





Moving From Aid Effectiveness To Development Effectiveness



A REPORT FROM NON-GOVERNMENT ORGANISATIONS IN CAMBODIA SUBMITTED TO THE CSO GLOBAL ASSEMBLY

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Table of Contents

List of Acronyms	2
Foreword	
Executive Summary	4
Introduction	5
About Civil Society in Cambodia	5
Cambodia's Commitment to the Accra Agenda for Action	7
About the Workshops	7
Summary of Issues Discussed and Agreements Reached	8
Achievements	12
Commitments and Actions	12
Appendix 1: Minutes of NGO High Level Dialogue, November 2009	14
Attachment 1a: Results of Post-Workshop Survey of Participants	21
Appendix 2: Minutes of NGO and Development Partners' High Level Dialogue, March 2010	23
Appendix 3: Minutes of CSO, Development Partners and Government High Level Dialogue, July 2010	30
Attachment 3a: Communique	41
Attachment 3b: Press Release	43
Appendix 4: Institutional Profiles	44
Annex 4a: Institutional Profile of the Cooperation Committee for Cambodia(CCC)	45
Annex 4b: Institutional Profile of the NGO Forum on Cambodia	46
Annex 4c: Institutional Profile of the MEDiCAM	47

List of Acronyms

AAA Accra Agenda for Action

ADB Asian Development Bank

CBO Community based organisation

CCC Cooperation Committee for Cambodia

CDCF Cambodian Development Cooperation Forum

CRDB Cambodian Rehabilitation and Development Board

CSO Civil society organisation - civil society organisations are understood to include NGOs

and CBOs as well as other grassroots actors

EU European Union

JMI Joint monitoring indicator

MOI Ministry of Interior

MTR Mid Term Review

NGO Non-government organisation

ODA Official Development Assistance

OECD Organisation for Economic Cooperation and Development

RGC Royal Government of Cambodia

SIDA Swedish International Development Cooperation Agency

SINED Strategic Investments In Northern Economic Development

TWG Technical Working Group

UNDP United Nations Development Program

Foreword

Civil society is an important development actor in Cambodia. Sadly, civil society in Cambodia is passive and under-developed and non-government organisations funded by international donors have stepped into the breach. In recent years, non-government organisations have contributed significantly to Cambodia's development especially in the areas of public health, disability, education, democracy and human rights, governance and community development. We have advocated for civil society's right – and our own right – to participate in national development processes, provided democratic spaces for civil society to communicate directly with government representatives, strengthened civil society coordination and produced timely research which influences national policy and planning.

Discussions about development effectiveness in Cambodia have progressed significantly in past years, resulting in increased awareness of the principles and mechanisms of development effectiveness and deepened understanding of the challenges to achieving development effectiveness faced by various development partners. These discussions have reaffirmed Cambodian non-government organisations' unflinching desire to fulfil their role in development effectiveness as outlined in the Accra Agenda for Action: We want to participate in development planning processes and we recognise that our right to participate comes with responsibilities on our part.

This report of our collective efforts to engage and inspire non-government organisations and other civil society actors towards development effectiveness, and maintain constructive dialogue with our development partners shows just how seriously we regard our responsibilities, and how hard we have worked in the past year to secure our rights to participation. Our efforts are designed not only to create an enabling environment that maximises civil society's ongoing contributions to Cambodia's development, but more importantly, to improve the lives of the beneficiaries of our work – poor and marginalised citizens of Cambodia.

Mr. Lun Borithy
Executive Director
Cooperation Committee for Cambodia

Mr. Chhith Sam Ath
Executive Director
NGO Forum on Cambodia

Dr. Sin Somuny
Executive Director
Medicam

Executive Summary

Discussions about development effectiveness in Cambodia have progressed significantly in the past ten months. Several hundred development actors, including non-government organisations, other civil society actors, development partners and government representatives, have engaged in a series of national workshops to

- · explore the issues of shared concern that can impede development
- identify options for increasing development effectiveness in Cambodia.

Many more hundreds of people representing non-government organisations and other community-based civil society organisations were engaged in sub-national workshops and other events leading up to and informing the national workshops. All workshops have harmonised with broader global debates about aid effectiveness. This report has been prepared specifically to inform Cambodian non-government organisations' contribution to international debates scheduled to occur in Istanbul in September 2010.

Critical issues discussed at the national workshops were the concepts of country ownership of development priorities and issues of mutual accountability. Initiatives for increasing information sharing, capacity building, coordination and ongoing dialogue were considered and debated as were tools for strengthening partnerships.

Key achievements from the workshops were:

- Increased awareness of aid effectiveness, development effectiveness and the challenges faced in achieving them among all development partners
- 2. An affirmation of non-government organisations' (NGOs) desire to fulfil their role in aid effectiveness as outlined in the Accra Agenda for Action: NGOs want to participate in development planning processes and recognise that their right to participate comes with responsibilities on their part.
- Raised awareness of the Code of Ethics and Minimum Standards of Good Governance and the accompanying self-certification process available for use by NGOs in Cambodia.
- 4. Establishment of strong connections with global debates on aid effectiveness and development effectiveness and the collective creation of a significant Cambodian contribution to forthcoming international debates in Istanbul 2010 and at the next high level forum in Seoul 2011
- 5. Support for further capacity building was actively sought from development partners and government

In addition, a series of commitments were elicited from all key development actors in Cambodia. The Royal Government of Cambodia has committed to considering recommendations made by NGOs, inviting representatives of NGOs to participate in consultations regarding the NGO law in its first draft, and (continuing to) coordinate and support NGOs in implementing project activities at a sub-national level. The government and NGOs have together committed to better law enforcement in Cambodia. The government is willing to strengthen laws and policies in the context of a strong and widely disseminated legal framework. In addition, the government has agreed to review the terms of reference of Technical Working Groups after the high level discussions in Seoul 2011.

Development partners have committed to continuing to recognise civil society and NGOs as development actors in their own right and support them in their work, exploring creative strategies to provide long term and (a proportion of) core funding to NGOs and to simplify their funding criteria, seeking input from NGOs and other civil society organisations about how to strengthen their processes for engaging civil society more effectively, and remaining open to assisting NGOs with other issues, on a case by case basis.

For its part, NGOs will continue to discuss appropriate guidelines, indicators and mechanisms for securing development effectiveness and will continue to advocate for an enabling environment, a stronger voice and greater capacity. In response to government's request, NGOs will (continue to) take care to select competent and highly regarded non-government representatives to participate in Technical Working Groups.

Introduction

Aid effectiveness and, increasingly, development effectiveness are much discussed topics globally. High level commitments have been made and signed by donor and recipient countries in order to ensure that aid is better managed and better coordinated for the benefit of poor and marginalised citizens in developing countries. The 2005 Paris Declaration on Aid Effectiveness and the 2008 Accra Agenda for Action (AAA) outline modalities and targets for realising the commitments made by signatory countries. In Cambodia, mechanisms are in place to facilitate dialogue between the Royal Government of Cambodia and their development partners regarding a range of development effectiveness issues. Over the past 30 years, non-government organisations and other civil society actors in Cambodia has made an outstanding contribution to the reconstruction and social development of Cambodia, however, mechanisms to engage non-government organisations (NGOs) or other civil society organisations at a policy level on development effectiveness issues are very limited.

The Cooperation Committee for Cambodia (CCC), in partnership with the NGO Forum on Cambodia, Medicam and other national and international NGOs has engaged the non-government community at national and sub-national level to:

- a. build awareness of aid effectiveness
- create opportunities for engagement and contribution to national debate on policy issues related to aid effectiveness

Between November 2009 and July 2010, CCC collaborated with its NGO partners to host and facilitate a series of three progressively inclusive, high level national workshops, informed by a series of earlier sub-national workshops. These workshops were actively supported and funded by a range of partners including Alliance 2015, Open Forum, the Asia Pacific Research Network and the UNDP's Multi-Donor Support Program, to name a few. The first national workshop engaged NGOs and other civil society actors only, the second engaged NGOs with its development partners and the third involved – on the third day – NGOs, development partners and government together. Edited minutes from each of these three national workshops are presented in Appendices 1, 2 and 3 respectively.

This report contains a synthesis of the proceedings of all three national workshops and shows how they were informed by deliberations at sub-national level. Subsequent sections of this report contain an overview of the achievements resulting from the workshop series, including a summary of the key issues discussed, agreements reached, and commitments made. First, however, some background information about civil society and non-government organisations in Cambodia is presented, along with a summary of Cambodia's commitment to development effectiveness.

About Civil Society in Cambodia

Cambodia today faces many significant challenges. As a low-income country, the population in Cambodia suffers from widespread poverty, particularly in rural areas. There is a critical shortage of trained professionals and technical personnel, extremely limited capital, and very weak governance mechanisms. Despite this reality, the country is developing a market economy, post-conflict rehabilitation, political and economic stability.

Civil society in Cambodia is predominantly passive, immature and uncoordinated. A feature of modern civil society is the emergence in the 1990s of local non-government organisations funded by international donors. NGOs have grown exponentially since this time. Currently 1,564 local NGOs are registered, about 450 of which are believed to be active. Smaller, community based organisations (CBOs) are even more numerous. Whilst only 1,111 associations are currently formally registered, they tend to work informally at grass-roots level and do not

always register their presence with authorities. Working directly with CBOs has become a standard feature of development programming for many NGOs, parallel with increasing awareness of the role that developing civil

society's capacity can play in bringing about sustainable development.

The three sectors in which local non-government organisations most commonly implement programs are agriculture, health and education. NGOs are also active in vocational training, natural resource management and democracy and human rights.

Relationships between NGOs and the grassroots are crucial to the empowerment of local communities and marginal groups and the key to strengthening civil society in Cambodia.

The democratic space available to civil society is small with the potential to shrink further in coming years with the increasing strength of the dominant political party, arbitrary restrictions on freedom of assembly and expression in some provinces and districts, and the planned introduction of a national NGO Law. Currently, the key mechanisms for consulting and securing the input of non-government organisations into Cambodia's development plans are:

- the Cambodian Development Coordination Forum (CDCF) which occurs every 15 to 18 months and at which the annual report of NGOs into Cambodia's development is tabled.
- a series of 19 Technical Working Groups (TWGs) which meet periodically, most but not all of which include representation from NGOs, usually limited to one representative.
- through the TWGs, NGOs can provide input on national policy such as the National Strategic Development Plan.

The democratic space available to civil society in Cambodia is small with the potential to shrink further.

 NGOs also participate in the Government-Donor Coordinating Committee process and offer feedback to the government and donors by preparing NGO position papers on Joint Monitoring Indicators.

The "Rectangular Strategy" of the Royal Government

of Cambodia foresees four main axes: social stability, regional and international integration, partnerships with the international community and the private sector for the development of the country, and macro-economic development. Good governance features at the core of the new strategy, however, the role of civil society within the Rectangular Strategy is unclear and/or underdeveloped.

Key challenges faced by civil society in Cambodia include:

- Limited capacity, notably in relation to management and governance
- Lack of recognition, for example, in not being adequately represented in dialogue with development partners
- Difficulties in accessing relevant information in a timely manner
- · Lack of long term, sustainable funding
- Uncoordinated demands from donors e.g. reporting requirements
- Struggles in engaging civil society, in securing community ownership of projects and participation in decision making
- Lack of coordination among the increasing number and diversity of NGOs; overlapping catchments and projects

Notwithstanding the constraints it faces, non-government organisations make important contributions to Cambodia's development especially in the areas of service delivery, policy development and research, advocacy and in facilitating democratic processes. They fill gaps that others cannot.

Cambodia's Commitment to the Accra Agenda for Action

With a stated pledge to accelerate and deepen the implementation of the Paris Declaration, Ministers of the Royal Government of Cambodia (RGC) and donor countries joined with other nations in signing the Accra Agenda for Action (AAA) on 4 September 2008. A key commitment of AAA is found in paragraph 20:

We will deepen our engagement with CSOs as independent development actors in their own right whose efforts complement those of governments and the private sector. We share an interest in ensuring that CSO contributions to development reach their full potential. To this end:

- a. We invite CSOs to reflect on how they can apply the Paris principles of aid effectiveness from a CSO perspective.
- b. We welcome the CSOs' proposal to engage with them in a CSO led multi-stakeholder process to promote CSO development effectiveness. As a part of that process, we will seek to
 - i. improve co-ordination of CSO efforts with government programmes,
 - ii. enhance CSO accountability for results, and
 - iii. improve information on CSO activities.
- c. We will work with CSOs to provide an enabling environment that maximizes their contributions to development.

