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Cooperation Committee
for Cambodia

Comité de Coopération
Pour le Cambodge



Reflections, Challenges and Choices 2010 Review of NGO Sector in Cambodia



Study Commissioned by
The Cooperation Committee for Cambodia



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FOREWORD

The NGO sector in Cambodia has now gained recognition from Government, development partners and communities, for its work with various sections of society, particularly those with least access to basic social services. At the same time, it has also attracted criticisms and questions about its credibility and integrity.

The CCC projects, EAGER (Enhancing Awareness on Governance and Effective Regulations for Civil Society) and NGO GPP (Good Practice Project) were designed to address gaps and challenges of NGOs in governance practices.

This Study is part of the process of reflecting and learning from the experiences of NGOs towards improving ways of working. It is also partly delivering on CCC's role to support in the strengthening of the sector's capacity to deliver against its roles and in promoting a more enabling environment for NGOs.

I hope that the findings of this study will inspire us to celebrate our strengths and gains to date, and to engage in robust discussions and debates about our roles and how to position ourselves in the current socio-political and economic climate in our country.

Let us reflect, let us learn, let us respond to the challenge ahead of us. I am hopeful that together, we can be stronger and able to create greater impact for our own people.

Lun Borithy
Executive Director
Cooperation Committee for Cambodia

**Open statement from the Study Steering Committee and the Executive
Committee of the Cooperation Committee for Cambodia**

Though there have been many fact finding reports or feasibility papers about the NGO community's work and impact during the past few years, there hasn't yet been a detailed assessment of the NGO sector in Cambodia.

As the third force of development in Cambodia, it is important to understand the various dimensions of the NGO sector – its strengths and its challenges both internally and in the external environment within which it operates.

For the sector to remain relevant and to continue to be a key player and contributor to Cambodia's development, it is important for the sector to strategically reflect on how best we can build on our strengths and plan responsibly, accountably, and collectively to address the gaps and challenges identified in this assessment.

The Steering Committee and the Executive Committee of the CCC appreciate and value the work undertaken by the research team and support the findings within the research report. This report is the result of objective and robust research and the findings were drawn from data generated from the sector itself. The recommendations in the report are put forward by the research team for the consideration of the sector.

We trust this assessment study will help the NGO sector to take pride in our strengths, and reflect so that as we mature, we can better serve the people of Cambodia.

The Steering Committee and the Executive Committee of the CCC

ACKNOWLEDGEMENTS

I would like to express my sincere appreciation to Cambodia Co-operation Committee (CCC) for the opportunity to participate in this historic assessment of the NGO sector in Cambodia in an external consultant capacity.

I thank Lun Borithy, CCC Executive Director, for his guidance and determination to see through this study as a useful tool for the NGO Sector to learn lessons from and reflect on how it can strengthen itself further.

I thank the Steering Committee for their consistent support, guidance and valuable insights that have enhanced the outputs of this study.

Without the insights and candidness of the leaders and representatives of various national and provincial networks, alliances and coalitions who attended the data collection workshops; our individual key informants and everyone the Study Team met and talked to, the analysis reflected in the report would have been superficial and insubstantial, so I would like to say thank you to them all.

Thank you too to those who have provided very useful feedback to the draft report, challenged and at the same time validated the findings that have added value to the overall credibility of the report.

I know that this process was a rich learning experience for everyone involved, but for me, I am taking away with me insights and reflections much more than I expected to get.

The Study Team who provided essential contributions to the process and outputs of the assessment are:

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Thank you all

Jane Bañez-Ockelford
Team Leader

ACRONYMS AND ABBREVIATIONS

ADHOC	Cambodian Human Rights and Development Association
ADI	Analyzing Development Issues
API	Advocacy and Policy Institute
CCC	Cooperation Committee for Cambodia
CDC	Council for the Development of Cambodia
CDCF	Cambodia Development Coordination Forum
CDP	Cambodia Defenders' Project
CEDAC	Cambodian Centre for Study and Development in Agriculture
CFIs	Community Financing Institutions
CCHR	Cambodian Centre for Human Rights
CHRA	Cambodian Human Rights Action Committee
CLEC	Community Legal Education Centre
COMFREL	Committee for Free and Fair Elections in Cambodia
CPP	Cambodian People's Party
CSD	Centre for Social Development
CSOs	Civil Society Organisations
D&D	Decentralization and Deconcentration
EAGER	Enhancing Awareness on Governance and Effective regulations for Civil Society
ECPAT	End Child Prostitution, Abuse and Trafficking
FA	Farmers' association
GFATM	Global Fund to Fight AIDS, Tuberculosis and Malaria
INGOs	International Non-Governmental Organisations
INTRAC	International NGO Training and Research Centre
KII	Key informant interviews
LAC	Legal Aid of Cambodia
LNGOs	Local Non-Governmental Organisations
MFA	Ministry of Foreign Affairs and International Co-operation
MOI	Ministry of Interior
MOUs	Memorandum of Understanding
NCBs	NGO Coordinating Bodies
NEP	NGO Education Partnership
NGOs	Non-Governmental Organisations
OAT	Organisational Assessment Tool
RBA	Rights Based Approach
RWSS	Rural Water Supply and Sanitation
SGD	Small group discussions
SWOT	Strengths, weaknesses, opportunities and threats
TOR	Terms of Reference
TWG	Technical Working Group
WB	World Bank

EXECUTIVE SUMMARY

The study is part of a component of the EAGER (Enhancing Awareness on Governance and Effective Regulations for Civil Society) of CCC that is looking at fostering an enabling environment for the NGO sector. The assessment looks at the strengths, gaps and challenges of the NGO sector in performing these roles looking at two dimensions. The external dimension looks at the legal, political and advocacy environment within which the sector operates and the internal dimension looks at the sector's institutional capacity to perform these roles. Specifically, the assessment looks at the following objectives:

1. Identify the current strengths of the NGO sector and the lessons learnt in relation to two priority dimensions: legislative, political and advocacy environment within which the sector operates and organizational/institutional capacity of the sector in performing its role/s.
2. Identify institutional capacity gaps and challenges faced by NGOs including current efforts of the sector to address these
3. Formulate recommendations on how best can NGOs themselves, their partners and constituencies and other stakeholders can best address identified gaps and challenges

It is expected that the findings of the assessment will serve as basis for improving the context and environment within which NGOs conduct their activities; and will contribute to strengthening the sector through building on strengths and planning further initiatives to address the gaps and challenges identified.

The methodologies used by the study are small group discussions in two workshops, key informant interviews, scoring done by workshop participants and review of secondary data. In the process there were three limitations encountered. First, despite follow up phone calls, not all the Phnom Penh and province based networks and alliances that were invited to join the workshops were able to attend. Second, was the difficulty of workshop participants in understanding some terms used in the instruments despite the pretesting made on these instruments. The third was the dominance during small group discussions of a few participants particularly those with higher level of position in their own organisations.

Key Findings and Conclusions:

The analysis of strengths, gaps and challenges of the NGO sector in the performance of its roles is premised on the assumption that the sector's fundamental purpose is to contribute to the overall development of Cambodia people.

The NGO sector in Cambodia comprise of approximately 72% local NGOs (LNGOs) and 28% international NGOs (INGOs) with a relatively short history. INGO presence began around 1979 and the first LNGO formed in 1991 and mushroomed from 1993. Over the period, three major roles have evolved which are the subjects of this assessment: basic social service delivery, advocacy and provision of support services such as capacity development, research and micro financing. Service delivery role remains the dominant with about 70% of the sector focusing on this.

The sector's performance of its three roles was facilitated as well as constrained by both the conditions in the external environment in which it operates and its own institutional capacity to deliver.

Facilitating Factors and Strengths/Gains

The NGO sector has grown not only in numbers but also in its organisational capacity to deliver against its roles.

External environment

The legal environment and increasing democratic space has allowed NGOs to operate any sectoral interests or issues and geographical areas of their choice. There were opportunities provided by government on one hand and lobbied for by the NGOs on other hand for the sector to participate and engage in policy development, national and local planning and monitoring implementation of these policies and plans. To a certain extent, the media has been co-operative and been utilised to create and increase public awareness on issues that NGOs are working on. These opportunities have resulted to policy level representation of the NGO sector e.g. TWGs, CDCF and many provincial, district and commune committees and working groups. Furthermore, through advocacy work, many issues have gained prominence in policy discussions and in the public arena e.g. human rights, land rights, violence against women and children, HIV and AIDS. At community level, interventions of NGOs spread all over the country, covering a wide range of social and poverty related issues and targeting various groups including the most excluded and disadvantaged.

Internal: Institutional Capacity

Over the years, NGOs have been increasing their capacity to deliver against their various roles. Most significant contributory factors include:

- Expertise in technical aspects (e.g. health, HIV/AIDS, human rights, women and child rights, micro-finance, land rights, community development, forestry, fishery, agriculture) has developed quite strongly over the years.
- The NGO sector has set up its own code of ethical principles and minimum standards, which demonstrates its genuine interest to improve its practice of good governance, although there is still a need to broaden its reach among the NGOs.
- The presence of national co-ordinating bodies, networks, coalitions and alliances serving as forums for information sharing, learning lessons and consultations on various issues has created a critical mass among NGOs engaged in similar issues towards more co-ordinated actions. Charismatic and strong local leaders have emerged from among these networks and other individual NGOs taking greater responsibilities in organisational management and pursuing high level dialogue with government and development partners.
- Seeds towards organisational sustainability have been planted e.g. the practice of strategic planning processes involving local partners in these processes; initiating social entrepreneurship and other self-sustaining initiatives; attempts to forge genuine partnership relationships between INGOs and LNGOs and between LNGOs and CBOs and increasing level of expertise in technical aspects of projects, project development and implementation.
- Increasing number of support institutions providing services in capacity development, research, policy development, micro financing, consultancy.

Constraining factors/Challenges

There are several challenges, however, that the sector is confronted with, that undermine their effectiveness and credibility to achieve greater impact and remain relevant to society.

- Expertise particularly in organisational development and management and complacency in carrying out impact evaluation in many aspects of its work such as capacity building, partnership

relationships and effectiveness of networks and the sector as a whole still need further strengthening.

- The relationship and co-ordination between government and the sector particularly in the areas of advocacy and participation in policy development and national planning still need to be strengthened. While NGOs engaged in service delivery and capacity building have more developed and productive relationship with government both at local and national level, the NGOs engage in advocacy work do not. For example, the uncertainty about the legal situation combined with the attitude of both government and the sector could lead to antagonistic relationship rather than a relationship with constructive dialogue. This could consequently result in repressive measures and a restrictive NGO Law.
- There is lack of coherence among NGOs. All NGOs carry out their mandate independent of each other and how all these contribute to the overall goal of the sector is unclear. There is also a certain amount of competition among NGOs, particularly for financial resources. The representativeness of the sector in positioning themselves on some issues that concern the whole sector remains a challenge. Rural based NGOs have little participation in national networks and coalitions and in development planning and policy making at the national level. Although the sector regularly provides input and feedback to the government, it is unclear how these are utilized.
- The expectation or demand from the sector particularly from development partners to get involved in social accountability puts the sector in a vulnerable or exposed position as the sector itself is still developing its own good governance practices and has yet to establish a wider mass based especially at grassroots level.
- Patrimonial/patriarchal relationships within the sector and between the sector and its partners and constituencies; its heavy reliance on donor funding and technical support; and lack of robust reflection on its strategic direction and roles threaten the sustainability and relevance of the sector.

Relevance beyond 2010:

The socio-political and economic context of the country has and is changing rapidly. Most of the findings have implications towards the issue of the Sector's relevance now and more importantly, beyond 2010. The NGO sector as a whole should be concerned about its sustainability and foremost, on how it is achieving the impact it wants to achieve e.g. how is it making a difference in the lives of people? The contributions of the NGO sector over the years are well recognised and recently been more systematically documented (i.e. see CCC report on NGO Contributions to Cambodia's Development: 2004 – 2009 A Rapid Assessment, Kristen Rasmussen, 2010). The challenge for the sector is how to stay relevant to the needs of communities it serves most specially those who are most marginalised and disadvantaged and how best to achieve this.

With the considerable changes in the social, political and economic situation in the country in the last decade and which are still rapidly changing, the sector is not seen to be proactive in making changes to its own roles, approaches and style of working. Reflecting society and the political systems within it, there is lack of robust discussions and debates within the NGO sector on its own future and how to manage these changes to ensure their relevance and significance to society. Some NGOs have changed their focus of interventions and approaches. A few INGOs have transformed their country offices and programmes into local NGOs; some have shifted from direct implementation to working through or with partners; and some have focused their support to institutions or organisations providing support services such as capacity development, research, micro-finance. Some LINGOs have

diversified into integrated development programming, some have ventured into entrepreneurial initiatives; some have gone into other higher-level advocacy issues; some have focused on purely research work and many have formed issue/subsector based networks and coalitions. However, the dominant functions remain around service delivery and training.

In the context of the NSDP update 2010-2013, it is easy to reconcile how the NGO sector has delivered against the government's expectations of their roles in national development process. The NSDP defines their role as development partners and are expected *"to engage in the process of socio-economic rehabilitation and development, to promote democracy and the respect for human rights and dignity as well as to participate with the Royal Government in monitoring the implementation of various policy strategies. These can be through contributions in both financial and operational resources. The Government considers the resources and expertise brought in by CSOs as an important input in the policy processes to reach the desirable development results. The Royal Government will continue to ensure rigorous participation of CSOs in the dialogue mechanisms"*.

Through the three roles currently performed by the sector as described in this study, NGOs have, to a large extent, delivered against these expectations. In fact, the NGO sector has performed roles beyond these such as demonstrating small-scale sustainable projects for possible replication and scaling up and empowering people to participate meaningfully in democratic processes and take ownership of their own aspirations and development.

The NSDP defines the role of CSO as described above and further defines that of *the government* as *"fosterer, promoter, enabler, facilitator and regulator (National Strategic Development Plan Update 2009 - 2013), the private sector* as the *"main engine for investments and growth in the country and complements public investment in the social sectors" (NDSP) and the Development Partners* providing co-financing, and *"technical cooperation for development of human resources and institutional capacity"*. Further, in the draft Cambodia Study Report, section on civil society says, *"there is a low level of understanding in Cambodia of what civil society is and its role. It is recognised that the institutional capacity of the NGO sector, as a component of civil society, is underdeveloped which puts constraints on its performance, relationships with the communities they serve, and also negatively affects their relationships with government and development partners."*¹

The questions then that should be asked at this juncture are:

1. *What is the niche for the NGO sector within the broader civil society and vis-à-vis the government, private sector and development partners?*
2. *How best can this be achieved?*

¹ VBNK and RBMG, Draft Cambodia Study Report: Phase 2 Evaluation of the Paris Declaration

RECOMMENDATIONS

External Dimension:

Legal Status

1. The sector should self-regulate more rigorously, which can be done by adopting minimum standards. Doing so will facilitate compliance with the law.
2. NGOs should continuously employ assertive strategies in terms of engaging with Government in formal and informal settings and in a transparent and meaningful manner so that concerns can be actually addressed.

Democratic Space

1. The NGO sector should become more creative in both maximising and expanding current democratic space. A good starting point is the accountability mechanisms introduced by the Government through D&D (citizen involvement in commune council meetings, school support committees and “accountability boxes”), which NGOs have not capitalized on. Another would be to publish or share well-researched publications however critical they may be.²
2. Replicate and further develop the range of small scale efforts that are in place: 1) activities by NGOs to influence national policy-making or facilitate citizen participation in commune planning; 2) the nascent Publish What You Pay campaign in order to monitor public revenues; 3) the NGO Forum’s recently launched National Budget Project to influence public budgets; 4) the NGO Education Partnership efforts to monitor public expenditures in that sector; 5) advocacy style of the Forum for Extractive Trade Industries 6) KAP’s creation of citizens’ village health association committees so that public services will be improved; and 7) USAID LAAR project implemented by PACT setting up commune monitoring committees; the introduction of Citizen Rating Reports by the CCSP; parliamentary monitoring and corruption studies by the CSD and the initiatives of COMFREL in order to provide public oversight.
3. To address the issue of coherence among NGOs, NGOs need to talk and genuinely listen to each other, develop the skill of holding disagreement as a creative force for good rather than a reason to withdraw or fight. It can create groups or assign NGOs (with approval of the majority) who will perform specialist roles or oversight for NGOs performing similar roles e.g. advocacy. For instance for a national level issue such as human rights, all NGOs should adopt the same stance, and identify and carry out activities that aligns to a pre-determined and agreed on goal; the specialist group or NGO will ensure rigorously that all these will occur.

Internal Dimension:

Capacity development/Expertise

1. NGOs should examine and reflect on their core values, philosophy and aspirations that drive and inspire their work. This should help the NGO sector redefine its role/s in the Cambodian society

² CDRI already publish studies that are both analytical and critical

within the current and future socio-political and economic context of the country. Only after this can the sector determine the sets of values and competencies it will need to deliver against these roles. A process of developing a capacity development plan for the sector could then be initiated which should incorporate and provide an overall framework for all capacity development interventions carried out by various organisations. Organisations such as VBNK, Silaka, PACT and API who are primarily engaged in capacity development can take the lead for this process.

2. The NGO sector should initiate an evaluation of the impact of capacity development efforts within the sector, using the results of individual evaluations done by some donors or INGOs among their own local partners (e.g. ICCO, PACT), and analyse what approaches work and what don't and why. There is a need to reflect on the underlying assumptions of what capacity building is and who should be responsible for it (e.g. Northern NGOs have viewed that capacity building as something they can and should do to Southern NGOs which imply that Southern NGOs are incapable of developing their own capacity) and how this can shift into more of a radical reciprocity in relationship.
3. The NGO sector should set up a Working Group or a Study Committee to explore appropriate ways of or documenting successful approaches in addressing and challenging hierarchical structures and unequal power relations among its members and their grassroots constituencies. This could be incorporated in a set of standards of good practice and popularise this within the sector, even pilot these among each other.
4. Before any sector-wide capacity development plan is put in place, the current efforts (e.g. Analysing Development Issues (ADI) project of CCC, leadership courses by VBNK) to develop strategic, critical and big picture thinking should continue. Organisations that are carrying out strategic planning should build in time in the process to allow or facilitate on-the-job learning for staff and partners involved.
5. The NGO sector should create opportunities for more robust learning from each other by sharing experiences, analysing specific cases or performing self and peer critiques/reviews. Outcomes of these initiatives must be followed through in actual places of work and reinforce learning as needed.

