



Build Bright University

Graduate School of Management

INTERNATIONAL MANAGEMENT

MBA PROGRAMME

Individual Presentation

On

LEADERSHIP IN CAMBODIA

Prof. (Dr.) KENNETH KEE KIA HIONG

Student: CHUOP Theot Therith

Presentation Dated: July 03, 2010

PRESENTATION OUTLINE

PRESENTATION OUTLINE

OBJECTIVES AND LIMITATION OF THE PRESENTATION

I. INTRODUCTION

I.1. What is Leadership?

I.2. What does leader deal with?

II. DISCUSSION ON THE LEADERSHIP IN CAMBODIA

II.1. LEGAL ASPECT (VIEWS FROM SOURCE)

A. Form of State

B. Administration Structure of the State

C. Head of State and Power

D. Administrative Management System

E. Administrative Management Structure

F. Economy of Cambodia

G. Improvement of Legal Frameworks

II.2. ACTUAL PRACTICE (OWN VIEWS/ANALYSIS)

III. CONCLUSION

IV. REFERENCES

OBJECTIVES AND LIMITATION OF THE PRESENTATION

Objectives:

- To understand the leadership in Cambodia
- To understand the legal aspect of Governing Form and discuss about the Real Practice.
- To understand the Administration Management Structure and its Actual Practice.
- To understand the Policy on Economy
- To understand the Political Environment of Cambodia 1993-present

Limitation:

- Focus on Cambodia beyond 1993
- Study on some articles of the Constitutional Law in 1993
- Some regulations of Law on Administrative Management of the Capital, Provinces, Municipalities, Districts and Khan, and Law on Admin. of Communes/Sangkats

I. INTRODUCTION

I.1. What is Leadership?

There are many differences definition of Leadership. Leadership is the ability to influence a group toward the achievement of goals (by the Abraham Zaleznik of the Harvard Business School). Anyway, Leadership is a process of getting things done through people (according to the handbook on leadership development published by Boy Scouts of America in 1972).

I.2. What does leader deal with?

Every leader deals with just two things, the **JOB** and the **GROUP**.

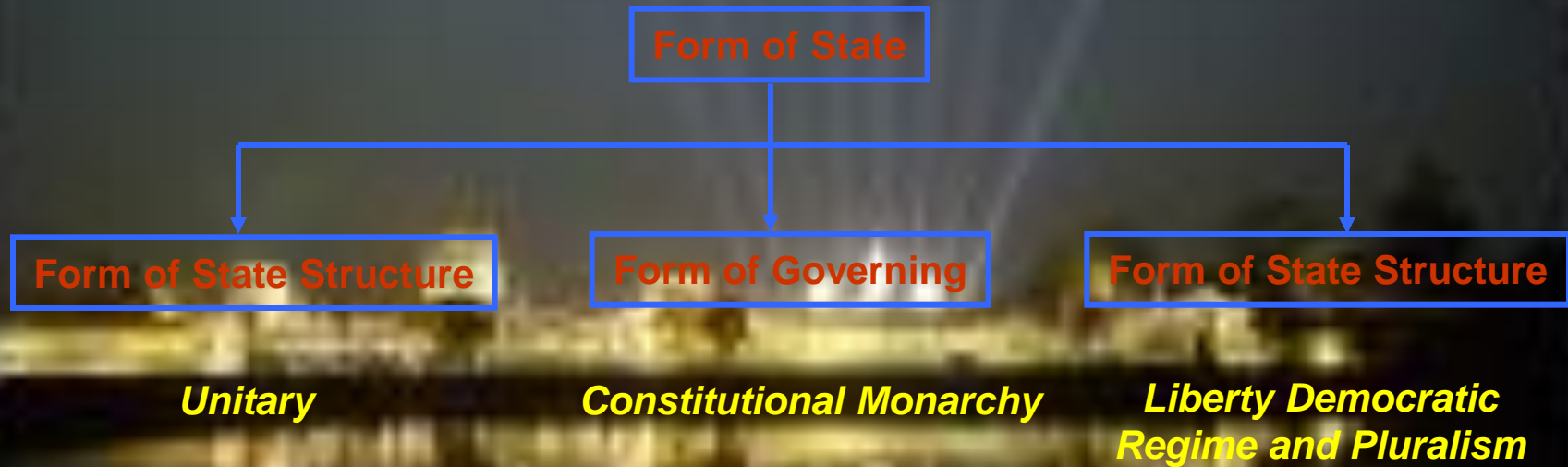
The **JOB** is what's to be done, it doesn't necessarily mean work. It could be playing a game, getting across an idea. The **Group** is the people who do the job. And many cases, the group continues after the job is done. The is where leading gets tough.