About the Workshops

In response to the pledge from government and donors to support paragraph 20 of the AAA, it was intended that the series of sub-national and national workshops would, in the first instance, implement item 'a' from AAA paragraph 20 (refer above). In bringing non-government organisations together with development partners and subsequently with government, the opportunity would be created to implement items 'b' and 'c' from AAA paragraph 20.

Preliminary and preparatory work involved conducted five training workshops in different regional locations of Cambodia. The aim of these workshops was to engage provincial NGOs in the national development effectiveness agenda with a view to brokering contributions from provincial NGOs into broader national discussion between government and civil society organisations. A total of 328 participants from 287 provincial NGOs across Cambodia participated in these workshops. Resources for the workshop were provided by CCC and the Council for the Development of Cambodia, with support from the UNDP.

The first national workshop was held on 20 November 2009 at Imperial Garden Villa and Hotel, Phnom Penh. A day-long event, the national workshop built on the momentum of the sub-national workshops and it was thus well-attended; there were 130 participants from 108 non-government organisations operating in 24 provinces/cities. A total of 84 participants were from Phnom Penh and 46 were from provincial areas. Resources

for the workshop were provided by CCC, the NGO Forum on Cambodia, the NGO Education Partnership and Medicam with support from Alliance 2015.

The second national workshop was held on 23 March 2010 at Imperial Garden Villa and Hotel, Phnom Penh. A half-day event, it was attended by a total of 66 participants. Of these, 35 were representatives of NGOs and other civil society organisations, 22

In 2009 and 2010, more than 600 people participated in formal discussions about progressing Cambodia's development effectiveness and deepening engagement with civil society.

represented development partners and 4 represented government. Five additional attendees included host staff. An aid effectiveness specialist from the UNDP regional centre in Bangkok facilitated proceedings on behalf of the hosts. Additional resources were provided by CCC, NGO Forum and Medicam with support from Alliance 2015.

The third national workshop, entitled *Moving from Aid Effectiveness towards Development Effectiveness*, was held at Himawari Hotel, Phnom Penh from 20 to 22 July 2010. It served multiple purposes as it was actively supported by global actors and explicitly intended to inform global discussions on this issue, as well as representing the culmination for pre-existing national discussions. The dual purpose of this third workshop added significant value to the nature and impact of discussions. At the first two days (20-21 July), 15 provinces and 68 NGOs and other civil society organisations were represented in discussions, including 43 local and 12 international NGOs. Eighteen representatives were from community based organisations and 5 were from membership organisations. Two hundred child clubs were also represented and 16 media institutions were in attendance. On the third day (22 July), a total of 96 participants attended. Of these, 61 were representing NGOs/civil society organisations, 18 were representing development partners and 17 represented government. Support for the workshop was provided by Open Forum, Asia Pacific Research Network and Alliance 2015.

Summary of Issues Discussed and Agreements Reached

The series of provincial workshops involving 320 participants, conducted as a precursor to the series of three national dialogues, resulted in the following recommended actions:

- Extend awareness raising activities regarding the Paris Declaration principles to the sub-national government and the community of international NGOs
- Secure higher levels of participation for NGOs in dialogue regarding development planning and policy decisions
- Learn more about any available development partner support for building CSO capacity in Cambodia as
 a means of enhancing ability to create an enabling environment and play an active role as a participant in
 national discussions
- Improve and increase dialogue between local NGOs in provincial areas and international NGOs, in
 particular by holding regular dialogues between local NGOs and their donor counterparts (international
 NGOs)
- Improve and increase dialogue between all aid stakeholders at both the national and sub-national levels, in particular, by establishing a regular discussion forum at sub-national levels chaired by the provincial governors and to which NGOs are consistently invited
- Advocate for increased budget transparency and accountability

At the first national workshop, after consideration of these recommendations as well as other inputs, national ownership of development priorities and mutual accountability were agreed to be the two key issues requiring improvement within Cambodia. NGOs accepted that their right to participate as an equal development partner

requires that they demonstrate the capability to do so. It was agreed that the NGO Good Practice Project, and specifically the NGO Code of Ethics and Minimum Standards of Good Governance and the accompanying self-certification process, were good tools to aid in increasing and demonstrating NGOs' capacity.

Ownership of development priorities and mutual accountability are the two key issues requiring improvement in Cambodia.

Specifically, regarding mutual accountability, participants agreed that:

 NGOs should be accorded space for proactive and meaningful engagement in all established Technical Working Groups (TWGs) for the purposes of national planning, policy and program development, implementation and monitoring

- A mechanism should be established for joint government, development partner and NGO dialogue on development effectiveness at both national and sub-national levels
- The main roles and initiatives for CSO development effectiveness (enabling environment and capacity development) should be actively supported by government and development partners
- More attention should be given to development effectiveness, as compared to aid effectiveness
- Development partners and government should transparently share how aid is spent and how the national budget is used

Regarding ownership, participants agreed on recommended actions for NGOs and government as follows:

For NGOs:

- $\bullet \quad \text{Engage with lead NGOs in each sector to provide comments/input from grass root level} \text{This is} \\$
- especially important for civil society actors who have not previously been engaged in aid effectiveness debates
- Improve coordination between sectoral NGOs and grassroot NGOs
- Represent NGOs through building a good image and drawing attention to their success
- Seek to increase trust and partnership with the government through TWGs

For the Royal Government of Cambodia:

- Organise consultation workshops with CSOs at sectoral (ministerial) level, at which NGOs can both speak and be heard
- Ensure sufficient time is available for NGOs to provide comments on the first draft of the National Strategic Development Plan update.
 Time should be sufficient to enable wide consultation in each sector by ministries and also with CSOs
- Line ministries/agencies need to provide feedback in response to inputs from NGOs and allow more NGOs to participate at the TWG level

Further, more general recommendations for development partners included:

- Development partners should invest in building the capacity of NGOs to participate in aid effectiveness discussions including in TWGs and the Cambodian Development Cooperation Forum (CDCF)
- Government and donors should seek more input from civil society in the budget and planning processes. Specifically, informed NGO involvement in all joint TWGs and the CDCF is required.

Cambodia has a unique tool for improving the governance of NGOs. The NGO Good Practice Project of CCC has established the NGO Code of Ethics and Minimum Standards of Good Governance and an accompanying selfcertification process. Certification as an NGO engaged in 'good practice' requires that NGOs meet minimum standards in seven key areas: mission and values, governance, relationships/ communication, financial management, accountability and transparency, quality, and human resources. NGOs are subjected to a pre-requisite assessment, a desk review, and a field assessment before final certification. If standards are not met, then a capacity building plan is recommended so that the NGO can make the improvements needed for certification. Continued use of this tool by NGOs in Cambodia will make it possible for them to participate effectively at the highest levels in the Cambodian development process. The level of commitment to integrity, quality, accountability and transparency apparent through use of the tool is a very positive step for enhancing the image and practice of NGOs.

Highlights of the second national dialogue included discussion of how to strengthen partnerships between government, development partners and CSOs, opening up space for dialogue, ensuring appropriate access to information for all parties, building understanding of aid effectiveness issues and jargon, building skill and capacity to represent the views of others (to speak with a collective voice) and recommitting to ensuring high levels of transparency in all interactions and decision-making processes.

Agreements reached at the workshop can be characterised thematically as being about information and capacity building, coordination, tools for partnership and ongoing dialogue.

In terms of information and capacity building, it was agreed that:

- Civil society needs more knowledge about how aid is structured and pathways to effectiveness; NGOs
 and other CSOs need resources to gather that knowledge.
- A study of the comparative advantages of engaging CSOs in various forums at various levels is required.
 There is also a need for further study of the processes of CSO aid effectiveness, so we can learn how to do it more effectively.
- There should be more awareness among local NGOs and citizens of the availability of the ODA
 database for entering data. CSOs and development partners need to provide information for the ODA
 database, and the government needs to use the data and include ODA information in the public budget.
- A Code of Conduct, like that developed by the NGO Good Practice Project, should be adopted by all
 for improving their capacity to represent and engage the collective voice of their sector.

In terms of coordination, the most critical need is to:

- Build a common understanding of what it means to be deliver aid effectively and achieve development
 effectiveness in a uniquely Cambodian context. Concepts to be further discussed in this regard are
 ownership and mutual accountability. There is a real demand to redefine these terms and discuss how
 best to implement them in the Cambodian context.
- Build a common understanding of the different roles of stakeholders in the new aid environment.
- Umbrella NGO organisations including CCC, NGO Forum and Medicam should further consolidate coordination among NGOs. The coordination efforts of these umbrella organisations must be strengthened to bring these next steps forward.

In terms of the tools for partnership, it was agreed that:

Agreements focused on information and capacity building, coordination, tools for partnership and ongoing dialogue.

- The Cambodia Declaration for Aid Effectiveness needs to be updated, as there are no CSO signatories to the current Cambodia Declaration. Ongoing multistakeholder dialogue, as proposed here, in the context of the AAA, could usefully inform updates to the Cambodia Declaration for Aid Effectiveness.
- The Partnership Initiative also needs to be reviewed to ensure it includes CSOs. Further partnership
 principles may need to be developed to ensure/build trust between the Royal Government of
 Cambodia, development partners and CSOs.
- A monitoring mechanism for transparency should be established, which could potentially address issues
 regarding access to and dissemination of information, among other issues.
- TWGs should be reformed, especially with a view to developing the capacity of participants, building stronger relationships among participants and ensuring informal meetings are inclusive. Reforms should include the development of guidelines for CSO/NGO engagement in TWGs and a guarantee that CSOs will be represented in all TWGs. Despite any reforms that occur, questions will still remain about how best to ensure effective representation of CSOs in TWGs. For example, how can CSOs participate and then disseminate information from TWGs to provinces and to the people and then how does

information collected go back up the line for communication to the TWG? This is a capacity building issue which should be addressed by umbrella organisations, with the support of development partners.

- CSO should participate in the TWGs for the purposes of participating also in the Joint Monitoring Indicators (JMIs). Parliamentary scrutiny and citizen/CSO engagement in national policies formulation, JMI definition and budget formulation will contribute to good democratic governance.
- CSOs should use the upcoming Government-Donor Coordinating Committee as an opportunity to clarify the role of CSOs in relation to government initiatives. Umbrella organisations such as CCC and NGO Forum should take the lead on this.

Regarding ongoing dialogue, it is recommended that CCC conduct provincial development effectiveness workshops and a national multi-stakeholder dialogue at least once a year.

Building on the discussions and agreements reached at the first and second workshops and linking explicitly with broader global debates about aid effectiveness, at the third workshop:

- 1. NGOs and other civil society organisations called on government to:
 - Strengthen law enforcement and implementation in a fair and accountable manner
 - Increase, and offer more substantive, structured dialogue between CSOs and development partners, using existing mechanisms e.g. CDCF, Technical Working Groups, etc
 - Be open and receptive to ongoing and ad-hoc communication with NGOs and civil society organisations during which our ideas are heard and respected
 - · Assist us to secure collaboration and support from local and sub-national authorities
- NGOs and other civil society organisations also called on our donors and other development partners to:
 - Offer long term funding to NGOs
 - Offer core funding to NGOs in support of building capacity for responsiveness to their constituents/civil society
 - Fund (institutional) capacity building programs
 - Respect the governance of NGOs and avoid undue influence over their mission
 - · Reduce the complexity of funding criteria
 - Set aside some funds to ensure the sustainability of smaller non-government and community based organisations
 - Coordinate their respective contributions to Cambodia's development at a national and subnational level

NGOs and other civil society organisations appreciated the attendance and participation of government representatives and development partner representatives at the third workshop and welcomed the general, in-principle support given to their recommendations. Participants particularly appreciated hearing about

Non-government organisations in Cambodia want greater recognition, a stronger voice and increased capacity.

commitments already made and being implemented by development partners that can assist in the creation of an enabling environment for civil society. Participants, however, continued to be unclear about future actions that the government is planning to assist in the creation of an enabling environment for civil society. Participants sought to continue discussions both among themselves and with government and development partners over coming months.

Achievements

The three forums achieved the following key outcomes:

- Increased awareness of aid effectiveness, development effectiveness and the challenges faced in achieving them among all development partners
- An affirmation of NGOs' desire to fulfil their role in aid effectiveness as outlined in AAA: NGOs want to participate in development planning processes and recognise that their right to participate comes with responsibilities on their part.
- Raised awareness of the Code of Ethics and Minimum Standards of Good Governance and the accompanying self-certification process available for use by NGOs in Cambodia.
- 4. Establishment of strong connections with global debates on aid effectiveness and development effectiveness and the collective creation of a significant Cambodian contribution to forthcoming debates at the next high level (international) forum in Seoul 2011
- 5. Support for further capacity building was actively sought from development partners and government

NGOs in Cambodia affirm their desire to fulfil their role in aid effectiveness as outlined in the Accra Agenda for Action. NGOs want to participate in development planning processes and recognise that their right to participate comes with responsibilities on their part.

