

# Executive Summary

Improving the Local Administrative Structure



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# Executive Summary

## The aims and objectives of the study

The promulgation of both the Constitution of the Kingdom of Thailand B.E. 2540 (1997) and the Determining Plans and Process of Decentralization Act B.E. 2542 (1999) provided a strong impetus for nationwide decentralization. This momentum has been maintained over the past decade, with increased autonomy and democracy at the local government level. However, while there have been many positive developments, challenges in the decentralization process remain. In particular, some aspects of decentralization are still opposed by central government agencies. This occurs, in part, because there continues to be ineffectiveness at the local level, as well as a lack of institutional capacity to carry out policy initiatives. The research aims to highlight these challenges, with the objectives of the study as follows:

1. To evaluate the process of decentralization and explore the obstacles in the decentralization process between 1997 and 2008.
2. To evaluate the effectiveness of statutory reforms and other decentralization policies and compare them to similar processes in other countries.
3. To clarify the direction of the decentralization process in Thailand, as well as provide recommendations to ensure state agencies work towards the same policy direction.
4. To contribute to the existing empirical data on Thailand's decentralization process with the purpose of generating further research.

In order to explore Thailand's decentralization process since 1997, and to suggest any policy directions for improving and developing local administrative bodies, the team of researchers made the following assumptions:

1. Local governments are public bodies that are established by the modern state and thereby subsidiary to the State.
2. Local governments are local bodies that are granted autonomy to carry out local administrative initiatives.
3. Local governments are bodies that help create the efficient delivery of public services.
4. Local governments are institutions which ensure local democracy.
5. Local governments are bodies that operate with good governance and knowledge.

While policy recommendations of this study are based on the above principles, the purpose of this study is to reveal the challenges that have occurred with respect to: (1) organizational structures of local government bodies; (2) devolution of functions to local administrations; (3) local revenues and fiscal decentralization; (4) reforming the local personnel management system; (5) public participation; and, (6) changing approaches to monitoring local administration.

This study presents an in-depth assessment of each of the six areas mentioned above. Based on the findings, the team of researchers has presented suggestions to improve the process of decentralization in these areas. These suggestions have been defined as short term (1-3 years), medium term (4-6 years) and long term (7-10 years) strategies.

## Summary of Findings

### 1

#### Local Government Structures: Managing Relations Between and Within Local Government Bodies

Since the Determining Plans and Process of Decentralization Act B.E. 2542 (1999) came into effect, there have been many positive developments in the local government structure.

**First**, as a result of decentralization principles as explicitly stated in the Act, the subsequent legal provisions have provided not only a framework to enhance and guarantee local autonomy, but also the basis for devolved functions. These devolved functions are to be carried out autonomously by local bodies; and thereby, enhancing channels and opportunities for popular participation and local interests.

**Second**, since 1997 the government reform has brought about recent changes in local elections, with local residents now able to directly elect both local councils and Mayors. This has paved the way for “a strong local executive” type of local governance.

**Third**, the legal framework has resulted in a two-tier administrative structure consisting of the Provincial Administrative Organization (PAO), municipality and Tambon Administrative Organization (TAO). PAO is the upper-tier which operates large-scale administrative duties and public services, while the municipality and TAO are the lower-tier which is responsible for small-scale duties.

This transformation enhances the spirit of democracy and autonomy of local administration, but many challenges still remain.

**First**, while the creation of the two-tier structure has helped reduce redundancy in administering public services, it lacks effective mechanisms to coordinate works and functions assigned between all levels of local government and also between the central and local administrative agencies.

**Second,** although the introduction of direct elections for executives of local governments strengthens their authority and power, it serves to weakens the local council, particularly, its power to check and balance the executive.

**Third,** the size of local elected bodies does not match the type and size of locality. For instance, the number of TAO councilors varies according to the number of villages in the area, whereas the number of municipality councilors is fixed and stipulated by law. Accordingly, the number of representatives from the TAO is higher than the number of representatives from the municipality. This has resulted in TAOs being reluctant to upgrade and become a municipality, even though that would bring about increased authorities and responsibilities.

**Fourth,** the purpose of amending the legal framework was to strengthen the executive at the local level. While increasing power of local executives embraces the principles of decentralization, there is much fear that increased authority of the executive may lead to monopoly of power at the local level. To counter this, the law limits executives to two consecutive terms. However, this generates controversies among local politicians as to whether the term should be limited since this is not the government at the national level and local government in Thailand in principle is not a partisan politics. .

