

V. AID FOR TRADE

(1) OVERVIEW

1. Cambodia was the first LDC to complete negotiations for accession to the WTO, one of the original three pilot countries under the Integrated Framework, the first to complete successfully the preparation of its original DTIS, the first to update its original DTIS with a follow-up study (2007), and one of the first to submit successfully an EIF Tier 1 proposal (October 2009).

2. To accelerate the pace of internal reform, increase domestic and foreign investment, expand trade, as well as better coordinate the assistance provided, Cambodia has put in place a sector-wide approach (SWAp) to trade. The Trade SWAp seeks to implement the objectives of the Diagnostic Trade Integration Study 2007 (DTIS 2007) and has three pillars: (i) legal reform and cross-cutting issues; (ii) product and services export sector development; and (iii) capacity development for trade policy and aid-for-trade management. The Trade SWAp serves as Cambodia's aid-for-trade strategy. Implementation is on-going but hampered, at times, by the limited institutional and human resource capacities of the implementing Government agencies.

3. With technical support from development partners, Cambodia has made significant progress in the areas of customs reform and trade facilitation, legal reform (including WTO legal compliance), and export supply capacity. More remains to be done, especially to put in place a TBT and SPS infrastructure that can support exporters, to complete some unfinished legal reforms, to consolidate the diversification of the country's export supply, and to strengthen the Government's capacity to lead the formulation and management of trade policy.

4. According to the OECD Creditor Reporting System Database, annual commitments in trade-related-aid flows to Cambodia were US\$195¹ million on average during 2002-05; US\$202 million in 2006; US\$186 million in 2007; US\$278 million in 2008; and US\$221 million in 2009. Recorded disbursements were US\$116 million in 2006; US\$144 million in 2007; US\$146 million in 2008; and US\$137 million in 2009. Largest receiving sectors have been transport and storage; energy; and agriculture. Tourism's share has been falling, while fishing and industry have been growing (although figures for industry declined in 2009 after an upward trend).

(2) ENHANCED INTEGRATED FRAMEWORK (EIF)

5. Cambodia has been a beneficiary of the Integrated Framework/Enhanced Integrated Framework since 2001. The country's first Diagnostic Trade Integration Study (DTIS) was validated in November 2001. A second-generation DTIS was prepared in 2007 by a team of consultants under the guidance of the MoC and with multi-donor support under the leadership of the MoC-UNDP Trade-Related Assistance for Development and Equity (TRADE) project, partly financed by IF Trust Fund (IFTF) Window II.²

6. Cambodia has benefited from two projects funded by the old IF Window II facility: (i) Capacity-building for pro-poor trade reform (ended in 2003); and (ii) 'TRADE', co-funded by UNDP and completed in 2010. Cambodia's EIF Trust Fund (EIFTF) Tier 1 project is being implemented by the Department of International Cooperation (DICO). It seeks to strengthen the in-country EIF arrangements in order to increase Cambodia's ownership of trade-related technical assistance (TRTA) and to maximize the benefits that the country, in particular the private sector, can

¹ All figures in this paragraph are in 2009 constant prices.

² Other donors supporting or contributing were UNCTAD, ITC, the World Bank, the European Commission, GTZ, IFC, and the IMF.

derive from the EIF. The overall objective of the project is to enhance Cambodia's national capacity to formulate, implement, manage, and monitor a pro-poor trade policy that is consistent with and supportive of the Royal Government of Cambodia's Rectangular Strategy and the country's National Development Plan and Millennium Development Goals.

(3) AID FOR TRADE: TRADE SECTOR-WIDE APPROACH

7. To enhance Cambodia's ownership of the design, programming, and implementation of AfT and to increase aid effectiveness, the Government developed the Trade SWAp, to implement the objectives of the 2007 Cambodia Trade Integration Strategy (CTIS). Its three components are: legal reform and cross-cutting issues; product and services export sector development; and capacity development for trade policy formulation and aid-for-trade coordination and management (Chart V.1).