Importantly, as a result of the workshop series, representatives from NGOs and other civil society organisations were able to speak with government and development partners with a collective voice. This is important role-modelling of civil society's future capacity to speak with a collective voice (which historically has been a issue of concern for government); it also demonstrates to government and development partners the value of engaging with NGOs and civil society and affirms, for all parties, the importance of allowing sufficient time for a collective voice to emerge.

Commitments and Actions

A thorough analysis of the discussions at the third national forum reveals that several significant commitments were made by those present. These commitments were made by those individuals present and may not reflect the views of an entire sector. Notwithstanding this limitation, it is useful to distil and publicise these commitments in an effort to move debate towards action. Commitments made were as follows:

Royal Government of Cambodia

- The government will consider the recommendations made by NGOs and other civil society organisations
- The government will invite representatives of NGOs to participate in consultations regarding the NGO law in its first draft (A first draft is still being produced)
- The government will (continue to) coordinate and support NGOs and other civil society organisations in implementing project activities at a sub national level
- The government and NGOs will together commit to better law enforcement in Cambodia. The
 government is willing to strengthen laws and policies in the context of a strong and widely
 disseminated legal framework.
- The government will review the terms of reference of Technical Working Groups after the high level discussions in Seoul

Development partners

- Development partners will continue to recognise civil society and NGOs as development actors
 in their own right and support them in their work
- Development partners will explore creative strategies to provide long term and (a proportion of) core funding to NGOs and to simplify their funding criteria
- Development partners will seek input from NGOs about how to strengthen their processes for engaging civil society more effectively
- Development partners will remain open to assisting NGOs with other issues, on a case by case basis

NGOs and other civil society organisations

- NGOs will continue to discuss appropriate guidelines, indicators and mechanisms for securing development effectiveness
- NGOs will continue to advocate for an enabling environment, a stronger voice and greater capacity
- In response to government's request, NGOs will (continue to) take care to select competent and highly regarded non-government representatives to participate in Technical Working Groups

Appendix 1:

Minutes of NGO High Level Dialogue, November 2009

The first of three national dialogues was held on 20 November 2009 at the Imperial Garden Villa and Hotel, Phnom Penh. NGOs from across Cambodia were invited to participate to 'reflect on how they can apply the Paris principles of aid effectiveness...'. The goals of the event were to:

- Discuss best practices already aligned with the Paris Declaration and Accra Agenda for Action (AAA)
- · Clearly understand the current level of NGO engagement and participation in aid effectiveness issues
- Discuss barriers and challenges to implementation of Paris Declaration and AAA from an NGO
 perspective
- Develop a consensus of key issues with which to engage government and development partners, so as to
 promote CSO development effectiveness and create an enabling environment that maximises NGO
 contributions to development.

Prior to the national high level NGO dialogue on 20 November, five regional workshops on aid effectiveness were held for non-government organisations (NGOs). The regional workshops were designed to engage provincial NGOs in the national aid effectiveness agenda with a view to including their contributions in the national discussion between government, donors and NGOs. The regional workshops were also an opportunity for capacity building through training provincial NGOs on the development approaches agreed in the Paris Declaration and AAA. About 320 NGO representatives from across the country attended these full day training workshops. As a result of these workshops, a core team addressing aid effectiveness was formed in each province. This effort represents a huge step by NGOs in Cambodia to honour the commitment from AAA paragraph 20(a) to '...reflect on how they can apply the Paris Declaration's principles of aid effectiveness...'.

In the first national dialogue on aid effectiveness, results of the previous provincial NGO workshops were presented and discussed. Through doing this, it was hoped that the diverse voices of NGOs could be heard and acknowledged, such that the conditions would be in place for the (ultimate) development of a unified collective voice to promote aid effectiveness and working together with government and donors to provide an enabling environment.

What follows is a summary of the events of the national high level dialogue on aid effectiveness, a documentation of the key conclusions and lessons learned as well as recommendations for continued reflections on aid effectiveness by NGOs.

1. Summary of Events of the National High Level Dialogue on Aid Effectiveness

In his opening remarks, Mr. Chhith Sam Ath, Executive Director NGO Forum on Cambodia reported that Cambodia is an aid dependent nation, receiving more than US\$1 billion in aid in 2009. He explained that since some of this aid was in the form of loans which have to be repaid, it is urgent that aid be used effectively.

During a brief question and answer time following the opening remarks, many attendees commented from the floor that the acceptance of aid in the form of loans without consulting civil society was deeply troubling. The reason, they stated, was that money was being borrowed which would have to be paid back by the people that the money was supposed to help. The concern is, "If a great proportion (half) of Cambodia's budget comes from development aid, how can we ever pay back loans? The burden on our children and the poorest of Cambodians

will be too great". Participants shared a wide consensus that it is unreasonable for the government to borrow money without any input from the people who will ultimately be responsible for paying back those loans. In such behaviour, there is no country ownership over decisions and no mutual accountability between citizens and their government.

Session I, Contemporary Development Initiatives and Approaches, was led by Mr. Lun Borithy, Executive Director of CCC and Mr. Ngo Sothath, independent aid effectiveness consultant and researcher at the Cambodia Economic Association. Lun Borithy gave a presentation on civil society's role in aid effectiveness. He shared a brief history of development aid in Cambodia which detailed the need for the 2005 Paris Declaration on Aid Effectiveness. He explained that, from a global perspective, there had been insufficient progress towards fulfilling the Paris Declaration and that as a result, new pledges were made through the Accra Agenda for Action (AAA). His presentation highlighted three key paragraphs from AAA – paragraphs 13, 16 and 20.

Regarding country ownership over development, AAA paragraph 13 commits government and donors to:

- a) Engage CSOs in the preparation, implementation and monitoring of national development plans
- b) Support efforts to increase the capacity of all development actors, including CSOs

Mr. Lun Borithy then discussed AAA paragraph 16 which states that aid is about building partnerships and commits donors, government and CSOs to work together to build more inclusive partnerships. He concluded that paragraphs 13, 16 and 20 of AAA were an acknowledgement of the role of CSOs in aid effectiveness and represented an opportunity for civil society to become an equal and active participant in the development process. He explained that the role of NGOs in Cambodian society needed to change from a concentration on service delivery to a concentration on support, feedback, and empowerment of citizens and membership organisations that in turn would use their collective voice to share development concerns and negotiate development issues with the Cambodian government.

Mr. Ngo Sothath then led a brief discussion on how to implement AAA in Cambodia. He stated that the goal of AAA was CSO participation not simply as an observer in CDCF and Technical Working Groups (TWGs) but as active participants in the process. He stressed that if CSOs were going to be involved as active participants in the development process there is a need for capacity building among CSOs and that aid can be used for this purpose.

Session I ended with a question and answer discussion. During this discussion, a consensus emerged that NGOs' dialogue with government and donors should focus on issues of ownership and mutual accountability. Note that this was confirmed by the results of a survey at the end of the workshop in which participants overwhelmingly said that NGOs should engage donors and government on these two principles. Participants voiced concerns with budget accountability and transparency, space for participation from NGOs and other civil society actors, and the need for capacity development among NGOs and CSOs; these issues can all be regarded as part of the broader concern for mutual accountability. Participants also expressed frustration with continuing and overwhelming donor conditions on aid and with donors driving projects to fulfil their own agendas rather than focusing on the needs of Cambodian citizens; these concerns can be characterised as ownership issues.

Session 2, Cambodia's Aid Effectiveness, commenced with a presentation from Ngo Sothath on the history of development aid in Cambodia. His presentation and the questions that followed again pointed to the need for capacity development among CSOs and the need to focus on improvements in the areas of ownership and mutual accountability.

In Session 3, Mr. Soeung Saroeun presented a summary of the results from the provincial workshops and suggested discussion points that may move civil society forward. Analysis of the outcomes of the provincial

workshops points to a range of issues for discussion and opportunities for improved aid effectiveness from the perspective of provincial NGOs. These include:

- · Applying the Paris Declaration principles to the sub-national government and provincial NGOs
- Making more progress in establishing an enabling environment for NGOs
- Securing higher levels of participation for NGOs in dialogue regarding development planning and policy decisions
- Learning more about any available development partner support for building CSO capacity in Cambodia
 as a means of enhancing ability to create an enabling environment and play an active role as a participant
 in national discussions
- Improving and increasing dialogue between local and international NGOs
- Improving and increasing dialogue between all aid stakeholders at both the national and sub-national levels
- Advocating for increased budget transparency and accountability

The afternoon sessions focused on national aid effectiveness prospects. Session 4 consisted of parallel, simultaneous discussions on *ownership and mutual accountability*. Session 5, *the plenary*, brought all participants back together to summarise the results of the sessions on ownership and mutual accountability and to agree on the issues to be presented collectively on behalf of civil society to government and development partner in the remaining two dialogues.

The discussion of ownership was led by Mr. Kham Vanda, NGO Forum on Cambodia and facilitated by Mr. Chea Kimsong, NGO Forum on Cambodia. Mr. Leang Rathmana also from the NGO Forum on Cambodia was the reporter of this discussion and reported the results to all participants in session 5 with the assistance of Mr Chea Kimsong. Mr. Kham Vanda traced the history of the national planning process in Cambodia and civil society's participation in that process. He highlighted the differences between "donorship", "participation" and "ownership". With the current update of the National Strategic Development Plan as a background, he stated that, "participation in national planning goes further than information sharing because it also includes collaboration in implementing programs and participatory monitoring and evaluation." His presentation clearly demonstrated that meaningful participation meant that civil society, government, and the private sector should each have some influence and control over priority setting, policy making, resource allocation and program implementation. He concluded that this level of meaningful participation was integral to the Paris Declaration principle of country ownership. Without such participation, there is either donorship, meaning that the development partners determine national priorities, or government ownership, meaning that the government decides. Mr Kham Vanda also shared two current concerns regarding CSO participation in the planning process which hindered true participation and ownership. These are:

- CSO involvement in the TWGs is limited because of poor communication. For example, sometimes
 there were internal TWG meetings to which CSO representatives were not invited
- Development partners have a stronger voice than CSOs in the planning process which results in following a development partner agenda rather than necessarily meeting the development needs of the Cambodian people.

Participants in this session agreed that NGOs need predictable funding so that they can develop their capacity and ability to stay involved in the process. Without this, there is likely to be no country ownership, but rather government ownership or donor ship.

Discussion of mutual accountability was led by Dr. Sin Somuny, Executive Director of MEDiCAM with Mr. Ngo Sothath as the facilitator and Mr. Soeung Saroeun reporting the results back to all participants in session 5. Mr. In Samrithy, Executive Director of the NGO Education Partnership, shared the role of reporter on account of that organisation's participation in the Joint Technical Working Group on Education. Dr. Sin Somuny discussed 'Constructive Engagement' in Cambodia's National Strategic Development Plan. He shared examples of success on the part of MEDiCAM as a bridge between implementers and policy makers. MEDiCAM is represented in TWGs in the health sector and many of the issues raised in their position paper, submitted to the TWG, have resulted in action being taken. Dr Somuny discussed his perspective of why MEDiCAM was successful in this process. The reasons included regularly participating in the TWGs and providing quality information, being well prepared, communicating clearly, demonstrating patience, resilience and persistence, and being proactive and optimistic. During these two presentations and throughout the following discussion it was very clear that successful engagement in the process will require capacity building on the part of NGOs because many currently lack both the capacity and the funding to participate meaningfully.

It is noted that the participation of MEDiCAM and the NGO Education Partnership in the Joint TWGs are examples of what can happen when an enabling environment exists. In both the health and education sectors, the government and donor partners desire and value NGO input and participation. However, in many other sectors such as anti-corruption, legal and judicial issues, and human rights, NGO input is discouraged and/or denied for political and other sensitive reasons.

Following the presentation and discussion of the outcomes of the sessions on ownership and mutual accountability, participants agreed on positions to present to the government and development partners. Regarding mutual accountability, participants agreed that:

- NGOs should be accorded space for proactive and meaningful engagement in ALL established TWGs
 (19) for the purposes of national planning, policy and program development, implementation and
 monitoring.
- A mechanism should be established for joint government, development partner and NGO dialogue on aid effectiveness at both national and sub-national levels
- The main roles and initiatives for CSO development effectiveness (enabling environment and capacity development) should be actively supported by government and development partners
- More attention should be given to development effectiveness, as compared to aid effectiveness
- Development partners and government should transparently share how aid is spent and how the national budget is used
- NGOs accept that their right to participate as an equal development partner requires that they
 demonstrate the capability to do so. It was agreed that the NGO Good Practice Project and NGO Code
 of Conduct were good tools to aid in increasing and demonstrating NGOs' capacity.

