



KINGDOM OF CAMBODIA

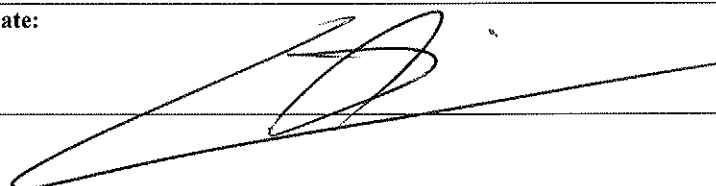
EUROPEAN¹ COUNTRY ROADMAP FOR ENGAGEMENT WITH CIVIL SOCIETY

2014 – 2018

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¹ This road map is prepared by the European development partners active in Cambodia- the European Union, the Czech Republic, Germany, Finland, France, Italy, Ireland, Sweden, Switzerland and the United Kingdom.

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INTRODUCTION

This document is the result of a joint work in 2014 by the Delegation of the European Union to the Kingdom of Cambodia, in collaboration with European partners, notably the Czech Republic, Germany, Finland, France, Italy, Ireland, Sweden, Switzerland and the United Kingdom. The road map is also informed by a consultation with civil society organisations in the country, in particular the umbrella organisations.

The elaboration of this roadmap for engagement with Civil Society Organisation (CSOs) at country level is intended to activate and ensure structured dialogue and strategic cooperation, increasing the consistency and impact of European actions in support of civil society. This initiative is informed by a consideration of the multifaceted European partnerships with CSOs in Cambodia, ranging from operational and funding issues to policy and strategic aspects of support to civil society. This resulting road map represents a shared vision of a more ambitious and coherent European engagement with CSOs.

The Roadmap has been developed with aim of translating the priorities of the September 2012 EU Communication on civil society into concrete actions on the ground². These priorities are:

- 1) To enhance efforts to promote an *enabling environment for CSOs* in partner countries;
- 2) To promote a meaningful and structured *participation of CSOs* in domestic policies of partner countries, in the European programming cycle and in international processes; and
- 3) To increase local *CSOs' capacity* to perform their roles as independent development actors more effectively.

The sources of the information contained in this document are a literature and document review that was complemented by a consultation process with Cambodian civil society organisations.

Dialogue and the involvement of national civil society is key to ensuring the ownership, quality and relevance of this Roadmap.

The Roadmap comprises of five interlinked sections: Sections 1 and 2 provide the analytical foundation of the Roadmap by looking at the state of civil society and current European engagement in Cambodia. Sections 3 and 4 set direction by defining European priorities and actions for engagement with civil society in the period 2015-2018 – and beyond. Finally, Section 5 provides a framework for tracking the Roadmap process. The five sections are briefly described below:

- 1) *Analysis of the state of civil society*. A clear understanding of the CSO arena and the environment, in which civil society operates is a prerequisite for a more strategic engagement at the country level;
- 2) *Assessment of current European engagement*. This involves an assessment of the European development partners' current engagement with civil society (including any existing coordination or division of labour). Where relevant this concerns also coordination with other donors;
- 3) *Definition of priorities for engagement with civil society*. The priorities are set at country level based on the analysis and informed by the main priorities for European support;

² COM(2012) 492: The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations;

- 4) *Formulation of actions*. This section incorporates identified concrete actions in support of the priorities identified. Actions may involve analysis, policy and political dialogue and funding modalities; and
- 5) A *dashboard* to keep track of *performance* at process and outcome level.

1. STATE OF CIVIL SOCIETY

This section represents European development partners' current understanding of the context in which civil society in Cambodia operates. It includes the analysis of the following aspects of the civil society arena: i) Enabling environment; ii) Participation of CSOs in public life; and iii) Local CSOs' capacity to perform their roles as independent development actors.

The term 'Civil Society Organisation' is often used interchangeably with Non-Government Organisations (NGOs) whose growth in Cambodia was spurred on by the availability of external donors' funds in the 1990s. However CSOs are a diverse body and their character is often sector or theme-specific. For the purpose of this road map CSOs are considered to include national and international NGOs as well as community-based organisations and membership associations (mutual help associations, resource management associations, occupational associations, advocacy associations, business associations, ethnic associations, religious or recreational associations), media professional bodies, trade unions, parliamentary and academic organisations.

The text in this section draws on the Assessment of the Enabling Environment for Civil Society, Country report Cambodia prepared by the Cooperation Committee for Cambodia as a part of the monitoring for the Busan Global Partnership for Development³.

1.1. Enabling environment

Civil society in Cambodia is vibrant. According to a census taken in 2011 by the Cooperation Committee for Cambodia⁴, there are currently more than 3,500 registered CSOs in Cambodia, of which around 1,350 are active NGOs and associations. In addition, about 1,110 smaller community based organisations tend to work informally at grass-roots level and do not always register their presence with authorities⁵. These CSOs are estimated to employ approximately 43,000 Cambodians⁶. Despite the number of active NGOs in Cambodia, only 538 have registered an active project over the past 3 years in the Cambodia NGO Database⁷.

It is argued that donors have helped build civil society in Cambodia. However, they have done so only to a limited degree, mainly by strengthening national-level NGOs that lack grass-root connections or a popular base and depend almost entirely on external support and whose upward accountability to the donors suggests that they are in fact not a part of 'home-grown or organic' civil society⁸. In recent years, a new term has been introduced – the 'hybrid civil society'-referring to sub-national NGOs and community-based organisations (CBO) that are often formed around the interests of the local people and community, but usually gain support from foreign funded NGOs and occasionally have local authorities' involved as members or even leaders. These organisations are termed 'hybrid' because of the coexistence of local, state and foreign interests embedded in their work⁹.

Basic legal rights

The right to form a civil society organisation (CSO) in Cambodia is guaranteed by the *Constitution of Cambodia* and, in practice, citizens are able to access and use this right. The

³ CCC (2013) Assessment of the Enabling Environment for Civil Society, Country report Cambodia, Cooperation Committee for Cambodia, December 2013

⁴ CCC (2011) CSO Contributions to the Development of Cambodia, Cooperation Committee for Cambodia, Phnom Penh, 2011

⁵ Cord (2011) Cord Cambodia 2011, Busan and Beyond: Accountability and an enabling environment for civil society in Cambodia, Cooperation Committee for Cambodia, NGO Forum on Cambodia and Medical Phnom Penh, Cambodia

⁶ CCC (2013) Assessment of the Enabling Environment for Civil Society, Country Report Cambodia, Cooperation Committee for Cambodia, December 2013

⁷ Cambodia ODA Database and Cambodia NGO database can be accessed through <http://www.cdc-crdb.gov.kh>

⁸ Ou, S. and Kim, S. (2013) 20 Years' Strengthening of Cambodian Civil Society: Time for Reflection, p. 3, Working Paper Series No.85, CDRI, October 2013.

⁹ *Ibid.*

Article 42 of the Constitution states that Khmer citizens shall have the right to establish associations and political parties and that these rights shall be determined by law. Khmer citizens may also take part in mass organisations for mutual benefit to protect national achievements and social order.

The Constitution of Cambodia (Article 41) guarantees that Khmer citizens shall have *freedom of expression*, press, publication and assembly. The press in Cambodia has been deemed ‘not free’¹⁰ and the space for freedom of expression has been limited. Television and newspapers are largely controlled by the dominant political party, whilst the Internet is regulated less strictly. The *Penal Code 2009*, abolished the crime of disinformation, and while it continues to criminalise defamation, the charge no longer carries a prison sentence.

The Civil Code of Cambodia 2007 regulates formation and registration of NGOs and associations, both for-profit and non-profit, based on voluntary registration. The provisions of the Code are supplemented by various additional laws, regulations and prakas (proclamations) that regulate the registration of CSOs. Local NGOs, that is, those run predominantly by Cambodian citizens, must register through the Ministry of Interior (MoI) whilst International NGOs should register with the Ministry of Foreign Affairs and International Cooperation (MoFAIC). Registration requires a Memorandum of Understanding to be signed between the CSO and Government, which can take a long time, particularly for those CSOs that work on sensitive issues such as forestry conservation or human rights violations. However, small grassroots level associations e.g. fisheries and forestry community associations, would seem to be free from regulation requirements. Registration requirements can be confusing and onerous (the Code contains 1,305 articles in nine books and only a few of these provisions seem to apply to NGOs and/or associations) thus allowing government discretion to play a role in determining the registration process.