Governance

1. The sector should take a more decisive action towards achieving a wider subscription and compliance to the Code of Ethical Principles and Minimum Standards for NGOs in Cambodia. As an enhancement of the NGO GPP, one idea could be to make this a requirement for membership into any network or coalition with the proviso that each NGO will be provided capacity development support in every step towards achieving full compliance of the minimum standards. Another could be to work in partnership with MOI and MFA in requiring this as part of the registration and agree to set up a GO-NGO support and monitoring unit responsible for ensuring that NGOs are supported towards achieving full compliance of minimum standards. This could be a sector wide project facilitated by CCC.
2. The sector should critically analyse the governance concepts that have been introduced. First, study how these can be practised maximising some traditional practices and informal structures or relationships within the society. For example:

- Within a patronage system, look at how affection based connections between networks such as friendship, kinship and loyalty or how the concept of Buddhist's karma can be used to enhance accountability.³
- Secondly, challenge the donors/development partners to be more context-specific in their expectations of governance practice; and to reassess their approach and strategies of working with NGOs and take more active interest in promoting effective collective action that could extend to public-private relationships.⁴

Leadership/co-ordination

1. The NGO sector should consider seriously the need for a single entity dedicated to facilitate and manage the overall visioning and strategic direction of the sector without losing the value of its diversity. This does not mean having a consensus on all issues but rather ensuring that the sector achieves and demonstrates greater impact in changing the lives of the people they are committed to serve. This could be in the form of 'strategic alliance', 'umbrella organisation' or 'strategic convergence' with dedicated Board and a secretariat. Or it could be initially a Working Group or Committee. It is essential that this entity and its TOR will have the broad collaborative agreement of both LNGOs and INGOs. It would be a challenge but maybe necessary to select carefully who would lead this in order to avoid pre-existing biases. The TOR should include responsibilities for:
 - Facilitating the development of a common vision and strategic framework for the sector
 - Ensuring coherence in programming focus of NGOs
 - Facilitating development of and compliance to overall policies and regulations within the sector (e.g. code of ethics and standards of good practice)
 - Co-ordinating responses to sector wide issues and concerns of members
 - Co-ordinating the provision of technical support common to the sector
 - Serving as referral point
2. The NGO sector needs to promote more intensive grassroots constituency building or community organising initiatives. The sector can build on the experiences of some NGOs in organising community committees and groups such as self-help groups, livelihood groups, women committees, and child and youth clubs, water and sanitation committees, etc. This could be done in different ways:
 - Creating a network of NGOs who are actively organising community groups through their projects and facilitate sharing of effective strategies/methodologies, encouraging them to scale up to village development committees and federations at commune district or provincial and national levels.
 - Facilitating the establishment of formal linkages between the above network and existing national networks or coalitions for mobilisation and collective action.
 - Supporting and working with organisations which emerge from community movements and are genuinely membership led

³ The decentralisation process initiated by the Royal Government has created spaces for participation that were not available before the Commune Council elections in 2002. The subsequent experiences with the Village Networks have shown that, despite a history characterised by top – down decision-making processes at all levels of Government, participatory local governance can be developed in Cambodia. Village Networks in the provinces of Kampong Thom and Kampong Cham represent a useful and replicable method of developing participatory local governance in rural areas of Cambodia: a method which takes account of values and norms associated with traditional forms of collective action. This not only strengthens the sustainability and ownership of the process, but also promotes a major change in local norms by using dialogue, open discussion, and reflection in order to break down mistrust (Pellini and Ayres, 2007).

⁴ Refer to An upside down view of Governance, a study by the Institute of Development Studies, UK, 2010 for alternative ways of looking at governance taking into account the perspective of the southern NGOs

- Making it a requirement for every NGO member of a network or coalition or alliance to facilitate formation of grassroots constituencies or have a formal linkage with existing community based groups or organisation.
- 3. INGOs should critically assess how their 'partnership approaches' or relationships with LNGOs have contributed to the current status of the sector and seriously examine/analyse their role or relevance in the sector.

Sustainability/Partnership Approaches

The heavy reliance on external institutional funding and the continuing 'patron-client' relationships between INGOs and local NGOs are most challenging when discussing sustainability of local NGOs or of the sector as a whole. The following recommendations are intended as a start up initiatives:

1. The NGO sector should explore and maximise funding opportunities/sources locally such as private companies (e.g. supermarkets, shops, accounting firms) invoking their 'corporate social responsibility'; rich individuals and the emerging middle class; expatriate community; churches/places of worship. There are already local initiatives of generating local funds that may need to be scaled up such as establishing local consulting groups, charging for services e.g. training fees and social entrepreneurship. Create a data base and initiate training on public fund raising as this require separate sets of skills from that of institutional fund raising. Funds from these events may not initially fund an entire project but these could be allocated as core funding since most of these could be 'untied' or 'unrestricted' funds.
2. The NGO sector should engage in more robust dialogue between INGOs and LNGOs on their individual roles within the sector and agree on how to achieve genuine partnership that enables both partners to deliver to a mutual goal of people's development. Both should identify and agree on an underlying philosophy, basic principles, behaviour, approaches and responsibilities in the partnership and how these would be practised with the end in view of fostering interdependence and autonomy rather than dependence.⁵
3. The issue of partnerships extends to multilateral/bilateral development partners and the Government. The regular CDCF meetings to which the NGO sector is invited are precious platforms, which the sector should maximise for influencing the focus of development aid for, and approaches to partnerships with, the NGO sector in particular. A well thought through argument, supported by solid evidence and by the whole sector and its constituencies should be presented succinctly and emphatically during these meetings.

The other sets of recommendations contribute to the development of the other aspects of sustainability such as relevance, good governance, stable networks and support institutions, clarity of vision and strategic roles, appropriate and adequate expertise and grassroots constituency.

Relevance beyond 2010

It has already been mentioned in many other sections that the sector needs to define its vision as a sector and ask how to position itself as a critical actor in the country's overall development. This

⁵ A few case studies have been documented on how some partnerships work within the country and can serve as initial models to learn lessons from (e.g. Cambodian Perspectives: Nascent North-South Partnerships by Martin Tanner, a case study included in the book: *Autonomy or Dependence? Case Studies of North-South NGO Partnerships*, INTRAC 2004; *Partnering for Change: Successes, Challenges and Lessons Learned*, ICCO Partners Project 2005-2008)

could be done through a series of consultations that culminate in a national workshop. The strategic questions that should be asked could include the following:

- What is the role of the NGO sector within the civil society organisations (CSO) and vis-à-vis Government, private sector and development partners?
- How does the sector see itself in the next 10 years?
- What are the common values and principles that will bind the sector together?
- Should direct service provision remain the dominant role of the sector in the light of Government's increasing control and capacity to deliver? If so how can it best be done? And if not, what should be the main role?
- How can the sector become more autonomous and less dependent on external influences and control?
- How best can the sector achieve greatest impact?

I – INTRODUCTION



The need for an assessment of the NGO sector in Cambodia was identified within the project concept of CCC EAGER (Enhancing Awareness on Governance and Effective Regulations for Civil Society) project. One of the components of the project is looking at fostering an enabling environment for the NGO sector and for this purpose, it was proposed that an assessment of the strengths and challenges of the NGO sector should be undertaken. It is expected that the findings of the assessment will serve as basis for improving the context and environment within which NGOs conduct their activities; and will contribute to strengthening the sector through building on strengths and planning further initiatives to address the gaps and challenges identified.

The NGO sector in this study refers to all NGOs, international and local, legally constituted and are not part of the state but operate within a legal framework of the country. The study refers to the three roles of the sector 1) advocacy, 2) basic social service provision and 3) provision of support services such as capacity development, research and micro finance. These were based on the dominant activities currently carried out by NGOs and as concurred by CCC.

The assessment looks at the strengths, gaps and challenges of the NGO sector in performing these roles looking at two dimensions. The external dimension looks at the legal, political and advocacy environment within which the sector operates and the internal dimension looks at the sector's institutional capacity to perform these roles.

The assessment argues that the NGO sector has gained strength over time in the last two decades and has made valuable contributions to the development of Cambodia and its people, most particularly in the areas of service provision, policy advocacy and capacity development. However, it also argues that the sector faces significant challenges both externally and internally to deliver against its perceived roles including how to redefine these roles in the context of rapidly changing political context of the country and development paradigms globally. Qualitative indicators are used to provide support the above argument.

The primary objective of the consultancy was to carry out the assessment on behalf of CCC. The Consultant provided overall responsibility in conducting this assessment; set up and led a Study Team for this purpose and provided regular updates to CCC Executive Director and Steering Committee (set up specifically for this study) that helped ensure that the assessment was carried out as planned (Annexes 1 and 2).

II – OBJECTIVES & EXPECTED OUTCOMES



A. Objectives

The Assessment looked specifically at the following objectives:

1. Identify the current strengths of the NGO sector and the lessons learnt in relation to two priority dimensions: legislative, political and advocacy environment within which the sector operates and organizational/institutional capacity of the sector in performing its role/s.
2. Identify institutional capacity gaps and challenges faced by NGOs including current efforts of the sector to address these
3. Formulate recommendations on how best NGOs themselves, their partners and constituencies and other stakeholders can address identified gaps and challenges

B. Scope of the Assessment

The Assessment focused on three key roles of the NGO sector based on key functions and activities being carried out by NGOs in the present time. These roles are around advocacy, service delivery/community development and provision of support services (e.g. capacity building, research). The strengths, gaps/challenges and development needs in the performance of these roles were analysed within two dimensions:

- 1) External dimension: legislative, political and advocacy environment
- 2) Internal dimension: institutional/organizational capacity of the sector

The assessment was based mainly on qualitative indicators, as there is limited information to inform quantitative indicators and limited time to collect primary quantitative data.

C. Expected Outcomes

It is expected that the findings of the assessment will serve as basis for improving the context and environment within which NGOs conduct their activities; and will contribute to strengthening the sector through building on strengths and planning further initiatives to address the gaps and challenges identified. In particular, the results of the assessment are expected to:

- Promote reflection and agreement within the sector on their future strategic role
- Provide a stronger case or basis for creating an enabling legislative environment in Cambodia and protecting fundamental freedoms.
- Inform reflection and action planning within the sector and with the RGC and development partners
- Strengthen civil society in Cambodia through addressing identified gaps and challenges of NGOs

III – REVIEW OF LITERATURE



The review of literature looked at various concepts on civil society and NGOs around the world and in Cambodia in particular, how these emerged and what various roles were or being performed. It also looked at various methodologies and tools that have been used by different groups in conducting organisational assessments.

A. Concepts

1. Evolution and definitions of NGOs and CSOs and their roles in a society (Global)

Civil Society Organisations (CSOs) are described as “that which constitutes associations that exist outside the state or market which maintain a degree of autonomy and independence and have the potential to provide alternative views, policies and actions to those promoted by the state and market”.⁶ Non-Governmental Organisations (NGOs) are only one constituent of CSO although in many forums, these two terms are sometimes used interchangeably. Historically, the term ‘NGO’ was coined much earlier i.e. 1950s and the term ‘CSO’ surfaced more recently i.e. 1997 when donors

⁶ International NGO Training and Research Centre (INTRAC)

discovered 'civil society' (World Bank, 1997)⁷. Moira O'Leary defines NGOs as not-for-profit legally constituted non-state organisations, established to serve third parties. They are not part of, or formally controlled by a state body and are self-governing,⁸ but operate within a legal framework of a given nation.

Non-Governmental Organisations (NGOs) emerged in different ways in various countries depending on the socio-economic and political context at the time. The NGO model emerged in the early 1900s as a humanitarian response to situations of suffering and vulnerability, particularly those caused by the war.⁹ In developing countries, they evolved generally in a social context where there was gross inaccessibility and inadequacy of basic social services, especially for marginalized and disadvantaged groups or communities. The roles, functions, approaches and activities of NGOs differ according to their ideals, values and political persuasions, which have also evolved over the years as socio-economic, political and cultural circumstances within countries and globally changed overtime.

Bebbington, Hickey and Mitlin divide the history of NGOs into four periods:¹⁰ In the *first period (up to mid – to late 60s)*, the main function was to respond to the needs of groups of people perceived as poor and who received little external professional support. These largely issue-based organizations combined both philanthropic action and advocacy. In the *second period (during 1960s and 70s up to 1980-85)* such organisations continued their work but became increasingly critical, engaging more fully with the notion that NGOs should elaborate and contribute to alternative arrangements among state, market and civil society and alternatives both within, and to, capitalism. In the South, this was a period in which a growing number of NGOs, in particular those embedded in institutions and networks of the political and religious left, sought to shift state-market-civil society arrangements through government policy. This was also a period in which very many existing and newly formed NGOs negotiated space within and alongside other political and social movements. This process was one of collaboration among actors who recognized the benefits of the joint existence of movements, supportive institutions and NGOs within the struggle. The *third period (early 80s – mid 90s)* was defined by the growth in recognition for NGOs and their work and the increasing interest in funding such activities. This phase began in the early 1980s, reflecting the link between this changing position of NGOs and more profound systemic shifts that also date from this period. This was the period of the NGO 'boom', a boom that can only be understood in terms of its own relationship to transformations in this period in the structures of capitalism in the North, South and globally. The structural adjustment programmes of the 1980s demanded for NGO interventions as implementers, knowledge generators, and activists. NGOs were also subcontracted by government as service providers. In the *fourth period (mid- to late 1990s)* NGOs have had to come to terms with their entry, at scale, into the reform agenda, as well as increasing diversification within the NGO sector and the apparent co-option of many 'alternative' approaches practised and advocated by NGOs within the mainstream.

The current period (late 90s to date) is characterized by three trends: (1) the shift towards democratization and building the role of NGOs/civil society that brought NGOs closer to the operations of mainstream development and unprecedented levels of access to at least part of the policy process such as PRSPs (Poverty Reduction Strategy Papers); (2) the flowing of resources from

⁷ A. Bebbington, S. Hickey, and D. C Mitlin: Can NGOs Make a Difference? The Challenge of Development Alternatives, 2008

⁸ Moira O'Leary: Values in Development Practice 1 Development theories, assumptions, ethics and NGOs, published by VBNK December 2006

⁹ Ibid

¹⁰ A. Bebbington, S. Hickey, and D. C Mitlin: Can NGOs Make a Difference? The Challenge of Development Alternatives; 2008

bilateral and multi lateral donors to NGOs that were tied up with their poverty reduction agenda and which demanded NGOs to deliver measurable achievements in poverty reduction including direct funding of NGOs in the South; (3) rise of the security agenda – not human or livelihood security but Western geopolitical security (e.g. global war on terror).

2. Cambodia context: History/evolution of Civil Society and NGOs in Cambodia and their roles in the country's development process

Mysliwiec in a report written for the Expert Group on Development Issues¹¹ provided a chronicle of Cambodia's recent history citing the presence of NGOs and role/s these played at every stage beginning from the period 1954 to 2004. In summary:

From 1954 – 1970 following independence from France, there was no evidence of indigenous NGO movement although civil society was present in many forms.

During the war from 1970 – 1975, International NGO assistance in the form of relief to victims of war replaced bilateral development assistance.

From 1975 – 1979 during the Khmer Rouge period, there was no international presence in Cambodia apart from China and North Korea.

From 1979 – 1982 following the liberation from the Khmer Rouge regime, a handful of International NGOs initiated emergency programmes both inside Cambodia and in border camps just over the Thai-Cambodian border. There was massive relief operation, which spanned in almost all the sectors of economy and society such as health, agricultural production and transportation and encouraged good co-operation and co-ordination between UN agencies, International Red Cross, NGOs and government counterparts.

In 1982, the UN declared the Cambodian emergency to be over and an imposed aid embargo (apart from the socialist bloc), which was not lifted till 1991 after the signing of the Peace Agreement. Up till 1987, bilateral assistance for emergency was provided through UNICEF, WFP, UNHCR, and ICRC. INGOs were forced into a new role of 'supporting' the central administration as opposed to their traditional strength in working at grassroots level. In 1986, INGOs launched an international advocacy campaign with the aim to bring about pressure for a change in the western policy of isolation and embargo.

From 1988 – 1991, increased bilateral funding available for humanitarian activities was being channelled through INGOs, many of whom were coming from the border to work inside Cambodia. Most of these organisations expanded the scope of their work and geographical locations including training of Cambodian counterparts; more meaningful participation in planning and implementation of programmes; and started to shift to their more traditional community based roles. Multi/bilateral donors used INGOs as substitutes for Cambodian institutions. Together with rest of the international community at the time, INGOs contributed to supporting the Cambodian peace negotiations, which resulted in the signing of the Paris Peace Accords in October 1991.

From 1992 – 1997, the UN supervised multi-party elections was held (1993) which resulted in a coalition government, reintegrating Cambodia into the world community. Many Cambodians from abroad returned to the country. Local/Cambodian NGOs (LNGOs) emerged and mushroomed largely as a result of donor funding and the need to implement donor agendas. During this period, the donor community's understanding of civil society meant the newly created local NGOs.

From 1998 – 2004: The Second Legislature of the Royal Government of Cambodia was elected and with encouragement from international donor community, it turned its attention to an ambitious

¹¹ 2004, EGD, established by the Swedish Government in 1995

reform agenda across many sectors i.e. economic reforms; demobilisation; administrative reform and social sector reforms. It was acknowledged that the limitation of human resources at the time constrained significantly the implementation of the reform agenda and it was recognised that this would require significant financial and technical support. Mechanisms for partnership and dialogues between Government and donors were put in place e.g. regular in-country co-ordination/consultation led by government; sharing and discussing evaluation reports by some donors to their partners; efforts by donors to ensure civil society participation at the consultative group meetings and in donor/government working groups.

The current period (2005 to date)¹²

One political party, the Cambodian People's Party (CPP) continues to dominate the still new multi-party democracy in the country. Since the establishment of Commune Councils in 2002, political reforms have continued e.g. judicial and legal reforms and enactment of the penal code and other laws such as the anti-corruption law and the decentralisation and deconcentration policies and Organic Law that defines this. The D&D is a significant development in that it offers opportunities or possibilities for a closer interaction between local authorities and NGOs and other community based groups. NGOs working at sub national and village levels are encouraged to participate in commune and district councils' meetings, in particular during district/commune implementation plan workshops, where they are able to lobby for the inclusion of village development plans which they already support with community groups and the village committees. D&D policies define the inclusion of CSOs in various committees at province, district and commune councils. The National Strategic Development Plan (NSDP) Update 2010 – 2013 describes the roles of the Government, private sector and development partners in achieving the goals and priorities of the RGC for the period. The Plan expects the CSO, *"to engage in the process of socio-economic rehabilitation and development, to promote democracy and the respect for human rights and dignity as well as to participate with the Royal Government in monitoring the implementation of various policy strategies. These can be through contributions in both financial and operational resources. The Government considers the resources and expertise brought in by CSOs as an important input in the policy processes to reach the desirable development results. The Royal Government will continue to ensure rigorous participation of CSOs in the dialogue mechanisms"*.

During this period, the government has been increasing its capacity to provide for social services and most development donors have continued with their poverty reduction agenda with some introducing the rights based approach (RBA) to programming as focus for their funding support, particularly for NGOs. Some INGOs have moved from direct implementation to working with or through local partners (LNGOs), providing funding and capacity development support. The areas of interventions have continued to be dominantly in service delivery, advocacy and some into providing support services e.g. capacity development, research, micro financing. The WB study on Linking Citizens and the State found that based on their registration documents 70% of national NGOs describe their purpose as providing services in social affairs, while only 7% declared a purpose of democracy and human rights.

In this period, there is evidence of increasing reprisals made against human rights advocates (e.g. giving prison sentences to journalists, NGO workers, parliamentarians) making the space for criticism very limited contributing to an increasingly dire situation of civil and political rights.

The recently completed Rapid Assessment on the NGO Contributions to Cambodia's Development (April 2010) commissioned by CCC¹³ identified significant roles played by NGOs that are contributing

¹² This section is based on various readings and no longer part of Eva L. Mysliwiec's report

to the development of Cambodia. These include service delivery and development programming; mobilising grassroots communities in advocating for their rights; strengthening civil society co-ordination and effectiveness; and production of research for influencing policy making and national planning. It is also well recognised that NGOs bring alternative models and approaches to development, emphasizing participation, equity, gender sensitivity and environmental sustainability.¹⁴ Despite these achievements, there is still much work to be done, as the draft AER report concludes "NGOs have made significant contributions to the country's development. Much work still needs to be done to make progress towards the objectives of the Rectangular Strategy – Phase II and the Cambodia Millennium Development Goals; the partnership between the Royal Government and all of its development partners must embrace the diversity and complementary roles that each can bring to the national development effort." ¹⁵

The number of International NGOs (INGOs) is 337¹⁶. The number of local NGOs (LNGOs) registered with the Royal Government of Cambodia is almost **1495**¹⁷, which is a dramatic increase from 1991 when the first local NGO was established. However, according to the study on Aid Effectiveness in Cambodia by Ek and Sok¹⁸, only 45 percent of registered local NGOs are believed to be currently active, compared to 93 percent of international NGOs.

Informal NGO networks or loose alliances exist in almost every province and have an increasingly important role in contributing to an informed dialogue on development processes and policies.