There are 10 characteristics of leadership: Willing to learn, Ethical, Available, Determined, Energetic, Reliable, Sensible, Humble, Intense, and Pleasant.

II. DISCUSSION ON THE LEADERSHIP IN CAMBODIA

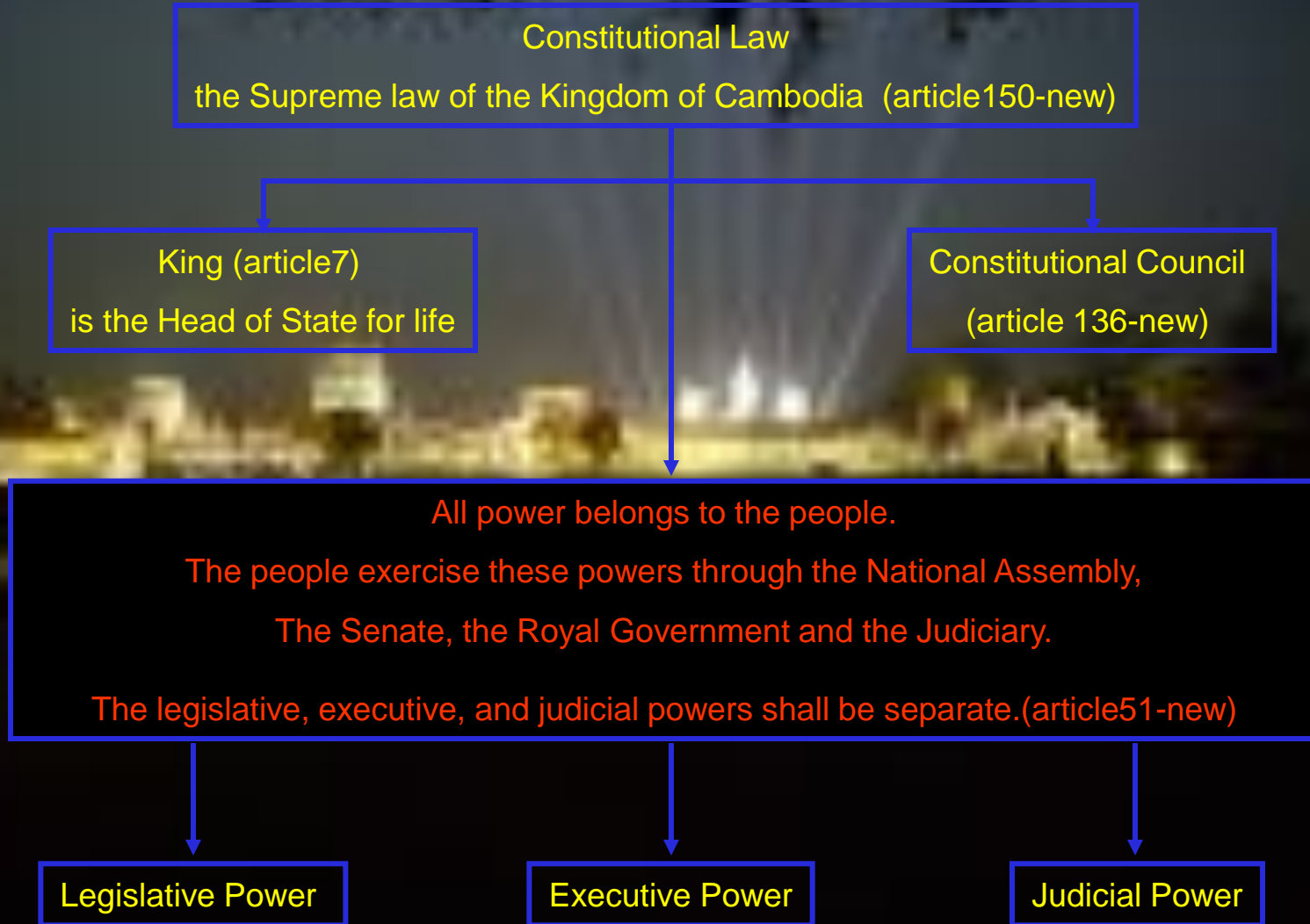
II.1. LEGAL ASPECT (VIEWS FROM SOURCE)