Regarding ownership, participants agreed on recommended actions for NGOs and government as follows: NGOs

- Engage with lead NGOs in each sector to provide comments/input from grass root level This is
 especially important for civil society actors who have not previously been engaged in aid effectiveness
 debates
- Improve coordination between sectoral NGOs and grass root NGOs
- Represent NGOs through building a good image and drawing attention to their success
- Seek to increase trust and partnership with the government through TWGs

Royal Government of Cambodia

- Organise consultation workshops with CSOs at sectoral (ministerial) level, at which NGOs can both speak and be heard
- Ensure sufficient time is available for NGOs to provide comments on the first draft of the National Strategic Development Plan update. Time should be sufficient to enable wide consultation in each sector by ministries and also CSOs.
- Line ministries/agencies need to provide feedback in response to inputs from NGOs and allow more NGOs to participate at the TWG level

The NGO High Level Dialogue closing session was led by Dr. Sin Somuny who gave summary remarks on the prospects for CSO involvement in aid effectiveness. He re-emphasised the importance of capacity building and good governance among CSOs at both the local and national levels. He also stressed the importance of seizing the opportunity presented by AAA paragraph 20 to demonstrate that CSOs truly can play a participatory role in national planning and development.

2. Key Conclusions, Recommendations and Lessons Learned from NGO High Level Dialogue

The following conclusions, recommendations and lessons learnt are captured from analysis of the end of workshop survey combined with observation of both the presentations of the speakers and the interaction, questions and comments of participants. The conclusions represent the views of the author, Mr John Evans, an independent international consultant contracted to document the proceedings of the first two dialogues. Analysis of the end of workshop survey of participants is presented at the end of this paper. Survey results are fully consistent with the discussions of the presenters and comments from the floor by participants throughout the day.

A. NGOs desire to fulfil their role in aid effectiveness as outlined in AAA

The NGO high level dialogue was well attended with more than 130 participants, representing 109 organisations. Participants overwhelmingly and repeatedly stated that they understand that their participation in the development of Cambodia makes it necessary that they themselves are transparent, accountable and effective. When surveyed, more than 50% of the participants requested that a workshop on aid effectiveness be conducted at least once a year and that the workshop last for two days so that they could be well informed about all relevant development and aid effectiveness issues. Participants also expressed a sincere desire for more provincial workshops on aid effectiveness and involvement in the provincial strategic planning and development process. In short, NGOs and other civil society actors wants to participate in the process and recognises that their right to participate comes with responsibilities on their part.

CSOs and NGOs in Cambodia have a tool to demonstrate their commitment to mutual accountability

Cambodia has a unique tool provided by CCC, the Good Practice Project and the self-certification process. Certification as an NGO engaged in 'good practice' requires that NGOs meet minimum standards in seven key areas: mission and values, governance, relationships/communication, financial management, accountability and transparency, quality, and human resources. At the time of writing, 16 NGOs had received certification and another 41 are in process. The tool is unique not only in regard to the standards required but also in the process of certification. NGOs are subjected to a pre-requisite assessment, a desk review, and a field assessment before final certification. If standards are not met, then a capacity building plan is recommended so that the NGO can make the improvements needed for certification. Continued use of this tool by NGOs in Cambodia will make it possible for them to participate effectively at the highest levels in the Cambodian development process. The level of

commitment to integrity, quality, accountability and transparency apparent through use of the tool is a very positive step for enhancing the image and practice of NGOs.

C. There is an acknowledged need for capacity building among CSOs

CSOs and NGOs readily acknowledge their need and desire for capacity building. Many organisations have strong grassroots networks and meet the needs of Cambodia's poorest people. However, a lack of capacity in areas of management, leadership, and communication prevents them from receiving steady and adequate funding and similarly prevents them from participating in a meaningful way in the development and aid planning process. Accordingly, the poorest people often have no voice in national dialogues. The language of AAA suggests that development partners could and should assist such organisations with capacity building. In Accra, all parties admitted the need for CSO involvement and pledged to work together to create an enabling environment. However, so far in Cambodia, government and development partners have simply observed and commented that NGOs need to improve their capacity before they can participate. If development partners were to provide proactive assistance for capacity building among CSOs, this would enable CSOs to participate in the process in a more meaningful way. Such action is, by very definition, working together to create an enabling environment. Participants in this dialogue specifically agreed to request assistance with capacity building from government and development partners.

D. Government and donors should seek more input from civil society in the budget and planning processes

Many participants commented that they receive no information about national budget discussions or the National Strategic Development Plan. NGOS that are invited to Joint TWGs and participate commented that they are often not given an agenda prior to the meetings and the opportunity to participate in a meaningful way is tightly constrained. This suggests a need for capacity building within the membership of the Joint TWGs which could also be provided by development partners. A truly enabling environment requires civil society representation in all Joint TWGs at both the national and provincial level and civil society involvement as an informed active participant, not simply as an observer.

Additionally, in Cambodia, there is an apparent disconnection between the National Strategic Development Plan and actual development projects. It seems that this is because many of the government's ministries have not signed off on the National Strategic Development Plan. As a result, donors can approach line ministries with projects and the ministries approve projects which are not a part of the National Strategic Development Plan and have little or no meaningful impact on the needs of the Cambodian people, as understood by civil society. Such outcomes are an example of donorship, or at best government ownership, but it fails to meet the Paris Declaration's standard of country ownership. To remedy this situation, there should be involvement of CSOs in the planning process and the Royal Government of Cambodia as a whole should adopt and follow the National Strategic Development Plan. This would help to fulfil the commitment made in Paris to the principle of country ownership, whereby projects target the most vulnerable people.

E. Civil society in Cambodia can speak with a collective voice

Participants in the national NGO dialogue on aid effectiveness overwhelmingly agreed that the primary issues to be addressed in Cambodia are: CSO participation in the TWGs and in the CDCF, and budget and aid transparency. Participants also overwhelmingly agreed that the two most important Paris Declaration principles to improve in Cambodia are 'ownership' and 'mutual accountability'. Many participants also expressed concern over the proposed NGO law. It is important to note that

Moving from Aid Effectiveness to Development Effectiveness

participation in the TWGs and CDCF relate directly to the Paris Declaration principle of country ownership and that budget accountability and the NGO law relate directly to the Paris Declaration principle of mutual accountability. The point here is that a nationwide group of CSOs from every sector agreed strongly to engage in dialogue with government and development partners on the key issues as outlined in the Paris Declaration and AAA and that they had almost unanimous agreement on the nature of the key issues to be addressed.

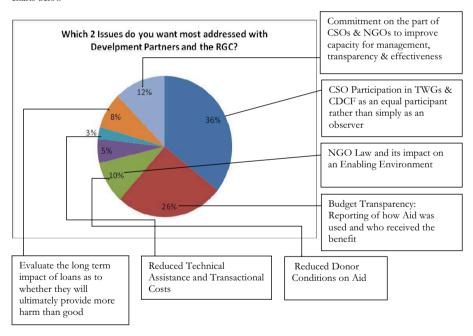
In conclusion, it is recommended that CCC conduct provincial aid effectiveness workshops and a national multistakeholder dialogue at least once a year. Participants expressed a desire for such an event and a willingness to participate. A regular event would make it possible for civil society to continue to engage the government and development partners in aid effectiveness and development issues of importance to civil society. Doing so would build relationships and potentially create momentum and progress on the road to an enabling environment and truly meaningful participation by civil society in planning and evaluating Cambodia's development.

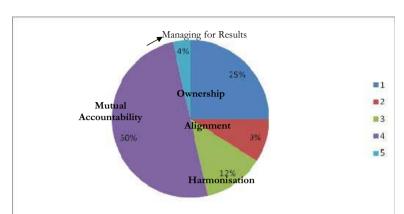
Attachment 1a:

Results of Post-Workshop Survey of Participants

At the end of the workshop, participants completed an eleven question survey on their overall opinion of the event. They were also asked about their primary issues of concern regarding aid effectiveness. Six questions related to satisfaction with the event; those results are not included here because they related to improving future events and were already considered in planning subsequent workshops.

One question asked what could be done to make this event better and more than 60% of those who replied answered that this event or one like it should be held regularly both at the national and provincial level and that the national event should last two days. Another question asked participants if their organisation needed to improve its capacity for management and delivery of aid. On a scale of 1 to 10, participants, on average, rated their organisation as 6.5, demonstrating an understanding of the need for NGO capacity building. Three of the questions related specifically to aid effectiveness; these questions and the responses to them are captured in the charts below





Which one of the 5 Paris Declaration Principles needs the most improvement in Cambodia right now?

Briefly tell us ONE issue you would like us to present to the Development Partners and to the Royal Government of Cambodia to help implement the Paris Declaration Principles and the Accra Agenda for Action?

Participants had only 5 different answers to this question:

- 1/3 answered that the most important issue was dialogue between the Royal Government of Cambodia, development partners and CSOs on aid and development issues.
- 16% responded that some type of system or indicators to define and measure aid effectiveness should be created.
- 40% answered that the concern that they wanted shared with government and development partners
 was either mutual accountability or ownership
- The remaining 11% wanted to request that the government include the province development plans in the National Strategic Development Plan.

It is worth observing that ongoing dialogue and clearly defined indicators and measurement of aid effectiveness are closely related to mutual accountability and ownership. Without dialogue, civil society is not involved in the process and there is no country ownership or mutual accountability. Without clear indicators and measurement of aid effectiveness there is no mutual accountability. Thus, it is reasonable to conclude that 89% of respondents spoke with a collective voice to say that mutual accountability and ownership are the most important issues to them and that they want to dialogue with the government on these issues and that they want to be involved in the process of making development aid clearly and measurably effective in Cambodia.

Appendix 2:

Minutes of NGO and Development Partners' High Level Dialogue, March 2010

This second of three national dialogues was held on 23 March 2010 at the Imperial Garden Villa and Hotel, Phnom Penh. NGOs and development partners were invited to participate to 'reflect on how they can cooperate together to apply the Paris Declaration's principles for aid effectiveness...'. The goals of the event were to:

- Provide an opportunity for dialogue between NGOs and development partners on ways to improve development and aid effectiveness
- Provide an opportunity for development partners and NGOs to discuss strengthening civil society's engagement in aid effectiveness
- Establish doable common grounds for action and partnership to accelerate implementation of the Paris
 Declaration and Accra Agenda for Action (AAA) especially in regards to the key principles of ownership
 and mutual accountability

Prior to this event occurring, NGOs had held a series of regional workshops and a national NGO high level dialogue on aid effectiveness. These events are documented elsewhere. The outcomes of these events helped to shape the goals of the current event.

What follows is a summary of the events of the high level dialogue on aid effectiveness, involving civil society and development partners, documentation of the key conclusions and lessons learned and recommendations for continued reflections on aid effectiveness by CSOs and donor partners, noting especially the efforts required to work with the Royal Government of Cambodia to create and enabling environment for civil society.

Summary of Events of the NGO and Development Partners' High Level Dialogue on Aid Effectiveness

In his opening remarks, Mr. Lun Borithy, Executive Director, Cooperation Committee for Cambodia stated that this meeting was the first dialogue of its type. He thanked participants for their attendance and expressed thanks to the Council for the Development of Cambodia, CRDB of the Royal Government of Cambodia (RGC), UNDP and Alliance 2015 for making this event happen. Mr. Borithy explained that he anticipated that this dialogue would be continued through an expanded dialogue with NGOs, development partners and government towards improved aid effectiveness. He stated, "It is well-documented that NGOs have aided in the development process in Cambodia. There is a need to establish a mechanism for ongoing effective dialogue between NGOs, development partners and the RGC because we have a common goal of seeking positive development and reduction of poverty in Cambodia".

Mr. Borithy then introduced Mr. Tom Beloe, aid effectiveness specialist, UNDP Regional Centre, Bangkok, as the facilitator for the meeting.

Mr. Beloe discussed the objectives and process for the meeting. He explained the agenda, and purpose of the three sessions of dialogue. Mr. Beloe stated, "We are not here as two stakeholders in the development process to gang up on a third. Nor are we here to shout or demand our way. This meeting is a step towards delivering effective results to the people of Cambodia". Mr. Beloe then reminded those in attendance that the meeting had two desired outputs:

1. Preparation for a tripartite discussion amongst RGC, CSOs and development partners

Identification of key next steps for an action plan for strengthening CSO engagement on aid effectiveness.

Mr. Beloe proceeded to introduce the speakers for Session 1.