## **Policy Recommendations: Improving the Local Administrative Structure**

Based on the difficulties mentioned above, various improvements and amendments need to be made to the local administration structure both internally and externally. Any modifications made must be suited to the size and functions of the local authority. Most importantly, any changes must reflect democratic measures and enhance local participation. The team of researchers recommends implementing changes to the local administration structure as outlined in the following table:

Table 1: Policy recommendations for improving the local administrative structure

## Strategies for Improving the Local Administrative Structure

### Vision

Any changes to the local administrative structure must be in line with its size and function, without compromising the effectiveness of carrying out its duties. Most importantly, any changes must also support participation.

### Strategies

Strategy 1: Develop the effectiveness of local assemblies and enhance local participation.

Strategy 2: Enhance the capacity of the local administration, develop its structure, as well as establish large or special administrative bodies.

Strategy 3: Increase the flexibility of functions of the local administrative bodies to better suit the ever-changing socio-economic environment.

### Objectives

1. To enhance the functions and capacity of local assemblies, as well as its power to check and balance the executive.
2. To promote public participation in local government affairs.
3. To improve the capacity of smaller local administrative agencies so they can function more effectively and efficiently.
4. To improve the structure of the local administration to suit local needs, as well as functions and responsibilities.

## Strategies for Improving the Local Administrative Structure

### Short-term Strategies

(1-3 years)

1. Improve the internal structure of local administrative agencies, develop the effectiveness of local assembly, and support local participation.
2. Establish operational guidelines to support better local representation by encouraging local governments to set up a special committee system that is drawn from local voters.
3. Create an organization for civic education of the populace to improve public participation and the monitoring of local governance.

### Medium-term Strategies

(4-6 years)

1. Increase the capacity of local government agencies to carry out public services through encouraging inter-local cooperation.
2. Reduce the number of small TAOs by merging them and then upgrading them to municipalities.
3. Encourage the establishment of special local administrative bodies for better integration of local development plans in areas where there are special needs.



### Strategies for Improving the Local Administrative Structure

#### Long-term Strategies

(7-10 years)

1. Decrease the number of TAOs and eventually upgrade all TAOs to municipalities.
2. Establish regional councils for regional development.
3. Develop framework for local people to decide their own form of the internal administrative structure of local government. (Local people should be able to develop their own local government charter.)

## 2 Devolution of Functions to Local Administration: Resistance versus Local Capacity

As the functions and responsibilities of local governments reflect the levels of decentralization, autonomy and institutionalization of these local bodies, the functions should determine how local administrations should be structured and organized.

At present, national decentralization policies aim to achieve the following:

**First,** functions and responsibilities between the central and local governments are clearly delineated and a framework for transferring those from the central to local are provided. These devolved functions are separated into compulsory functions, optional functions and delegated functions by law.

**Second,** during the initial process of transferring responsibilities to the local level, much effort has been made to segregate, organize and clarify these responsibilities to minimize redundancy across functions and the delivery of public services. According to the law and the decentralization operational plan, duties and functions that require high level capacity are the responsibility of the PAO administration. Smaller responsibilities that require less capacity and resources are looked after by the municipality.

National decentralization policies have also opened up opportunities for transferring certain public services to the local level. This policy direction provides the possibilities of new models of local public management. For example, they need not manage all services by themselves but may choose to outsource or select to manage some through syndicates, unions, or local enterprises. While these developments are seen as positive steps, these efforts to transfer and segregate functions are not without challenges. The main challenges are as follows:

**First,** the transfer of functions to the local level is most likely to be contested by central bureaucracies which feel that their authority is weakened by the process. The loss of authority may lead central bureaucracies to either delay the process of devolving functions or create similar functions in place of the ones devolved to the local level.

**Second,** if not properly organized, segregated and clarified, transferring functions to the local level may lead to an overlap of functions between central and local governments, as well as between local governments themselves.

**Third,** the transfer of functions has so far occurred without amending all necessary laws and regulations, such as the City Planning Act and the Building and Construction Control Act. This has hindered the completion of the devolution process. Consequently, local administrative bodies have not been able to fully carry out their new functions and responsibilities.

