is an increasing rate of return to original homes, there is also a disregard of property laws and an inability or unwillingness on the part of the authorities to evict dual occupants. This requires urgent and robust action. The quantity of empty vacated housing in Bosnia and Herzegovina indicates that many people do not wish to return to their original homes and have put down new roots elsewhere where they are in an ethnic majority.

The international community and the Bosnian government need to address the growing problem of poverty and disillusionment which is spreading throughout returnee communities. There is a danger that if disillusionment grows it could be harnessed by nationalists with tragic results.

The term 'sustainability assistance' requires definition, understanding and application. UMCOR defines the term as 'provision of the opportunity for a returnee family to reach their own vision and goals in order that that family can develop within indigenously accepted norms'. In order to provide these opportunities donors should be encouraged to fund 'second tranche' sustainability inputs. There is a need for all agencies to work more closely with returnees, maintain links and work to empower them to take community action on community issues. This would strengthen communities and ease the feeling of 'abandonment' felt by some returnees.

In short, if Bosnia is to move from non-conflict to a state of peace, property laws need to be enforced and the views of minority returnees listened to. Both donors and implementers need to reflect and take a hard look at what they are doing to assist the displaced.

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Participatory planning in Cambodia: reconciling communities
by Jon Bennett

Following 30 years of war and mass displacement, Cambodia is entering an era of relative stability. Political tensions have eased, refugees and internally displaced people have resettled and steady economic growth is forecast.

Signs of hope include the collapse of the Khmer Rouge (ending decades of civil war), Cambodia’s entry into the Association of Southeast Asian nations (ASEAN) in April 1999 and the imminent trial of some former Khmer Rouge leaders. Governance is high on the agenda of the new coalition government as donors push for reforms in judicial, civil, social and economic sectors.

Reconciliation within former Khmer Rouge areas has been pursued at a very pragmatic level. There is no South Africa-style ‘truth commission’. The main perpetrators of the late 1970s genocide are elderly men, most of whom live undisturbed in villages along the Thai border. The ‘mixing’ of government and former Khmer Rouge populations, accelerated since the absorption of all areas into government administration in 1998, takes place almost without incident. The most pressing issues are chronic poverty and how to bring participatory politics down to commune levels.
Building democracy

Since 1995 the government, supported by UNDP and bilateral donors, has been developing a decentralised and deconcentrated rural development model known as Seila (‘foundation stone’ in Khmer). Commune Development Committees (CDCs) have been key to the success of the Seila process. CDCs, comprising mostly elected members, develop three-year Commune Investment Plans which outline development priorities identified by villagers. These are then reviewed and prioritised against national development priorities. Crucially, this is democracy building ‘with teeth’: each CDC is given financial and in-kind resources to spend as it chooses. The principle of CDC ownership of projects is reinforced by a requirement that the commune contribute a minimum of 10% of the project costs through a mix of cash and labour.

Currently operational in five of Cambodia’s 23 provinces, Seila is being adopted as national policy. In 2000, legislation was passed to lay the groundwork for elected councils to become the backbone of local democracy, something not seen in Cambodia for generations. It is anticipated that by 2005 80% of rural communes will have implemented Seila. Once Commune Councils are elected, the Seila process will end but the structures put in place will remain.

Building genuine and transparent local governance in a formerly centralised country which allowed little scope for community voices will be a slow process. Women’s participation in CDCs has been limited. The requirement that candidates must run as individuals and not be affiliated to political parties will be hard to regulate in a nation infused with inter-party rivalry. The new legislation also calls for the dismantling of commune militias, criticised by human rights organisation for the use of intimidation and violence in previous elections.

Evictions and forcible confiscation of land by military and civil authorities is one of Cambodia’s most pervasive human rights problems. In an attempt to reverse the turmoil over land rights deriving from the 1975-1979 Khmer Rouge period, the government attempted in 1989 to implement an effective land management policy by reintroduction of private ownership of land. The complexity and lack of clarity of the new regulations have given rise to conflicts, land seizures and encroachment and a high level of landlessness, especially among such vulnerable groups as female-headed households and people with disabilities. Although technically only possession and use rights are embodied in law, people continue to sell and transfer land from one to another. Owing to the lack of distinction between common property and state property, millions of hectares of forest and agricultural lands have been granted to private companies and individuals for long-term investment and concession exploitation.

Though the Seila process is not itself the channel through which to influence change in the legal or regulatory framework, its success will be contingent upon such change. Protecting the vulnerable from exploitation, providing access to land, public services and security are among the issues taken up by donors as they

Short-term planning is still deeply embedded in a society only just getting acquainted with the concept of participatory planning.

Refugees arriving in Phnom Penh.
invest in the legislative, policy and institutional framework of national and local government.

Donors are encouraged to align their existing programme to the Seila process and pledge themselves to multi-year investment in capacity building. Accordingly, the UN World Food Programme provides food resources to the CDCs which they can use as food-for-work in constructing much-needed infrastructure. Some 5,000 tonnes of food were distributed to food insecure households in Seila areas in 2001. The nutritional and ‘income-transfer’ value of this intervention is significant.

For WFP there has always been a difficult balance between project quality and distribution of a pledged food tonnage within a set period of time. Like food-for-work projects in many parts of the world, completion rates are sometimes disappointing as community leaders fail to honour contractual obligations. Maintenance of the infrastructure beyond the project cycle has been generally poor. By staying in one area for a prolonged period of time, however, WFP hopes to overcome problems associated with one-off projects.

Short-term planning is still deeply embedded in a society only just getting acquainted with the concept of participatory planning. Critics worry about the level of dependency on external inputs to sustain a semblance of local democracy. The Seila programme has, in response, given equal priority to capacity building and investment. Provincial and District staff are trained as extension workers, and in turn train the Commune Development Committees in how to manage resources. The learning-by-doing approach to capacity building combines community management skills and development activities.

Seila is still in its infancy. Advocates are convinced it will prove durable, not least because of the enthusiasm with which it has been adopted even in the most remote areas of the country. If it succeeds, it will be an interesting model for large-scale conflict resolution and reconciliation pursued through national policy.

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For further information, see links to Cambodian human rights organisations at: www.cambodia-hr.org/Index.htm and Jon Bennett ‘Safety Nets and Assets: Food Aid in Cambodia’, Journal of Humanitarian Assistance, April 2001: www.jha.ac/articles/a065.htm

1. Cambodia’s National Assembly in July 2001 approved legislation establishing a UN-sanctioned tribunal that will try former leaders of the Khmer Rouge regime. The legislation must now be approved by the Senate and King Norodom Sihanouk.

2. See, for example, the Human Rights Watch 2001 Cambodia report: www.hrw.org/wr2k1/asia/cambodia.html

Rebuilding in Cambodia