An overarching *Law on Associations and NGOs (LANGO)* has been proposed, initially in 2008, to supplement the Civil Code and potentially simplify and consolidate the information relevant for the formation and operation of civil society organisations. The drafting of the LANGO was intended to bring greater transparency by requiring all CSOs to register.

LANGO has been contested by some CSOs who voiced concerns, as did many of the development partners, that the Law could be used to restrain criticism of government by civil society organisations, or to restrict freedom of association and expression. The draft LANGO was reportedly sent to the Council of Ministers (CoM) in early 2014 with the intent to pass it by mid-2014. Local and international organisations in Cambodia are monitoring developments closely in an effort to obtain a copy of the draft Law.

CSOs in Cambodia are also obliged to comply with the Cambodian *Labour Law* of 1997 and related regulations, which apply to all employer-employee relations where the work is to be performed within Cambodia. The nationality of the employer or employee is irrelevant. It does not matter where the labour contract was signed, so long as the work is performed in Cambodia, the labour law will apply¹¹.

The *Law on Taxation 2004* contains provisions for NGOs eligibility for tax exemption, which is not automatic, and the process of applying can be a long one. NGO employees remain subject to income (salary) tax and NGOs still need to comply with other related requirements including contributing to the *National Social Security Fund*¹². In practice, however, many NGOs do not pay tax even if they have not secured an exemption under the law.

¹⁰ Freedom House (2014) Freedom of the Press 2014, accessed at <http://www.freedomhouse.org/report/freedom-press/freedom-press-2014>

¹¹ BNG Legal, <http://bnglegal.com/sys-content/uploads/2013/04/Labor-Law-Guide-for-NGOs.pdf>

¹² *Ibid.*

The *Anti-Corruption Law 2010* requires civil society leaders to report their assets, although this provision has not yet taken effect. The legal environment for accessing funds is very permissive i.e. there are minimal legal barriers to the receipt of international funds by local NGOs in Cambodia, which are documented in the *Counter Terrorism Law 2007*.

Civil society organisations in Cambodia are not currently subject to formal *government audits* or inspections, although some informal monitoring of NGO events and activities is not unusual. Similarly, public reporting of civil society organisations is not required or specified in relevant laws. However, the latest draft of the LANGO contains provisions for government audits and inspections of NGOs.

In 2009, Cambodia adopted a national *Law on Peaceful Demonstrations*, which gives a clear definition of what is to be considered as a peaceful demonstration and as such has implications for CSOs work. The government has been working on several other laws that are relevant for civil society's enabling environment. Three fundamental laws related to judicial reform (*Law on the Organisation and Functioning of the Supreme Council of the Magistracy*, the *Law on the Organisation and Functioning of the Courts* and the *Law on the Statute of Judges and Prosecutors*) have been passed in 2014. CSOs are concerned about the independence of the courts and separation of power between the courts and executive and legislative branches after these three laws were enacted.

Further laws are being discussed, including the Law on Cyber-crime, a Law on Trade Unions, and a Law on Agriculture and Farmers' Land Management and Use. The human rights groups noted that, for example, according to the leaked draft of the *Cyber-crime Law*, people who published content online that slanders or undermines the government's integrity would face jail time and fines.

Organisational and financial sustainability

Legal framework for CSO funding. In terms of the legal framework for CSOs receiving and expending funds, restrictions are minimal. For receiving the funds, the potential restriction is in the Counter-Terrorism Law 2007 that contains detailed provisions relating to the question of financing of and material assistance to terrorism and "accords significant power to the Executive in limiting the financing of activities and organisations linked to terrorism"¹³. For expenditure, restrictions are more likely to be sourced from a civil society organisation's own by-laws, rather than national laws. Civil society organisations generally have provision, in their by-laws, for ensuring that profits are not distributed to staff or directors, and that upon dissolution of the organisation, any remaining funds or assets are transferred appropriately, sometimes to an NGO with similar objectives and sometimes to government¹⁴.

Some restrictions in relation to accessing and spending resources are proposed in the draft Law on NGOs and associations. According to the draft law, civil society actors will have to confirm that donations are sourced legally. This provision does not appear problematic as it is consistent with the Counter Terrorism Law 2007. The draft law also requires civil society organisations to cap expenditure on administrative costs.

Culture of philanthropy. There is a limited history or culture of philanthropy specifically for the benefit of CSOs in Cambodia. Cambodia's largest charity is the Red Cross, whose patron is the wife of the Prime Minister and the previous patron was the Queen Mother. The Red Cross

¹³ Observatory for the Protection of Human Rights Defenders 2010, p. 11

¹⁴ CCC (2013) Assessment of the Enabling Environment for Civil Society, Country report Cambodia, Cooperation Committee for Cambodia, December 2013

receives highly public and significant donations from the *okhnas*¹⁵ and its activities are thought by some commentators to be linked to the interests of the ruling party, the CPP. Donations for religious purposes and to political parties are the norm and article 16 of the Law on Taxation 2004 allows for limited tax deductions for making charitable donations. Some NGOs have experimented with the promotion of local philanthropy but these efforts have been modest without significant impact as yet.

Donors provide funding to civil society through a range of funding mechanisms, mostly by earmarked (geographical or sector) funding, calls for proposals, co-financing mechanisms or through international umbrella organisations. Donors will rarely provide core funding, multi-annual funding or pooled funding, hence many CSOs struggle to secure funds for ‘overhead costs’, such as program development, strategic planning, research, staff capacity development or similar. Constraints in accessing funds is further related to local NGOs’ limited capacity – compared with international NGOs – to identify appropriate donors, communicate in English and submit viable proposals for funding. As in most countries, access to foreign funds is highly competitive. Considering the near absence of local philanthropy, local fundraising in Cambodia is also constrained¹⁶. Moreover, understanding of CSOs as non-profit organisations creates expectations that they should not be generating any income to ensure their own sustainability.

Smaller, unregistered, community based organisations and networks of NGOs usually cannot receive funds in their right, mostly because donor policies do not permit this. However, such organisations and networks are usually legally able to access funds indirectly through a registered NGO, which may act for instance as the sponsor of the CBO or secretariat for the network, as the case may be.

According to the Council for the Development of Cambodia, NGOs contributed USD 200 million of development funding to Cambodia in 2012. More than 90% of these funds were channelled to only five sectors - health, community welfare, education, rural development and HIV/AIDS¹⁷.

Whilst several CSOs are well-organised and professional organisations, many however still depend on external donor funding and are project-focused. Grants and donations are the most significant and most common source of funding for NGOs. The majority of local and international NGOs in Cambodia receive grants and contracts from the foreign donors, mainly foreign government development agencies, United Nations and international NGOs. Local CSOs also secure donations from individuals – often foreigners – and some earn their own income, through commercial activities¹⁸. Commercial activities may include income from health clinics, restaurants, office rentals, sale of publications and craft shops. Very occasionally, some NGOs are able to access state funds most of which were established by the Government with support from donors.¹⁹ For example, Germany, Australia and Spain (until 2013) supported the Fund for Women Survivors of Gender-Based Violence, which has been managed by the Ministry of Women’s Affairs and can be accessed by NGOs that offer legal and social services for women and girl survivors of gender-based violence.

With the changing priorities and an increasing focus on partnerships between development partners and governments, the funding flows are changing putting many NGOs under pressure to find alternative ways of funding or start earning their own income. The establishment of social

¹⁵ ‘Okhna’ is a title traditionally bestowed on the citizens by the Royal family to acknowledge their contributions to the society. In recent times, it has been awarded to those who have raised money (of the order of USD 100,000) for good causes in the name of the CPP

¹⁶ Ibid.

¹⁷ Development Cooperation and Partnership Strategy 2014-2018, <http://www.cdc-crdb.gov.kh/strategy/default.htm>

¹⁸ CCC (2013) Assessment of the Enabling Environment for Civil Society, Country report Cambodia, Cooperation Committee for Cambodia, December 2013

¹⁹ CCC (2013) Assessment of the Enabling Environment for Civil Society, Cooperation Committee for Cambodia, December 2013,

enterprises is an increasingly common practice in Cambodia, including media institutions and agricultural associations, whilst some NGOs are transforming themselves into microfinance institutions.

Participation in public life

Cooperation between the RGC and civil society organisations. The Government has established a high-level multi-stakeholder forum for policy dialogue on development, notably the Government-Donor Coordinating Committee (GDCC) and the Cambodia Development Cooperation Forum (CDCF). CSO umbrella organisations, are invited to attend as CSO representatives, however their number is usually limited e.g. there were five CSO representatives at the last CDCF in June 2010.

