating protocols for an office of basin management that incorporates the CNMC Secretariat, the TSBC Secretariat, and the Tonle Sap Biosphere Reserve Secretariat.
- (viii) Prepare a statement of the accountabilities and responsibilities of the TSBC Secretariat, including its role in providing administrative and technical support to the TSBC.
- (ix) Recommend how CNMC will perform its two distinct roles, namely, representing the interests of Cambodia in the international arena through the Mekong River Commission and acting as the institutional home of the TSBC.
- (x) Identify the number and types of staff positions required to provide effective administrative and technical support to the TSBC and prepare descriptions for each position.
- (xi) Elaborate the requirements for a robust and effective regulatory framework.
- (xii) Produce a paper describing the changes to existing legislation and any new legislation required to give effect to the TSBC and the TSBC Secretariat sufficient for the legislative changes to be drafted by the appropriate Government agency.
- (xiii) Specify mechanisms for raising public awareness and understanding of water and related natural resource management issues in the Tonle Sap basin and for community participation in the decision making process of the TSBC Secretariat.
- (xiv) Identify the practical measures that could be employed to make the arrangements operational.
- (xv) Help CNMC review and finalize the Tonle Sap basin profile,³ the first draft of which was prepared under TA 4212–CAM (footnote 2).
- (xvi) Advise on other matters that may improve the management of water and related natural resources at the national and basin levels.
- (xvii) Assume responsibility, with the help of other team members, for preparing progress and final reports that detail the key activities delivered and outputs accomplished and submitting them to ADB for review and endorsement.
- (xviii) Advance the roadmap set out by TA 4212–CAM (footnote 2) and outline continuing TA with the help of the other team members.

4. **Institutions Specialist** (5 person-months). The institutions specialist will be directly responsible for developing institutional and organizational arrangements for sub-basin committees (SBCs), sub-basin technical facilitation teams (SBTFs) and natural resource and environmental management subcommittees (NREMSCs). The specialist will identify practical measures that could be employed to make institutional and organizational arrangements operational and will also address the critical issues related to preparing for the establishment of a pilot SBC in a selected sub-basin and formulating the criteria for its selection. Specifically, the institutions specialist will undertake the following:

- (i) Analyze existing institutional and organizational arrangements in the Tonle Sap basin that are relevant to natural resource and environmental management at the provincial level and below, focusing on how arrangements are shaped by gender-defined roles and relationships.
- (ii) Estimate the potential start-up and annual operating costs of the TSBC and make recommendations to CNMC so that CNMC budgets accordingly.
- (iii) Develop institutional and organizational arrangements for the SBCs, SBTFs, and NREMSCs.
- (iv) Define sub-basin structures and memberships.

³ The Tonle Sap basin profile provides basic information about land, water, and biotic resources; institutions; key stakeholders; priority basin management needs; and past, ongoing, and planned investments.

- (v) Recommend structures for and membership of the SBCs, their operating protocols, the criteria and process to be used to select members, and members' responsibilities (including those related to sub-basin planning).
- (vi) Recommend structures for and membership of the SBTFTs (permanent and temporary), their operating protocols, the criteria and process to be used to select members, and members' responsibilities.
- (vii) Recommend structures for and membership of the NREMSCs, their operating protocols, the criteria and process to be used to select members, and members' responsibilities (including those related to sub-basin planning).
- (viii) Ensure that the structures, memberships, and operating protocols for the SBCs, SBTFTs, and NREMSCs are gender sensitive.
- (ix) Prepare a gender action plan to introduce mechanisms for equitable participation by women in the SBCs, SBTFTs, and NREMSCs.
- (x) Prepare a set of recommended protocols for interaction of the SBCs, SBTFTs and NREMSCs with existing bodies, including provincial rural development committees, provincial technical facilitation teams, district offices, commune councils, village development committees, and other relevant bodies.
- (xi) Propose a mechanism and the set of initial actions required to establish cooperative arrangements between the new sub-basin planning and management process and the Seila Program.⁴
- (xii) Propose a program of capacity building in sub-basin planning and management, including concern for and integration of gender issues.
- (xiii) Identify and analyze issues across all sub-basins of the Tonle Sap basin that might affect the selection of a pilot sub-basin, including water use conflicts, water quality degradation, ecosystem conservation, willingness of local bodies to embrace the new approach, capacity of local staff to implement new arrangements, and ongoing or planned programs to develop water resources.
- (xiv) Prepare a comparative analysis of all sub-basins within the Tonle Sap basin.
- (xv) Identify the ranking criteria for the selection of a pilot SBC.
- (xvi) Rank sub-basins in priority order and propose a pilot sub-basin.
- (xvii) Prepare for the establishment of the pilot SBC that will be the primary focus of follow-up TA.
- (xviii) Identify practical measures that could be employed to make all institutional arrangements operational.
- (xix) Help the team leader develop the institutional and policy arrangements for the TSBC.
- (xx) Assist CNMC to review and finalize the Tonle Sap basin profile.
- (xxi) Help the team leader advance the roadmap set out by TA 4212–CAM (footnote 2) and outline further TA.
- (xxii) Advise on other matters that may improve the management of water and related natural resources at the national and basin level.
- (xxiii) Support the team leader in preparing progress and final reports.

⁴ Seila is a Khmer word meaning foundation stone and is the name given to the Government's approach to decentralized development, planning, financing, and implementation.

C. Counterpart Staff

5. CNMC will assign two capable and enthusiastic staff members to the TA. They will facilitate day-to-day administration of the TA and liaise with CNMC's constituent members. They will seek to benefit from the TA through on-the-job training and learning-by-doing. Their aim will be to become fully competent and capable of delivering similar services in the fields of river basin management and institutional development as of TA completion. They will also be directly responsible for reviewing and finalizing the Tonle Sap basin profile, with assistance from the consultants.

D. Reporting Requirements

6. The consultants will produce (i) an inception report within 4 weeks of the commencement of the TA; (ii) a midterm report within 14 weeks; (iii) a draft final report within 20 weeks; and (iv) a final report detailing TA outcomes and future actions, which will take into account ADB's comments on the draft final report, within 24 weeks. CNMC will fill out a TA completion questionnaire to evaluate key activities and outputs, identify lessons learned, and suggest follow-up action.