**Fourth,** while the transfer of functions brings about increased responsibilities, in many cases the local administration may lack the experience and capacity to carry out its new functions. This can be due to various limitations, such as inadequate budgets and the lack of personnel. Consequently, the local administrations with newly devolved functions are unable to fulfill local expectations.

### **Policy recommendations: Devolving Functions to the Local Level**

Improvements in the devolution process should be aimed at extending functions and responsibilities to the local level. However, careful consideration needs to be made in segregating and clarifying the responsibilities of these functions. It is also essential that local administrations have a sense of ownership of these newly devolved functions.

Table 2: Policy recommendations for devolving functions to the local level

**Strategies for Devolving Functions to the Local Level****Vision**

While it is important that local administrations should extend their functions and responsibilities, the process should be carried out in a clear, effective and efficient way. This process should aim to provide public services that are in line with local needs, budgetary status and regulatory bodies.

**Strategies**

Strategy 1: Develop an integrated and systematic process of devolving functions to the local level.

Strategy 2: Amend the law and concerned regulations to support the extension of functions at the local level.

Strategy 3: Improve a clear, effective, efficient and responsible system for managing public services.

Strategy 4: Establish a system for managing public services by aiming to create a sense of ownership amongst local administrative agencies as well as the local population.

**Objectives**

1. To create an effective and efficient system for transferring functions to the local level.
2. To enhance local capacity and readiness to carry out these newly devolved functions.
3. To increase local responsibilities for managing public services at the local level.
4. To extend the functions that matter to the local population.

## Strategies for Devolving Functions to the Local Level

### Short-term Strategies

(1-3 years)

Amend the law and regulations involved as well as the operational decentralization plans to support the process of devolution so it is in line with the Determining Plans and Process of Decentralization Act B.E. 2542 (1999). These changes are crucial to enhancing a systematic process which would also facilitate monitoring and evaluation. Furthermore, it is also important that there is a re-classification of functions which is integrated with operational plans at the local level.

### Medium-term Strategies

(4-6 years)

Systematize local functions and their operations by amending the legal framework. Also, standardize public services by clarifying and expanding their functions so that they are in line with the mandates of national and local bureaucracies.

### Long-term Strategies

(7-10 years)

Upgrade the capacity of local administrative bodies and increase local participation in decision-making. Also, develop local capacity to enhance the expansion of functions by creating a two-functional system: 'mandated functions' and 'delegated functions'.

### **3 Increasing Local Income and Fiscal Decentralization**

Since the Determining Plans and Process of Decentralization Act B.E. 2542 (1999) came into effect, there has been substantial developments in the area of providing public services and fiscal distribution. As a result, local government's income has increased from 11.5% of the total national budget in 2001 to 20.7% in 2002. The increase was predominantly due to greater subsidies from the central government and not from locally levied taxes. Although local income has increased, providing more financial means for public services, there are still some concerns which are as follows:

#### **Concerns over the financial administrative structure**

- The local administration may not necessarily be able to expand its existing sources of income. Even though the law sets goals to increase revenue for local administrations, local governments still lack the authority and powers to determine their own sources of revenue.
- The lack of capable personnel to manage local budgets. Consequently, the local authorities have often been perceived as inefficient and lack enthusiasm in carrying out tax collection duties.
- The process of fiscal devolution occurred without the appropriate mechanisms to help support the process.
- There are no existing comprehensive studies on the relationship between macro and local fiscal management and its ramifications on economic stability, even though the process of decentralization aims to increase income through tax collection initiatives and the increase of subsidies..

#### **Problems with income distribution among local governments**

- There have been difficulties in determining the principles of income distribution among local governments. These principles should have taken the diversity of localities and their needs into consideration.

- There are discrepancies between principles/formula and functions in terms of income distribution at the local level. The existing principles do not reflect the functions and responsibilities of many localities. Furthermore, national politicians also interfere in the process of income distribution
- Revisions need to be made to the tax base system. The current tax base system generates ineffectiveness in tax collection at both the national and local levels. Furthermore, tax evasion still occurs on a regular basis.
- There needs to be careful consideration re-delineating taxation powers at both national and local levels and to develop a better, more coherent, system.
- The local administration still lacks the authority to collect tax from public enterprises and some government agencies that generate income.