Session I, Development Partner Perspectives on Aid Effectiveness, was led by Mr. Karl Anders-Larsson, co-facilitator of the Partnership and Harmonisation TWG. Mr. Anders-Larsson shared his perspective on the achievements, challenges and what he hoped would be the future plans for aid and development effectiveness in Cambodia. Regarding the AAA, Mr. Anders-Larsson stated that "I was very involved in Accra and AAA was about country ownership – not government ownership; it was about inclusive partnerships, meaning inclusive of CSO; it was about country level dialogue, including all stakeholders, including all actors, parliament, all levels of government and it was about transparency and mutual accountability." He continued, "I believe that Cambodia has made more progress than most countries. We have good ownership by government. We have the Council for the Development of Cambodia, but it is not as broad as intended by AAA." Mr. Anders-Larsson listed the "aid effectiveness assets" in Cambodia as, "RGC ownership, the aid effectiveness infrastructure including the CDCF, Government-Donor Coordinating Committee, the Technical Working Groups (TWGs), Joint Monitoring Indicators (JMIs), the ODA database, and the partnership initiative."

Regarding development and aid effectiveness challenges, Mr. Anders-Larsson listed the challenges for government, development partners, and civil society individually. For government, he suggested that the core challenges were domestic accountability and creating an enabling environment. For development partners, he nominated alignment as the key challenge, stating that "alignment is very poor and that there was almost no use of country systems." He added, "coordination of core support is an issue and there are many many ways in which donors could be more helpful in building the capacity of CSOs."

Mr Anders-Larsson nominated the challenges for CSOs as "coordination with each other and coordination with the government." He clarified that coordination with the government did not mean alignment with the government. He reminded participants that coordination with government was a requirement of the Accra Agenda for Action. Additionally, Mr. Anders-Larrson added that transparency and a results orientation towards development effectiveness was an area for improvement for all parties in Cambodia.

Mr. Anders-Larrson concluded his presentation by giving his views on the future of development effectiveness in Cambodia. He said, "Mutual assessment reviews – independent mutual assessment reviews are a part of AAA but not yet done." He also noted the forthcoming Paris Declaration success survey and the ODA data base which he hopes will eventually have budget integration and therefore improve transparency. He added that he hoped to see "Parliamentary scrutiny and citizen engagement in budget accountability" in the future. He concluded his remarks by saying that he believed that there was not enough of this type of multi-stakeholder dialogue and that he hoped to see it more regularly and at a progressively higher standard.

Session 2, CSO Perspectives on Aid Effectiveness contained a brief presentation from Mr. Lun Borithy on the 'Key Highlights of CSO Engagement in Aid Effectiveness'. Mr. Borithy pointed out that NGO and CSO engagement in aid effectiveness in Cambodia could be traced back to pre CDCF times and as early as 1990. Regarding NGO involvement, he stated that NGOs voice their concerns through formal position papers, press releases, and statements on specific issues affecting the poor and vulnerable. Additionally, CSOs serve as observers in Government-Donor Coordinating Committee and CDCF. He noted that the 2008 Aid Effectiveness report stated that "the NGO community in Cambodia had collectively managed \$239 million US dollars on behalf of development partners in 2006-2007".

Mr. Borithy mentioned the following specific areas of NGO involvement in the aid effectiveness agenda:

 Building awareness about the Paris Declaration and Accra Agenda for Action among civil society at subnational level

- Hosting national CSO dialogue on aid effectiveness
- Joint Monitoring Indicators, National Strategic Development Plan, and budget monitoring
- Providing input to the development of the National Strategic Development Plan
- Ownership of accountability measures through establishment of a Code of Ethics and self certification system (NGO Good Practice Project)

Regarding challenges faced by civil society, Mr. Lun Borithy acknowledged:

- Low awareness of aid effectiveness issues at sub-national level
- Limited capacity to seriously engage in policy dialogue
- · Access to information is still very limited
- Timing and an "enabling environment" for policy inputs looks relatively non promising
- Limited acceptance from RGC as a "genuine" development actor (AAA)

Mr. Borithy concluded his remarks with the following suggestions for discussion during the round table discussions in Session 3:

- Do we need more meaningful discussion to develop a common definition and common understanding of ownership and mutual accountability?
- 2. How do we work jointly to translate aid effectiveness into development effectiveness?
- 3. What are the criteria for an "Enabling Environment" for civil society organisations?
- 4. How can development partners support NGO-led initiatives for country ownership?

Next, Mr. Chhith Sam Ath, Executive Director, NGO Forum on Cambodia discussed 'NGO Participation in National Planning and in the TWGs'. He stated that NGOs are now represented on 13 of the 19 TWGs. He noted that while some NGOs had good experiences in the TWGs, there were still many challenges. Among these, he mentioned that there were sometimes pre-meetings to which NGOs were not invited and that, when these occurred, most of the discussion was done at these meetings. He added that the agendas for TWG meetings are not always sent to NGO members meaning that NGOs were not always adequately prepared. In this way, "NGOs are denied meaningful participation." He added that access to information was a continuing challenge.

Additionally, Mr. Sam Ath discussed NGO input and participation in the process of updating the National Strategic Development Plan 2010-2013. Again, he noted some instances of good and effective participation but many instances where NGOs had little or no access to information, short or no notice of meetings and insufficient time to respond or provide inputs.

Mr. Sam Ath concluded his presentation with the following suggested items for discussion:

- Is there a need to set up Joint Monitoring Indicators to monitor the enabling environment for stakeholder participation in MTR?
- Should the Cambodian Declaration on Aid Effectiveness be revised (given that it still refers to the National Strategic Development Plan 2006-2010)?

Facilitator Mr Tom Beloe thanked the presenters for providing good, concrete suggestions for discussion and also for their acknowledgement that CSOs, development partners and the Royal Government of Cambodia all need to make changes to facilitate working together. He then opened the floor to questions and comments.

Comments were as follows:

Phillip Courtnage, UNDP Advisor to the Council for the Development of Cambodia, clarified the status of NGOs at the CDCF; he stated that there are three stakeholders in the CDCF: government, development partners and civil society organisations. Thus, CSOs are not just observers but have had the status of stakeholder, ever since the founding of the CDCF in 2007. He further stated that CSOs need to clarify exactly what objectives they have and how they should be applied in the Cambodian context. CSOs also need to be clear about the specific challenges they face. The focus of discussion should be on development effectiveness rather than just aid effectiveness. It is important to contextualise the Paris Declaration and AAA and determine their specific relevance to Cambodia. The Paris Declaration and AAA are not a law or a mandate, but a guideline and we have to apply that guideline to Cambodia in the most relevant way. Mr. Courtnage's clarification and comments were well received by participants.

Frederic Jeanjean, also from UNDP, shared his understanding of the presentations thus far; that the voice of CSOs is not adequately heard. He asked to hear from CSOs about their expectations of development partners in terms of helping to broaden the democratic space available to CSOs. In response, two CSO participants explained the need for capacity development among CSOs to strengthen their ability to participate and also the need for more effective communication between the various stakeholders to development.

Specifically regarding Mr. Sam Ath's question about the need for a Joint Monitoring Indicator on NGO involvement in the national planning process, Mr. Ros Salin representing the Council for the Development of Cambodia stated, "I think that should happen and that you have an important role."

Session 3 was a **moderated group/round table discussion**. Participants were split into three groups to discuss two key questions:

- 1. What are the next steps for strengthening tripartite discussion on aid effectiveness?
- 2. What would be the priority issues for an agenda for discussion at the third dialogue?

Moderators for these three groups were Ms. Haidy Ear-Dupuy, Communications Manager, World Vision International, Mr. Chhith Sam Ath, Executive Director of NGO Forum, and Mr. Frederic Jeanjean, UNDP aid effectiveness specialist. Moderators presented the highlights of the round table discussions to all participants in a plenary session at the end of session 3.

In response to the first question, regarding next steps, Ms. Ear-Dupuy presented as follows:

- There should be more awareness among local NGOs and citizens of the availability of the ODA database for entering data.
- CSOs have a need for more knowledge about how aid is structured and pathways to effectiveness; CSOs need resources to gather that knowledge.
- 3. CSO should participate in the TWGs for the purposes of participating in the JMIs
- CSOs should use the upcoming Government-Donor Coordinating Committee meeting as an
 opportunity to clarify the role of CSOs. Umbrella organisations such as CCC and NGO Forum should
 take the lead on this.
- Coordination efforts of these umbrella organisations must be strengthened to bring these next steps forward.

Mr Jeanjean presented the priority issues and next steps identified by the group he moderated:

1. Priority Issues

- Partnership strengthening between government, development partners and CSOs
- Opening up space for dialogue
- Access to information lack of proactive sharing of information between all three parties (government, development partners and CSOs) must be addressed
- · Lack of consultation with other CSOs by CSO representatives prior to and following TWGs
- Lack of understanding of aid effectiveness issues and jargon
- · Lack of transparency

2. Practical Next Steps

- · Revisit the Partnership Initiative to ensure it includes CSOs
- Establish a monitoring mechanism for transparency
- Revisit what it means to be deliver aid effectively and achieve development effectiveness in Cambodia – update the Cambodian Declaration for Aid Effectiveness in light of discussions held
- Build a common understanding on aid effectiveness principles and the different roles of stakeholders in the new aid environment
- Establish guidelines for CSO/NGO engagement in TWGs
- Revisit TWG guidelines to ensure effective representation of CSOs for all TWGs
- Conduct a study on the comparative advantages of engaging CSOs in various forums at various levels

Mr. Sam Ath presented a report from the group he moderated. Next steps were:

- Further partnership principles may need to be developed to ensure/build trust between the Royal Government of Cambodia, development partners and CSOs. Perhaps a mechanism for transparency between all stakeholders can be established, which could address issues regarding access to and dissemination of information?
- Dialogue is required to explore what aid effectiveness and development effectiveness mean in a uniquely Cambodian context
- The Cambodia Declaration for Aid Effectiveness needs to be updated, as there are no CSO signatories
 to current Cambodia Declaration. The proposed dialogue, as outlined above, along with the AAA, could
 inform updates to the Cambodia Declaration.
- Guidelines for CSO engagement in TWGs should be established
- Questions remain about how best to ensure effective representation of CSOs in TWGs. For example, how can CSOs participate and then disseminate information from TWGs to provinces and to the people and then how does information collected go back up the line for communication to the TWG?
- There is a need for further study of CSO aid effectiveness, so we can learn how to do it more effectively.

Mr. Tom Beloe invited comments or additions to the three presentations provided. Belinda Mericourt, Senior Program Manager for AusAid indicated her intention to share this information both with AusAid and with the TWG on legal reform. As there were no other comments, Mr Beloe asked for and received consensus agreement from participants that the priority issues and next steps presented by moderators reflected the views and wishes of the entire group. He then summarised the dialogue as follows:

All participants agree that there is a need to

- Build a common understanding of aid effectiveness and what it means; especially ownership and mutual
 accountability. There is a real demand to redefine these terms and discuss how best to implement them.
- Access information. With regards to the ODA database, CSOs and development partners need to provide information, and the government needs to use the data and include ODA info in the public budget.
- Reform TWGs, especially with a view to developing the capacity of participants, building stronger relationships among participants and ensuring informal meetings are inclusive.
- 4. Build CSO capacity a Code of Conduct, like that developed by the NGO Good Practice Project, should be adopted by all for improving their capacity to represent and engage the collective voice of their sector.

The meeting ended with very brief closing remarks from Dr. Sin Somuny, Executive Director of MediCam who thanked everyone for their attendance and participation.

Key Conclusions, Recommendations and Lessons Learned from NGO and Development Partners High Level Dialogue.

The key conclusions of this dialogue were summarised by the facilitator, Mr. Beloe and are reported above. This section draws out some practical recommendations for resolving the issues agreed as priorities by participants. Lessons learned are also presented. The recommendations and analysis of lessons represent the views of the author, Mr John Evans, an independent international consultant contracted to document the proceedings of the first two dialogues.

The need for capacity development among CSOs is significant. CSOs and development partners have both acknowledged the need for CSOs to better understand how aid is structured, delivered, and flows. It is recommended that an umbrella NGO such as CCC or NGO Forum partners with donors to design, resource, and deliver an NGO capacity development and training program. Perhaps CSOs/NGOs could select a group of representatives from various sectors to receive this training and they could in turn spread this knowledge to others so that over time all would benefit. Such a program could directly address issues #1 and #4 identified in Mr. Beloe's summary.

Additionally, it is recommended that development partners work together with CSOs to ask the government for better access to information, and more coordination of the work of TWGs. Ideally, development partners can help the government to understand that NGOs and CSOs are not the 'opposition party' but rather desire to be a partner in effectively meeting the development needs of Cambodia and helping poor and marginalised citizens. In such a partnership, perhaps development partners could help resource opportunities for government training of NGOs regarding the ODA database. Also, development partners may act as a broker to ensure that NGOs who participate in TWGs and the CDCF are aware of informal meetings and pre-meetings relevant to their TWGs. Given the current political context, it appears that transparency and access to information will continue to be a challenge. However, the capacity building program suggested above could prepare many CSOs and at least one CSO representative from each sector to actively participate in TWGs, CDCF, and the national planning process. Training could also equip CSOs to be more effective spokespersons and to interact appropriately with government and development partners for the benefit of all stakeholders.