8. The CTIS 2007 identified a number of priority areas for reform and development that became the basis for the three Pillars of the Trade SWAp.

- *Pillar 1* deals with Implementing cross cutting legal and institutional reforms for trade development. Priority areas include (a) completing of the implementation of the legal reforms and commitments associated with WTO accession, (b) lowering the costs of trade facilitation, (c) improving the investment environment, (d) enhanced use of intellectual property protection; and (e) developing the legal and institutional environments for SPS and standards;
- *Pillar 2* focuses on developing a competitive export supply. Its emphasis is on diversifying Cambodia's export basket through new products and services and new markets, with priority areas including (a) developing export value chain and trade information; (b) strengthening trade support institutions at the product association level and in the provinces; and (c) strengthening export supply capacity in the 19 priority potential sectors identified in CTIS 2007;
- *Pillar 3* focuses on building capacity to lead trade sector development and manage +aid-for-trade. It includes (a) capacity building in a newly created MoC Department of International Cooperation to serve as the Secretariat for the Trade SWAp, the TDSP, and the EIF Tier 1, and tasked to lead the day-to-day coordination of AfT programmes; (b) capacity building in line ministries engaged in the success of the trade SWAp; (c) developing trade policy research capacity; and (d) strengthening trade negotiation capacity.

9. The priority objectives, benchmarks, and targets of the three pillars are now consolidated in three road maps that are providing guidance to the Trade SWAp multi-donor trust fund (TDSP), the EIF Tier 1, and other on-going aid-for-trade programmes.

10. The Government-Private Sector Forum (G-PSF) is the highest forum for Government and the Business Sector to review trade issues.

11. The Trade SWAp is lead by the Sub-Steering Committee on Trade and Development and Trade-Related Investment (S-SC), which reports to the Steering Committee on Private Sector Development, is structurally separate from the G-PSF. The Minister of Commerce chairs the S-SC, which is in charge of overall policy directions, oversight, and review of consolidated monitoring reports. It is also mandated to approve the pillars' road maps as well as the action plans.

Chart V.1 Strategic Framework of Trade SWAp

Trade SWAp goals:

Goal 1: Job creation and poverty reduction impacted positively by trade expansion	Goal 2: Exports expand as a result of diversification	Goal 3: RGC increases capacity to formulate, implement trade policies and strategies	Goal 4: RGC's responsiveness to private sector needs increases as a result of better dialogue	Goal 5: RGC improves its planning, implementation and monitoring capacity by implementing Trade SWAp
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Pillar outcomes:

<p>Pillar I: Reforms and cross-cutting issues for trade development</p> <p>Strengthen competitiveness of current exports, promote export diversification</p> <p>Outcome 1: Products safety and quality improves with a positive impact on export and public health</p> <p>Outcome 2: Trade flows increase as a result of more simple and more transparent import, export and transit procedures and processes</p> <p>Outcome 3: Exports of products protected under Cambodian IPR regime increase</p> <p>Outcome 4: The trade related legal system is upgraded and completed in compliance with international standards and obligations</p> <p>Outcome 5: Trade related investment increases</p> <p>Outcome 6: Respect of core labour standards improves competitiveness and productivity of export</p> <p>Outcome 7: SMEs, particularly in agriculture, get easier and formal credit to scale up their activities and improve export performance</p>	<p>Pillar II: Product and service sector export development</p> <p>Strengthen supply capacity of the 19 product and service sectors identified in the 2007 Trade Integration Strategy</p> <p>Outcome 1: RGC is equipped with tools and information to guide development and formulation of export-oriented policies, monitor progress, and identify for TRTA and AFT</p> <p>Outcome 2: The delivery of Trade Support Services at the local level is improved through strengthened business associations, local chambers of commerce, PDoCs, government extension services, public-private dialogue, G-PSF, etc.</p> <p>Outcome 3: Exports are successfully diversified and expanded in many of the 19 sectors identified in RGC's 2007 Trade Integration Strategy, including by targeting new markets or moving up value chains</p>	<p>Pillar III: Capacity development</p> <p>Strengthen the capacity of the RGC and Cambodian trade stakeholders to implement, update and manage RGC's trade development agenda and to negotiate the country's interests in trade and trade-related investment forums</p> <p>Outcome 1: Capacity of RGC to integrate, coordinate, implement trade sector related reforms</p> <p>Outcome 2: Effective approach for development and implementation of trade policies is in place</p> <p>Outcome 3: Core institutional system and skills in place to ensure effective performance of trade-related institutions</p> <p>Outcome 4: Wide awareness of trade SWAp opportunities and results among stakeholders</p> <p>Outcome 5: Trade negotiations capacity of designated RGC institutions strengthened</p>
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Source: Ministry of Commerce (2011), Trade Sector Development and Aid for Trade in Cambodia, p. 13.