A. Form of State



Cambodia is a kingdom with a king who shall rule according to the constitution and to the principle of liberal democracy and pluralism (article 1 of constitutional law). The legislative, executive, and judicial powers are separated.

B. Administration Structure of the State



C. Head of State and Power

- King is the head of state
- The King is the Supreme Commander of the Royal Khmer Armed Forces
- The King is the head of Supreme Council of the Magistracy
- The King has the power to:
 - . Appoint, transfer, move or end the mission of high officers or judges (article 21)
 - . Promulgate law (article 28-new)
 - . Make a proclamation to the people putting the country in a state of emergency (article 22)
and declare the war (article 24)
 - . Grant partial or complete amnesty (article 27)

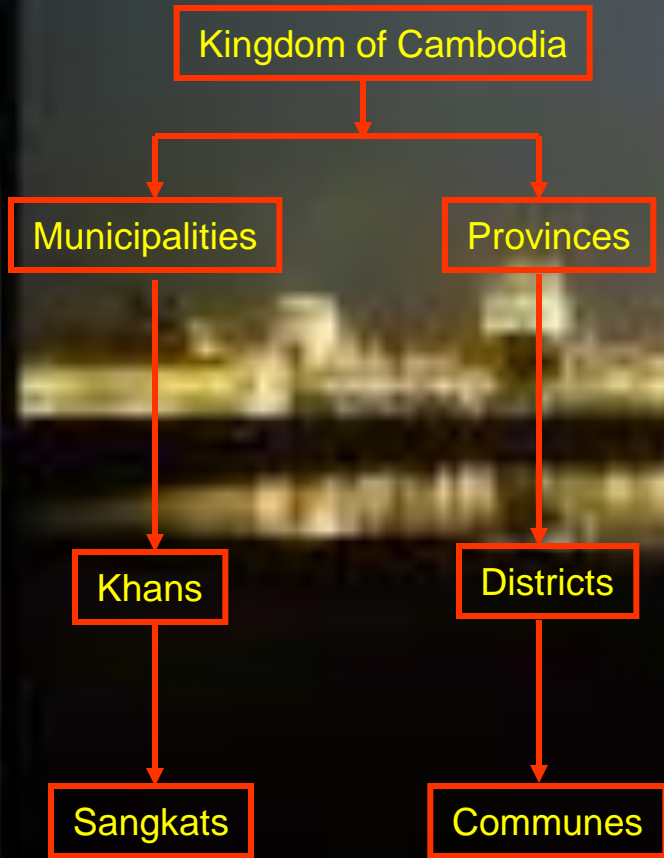
D. Administrative Management System/Administrative Organization

Cambodia implements all 3 of administrative management system: 1. Centralization, 2. Deconcentration and 3. Decentralization. Although there are many differences concept, Cambodia has identified them as following:

- 1. Centralization:** The Royal Government keeps everything in the central administrations. Such as diplomatic, forestry, armed forces and monetary sector. This system is always implemented in small countries like Singapore, Monaco, Andorra.
- 2. Deconcentration:** The Royal Government, ministries or institutions delegate functions and resources to their lower unit or one of the council categories to implement on behalf of the Royal Government, the ministries or the institutions. The unit or the council shall be accountable to the Royal Government, ministries or institutions in accordance with the requirements of the delegation.
- 3. Decentralization:** The Royal Government gives councils the ownership of functions, authorities and resources to respond to the local needs. The council must be accountable to local residents.