INGO activities in Cambodia can be broadly classified into five main categories:

- Service delivery in conjunction with government institutions working through local structures and providing institutional capacity building, especially at the provincial, district, and commune levels;
- Community development activities carried out by well-established NGOs with experience in working at the village level to tackle the basic causes of poverty;
- Development of local NGOs and community-based organizations, encouraged and directly supported by INGOs, and including direct funding and capacity building through training and mentoring; and
- Research and other analytical work and related advocacy activities covering a range of development topics/issues.
- Large-scale service delivery dependent on bilateral and multilateral funding and implemented by large NGOs with experience in reconstruction and infrastructure development;

Local NGO activities in Cambodia can be broadly classified into four main categories¹⁹:

- Development organizations involved in education, health, credit, income-generation and other rural and urban development activities aimed at improving the lives of poor people.

¹³ Kristen Rasmussen: NGO Contributions to Cambodia's Development: 2004-2009, A Rapid Assessment; commissioned by CCC, April 2010

¹⁴ CDC/NREP Report on Mapping Survey of NGO/Association Presence and Activity in Cambodia, June 2006

¹⁵ Draft Aid Effectiveness Report, 2010

¹⁶ *ibid* (data from MFA, 337 NGOs/Associations signed MOU with MFA) note: not all INGOs are known to be registered with MFA

¹⁷ Data from MoI, 1495 NGOs/association registered at MoI 1993-2005

¹⁸ Ek Chanboreth and Sok Hach December 2008 AID Effectiveness in Cambodia

¹⁹ CDRB/CDC General NGO Information

- Support Service organizations focusing on human resource and organization development training activities, as well as facilitating networking and advocacy related activities
- Democracy and Human Rights organizations committed to promoting democratic principles and respect for human rights through policy, training and other advocacy work.
- Community based organizations and associations that are taking on a more active role in participating and directly managing their own development processes.²⁰

3. Challenges for the future of NGOs

All the trends in this current period as described above have altered the roles of NGOs, drawing attention to their legitimacy and accountability for what they achieve. These have impinged on the NGO values and principles particularly on being flexible; participatory in their processes as a means of empowering the poor; and their commitment to the most marginalised and disadvantaged. These trends pose a significant challenge to the extent to which NGOs can maintain a sense of autonomy and commitment to social justice and question their ability to provide development alternatives for which they are known.

B Methods

Warren and Lloyd (2009), in an overview of the state of CSO self-regulation worldwide, examine the various types of initiatives currently in use, and offers insights into current patterns at national, regional and international levels. They found that because CSOs continue to grow in number and influence, their activities have been subject to greater scrutiny. In response, a growing number of self-regulatory initiatives by CSOs were started. However, despite the widespread proliferation of CSO self-regulatory initiatives over the past two decades, there has been no thorough stock-taking and analysis of existing initiatives. Key findings of the assessment were:

- CSO self-regulation is more prevalent than previously thought, with a total of 309 initiatives identified worldwide.
- CSO self-regulation has not permeated the sector evenly. While the United States, Canada and Western Europe have high level of self-regulation, CSOs in countries in the Middle East and North Africa, Central Asia and Southeast Asia have limited self-regulation.
- There is no one size fits all approach to CSO self-regulation as this is shaped by the level of development of civil society, the resources that are available, and the nature of relations with the state.
- CSO self-regulation is a rapidly evolving field with many initiatives having emerged in the past five years and many still currently in development.

A known tool for assessing the health of civil society – within which NGOs are subsumed - is the CIVICUS index. Initiated in 1997 as a descriptive analysis of 60 civil-society profiles, this has evolved into a more analytical methodology in four dimensions. These are:

- Structure: This captures information on the basic set up of citizens' organizations: their size, components, infrastructure and economy
- Space: This deals with information on the environment in which the civil society sector operates
- Values: These collect information on the value system of the civil-society sector, consensus or disagreement about these values and the range of such disagreement
- Impact: This gauges the contribution the civil society sector has had in aspects of development, rights and economic independence

²⁰ CDC/NREP Report on Mapping Survey of NGO/Association Presence and Activity in Cambodia, June 2006

Each dimension is further expressed into perception index indicators. These are statements about the civil society sector that reflects an ideal or 'healthy' state. A selected group of informed stakeholders reflects on the accuracy of the indicators in describing the civil society sector in the country (or region) under discussion, and then to score it on a spectrum from 1-7, with 1 being "Don't agree at all" and 7 being "Fully agree" (Holloway 2001).

An equally known tool for assessing NGOs, particularly their sustainability, is the USAID supported NGO Sustainability Index. In 2008, results of the 12th edition of the Index, as applied in 29 countries in Central and Eastern Europe, and Eurasia were published. The Index reports on the strength and overall viability of NGO sectors in these countries. It highlights both advances and setbacks in sectoral development, and allows for comparisons across countries and sub-regions over time.

The Index is an important and unique tool for local NGOs, governments, donors, academics, and others to understand and measure the sustainability of the NGO sector. It analyzes seven interrelated dimensions: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. A panel of NGO practitioners and experts in each country assesses the sector's performance in each of the seven dimensions. To rank the NGO sector's performance, characteristics in each of the seven dimensions are clustered into three basic stages: Consolidation, Mid-Transition and Early Transition. The Consolidation stage, the highest level of sustainability and development, corresponds to a score between 1 and 3 points; the Mid-Transition stage corresponds to a score between 3 and 5 points; and the lowest level of development, the Early Transition stage, corresponds to a score of 5 to 7 points on the scale. Based on their scores, countries fall within three basic stages of development in terms of NGO sustainability: consolidation, mid-transition and early transition.

Key findings common across Europe and Eurasia were:

- Fears about the future as the world economy slid deeper into crisis
- Changing donor landscape as some traditional donors downscaled or phased out assistance programs
- Governments took steps to create new governmental bodies to address NGO sector issues
- Governments became more active in funding NGOs through grants and contracts, although this did not necessarily assist the development of independent civil society
- Unique challenges face minority NGOs e.g. Russian speaking NGOs in Estonia and Serb NGOs in Kosovo generally suffer from weaker capacity and have less access to resources
- Mixed results of percentage laws, a mechanism (through tax laws) that enables taxpayers to donate part of their income taxes to support sustainable NGO sector development.
- NGOs sought the benefits of cooperation within the NGO sector, as well with the public and private sectors.

At the organizational level, Kirschbaum (2004) presents an Organisational Assessment Tool (OAT) based on the strengths, weaknesses, opportunities and threats (SWOT) framework to help organisations to improve their performance. It examines problems and questions concerning the organisation's strategy, management processes, finances, staffing, relationships with others and its results. It asks the organisation to identify causes of problems and helps in the decision-making to overcome them. To carry out the assessment, statements describe the expected capacity of a "mature" or developed organisation. These statements comprise the following areas:

- Governing structures including mission, vision, statutes and boards

- Management processes including process orientation; organizational chart and staff access to leaders; meetings, teamwork and knowledge management; planning; implementation of work plan and monitoring of progress achieved; reporting and information exchange
- Human resources including policy and development, presence of human resources unit; staff numbers; promotions; salaries and other benefits; incentives and rewards system; performance appraisal; training; complaints and performance problems, and staff representation
- Financial resources and administration including registration, economic and fiscal environment, budgeting, funding, accounting, cost efficiency, accountability, financial reporting, administrative procedures, and infrastructure
- Relationships including the social and cultural environment; stakeholder engagement; partnerships with other NGOs, networks, companies and government authorities; and media
- Results including achievements, stakeholder satisfaction, financial results, human resources results, and impact on society

Particular to accountability of NGOs engaged in accountability, Hammer (2010) identifies 3 dimensions: transparency, opportunities for participation and impact. For each, a set of initial good practice principles for advocacy organisations were further identified:

- Transparency of the evidence basis used in advocacy, of funding and funders for specific campaigns and activities, and around forward looking information such as strategy, and the processes used to determine advocacy priorities;
- Opportunities for participation of beneficiaries and other key stakeholders of the organisation in the development of advocacy objectives and their review; and
- The development of criteria for evaluating the impact of advocacy with beneficiaries and other stakeholders, and the establishment of feedback and complaints handling mechanisms to address individual experiences and problematic impacts.

VanSant (undated) makes an excellent summary of numerous frameworks used for describing or assessing the institutional capacity of development organizations that are in development and use. Despite the diversity, there is a great deal of similarity in these frameworks, highlighting the emerging consensus on the attributes that make for effective and sustainable institutions. Frameworks differ in emphasis, semantics, and in the way certain attributes are defined or clustered. For instance, governance can refer to the relatively narrow issue of an organizations legal (governing) structure or it can be a category encompassing the organization's culture, mission and values.

A comparative look at several institutional assessment frameworks offers a composite set of 11 attributes organized into three clusters.

Institutional Resources	Institutional Performance	Institutional Sustainability
Legal structure and governance	Programme results	Organisational autonomy
Human resources	Networking and external relations	Leadership
Management systems and practices	Application of technical knowledge	Organisational learning
Financial resources	Constituency empowerment	

C Synthesis of review of literature

1. Concepts

Non-Governmental Organisations (NGOs) emerged in different ways in various countries depending on the socio-economic and political context at the time. The roles and functions of NGOs were and

still are heavily influenced by global policy agenda defined primarily by the developed countries. In particular, the emergence and mushrooming of the NGO sector in Cambodia was primarily influenced by the influx of donor funding after the signing of the Paris Peace Accord. This reality and its consequences strongly influence the analysis of the findings of this assessment.

Concepts and methods of interest to the NGO sector assessment emanate from the widespread practice of using frameworks and other tools to assess civil society as a whole or NGOs separately. These make a distinction between external and internal factors that affect the health or the performance of civil society. The identified external factors are legal basis, relationships with government and other NGOs, stakeholder engagement, participation of beneficiaries, transparency of funding, and the establishment of feedback mechanisms. On the other hand, internal factors look at structure and sizes of organizations, management systems, leadership, technical capacity, partnerships and networking, financial resources, and impact of activities.

2. Methods

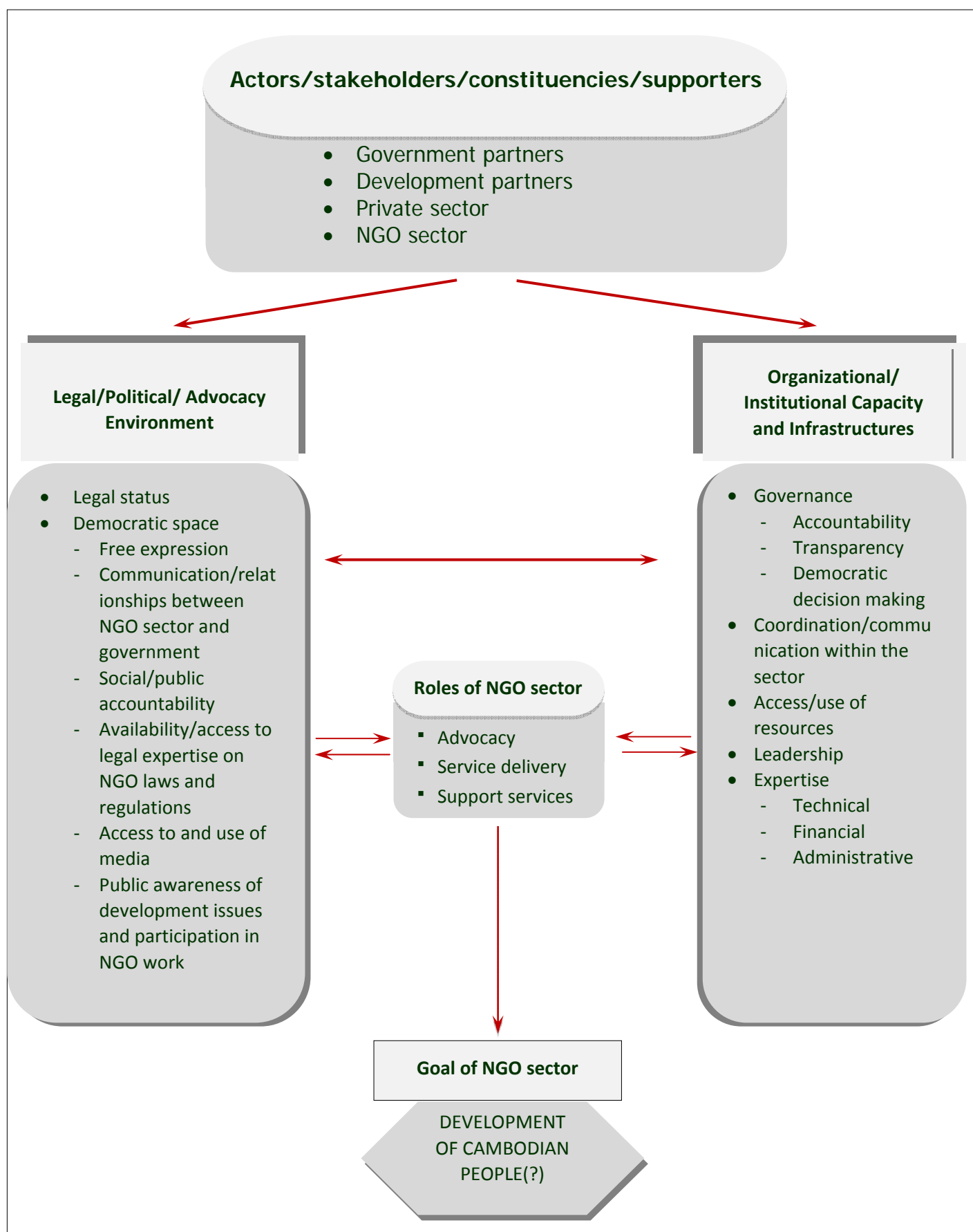
Most frameworks use perception scales or indices as the measuring device along various continuums of organisational development. This allows some quantification of results in a relative, if not absolute, sense and permits calculation of both category and comprehensive "scores". These scores can be benchmarked and compared over time or between organizations. The theory behind the use of scales or indices attached to well-defined categories and indicators is that much of the effect of subjectivity is removed from the process. As well, collaborative discussion around index scores creates opportunity for valuable processes of consensus building and shared learning among those who participate in the process (VanSant, undated).

Assigning scores by a selected and informed group representing the NGO sector was the approach taken in assessing the NGO roles across the external and internal dimension. Guided by various tools for assessment (Hammer 2010, Warren and Lloyd 2009, USAID 2008, Kirschbaum 2004, Holloway 2001), a set of indicators were drafted and used for this assessment.

3. Assessment framework of the study

Figure 1 schematically presents the manner in which the assessment of the performance of the NGO sector was carried out. The roles of the NGO sector (advocacy, service delivery and service delivery) were appraised in two dimensions. The external dimension examined the legal, political and advocacy environment in which the NGO sector operates while the internal dimension looked at the sector's organisational/institutional capacity and infrastructures. The influence of stakeholders, constituencies and supporters were also considered in the performance of the NGO sector roles.

Figure 1. Overall assessment framework



IV – METHODS



The assessment adopted a participatory approach to the extent possible within the time and resources available. Selected key CCC members both international and local NGOs were encouraged to take active part in the process. A Steering Committee was set up from among NGOs and interested individuals. Others have joined in the Study Team. It is hoped that this will help ensure a robust follow through of the findings and recommendations of the Assessment. Participatory methodologies and tools such as workshops, small group discussions (SGD) and key informant interviews (KII) were used throughout data gathering, analysis, drawing conclusions and formulation of recommendations.

A. Sampling

Since the study covers the whole NGO sector, the sampling was based on the existing networks and coalitions of individual NGOs engaged in all the three roles on which the study is focused. All networks, coalitions and alliances listed in the CCC directory were invited to workshop, although not all were able to attend. Individuals who are members and non-members of these networks were also interviewed on the basis of their extensive knowledge and involvement in the sector.

A total of 22 NGO coalitions and networks were represented in the 2 workshops conducted with a total membership of 543 NGOs. Of these, 352 have single memberships (74 INGOs, 278 LNGOs). These came from the following sub sectors: human rights, women and gender, policy advocacy groups, service delivery, and support provision (capacity development, policy development and research) (Annex 3 for the composition per sub sector).

A total of 18 Individual Key Informants were interviewed (Annex 4).

B. Data collection

Data was collected through workshops and a series of key informant interviews. Two workshops were organized and in each, discussions were carried out in small groups and in the plenary. The first workshop was held on 19-20 May 2010, and the second was on 1-2 June 2010.

A set of guide questions based on the pre-identified indicators was drafted. These were used in the workshops and in the key informant interviews.

Annexes 5, 6 and 7²¹ contain three tables detailing indicators chosen for the assessment of the two dimensions of the NGO sector, definitions and questions to be asked (Table 1); the list of information needs and methods for collecting data (Table 2); and, the scoring matrix (Table 3).

C. Data analysis

The assessment of the NGO sector performance followed a similar approach to most studies in the review. Two dimensions of the assessment were selected: the external consisting of the legal/political/advocacy environment, and the internal dimension, which examined the organisational/institutional capacity of the sector. Specific aspects of each dimension and corresponding indicators were identified against which the NGO sector was assessed. Selected representatives of the sector scored each indicator.

²¹ These annexes are submitted as separate files, distinct from this report.

These indicators were assigned scores by representatives from organizations, networks, alliances, coalitions, and working groups. The score, ranging from strongly disagree to strongly agree, for each indicator represent the 'grade' of the NGO sector for that particular aspect of the assessment. Scoring sheets were prepared for this purpose. Respondents were asked to explain the scores they gave.

The external dimension dealt with the legislative, political and advocacy environment and the indicators were divided between legal issues and democratic space. Under legislative issue, the assessment examined the facility of registration, awareness of rights and responsibilities of NGOs, and compliance and enforcement of laws and related regulations. Under political and advocacy, the assessment looked at communication and relationships between the NGO sector and the government; social/public accountability; availability/access to legal expertise on NGO laws and regulations; access to and utilization of media; and, public awareness on development issues and participation in NGO work.

The indicators for the internal dimension, comprising of the elements that constitute the institutional/organisational capacity of the sector, the assessment examined governance including accountability, transparency, and democratic decision-making, strategic planning, and monitoring and evaluation; coordination and communication within and among the sector, and with their constituencies; access to and utilization of public/private resources; leadership of the NGO sector, and expertise within the NGO sector to perform roles.

An overall score for the indicators was derived based on the individual scores obtained from representatives of the NGO sector and were used to support the analysis of the performance of the NGO sector. An explanation of this rank was provided based on the responses of participants, key informants, and from reviewed studies. Results were presented in a validation workshop.

D. Limitations

The study team encountered three limitations during the conduct of the Assessment. First, despite follow up phone calls, not all the Phnom Penh and province based networks and alliances that were invited to join the workshops were able to attend.

Second, despite pre-testing the data collection instruments, several participants in the two workshops had difficulty in understanding some terms used in the instruments. Facilitators of small group discussions resolved these by providing additional explanations and examples. Nevertheless, the occasional difficulty resulted in long lapses as participants attempted to frame their responses appropriately.

A few participants dominated the discussions in some groups. The prominence of their presence and opinions in the groups most likely originates from their position/seniority in their organization or within the sector, the strength of their convictions, and their ability to express themselves. Participants with lower positions tended to defer to those who were more senior or seen as more experienced and knowledgeable.

V – Key Findings, Analysis and Implications to the NGO Sector²²



A. External dimension: Legal/Political/Advocacy Environment

1. Legal aspect

There are legislations, directives, Memorandum of Understanding (MOUs), and local authority guidelines that define the rights, obligations and restrictions of NGOs at the national and sub-national levels. These are the Constitution, the Civil Code, the tax and labour laws, penal code; directives requiring the registration of local NGOs at the Ministry of Interior (MOI) and their international counterpart at the Ministry of Foreign Affairs (MFA), and activity registration at Council for the Development of Cambodia (CDC); and, MOUs between INGOs and relevant ministries. Besides these, UN conventions and instruments to which the Cambodian Government is a signatory help provide a legal framework and protection to NGO roles and their implementation.