Table 3: Policy recommendations for increasing local income and fiscal decentralization

### Strategies for Increasing Local Income and Fiscal Decentralization

#### **Vision**

It is important that the local administration should possess the autonomy to initiate and carry out policy initiatives which supports fiscal efficiency. The local financial system should be based on the size and functions it is responsible for and should serve to enhance equity among diverse localities.

## Strategies for Increasing Local Income and Fiscal Decentralization

### Strategies

Strategy 1: Improve revenue allocation and income distribution through improving effectiveness of local tax collection and fiscal management.

Strategy 2: Increase fiscal autonomy for local administrations by decreasing dependency on central government subsidies.

Strategy 3: Improve fiscal management by implementing auditing and budgetary systems which are in line with the central bureaucratic management. This in turn will help support post-auditing procedures.

Strategy 4: Amend the income distribution system at the local level by taking fairness and equity among local administrative bodies into consideration.

Strategy 5: Encourage fiscal discipline in managing the local budget.

### Objectives

1. To increase local authority and power in deciding on and implementing budget and fiscal policy initiatives.
2. To support fiscal capability of local administrations by increasing local income and effective usage of income.
3. To encourage fiscal responsibility within the local administration and amongst the local population.
4. To promote fiscal fairness and equity between local administrations.



Strategies for Increasing Local Income and Fiscal Decentralization			
Strategy	Short-term (1-3 years)	Medium-term (5-7 years)	Long-term (7-10 years)
Strategy for increasing effectiveness in income distribution	-	1) Develop an IT system to support local fiscal management.	-
	-	2) Develop both a database and build capacity of personnel to support local fiscal management.	-
2) Strategy for increasing fiscal autonomy for local administrations.			
2.1) Improve the existing tax base system	Develop an IT system for assessing local assets.	Replace building tax, land Tax and land development Tax with property tax.	-

### Strategies for Increasing Local Income and Fiscal Decentralization

2.2) Expand sources of income	Amend the law in order to determine new sources of taxes and fees	Issue new regulations entitling local government to determine and levy new taxes	-
2.3) Develop new sources of income for local governments. Also provide support for local governments to access loan and capital markets			
3) Strategy for improving auditing and budgetary systems	Develop an accounting system that is in line with actual local expenditure.	Develop a strategic result based budgeting system.	-
4) Strategy for improving equity and fairness between local administrative bodies	Encourage the financial provincial office to supervise and assist local fiscal management.	Utilize an IT based-revenue allocation formula to distribute income from the central to the local administrative agencies	-

## **4 Reforming the Local Personnel Management System**

Since the decentralization process came into effect, the development of local personnel management has gone through three stages.

### **The first stage (period before the Local Personnel Administration Act B.E. 2542 (1999) came into effect).**

The local structure for managing personnel was complex and redundant. From the national level down to the local, all administrations had their own committee for managing government personnel. However, a representative from the central bureaucracy had a place on each local committee. As such, this structure was not only redundant but the local level also lacked autonomy from the central bureaucracy.

### **The second stage (the period after the Local Personnel Administration Act B.E. 2542 (1999) came into effect).**

The 1999 changes aimed to reform and tackle these obstacles that hindered the decentralization process. Therefore, since 1999, local personnel management has come closer to resemble a unified system which in turn has increased local autonomy in managing its personnel. Under the legal reforms, the committees for managing local personnel at each level were dissolved, reducing the overlap of functions in these bodies.

### **The Current Situation .**

Many positive changes have been made since 1999 in managing local personnel. These changes include amendments to the structure of managing personnel which has increased the participation of local bureaucrats. Furthermore, other changes have supported management based on the merit system. However, the implementation of these changes is dependent on a draft law concerning local personnel management which is currently under consideration.

Since 1997, the overall process has shown considerable progress in managing local personnel. These efforts have brought the entire system closer to the unified system in managing personnel, reducing the complexities within the administration system. Furthermore, these efforts have increased authority and responsibilities for local executives in managing personnel. The various local personnel administrative committees are limited to standardizing measures and guidelines. They do not have the authority to manage personnel. Though these changes support decentralization initiatives, there are still some obstacles and challenges that need to be taken into account.

**First,** even though an overlap of functions within the structure of committees for managing personnel has been addressed, there remains some overlap of functions between the Commission on Local Government Personnel Standards and other central committees of local government personnel.