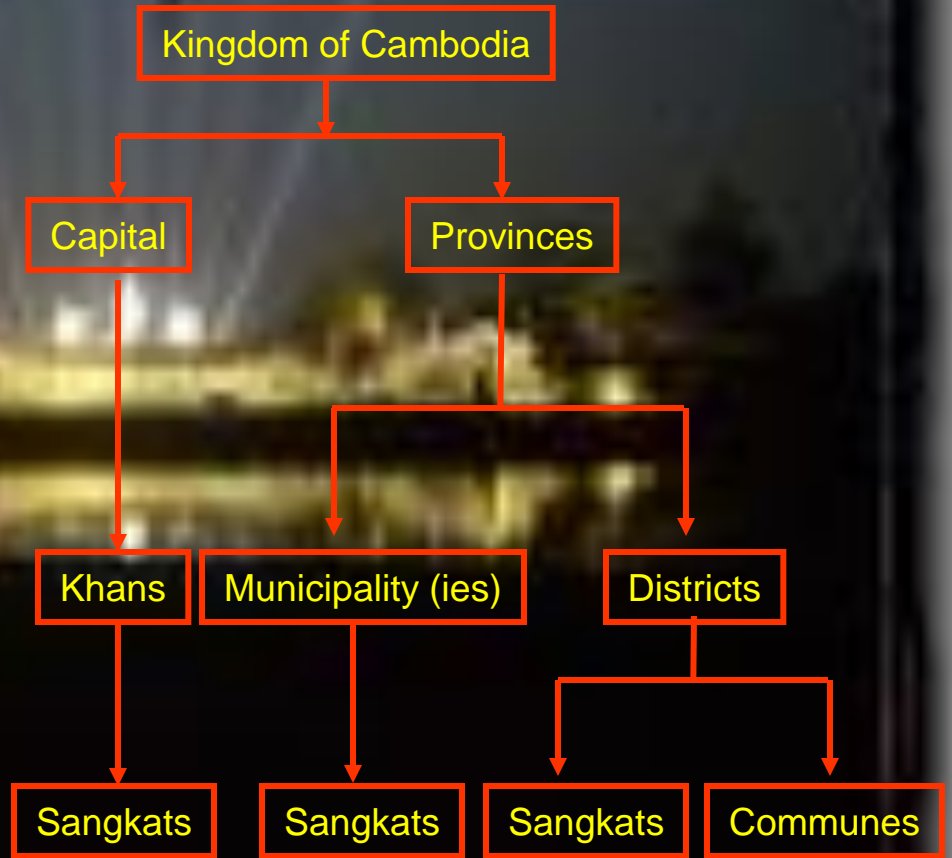
E. Administrative Management Structure/Territorial Organization

In the past



National Administration
Sub-National Administration

In the present



F. Economy of Cambodia

The Kingdom of Cambodia adopt the market economy system (article 56)

According to the Rectangular Strategy phase II, the Kingdom of Cambodia has policy on economy:

- Strengthening Private Sector and Attracting Investment
- Creation of jobs and ensuring improved working condition
- Promotion of Small and Medium Enterprises (SME)

G. Improvement of Legal Frameworks

- Keep checking for overlapping functions and for contradictions that are constraints and lead to uncertainty in the process of the implementation.
- Simplify complicated modalities and procedures
- Modify the existing regulations that are necessary for further implementation to conform to real need
- Develop new regulations according to the category and type of public services.

II.2. ACTUAL PRACTICE (OWN VIEWS/ANALYSIS)

A. Real practice of King's functions

The King reign but doesn't govern (Article 7)

The King is the Supreme Commander of the Royal Khmer/Cambodian Armed Forces (RKAF/RCAF) (Article 23), means, the King has power to appoint, transfer or end the mission of military

Thus, article 7 and 23 contrast or not?