12. The Trade SWAp is supported by a significant number of multilateral and bilateral funding vehicles. Chief among them are recent ADB loan facilities (upward of US\$20 million) backed up by technical assistance grants focusing primarily on selected WTO-related legal reforms and SPS and TBT capacity development, the ongoing USAID assistance, which also focuses on certain WTO-related legal reforms, AusAid (with assistance to the agricultural), and the World Bank's ongoing Trade Facilitation and Competitiveness Project.

13. The TDSP and the EIF Tier 1, also designed to support Trade SWAp, are set up to give the lead role for implementation to Government. TDSP is a multi-donor trust fund financed by DANIDA, the European Commission, and UNIDO, and administered by the World Bank. EIF Tier 1 is financed by the EIF Trust Fund. The interventions of TDSP and EIF are limited to reform areas explicitly defined in the road-maps – principally those for pillar 1 and pillar 3. Both are fully integrated into the Trade SWAp management structure. DICO is in charge of implementing both TDSP and EIF Tier 1.

14. In more specific terms, DICO, in its capacity as Trade SWAp Secretariat, has overall responsibility for monitoring and evaluating all AfT interventions, including multilateral and bilateral programmes as well as the TDSP and EIF Tier 1. MoC and DICO have yet to put in place some formal monitoring and evaluation mechanisms. Once this is done, it is expected that annual monitoring exercises will be conducted, led by DICO with the participation of other Trade SWAp agencies from Cambodia and development partners. The results of these periodic progress reviews are to be fed into adjustment of on-going activities and programming of new interventions.

(4) WTO TRADE-RELATED TECHNICAL ASSISTANCE

15. Since its accession to the WTO in 2004, Cambodia has participated in 127 technical-assistance activities listed in the database by the WTO Institute for Training and Technical Cooperation (ITTC). Seven national activities were organized during the review period, on: WTO notification requirements and SPS and TBT enquiry points (2006); upgrading of the WTO Reference Centre and training on the WTO databases (2007); the DTIS 2007 (launch, 2007), STDF (preparatory mission for the STDF AfT event hosted by Cambodia, 2008); trade facilitation (needs assessment, 2008); LDC accessions (briefing of senior officials in preparation for the LDC Round Table hosted by Cambodia, 2009); and the TPR (first mission 2010). In addition, Cambodia has hosted a number of regional and international activities, and participated in several. Cambodia has also participated in regional and Geneva-based trade policy courses and in e-learning activities.

16. WTO activities in 2011, excluding national activities, include a regional trade policy course; a workshop on non-agriculture market access negotiations; a symposium on trade facilitation; an intensive course on trade negotiations skills; a workshop for ASEAN civil society and the media; a workshop for parliamentarians in Asian economies on international trade (introduction to the multilateral trading system, WTO Agreements, Doha Development Agenda, trade and development, trade and environment); and a seminar on WTO Reference Centres for RC managers and coordinators based in LDCs.