Further, it is recommended that the organisers of this dialogue follow up with development partners to form a small team of CSOs and development partners' representatives. The team should put together a more detailed

Moving from Aid Effectiveness to Development Effectiveness

action plan for moving forward on the key priorities and next steps identified by participants in this meeting. This will help to ensure that the meeting results in real action.

The final recommendation is that development partners align with NGOs in support of the NGO Good Practice Project and Code of Conduct. Many development partners have their own process for certifying grant applicants or conducting quality assurance checks. The NGO Good Practice Project, self certification system and code of conduct has been recognised outside Cambodia as a good and effective model and could usefully replace donors' own internal processes. A high level of participation and alignment with the NGO Good Practice Project by international NGOs and support from other development partners in implementing it would go far in demonstrating to the government that NGOs want to be accountable and transparent.

The lessons learned from this dialogue are that:

- All parties acknowledge that NGOs/CSOs should be more involved in the development process in Cambodia.
- All parties acknowledge that NGOs/CSOs need training and capacity building so that they are able to be effectively involved.
- A dialogue such as this, when well organised, planned and moderated can be extremely beneficial to all parties in identifying issues, needs, and common ground.
- The key conclusions of this dialogue are only conclusions unless and until there is a coordinated effort after the event to act on the agreed next steps.

It is encouraging that all parties were able to identify, discuss and agree on several key concerns and prioritise next steps. If proper follow up and preparation is made, there is the hope of real progress towards the goals of AAA and the principles outlined in the Paris Declaration when the third of these planned dialogues, the high level dialogue of government, development partners and CSOs takes place.

Appendix 3:

Minutes of CSO, Development Partners and Government High Level Dialogue, July 2010

This third national dialogue, entitled 'Moving from Aid Effectiveness towards Development Effectiveness' was held on 22 July 2010 at the Himawari Hotel, Phnom Penh. A range of civil society organisations (CSOs), development partners and government representatives were invited to participate. The desired outcomes of the event were to:

- · reach common understanding about the challenges in realising CSO development effectiveness
- · increase awareness about accountability towards the principles of development effectiveness
- strengthen partnerships to promote development effectiveness
- deepen understanding about the parameters and complexity of an enabling environment for civil society organisations

This event represented the third consecutive day of meetings for civil society representatives. At the previous two days, 15 provinces and 68 civil society organisations (CSOs) were represented in discussions, including 43 local and 12 international NGOs. Eighteen representatives were from community based organisations (CBOs) and 5 were from membership organisations. Two hundred child clubs were represented and 16 media institutions were in attendance.

Technical and financial support for this event was also provided by the Open Forum and the Asia Pacific Research Network, with a view to informing global debates about development effectiveness and ensuring that the views of Cambodian civil society can be synthesised with the views of civil society across the globe for presentation at a high level international forum in Seoul in 2011. The dual focus of this event facilitated rich and meaningful discussion, and ensured 'added value' to the work already completed with support from Alliance 2015.

Representatives from government and development partners were invited to join the discussions on the third day of meetings. On the third day, a total of 96 participants were present. Of these, 61 were representing civil society organisations/NGOs, 18 were representing development partners and 17 represented government. The three days of meetings progressed and built on work completed at two previous national dialogues held in November 2009 and March 2010, respectively.

What follows is a summary of the events of the high level dialogue on development effectiveness, involving civil society, development partners and government, and documentation of the key conclusions, achievements and next steps for CSOs, development partners and the Royal Government of Cambodia in working towards development effectiveness.

1. Summary of events of high level, multi-stakeholder dialogue on development effectiveness

Mrs Pok Panhavichetr, Management Committee member of NGO Forum on Cambodia, addressed the forum, providing welcome remarks and thanks to sponsors and hosts. Mrs. Panhavichetr noted that the success of civil society is widely recognised, that 71 people had joined the preceding discussions to consider guidelines, mechanisms and indicators for an enabling environment for civil society and that working together helps to ensure development effectiveness. She proposed that, together, we need to move to a broader agenda than aid effectiveness. Development effectiveness is a more appropriate goal – the role of civil society in this regard

should be clear. She thanked all participants for their attendance and encouraged full participation in the day's discussions

Ms. Michelle Labeeu, Charge d'Affaires of the Delegation of the European Union to Cambodia, addressed the forum, noting that civil society organisations have grown exponentially in recent years. Sections 13 and 20 of Accra Agenda for Action (AAA) recognise that CSOs are important development actors in their own right. Country ownership of the development agenda is critically important and affirmed by AAA. Ms. Michelle explained her vision for inclusive partnerships, whereby civil society links citizens to the state. She explained that the EU take CSOs very seriously and noted that CSOs do not just include traditional NGOs, but grassroots organisations, trade unions, etc. She acknowledged that CSOs are especially important for translating development agendas into practice.

Ms. Michelle explained the 'structured dialogue' that was being initiated/supported by EU. She noted that the EU considers that local and national CSOs are key partners, and is one of the biggest funders of this sector. EU is also a staunch supporter of human rights and community development. The deep roots of CSOs in their communities is respected and acknowledged.

The new role of civil society in light of new understandings regarding development effectiveness as distinct from aid effectiveness brings new responsibilities in regards to accountability, transparency, etc. Many achievements have already been made in this regard and are acknowledged.

Ms. Michelle concluded by noting the EU's support and commitment to collaboration and cooperation with CSOs, and by welcoming and supporting initiatives that bring together CSOs to reflect on their evolving role and environment.

Dr Sin Somuny, Executive Director of Medicam, addressed the forum on behalf of civil society. He presented the outcomes of the previous two days of discussions. Dr. Somuny's presentation provided an overview of the forum discussions, information about the role of CSOs in Cambodia's development, CSO principles for development effectiveness, challenges for CSOs in Cambodia, and key recommendations for the creation of an enabling environment for civil society. Recommendations were presented as follows:

To government:

- Provide CSOs with an enabling environment
- This would include, but not be limited to, our participation in policy development, monitoring the
 implementation, filling the gaps, strengthening community participation
- We welcome HE Dr Aun Porn Moniroth's recommendation on the review of CSOs
- Our appreciation to Ms Eva Asplund, SIDA country director, who called for a separate discussion on role of CSOs in TWG and the review of the terms of reference and membership arrangements
- Recognise our CSOs as an equal partner in development, but no longer as a rubber stamp
- Respect our impartiality, independence, non-political (partisan) bias, and community based interest focus

To development partners:

- Offer long term, predictable funding to CSOs
- Offer core funding to civil society organisations
- Promote the growing of mainly our local grassroots NGOs who will stay life with community and our
 government, the actors in maintaining check and balance which is strongly required for development
 effectiveness (reducing the complexity of paperwork)
- Promote harmonisation and alignment between key pillars of CSOs
- · Work closely with the government to ensure an enabling environment

- The enabling environment is not a gift; we have to work hard to get it. Without support, we may fail. We
 want the help of our development partners to get an enabling environment for CSOs.
- · Respect the governance of NGOs and avoid undue influence of their mission
- Reduce the complexity of funding criteria

In support of Dr Somuny's presentation, a communiqué summarising the agreements reached by civil society in the preceding two days, and containing clear recommendations for moving forward, was circulated to all participants (see Annex).

Representing development partners, Ms. Michelle Labeeu provided the EU's perspective on supporting an enabling environment. She spoke both about EU's commitment and initiatives at a global level, as well as about the EU in Cambodia, including challenges and the way forward. Ms. Michelle explained the European Consensus (2005) which commits unequivocally to the participation of civil society in national, regional and global decision making. She explained how the EU supports participation of all stakeholders in countries' development and what the EU's commitments to AAA are (chapters 13 and 20). She noted that the EU is also committed to broaden country-level policy dialogue on development and that there are challenges in terms of instruments and modalities for achieving these commitments.

The structured dialogue was officially launched 23 March 2010. It is conceived as a confidence and consensus building mechanism (and not a negotiation process). It builds on momentum reached by current discussions on the global architecture for international aid. Known as the quadrilogue "Structured Dialogue" 2010 – 2011, there are three working groups:

- 1. How to create an enabling environment for CSOs
- 2. Complementarity and coherence within AAA
- 3. EU aid delivery mechanisms

In concluding, Ms Michelle noted that an enabling environment for CSOs is a prerequisite for all of the EU's work. Without it, the EU will fail. Ms. Michelle then reflected on some questions for the current global debate:

- How can our efforts contribute to making an enabling environment for CSOs?
- How can we support a decentralisation process to benefit civil society?

Ms. Michelle also explained about a forthcoming event in New Delhi in November 2010 to which four CSO representatives from Cambodia will be invited and four sub-national government representatives will be invited. Ms. Michelle acknowledged other global initiatives to create an enabling environment for civil society, including the OECD's recently launched initiative.

- NGOs' desire to fulfil their role in aid effectiveness as outlined in AAA: NGOs want to participate in development planning processes and recognise that their right to participate comes with responsibilities on their part.
- NGOs' desire to fulfil their role in aid effectiveness as outlined in AAA: NGOs want to participate in development planning processes and recognise that their right to participate comes with responsibilities on their part.

EU's support to democratic space includes engaging in political dialogue with government. The EU and its member states have a close political dialogue with the Royal Government of Cambodia both bilaterally and jointly. The EU offers support to CSOs and local authorities. This is both through EU and its member states, and finally, a joint EU program is designed to address three key challenges in the local government reform process which weaken citizen voice and accountability.

Finally, Ms. Michelle noted that there is global momentum for a strengthening of civil society and that this is the right moment for change. She also committed to follow up the translation of outcomes at a national level and asked for civil society's inputs and recommendations to feed the EU's reflections.

Ms. Michelle was thanked for her presentation, the moderator noting that Ms. Michelle has paid attention to civil society and their needs and repeating the EU's commitment to supporting governance reform as well as strengthening the voice of the citizens: "The EU has some challenges but is willing to support us in achieving development effectiveness".

a. Interventions of Development Partners

Mr Putu Kamayana, Country Director of Asian Development Bank, gave a presentation on ADB Cambodia, aid effectiveness and civil society. The presentation addressed ADB Cambodia's engagement with civil society, the nature of the two way relationship and future plans for building on the relationship. ADB is a signatory to both the Paris Declaration and the AAA. As noted by Ms. Michelle, paragraph 20 of AAA refers to CSOs as development actors in their own right. ADB recognises that CSOs play a significant role in development and three-quarters of new ADB projects involve CSOs. ADB recognises that CSOs' strengths complement its work. CSOs can, for example, help ADB to understand the issues affecting local people on the ground. CSOs are intensively involved in consultations on policy development within ADB and engage in project based partnerships.

In relation to an enabling environment for CSOs, strategy 2020 focuses on areas of core competency.

- In 2001, ADB headquarters in Manilla set up a centre to focus on relationships with CSOs in 2001.
 Through this, ADB is exploring ways to enhance the relationship with CSOs.
- A regional NGO anchor is based in Vientiane.
- An annual meeting with/about working with CSOs in scheduled for May 2011 in Hanoi.
- These are some examples of the practical approaches that ADB is taking to enhance its ability to work with CSOs.
- ADB Cambodia has a range of partnerships with CSOs, mainly through its operations. CSOs are involved, for example, in project identification and design either as consultants or through consultations. They implement complementary projects and assist with monitoring and evaluating e.g. Tonle Sap WASH project. ADB, however, wants to move beyond project based involvement of CSOs. ADB wants to contribute to creating an enabling environment. Their approach is to recognise that ADB has core competencies: For example, ADB can model effective government -donor relations. Other development partners are better placed than ADB to work on issues such as civil society law reform. ADB hopes that its work can be seen as complementary to that.
- At the 4th roundtable in September 2010, feedback and analysis will be provided by civil society. Issues
 to be progressed include a learning resource centre and future initiatives for cooperation. Mr. Putu
 explained that ADB has tried different formats and is very open to other ideas about how to make these
 forums more responsive to the needs of NGOs. ADB is interested to receive early feedback about how
 this forum should be conducted and what issues NGOs may wish to raise.
- Mr. Putu explained that ADB is currently preparing a country strategy for 2011-2013. The position
 papers produced by NGOs in the lead up to CDCF are relied upon by ADB in developing a country
 strategy. ADB sees this as a significant contribution/input to its planning and thinking. Like this high
 quality policy analysis, high quality monitoring is also invaluable to ADB.
- Mr Putu concluded by reiterating that ADB is actively seeking ways to improve the enabling environment for CSOs. In a spirit of cooperation, ADB hopes to continue to build partnerships with CSOs.

b. Intervention and Perspectives of Government

His Excellency Meas Sarim, representative of the Ministry of Interior and Deputy Director of General Department of Administration, addressed the forum. He noted that civil society had made a request to the Deputy Prime Minister to participate in this forum and due to the Deputy Prime Minister's unavailability, he was

Moving from Aid Effectiveness to Development Effectiveness

attending on his behalf. His Excellency Meas Sarim offered sincere compliments to the organisers for their initiative to host the forum. He noted that, under the wise leadership of His Excellency Hun Sen, the country is in peace and under development. With the rectangular strategy being implemented, the government sees that good governance is the core of our future development. Good governance recognises that civil society is an important actor with whom the government can engage. He stated, 'we have always considered that civil society is a crucial partner. The government pays close attention to civil society. What has been achieved so far is based on the law. The constitution of Cambodia states that citizens have the right to form associations (article 42). All Khmer people can be involved in organisations. We also have the organic law and the commune/sangkat election law, the district, municipal law etc each of which acknowledges the role of civil society. The role and responsibilities of civil society are stated clearly in these laws.'