Current legislation allows NGOs to operate in any sectoral interests or issues and geographical areas of their choice. NGOs abide by their rights according to their knowledge of various rules and regulations. NGO rights, obligations and restrictions identified by respondents as well as from published studies are:

Rights

- To implement programmes and projects around advocacy, service delivery and support services provision e.g.
 - Education and awareness raising on relevant issues through public forum, seminars, broadcast media
 - Participation in marches and rallies during national and international days (e.g. child labour, human rights, women's day, etc) but there are restrictions in practice (sometimes imposed by the courts) on demonstrations re land issues, resettlement issues
 - Provision of basic socio-economic services e.g., health, education, micro-finance
 - Participation in development of laws, policies, national plans, e.g. drafting of laws, public hearings consultations, usually with relevant Government ministries
 - Provision of support services, e.g. training and other methods of capacity building both for the NGOs, Government, and communities, and conduct of research

Obligations

- The rules on NGO registration provide clear guidelines for both LINGOs and NGOs and defines to whom they are accountable, e.g., LINGOs to MoI, INGOs to MFA, and for both, to CDC and other relevant ministries. All registered NGOs are required to provide regular reports and financial reports
- MOUs, tax law and labour law and MOI directives/guidelines define certain obligations for the NGO e.g. registration; payment of salary/ withholding tax; INGOs to renew the MoU every 3 years; giving notification if implementing activities outside their normal target areas; working closely with counterparts and informing them if assigning consultants to the field and when applying for visas.
- Some ministries and local authority guidelines define certain obligations e.g. seeking permission to organize forums, demonstrations, research activities; formal invitation to Government officials to attend NGO activities

²² For detailed summary of findings please see Annex 8

Restrictions

- Currently NGOs and INGOS are required “to refrain from activity in support of Political Parties.”
- There are a number of legal avenues used by the courts to curtail the freedom of expression in the country, namely through charges of defamation, disinformation and incitement (INCL Country Report 2010).

Responses from key informants point to the fact that enforcement of rules by the Government on one hand, and compliance within the NGO sector on the other, is uneven at best. For instance, a key informant said that in most cases, governing boards, particularly among national NGOs, are on paper only. Another observed that international organizations practiced self-compliance more strictly.

After announcing its intention to introduce a new NGO law to govern local NGOs and associations and INGOS in 2008, the Cambodian Government has proceeded with no involvement from civil society. Refusing to discuss the objectives for the new legislation or to consider NGO views and concerns, the new law is expected to result in increased restrictions on political activity; an increased requirement to align activities with Government priorities; increased reporting requirements for local NGOs; and a formalization of current guidelines for approval of activity at the provincial level (ICNL Country Report 2010). The position of many NGOs is that a proper legal review to analyze whether or not a separate legal framework is necessary for NGOs. This should be done once the Penal Code, Anti-corruption law, Civil code, labour law, and the Law on the Status of Judges and Prosecutors and the Amendments to the Law on the Supreme Council of Magistracy are in force; doing so will ensure consistency and avoid overlap (CCC/OHCHR 2009). Currently, the CCC has set up a Core Group on NGO Law that is pro actively preparing and seeking for a dialogue with MOI prior to public consultation phase.

Key challenges

- It is not easy to establish extent of compliance to rules and regulations among NGOs
- Government rules are not being enforced strictly with regards to checking requirements for NGOs (e.g., governing boards and progress reports) and ensuring that NGO rights are upheld and protected. Some institutions responsible for legislations carry out partial or selective implementation in terms of monitoring registered NGOs
- Restrictions (including bureaucratic administrative procedures) and lack of co-operation from certain officials particularly on some issues limit NGOs capacity to implement activities such as public forums and rallies
- Legal instruments against NGOs are also used to deter free speech/ advocacy

Implications to the NGO sector

1. The legal framework within which the NGO sector operates is fairly comprehensive given that fundamental laws are in place. Moreover, NGOs are generally aware of the legal framework that influences the delivery of their roles. In practice however, the application of laws by the Government, as these affect NGO performance is not uniform. NGOs have more room to perform their roles in service delivery and support services since these are perceived as contributing to the development of Cambodia. In contrast NGOs engaged in certain sectors are seen in less favourable light. From the perspective of NGOs, compliance is more evident when fulfilling registration requirements but not when the organization starts operating e.g. regular reporting of activities to CDC.

2. Uncertainty about the legal situation combined with the attitude of both Government and the NGO sector could lead to an antagonistic relationship rather than a relationship with constructive dialogue. This could consequently result in repressive measures and a restrictive NGO Law.
3. The NGO sector finds itself in a critical juncture – to maintain the status quo or be more proactive in re-examining its roles in order to remain relevant with regard the development of the country and the environment where development is facilitated. Despite undertaking many tasks in many sectors and in various geographical locations, the sector has yet to come to a consensus about its overall purpose.

2. Democratic space

This section presents various aspects that comprise democratic space: free expression further divided into advocacy and participation in developing and implementing policy and national planning; communication/relationships between NGO sector and Government; social/public accountability; availability/ access to legal expertise on NGO laws and regulations; access to and utilization of media; and public awareness on development issues and participation in NGO work.

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2.1 Free expression

Advocacy and participation of NGOs in policy making and planning take place in diverse ways and at various levels. NGOs' involvement in policy making and development planning, monitoring and implementation takes the form of capacity building, technical assistance, providing inputs and feedback, maintaining a vibrant presence in various forums, financial support, and soliciting the participation of groups they work with. Many issues NGOs take on are related to their specific projects or are sectoral concerns.

2.1.1 Advocacy

Advocacy work within the sector has been increasing in prominence although only about 7% of the NGOs declare their mandates as advocacy. The democratic space for them to implement their activities has been decreasing as evident by not granting permits for demonstrations and even by arrests made to a number of activists after one Human Rights Day celebration.

Strengths and Gains

- Many issues have gained prominence as a result of NGO advocacy. Participants in workshops and key informants identified land and housing rights and related issues; preservation, access to and utilization of common and natural resources such as fisheries and forestry; democracy; human rights including trafficking; health; and gender. Advocacy is undertaken at the individual NGO and sectoral levels. Style also differ such as for service delivery versus human rights groups. The form of advocacy practiced by API and DAP seems to be effective in engaging Government more positively. According to a key informant, NGOs engage in advocacy according to their politics. In most NGOs, there is always a mix up of the three schools of thoughts in activism: 1) rightist – non structural, change within the status quo, 2) leftist who are critical about the structure, and, 3) those in the middle aiming to change the structure.

- Key informants cited the examples of some women groups, the forum for extractive industries and some Buddhist-led community development groups as some of those coming up with new forms of advocacy that seem to be more acceptable to Government and make them more responsive.
- Skills in organising consultations and arriving at common positioning of various issues are well developed within and among networks.
- Improving engagement with the national and local Governments has led to increased negotiations/resolutions on sensitive issues, better delivery of services, more participation in development planning and crafting of policies, and greater awareness on rights, laws and good governance. Some examples pointed out by respondents are:
 - Village level negotiations are actively being held especially on land rights, domestic violence, child rights
 - Lobbying local authorities and companies has resulted in some cases of successful resolution of land conflicts
 - Government shows some openness on showing contracts with extractive industries
 - There is now higher level of awareness on human rights, child rights, women's rights, anti-trafficking laws, and good governance. Some violations against these are acted upon e.g. reporting to police or local authorities; exposing the incident through radio discussions
 - National Gender policy is now in place with contribution from NGOs
 - Advocacy work at policy level concerning issues related to community development are usually linked to grassroots initiatives/projects (e.g. education, health, women and child rights)
 - Involving victims or people directly affected by issues during dialogues or lobbying with local authorities is found to be very effective

Key Challenges

- A study by the World Bank (2009) notes that expressing opinions is limited to a very small number of NGO 'elite' who have access to voicing mechanisms e.g. broadcast media, public forums. These NGOs heavily rely on donor funding and are influenced by donor interests and priorities. As a result, such voices do not always necessarily reflect the priority needs and concerns of the grassroots. For example, many socio-political issues of highest concern to ordinary citizens (e.g. housing and land rights) are not fully addressed by NGO advocacy programmes and are largely absent from the public arena, while a few 'high profile' topics (e.g. aid effectiveness, financial transparency) tend to dominate.
- Involving grassroots constituencies in these consultations is rare, sometimes for lack of time allowed, lack of resources, and in many instances, the absence of grassroots constituencies.
- Meas and MacCallum's (2009) concept of democratization, referring to the power of the people to engage, interact and participate in all development processes, collides with the nature of the existing traditional patron-client system, where challenges and questions are generally prohibited and are treated as inappropriate within the relationship. In the context of current advocacy efforts, NGOs must not only design advocacy but should keep in mind these traditional patterns during implementation in order to succeed.

2.1.2 Participation in developing and implementing policy and national planning

There are several opportunities and mechanisms by which NGOs can participate in policy development and national/local planning. Some of these were introduced by Government, some encouraged by development partners, and some were created or lobbied for by the NGOs themselves.

Strengths and Gains

- Key informants cited many ways of how NGOs participate in policy development and national planning: dialogues in technical working groups (there is a representative of NGOs in 14 out of 19 TWGs); attending meetings and consultations; providing 'pre-papers', other inputs, and feedback; monitoring the enforcement of the policies and plans; and preparing alternative reports about accomplishments vis-à-vis UN Conventions that Cambodia has ratified e.g. CEDAW (social and economic), CRC (child rights).
- As an example of outcomes, NGOs submitted 40 comments during the formulation of the National Strategic Development Plan in 2005, of which 15 were incorporated. Moreover, many NGOs providing service delivery and support services at district, commune and village levels are more engaged with local authorities.

Key challenges

- Involvement of NGOs in planning processes and consultations on policies and legislations is limited and sometimes tokenistic. Most times, it is not known how feedback and collective sector position papers submitted to Government are used or considered during policy-making processes. Some think that many of the NGO feedback are not taken seriously and not incorporated into final policies and plans. How can the sector be more effective?
- Bureaucratic delays adversely affect NGO activities (e.g. securing permits for public forums or rallies).
- Among NGOs, a lack of unity on an issue that could affect the NGO sector may be attributed to disparate and/or competing agenda, and the difficulty of networks and coalitions to achieve consensus on sector-wide issues. There is still a lack of experience/ skills in using other methods, tools, tactics in tackling social issues and promote dialogue among policy makers more positively.
- In advocacy, Government are less supportive and responsive to efforts on issues such as human rights, land ownership, transparency on financing and use of funds. Also, existing advocacy practices of NGOs tend to take away ownership from the people themselves, which then limit how these efforts can be maximized for their benefits.
- There is still lack of awareness at grassroots level or the general public on development issues and rights.
- Although the Government has provided some space for CSO input into its planning process, this space needs to be expanded and improved in order to achieve more meaningful participation.
- Lack of effective involvement of community based groups and other issue based working groups or committees in providing feedback during national level consultations on policies, legislations and plans. The time allowed for consultations is always too short to conduct meaningful and effective consultations within the sector and its constituencies.

2.2 Communication/ relationships between NGO sector and Government

There are various formal and informal communication channels at various levels and for various purposes between NGOs and the Government and its Ministries. The NGO sector is important to the Government for its service delivery and capacity development roles, and in providing inputs into policies, and in planning for some project proposals submitted to donors e.g. GFATM. NGOs are less appreciated when working in the fields of advocacy, human, legal, land and housing rights, and democracy.

2.2.1 Communication between NGO sector and Government

Strengths and Gains

- The presence of communication channels enables NGOs to engage in debate, share information and experiences, provide inputs, review policy guidelines, and reach out at the national and sub-national levels. Most workshop participants and key informants identified formal communication channels at the national and sub-national levels:
 - NGO Liaison Office, based within Government (MOI)
 - Membership in 14 out of 19 TWGs (e.g. health, HIV and AIDS, education, on accountability, aid effectiveness, Cambodia Millennium Development Goals, Poverty Reduction Strategy Plan, Tonle Sap Lake Development, RWSS)
 - Cambodia Development Research Forum (CDRF)
 - Cambodia Development Coordination Forum (CDCF)
 - Meetings, responses to requests, provision of feedback
 - Provincial working groups
 - Project monitoring committees at commune levels
 - Workshops, public forum and meetings at provincial, commune and district levels
 - Participation in the Annual Commune and District Integration Workshops that finalize commune and district integration plans
 - Websites sponsored by the Government, although this is limited
- A recent study found that the Government has a number of formal mechanisms that involve NGOs in national development strategy formulation, policy implementation, and dialogues. In practice, however, NGOs have limited influence on Government strategy and policy and limited space for dialogue (ICNL Country Report 2010). Informal communication channels also exist and these usually take place in social settings through the efforts of some individuals.
- Some gains arising from regular communications with the Government shared by respondents are:
 - Monthly meetings of the TWGH provide opportunities to channel issues from the operational level to the middle level
 - A comprehensive HIV and AIDS sector response has been provided
 - NGOs, vulnerable groups, youth and human rights groups are invited to provide inputs such as on the NSDP, providing advice, submitting pre-papers, making presentations to Government including the National Assembly
 - Coalitions such as MEDiCAM are able to communicate at national and sub-national levels through their member organizations
 - Good relationship has been established with authorities in some cases e.g. good response from Minister of Justice for human rights victims and the involvement of NGOs in the development of the juvenile justice law
 - Involvement in semi-annual and year-end commune/ provincial level meetings

- NGO sector cooperates with relevant Government officials on health, human rights, and forestry work and reintegration programs. The best interactions are happening at provincial, district and commune level where people report a lot of good work
- NGO sector has mechanisms and opportunities to participate because the Government allows the sector to perform in every field of development e.g. commune planning development is better than before because of cooperation with NGOs according to a key informant.
- The Cooperation Committee for Cambodia (CCC) and the NGO Forum, as membership organisations for local and international NGOs/associations, are the focal point in information sharing, debate and advocacy within the NGO community (DANIDA 2006).

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Key challenges

- Communication and co-ordination between the NGO sector and Government needs to be more effective in achieving results and has to move beyond tokenism
- Feedback mechanisms have to be more of a two-way communication

2.2.2 Relationships between NGO sector and Government

NGOs are able to give voice to the views of groups they are serving/representing. However, there are limits to this ability with NGOs involved in advocacy work having less leeway to express their opinions relative to NGOs providing service delivery and support services. Not surprisingly, this dichotomy is evident in the relationship and communications with the government.

This may be attributed in part to the lack of coherence between and among NGOs on one hand, and with government, development partners, and other sectors of civil society on the other. All NGOs carry out their mandate independent of each other and how all these contribute to the overall goal of the sector is unclear. There is also a certain amount of competition among NGOs, particularly for financial resources. The inability to act in a unified manner is partly due to a relatively young sector and partly from the inability of membership organizations to enlist all (or nearly all) NGOs and is mostly confined to Phnom Penh. Rural based NGOs have little participation in networks and coalitions, and together with Phnom Penh based NGOs, in development planning and policy making at the national level. Although the sector regularly provides input and feedback to the government, it is unclear how these are utilized. Participants appear to be limited to 'elite' NGOs or known networks and coalitions usually based in the capital. NGOs contributions remain superficial.

Greater and more meaningful participation can be 'forced' by utilizing the media and mobilizing constituencies, preferably simultaneously. However, with the exception of large NGOs who are media savvy, the vast majority underutilizes and/or has little access to media. Mobilizing constituencies remain a challenge since NGOs' constituencies are restricted to the groups they serve e.g. trafficked persons, rather than having broad based community support.

Another area where NGOs have not fully engage with government is in social/public accountability mechanisms introduced through D&D. Whether this is due to a lack of awareness about these mechanisms or a lack of capacity is unclear. Another task that NGOs must face is ensuring that their actions are accountable.

Strengths and Gains

- At national level, NGOs engage with Government through consultative sessions on policies and joint planning for some project proposals submitted to donors e.g. Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM). They also participate in monitoring through the joint monitoring indicators designed at TWG level.
- At sub national level, some NGOs are implementing partners of Government in the provision of services in the areas of health, education and agriculture). Networks such as MEDiCAM are often asked to participate in Government projects related to health despite the fact that MEDiCAM is not an implementing agency. However, as a key informant pointed out, inputs from the NGO sector are frequently not utilized, and when used, may be manipulated to suit the purposes of Government.
- Despite facing some potential risks and reprisals, NGOs and other stakeholders continue to express concerns relating to the increased violation of land rights and the restriction of fundamental human rights, such as the freedom of expression and freedom of assembly.
- Membership organizations for local and international NGOs/associations such as the Cooperation Committee for Cambodia (CCC) and the NGO Forum is pivotal in strengthening the relationship between the NGO sector and the Government, and help to support their members on issues of common concern to effectively influence policy and practice related to aid and development (DANIDA 2006).

Key challenges

- Communication and the relationship between NGOs and Government remain underdeveloped. Although there are formal communication channels (ICNL Country Report 2010), the NGO sector's influence in the development of policy and national planning is superficial. The Government actually invites NGO to participate in development processes but this seems to be carried out to avoid being criticized by donors. Specific issues that need to be resolved include:
 - Communication is hampered by the need to go through administrative procedures, avoidance of sensitive issues, and inadequate sharing of information.
 - Interaction between NGOs and the Government should be made regular
 - Moving dialogues from technical level to political or decision-making level
 - Leveraging greater cooperation from Government particularly for certain issues
- Human rights defenders are continually the target of threats and attacks (ICNL report 2010). Efforts to obtain Government information, raise questions or concerns in the public sphere or scrutinize Government actions tend to be viewed as challenges to Government authority or acts of 'opposition' (WB 2009).
- Government is not a cohesive whole. There is enough evidence of fragmentation within and between ministries, which does not make it any easier for NGOs to establish better relations.

2.3 Social/ Public accountability

Public accountability mechanisms at the national and sub-national levels include sharing of information through consultations, websites, reports, joint monitoring of working groups, media, public meetings, committees, and commune and village information/bulletin boards. However there is no system set up by the NGO sector to monitor these mechanisms. NGOs are not fully aware about Government public accountability.

In 2009, a World Bank study found that generally, citizen/CSO knowledge and use of existing accountability mechanisms to be extremely limited. Also, NGOs have ignored Government accountability mechanisms so far – even though these aim, in theory, to engage civil society actors in efforts to enhance the effectiveness of public sector performance and service delivery. CSOs (especially advocacy and human rights NGOs) are reluctant to get involved in initiatives or mechanisms introduced by the state for fear of being ‘absorbed’, ‘neutralized’, or ‘co-opted’. Many CSOs lack internal democracy, participation and “downwards” accountability. Respondents of the study are cognizant of the NGO sector’s limitation to monitor Government accountability mechanisms, expressing their views as ‘no system set up’, ‘monitoring is done only by some INGOs/LNGOs’, ‘some NGOs only serves as a watchdog’, ‘NGO monitoring is still small scale’, and ‘low consciousness among NGOs on Government public accountability; very sub sector/issue based’.

Decentralization and deconcentration (D&D) activities e.g. citizen involvement in commune council meetings, school support committees, and “accountability boxes”, are avenues for increased interaction but are not fully taken advantaged of by NGOs. It should be pointed out that these mechanisms need to become more genuinely participatory, publicly visible and user-friendly in order to achieve effectiveness (WB 2009).

Strengths and Gains

There are, however, beginning efforts to monitor Government activities.

- For instance, within sectors and geographical areas that NGOs work, a social accountability tool by the 13 partners of the Asia Foundation and monitoring mechanisms for local development plans and project implementation have been developed and established.
- NGOs monitor the implementation of the Tonle Sap development project, annually participate in the development of commune development plans and share approved plans to people through village meetings, and participate in reviewing progress/ results.
- NGOs regularly prepare position papers on Cambodia’s development with the aim of providing constructive feedback on the progress made on the implementation of the NSDP and Joint Monitoring Indicators in 2006 (NGO Statement to RGC 2007).
- Various small-scale social accountability experiences at both local and national level have been set up to:
 - contribute to public policies and plans e.g. efforts by NGOs to influence national policy-making or facilitate citizen participation in commune planning
 - monitor public revenues e.g. the nascent Publish What You Pay campaign
 - influence public budgets e.g. NGO Forum’s recently launched National Budget Project
 - monitor public expenditures e.g. efforts by the NGO Education Partnership to monitor public expenditures in that sector
 - improve public services e.g. through KAP’s creation of citizens’ village health association committees
 - provide public oversight e.g. commune monitoring committees supported by PACT, the introduction of Citizen Rating Reports by the CCSP and, parliamentary monitoring and corruption studies by the CSD (WB 2009).