17. For 2012-13, Cambodia is requesting WTO's technical assistance and training to focus on Trade in Services; Dispute Settlement, and Trade Remedies. In delivery of technical assistance and training, Cambodia seeks a balanced approach between learning the contents of the WTO agreements and assistance in overcoming the challenges of implementing them. Cambodia also proposes WTO-facilitated discussion forums on linkages between the multilateral trading system and regional trade arrangements, on trade on natural resources; on issues related to the export of labour services, and on non-tariff barriers.

(5) AID FOR TRADE RESULTS

18. Cambodia has sought to draw lessons, in the form of case stories³, from work carried out in five priority areas identified in the three pillars. They are: (i) implementation of the work programme of legal reforms and commitments resulting from WTO accession (Pillar 1); (ii) reform and modernization of trade facilitation (Pillar 1); (iii) expansion and diversification of rice exports (Pillar 2); (iv) expansion and diversification of silk exports (Pillar 2); and (v) capacity development in export value chain and trade information (overlap Pillar 2 and Pillar 3).

(i) Implementation of the Work Programme of Legal Reforms and Commitments Resulting from WTO Accession⁴

19. Over the years, Cambodia has received technical assistance from various sources to assist line ministries in drafting a number of laws, sub-decrees, and regulations. Of the 74 laws, government sub-decrees, and major ministerial regulations identified in the Cambodian Case Story, some 50 reforms have been completed. Of the 74 reforms, 46 have received or are receiving technical assistance support from a wide range of development partners. One factor behind the very significant progress in this area is that the agenda has been driven at the level of the Prime Minister and the Council of Ministers, with some coordination of technical assistance by the MoC.

20. In addition, inter-ministerial coordination has been strengthened at lower levels. For instance, the National Committee on Intellectual Property Rights (NCIPR), with a secretariat in the Department of Intellectual Property Rights (D/IPR) of the Ministry of Commerce, has been set up to coordinate the work of six line ministries with authority over various aspects of intellectual property. The NCIPR is seeking to coordinate support from WIPO, the EU's ECAP III regional programme, AFD, TDSP, and possibly others, to avoid duplication and ensure full coverage of all needs.

21. In the area of intellectual property protection, over 36,000 marks were registered by the end of 2010 with a sharp rise in annual registration beginning in 2007. Meanwhile about 50 copyrighted works by Cambodian authors have been registered with the Ministry of Culture and Fine Arts. About 100 patent applications and 130 applications for industrial design have been received by MIME's Department of Industrial Property. Two geographical indications (GIs) have been established – one for Kampot Pepper and the other for Kampong Speu Palm Sugar, with the MAFF assisting the MoC in establishing the geographical boundaries of those GIs.

22. According to the authorities, progress in implementing the work programme of legal reforms resulting from WTO accession has been particularly noticeable and expeditious in areas where there has been strong leadership by the government agency in charge, and where the Government has been able to mobilize and coordinate AfT resources. Progress in customs law and intellectual property protection are good examples. The overall leadership of the Prime Minister and Council of Minister has also helped keep pressure on progress in this area.

³ Summarized in Ministry of Commerce online information (2011), "Trade Sector Development and Aid for Trade in Cambodia". Viewed at: <http://www.moc.gov.kh/tradeswap/>. For the full texts of the case stories, see OECD online information. Viewed at: http://www.oecd.org/countrylist/0,3349,en_21571361_46750445_46846376_1_1_1_1,00.html.

⁴ Based on "Cambodia's Aid-for-Trade Case Story No. 1: Work Programme of Legal Reforms and Commitments Resulting from WTO Accession", MoC, 5 May 2011. Viewed at: www.oecd.org/dataoecd/28/49/48413417.pdf.

(ii) Trade facilitation

23. The most significant progress has taken place in Customs with a strong leadership from the General Department for Customs and Excise (GDCE). The GDCE has coordinated inputs from a diverse group of development partners including the IMF, WCO, the World Bank TFCP (Trade Facilitation and Competitiveness Project), JAICA, AusAid, NZAid, and the EU. It has received a significant grant from the TDSP to continue working on the Customs legal and regulatory framework, increase awareness and understanding of customs procedures in the private sector, and continue building the capacity of customs officers.