Similarly, most of the Technical Working Groups (TWGs) have CSOs included in the sector dialogue as permanent member²⁰. Through the TWGs, they can provide input in the formulation of national policies, such as the National Strategic Development Plan (NSDP). Whilst the formal mechanisms are in place, the actual interaction between the Government and CSOs is difficult and at times antagonistic.

In 2012, the Government produced the *Guideline for an Annual Consultative Meeting between the RGC and NGOs*, which aimed to institute an annual dialogue. However, after the first meeting, there have been no other events. The Royal Government's *National Strategic development Plan 2014-2018* still does not appear to acknowledge that NGOs have a role in development that extends much beyond supporting service delivery and providing emergency relief. The *Development Cooperation and Partnership Strategy (DCPS) 2014 - 2018* on the other hand, recognises that civil society have a place in the policy dialogue fora, through their engagement in the TWGs as well as in GDCC and CDCF.

The interaction at *sub-national level* however has been better, particularly a more grass roots CSOs, rather than NGOs, are active at the sub-national level. Moreover, the Government has actively sought CSOs cooperation as technical service providers, especially in the rural areas, for example for capacity building in health centres. Dialogue could however benefit further from formalising interaction between CSOs and provincial, district and commune councils.

Advocacy and policy-oriented CSOs in Cambodia face an important challenge in how to engage robustly within the political sphere without being seen as partisan or taking sides. The culture of political dialogue in Cambodia needs to be encouraged and developed. However, this does not only depend on developing space and processes for constructive dialogue in the political sphere, but also on developing respect for pluralism and of moving away from the 'winner takes all' politics that characterise the Cambodian context, where expressing opposing viewpoints is considered disloyal rather than a contribution to a healthy plural debate.

The new Members of Parliament, appointed in August 2014, vowed to ensure the principle of the separation of power and to promote Cambodia's executive, legislative, and judicial branches adherence to a system of checks and balances. Civil society lobby groups will have further opportunities to lobby with the Cambodian Parliament and to ensure the relationship between civil society and the parliament is strengthened.

Other contextual factors

²⁰ There are currently 19 Technical Working Groups (TWGS) - Agriculture & Water, Decentralisation & Deconcentration, Education, Fisheries, Food Security & Nutrition, Forestry Reform, Gender, Health, HIV/AIDS, Infrastructure and Regional Integration, Land, Legal and Judicial Reform, Mine Action, Partnership & Harmonisation, Planning and Poverty Reduction, Private Sector Development, Public Administration Reform, Public Financial Management, Rural Water Supply Sanitation Hygiene. NGOs participate in 16 out of the 19 groups

The national elections in July 2013 witnessed the growth of civic engagement; a reflection of the growing popular discontent with the increasing social injustice stemming from the economic land concessions, high social inequality and ineffective judicial system. What has arguably contributed significantly to this strong and clear expression of the popular dissatisfaction was an increased availability and utilisation of the *Internet and social media*. The Communications technology has in effect created an alternative space for public debate and articulating public interests which was taken up by large youth population.

Two additional factors play an important role in the enabling environment for civil society. Firstly, the ASEAN *regional integration* and the increasingly important *role of China* in Cambodia. Secondly, the progress towards *middle-income country status* that Cambodia could achieve as early as 2015. These factors provide important lessons for Cambodian CSOs and point to alternative practices, such as China's views of civil society and its role in development.

1.2. Participation and roles

The last decade has seen a relatively rapid increase in NGOs funding activities from their own resources - from USD 50 million in 2006 to USD 200 million in 2013²¹. Most of this funding is directed towards health, education and community welfare services with rural development, environment and agriculture also being important sectors²².

Development partners channel on average around USD 90 million annually through NGOs. This ODA is funding programmes mainly in health/HIV, governance, environment and agriculture sectors. However, it should be noted that, whereas community welfare activities are almost exclusively funded by NGOs core resources, almost 94% of NGO governance related work is financed by development partners²³.

Participation in public policy formulation and reform including budget processes

There is a large number of CSOs, both at national and sub-national level, that participate in and affect public policies and budget implementation. As noted in the previous section the Development Cooperation and Partnership Strategy 2014 - 2018 acknowledges the importance of civil society's contribution to the high-level policy dialogue fora, alongside the RGC, donors and the private sector. However, in practice, the relations in different forums can vary significantly, depending on the nature of the civil society organisation, its constituents and location (i.e. whether it is membership-based or not), the type of work it carries out (i.e. advocacy or service delivery) and the level at which it operates (national or sub-national). It is usually the CSO umbrella organisations that are the most active in generating and communicating CSO inputs into public policy formulation, particularly policies for socio-economic development.

CSO organisations however, have overall a limited impact on the formal elaboration of public policies and budgets, particularly as there is currently no formal institutional mechanism for ensuring public dialogue on policy or budget issues. Discussion of gender budgeting or disability in policy development is often seen as a technical issue and therefore is not included in general policy dialogue opportunities. In addition, many of the Cambodian CSOs lack experience with fostering social accountability and public participation in development, although in recent years citizens' associations and community-based organisation have begun to emerge at the local level fostering demand for governance and creating avenues for dialogue and information exchange at the local level.

²¹ 'Own resources' refers to funding that is raised by the international NGO's in their own country and brought into Cambodia as the core funds of that NGO.

²² CDC (2014) Development Cooperation Trends In Cambodia, Using evidence to promote partnerships and development effectiveness, Cambodian Rehabilitation and development Board of the Council for the development of Cambodia, July 2014.

²³ Ibid.

The extent of public dialogue and discussion on government policy and its implementation in Cambodia is shaped not only by the CSO's capacity to engage in dialogue and support it, but also by the extent of popular demand for such dialogue. The low level of Cambodian public awareness about democratic processes and the role that citizens might play in them has only recently started to change, with the aftermath of the elections in July 2013 and the ensuing public protests. At the moment, there is yet no effective engagement between the citizens and the Parliament or any dialogue between the civil society and the ten Parliamentary Committees in charge of all the sectors of society.

As noted earlier, many of the NGOs are dependant on donor funding, their autonomy is limited and, to some extent, sets the parameters for their operations and their outputs, putting an onus on dealing with donor requirements. This effectively curtails CSOs ability to assert independence when dealing with the Government.

Transparency and accountability

CSOs' role in lobbying for transparency and accountability in public policy and service delivery, monitoring the implementation of policies and raising awareness of laws is rarely acknowledged in the Cambodian Government's strategic documents and policies. In addition, there is no formal fora for discussing transparency issues e.g. whilst there is an anti-corruption joint monitoring indicator, there is no corresponding TWG to provide a fora for discussion of progress. In 2012, however, the CSOs role in monitoring the implementation of laws was enhanced when the Government adopted an inclusive approach for the review of its implementation of the United Nations Convention against Corruption (UNCAC) whereby the Prime Minister officially appointed a Steering Committee comprising 16 representatives of various stakeholders including the National Assembly, academia and CSOs.

CSOs are seeking to lead by example by strengthening their own accountability through the NGO Good Practice Project and to mirror internally the changes they seek in their external environment. The Cooperation Committee for Cambodia introduced this project in 2004 and it promotes a voluntary self-certification based on a Code of Ethical Principles and Minimum Standards for NGOs, developed through a participatory process with the NGO community in Cambodia, in consultation with the government and other development stakeholders. This Code aims to maintain and enhance standards of good organisational practice and to ensure public trust in the integrity of individuals and organisations that comprise the NGO sector as well in the effectiveness of NGO programmes. The Voluntary Certification System (VCS) has been progressively implemented since 2007 with 47 organisations certified to date as compliant with the NGO code with 26 minimum standards of good practice and professionalism. A further 108 organisations have been engaged in the process of securing certification.

The Cambodia ODA Database and NGO Database have been developed by the Council for the Development of Cambodia, to record and share information on all development activities supported by external partners. Both systems can be accessed and viewed online to support planning and budgeting functions as well as to promote coordination between activities implemented by development partners and NGOs at national and sub-national level. Public access to these systems also makes an important contribution to ensuring that citizens of Cambodia as well as those of countries that provide these resources can access information regarding their use. NGOs' reporting for the database to date has been mixed.

Service delivery

The majority of CSOs in Cambodia are involved in service delivery, including emergency or humanitarian support. Many of the initiatives are within multi-actor partnerships that recognise the primary responsibility of the state (central and local) for service provision, such as the health equity funds.