Key challenges

- The NGO sector has few formal mechanisms established to monitor public accountability mechanisms because of limited financial resources, few are willing to take the lead, a tendency for NGOs to focus only on their mandate, and a weak/not good relationship with the government. Existing mechanism of NGOs are small scale and for now, limited to certain sectors e.g. education, or areas of concern e.g. public spending.
- Getting involved in Government social accountability opens up the sector to scrutiny of their own accountability practices.
- How to contribute to constructive and positive scrutiny rather than critical audit, in order to address weaknesses in governance.

2.4 Availability/ access to legal expertise on NGO laws and regulations

Very little information on whether sufficient legal expertise on NGO rules and regulations exist, although most legal practitioners are thought to be attached to human rights organizations such as Community Legal Education Center (CLEC) and Legal Aid of Cambodia (LAC). Most of these organizations are based in Phnom Penh, but have sub-offices in the district levels as well. Respondents made little mention of the available legal expertise in the private sector. Thus, real strengths cannot be adequately identified.

Key challenges

- Only the legal expertise of individuals and groups engaged in human rights cases are accessed by the NGO sector. Most of these organizations are based in Phnom Penh, but have sub-offices in the district levels that provide but limited legal expertise.
- The lack of knowledge of NGOs about legal expertise and sometimes of legal issues needing such services, especially those in the rural areas prevents them from accessing the services available to them.

2.5 Access to and utilization of media

Use of media is limited to a very small number of professional and Phnom Penh based NGOs who have the means to buy newspaper space or airtime. NGO broadcasts however reach only a small listening audience – in part because the private radio stations they use have rather limited coverage in the country. Because media is concentrated exclusively in Phnom Penh, sub-national CSOs rarely make use of mass media for voicing concerns. Local and provincial groups find it difficult to bring ‘insignificant’ local events to the attention of national level media. CSO representatives identified lack of trust in the credibility of journalists and the inability to pay fees as additional barriers (WB 2009).

Strengths and Gains

- Some NGOs are already using the media, though they have yet to explore the full benefit of the media towards educating the public about their roles and activities. NGOs in urban areas have an advantage as they have websites that the public can access. Sectoral international NGOs and local NGOs receiving international funding, especially in the health and child protection/rights are some that utilize the media e.g. brochures, billboards, television and radio spots and/or programs, to a large extent as a means to achieving their program objectives.

- Many NGOs are using media as a tool to carry out their activities. For instance, NGOs involved in housing/land rights print about land issues and distribute to communities. Similarly, organizations working on human rights/anti-corruption share leaflets, reports, and books with communities. Radio talk shows that discuss issues such as housing, land, human rights, rule of law or good governance are aired several times a month. Their continuance is subject to availability of resources.

Key challenge/s

- Limited NGO funding and the Government's control of the media constrains the ability of NGOs to use the media for information dissemination purposes.
- Some radio stations are reluctant to broadcast about certain NGO programmes/activities because of fear of closure, which has been the experience of some stations.

2.6 Public awareness on development issues and participation in NGO work

The assumption is that the greater the awareness of the public on development issues, the easier it is for them to be mobilised into taking action about these issues.

Strengths and Gains

- The general population is largely aware of various significant issues that directly affect them, e.g., land issues with regards to ownership/titling, poor health services, wage issues, corruption. Residents in urban areas are more likely to be aware of development issues.
- There are cases where the public takes action (e.g. wage issue petition signing which gathered 200,000 signatures and a demonstration that gathered 2,000 people) although most initiatives are still NGO led and supported (e.g. human trafficking, HIV and AIDS, human rights, anti-corruption, housing issues). Public awareness stems from attendance in public forums, and participation in celebration of particular events e.g. Labour Day, Human Rights Day, World Habitat Day, and Anti Corruption Day etc.

To a certain extent, the limited public awareness about national development issues and participation in NGO work can be attributed to cultural and traditional factors. Traditional associational life in Cambodia is characterized by loose and informal organisational structures, often grouped around pagodas and aimed at serving local community needs guided by Buddhist concepts of compassion, making merit and karma. Such associations promote strong bonding linkages among members and some bridging linkages between different associations but historically have weak linkages with local authorities (Pellini and Ayres, 2007).

Key challenge/s

- NGOs still need to expand their 'constituencies' beyond their target groups or beneficiaries such as exploited women and children, to include other community members. In this way, awareness is not confined to groups who are targeted by interventions. This is particularly true for those living in rural areas who are less knowledgeable about development issues.
- Public awareness raising activities and approaches have yet to reach the poorest of the population

Overall implications to NGO sector

1. Weaknesses in communications and relationships with the Government undermine all other aspects of NGOs efforts to influence Government

2. Low level of engagement with Government in social/public accountability mechanisms introduced through D&D is an opportunity that does not seem to be fully appreciated and utilized. However, involvement in Government social accountability opens up NGOs to criticism of their own accountability practices...can they stand up to scrutiny?
3. Inability to maximise and use the media leads to loss of opportunity to reach out the wider public and rally their support
4. If the current situation persists - fragmented efforts, competition among NGOs, inability to obtain the same treatment from national and local Governments, lack of capacity to utilize media effectively, lack of 'real' constituencies, and the gap between rural based/smaller and Phnom Penh based/large NGOs - NGOs will be relevant only to the groups and populations it purports to serve and represent. The sector might be reduced to unilateral methods of strategies of criticism, persuasion and pressure such as advocacy, lobbying, public demonstration, protests or denouncements (WB 2009). The NGO sector's meaningful presence or participation in national development planning and policy-making processes and implementation will be compromised.

B. Internal dimension: Organisational/Institutional Capacity & Infrastructures

This section looks at practices within the sector in governance processes (accountability, transparency and democratic decision-making processes), communication and co-ordination within the sector, access to resources, sector leadership, and expertise within the sector.

1. Expertise within the sector

The assessment defined basic sets of knowledge and skills that the sector should have in order to perform their roles in advocacy, service provision and provision of support services and looked at what exists, what are the gaps, challenges and current efforts in addressing gaps and challenges.

Both workshops and key informant interviews confirmed that expertise in technical aspects (e.g. health, HIV/AIDS, human rights, women and child rights, micro-finance, land rights, community development, forestry, fishery, agriculture) has developed quite strongly over the years. This is due partly to long experience in implementing socio-economic projects coupled with capacity building in the process; partly by capacity building efforts of NGOs themselves and partly by the increasing number of Cambodians coming out of university education and formal training.

Knowledge and skills in project development (including proposal writing) and implementation is higher than knowledge and skills in strategic planning. However, there is low level of skills in monitoring and evaluation, both at project and strategy level. NGO staff have a relatively good understanding and analysis of local realities and problems/issues they are working on, and are able to identify causes and effects of problems they are dealing with and how these relate by other problems in the community or the country. However, they are not necessarily able to link these micro level issues to macro issues (e.g. illegal logging/deforestation as it links to climate change/ global warming and lifestyle preferences of the more developed countries).

While many NGOs and particularly networks are now conducting strategic planning, as donors require, there is still a big gap in long term/strategic, big picture and critical thinking within the sector. Moira O'Leary and Meas Nee in Learning for Transformation identify some contributory factors to this lack of critical thinking among Cambodians. One factor is the approach to the education of children and citizens within the family and in formal institutions, where children are taught to listen

and follow what the parents tell them to do and where teachers expect students to memorise and learn by heart but not to understand or analyse, and certainly not to think independently for themselves. Another strong influence mentioned is religion. Buddhism teaches a pre-ordained social order and hierarchy and one's position in the hierarchy which is based on one's 'karma' or destiny which he/she should therefore accept and can do nothing about. Another is the experience of conflict and living with uncertainty for a prolonged period of time, resulting in loss of confidence and feelings of powerlessness. Ordinary people consequently avoid challenging their superiors where there is no guarantee for their safety.

Skills in organisational development and management such as strategic planning, monitoring and evaluation; developing or maintaining governing boards; financial management; human resource management; fund raising; social marketing/networking and organisational audits are higher among INGOs and those INGOs that have localised than most local NGOs. Skills in strategic monitoring and evaluation are weak and these activities are still mostly contracted out to expatriate consultants.

Many NGOs have gained knowledge and skills in advocacy, research and participatory approaches and methodologies in more recent years. As advocacy work began early in the life of the sector in the 1990s, the approaches and forms of advocacy that have been practised were heavily influenced by dominant practices outside the country at the time. These include direct confrontation, lobbying, parades, demonstrations and public rallies/forums and took the view that 'the Government is the enemy'. More recently, with the introduction of the Rights Based Approach (RBA) to programming, a few NGOs have embraced the view that the Government (duty bearer) has responsibility to provide, protect and promote the basic rights of the people (rights holders) and other stakeholders (e.g. CSOs, private sector) are carers with responsibility to enable both duty bearers and rights holders fulfil their obligations and responsibilities in ensuring the fulfilment of basic rights. Key informants cited the examples of some women groups, the forum for extractive industries and some Buddhist-led community development groups as some of those coming up with new forms of advocacy that seem to be more acceptable to Government and make them more responsive. Skills in organising consultations and arriving at common positioning of various issues are well developed within and among networks. Involving grassroots constituencies in these consultations is rare, sometimes for lack of time allowed, lack of resources, and in many instances, the absence of grassroots constituencies.

Skills in research, particularly those that provide sound evidence for advocacy work are still relatively underdeveloped. The practice of participatory research is quite new and knowledge and skills are limited to those staff that have gone through training courses but a few opportunities are provided by NGOs for actual practice. Participatory approaches were introduced early on by NGOs that are into community development projects and training programmes. Skills in facilitating these processes are quite developed within these service sectors.

Networking and team work are fairly well developed within networks and their own member organisations though less so across networks, but knowledge and skills in these areas are fairly well developed. Capacity building skills such as facilitation; participatory training skills; organizing groups and committees; coaching and mentoring are more developed among NGOs that providing support services and direct services particularly those that adopt the participatory development/empowerment approaches.

Strengths and Gains

- The following knowledge and skills are well developed within the sector
 - Technical aspects (e.g. HIV/AIDS, human rights/child rights, gender relations, forestry, agriculture, education)
 - Project development and implementation, including project proposal writing
 - Advocacy (lobbying, producing position papers, organising consultations and public forums)
 - Networking and team work
 - Capacity building (e.g. training)
 - Facilitation; participatory training skills; organizing groups and committees; coaching and mentoring particularly among NGOs that are providing support services and direct service that adopt the participatory development/ empowerment approaches
- Networks, coalitions and more individual NGOs are now conducting strategic planning which provides them the experience to think more analytically and strategically.
- Research for advocacy purposes is being carried out, and though still limited, participatory research is also being carried out through the ADI courses and by few direct service delivery organisations.
- The number of training/educational institutions primarily providing support in capacity development, research and policy development is increasing, which provides opportunities for NGOs locally and which can also be less expensive. Use of other methodologies for capacity development apart from training such as coaching, mentoring, exchange visits/exposure programmes is becoming more frequent.
- More and more funding institutions/development partners are increasing technical and funding support for capacity development of partner organisations and shifting their approach from simply channelling funds to more meaningful partnership

Gaps and key challenges

- The biggest gap in skills among NGOs is on long term/strategic, big picture and critical thinking despite the recent introduction of strategic planning processes in many organisations. While most NGOs are able to analyse micro problems and issues, they are not necessarily able to link these to macro issues.
- Skills in carrying out organisational development and management processes such as developing and maintaining governing boards, organisational audits, performance management, accountability and democratic decision-making skills are very weak. Among Community Financing Institutions (CFIs), the following quality issues were identified: lack of auditing systems, limited reporting systems, weak bookkeeping capacity, inadequate monitoring, lack of clarity in roles and responsibilities of managers and directors; and no mechanism for 'micro-governance' surveillance i.e. how to police CFIs locally²³ These gaps reflect what are common to many NGOs.
- While skills in project design are relatively more developed, there is lack of expertise in strategic, programme and project monitoring and evaluation.
- As research studies are mostly conducted by the few institutions specifically set up with this mandate, skills in conducting research within individual NGOs and networks are very limited. Also more academic research than operational and participatory/ qualitative research is being done so the skills in conducting the latter are also limited.

²³ Internal Control of Community Finance Institutions (CFI) in Cambodia by Matthews, 2004

- Capacity building has always been a major aspect of NGOs' work from the beginning and more recently, institutions specifically dedicated to provide capacity development support to NGOs and other civil society groups have been set up. For a long time, capacity building has been equated to training and majority of resources have been invested on this methodology. However, participants in the workshops expressed concern about the lack of opportunities to practice or apply new skills acquired through training once they go back into their respective organisations (e.g. monitoring and evaluation, participatory techniques, critical thinking) has prevented them from practicing some of these skills. Consequently, training programmes have not been able to achieve the desired outcomes. Furthermore, there is lack of standardisation of training modules and approaches on similar subjects e.g. advocacy, participatory processes, strategic planning, human resource management that could reinforce new learning more effectively. Participants in the workshop identified coaching, mentoring and exposure/exchange visits to be the more effective and preferred methods of learning.
- Despite a growing number of professional and experienced staff available to work in NGOs, most NGOs still claim not to have adequate numbers of staff with the right qualifications to do all the jobs that need doing. The sector always lose some of the more experienced and skilled staff to bilateral/multilateral agencies and other higher paying organisations and in many cases, within the sector itself (i.e. from local to international NGOs).
- Project based funding limits opportunities for NGOs to retain and develop staff in the longer-term. Many staff are contracted for the project life span and once the project is completed, some staff are placed in other existing or new projects and some are terminated, losing the benefits of capacity building investments.

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Implications to the sector

1. The demand for developing capacity of the sector to effectively deliver against its roles remain high despite long term and expensive investments in training and other forms of increasing knowledge and strengthening skills of NGO staff. The fragmented, piece meal approach to capacity development within the sector will continue unless there is careful and more in depth scrutiny of the basic assumptions and principles in capacity development. Fundamental to this is achieving clarity and agreement on what the overall aim/role of the NGO sector is and how it wants to achieve this. The sector role/s and preferred approach/es define what key competencies are needed and where capacity development should be focused and prioritized for itself and its constituents.
2. The absence of an evaluation of the collective impact to date of various capacity development initiatives within the sector could reflect a lack of accountability and a genuine concern on the overall direction and effectiveness of these interventions.
3. In particular, the lack of strategic or big picture thinking (e.g. inability to connect small pieces of the big picture) among individual NGOs, networks and within the sector as a whole will continue

to 'compartmentalise' development efforts and reduces efficiency of the sector in achieving greater impact.

2. Governance

The concept of Good Governance as defined and promoted by western policy makers is relatively new

in the country and in particular, within the NGO sector which has only about two decades of history (i.e. INGOs presence started around 1979 and local NGOs emerged from 1992).

Good Governance as defined in the World Bank study, Linking Citizens and the State (2009) refers to the *"Government's ability to 1) ensure political transparency and voice for all citizens, 2) provide efficient and effective public services, 3) promote the health and well-being of its citizens, and 4) create a favourable climate for stable economic growth"*.

The Code of Ethical Principles and Minimum Standards for NGOs in Cambodia states *six minimum standards on governance, accountability and transparency: 1) the NGO is registered with relevant ministries; 2) the NGO has a functioning governing body by whatever name; 3) the NGO adheres to clear written statutes or bylaws; 4) the NGO develops all organisational policies, procedures and guidelines based on a participatory approach with staff members, reviewed and approved by the governing body; 5) the NGO provides members of the public, the target population, donors and Governments with accurate information about their activities, finances and other relevant information; and 6) the NGO has a written conflict of interest policy that applies to all board members and staff members.*

Workshop results showed strong evidence that the NGO sector is aware of the concept of governance although this is interpreted in different ways and practised in varying degrees. The concept of transparency is sometimes confused with the concept of confidentiality among some NGOs particularly when it comes to disclosure of salaries or remunerations and benefits. Most NGOs do not have clear procedures or working practices defining what decisions are made at what level and who should be involved at each level. Among local LNGOs, there are blurred boundaries in decision-making between Executive Directors, Management or Executive Committees and sometimes with Board of Advisers.

While the concepts of accountability, transparency and democratic decision-making and their practice were primarily imposed by donors/development partners, NGOs do have, however limited, various mechanisms for accountability, transparency and involving key stakeholders in some decision-making processes. Workshop results showed strong evidence that the NGO sector is aware of the concept of governance although this is interpreted in different ways and practised in varying degrees. The concept of transparency is sometimes confused with the concept of confidentiality among some NGOs particularly when it comes to disclosure of salaries or remunerations and benefits. Most NGOs do not have clear procedures or working practices defining what decisions are made at what level and who should be involved at each level. Among local LNGOs, there are blurred boundaries in decision-making between Executive Directors, Management or Executive Committees and sometimes with Board of Advisers.

Strengths and Gains

- Most NGOs inform the public, the Government and their constituencies of their achievements against their roles and responsibilities through annual reports, information published in their websites, sharing of strategic plans through consultations and/or distribution of copies to relevant partners and supporters.

- There is a higher understanding of the concept of governance among INGOs, NGOs that were localised INGOs, and big networks/coalitions than among most local NGOs. NGOs are fully aware that good governance practices increase their credibility with donors, partners and members and gain stronger support from their target groups and so endeavour to get these right.
- The key informant interviews and the workshops both confirmed that most INGOs have governing boards based in their headquarters overseas and Networks and Coalitions have Management/Steering/ Executive Committees. Many individual LNGOs have this on paper but very few are fully functional. Most INGOs, Networks, Coalitions and “NGO Coordinating Bodies (NCBs) have a clear and formal organisational structure, permanent staff, a clear mission, vision and objectives, five-year strategic plan, and/or by-laws organisational structure consists of organisational members, associate members, a Board of Directors or Management Committee, Secretariat, Executive Director and library. Generally, their organisational structure is hierarchal although they have decentralised work with NGOs in provinces through their working groups, sub-networking groups, sector working groups or their provincial offices”.²⁴
- A few INGOs are consciously making effort to increase their downward accountability to target groups, local partners, communities (e.g. inclusion in partnership agreements with local partners, seeking feedback from local partners during annual meetings/reflection sessions). In general, however, there is very little understanding what downward accountability is.
- Transparency practices include publishing information in websites, through annual reports and brochures/leaflets. Organisational financial audit results are not always shared publicly although the DANIDA survey in 2006 reported that around 27% of local NGOs/associations and around 39% of International NGOs/ associations were financially audited by external independent auditing companies in the year before.²⁵
- Few NGOs who participate in the Good Practice Project of CCC comply to set minimum standards particularly on ‘providing the public, target population, donors and Governments with accurate information about their activities, finances and other relevant information’. (As of Dec 09, 30 NGOs have so far been found in full compliance to this out of 56 NGOs who have applied for certification to date).²⁶
- Democratic decision-making practices include involving staff, local partners and other stakeholders during strategic planning, project design, activity planning and project evaluation. Few INGOs seek feedback from partners on the performance of staff as part of their performance management process. Some hold reflection sessions among partner organisations and use these reflections to inform future decision-making. More and more NGOs are now trying to involve their members, and community people they work within their planning, monitoring and evaluation activities.