**Second,** even though the Local Personnel Administration Act B.E. 2542 (1999) has brought about significant developments, especially in limiting the role of central bureaucrats, there are still some existing channels for central interference in the structure of local personnel administrative committees. The law stipulates that high level bureaucrats at the provincial and national levels, such as the provincial governor or Director-General of the Department of Local Administration, all have a place on the committee. This opens up opportunities for interference from central government bodies.

**Third,** there is still a need for improvement in the process of managing personnel such as the lack of a result-based management system, career advancement, surveying employee attitudes, and accountability within the recruitment system.

# Policy Recommendations: Improving Personnel Management at the Local Level

Based on the findings above, strategies for improving local personnel management must be based on the merit system and enhance unity and standardization. However, it is also crucial that any changes must respect the autonomy of local agencies.

Table 4: Policy recommendations for improving personnel management at the local level

Strategies for Improving Local Personnel Management
<p><b>Vision</b></p> <p>Local personnel management should aim to increase its autonomy within the legal framework and regulations concerned. Furthermore, the process of managing personnel should seek to improve the effectiveness of the recruitment process while encouraging existing personnel to their full potential.</p>
<p><b>Strategies</b></p> <p><u>Strategy 1</u>: Improve and unify the personnel management structure. Any changes made should respect the autonomy of local governments.</p> <p><u>Strategy 2</u>: Develop a central organization for managing personnel, establishing standardized regulations, developing personnel as well as initiating research concerning local governance.</p> <p><u>Strategy 3</u>: Re-evaluate and amend standards and principles for managing personnel so that they are based on the merit system and competency-based approaches.</p> <p><u>Strategy 4</u>: Amend the law and regulations concerned which support the functioning of the local administration. Also encourage specialization and equality amongst all state personnel.</p>

## Strategies for Improving Local Personnel Management

### Objectives

1. To clarify and unify the structure of local personnel management.
2. To transform the roles and authorities of central government agencies from the regulator to a supporter of local personnel management.
3. To amend the principles and method of managing local personnel so it is based on merit and competency.
4. To upgrade local capacity and the quality of output, as well as encouraging local personnel to meet their full potential.

### Short-term Strategies

(1-3 years)

1. Establish a central agency to unify personnel management at all levels; an organization to support the application of the merit system; and a body for managing local personnel in the form of a quasi-autonomous non-governmental organization.
2. Establish standardized rules and regulations for managing personnel.
3. Encourage human resources development through training programs.

## Strategies for Improving Local Personnel Management

### Medium-term Strategies

(4-6 years)

1. Develop a competency-based system for managing personnel.
2. Replace seminar trainings with on the job training.
3. Prioritize human resource development through orientations, seminars and training programs.
4. Stress responsibility, accountability and discipline amongst local administrative personnel and improve regulations concerning personnel management.

### Long-term Strategies

(7-10 years)

1. Select local administration agencies and local personnel for best practices as examples for other local administration agencies in human resources management.
2. Reward local governments for effective local personnel and other managements.
3. Create a best practice database for to be utilized by both personnel and local administrative agencies.
4. Initiate a network for exchanging ideas and experiences in managing personnel through meetings and virtual networks.

## 5 Expanding opportunities for local participation and issues related to the quality of participation and local citizenship

Previous studies show that there have been low levels of local participation before the implementation of the 1997 Constitution. The roles of local citizens predominantly have been limited to receiving information and taking on advisory roles which lack elements of true participation. However, since then, there have been significant changes and increased opportunities for local participation which include the following:

**1. Participation in managing local governance.** The introduction of direct elections for local executives and local representatives has provided locals with channels for direct participation. In addition, there are also other opportunities for local involvement such as public hearings, initiations, and referendums, which may result in the adoption of a new law, or a specific government policy.

**2. Participation in monitoring local administration.** Not only has the 1997 Constitution paved way for nationwide decentralization, but it has also encouraged participation in monitoring local administrations. People now have the right to access information on local management practices, take part in procurement processes, and impeach local representatives and executives.

Although the 1997 Constitution has increased channels for local participation, some obstacles still remain. The existing concerns are as follows:

**First**, genuine political awareness amongst local population is still low. Consequently, participation is predominately non-voluntary or conducted without any true understanding of the implications for participation and its consequences.