Ans.: no,

Because in liberal democracy country, Armed Forces is neutral. It roles for National Defense only. So, in article 14 of Law on the Organizational and Functioning of the Council of Ministers, Commander General, Vice Commander General are not include in the list for appointments, transfer and dismissal High-ranking officers of the civil servants and militaries by raising proposal of PM. And by article 8 "The King shall be guarantor of the national independence, sovereignty, and territorial integrity of the Kingdom of Cambodia [...]".

Therefore, article 7&23 doesn't contrast and it is also response to article 8. This mean in legal, the King has power to appoint, transfer or end the mission of military.

!!! Now discuss about the Power of the King in real practice...How?...

- Royal degree N° NS/RKT/0199/22 dated 24/01/99 on Appointment of Commander General and Vice Commander General. This Royal degree is signed by the King but it is upon proposals by PM.

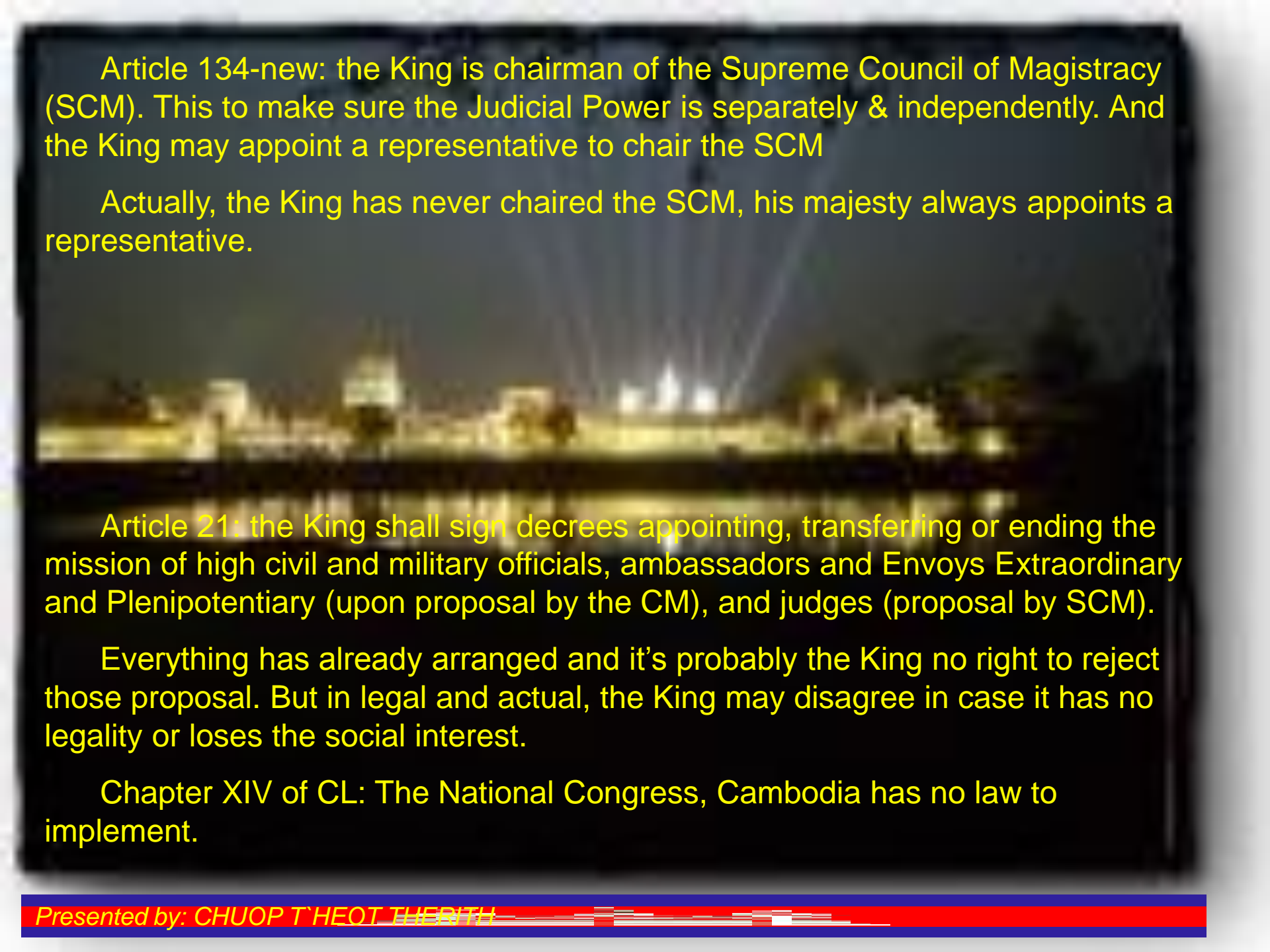
- Transferring CG. KE Kimyan and appointing H.E POL Saroeurn as Commander General.