Given Cambodia's development context, it is surprising to note that NGOs concentrate up to 80% of their programmes on development and service delivery and only roughly 7% on advocacy, human rights and democracy work²⁴. However, this may be a reflection of traditional donor funding priorities. Moreover, if provision of legal services can be considered service delivery, then through this work CSOs are also involved in addressing a range of human rights issues such as the right to secure tenure, right to housing, right to food security, etc.

Inclusive and sustainable growth

Cambodian CSOs are increasingly active players in the economic realm. As noted earlier, the establishment of social enterprises is common practice in Cambodia. Some CSOs became social businesses generating profits to serve marginalised groups, such as trafficked women. Similarly, many saving groups, village banks, rice mill cooperatives and similar local organisations and schemes have emerged across the country and have proven to function well and be sustainable. These organisations are not only creating a sense of civil society, boosting civic engagement and empowering communities, but are also reducing poverty in rural areas²⁵. The emergence and rapid expansion of farmers' groups organising themselves into saving groups and producer groups is very telling. For example, over the past 15 years, around 1,621 village-based savings groups have been organised, involving 35,000 people in 17 provinces and combining the funds of around USD 17 million²⁶.

CSOs are involved in securing land tenure for informal settlers in urban and rural areas, supporting indigenous people communities' land registration process, and improving approaches for land distribution to the poor, all of which are considered human rights issues. Moreover, they play an important role in protection of natural resources.

Labour conditions and standards are increasingly important for Cambodia's economy and growth, however current labour conditions do not correspond to those legally prescribed. Hence, trade unions have been playing an increasingly important role, particularly in textile industry, improving working conditions and therefore the livelihoods of workers. Exposure to international and regional networks is demonstrating the importance of the trade union movement, but labour unions in Cambodia continue to face threats and their freedom to work often depends on the Government's political will as they are perceived as opposition.

Conflict prevention, peace building and state building

Cambodia is marked by a recent legacy of violent conflict that destroyed the social fabric, resulted in lack of human capacities, and caused widespread trauma (e.g. post-traumatic stress disorder). Post-conflict transition is a process that is not linear; it takes time for the deeper impacts and fragilities to be addressed. Cambodia is now more than 20 years on from the formal end of the conflict, yet some fragilities persist and are reinforced by deeper social norms, whilst new fragilities emerge as the state becomes dominant, creating new tensions and risks of social conflict.

With booming Foreign Direct Investment (FDI) in land plantations and hydropower, weak rule of law combined with widespread corruption, Cambodia is witnessing growing social conflicts. CSOs play a role in identifying and managing social tensions and unrest in sensitive contexts, for example in programmes supporting ethnic minorities or working in the area of land governance. Promoting dispute resolution mechanisms and platforms for dialogue and exchange between

²⁴ Ou, S. and Kim, S. (2013) 20 Years' Strengthening of Cambodian Civil Society: Time for Reflection, p. 3, Working Paper Series No.85, CDRI, October 2013

²⁵ Ou, S. and Kim, S. (2013) 20 Years' Strengthening of Cambodian Civil Society: Time for Reflection, p. 3, Working Paper Series No.85, CDRI, October 2013

²⁶ The Cambodian Center for Study and Development in Agriculture, <http://www.ccdac.org.kh>

different communities, civil society organisations and local authorities are means to building trust and confidence in society.

Some progress has been made in state building and peace building (or long-term conflict prevention), however state building as a means of ensuring stability in Cambodia needs to be balanced with civil society development as a means of building a democratic state of law, accountability and social cohesion. Stability requires a capable, accountable and responsive state, positive state/society relationships and an atmosphere of safety, security and choice in which citizens are and feel able to function and achieve personal, family and community level ambitions. The vital work of rebuilding societal trust and relationships needs local civil society participation. State building must therefore incorporate notions of citizenship and social stability alongside state stability. Commune councils and religious organisations can make a particularly important contribution by maintaining dialogue with CSOs at the local level, whilst the Parliament should be encouraged to represent the peoples' voice at the national level.

Civic engagement for regional and global issues

As the Millennium Development Goals (MDGs) are nearing their target date food, energy, environmental and financial crises and conflicts are presenting new challenges that in some areas of the world offset developmental gains achieved to date. Cambodian CSOs acknowledge they have a role to play in the post-2015 development framework and in a joint global partnership for development to implement the post-2015 goals. Hence, CSOs in Cambodia have been active in facilitating a joint reflection on the relationship between civil society and government within the broader context of the post-MDG framework and consultation on potential partnership arrangements and means for implementation of the post-2015 sustainable development agenda.

At a regional level, Cambodia's pending integration in the ASEAN Economic Community may facilitate the implementation of the enabling environment and related mechanisms for civil society. In that context, Cambodian CSOs have been involved in organising and actively participating in the ASEAN People Forums that are organised by the countries chairing the ASEAN independently and in advance of the official annual ASEAN Summit.

As a result of globalisation, a growth in the number of CSO that act trans-nationally can be observed. They operate, on the one hand as opinion formers and on the other hand they provide concrete services (e.g. legal, social and humanitarian services). In trans-national context, strategically important areas are the cross-border migration of low skilled labour force, human trafficking and advocacy for internationally defined social and labour standards (e.g. in the garment sector in Cambodia). CSOs are contributing to awareness raising and education as a contribution to mitigate the risks.

Moreover, hydropower is a priority area for the development in the energy sector in Cambodia and regionally. Over the recent years foreign investors and developers have all studied opportunities for hydropower development in Cambodia. In that context, CSOs and communities affected by future hydropower projects, have been raising visibility of the issues and their concerns that inadequate attention is being paid to the negative impacts.

1.3. Capacity

Whilst significant progress has been made in strengthening civil society organisations in Cambodia, many challenges still exist. These include securing the Government's support for inclusive participation, achieving financial sustainability, ensuring adoption of adequate legal frameworks, establishing productive relationships with donors, and finding, training and retaining capable and motivated staff.

Legitimacy, credibility and internal governance

CSOs in Cambodia lack in voluntary participation, democratic structures and sustainability. Most CSOs in Cambodia are managed based on individuals' interests and perceptions i.e. there is an almost total lack of member-based CSOs, with the possible exception of the trade unions. There are also a considerable number of organisations that are formed and managed by individuals with close ties to the government. While this does not mean that Cambodian CSOs are not important actors in the development landscape, their representativeness is certainly of some concern. Thus there is a need to foster the development of more member-based organisations as well as strengthen grassroots organisations which could be facilitated with support of the bigger local or international NGOs.

In recent years, there has been a growing recognition of the need for more concerted and systematic civil society strengthening efforts. Donors are increasingly shifting their emphasis from individual CSOs to supporting the *enabling environment* for civil society as well as questioning the legitimacy of civil society as development actor in its own right.

CSOs face challenges in improving *transparency and accountability* within their organisations and activities. Transparency is mainly understood in financial terms and rarely in terms of decision-making processes. The practice of democracy within organisations is limited and is often intertwined with embedded structures of hierarchy, nepotism and patronage, autocratic and authoritarian leadership and secrecy²⁷ which is a reflection of the national context from which they stem. As mentioned above, NGO networks are leading by example by working to strengthen the democratic, transparent and accountable NGO practices through establishing an NGO Code of Ethical Principles and Minimum Standards and the NGO Voluntary Certification System. Moreover, instituting boards of directors and internal and external organisational audits further contributes to strengthening transparency and accountability.

Programme and project management

CSO capacities are also often limited by the lack of institutional management systems, human resources and the weak external relations of their organisations. CSO capacities for *programme management* vary, depending on which level they operate at and how they obtain the funding. Whether the organisation is big or small and whether it is working at the national or sub-national level, the level of responsibility of their staff is the same and they should have to comply with the same standards and requirements. Well-established national-level NGOs that are frequently funded by international organisations have usually undergone a range of trainings which developed their capacities for full *programme cycle management* – programme development and design, defining results frameworks, financial management, monitoring and evaluation. However, staff that worked for a big national-level NGO are rarely willing to transfer these skills to a small grassroots level organisation afterwards, hence limiting the skills and knowledge transfer from national to sub-national level. In some respect, national-level NGOs can act as *gatekeepers* between the donors and smaller sub-national level CSOs.

For the past two decades, foreign donors have been the most reliable source of income for Cambodian NGOs. However, few of the donors provide *core funding* and rather require organisations to apply for project funding, thus further 'projectising' the work of NGOs. In practice, the programme management skills developed by CSOs are often developed to fit the specific donor requirements.