The Ministry of Interior is planning to hold a meeting about the law of associations and NGOs. In the future, the draft law will be submitted to the heads of institutions for comment. His Excellency Meas Sarim concluding by reiterating that civil society are crucial development partners and that the government does not ignore civil society.

Panel members representing government, development partners and civil society then accepted questions and comments from the floor. A representative from the Council for the Development of Cambodia joined the panel to assist in answering questions to government. Questions and comments were as follows:

- Q. Ms. Michelle mentioned a mechanism to ensure close cooperation between CSO and government. What is the specific strategy that will be used to enhance the government's cooperation with us? And ensure the equality of our contributions?
- Q. Ms. Michelle explained the enabling environment that she is committed to support. It sounds very broad to me. I want to hear more specific details. Local CBOs find it hard to get funding support from EU. What is EU willing to do to help small organisations? And to make it easier for us? EU funding is too complex for us to access.
- A. Ms. Michelle replied that EU's role is only facilitation. She invited CSOs to come and talk to the EU if they have specific issues and the EU will see what they can do to assist. The EU is a facilitator, not an actor. The partnership and harmonisation technical working group is addressing the issue of ensuring that CSOs are included in TWGs and, by de facto, in policy development processes.
- A. In relation to CBOs, Ms. Michelle replied that we (the EU) believe that NGOs have the role of supporting CBOs. We recognise that our funding arrangements are very complex and administratively burdensome. We are trying to mitigate this by having information sessions and offering training. We hope to secure an easier funding process in due course (but I cannot promise that this will occur).
- Q. What is the development partners' perspective on avoiding undue influence over the mission of CSOs? This is our clear recommendation from the past two days of discussion.
- A. It is not our intention and it is not in our interest to get involved in your internal governance. Responsibility for good governance is in the hands of CSOs. The EU has its own accountability for good governance, to the EU citizens.
- Q. I want to know what the government thinks about partnership. What is your expectation for partnerships with CSOs in relation to policy-making? Can our partnership be reflected in the NGO law in order to ensure the legitimate role of CSOs? What is the process of making the NGO law? How will it enable the work of NGOs?

A. Civil society is an important partner in Cambodia's development. I mentioned that in my presentation. The government has never forgotten CSOs. CSOs are welcome to take part in all activities of the government. Before the NGO law is completed, participation and contribution from CSOs is required. The Ministry of Interior (MOI) has drafted it, but there is a need for a meeting in MOI to secure internal approval. When the leader of the ministry has approved it, then MOI will invite representatives from CSOs to hear about the law and make comments on it. After internal approval, the draft law will go to the inter-ministry meeting, then to council of ministers, then to national assembly. We will invite representatives from CSOs to make comment. We never forget civil society. We need the participation of civil society.

Q. How will partnership be reflected in the law?

A. We will invite CSOs representatives to comment on the law. The organic law and the election law – and we have six sub-decrees in support of these laws – also explain the role of CSOs. The council has established many committees and subcommittees. We have many CSOs involved in these. Also at commune and sangkat level, we welcome participation from civil society. NGOs are a good partner. The government prioritises working with civil society.

Q. How can we participate more meaningfully in the TWGs? An example of an equal partnership is in relation to governance of the global funds. If anyone does not sign off on a proposal, then it cannot proceed. Agreement from all is required.

Q. Does the government use research from CSOs to influence policymaking? Can you please provide an example? How do CSOs find out about changes to legislation or policy that may affect them?

Q. How will the government support the work of provincial CSOs?

A. In some provinces, I accept that it is difficult to work because the capacity of the district and commune council is limited. People are afraid to allow CSOs to do their work. It is the fault of the election. People elect the councillors and some do not understand political processes. The Ministry of Interior issues legal documents to facilitate the work of CSOs in sub-national areas. Once the law is in place, we need to have the capacity to implement the law. We have a lot of laws but implementation of the law is a problem. I wonder if we will have the capacity to implement the law. Do we have enough means for implementation? After the forum, we will come up with the principles for the SINED members to consider. The challenges at commune level are similar to the challenges that CSOs face. We have to accept your view because it is from all of you. We will accept it and put it into consideration. However, I note that you see only one side of the problem. The government can see things from another perspective. Civil society wants to get something quickly. If you ask for my opinion, I want to complement and admire your effort. That's all I can say. I welcome the recommendations from civil society.

Q. What is the government's response to CSOs' recommendations?

A. Civil society itself also needs to strengthen itself so they can be equal partners. They should follow their own by-laws and own code of ethics. We notice that some CSOs do not follow their guidelines. In relation to the second recommendation, we have already mentioned the structured dialogue. We have quarterly meetings to get updated and hear about the challenges. We can always review the terms of reference for the TWGs. The second request is not really a problem. In relation to the third recommendation, I have already mentioned about this. We have engaged with NGOs in relation to the law. I believe that these requests can be accepted because they are being implemented by the government already. We have come to visit local level/provinces to support and encourage sub-national government to work with CSOs and to visit the CSOs. These requests are not difficult to meet. We are trying to do this already.

Action Plan

Following lunch, discussion continued with a view to developing an action plan for progressing the agenda of CSOs at a national and regional level. It was noted that this event has been held in parallel with other countries. If CSOs' points are addressed in today's discussion, then this will enhance CSOs' capacity to contribute to development effectiveness. Forthcoming events at which regional consultations will be held include Istanbul in September 2010, New Delhi in 2010 and the high level forum in Seoul in 2011. Consolidated global documents will be presented in Seoul.

What is needed is smooth cooperation so CSOs can work hand in hand with government and development partners. Contributions were opened to the floor.

Comment: We want help with agriculture. The rainy season is not going well and people are waiting for support from NGOs and government. Rice growing has a low yield. The rice seedling is growing well but there is no rain. This is an urgent issue. This is what the people most want by way of support.

O: We are still not clear on how, when and at what level CSOs will be engaged in relation to the NGO law.

A: His Excellency Meas Sarim responded by explaining that he had addressed this issue already this morning. The law cannot be enforced until there is the means to do so. We see this with the traffic law. Laws can be complicated and people do not always understand well. Respect for the law is limited. Disrespect for the traffic lights is everywhere. These are the problems that we can all see. There is no draft of the NGO law. When it is in its first draft, then we can consult. In the meantime, civil society can help the government by teaching people to respect the laws.

Q. Which donors have been approached by the government for assistance in developing the law? Which NGOs have been consulted to date? What plans exist for consulting national and international NGOs? Which NGOs will be consulted?

A. The World Bank gave some money to assist in the development of the law. The government could not meet the timelines and so, that agreement is now finished. The government consults with membership NGOs such as NGO Forum, CCC and Medicam and welcomes financial support to organise consultation workshops. We need these workshops to be held many times. CSOs can participate in consultations. The organic law clearly states that CSOs and communities can and should participate in local development processes and projects across all sectoral issues. However, it needs only representatives of all relevant CSOs at provincial and national level. These are the ones who should be invited for participation and consultation and to help with dissemination. It is important that civil society selects the right people to represent it. The partnership and harmonisation Technical Working Group (TWG) is in charge of figuring out how best to engage CSOs in national debates.

Ms. Belinda Mericourt from AusAid gave a development partners' perspective towards an action plan. However, she noted that most of her working life has been with NGOs, not with donors. Because of this, Ms. Belinda believes she has a good understanding of the frustrations that NGOs experience. Ms. Belinda talked about donor commitments and also donor constraints. Regarding the provision of core costs to CSOs, Ms. Belinda understood the need for this: If CSOs have to chase their core costs all the time, they spend energy on surviving instead of delivering projects. External audits cost a lot of money. Monitoring and evaluation systems cost a lot of time and money too. What development partners want is that eventually the state will provide for its own citizens and for a strong civil society within that system. Donors can then withdraw. If development partners provide 100% of core costs to civil society, then we create issues about the sustainability of civil society. We need to be reasonable in terms of the percentage of core costs that we fund. AusAid is willing to fund a proportion of core costs, and fund external audits and contribute to monitoring and evaluation systems.

Regarding common reporting systems, Ms. Belinda understood that having one report that could be sent to all donors would be great for CSOs. She explained that reporting is absolutely essential to prove that our aid money is spent wisely. Development partners need to know if we are achieving results. Yet, all development partners have different requirements from their own countries and headquarters. Development partners have different timing cycles and our financial years do not align. It therefore takes a lot of innovative thinking to figure out how to reduce the demands on our grant recipients. Ms. Belinda shared her personal view as to how a reduction of demands on CSOs might occur. She explained that AusAid had reached an agreement with one grant recipient about being flexible on the timing and nature of the reporting. Assuming the report meets the sort of requirements that we would otherwise have, then AusAid can be happy. Ms. Belinda indicated that where there are multiple donors, AusAid is willing to negotiate these types of agreements.

In relation to long term, predictable funding, Ms. Belinda explained that the constraint here is that the amount of aid money is a political decision and these decisions are made by governments afar. Australia, for example, is about to have a federal election. If there is a change of government, then we cannot be sure that aid monies will continue to be the same. This holds true even if there is not a change of government. Development partners try to take a long term view and support national governments in developing and implementing well thought-out strategies for poverty reduction and development. It is true that donors can do better. We can consider funding beyond one year. AusAid now considers three-year funding as acceptable and has discussions internally about how we can meet those commitments in the event of a change in government, etc. In conclusion, AusAid is very committed to increasing and improving civil society engagement in development effectiveness. We also committed to working with government. It takes a lot of negotiation to manage those constraints and still deliver what is required on the ground to assist civil society.

Mr. Carlo Merla from UNDP addressed the forum offering another perspective on developing an action plan. He explained that he is undertaking an assessment of civil society and how development partners are supporting CSOs to enact their role. This work will contribute to internal reflections about how UNDP can take a more proactive approach towards supporting civil society. UNDP also plan some consultations with CSOs to contribute to this process. Mr. Carlo explained his view that there is a need for everybody to reflect: I think there are some good practices that are not well enough known to us. And I think that civil society can be more proactive in helping itself instead of waiting for development partners to help them. In short, there are unexplored opportunities for CSOs to take up its roles. UNDP encourages CSOs to take the lead on communications, dialogue and it needs to be more proactive, not reactive. The UNDP will make the results of Mr. Carlo's report public and we will organise a workshop to share the results. UNDP will be open and will try to engage CSOs in the planning process of UNDP, especially in terms of its country development plan.

His Excellency Sabu Bacha, Chief Commission #9 of Senate, also spoke to caution CSOs about raising issues that are not fully verified. Three new panel members were then called forward to offer closing remarks: Ms. Belinda Mericourt from AusAid, Mr. Chhith Sam Ath, Executive Director of NGO Forum and His Excellency Sabu Bacha.

Development Partners' Perspective

Ms. Belinda Mericourt provided a donor's perspective, making clear that she could not speak on behalf of AusAid but rather would provide her own views. She explained that CSOs are absolutely critical to development effectiveness. Without CSOs, no results would be possible. An enabling environment is positive for all stakeholders, not just civil society. For an enabling environment to be created, open, regular dialogue is required in a context of trust and respect for a diversity of views. We must have meaningful consultation, and equitable partnerships. This does not just include development partners, government and CSOs, but also the beneficiaries of the initiatives that we implement together. Beneficiaries need to be included in planning, implementing, monitoring, evaluation and management. Capacity is the key. We need capacity to advocate, to understand, and to communicate to our constituencies. We also need good governance, transparency and accountability and a sustainable commitment to the principles of an enabling environment, notwithstanding who delivers them. We

must be harmonised between ourselves and effectively contributing to Cambodian Millennium Development Goals. Some of the constraints that donors face were already explained by Ms. Belinda, in discussing the action plan.