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²⁴ NGO Coordination and the Changing Aid Environment: Challenges and Opportunities, Samnang Chum (2010) and NGO Sector Assessment workshop results

²⁵ Mapping Survey of NGO/Association Presence and Activity in Cambodia, DANIDA 2006

²⁶ NGO GPP Summary of Compliance to Standards (2007 – end 2009)

- Workshop participants identified the following as gains in the process of improving their accountability, transparency and participatory decision-making processes:
 - There is increasing credibility with donors
 - Have gained more support from target groups and trust from other stakeholders
 - NGOs are aware that involving member organisations or constituencies makes their voice stronger and help them achieve greater impact (e.g. “give us more influence to negotiate with Government officials”)
 - The processes increase capacity of those that are involved
 - Involving others reduces competition and duplication of activities
 - When clear vision and mission, policies, strategic plans, organisational structure are in place, there is a stronger commitment from staff to the organisation and its work
 - The practice of strategic planning help NGOs to make their partners understand them and their work better and it also makes it easier for them to raise funds from donors

The gaps in good governance have already been recognised by NGOs, which provided CCC with a rationale for setting up its NGO-Good Practice Project piloted in 2004. The project’s overall goal was “to strengthen the NGO sector in Cambodia by encouraging and promoting NGO accountability and good organisational practice”²⁷. However, to date, there has been very low uptake for applications for Certification - the target by December 2010 is 200 NGOs but only 56 NGOs have applied so far and only 21 of these have been certified. The mid term evaluation of the project in March 2009 identified some reasons for this (e.g. lack appreciation of benefits for the NGO; lack of proper documents being required; lack of awareness of the project or simply not interested). One of the recommendations made was to “re-think how the NGO GPP is perceived—not as a project by, and facilitated through the CCC. In some other countries, the certification system is a cooperative effort of NGO networks as well as private sector, and has a separate office and governing board”.²⁸

Key challenges

- Most accountability practices are predominantly upward mainly in the form of regular reporting, mid-term or end of project evaluation, limited monitoring. Transparency is mainly understood in financial terms and rarely in terms of decision-making processes. The practice of democratic or participatory decision-making is limited and mainly around collecting information from grassroots/target groups, local partners and sometimes, local authorities during strategic planning, project designing, monitoring and evaluation.
- As top-down leadership models and paternalistic attitudes prevail in Cambodia, civil society leaders (and members) often fall into patterns of governance that unwittingly create and sustain dependency and do not necessarily encourage and empower members to speak and act on their own behalf, participate in decision-making and seek accountability.²⁹ NGOs using the community development approach at

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²⁷ NGO Good Practice Project (NGO GPP) – Phase 3 Progress Report, August 2009

²⁸ Vicente S. Salas, Mid-Term Review Report, NGO Good Practice Project, March 2009

²⁹ Cambodia Linking Citizens and the State, An Assessment of Civil Society Contributions to Good Governance in Cambodia...February 2009, WB

project level tend to carry out more participatory activities among villagers and formation of working committees or groups for specific functions or tasks related to the project/s. However, there is not much evidence of genuine conscientization and empowerment wherein people are enabled to critically analyse the power structures or traditional values that keep them where they are.

- As most NGOs are donor dependent, their decision-making, not unexpectedly, influenced greatly by their donors/development partners. In defining strategic focus or directions, including project designs, the priority concerns or issues of communities become secondary to donor priorities and agenda. While development partners provide technical or capacity development support for NGOs to implement good governance practices, they have not effectively addressed cultural norms and traditional values and structures that run counter to these principles and practices (e.g. authoritarian structures and patronage leadership, informal, personalized, relations based on personal rank and status). In reality, the development partner-NGO relationship mirrors the dynamics of traditional patron-client relationships.
- There are efforts among NGOs to engage in a continuing dialogue or negotiation with development partners but as they themselves are influenced by global policy agendas, it is quite unrealistic to expect them to tailor their funding support to specific local concerns. The challenge for NGOs is to influence development partners' better and more appropriate understanding of the local context.
- Among LNGOs, the founding individuals became and remain as Executive Directors and have held on to the influence or control over the values, focus, directions and practices of their particular NGOs. The reluctance to be directed by a higher body (i.e. Governing Body) and lose control of the direction and focus of the organisation poses a challenge in making governing structures work.

Implications to the sector

1. If current level of governance practice persists, the sector's ability to gain the trust and support of the people they are supposed to serve will remain limited and will continue to undermine its credibility and effectiveness in performing its roles particularly in influencing changes in structures and policies towards improving lives of the people they work for. If NGOs own governance performance is not adequate, they are in a weak position to challenge the Government's performance
2. For as long as the traditional values, attitudes and leadership patterns/structures are not adequately addressed or appropriately utilised, the credibility and effectiveness of the NGOs whose role is to provide support services such as capacity development, will be limited and their approaches will be rendered ineffective.
3. Simply accepting the donors' priorities and approaches will undermine NGOs' own values, vision and mission, so that in effect, they merely become service contractors on behalf of others.
4. The lack of active grassroots constituencies or social base of NGOs undermines their efforts to strengthen participation of communities and other community based stakeholder/partners in their planning, monitoring and evaluation and other decision-making processes.

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3. Communication and co-ordination within the sector

Over the years, a total of 58 (35 Phnom Penh based and 23 provincial based) networks, coalitions, alliances, and associations have been formed around service sectors (e.g. agriculture, education; health etc); specific issues (e.g. human/environmental/child and women rights, decentralisation and deconcentration); and groups/individuals (e.g. media, teachers, women). Chum (2010) defines some of these NGO Co-ordinating Bodies (NCBs), such as the CCC, NGO Forum, NGO Education Partnership (NEP), MEDiCAM, Cambodian Human Rights Action Committee (CHRAC), and End Child Prostitution, Abuse and Trafficking (ECPAT) Cambodia. Most of these networks have both INGO and LNGO memberships but 13 networks have purely LNGO members.

Most of these are membership networks and mostly Phnom Penh based with good access to good communication systems such as telephone, e-mail and the internet. Most networks are now led by Cambodian nationals despite mixed memberships of INGOs and LNGOs, which indicates an increasing level of local capacity in leading and taking their own affairs forward. Moreover, most of the executive directors and staff tend to have more knowledge of and exposure to development and management processes than most in individual LNGOs.

For consultation and other purposes, some national networks co-ordinate with their provincial members but seldom directly with grassroots groups or committees. Communication and co-ordination between networks and coalitions and between those that are Phnom Penh based and Provincial based are less frequent and less developed. There are fairly well developed co-ordination around sector wide issues and concerns such as aid effectiveness, consultations to provide feedback on various draft laws and policies and setting up dialogues with Government and development partners at national level.

Provincial NGO Alliances/Networks are more informally constituted and less resourced, not having full complements of a secretariat or governing board. There is lower level of awareness and access to Phnom Penh based initiatives such as NGO self-regulation and less contact with national networks. They do have however, the advantage of being closer to grassroots groups since many of their members represent their community/village-based experiences.

Co-ordination and communication between INGOs and LNGOs was not explored in this study, but in one of the Key Informant Interviews, it was mentioned that INGOs who are members of the existing networks tend to take a back seat position and seldom initiate a challenge or debate on issues, approaches or strategies. While this approach can be seen as 'empowering' to LNGOs as they are given the space to make their own decisions, it could also potentially diminish the value of critical thinking and learning from varying perspectives that come from different experiences and outlook. Furthermore, these dynamics can be a reflection of the level of partnership that INGOs and LNGOs have achieved to date wherein the two groups still lack the confidence and comfortability to engage on debates from an equal footing. A study by Ou Sivhuoch in 2006 (*Understanding Cambodian NGOs' Relationships With International NGOs: Focus On CNGOs' Autonomy And Sustainability*) showed that the relationship remains characterised by financial and technical assistance and that despite INGOs efforts to promote the concept of 'partnership' and refer to LNGOs they support as 'partners', the LNGOs they assist still refer back to them as 'donors'.

Strengths and Gains

- Networks and coalitions have become very effective mechanisms for information sharing, sometimes for presentation of case studies or success stories for learning lessons and for consultations and collection of feedback on certain policies or laws being developed by Government. The workshops identified various mechanisms by which networks and their members regularly communicate and co-ordinate with each other. These include regular network meetings; annual assemblies; e-mails; phone calls and consultation meetings.
- There is evidence of good co-ordination/communication between networks/coalitions dealing with sector wide issues (e.g. NGO Forum, CCC, MEDiCAM, human rights, and women networks). Informal meetings among key leaders are occasionally held to discuss issues of the sector and strengthen their relationship with each other. Similarly on service sector level various networks have very well established structures of communication and co-ordination (e.g. CEDAW for gender and victims of trafficking, HIV/AIDS network, ADHOC/CCHR/CHRAC on various HR issues, STAR Kampuchea, NEP, MEDiCAM)
- There is a great diversity among NGOs in terms of what they do and how they do it, which contributes to a vibrant and healthy sector.
- Most networks and coalitions are already led by Cambodian nationals despite a mixed membership of INGOs and LNGOs

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Key challenges

- While diversity within the sector is certainly an advantage, managing this diversity in order to achieve common (strategic) purpose remain a challenge among the networks/coalitions
- While it is encouraging to note that many networks, coalitions and alliances have been established, co-ordination has become more challenging and if not managed well, it compromises the potential of the sector to harness the strength and collective voice either as a whole sector or as a sub-sector. Based on CCC directory, there are 24 advocacy networks; 31 on support services and 3 on service delivery. There are 3 networks on anti-trafficking and sexual abuse/violence alone, and 6 networks on human rights.
- Although they reach out to other NGOs outside their membership, neither of the two national co-ordinating bodies/networks addressing sector-wide concerns, have a critical mass membership that would lend to their strength and representativeness of the sector (e.g. Of the total of 337 INGOs and 1495 LNGOs registered with the Royal Government of Cambodia, CCC has 116 member organisations, NGO Forum has 47 member organisations).
- Many NGOs have multiple memberships in networks where they have responsibilities, which has led to individual NGO resources being spread thinly and in turn led to inability of members to fulfil all responsibilities fully. Furthermore, this results to inability of key leaders to attend all network meetings regularly, rendering decision-making during meetings ineffective. This highlights further the culture of 'leader-dependence' prevailing in the society where 'subordinates' or middle level managers, cannot or are not allowed to make decisions.

- There is limited sector wide collective planning and visioning between and among various networks/coalitions. One key informant said, “it will not be easy to set up one single NGO sector co-ordinating body as we are so diverse that we prefer to co-ordinate rather than be co-ordinated”. The networks face cultural and political challenges in coming up with more effective and efficient co-ordination within sector. Some of these include lack of trust (both within NGOs themselves and between NGOs and Government); fear of losing face (e.g. not wanting to look lost and unaware of any specific issue, so they agree on something without making a genuine commitment); unequal power relations between stronger/more matured and weaker/less matured networks;
- Lack of secured, long term funding even from membership makes some networks unsustainable. Time spent by senior staff in securing funding in order to survive has led to de-prioritisation of responding to common issues and priorities for members.

Implications to the sector

1. The diversity within the NGO sector in terms of mandate, approaches, organisational capacities and programme and geographical focus is in itself an advantage and strength. It becomes, however, a disadvantage if this is not effectively co-ordinated and directed at a strategic level. At the moment, very few sector wide co-ordination mechanisms are in place, which limits the ability of the sector to project a unified, collective voice or image on their particular niche or relevance to Cambodian society.
2. Furthermore, the lack of sector wide co-ordination deprives the whole sector of valuable opportunities for learning lessons, finding solutions, addressing common issues collectively and achieving greater results.
3. The laid back behaviour of INGOs within the networks of which they are members could lead to missed opportunities in providing the members platforms for debates, challenging each other to analyse issues more critically and in honing strategic thinking.

4. Access to resources/funding

The assessment looked at the level of awareness of the sector on available resources and where most of their resources come from.

The workshops showed that there is fairly a high level of awareness among NGOs of resources (mostly financial) available from external sources and very little knowledge of available local resources. Most known external resources are institutional donors including bilateral, multilateral agencies and foundations. Locally based donors that are known include INGOs that are based in country.

All NGOs receive their funding from foreign sources. The focus on external donors and low interest in local sources of funding is a reflection of the history of how the sector emerged in this country. Firstly, INGOs brought their own resources and donors with them during the phase of emergency and economic embargo and secondly, LNGOs emerged largely as a result of donor and INGOs funding and the need to implement donor agendas. Although there are a few Cambodian volunteers working in both INGO and LNGO work, a large number of volunteers are expatriates/foreigners. To date, the only database that exists is on foreign donors although some of them have offices in country.

In one of the workshops, participants expressed that they do not believe that donations from within the country are possible. Despite the emergence of a middle class, they do not believe that these

families will contribute much to charity or development work. The sector's awareness or knowledge of corporate social responsibility is very low and therefore the private companies are not being tapped as possible sources of support for NGO work. Besides, institutional funding tends to fund the whole project and sometimes even include NGO management expenditures.

The assessment also briefly looked at the absorption capacity of NGOs i.e. capacity to use funds. From the workshops, it was estimated that NGOs under spend their budgets by between 5 – 30 % annually though some over spend by approximately 3% annually. Reasons given for under spending are: poor planning; lack of capacity to implement all activities; and unforeseen natural phenomena such as flooding.

Strengths and Gains

- Although not comprehensive, a data base of external donors is maintained by CCC
- NGOs share information with each other and publish their own sources of funding in their websites.
- The use of institutional funding has increased the NGO sector's skills in project and funding proposal development
- There are a few models of entrepreneurial initiatives among NGOs (e.g. Digital Data Divide (DDD) and Hagar are two examples cited) where both external and local sources have been tapped reducing dependence on donors. "The three reasons that DDD and Hagar succeed are really dependent on one thing: sustainability. They are looking at the future as much as they are at the present. And they have recognized the combination of decreased dependence on donations, the development of new industries, and building a skilled workforce are what will ultimately make Cambodia thrive." ³⁰
- NGOs working in villages have formed self-help groups, revolving community funds and other income generating groups and are aware that households have the capacity to contribute financially towards self-sustaining initiatives.

Gaps and key challenges

- Due to their high dependence on institutional donor funding, NGOs cater to donors' programmatic priorities and tailor their projects according to these, so are sometimes constrained to respond directly to the priorities of communities and their constituencies. Reporting to donors becomes one of the top priorities in terms of accountability mechanisms.
- Institutional donors are preferred because they provide bigger funding than individual donors or private companies.
- NGOs' dependence on external donor funds make their financial sustainability uncertain and creates challenges in terms of reconciling foreign concepts and agendas with local (cultural, political, and social) realities. Most donors come with concepts of western or developed countries' constructions (e.g. good governance, gender sensitivity, child rights) and demand compliance from their grantees most often without seriously considering how these fit with local culture and political situations.

³⁰ In Cambodia, Sustainable NGOs Move the Economic Needle, Beyond Profit Magazine, April 12, 2010

- Funding institutions continue to fund time-bound projects and have reduced considerably their support to core funding. Both trends limit NGOs ability to plan long term or strategically and confine them to short term project planning and implementation.

Implications to the sector

1. The heavy reliance of NGOs on foreign/external funding threatens the sustainability of the NGO sector not only in financial aspects but more importantly, in aspects of decision-making consequently undermines its freedom to determine its own strategic direction and development.
2. This relationship of dependence which actually mirrors the dynamics of traditional patron-client relationships, if allowed to continue renders the concept of empowerment and participatory approaches as espoused by many development NGOs, both foreign and local, simply rhetoric. At present, where the NGO sector in Cambodia still comprise of both INGOs and LNGOs, and where some INGOs have already moved away from direct implementation to capacity development roles and partnership approaches, this situation could indicate a lack of effective collective efforts to address issues of sustainability and organisational autonomy, particularly of LNGOs.
3. Although their sources could be more diverse, INGOs are themselves dependent on institutional funding. This weakens their credibility as 'donors' within the sector to promote genuine partnerships with LNGOs and communities unless they themselves challenge their own donors and Governments to change their funding policies and practices.
4. NGO Co-ordinating Bodies and advocacy groups, which by the nature of their roles, need longer time to achieve their objectives. The nature of project based funding forces them to think and plan short term and unless alternative resourcing is explored, their ability to effectively achieve their core mandate gets compromised.
5. LNGOs lack fundraising skills comparable with INGOs in their home offices or indeed, here in country.

5. Sector leadership

The assessment looked at how strategic direction of the sector is provided and how the interests and concerns of the sector are protected and promoted by the sector leadership.

It is encouraging to find out that strong and charismatic Cambodian leaders have emerged within the sector both among individual NGOs and among networks, alliances and coalitions. Most of the existing networks, coalitions and alliances are led by Cambodian nationals, some of whom have returned from abroad where they previously lived or were educated. INGOs have considerably reduced expatriate staff and nationalised their staffing, although most of their Country Directors/Managers are still foreign nationals. In networks where INGOs are members, the expatriate leaders have taken a back seat, providing only technical and financial support as appropriate. As previously mentioned in section II, this has allowed Cambodian leaders the space to lead and facilitate on their own terms, enabling them to gain more confidence and self-assurance. On the other hand, this could also be an indication of weak partnership between INGOs and LNGOs, unable to challenge each other.

Strengths and Gains

- While there is no single body formally dedicated to lead the sector, providing strategic guidance or direction, there are three networks (NGO Forum, CCC and MEDiCAM) that have emerged as widely recognised by the sector and the Government as playing key leadership roles specifically on sector-wide issues. Each network has its own distinct role and mandate but collectively they co-ordinate to address sector wide concerns (e.g. feedback to policies/laws; joint monitoring of aid effectiveness; representation to Government and development partners).
 - **CCC** – a membership network that focuses on institutional strengthening, looking at instruments regulating the sector that need compliance; facilitating broader engagement of the sector on any institutional issue and information sharing. It also runs projects such as the ADI (analysis of development issues) helping the community to think strategically and building the capacity of senior and middle managers and the NGO-GPP promoting self-regulation and standards of good practice.
 - **NGO Forum** - a membership network with a mandate to facilitate information sharing, debate and advocacy on prioritised issues affecting Cambodia's development. All NGO Forum projects seek to build NGO cooperation for advocacy by facilitating the activities of an NGO network. It works with NGOs in various sectors to prepare for the annual Government-donor Consultative Group meeting, to monitor the National Strategic Development Plan, and to contribute to other multi-sectoral policy processes.
 - **MEDiCAM** – is the primary networking agency for the country's health-related NGOs. It seeks to link all health sector stakeholders by representing the voice of its NGO members, facilitating policy, advocacy, building capacity of MEDiCAM's members and health partners, and sharing relevant quality information. Among the three, it is closest to the Government because there is a well-established countrywide programme that donors support through a trust fund (basket fund) that allows for clearer definition of roles and entry point for NGOs.
- In addition, several networks are considered leaders in specific service sector issues (e.g. CEDAW on gender and women victims of trafficking); HIV/AIDS Network; ADHOC/ Cambodia Center for Human Rights (CCHR)/CHRA on human rights; Star Kampuchea; NEP on education; MEDiCAM on health; CLEC/Cambodia Defenders' Project (CDP) on legal issues; CEDAC on agriculture).
- These various networks exist to promote and protect the interests of their member organisations and the people they work for. There are several ways by which this is done:
 - Ensuring that all issues that have significant impact on the members or the sector as a whole are addressed either through lobbying, position papers, or direct support to victims
 - Forming working groups to assess, plan and take necessary action on key issues to be addressed
 - Ensuring that proper representation to TWGs and other formal co-ordination mechanisms with Government is made
 - Producing sound evidence through research on any issue being advocated for
 - Initiating and running projects that respond to sector wide needs (e.g. AID Effectiveness monitoring, NGO-GPP, Analyzing Development Issues (ADI))
 - Providing capacity development support to members and other local partners
- There are promising examples of efforts at grassroots level to develop models of responsive, participatory and accountable leadership (e.g. CEDAC develops leadership and management capacities of farmers' association (FA) leaders. Leaders of successful FAs emphasized the

importance of practicing management procedures that are transparent, fair, understood and accepted by all members of the association; and, ensuring that members feel represented and supported in their aspirations for livelihood improvement)³¹. These could offer leadership models that the sector can learn from.