Research and advocacy

²⁷ Henke, R. (2011), *NGOs, People's movements and Natural Resource management*, in Caroline Hughes, and Kheang Un (eds.), *Cambodia's Economic Transformation* (Copenhagen: NIAS Press),

There are only a few strong *research-oriented organisations* in Cambodia, such as the Cambodian Development Research Institute (CDRI), who have the full range of skills required to analyse, present and follow-up on public policy issues.

While many CSOs carry out research on community needs and service delivery as well as governance and human rights, it should be noted that *analytical and research capacity and skills* in the Cambodian population overall are fairly limited. There is very limited funding available for research purposes – until 2014 Government provided no funding for research. It is only in 2014 that, at the insistence of the Ministry of Education, USD 1 million was allocated in the budget to contribute to evidence-based policy development in education²⁸.

Research appears to be a ‘lost’ skill. Many Cambodian students return with advanced degrees obtained abroad (frequently on scholarships), however they have not necessarily acquired the skills required for research. Moreover, the lack of analytical and research capacity may to an extent stem from deeper cultural traditions in Cambodia. Cambodia follows traditional didactic teaching, where the teacher leads and students passively follow and are not encouraged to question the teachings. The country also faced a missing generation of academics in the immediate post-conflict era, resulting in a paucity of well-trained researchers in the country.

Organisations rarely adopt alternative approaches when doing research, opting instead for ‘easy’ topics or easy partners to work with. Hence, adopting approaches such as gender-sensitive research can often be translated to having male and female researchers, rather than ensuring gender balance during research itself.

Cambodian CSOs, and particularly CSO umbrella networks, are fairly effective in bringing together the knowledge and skills of a range of CSOs and lobbying the Government on public policy issues (witness the CSO inputs into the GDCC in 2012). The Government however often avoids engaging in dialogue on controversial issues such as the national budget, land rights or corruption, particularly in *formal meetings*. Hence, many organisations may use *informal channels* for advocacy and communicating with Government counterparts, to address some of the policy issues of interest.

The work of CSOs who conduct research in human rights, democracy and corruption can be challenging and risky and therefore it can be difficult to find partners, particularly among national authorities. It is necessary for CSOs to find a way of working that could *sustain the research* in this field and provide the organisations with freedom to work on their areas of interest. In this context, it appears that the Government finds it easier to accept a terminology of “policy-engagement” and “policy-influencing” organisations, rather than “advocacy” organisations.

Organisation, coordination and collaboration

Cooperation amongst CSOs takes place, especially on human rights, land and natural resources and climate change; but it is often limited. CSOs tend to mostly focus on their own work and connect with other organisations only in the area of services they provide hence cooperation around technical issues appears to be easier than cross-sectoral cooperation.

Broad-based coalitions are forming but are still at an early-stage and while cooperation among CSOs is increasing, the depth of cooperation is generally low. The extent of cooperation varies considerably by sector and cross-sectoral cooperation is infrequent. Umbrella groups have too few mechanisms of performance evaluation whilst there is no form of (government or non-government) oversight of partnerships and alliances.

²⁸ Information provided during discussion at the CSO consultative workshop.

The lack of coordination and collaboration is also due to the fact that NGOs follow a project approach of externally funded activities and, in such an approach, donors rarely request NGOs to ensure coordination and collaboration with other similar organisations or activities.

Lessons from the recent years, however, suggest that when civil society feels threatened, as was the case with the disabling provisions of the draft LANGO in 2011, Cambodian CSOs can come together to achieve a high-level of solidarity and cohesion among different types of NGOs.

2. CURRENT EUROPEAN APPROACH TO WORKING WITH CIVIL SOCIETY IN CAMBODIA

European development partners consider improvements in governance the most important factor for inclusive and sustainable growth in Cambodia and fully recognise that the nature of relations between civil society and Government are an essential aspect of governance. The involvement of active citizens from different parts of society in the making of collective choices can enrich the development agenda and debate in Cambodia and facilitate participatory governance. Government-civil society relations remain difficult and most participatory governance initiatives have varying levels of success in getting involvement from the other “side”. Fostering dialogue on societal choices will ultimately strengthen social cohesion and trust and is both in the interest of Cambodian society and important for the success of Cambodia’s development process. Through their support for civil society, European development partners therefore aim to contribute to a more open, dynamic and participatory Cambodian development process. They will do so by facilitating a culture of trust within society, including the political sphere, as well as in the relationship between state and non-state actors.

2.1. EU Guiding principles for effective support to civil society in Cambodia (2010)

European development partners in Cambodia have always been actively interested in promoting the inclusion of CSOs in relevant policy dialogue fora, supporting their role as important actor in the development processes, facilitating political engagement, routine consultations with CSOs and coordination of European funding. To that end, in 2010 the European Union development partners formulated the *EU Guiding Principles for Effective Support to Civil Society in Cambodia* that set out the six key principles to guide the EU development partners’ work towards strengthening participatory governance in Cambodia. EU development partners committed to strengthening participatory governance through promoting rights-based approach to governance, supporting the Government-civil society dialogue, creating enabling legal environment for civil society participation, as well as through creating incentives for participatory engagement of all stakeholders. These principles continue to inform the European development partners’ engagement with civil society.

2.2. European Strategy for Development Cooperation in Cambodia 2014-2018

The European Strategy for Development Cooperation in Cambodia 2014-2018 provides a framework for all European activities in Cambodia. In their joint Strategy, European development partners committed to support the strengthening of oversight institutions to bring public services closer to the people, promote democratic processes at sub-national level and ensure checks-and-balances in the exercise of power. To this effect, European development partners intend to work on both strengthening the ‘demand side of governance’ by supporting citizen’s voice and participation in national and local decision-making; and the ‘supply side of governance’ by strengthening the efficiency and effectiveness of public institutions in terms of systems, service delivery and responsiveness. European development cooperation programmes therefore involve various development actors and complement their programmes by efforts that directly strengthen Cambodian citizens’ knowledge, skills and ability to participate in public life.

2.3. Policy dialogue for an enabling environment

European development partners support the development and implementation of an enabling environment (political, legal, financial and policy) for civil society and they promote CSO role as important actor in development processes. This includes discussions with CSOs on the enabling environment conditions and the discussions with the Government on ensuring the conditions are put in place.

European development partners also support the dialogue between the Government and civil society, at central-level, sector-level and sub-national level, within their support for the key public government reforms. They encourage the RGC to strengthen inclusive dialogue mechanisms for civil society participation, particularly in TWGs, GDCC and CDCF, and to establish dialogue and partnership mechanisms based on the process of genuine negotiation and mutual agreement. European development partners are working to support the space for CSOs to participate in strengthening checks and balances within the political system.

Strengthening legal and judicial reform and the rule of law as well as working with parliament, government, media and civil society, and through use of social and digital media, European development partners aim to support freedom of expression.

2.4. European dialogue with civil society

European development partners recognise the *added value of dialogue* and consultation with civil society in Cambodia on development cooperation policies and approaches to enable policy coherence for development and in relation to issues in which CSO partners specialise, such as gender equality, environment or human rights. European development partners are in constant, both ad hoc and formally organised, dialogue with the CSOs they support. Recently, during the formulation of the joint European Development Cooperation Strategy for Cambodia 2014-2018, European development partners also started a *joint dialogue* with civil society to seek their inputs in the joint strategy programming process.

In order to ensure *effective and meaningful consultations*, European development partners usually carefully reflect on the purposes of consultations, whether bilateral or joint; consider who should be invited; organise consultations in advance to allow sufficient time for CSO preparation; share the necessary background documents; and follow-up by providing feedback to participants.

European development partners aim to have a *common position* and message on all the key issues in discussions with the Government and other stakeholders when relevant, both in terms of policy and technical issues. This includes consultations and dialogue with the CSOs.

European development partners participate in three mechanisms for dialogue and consultation with CSOs:

- i. Though the formal three levels of policy dialogue fora mentioned earlier (CDCF-GDCC-TWGs) which brings together the Government, development partners, civil society and private sector.
- ii. Through bilateral European development partners consultations with CSO partners and potential beneficiaries
- iii. Through joint consultations of European development partners with civil society, as was the case within the European joint programme formulation in 2014.

The agenda, information sharing and level of inclusiveness of these consultations varies, depending on the purpose of the meetings. For example, for the *high-level policy dialogue fora* such as CDCF or GDCC, typically only three representatives of the largest umbrella CSOs would be invited by Government (usually CCC, NGO Forum or MEDiCAM), the detailed background information for the meeting would be shared well in advance and all participants would be able to contribute. At the *TWG level*, it is usually a selection of sector-specific organisations that would participate and the effectiveness of information sharing would vary from one TWG to another.