So, these Royal degree don't respect to the regulation of article 14 of Law on the Organizational and Functioning of the Council of Ministers. And if it refers to article 21 of the Constitutional Law, it still incorrect because in this article it states "Upon proposals by the Council of Ministers" not PM.

I mean, it's not democracy, no other voices that refers to "Group", the concept of leadership.

Totally, It seems PM abuses on the King's right/power while PM choose & propose "the Person" to be Commander General by himself. As the result, RCAF is directly under the power of PM who is representative of the win-party. So RCAF may serve for political party than nation.

Article 24, the King serve as Chairman of the Supreme Council of National defense (SCND) to be established by law. By now, Cambodia has no this law yet.



Article 134-new: the King is chairman of the Supreme Council of Magistracy (SCM). This to make sure the Judicial Power is separately & independently. And the King may appoint a representative to chair the SCM

Actually, the King has never chaired the SCM, his majesty always appoints a representative.

Article 21: the King shall sign decrees appointing, transferring or ending the mission of high civil and military officials, ambassadors and Envoys Extraordinary and Plenipotentiary (upon proposal by the CM), and judges (proposal by SCM).

Everything has already arranged and it's probably the King no right to reject those proposal. But in legal and actual, the King may disagree in case it has no legality or loses the social interest.

Chapter XIV of CL: The National Congress, Cambodia has no law to implement.

III. CONCLUSION

According to the result of discussion above, it indicates that although Cambodia remained some authoritarian with power centered in personalities rather than institution but Leadership in Cambodia has changed from a Communist nation to the multiparty democracy and is moving forward, step by step, to the fully liberty democracy as the Western Countries. Cambodia changed from planned economy to the market economy, local integration, globalization, as a member of ASEAN and WTO.

Cambodia has being established, promoted and sustained democratic development through the policy of decentralization and de-concentration. Within the context of stability, peace, security and democracy, Cambodia has being done on Administrative Reform and Anti-Corruption, Legal and Judicial Reform, Decentralization De-concentration and Police Affairs, Economic and Financial Reform, Social Development, Gender Equity, RKAF, Land Policy, and the Reform of Natural Resource Management.

IV. REFERENCES

1. Constitutional Law of Cambodia
2. Law on Administrative Management of the Capital, Provinces, Municipalities, Districts and Khan
3. Law on Administration Management of Communes/Khans
4. Rectangular Strategy of the Royal Government of Cambodia
5. RGC (2005), Strategic Frameworks on Decentralization and De-concentration Reform, Phnom Penh, Cambodia
6. Kao Muthan, Vann Chandara, Tep Vibol (2008), Cambodia Administrative System, 1st Edition, Editions Angkor, Phnom Penh
7. <http://www.nationsencyclopedia.com/World-Leaders-2003/Cambodia-LEADERSHIP.html>
8. http://www.mekong.net/cambodia/sen_demc.htm
9. <http://MostRemarkableFreeLeadershipGiftEver.com>
10. <http://MeetPabloGonzalez.com>.