- A few studies have been conducted to understand in more depth the culture and dynamics of local leadership that could inform the sector on how to respond to the challenges in and barriers to a stronger, more solid and democratic leadership. These include:
 - *Learning for Transformation* by Moira O'Leary and Meas Nee, 2001;
 - *Values in Development Practice volumes 1 & 3* by Moira O'Leary, 2006, 2007;
 - *The Middle Way: Bridging the Gap Between Cambodian Culture and Children's Rights* by Steve Gourley for NGO Committee on the Rights of the Child;
 - *Accountability and Neo- patrimonialism in Cambodia: A Critical Literature Review* by Pak Kimchoeun, Horng Vuthy, Eng Netra, Ann Sovatha, Kim Sedara, Jenny Knowles and David Craig, 2007
 - *Leadership in 3 Communes, CDRI 2009*

Gaps and key challenges

- As the NGO sector is relatively young, it is expected that there is still lack of overall coherence and that not one single body is providing strategic leadership or direction. As the sector has yet to mature, it has yet to manage the competition that exists between each other; lack of trust; fear of losing one's organisational identity and the value of diversity; differences in personalities, political persuasions, perspectives and approaches; and fear of losing control or power over one's own organisation or constituency. In some cases, others doubt the credibility of some leaders and networks due to inconsistencies between their practice and the principles they claim to adhere to.
- The patriarchal/patrimonial type of leadership characterises the dominant practice within the NGO sector and throughout society, including relationships with foreign donors or development partners. This has influenced the apparent complacency among leaders in the sector to provide enough opportunities to the next generation of leaders to grow. There is lack of succession planning that consciously builds second-liners, although there are a few leadership training courses provided by those NGOs whose role is to provide support services. Middle level management remains dependent on the director to make decisions and in same manner, those that are below them continue to defer to them for decisions or solutions to problems.
- While there is now a growing critical mass among member organisations, there is still a very limited grassroots mass base being developed. There are plenty of efforts to provide public education and awareness-raising of several issues, although there is very limited number of NGOs or networks organising communities or target groups towards empowering them to voice their own stories and take action on their own issues.
- The leadership within the sector is still male dominated, particularly so among LNGOs, with a few women leaders emerging despite conscious efforts by some NGOs in particular by the women networks to develop women leaders. Some women are recognised more as experts and not as leaders. The number of Cambodian leaders who possess charisma and effective communication skills, able to bring evidence base arguments in high level discussions or forums remain small.

³¹ Cambodia Linking Citizens and the State, An Assessment of Civil Society Contributions to Good Governance in Cambodia...February 2009, WB

Implications to the sector

1. As discussed under co-ordination and communication, the potential of the sector to achieve bigger impact to the society is yet to be harnessed to the fullest. The lack of effective strategic leadership would keep the sector fragmented, with each NGO, each network doing what they can receive funding for. The lack of strategic leadership will not provide the sector with a coherent, collective vision and strategic direction that would assert its distinct role and relevance to the Cambodian society.
2. Existing power relationships between and among key players particularly among leaders within the sector will remain as long as the existing patrimonial and hierarchical patterns of leadership stay unchallenged. The sector will not only remain lacking in credibility but will also be unable to fulfil their role in supporting or facilitating genuine empowerment processes both inside organisations and among their grassroots constituencies. This will also weaken the sector's confidence to pursue negotiations with Government and development partners based on the agenda and interests of its members and the people for whom it is meant to exist. More importantly, this will undermine its potential to become more effective, sustainable and autonomous in decision-making processes.
3. Without a strong and solid mass base or grassroots constituency, the sector's confidence and credibility in representing the people's interests and concerns is undermined.

Existing power relationships between and among key players particularly among leaders within the sector will remain as long as the existing patrimonial and hierarchical patterns of leadership stay unchallenged.

VI – CONCLUSION

The analysis of strengths, gaps and challenges of the NGO sector in the performance of its roles is premised on the assumption that the sector's fundamental purpose is to contribute to the overall development of Cambodia people.

The NGO sector in Cambodia comprise of approximately 72% local NGOs (LNGOs) and 28% international NGOs (INGOs) with a relatively short history. INGO presence began around 1979 and the first LNGO formed in 1991 and mushroomed from 1993. Over the period, three major roles have evolved which are the subjects of this assessment: basic social service delivery, advocacy and provision of support services such as capacity development, research and micro financing. Service delivery role remains the dominant with about 70% of the sector focusing on this.

The sector's performance of its three roles was facilitated as well as constrained by both the conditions in the external environment in which it operates and its own institutional capacity to deliver.

Facilitating Factors and Strengths/Gains

The NGO sector has grown not only in numbers but also in its organisational capacity to deliver against its roles.

External environment

The legal environment and increasing democratic space has allowed NGOs to operate in any sectoral interests or issues and geographical areas of their choice. There were opportunities provided by Government on one hand and lobbied for by the NGOs on other hand for the sector to participate and engage in policy development, national and local planning and monitoring implementation of these policies and plans. To a certain extent, the media has been co-operative and been utilised to create and increased public awareness on issues that NGOs are working on. These opportunities have resulted to policy level representation of the NGO sector e.g. TWGs, CDCF and many provincial, district and commune committees and working groups. Furthermore, through advocacy work, many issues have gained prominence in policy discussions and in the public arena e.g. human rights, land rights, violence against women and children, HIV and AIDS. At community level, interventions of NGOs spread all over the country, covering a wide range of social and poverty related issues and targeting various groups focused on the most excluded and disadvantaged.

Internal: Institutional Capacity

Over the years, NGOs have been increasing their capacity to deliver against their various roles. Most significant contributory factors include:

- Expertise in technical aspects (e.g. health, HIV/AIDS, human rights, women and child rights, micro-finance, land rights, community development, forestry, fishery, agriculture) has developed quite strongly over the years.
- The NGO sector has set up its own code of ethical principles and minimum standards demonstrating its genuine interest to improve its practice of good governance, although there is still a need to broaden its reach among the NGOs.
- The presence of national co-ordinating bodies, networks, coalitions and alliances serving as forums for information sharing, learning lessons and consultations on various issues has created

a critical mass among NGOs engaged in similar issues towards more co-ordinated actions. Charismatic and strong local leaders have emerged from among these networks and other individual NGOs taking greater responsibilities in organisational management and pursuing high level dialogue with Government and development partners.

- Seeds towards organisational sustainability have been planted e.g. the practice of strategic planning processes involving local partners in these processes; initiating social entrepreneurship and other self-sustaining initiatives; attempts to forge genuine partnership relationships between INGOs and LNGOs and between LNGOs and CBOs and increasing level of expertise in technical aspects of projects, project development and implementation.
- An increasing number of support institutions providing services in capacity development, research, policy development, micro financing, consultancy.

Constraining factors/Challenges

There are several challenges, however, that the sector is confronted with that undermine their effectiveness and credibility to achieve greater impact and remain relevant to society.

- Expertise, particularly in organisational development and management, and carrying out impact evaluation in many aspects of its work such as capacity building, partnership relationships and effectiveness of networks and the sector as a whole still need further strengthening.
- The relationship and co-ordination between Government and the sector particularly in the areas of advocacy and participation in policy development and national planning still need to be strengthened. While NGOs engaged in service delivery and capacity building have more developed and productive relationship with Government at both local and national level, the NGOs engaged in advocacy work do not. For example, the uncertainty about the legal situation combined with the attitude of both Government and the sector could lead to an antagonistic relationship rather than a relationship with constructive dialogue. This could result in repressive measures and a restrictive NGO Law.
- There is lack of coherence among NGOs. All NGOs carry out their mandate independent of each other and how all these contribute to the overall goal of the sector is unclear. There is also a certain amount of competition among NGOs, particularly for financial resources. The representativeness of the sector in positioning themselves on some issues that concern the whole sector remains a challenge. Rural based NGOs have little participation in national networks and coalitions and in development planning and policy making at the national level. Although the sector regularly provides input and feedback to the Government, it is unclear how these are utilized.
- The expectation or demand from the sector, particularly from development partners, to get involved in social accountability puts the sector in a vulnerable or exposed position as the sector itself is still developing its own good governance practices and has yet to establish a wider mass base especially at grassroots level.
- Patrimonial/patriarchal relationships within the sector and between the sector and its partners and constituencies; its heavy reliance on donor funding and technical support; and lack of robust reflection on its strategic direction and roles threaten the sustainability and relevance of the sector.

Relevance beyond 2010:

The socio-political and economic context of the country has and is changing rapidly. Most of the findings have implications towards the issue of the Sector's relevance now and more importantly, beyond 2010. The NGO sector as a whole should be concerned about its sustainability and foremost, on how it is achieving the intended impact - how is it making a difference in the lives of people? The contributions of the NGO sector over the years are well recognised and recently have been more systematically documented (e.g. see CCC report on NGO Contributions to Cambodia's Development: 2004 – 2009 A Rapid Assessment, Kristen Rasmussen, 2010). The challenge for the sector is how to stay relevant to the needs of communities it serves, in particular those who are most marginalised and disadvantaged and how best to achieve this.

With the considerable changes in the social, political and economic situation in the country in the last decade and which are still rapidly changing, the sector is not seen to be proactive in making changes to its own roles, approaches and style of working. Reflecting society and the political systems within it, there is lack of robust discussions and debates within the NGO sector on its own future and how to manage these changes to ensure their relevance and significance to society. Some NGOs have changed their focus of interventions and approaches. A few INGOs have transformed their country offices and programmes into local NGOs; some have shifted from direct implementation to working through or with partners; and some have focused their support to institutions or organisations providing support services such as capacity development, research, micro-finance. Some LINGOs have diversified into integrated development programming, some have ventured into entrepreneurial initiatives; some have gone into other higher-level advocacy issues; some have focused on purely research work and many have formed issue/subsector based networks and coalitions. However, the dominant functions remain around service delivery and training.

In the context of the NSDP update 2010-2013, it is easy to reconcile how the NGO sector has delivered against the Government's expectations of their roles in national development process. The NSDP defines their role as development partners and are expected *"to engage in the process of socio-economic rehabilitation and development, to promote democracy and the respect for human rights and dignity as well as to participate with the Royal Government in monitoring the implementation of various policy strategies. These can be through contributions in both financial and operational resources. The Government considers the resources and expertise brought in by CSOs as an important input in the policy processes to reach the desirable development results. The Royal Government will continue to ensure rigorous participation of CSOs in the dialogue mechanisms"*.

Through the three roles currently performed by the sector as described in this study, NGOs have, to a large extent, delivered against these expectations. In fact, the NGO sector has performed roles beyond these such as demonstrating small-scale sustainable projects for possible replication and scaling up and empowering people to participate meaningfully in democratic processes and take ownership of their own aspirations and development.

The NSDP defines the role of CSO as described above and further defines that of *the Government as "fosterer, promoter, enabler, facilitator and regulator (National Strategic Development Plan Update 2009 - 2013), the private sector as the "main engine for investments and growth in the country and complements public investment in the social sectors" (NDSP) and the Development Partners providing co-financing, and "technical cooperation for development of human resources and institutional capacity"*. Further, in the draft Cambodia Study Report, section on civil society says *"there is a low level of understanding in Cambodia of what civil society is and its role."*

*It is recognised that the institutional capacity of the NGO sector, as a component of civil society, is underdeveloped which puts constraints on its performance, relationships with the communities they serve, and also negatively affects their relationships with Government and development partners."*³²

The questions then that should be asked at this juncture are:

1. *What is the niche for the NGO sector within the broader civil society and vis-à-vis the Government, private sector and development partners?*
2. *How best can this be achieved?*

³² VBNK and RBMG, Draft Cambodia Study Report: Phase 2 Evaluation of the Paris Declaration

VII – RECOMMENDATIONS



External Dimension:

Legal Status

1. The sector should self-regulate more rigorously, which can be done by adopting minimum standards. Doing so will facilitate compliance with the law.
2. NGOs should continuously employ assertive strategies in terms of engaging with Government in formal and informal settings and in a transparent and meaningful manner so that concerns can be actually addressed.

Democratic Space

1. The NGO sector should become more creative in both maximising and expanding current democratic space. A good starting point is the accountability mechanisms introduced by the Government through D&D (citizen involvement in commune council meetings, school support committees and “accountability boxes”), which NGOs have not capitalized on. Another would be to publish or share well-researched publications however critical they may be.³³
2. Replicate and further develop the range of small scale efforts that are in place: 1) activities by NGOs to influence national policy-making or facilitate citizen participation in commune planning; 2) the nascent Publish What You Pay campaign in order to monitor public revenues; 3) the NGO Forum’s recently launched National Budget Project to influence public budgets; 4) the NGO Education Partnership efforts to monitor public expenditures in that sector); 5) advocacy style of the Forum for Extractive Trade Industries 6) KAP’s creation of citizens’ village health association committees so that public services will be improved; and 7) USAID LAAR project implemented by PACT setting up commune monitoring committees; the introduction of Citizen Rating Reports by the CCSP and parliamentary monitoring and corruption studies by the CSD; and the initiatives of COMFREL in order to provide public oversight.
3. To address the issue of coherence NGOs, NGOs need to talk and genuinely listen to each other, develop the skill of holding disagreement as a creative force for good rather than a reason to withdraw or fight. It can create groups or assign NGOs (with approval of the majority) who will perform specialist roles or oversight for NGOs performing similar roles e.g. advocacy. For instance for a national level issue such as human rights, all NGOs should adopt the same stance, and identify and carry out activities that aligns to a pre-determined and agreed on goal; the specialist group or NGO will ensure rigorously that all these will occur.

Internal Dimension:

Capacity development/Expertise

1. NGOs should examine and reflect on their core values, philosophy and aspirations that drive and inspire their work. This should help the NGO sector redefine its role/s in the Cambodian society within the current and future socio-political and economic context of the country. Only after this can the sector determine the sets of values and competencies it will need to deliver against these roles. A process of developing a capacity development plan for the sector could then be initiated which should incorporate and provide an overall framework for all capacity development

³³ CDRI already publish studies that are both analytical and critical

interventions carried out by various organisations. Organisations such as VBNK, Silaka, PACT and API who are primarily engaged in capacity development can take the lead for this process.

2. The NGO sector should initiate an evaluation of the impact of capacity development efforts within the sector, using the results of individual evaluations done by some donors or INGOs among their own local partners (e.g. ICCO, PACT), and analyse what approaches work and what don't and why. There is a need to reflect on the underlying assumptions of what capacity building is and who should be responsible for it (e.g. Northern NGOs have viewed that capacity building as something they can and should do to Southern NGOs which imply that Southern NGOs are incapable of developing their own capacity) and how this can shift into more of a radical reciprocity in relationship.
3. The NGO sector should set up a Working Group or a Study Committee to explore appropriate ways of or documenting successful approaches in addressing and challenging hierarchical structures and unequal power relations among its members and their grassroots constituencies. This could be incorporated in a set of standards of good practice and popularise this within the sector, even pilot these among each other.
4. Before a sector-wide capacity development plan is put in place, the current efforts (e.g. Analysing Development Issues (ADI) project of CCC, leadership courses by VBNK) to develop strategic, critical and big picture thinking should continue. Organisations that are carrying out strategic planning should build in time in the process to allow or facilitate on-the-job learning for staff and partners involved.
5. The NGO sector should create opportunities for more robust learning from each other by sharing experiences, analysing specific cases or performing self and peer critiques/reviews. Outcomes of these initiatives must be followed through in actual places of work and reinforce learning as needed.

Governance

1. The sector should take a more decisive action towards achieving a wider subscription and compliance to the Code of Ethical Principles and Minimum Standards for NGOs in Cambodia. As an enhancement of the NGO GPP, one idea could be to make this a requirement for membership into any network or coalition with the proviso that each NGO will be provided capacity development support in every step towards achieving full compliance of the minimum standards. Another could be to work in partnership with MOI and MFA in requiring this as part of the registration and agree to set up a GO-NGO support and monitoring unit responsible for ensuring that NGOs are supported towards achieving full compliance of minimum standards. This could be a sector wide project that can be facilitated by CCC.
2. The sector should critically analyse the governance concepts that have been introduced. First, study how these can be practised maximising some traditional practices and informal structures or relationships within the society. For example:
 - Within a patronage system, look at how affection based connections between networks such as friendship, kinship and loyalty or how the concept of Buddhist's karma can be used to enhance accountability.³⁴

³⁴ The decentralisation process initiated by the Royal Government has created spaces for participation that were not available before the Commune Council elections in 2002. The subsequent experiences with the Village Networks have shown that, despite a history characterised by top – down decision-making processes at all levels of Government, participatory local governance can be developed in Cambodia. Village Networks in the provinces of Kampong Thom and Kampot represent a useful and replicable method of developing participatory local

- Secondly, challenge the donors/development partners to be more context-specific in their expectations of governance practice; and to reassess their approach and strategies of working with NGOs and take more active interest in promoting effective collective action that could extend to public-private relationships.³⁵

Leadership/co-ordination

1. The NGO sector should consider seriously the need for a single entity dedicated to facilitate and manage the overall visioning and strategic direction of the sector without losing the value of its diversity. This does not mean having a consensus on all issues but rather ensuring that the sector achieves and demonstrates greater impact in changing the lives of the people they are committed to serve. This could be in the form of 'strategic alliance', 'umbrella organisation' or 'strategic convergence' with dedicated Board and a secretariat. Or it could be initially a Working Group or Committee. It is essential that this entity and its TOR will have the broad collaborative agreement of both LNGOs and INGOs. It would be a challenge but maybe necessary to select carefully who would lead this in order to avoid pre-existing biases. The TOR should include responsibilities for:
 - Facilitating the development of a common vision and strategic framework for the sector
 - Ensuring coherence in programming focus of NGOs
 - Facilitating development of and compliance to overall policies and regulations within the sector (e.g. code of ethics and standards of good practice)
 - Co-ordinating responses to sector wide issues and concerns of members
 - Co-ordinating the provision of technical support common to the sector
 - Serving as referral point
2. The NGO sector needs to promote more intensive grassroots constituency building or community organising initiatives. The sector can build on the experiences of some NGOs in organising community committees and groups such as self-help groups, livelihood groups, women committees, and child and youth clubs, water and sanitation committees, etc. This could be done in different ways:
 - Creating a network of NGOs who are actively organising community groups through their projects and facilitate sharing of effective strategies/methodologies, encouraging them to scale up to village development committees and federations at commune district or provincial and national levels.
 - Facilitating the establishment of formal linkages between the above network and existing national networks or coalitions for mobilisation and collective action.
 - Supporting and working with organisations which emerge from community movements and are genuinely membership led
 - Making it a requirement for every NGO member of a network or coalition or alliance to facilitate formation of grassroots constituencies or have a formal linkage with existing community based groups or organisation.
3. INGOs should critically assess how their 'partnership approaches' or relationships with LNGOs have contributed to the current status of the sector and seriously examine/analyse their role or relevance in the sector.

governance in rural areas of Cambodia: a method which takes account of values and norms associated with traditional forms of collective action. This not only strengthens the sustainability and ownership of the process, but also promotes a major change in local norms by using dialogue, open discussion, and reflection in order to break down mistrust (Pellini and Ayres, 2007).

³⁵ Refer to An upside down view of Governance, a study by the Institute of Development Studies, UK, 2010 for alternative ways of looking at governance taking into account the perspective of the southern NGOs

Sustainability/Partnership Approaches

The heavy reliance on external institutional funding and the continuing 'patron-client' relationships between INGOs and local NGOs are most challenging when discussing sustainability of local NGOs or of the sector as a whole. The following recommendations are intended as a start up initiatives:

1. The NGO sector should explore and maximise funding opportunities/sources locally such as private companies (e.g. supermarkets, shops, accounting firms) invoking their 'corporate social responsibility'; rich individuals and the emerging middle class; expatriate community; churches/places of worship. There are already local initiatives of generating local funds that may need to be scaled up such as establishing local consulting groups, charging for services e.g. training fees and social entrepreneurship. Create a data base and initiate training on public fund raising as this requires separate sets of skills from that of institutional fund raising. Funds from these events may not initially fund an entire project but these could be allocated as core funding since most of these could be 'untied' or 'unrestricted' funds.
2. The NGO sector should engage in more robust dialogue between INGOs and LNGOs on their individual roles within the sector and agree on how to achieve genuine partnership that enables both partners to deliver to a mutual goal of people's development. Both should identify and agree on an underlying philosophy, basic principles, behaviour, approaches and responsibilities in the partnership and how these would be practised with the end in view of fostering interdependence and autonomy rather than dependence.³⁶
3. The issue of partnerships extends to multilateral/bilateral development partners and the Government. The regular CDCF meetings to which the NGO sector is invited are precious platforms, which the sector should maximise for influencing the focus of development aid for, and approaches to partnerships with, the NGO sector in particular. A well thought through argument, supported by solid evidence and by the whole sector and its constituencies should be presented succinctly and emphatically during these meetings.