In *bilateral dialogue*, the European development partners would invite their partner CSOs and share information specific to their bilateral CSO programmes. Most recently, in the *joint European consultations* with the civil society in preparation for the joint European Strategy for

Development Cooperation in Cambodia 2014-2018, European development partners invited around 70 NGO representatives (national and international) from across all sectors and areas of work to discuss the plans and priorities for joint European strategy over the following 5 years period. Consultations covered a wide range of issues raised by the European development partners, including those linked to Policy Coherence for Development, and by CSOs. The outcomes of these meetings are typically recorded in formal minutes or reports and followed-up on, jointly with CSOs where relevant.

2.5. Mainstreaming civil society

Cambodian civil society has been mainstreamed in European development cooperation processes, including the programming, sector programmes and instruments of cooperation, to the extent possible. European development partners have been working to ensure greater complementarity between their programmes, including those for support to civil society.

It should be noted however that European development partners have varying degrees of control over the funding provided to CSOs at country-level and some of them have limited control over the rules that govern CSO funding, particularly related to non-bilateral thematic funding. They are therefore limited with respect to the extent to which they can ensure full complementarity between programmes, including geographic and thematic funding. Nevertheless, efforts are made on an on-going basis to facilitate complementarity and coherence.

2.6. Coordination

As noted above, European development partners have varying degree of control over their funding for CSOs and the rules that govern it. They are therefore also limited with respect to practical coordination, harmonisation of rules and procedures that they can achieve at the country-level. Nevertheless, they share information and consult on key civil society-related programmes among the European group and with wider donor community.

European development partners

There are twelve European partners currently providing funding for civil society in Cambodia, including: the European Union, Czech Republic, Finland, France, Germany, Ireland, Italy, Luxembourg, Netherlands, Sweden, Switzerland and the United Kingdom. Detailed information on their programmes and funding mechanisms for civil society are provided in the Annex.

Existing coordination mechanisms

European Development Counsellors meet on a monthly basis and governance/civil society development is an agenda item at these meetings when necessary. Relevant issues pertaining to civil society are also raised in the monthly Informal Donor Lunches, chaired by the Lead Development Partner Facilitator (currently EU). EU Political Counsellors and EU Heads of Mission coordinate regarding political and human rights aspects of the civil society agenda. Joint European communication and messages have been prepared when relevant, for example in the consultation on the formulation of the LANGO.

The overall information exchange among European development partners is highly effective, but would benefit from a structured mechanism for information exchange and coordination specifically related to civil society support and funding.

Joint action

European development partners are exploring coordinated approaches to support civil society in the context of their joint European Development Cooperation Strategy for Cambodia 2014-2018.

This road map is the first step and the relevant themes for joint action have informed the identified priorities.

Division of labour

European development partners have a well-established division of labour with respect to all the key sectors of their development cooperation in Cambodia. Support to civil society is being discussed within the Governance and Administration reforms, however there is no European partner nominated to be the lead for civil society issues per se.

2.7. Lessons learnt

Lessons learnt

CSO involvement in policy dialogue has the potential to make policies more pro-poor and responsive to vulnerable peoples' needs. The evidence suggests that social accountability mechanisms are increasingly being developed, particularly at the local level. Increased transparency and accountability of CSOs' own activities and budgets contribute to civil society's legitimacy and credibility in Cambodia.

Supporting CSOs offers opportunities for the strengthening of existing institutional frameworks and the potential for social dialogue as a channel for promoting civil society's legitimacy and role in development. European development partners need to strike a balance between the conditions they attach to civil society funding, which hampers the independence of CSOs, and respecting the role of CSOs as independent development actors. Hence, they should be clear on whether the CSOs are expected to align to the Government's development priorities or to fill gaps in these priorities.

On the other hand, effective CSO involvement in policy dialogue is hindered by a number of internal and external obstacles. These include problems of limited research and advocacy capacity of Cambodian CSOs, coupled with insufficient resources and fragmentation of efforts. Externally, a major constraint is the attitude of Cambodian government who sees CSOs as partisan and with political and vested (donor-driven) interests. Consultation processes often fail to engage with key civil society actors and they tend to be held in capital cities, effectively side-lining small community-based organisations that form a part of the 'organic' Cambodian civil society.

European development partners recognise that CSOs in Cambodia can be capable partners however European procedures and mechanisms for channelling funds to CSOs can be overly complicated and demanding. As noted earlier, donors provide funding to civil society through a range of funding mechanisms, but they rarely provide core funding, multi-annual funding or pooled funding for civil society support, hence many CSOs struggle to secure adequate funds for 'overheads' which can be used for general program development, strategic planning, research, staff capacity development or similar. Social media, technical assistance and new, more flexible funding mechanisms, such as core funding rather than project-specific funding offer new avenues for support. However, experience suggests that when core funding is provided it may create a risk of dependency and loss of legitimacy. Ensuring sustainability of civil society organisations in countries such as Cambodia which are facing aid withdrawal is a particular concern. Planning for aid exit has long been a topic of debate, with sustainable capacity building of local civil society representing a crucial aspect of planning for exit.

Moreover, NGOs tend to attempt to address a broad variety of themes in order to be able to have access to several different donor funds. As a consequence, there is a lack of focus and impact to their work. In addition, due to the project logic, there is often little coordination and collaboration among NGOs that work in the same field because of perceived competition.

When designing their support, European development partners should strive to ensure that their financing mechanisms and requirements are enabling CSOs to be effective development actors, in

line with the Busan commitments. This includes strengthening coordination and harmonising procedures for civil society funding, to the extent possible. Examples of basket funds in other countries provide valuable lessons, for example the basket fund for civil society support for democratic governance in Nicaragua, which was set up by Finland, Germany, Luxembourg, the Netherlands and Switzerland. Good practices for harmonising donor procedures suggest the need to streamline requirements, harmonise contracting, funding and reporting requirements among donors and use common terminology to increase transparency and comparability of support to civil society. At the same time, donors need to ensure better coordination and collaboration with respect to project approach that is currently preferred option for donors' funding for CSOs, yet it often results in highly fragmented effort.

Insufficient resources and competition for available civil society funding detracts from CSO specialisation by diffusing their efforts. Moreover, lack of ownership and confidence among civil society actors in advocacy activities and dialogue mechanisms weakens the potential for dialogue with the Government. It is therefore important for donors to have a mix of formal funding mechanisms available that can be tailored to suit civil society partners, to maximise impact and allow for flexibility to adapt to changing situations and needs. Moreover, experience suggests that when working with community-based organisations in cooperation with local authorities, the combination of small grants and advocacy work appears to be particularly effective²⁹.

As noted earlier, the culture of political dialogue and the valuing of pluralism in Cambodia needs to be encouraged and developed, to enable CSOs, particularly advocacy and policy-oriented ones, to engage in a dialogue within their political sphere without being seen as taking sides. European partners should therefore encourage development of a "culture of trust" in Cambodia, which embraces all kind of social interactions, be it in the pure political sphere, in the relationship between non-state and state actors or in private matters.

Do no harm

As noted in the earlier sections, CSOs have a role to play in mitigating growing social conflicts stemming from social injustice by identifying and managing social tensions and unrest in sensitive contexts. An important role for the civil society in Cambodia is to foster the development of social capital and trust. Promoting platforms for dialogue and exchange between different communities, civil society organisations and local authorities is an important means to support trust- and confidence-building in society and mitigate potential negative impacts of donor-funded programmes, including those with civil society.

²⁹ European partners lessons from development cooperation prepared in the process of joint European Strategy preparation

3. PRIORITIES

The following priorities were identified through consultations with civil society organisations taking part in European development cooperation programmes in Cambodia.

PRIORITY 1 - Promote a human rights-based approach and mainstream civil society in European development cooperation to facilitate a strengthened enabling environment for civil society in Cambodia.

Indicator 1.1 - The Government's policies/laws/sub-decrees are consulted with civil society organisations whose comments are increasingly accepted and reflected in the final provisions of the policies/laws/sub-decrees.

Indicator 1.2 - The relationship between the Government and civil society organisations has changed to closer development partnership.

Indicator 1.3 - Civil society organisations apply a rights-based approach as the core principle in their development interventions

Indicator 1.4 - CSO human rights-based approaches are engaging with and influencing the Government policies, strategies and activities.