Ms. Belinda ended her remarks by drawing attention to three good practice case studies.

- CSOs' contribution to CDCF This policy document is very professional and it is subject to extensive
 consultation and analysis. I see it is a key achievement of CSOs over past 10 years in Cambodia. The
 challenge now is to take this further and use it to engage in constructive dialogue with other
 development partners.
- 2. National Strategic Development Plan 2010-2013 People came together in many meetings and put forward their ideas to government. Many recommendations were taken on board. The challenge for this initiative is to ensure that the plan is adequately resourced financially and in human resource terms. This is about each and every party resourcing their own commitment.
- CCC's NGO Good Practice Project This project has engaged in good consultation and it has good
 resources. It also has great capacity to be influential. The challenge for this project is how to embed it
 into structural fabric of Cambodian CSO life.

Each of these three good practices is an excellent model. Each also has its challenges.

Ms. Belinda then noted that this forum is also a good model. Together, we are taking practical steps towards meaningful dialogue. I congratulate CSO representatives for their hard work and for creating the forum. AusAid is committed to supporting the creation of a positive enabling environment for CSOs in creating development effectiveness in Cambodia.

Government Perspective

His Excellency Sabu Bacha addressed the forum and explained that the Senate has an important role to represent commune/sangkat councils. We continue state reform in strengthening democracy at national and subnational level with a view to reducing poverty and contributing to social and economic development. He noted that civil society already understands its challenges. His Excellency Sabu Bacha then called on CSOs to continue with their integrity and strengthening their capacity.

Civil Society Perspective

Mr. Chhith Sam Ath provided closing remarks on behalf of civil society. He indicated that the first two days provided an opportunity for diverse representatives from civil society to engage, consider and debate how best to account for their contribution to development effectiveness. Over the two days, we managed to develop a clear and considered communiqué about what we need. This communiqué was presented today to government and our development partners. Today too we have heard a response from government and our development partners. We appreciate the views of government and development partners. We have heard some general and in principle support for the ideas that we have presented. We are glad that government and our development partners have demonstrated their practical support to civil society by attending today's event and making clear their regard and appreciation of civil society. Working in partnership with government and development partners is paramount to Cambodia's development, to civil society's success and to the successes that we can achieve on behalf of our constituents - poor and marginalised citizens of Cambodia. I think that this is the beginning of a national conversation that must continue over coming months and years. In relation to the global agenda to which we are contributing, congratulations must be given to all participants. Together, we have worked hard to reach agreement about principles and we have started a national process to agree on indicators and mechanisms for holding ourselves to account. Because of this, we have generated some quality information that we can feed into the global events that are occurring over coming months, specifically the meeting in Istanbul and the forthcoming high level forum in Seoul in 2011. Mr Sam Ath concluded by naming and thanking all the donors and organisers of the event, including Open Forum, Asia Pacific Research Network, Alliance 2015, CCC, NGO Forum, Medicam and the Advocacy and Policy Institute.

2. Key conclusions and achievements

The third dialogue was significant in drawing attention to the shared concerns of civil society organisations, government and development partners and also for highlighting the issues over which divergent views are held i.e. those which will require further discussion in coming months and years.

A key achievement was that non-government organisations, through preparing well for this event, were able to be clear in their requests to development partners and to government.

Civil society organisations called on government to:

- · Strengthen law enforcement and implementation in a fair and accountable manner
- Increase, and offer more substantive, structured dialogue between CSOs and development partners, using existing mechanisms e.g. CDCF, Technical Working Groups, etc
- Be open and receptive to ongoing and ad-hoc communication with NGOs and other civil society actors during which our ideas are heard and respected
- Assist us to secure collaboration and support from local and sub-national authorities

Civil society organisations also called on our donors and other development partners to:

- Offer long term funding to NGOs
- Offer core funding to NGOs in support of building their capacity for responsiveness to their constituents and civil society
- Fund (institutional) capacity building programs
- Respect the governance of NGOs and avoid undue influence over their mission
- Reduce the complexity of funding criteria
- Set aside some funds to ensure the sustainability of smaller non-government and community based organisations

All parties were called upon to coordinate their respective contributions to Cambodia's development at a national and sub-national level.

In-principle support for these recommendations was provided by development partners and government. An evaluation of the forum showed that participants particularly appreciated hearing about commitments already made and being implemented by development partners that can assist in the creation of an enabling environment for civil society. Participants, however, continued to be unclear about future actions that the government is planning to assist in the creation of an enabling environment for civil society.

Participants agreed to seek to continue discussions both among themselves and with government and development partners over coming months.

3. Next steps

A thorough analysis of the discussions at the forum reveals that several significant commitments were made by those present. These commitments were made by those individuals present and may not reflect the views of an entire sector. Notwithstanding this limitation, it is useful to distil and publicise these commitments in an effort to move debate towards action:

Commitments made by Royal Government of Cambodia

- The government will consider the recommendations made by NGOs and other civil society actors
- The government will invite representatives of NGOs to participate in consultations regarding the NGO law in its first draft (A first draft is still being produced)
- The government will (continue to) coordinate and support NGOs and other civil society actors in implementing project activities at a sub national level
- The government and NGOs will together commit to better law enforcement in Cambodia. The
 government is willing to strengthen laws and policies in the context of a strong and widely disseminated
 legal framework.
- The government will review the terms of reference of Technical Working Groups after the high level discussions in Seoul in 2011

Commitments made by development partners

- Development partners will continue to recognise civil society and NGOs as development actors in their own right and support them in their work
- Development partners will explore creative strategies to provide long term and (a proportion of) core funding to NGOs and to simplify their funding criteria
- Development partners will seek input from NGOs about how to strengthen their processes for engaging civil society more effectively
- Development partners will remain open to assisting NGOs with other issues, on a case by case basis

Commitments made by NGOS and other civil society actors

- NGOs will continue to discuss appropriate guidelines, indicators and mechanisms for securing development effectiveness
- NGOs will continue to advocate for an enabling environment, a stronger voice and greater capacity
- In response to government's request, NGOs will (continue to) take care to select competent and highly regarded non-government representatives to participate in Technical Working Groups

Attachment 3a: Communique

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22th July 2010



A communiqué to the Royal Government of Cambodia and our development partners

Outcomes from a two day forum on CSO development effectiveness forum

Representatives from civil society organisations gathered in Phnom Penh on 20 and 21 July 2010 to discuss how we can be accountable for our contributions towards realising development effectiveness in Cambodia.



Deplorment Effectiveness Civil society organisations have greatly appreciated the opportunity to attend and participate in the two day forum. As a result of our participation, we have deeper understanding of the parameters and complexity of development effectiveness and of civil society's contribution to development effectiveness.



We are aware of the significant achievements of government, our development partners and the private sector that contribute greatly to Cambodia's social and economic development. We respect and appreciate the leadership shown by many other actors, especially the Royal Government of Cambodia, in regards to Cambodia's development. On behalf of civil society organisations, we hereby state that:

Civil society is itself central to effective development in Cambodia. We make important contributions to Cambodia's development especially in the areas of service delivery, policy development and research, advocacy and in facilitating democratic processes. We fill gaps that others cannot.



Civil society organisations in Cambodia are necessarily diverse. We vary in our breadth and complexity, size and scope. Our diversity is our strength. Our effectiveness can be understood as a product of our diversity.



The core principles to which civil society organisations in Cambodia subscribe are: social justice, participation, equity (including gender equity), independence (especially from political bias), democracy, transparency, empowerment, partnership, shared values, accountability and rights.

Some of the key challenges that face many civil society organisations in Cambodia include:

- Lack of long term, sustainable funding
 - Uncoordinated demands from donors e.g. reporting requirements
 - Difficulties in accessing relevant information in a timely manner
 - Struggles in securing community ownership of projects and participation in decision making (for some CSOs)
 - Lack of coordination among (some) civil society organisations
 - · Opportunities to strengthen our capacity, notably in relation to management and governance, are yet to be fully maximised
 - Lack of recognition, for example, in not being adequately represented in dialogue with our development partners



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We now seek greater recognition, a stronger voice and increased capacity. Non-government organisations are development actors in our own right. We have very valuable experience and local knowledge which is relied on by our development partners. We are keen to ensure that our knowledge, experiences and expertise are fully acknowledged by our partners.



Civil society organisations take seriously our responsibilities to work at the highest standard of accountability. An example of this is the development of a national Code of Ethical Principles and Minimum Standards of Good Governance. We commit to supporting each other to reach these standards. We cannot and should not be judged or indicted for Development Effectiveness the sins of a few.



We have commenced a process for determining the mechanisms, guidelines and indicators that will help us comply with the principles of development effectiveness that we have set. We need more time to complete this process. We wish to consult with our development partners in completing this work and call on our development partners to actively support and join this process.

We call on the Royal Government of Cambodia to:





- Increase, and offer more substantive, structured dialogue between CSOs and development partners, using existing mechanisms eg CDCF, technical working groups, etc
- · Be open and receptive to ongoing and ad-hoc communication with civil society organisations during which our ideas are heard and respected



Assist us to secure collaboration and support from local and sub-national authorities

We call on our donors and other development partners to:

- Offer long term funding to civil society organisations
- Offer core funding to civil society organisations in support of civil society's capacity for responsiveness to their constituents



- Fund (institutional) capacity building programs
- Respect the governance of NGOs and avoid undue influence over their mission
- Reduce the complexity of funding criteria



- Set aside some funds to ensure the sustainability of smaller non-government and community based organisations
- Coordinate their respective contributions to Cambodia's development at a national and sub-national level







Attachment 3b: **Press Release**

Hosted by









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Press Release

July 23rd, 2010, Phnom Penh, KINGDOM OF CAMBODIA



CIVIL SOCIETY WANTS GREATER RECOGNITION, A STRONGER VOICE AND INCREASED CAPACITY



About 70 representatives from civil society organisations gathered in Phnom Penh on 20 and 21 July 2010 to discuss how best to account for their contribution to realising development effectiveness in Cambodia.

Representatives were from 14 provinces and Phnom Penh and represented community based organisations, local and international non-government organisations, membership and advocacy organisations, children's clubs and grassroots organisations.

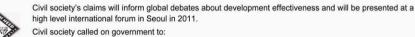


This landmark event was organised by the Cooperation Committee for Cambodia, The NGO Forum on Cambodia, MEDICAM and the Advocacy Policy Institute with technical and financial support from Open Forum, the Asia-Pacific Research Network and Alliance 2015.

The forum resulted in the development of a communiqué to the Royal Government of Cambodia and Cambodia's donors. Written on behalf of all civil society organisations, the communiqué asserts that, like government and donors, civil society is central to effective development in Cambodia. On the third day, government and donors acknowledged the claims of civil society and added their own views. All parties then engaged in meaningful dialogue which is expected to continue.



Civil society makes important contributions to Cambodia's development especially in regards service delivery, policy development and research, advocacy and facilitating democratic processes. They fill gaps that others cannot. On account of their significant contribution, civil society wants greater recognition, a stronger voice and increased capacity.



- Strengthen enforcement and implementation of the law
- Increase formal dialogue with civil society organisations
- Open the door to regular, informal communication with civil society organisations

Civil society called on donors to:



- · Offer long term funding to civil society organisations
- Fund capacity building programs
- Respect the governance of NGOs and avoid undue influence over their work
- · Reduce the complexity of funding criteria
- · Set aside funds for small non-government and community based organisations



Civil society called on all those committed to Cambodia's development to coordinate their respective contributions to Cambodia's development at a national and sub-national level.

For more information please contact:



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Vision: A strong and capable civil society, cooperating and responsive to Cambodia's development challenges. House #9-11, St. 476, Sangkat Toul Tompoung I, P.O. Box 855 Phnom Penh, Cambodia Tel./Fax: (+855) 23 216009 E-mail: info@ccc-cambodia.org Website: www.ccc-cambodia.org Appendix 4:

Institutional Profiles

Annex 4a: Institutional Profile of The Cooperation Committee For Cambodia (CCC)



Annex 4b: Institutional Profile of NGO Forum on Cambodia



Annex 4c: Institutional Profile of MEDiCAM



Vision:

A strong and capable civil society, cooperating and responsive to Cambodia's development challenges.

Mission:

As a professional association of non-government organisations in Cambodia, the Cooperation Committee of Cambodia provides high quality services to civil society and influences Cambodia's development partners with our collective voice.

Values:

- 🔻 Integrity
- **Cooperation**
- Responsiveness
- **Quality**

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