24. Significant improvements have occurred due to implementation of the customs law, capacity development in the GDCE, the introduction of ASYCUDA automation, and the introduction of a risk management system. The introduction of the Single Administrative Declaration (SAD) also contributed to the significant reduction in the number of containers undergoing full inspection. The GDCE indicates that as of early 2011, wherever ASYCUDA has been introduced, 90% of import declarations are cleared and goods released within 24 hours of the filing of the declaration. According to the World Bank, the time it takes to export has been reduced, from an average of 37 days in 2007 to 22 days in 2010, and the time to import from an average of 45 days to 26 days.⁵ In term of overall country ranking for trading across borders, Cambodia improved from 126 to 118 between 2009 and 2010.⁶ Still, according to the same report, Cambodia continues to require more documents for import and exports than any of its ASEAN neighbours (approximately ten documents).

25. Development partners continue to support the expansion of the physical infrastructure for trade. Japan is assisting with upgrading some of the facilities in the Sihanoukville Autonomous Port; China is financing an expansion of Phnom Penh Autonomous Port (river port); ADB and other development partners have been major lenders for the renovation of key road arteries within the larger Mekong area; ADB and Australia are major lenders behind the rehabilitation of the railroad; and France and the IFC have invested in the airport infrastructure.

26. Progress in trade facilitation reform has been noticeable in areas where GDCE has been able to take the lead. Progress in trade facilitation has been more difficult or slower where clear leadership has taken more time to emerge, because of greater difficulties in mobilizing AFT resources, or other factors. Trade-related SPS is one area where progress has lagged. More progress will be needed on that front for Cambodia to be able to introduce a Single Window, as prescribed under ASEAN, and a WTO-compatible flat fee. The weakest link in enforcement of legal reforms might be the still-weak formal judicial and established court system. However, a major Government prakas was adopted recently by the Council of Ministers to clarify the roles of various ministries and agencies in this complex area. In addition, ADB and TDSP are deploying new resources to put in place an SPS risk management system that can be incorporated into customs clearing procedures.

(iii) Exports of rice

27. There has been significant progress in building, expanding, and diversifying Cambodia's export supply capacity. Rice production has grown rapidly in Cambodia in recent years and is a good example of aid-for-trade in action. Until recently, all domestic surpluses were exported in the form of unprocessed paddy to Viet Nam and Thailand, which, in turn, processed it, exported it in the form of milled rice, and captured most of the added value. Over the past three years, a small group of the largest Cambodian rice millers have taken the lead and begun exporting milled rice. From almost no exports three or four years ago, exports in 2010-11 reached 50,000 and 60,000 tonnes.

⁵ World Bank (2010b).

⁶ World Bank (2010b).

28. To support the current push on exports of milled rice, the Government adopted a Rice Export Policy, in July 2010, that focuses the efforts of concerned line ministries on removing remaining bottlenecks. The Policy sets out an ambitious target of one million tonnes of milled rice exports for 2015-16.⁷

29. Cambodia has received a large amount of aid from Australia and other development partners, at the farm level in particular, with a focus on seeds, harvest and post-harvest handling, irrigation, yield, and productivity. This aid was critical in restarting an agricultural economy heavily dependent on rice and crippled by years of war and unrest.

30. More recently, the IF/UNDP TRADE-project, IFC Agro-Processing Project (EU-Funded), GIZ, as well as AFD have focused on preparing rice millers to meeting the demands of importing markets and learning about those markets. Study tours and trading missions have been organized to West Africa, the European Union (three times) and to Viet Nam (to a buyer-seller meeting). IFC and the World Bank are looking into funding different financing mechanisms called for under the Rice Policy; AFD might join some of these efforts. AFD together with TRADE financed a 2009 symposium on trade-related financing that help pave the way for some of the recommendations included in the Policy. ADB and TDSP are and will be working on technical standards and SPS issues, including as they affect rice exports.