PRIORITY 2 - Effectively support local civil society efforts to enhance their internal governance, transparency and accountability

Indicator 2.1 - Number of CSOs complying with the minimum operational standard guidelines

Indicator 2.2 - Number of CSOs complying with the guidelines on the minimum requirements for the Implementation and Monitoring & Evaluation

Indicator 2.3 - CSO database completed, populated and updated regularly

Indicator 2.4 - Increased number of CSOs completing voluntary certification (NGO GPP)

PRIORITY 3 – Expand and structure European dialogue with civil society

Indicator 3.1 - A specific platform for European dialogue with CSOs established (with related agenda, schedule, participation list, etc.)

Indicator 3.2 - Common understanding of roles and responsibilities (existing ToR, feedback mechanism)

Indicator 3.3 - Concerns and voices of CSOs are heard and taken into account by the European partners and influence their decision-making.

Indicator 3.4 – Programme-based and core funding support to CSOs is increased

4. ACTIONS

This section includes potential actions that contribute to achieving the priorities listed in the previous section and which the European partners could support, depending on the available funding.

Action tables

Priority 1
Promote a human rights-based approach and mainstream civil society in European development cooperation to facilitate a strengthened enabling environment for civil society in Cambodia.
Indicator(s)
Indicator 1.1 - The Government's policies/laws/sub-decrees are consulted with civil society organisations whose comments are increasingly accepted and reflected in the final provisions of the policies/laws/sub-decrees.
Indicator 1.2 - The relationship between the Government and civil society organisations has changed to closer development partnership.
Indicator 1.3 –CSOs apply a rights-based approach as the core principle in their development interventions
Indicator 1.4 - CSO human rights-based approaches are engaging with and influencing the Government policies, strategies and activities.
Actions:
A. Analysis: Studies, mappings and research
Conduct a review of application of human rights based approaches in European and other partners' programmes for support to civil society.
Canvass Cambodian CSOs, media, education and communications professionals to identify key aspects for developing and promoting successful public awareness and education on development issues in Cambodia.
B. Policy dialogue, consultation and facilitation
Put special emphasis on fostering a dialogue between the Government and civil society, at central-level, sector-level and sub-national level, according to their legitimate roles and responsibilities.
Work with the RGC to strengthen inclusive dialogue mechanisms for civil society participation, particularly in TWGs, GDCC and CDCF, and to establish dialogue and partnership mechanisms based on the process of genuine negotiation and mutual agreement.
Promote participatory governance as a right. Promote European values of respect for human rights (including freedoms of association, information and expression), the right to essential services (such as health, water and education) and citizens' rights to participate in development of policies that affect their lives.
Undertake a policy dialogue with Government to ensure any new legislation, including on access to information, cyber space, the media and/or associations, reinforces constitutional freedoms (notably freedom of expression and association – in line with the EU Human Rights

Strategy) is consulted with civil society. Provide visibility for CSO contributions to public debate and policy particularly sectors benefiting from the European development cooperation to amplify their voice.
C. Funding: Operational support including mainstreaming
Provide assistance on legislation in line with European standards for an enabling environment.

Priority 2
Effectively support local civil society efforts to enhance their internal governance, transparency and accountability.
Indicator(s)
Indicator 2.1 - Number of CSOs complying with the minimum operational standard guidelines Indicator 2.2 - Number of CSOs complying with the guidelines on the minimum requirements for the Implementation and Monitoring & Evaluation Indicator 2.3 - CSO database completed, populated and updated regularly Indicator 2.4 - Increased number of CSOs completing voluntary certification (NGO GPP)
Actions:
A. Analysis: Studies, mappings and research
Consider lessons from European development partners in different countries in supporting capacity development and sustainability of civil society and provide proposals for facilitating formulation of exit strategies.
B. Policy dialogue, consultation and facilitation
Support and encourage adherence to voluntary certification schemes such as the Governance and Professional Practices certificate by local and international NGOs operating in Cambodia.
C. Funding: Operational support including mainstreaming
Focus support for capacity building on organisational development through targeted funding to strengthen organisational management and administration in line with good governance practices Explore pool funding possibilities for supporting civil society, including through longer term funding

Priority 3
Expand and structure European dialogue with civil society

Indicator(s)
<p>Indicator 3.1 - A specific mechanism for European dialogue with CSOs is established within the framework of the joint European Development Cooperation Strategy for Cambodia (with related agenda, schedule, participation list, etc.)</p> <p>Indicator 3.2 - Common understanding of roles and responsibilities (existing ToR, feedback mechanism)</p> <p>Indicator 3.3 - Concerns and voices of CSOs are heard and taken into account by the European partners and influence their decision-making.</p> <p>Indicator 3.4 – Programme-based and core funding support to CSOs is increased</p>
Actions:
A. Analysis: Studies, mappings and research
<p>Monitor European development partners' consultations with civil society systematically in order to analyse strengths and weaknesses of the existing dialogue. Utilise on-going processes, such as monitoring of the implementation of the joint European Strategy for Development Cooperation 2014-2018 to ensure dialogue with CSOs takes place.</p>
B. Policy dialogue, consultation and facilitation
<p>Analyse European civil society support (organisations, sectors, funding mechanisms, participation in dialogue with RGC) and provide proposals for improving coordination of civil society-related activities supported by the European development partners.</p> <p>Include CSO-related issues on the European Development Counsellors monthly meetings.</p> <p>Establish a mechanism for dialogue between the European partners and CSOs.</p> <p>Engage with associations other than NGOs, including trade unions, the media and universities.</p> <p>Ensure diverse representation of civil society participation in policy dialogue. Identify incentives and promote strategies for more effective and equitable stakeholder engagement in all sectors and TWGs. Explore incentives, strategies and mechanisms that empower weaker and more vulnerable CSOs to promote equitable terms of engagement between stakeholder groups (both with the Government and with national-level NGOs and broad-based coalitions).</p>
C. Funding: Operational support including mainstreaming
<p>Coordinate where possible provision of European financial support in ways that promote complementarity of CSO funding and joint action.</p> <p>Consider opportunities for providing core funding to CSOs, when available.</p>

5. DASHBOARD

The purpose of this section is to have, in one page, an overview of progress at process and outcome level. Achievement towards these indicators will be updated each year in January together with the update of the Roadmap.

Country: Cambodia		
Process		
Area	Indicator	Achievement
Involvement of European development partners in Roadmap elaboration	European development partners present in the country are actively involved in the elaboration of the Roadmap	Discussed at the European Development Counsellor meetings in 2012 and 2013, and at the European Counsellors retreat in 2013
Consultation with Cambodia civil society	The Roadmap has been prepared on the basis of consultations with a range of Cambodian and international CSOs respecting principles of access to information, sufficient advance notice, and clear provisions for feedback and follow-up.	Consultation meeting with local and international NGOs in March 2014 on the joint European programming. Consultation with CSOs in December 2014 on the Roadmap.
Joint actions	European development partners present in the country are actively involved in the implementation of the Roadmap priorities	Issues related to civil society development are reflected in the joint European Development Cooperation Strategy 2014-2018 that was launched in November 2014. The joint strategy provides an additional framework for monitoring the progress.
Outcome		
Priority	Indicator	Achievement
1. Promote a human rights-based approach and mainstream civil society in European development cooperation to facilitate a strengthened enabling environment for civil society in Cambodia.	Indicator 1.1 - The Government's policies/laws/sub-decrees are thoroughly consulted with civil society organisations whose comments are accepted and reflected in the final provisions of the policies/laws/sub-decrees.	
	Indicator 1.2 - The relationship between the Government and civil society organisations has changed to closer development partnership.	
	Indicator 1.3 - Civil society organisations apply a rights-based approach as the core principle in	

	their development interventions	
	Indicator 1.4 - CSO human rights-based approaches are engaging with and influencing the Government policies, strategies and activities	
2. Effectively support local civil society efforts to enhance their internal governance, transparency and accountability.	Indicator 2.1 - Number of CSOs complying with the minimum operational standard guidelines	
	Indicator 2.2 - Number of CSOs complying with the guidelines on the minimum requirements for the Implementation and Monitoring & Evaluation	
	Indicator 2.3 - CSO database completed, populated and updated regularly	
	Indicator 2.4 - Increased number of CSOs completing voluntary certification (NGO GPP)	
3. Expand and structure European dialogue with civil society	Indicator 3.1 - A specific platform for European dialogue with CSOs established (with related agenda, schedule, participation list, etc.)	
	Indicator 3.2 - Common understanding of roles and responsibilities (existing ToR, feedback mechanism)	
	Indicator 3.3 - Concerns and voices of CSOs are heard and taken into account by the European partners and influence their decision-making.	
	Indicator 3.4 – Programme-based and core funding support to CSOs is increased	

Annex – European development partners programmes in support of civil society in Cambodia

Delegation of the European Union

In 2014, Delegation of the European Union granted nearly EUR 11 million directly to CSOs³⁰. Funding is dictated by thematic programmes that comprise local and global calls for proposals. For the local calls for proposals, the whole process is managed by the EU Delegation in Phnom Penh (i.e. drafting of the guidelines, evaluation, contracting and the implementation follow-up). For the global calls, drafting of the guideline and evaluation are done in HQ (EU Delegation Phnom Penh participates as one of the co-evaluators) whilst the EU Delegation in Phnom Penh does contracting and implementation follow-up. Information on priorities is shared with the European development partners.