**Second**, some laws attach conditions which hinder or complicate participation. For example, if people want to propose a law, they would need to provide a draft for consideration; ID documents and their qualifications will also need to be checked. Furthermore, there are no guidelines for how any draft laws should be considered. Therefore, local authorities can reject a draft law on any basis without having to provide good justification.

Another example is be the complex procedures for impeaching local officials. Due to unclear guidelines, there are low levels of participation in this area.

**Policy Recommendations for Encouraging Participation**

Based on the examples mentioned above, participation can be increased through the expansion of opportunities and mechanisms for participation, as well as amending some laws which have hindered participation. Most importantly, there is an urgent need to create political awareness among the population.

Table 5: Policy recommendations for improving personnel management at the local level

Strategies for Encouraging Participation
<p><b>Vision</b></p> <p>Local participation should be encouraged through existing channels; however, new ways for local involvement also need to be created. These channels should aim to enhance a sense of citizenship amongst the population as well as to create and stimulate political awareness in participating in local governance.</p>

## Strategies for Encouraging Participation

### Strategies

Strategy 1: Increase mechanisms and channels for effective local participation.

Strategy 2: Re-evaluate and amend the concerned laws, regulations, and guidelines for effective participation.

Strategy 3: Encourage participation to stimulate a sense of citizenship which in turn would encourage participation.

### Objectives

1. To enhance the effectiveness of local participation.
2. To encourage voluntary participation.
3. To stimulate a sense of citizenship and political awareness amongst the population.

## Strategies for Encouraging Participation

### Short-term Strategies

(1-3 years)

1. Require local administrative bodies to publicize their budgets (income and expenditure) and fiscal management
2. Encourage the locals to participate in local governance and local project activities.
3. Consider and execute results from public hearings. Also follow up on results and inform the locals.
4. Publish handbooks or guidelines for local participation.
5. Create training and educational programs as well as written materials to enhance knowledge amongst the locals.
6. Develop procedures for appointing, recruiting and selecting people to participate in local governance (e.g. in the form of local committees).
7. Increase the number of members of special local administrative committees. Require all committees to appoint representatives from the local population or civil society.
8. Use positive measures to stimulate or encourage local governments to create new ways in enhancing local participation.
9. Make it a national priority to improve, encourage and support education in areas of democracy, local politics and governance amongst youths.
10. Clarify and reduce redundancy of the roles and responsibilities of local government bodies that are involved in supporting local participation.

### Strategies for Encouraging Participation

#### Medium-term Strategies

(4-6 years)

Amend the Local Initiatives Act B.E. 2542 (1999) to provide more simplified and better clarified procedures for local participation.

Amend the Removal of Local Councilors and Local Executives Act B.E. 2542 (1999) for more simplified procedures for local participation.

#### Long-term Strategies

(7-10 years)

Utilize tax measures and fees to encourage local participation.

Increase local autonomy in carrying out procurement-related duties at the local level.

Stimulate a sense of ownership among local population in involving with local governance. Local governance is also their duties.

Encourage Public Private Partnership (PPP) through subsidizing budgets of local development agencies such as NGOs and NPOs to manage local services.

## 6

### Changing Approaches to Monitoring Local Administration

In the past, procedures for monitoring have defined the central administrative agencies' role towards local administrative agencies in two different ways: 1) an active supervisory role; and 2) a monitoring role.

Since the transition from absolute monarchy to democracy in 1932, the central administration's relationship towards the local was far more supervisory than monitory. This was much to do with the perception that

the local administration was still a part of the central bureaucracy; thus, the central bureaucracy should supervise the functions of the local administrative bodies for the public interest. For example, it was often found that officials from the Interior Ministry not only held a position at the ministry but also have positions in local bodies such as the Provincial Administration Organization (PAO), Sanitary District or Bangkok Metropolitan Administration.

However since the civil unrest in May 1992, there been calls for greater decentralization and reform at the local level. Consequently, these calls have paved the way for significant changes to limit interference and less stringent monitoring from the central agencies, resulting in improved central-local relations. Despite such developments, some channels for central bureaucracy interference remain which are as follows:

- 1. Monitoring through legal procedures.** The law still provides opportunities for state officials to monitor local personnel as well as local organizations.
- 2. Monitoring through administrative mechanisms.** The central bureaucracy may use the budget as an incentive to support or prevent certain initiatives. Furthermore, monitoring can be found in standard measures based on a contract entered by both the central and local government agencies. As a result, these measures control the local administrations but do not control the central government agencies.
- 3. Monitoring by independent bodies.** The 1997 reforms brought about the establishment of various independent bodies such as the Auditor General of Thailand and the Administrative Court. These bodies play a role in monitoring local governance.