31. While AfT has been reasonably well targeted, coordination by the Government has been rather modest until recently. The Agriculture SWAp, the Trade SWAp and more particularly the Rice Export Policy are providing tools for Government to effect much stronger AfT coordination. The Rice Export Policy may provide useful lessons for developing similar sector-specific policies in other potential export sectors. In the view of some development partners, such sector-policies are too often lacking, and provide weak guidance on how best to focus some of the AfT.

32. According to the Rice Export Policy, the quality and productivity of seeds has improved enormously in recent years. However, by most accounts, this area still needs improvement. Water management and irrigation also remain in need of improvement and investment.

(iv) Trade SWAp and aid-for-trade coordination and management

33. The case stories presented by Cambodia at the AfT Third Global Review suggest that the extent and quality of AfT coordination remains uneven. Trade development is a particularly difficult area for aid management, precisely because multiple line ministries and agencies are often involved, with possible overlapping jurisdiction and authorities. Successful coordination has tended to be characterized by leadership by the Prime Minister or Council of Ministers, accompanied by strong coordination among development partners (e.g. trade facilitation or legal reform).

34. As a coordination structure for aid for trade, the national implementation arrangements (NIAs) developed to support Trade SWAp are still in the early stage of development. This is partly because of the need for trust building among the various ministries and agencies with a stake in Trade SWAp. Still, in part through the implementation of TDSP, the authority of the S-SC and the pillars in identifying and sharing aid-for-trade resources is beginning to gain traction. The formulation and implementation of clear monitoring and review mechanisms, which are lacking, could help establish the Trade SWAp NIAs as a key forum for the mobilization and allocation of aid-for-trade resources.

35. In addition to the difficulties of resolving turf issues required to improve inter-ministerial coordination, Government's limited capacity to formulate trade policies, including sector-specific

⁷ Government of Cambodia (2010).

policies, may also limit progress of the Trade SWAp NIAs. Development partners note that in many product and service sectors, there is a lack of clear development strategies and policies that could provide benchmark against which aid for trade could be deployed.

36. Under the IF-UNDP funded TRADE project, some resources were expanded to start a national network of trade-policy researchers that would be better linked to both government and regional policy research networks, including the ArtNet network managed by UN-ESCAP. Likewise, resources were deployed under TRADE to start a Value Chain and Trade Information Unit in the MoC, in line with a recommendation made some years ago during a development partners workshop organized by USAID.⁸ Both efforts are aiming at helping to fill the observed gap. TDSP will be financing a continuation of support to the MoC's Value Chain and Trade Information Unit. Clearly, these are longer-term needs and likely too large to be supported by a single development partner.

(6) TRADE DEVELOPMENT IMPACT

37. Trade is a major driver of Cambodia's poverty-reduction, economic growth, and Millennium Development Goals strategies. Building on its early mix of garment exports and tourism, recent efforts by the Government have been to diversify and expand the country's export supply and do so with a pro-poor focus. At present, Cambodia is focusing on developing exports in rice, cassava, cashew nuts, rubber, fish, and other agricultural and agri-processing sectors, together with manufacturing assembly (bicycles, motorcycles, and automobiles) in special economic zones, as well as mining and extractive industries.

38. Until recently, the benefits of garment exports and tourism tended to be concentrated in a few urban areas (mainly Phnom Penh, Siem Reap, Sihanoukville,) complemented by some internal transfers from workers in those three areas to their families in rural areas. Growth in the newer export sectors is expected to have a more direct and more widespread positive income-producing impact on poorer populations in rural areas.

⁸ See Cambodia's "Aid for Trade Case Story No. 4", 5 May 2011. Viewed at: www.oecd.org/databased/29/31/48413539.pdf.

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