As from 2014, there are three thematic programmes: (1) global public goods and challenges and (2) civil society organisations and local authorities from the Instrument for Development Cooperation (DCI); and (3) the European Instrument for Democracy and Human Rights (EIDHR).

Some of the bilateral programmes may include a civil society component, such as the Sub-National Democratic Development programme and Agriculture, implemented through a call for proposals.

Czech Republic

All bilateral projects funded by the Czech Development Agency (CzDA) in Cambodia are implemented by Czech NGOs that have either their representative office in Cambodia (People in Need, Magna - Children in Need) or strategic partner (Caritas Czech). CzDA is also co-funding projects (so called trilateral projects) of Czech NGOs that successfully apply for funding from other sources (mostly EU Delegation thematic programmes). In addition, annual Small-scale Local Projects (SLP) are managed by the Embassy of the Czech Republic in Phnom Penh. The projects can focus on various sectors (preferably health, education, social services and agriculture) and their budget ranges from 200 000 CZK (app. 9 000 USD) to 500 000 CZK (app. 22 700 USD) with an implementation period of seven months, from March to October. All information for applicants are provided on the Embassy's website with the call for proposals usually launched around late September each year.

Finland

The Ministry for Foreign Affairs annually selects Finnish NGOs that the government supports with development cooperation funds. The Finnish NGO must have a local NGO co-operation partner in Cambodia that is responsible for the practical implementation of the project. In well-justified cases, the partner may also be an international organisation working in the country or a unit of the local government.

The Energy and Environment Partnership Programme (EEP) in the Mekong Region (Cambodia, Lao PDR, Thailand and Vietnam) with regional office of the programme located in Hanoi, aims at supporting wider provision and use of renewable energy by facilitating renewable energy and energy efficiency - related cooperation, dialogue and experience sharing among stakeholders. EEP provides funding for projects, studies, capacity development and information sharing to civil society and governments.

France

The French support to civil society is divided between the French Embassy and AFD as follows:

³⁰ Cambodia ODA database <http://cdc.khmer.biz>, data extracted on 20 January 2015.

- The Embassy is responsible of the “The Social Fund for Development” (FSD), an instrument of the French Ministry of Foreign Affairs to fund projects supported by local associations and to support civil society initiatives. For the period 2013-2016, the FSD’s financial envelope is € 850,000 with the following objectives:
 - To respond specifically to issues of promotion of human rights, support for good governance and the fight against poverty;
 - To support the structuring of Cambodian civil society and its professionalisation.
- The support to civil society provided by AFD is dedicated to French NGOs. The funding decisions are made in Paris, but in consultation with the office in Phnom Penh. The funding priorities include:
 - Emphasis on the sectors of health, education and vocational training, agriculture and food security, and sustainable development (climate, the environment, energy, water, sanitation),
 - Promotion of democratic governance, rule of law and respect for human rights.

Germany

The German government is funding civil society cooperation with partners in Cambodia through a variety of programmes run by German institutions such as political foundations, churches, private agencies and organisations for social structure. Other key instruments include the Civil Peace Service, the development volunteering service “Weltwärts” and partnerships with states, cities and local governments in Germany. In 2013, 11 per cent of total funding of the Federal Ministry of Economic Cooperation and Development (BMZ) was channelled through civil society cooperation. As a general rule, German funding for local CSO is submitted through the mentioned German institutions and instruments; direct funding of local CSO-NGOs is rare and happens only on a very limited scale.

Beneficiaries of German support in Cambodia are local CSOs, working in social welfare (e.g. education/health), productive sectors (e.g. agriculture) and advocacy (e.g. LICADHO, NGO Forum); capacity development and strengthening local executing agencies, e.g. by seconding development advisors is an integral part of this support.

Furthermore, the Embassy promotes the cooperation between bilateral programs and local NGOs funded by Germany. Particularly, when urban and rural communities are the beneficiaries of programs, activities are implemented in close cooperation with local NGOs.

Ireland

Combating hunger is a central pillar of the Irish Aid programme and a cornerstone of Ireland's foreign policy. Following the approval of the Agriculture Guidance Note in 2012, new programmes that are considered for support include agriculture programmes that are climate, gender and nutrition sensitive and that strengthen the capacity of smallholders, especially women farmers.

Italy

Italy intermittently supports initiatives of decentralised cooperation with the aim of promoting democratic participation and civil society. After a series of education programs in favour of young students in the Cultural Heritage Management sector, Italy now focuses its initiative on the protection of minors victims of sexual abuse and trafficking - namely through programs about awareness raising on HIV. In addition, Italy is working on a campaign aimed at explaining the importance of birth registration at the community level.

Luxembourg

Luxembourg Ministry for Foreign Affairs funds development cooperation activities with civil society through framework cooperation agreements with Luxembourg NGOs and through co-financing of development projects for civil society.

Netherlands

Netherlands organises specific calls for proposals, such as for the FLOW fund (Funding leadership and opportunities for women) that supports five projects in Cambodia in the areas of economic self-reliance, political participation and sexual violence.

Sweden

Sweden provides three types of support for civil society development in Cambodia:

- Funding provided as a component of Sweden's country programme of Cambodia and managed by the Swedish Embassy in Phnom Penh. This support is mainly targeting two areas: democracy and human rights and environment and climate change. Swedish support is partly channelled through foreign organisations, notably Forum Syd, Diakonia and Pact Institute, who have agreements with and implement programmes in cooperation with around 30 local organisations. This envelope amounts to around USD 13 million for 2014-2016,
- Sweden also provides direct core support to a number of local organisations and research institutions, among these the Parliamentary Institute of Cambodia, the Cambodia Development Resource Institute, the Arbitration Council Foundation and Transparency International Cambodia. In the area of environment and climate change additional support to local CSOs is provided through the UNDP. This envelope amounts to some USD 8 million for 2014-2016,
- Support to Cambodian CSOs or regional CS-networks, through Swedish or international NGOs, funded with regional or global allocations and managed outside the country programme.

Switzerland

The Swiss Country Programme in Cambodia is focussing on the promotion of local governance and citizen participation, on agriculture and food security and on skills development. Crosscutting themes include the promotion of dialogue and reconciliation, gender equality and conflict sensitive project management. In these thematic areas and themes, the Swiss Agency for Development and Cooperation works in partnership with local, international and Swiss NGOs along four different modalities:

- Contracting: Based on competitive tender procedures, SDC can contract a specialised NGO to implement a programme on SDC's behalf.
- Core contributions: SDC supports activities carried out by NGOs under their own mandate. Contributions are subject to negotiations. For instance, SDC has core contribution agreements with the Kantha Bopa Children Hospital Foundation, the Parliamentary Institute of Cambodia PIC and, at regional level, with RECOFT TC.
- Long-term institutional partnerships: SDC supports Swiss NGOs who carry out their programmes autonomously and in line with their own strategic guidelines and competencies in Cambodia, such as HEKS and Caritas.
- Small action projects: Cambodian NGOs can apply for a single limited contribution for a specific time bound project. The funding amounts to a maximum 200,000 CHF.

United Kingdom

The UK support to civil society is available from the Foreign and Commonwealth Office (through the British Embassy in Phnom Penh). The British Embassy invites proposals each year for initiatives that focus on different policy issues. The areas of interest include:

- Human rights: particularly land rights, freedoms of expression, rule of law, corporate social responsibility, and working with national and regional human rights institutions.
- Good governance and democracy, including electoral reform and elections, access to information, participation, transparency and accountability.
- Climate Change, especially promoting low carbon, green economy and natural resource management.

Projects have to be able to show impact and deliver change, whilst project budgets should be for a single year for activities undertaken over the period April to March within the range of US\$3,000-\$25,000. In 2012-13 UK funding in Cambodia amounted to £176,253 for projects from the Bilateral Programme Fund, Human Rights and Democracy Programme, ASEAN Programme, UK-ASEAN Knowledge Partnerships.