## **The problems that have occurred due to monitoring of local administrations are as follows:**

- 1. The law and regulations concerning monitoring local bodies.** The law concerning the monitoring of local administration is generally unclear. This lack of clarity means officials are dependent on regulations from the central government which is often too detailed. As a result, local administrations lose their autonomy.
- 2. Personnel involved in monitoring local administrative functions.** Some central bureaucracies that have monitoring functions, such as the National Anti-Corruption Commission, National Human Rights of Thailand, and Auditor General of Thailand, either lack in personnel or have failed to assign personnel to carry out these functions. Consequently, the work load is shifted to the local level or, more specifically, to the District Chief Officer, Provincial Office of Local Administration or governor.
- 3. Interference in monitoring procedures by politicians at the national level.** Because patronage politics occurs between the national and local level, this provides a window of opportunity for local executives to interfere with the local bureaucracy.
- 4. Institutional weakness of the local assembly.** In many cases, the local assembly cannot carry out checks and balances duties due to existing connections between local councilors and the executive branch/mayors.
- 5. Lack of local participation in monitoring local administrations.** The 1997 Constitution was intended so people could monitor the executives and representatives at the local level. However, participation is generally passive and inconsistent as it only occurs when the locals are affected by a particular policy initiative.

**Policy Recommendations for Improving the Monitoring Process of Local Administrations**

Based on the problems mentioned above, it is crucial that the monitoring process is developed on many levels. Central bureaucratic agency attitudes that believe they should take responsibility in monitoring local administrative bodies need to be changed. This should be replaced by local participation in the monitoring process, which in turn would support a more locally-sustained process. Mechanisms and channels for monitoring also need improving to reduce redundancy of functions. Finally, organizations that possess monitoring functions need to develop their own capacity to increase effectiveness and efficiency.

Table 6: Policy Recommendations for Improving the Monitoring Process of Local Administrations

Strategies for Improving the Monitoring Process of Local Administrations
<p><b>Vision</b></p> <p>The monitoring of local administrations should only occur when appropriate and necessary; and should not interfere with the autonomy of local administrative agencies. While limiting the role of the central bureaucracy, the role of local participation in the monitoring process local institutions should be strengthened.</p>

## Strategies for Improving the Monitoring Process of Local Administrations

### Strategies

Strategy 1: Improve the principles concerned in monitoring local administrative agencies and strengthen local participation in monitoring process.

Strategy 2: Re-evaluate regulations, law and standard operational measures involved in monitoring local government.

Strategy 3: Develop local administrative capacities and increase effectiveness in their monitoring functions.

### Objectives

1. To improve law and standard procedures in monitoring local administrations.
2. To systematize and amend procedures in monitoring local a posteriori.
3. To increase local awareness in monitoring local governance.

### Short-term Strategies (1-3 years)

1. Improve law and regulations concerning the operations of local administration.
2. Re-evaluate the functions of local administrations and standardize public services. These standards must be in accordance with the Constitution.
3. Develop principles concerning the monitoring of state officials.
4. Strengthen local administrative personnel that are responsible for monitoring local administrations.



## Strategies for Improving the Monitoring Process of Local Administrations

### Medium-term Strategies

(4-6 years)

1. Develop the capability of organizations that are involved in the monitoring process.
2. Prepare independent bodies for any changes in the monitoring process.
3. Continue to improve and develop existing measures for monitoring personnel and organizations.
4. Create awareness and understanding amongst the local population in monitoring local administrative agencies.
5. Gradually reduce any unnecessary monitoring processes.
6. Introduce budgetary measures to support local capacity in carrying out state initiatives.

### Long-term Strategies

(7-10 years)

1. Establish an independent body to monitor the increased functions of the local administration.
2. Stimulate awareness, educate the local population, and encourage a people's network to participate in monitoring local administrative bodies.
3. Terminate any a priori monitoring procedures.







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