The other sets of recommendations contribute to the development of the other aspects of sustainability such as relevance, good governance, stable networks and support institutions, clarity of vision and strategic roles, appropriate and adequate expertise and grassroots constituency.

Relevance beyond 2010

It has already been mentioned in many other sections that the sector needs to define its vision as a sector and ask how to position itself as a critical actor in the country's overall development. This could be done through a series of consultations that culminate in a national workshop. The strategic questions that should be asked could include the following:

- What is the role of the NGO sector within the civil society organisations (CSO) and vis-à-vis Government, private sector and development partners?
- How does the sector see itself in the next 10 years?
- What are the common values and principles that will bind the sector together?
- Should direct service provision remain the dominant role of the sector in the light of Government's increasing control and capacity to deliver? If so how can it best be done? And if not, what should be the main role?
- How can the sector become more autonomous and less dependent on external influences and control?
- How best can the sector achieve greatest impact?

³⁶ A few case studies have been documented on how some partnerships work within the country and can serve as initial models to learn lessons from (e.g. *Cambodian Perspectives: Nascent North-South Partnerships* by Martin Tanner, a case study included in the book: *Autonomy or Dependence? Case Studies of North-South NGO Partnerships*, INTRAC 2004; *Partnering for Change: Successes, Challenges and Lessons Learned*, ICCO Partners Project 2005-2008)

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ANNEXES

Annex 1

TERMS OF REFERENCE **Assessment of the NGO Sector in Cambodia**

I Background/Rationale:

This study will support the implementation of the project: Enhancing Awareness on Governance and Effective regulations for Civil Society (EAGER). The project has two components. Component 1 looks at consolidating the preparation of the NGO Community for the NGO/Association Law. Component 2 looks at fostering an enabling environment for the NGO sector. This Study forms part of Component 2 of the project

There are conflicting views in Cambodia on the role and contribution of NGOs to development in Cambodia. It's legitimacy is challenged by a variety of cultural, social political and economic factors. There is a low level of understanding of the concept of civil society in Cambodia. It is recognised that the institutional capacity of the NGO sector, as a component of civil society is underdeveloped and this puts constraints on the effectiveness of performance, the relationships with the communities they serve and also negatively affects relationships with Royal Government of Cambodia (RGC) and development partners.

Generally there is little current research on the NGO sector but more specifically NGOs have had few opportunities to address knowledge and support needs that could institutionally strengthen the sector. An assessment of needs, which focuses on the context within which NGOs conduct their activities would aid learning and reflection amongst NGOs and contribute to more effective performance in meeting the needs of the communities they serve.

II Purpose of the assessment:

The assessment will identify the strengths, challenges, gaps and development needs of the NGO sector in performing its current roles within the Cambodian society. The assessment will look primarily at two priority dimensions: externally, at the legal, political and advocacy environment within which the sector operates and internally, at the sector's organisational capacity to perform its roles.

III Expected outcomes:

It is expected that the findings of the assessment will serve as basis for improving the context and environment within which NGOs conduct their activities; and will contribute to strengthening the sector through building on strengths and planning further initiatives to address the gaps and challenges identified.

In particular, the results of the assessment are expected to:

- Promote reflection and agreement within the sector on their future strategic role
- Provide a stronger case or basis for creating an enabling legislative environment in Cambodia and protecting fundamental freedoms.
- Inform reflection and action planning within the sector and with the RGC and development partners
- Strengthen civil society in Cambodia through addressing identified gaps and challenges of NGOs

IV Specific objectives:

1. Identify the current strengths of the NGO sector and the lessons learnt in relation to two priority dimensions: legislative, political and advocacy environment within which the sector operates and organisational/institutional capacity of the sector in performing its role/s.
2. Identify institutional capacity gaps and challenges faced by NGOs including current efforts of the sector to address these

3. Formulate recommendations on how best can NGOs themselves, their partners and constituencies and other stakeholders can best address identified gaps and challenges

V Expected Output/s:

1. Inception report: This report will include the framework for assessment, detailed work plan, assessment of available data and preliminary observations.
2. Final Report: The report will include an executive summary of at least 4 pages and narrative of not less 30 pages consisting of, a discussion of the assessment process, key questions and methods, analysis, findings and recommendations. Specifically, the body of the report will:

Describe in general terms the existing roles of the NGO sector based on current types of activities being undertaken by NGOs;

- summarise the strengths of the sector in the performance of its roles and the factors that have contributed to these;
- provide an analysis of the gaps and challenges met by the sector in the performance of its roles;
- summarise overall findings including lessons that could be learnt from the sector's experience so far
- recommend various ways of how the sector can best address the gaps and challenges identified including areas for future research and follow up initiatives

VI Responsibilities and Tasks of the Consultant:

- Propose research framework and produce assessment plan
- Set up and lead the Study Team
- Manage the implementation of the research
- Provide updates and report to steering committee.
- Formulate specific findings
- Support the identification of recommendations and actionable options.
- Produce final report

It is also expected that the consultant will contribute recommendations to support the dissemination process.

A **Steering Committee** will be established with its own specific ToR that will be agreed by CCC and the Consultant. This group will provide supervisory oversight for the assessment and support a reflective process; provide feedback and suggestions for improvement; and support evaluation of the assessment tool. CCC and or CCC EXCom will participate in this group. The consultant will convene the meetings.

VII Responsibilities of CCC:

- Provide all relevant documents e.g. data bases; background materials; relevant existing studies; etc.
- Inform and encourage CCC membership of possible participation or involvement in the study
- Supervise progress of the study
- Attend presentation of initial findings and provide feedback
- Provide feedback to final draft report
- Release funds as agreed in the contract

VIII Methodology:

There are a few existing models of assessing the health or sustainability of Civil Society Organisations (CSOs) in general and NGOs in particular. One of these is the Civil Society Index of CIVICUS which looks at 4 dimensions: structure, space, values and impact. The other is the NGO Sustainability Index of USAID which looks at 7 different dimensions of the NGO sector are analyzed: legal environment, organisational capacity, financial viability, advocacy, service provision, NGO infrastructure and public image. In the Index, each of these dimensions is examined with a focus on the following questions:

- a) What has been accomplished?
- b) What remains a problem?
- c) Do local actors recognize the nature of outstanding challenges?
- d) Do the local actors have a strategy and the capacity to address these challenges?

Both models can help shape the framework of this assessment. However, given the time constraints for this assessment it is not possible to consider all the dimensions in the same depth so the priorities will be: legal, political and advocacy environment and organisational capacity. Advocacy and NGO sector infrastructure will be subsumed within these two dimensions. It is expected that issues pertaining to service delivery will surface but given the scope of NGO activity in this area it will not be possible at this stage to fully assess this dimension. In relation to Public Image, again this issue may surface and will be recorded but not assessed.

- desk based research
- focus group discussions
- workshops
- semi-structured interviews
- short survey

The NGO sector in Cambodia is composed of both International and National/Local NGOs. There are currently about 300 INGOs and 1500 local NGOs but not all of these are active. The survey sample will attempt to cover as wide a representation that will reflect the variety of sizes and types of work of the NGOs as that can be managed within the limited time and resources of the study. Research will be conducted in Phnom Penh and agreed Province/regions

IX Research design issues and Challenges

- How to ensure that assessment findings are supported by both quantitative and qualitative information?
- How to ensure NGO sector ownership of the process and results?
- How to ensure that the study adds value, and does not simply repeat other efforts?
- How to ensure that study leads to and supports stakeholder action?
- How to realize expected outcomes with resource limitations?

X Milestones

1) Preparatory Phase:

- Project inception report will be produced by **07 May 2010**

2) Assessment proper

- Report from focal groups and workshops shared with Steering Committee on the **week 5-9 July 2010**
- Draft report submitted to CCC by **16 July 2010**

3) Feedback and follow Up Activities

- Feedback to draft report to be submitted to the Consultant **by 23 July 2010**
- Final report to be produced and submitted to CCC by **31st July 2010**

Annex 2

Members of the Steering Committee

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Annex 3:

Sampling

Categories of workshop participants per area of work

	Workshop 1	%	Workshop 2		Combined Workshops
Advocacy	7	63.64%	1	9.09%	36.36%
Service Delivery			2	18.18%	9.09%
Support Services	3	27.27%	7	63.64%	45.45%
NGO Member Organizations	1	9.09%	1	9.09%	9.09%
Total Participants	11	100.00%	11	100.00%	100.00%

15 networks

7 networks/alliances

Phnom Penh based

from 7 Provinces (Battambang, Svay Rieng, Kampong Thom, Sihanoukville, Siem Reap, Pursat,

Annex 4

Workshop Participants and Key Informants

Workshops 1 & 2 Participants

Name	Organisation	e-mail address
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Key Informant Interviews

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Annex 5:

NGO Sector Assessment Initial Findings

NGO Sector Assessment Initial Findings	
External: Legal/Political/Advocacy Environment	
1. Legal status	
1.1 NGOs have a legal basis with defined rights, obligations, and restrictions	<ul style="list-style-type: none"> • The Civil Code, adopted in 2007, recognizes registered NGOs as legal entities and makes them subject to its provisions (Source: ICNL Country Report 2010) • Formal registration and regulation is with MOI or Council of Ministers (LNGO) and with MoFA (INGO) • Project activity registration for both LNGO and INGO is with CDC • Self regulation is through the Code of Ethical Principles and Minimum Standards for NGOs in Cambodia (GPP/CCC) • The state has a positive obligation to protect NGO and CBO rights as recognised in the Constitution (Source: FAQ NGO law & associations law issue 2009; ICNL Country Report 2010) ▪ Article 42 of the Constitution states that Cambodian people have the right to form organizations ▪ The above legislations including other local authority guidelines or directives and MOUs, define some rights of NGOs as listed below: <ul style="list-style-type: none"> ▪ To implement programmes and projects around advocacy, service delivery and support services provision e.g. <ul style="list-style-type: none"> ➢ education and awareness raising on relevant issues through public forum, seminars, broadcast media ➢ participation in marches and rallies during national and international days (e.g. child labour, human rights, women's day, etc) but there are restrictions in practice (sometimes imposed by the courts) on demonstrations re land issues, resettlement issues) ➢ provision of basic socio-economic services e.g., health, education, micro-finance ➢ participation in development of laws, policies, national plans, e.g. drafting of laws, public hearings consultations, usually with relevant Government ministries ➢ provision of support services, e.g. training and other methods of capacity building both for the NGOs, govt, and communities and conduct of research on various development ▪ The newly adopted penal code defines individual citizen's rights e.g., freedom of speech/expression. However, "there are a number of legal avenues used by the courts to curtail the freedom of expression in the country, namely through charges of defamation, disinformation and incitement" (Source: INCL Country Report 2010)
<u>Obligations</u>	
<ul style="list-style-type: none"> ▪ The rules on NGO registration provides clear guidelines for both LNGOs and NGOs and defines to whom they are accountable, e.g., LNGOs to MoI, INGOs to MoFA, and for both, to CDC and other relevant ministries. All registered NGOs are required to provide regular reports and financial reports ▪ MOUs, tax law and labour law and MOI directives/guidelines define certain obligations for the NGO e.g. registration; payment of salary/ withholding tax; INGOs to renew the MoU every 3 years; giving notification if implementing activities outside their normal target areas; working closely with counterparts and informing them if assigning consultants to the field and when applying for visas. ▪ Certain ministries and local authority guidelines define certain obligations e.g. seeking permission to organize forums, demonstrations, research activities; formal invitation to Government officials to attend NGO activities 	
<u>Restrictions</u>	
<ul style="list-style-type: none"> ▪ Currently NGOs and INGOS are required "to refrain from activity in support of Political Parties." ▪ Barriers to speech/ advocacy: There are a number of legal avenues used by the courts to curtail the freedom of expression in the country, namely through charges of defamation, disinformation and incitement (Source: INCL Country Report 2010) 	
1.2 There is a robust enforcement of rules & regulations by relevant Government ministries	<ul style="list-style-type: none"> • Rules are not being enforced strictly with regards to checking requirements for NGOs (e.g., governing boards and progress reports) and ensuring that NGO rights are upheld and protected • Legal structure carries out partial or selective implementation in terms of monitoring registered NGOs; keeping track of NGOs that have closed down or have become inactive or changes in leadership or address. • MOUs between INGOs and relevant ministries are enforced or scrutinised more strictly at the point of renewal of

NGO Sector Assessment Initial Findings	
agreements	
1.3 The NGO sector observes/complies with requirements stipulated by relevant laws	
<ul style="list-style-type: none"> NGOs abide by their rights according to their knowledge of various rules and regulations but as there is no effective monitoring of enforcement and compliance, it is not easy to establish the extent of compliance. Requirements that have limited implementation include having functional governing boards; paying tax on staff salaries; quarterly reporting; sometimes this is due to lack of knowledge of the rules Self-compliance is practised more strictly by the international organisations particularly to the terms of agreed MOUs with relevant ministries 	
1.4 Existing relevant laws & regulations facilitate/support the performance of NGO roles	
<ul style="list-style-type: none"> To a large extent, current legislations allow NGOs to operate in any sectoral interests or issues and geographical areas of their choice UN conventions and instruments to which the RGOC is a signatory (e.g. UNCRC, Universal Declaration of HR, MDGs, Education for All, Health for All) and other national laws (e.g. forestry, land laws) help provide legal framework and protection to NGO roles and their implementation. While these legislations facilitate the performance of NGO roles and activities but in practice there are restrictions (including bureaucratic administrative procedures) and lack of co-operation from certain officials particularly on some activities such as those dealing with sensitive issues e.g. human rights and land rights. Those engaged in advocacy work can claim protection according to existing legislations and international charters and covenants but in practice protection is not always afforded/guaranteed because of the lack of effective judicial system. Bureaucratic administrative procedures limit their capacity to implement activities such as public forums, rallies 	
2. Democratic Space	
2.1 Free Expression	
2.1.1 The NGO sector advocates on key issues in various sectors at different levels of Government	
<ul style="list-style-type: none"> Many NGOs advocate on key issues at different levels including at the level of the King e.g. land rights, good governance (transparency on source of funding, budget, use of funds), housing rights, human rights, health rights, gender balance, others. Many are related to specific projects of NGOs and sectoral issues <p>Strengths and gains include:</p> <ul style="list-style-type: none"> Village level negotiations are actively being held especially on land rights, domestic violence, child rights Lobbying local authorities and companies has resulted to some successful resolution of land conflicts There are new styles/forms of advocacy being introduced and adopted by some NGOs (e.g. API, DAP) which seems to be effective in engaging Government more positively Government shows some openness on showing contracts with extractive industries There is now higher level of awareness on human rights, child rights, women's rights, anti-trafficking laws, and good governance. Some violations against these are acted upon e.g. reporting to police or local authorities; exposing the incident through radio discussions Gender policy is now in place Issues that do not go against the interests of the ruling parties (e.g. health, education) gain more support from Government Advocacy work at policy level concerning issues related to community development are usually linked grassroots initiatives/projects (e.g. education, health, women and child rights) Involving victims or people directly affected by issues during dialogues or lobbying with local authorities is found to be more effective <p>Gaps and challenges:</p> <ul style="list-style-type: none"> There is still lack of awareness at grassroots level or the general public on development issues and rights Government are less supportive and responsive to advocacy efforts on issues such as human rights, land ownership, transparency on financing and use of funds Securing permits for public forums are too administratively bureaucratic and delays actual conduct of activities. NGOs advocate according to their own political persuasions and these sometimes prevent achieving unified positioning on various issues While there are several networks and coalitions that have been set up, these do not necessarily identify one single issue to focus on or respond to There is still lack of experience/skills in using other methods, tools, tactics in tackling social issues and promote dialogue among policy makers more positively Gathering sound evidence and accessing substantive information for advocacy is a big challenge (e.g. information on oil companies) The process of doing advocacy at present tends to take away ownership from the people themselves which then limits how these efforts can be maximized for their benefits <p>Efforts being done to address gaps and challenges:</p>	

NGO Sector Assessment Initial Findings
<ul style="list-style-type: none"> • Continue with public and community awareness raising on rights and development issues • Some NGOs are creating their own data base although this is still difficult due to lack of skills and resources in investigative research • In seeking permits for public forums or demonstrations, NGOs try to apply much earlier than scheduled dates and tend to limit number of people joining the demonstration • There are efforts being done to develop sound analysis and rethinking about advocacy strategies and methods e.g. courses run by ADI (analysis of development issues) of CCC • Continuous capacity development efforts e.g. training on advocacy skills, exchange visits with other countries, learning by doing/reflections
<p>2.1.2 The NGO sector regularly and actively participates in developing policy and national planning, and their enforcement</p>
<ul style="list-style-type: none"> • The sector participates in various ways at different levels: <i>National:</i> <ul style="list-style-type: none"> • NGOs provide inputs and feedback to the development of national strategy development plan (NSDP), technical inputs and advice through meetings of sectoral TWGs, NLO on D&D issues, development of global equity fund and other joint GO-NGO funding proposals • Through NGO Forum, CCC and MEDiCAM, the sector is represented at the CDCF (Cambodia Development Co-operation Forum) meetings where the opportunity to present • NGO sector position papers is provided • Attending public forums and national conferences organised by Government for consultations and sharing information • Participation in Joint monitoring of policy enforcement and implementation of plans through TWGs • Writing alternative reports to the UN in monitoring Governments progress in delivering against international conventions/charters • <i>Subnational and commune/village level:</i> <ul style="list-style-type: none"> • NGOs participate during commune and district implementation planning workshops supporting the inclusion of village development plans developed with the communities • NGOs are invited to provide support in funding, technical support and capacity building to district implementation plans • Strengths: <ul style="list-style-type: none"> • Many NGOs providing service delivery and support services at district, commune and village levels are engaged with local authorities • There are more meaningful interactions at subnational/ commune and village level • High-level representation e.g. CDCF, though needs further strengthening, has been achieved and recognition of the need for the participation of the sector is a positive development. NGO Forum, CCC • Membership of sector representatives in TWGs is another gain • Gaps and Challenges: <ul style="list-style-type: none"> • Lack of effective involvement of community based groups and other issue based working groups or committees in providing feedback during national level consultations on policies, legislations and plans • Time allowed for consultations is always too short to conduct meaningful and effective consultations within the sector and its constituencies • Most times, it is not known how feedback and collective sector position papers submitted to Government are used or considered during policy-making processes. Some think that many of the NGO feedback are not seriously taken on board and not incorporated into final policies and plans. • Despite the many mechanisms of involving NGOs in policy development and national planning, it is felt that their participation in these processes are tokenistic • Efforts being done by the sector: <ul style="list-style-type: none"> • NGO Forum, CCC and MEDiCAM have recently been lobbying through a UN Envoy for the setting up a mechanism for regular dialogue with the Prime Minister. • Various networks and coalitions continue to lobby for Government to allow longer period for civil society/NGOs to provide feedback to draft policies or laws (e.g. NGO law, anti-corruption law) • Individual networks or NGOs continue to explore various ways of engaging with Government at different levels
<p>2.2 Communication/ relationships between NGO sector and Government</p>
<p>2.2.1 There are established communication mechanisms between the NGO sector and Government that is regularly used</p>
<ul style="list-style-type: none"> • There are various formal and informal communication channels at various levels and for various purposes between NGOs and the Government. In practice, NGO sector participation is nominal and at the behest of the Government.

NGO Sector Assessment Initial Findings

Formal channels at national level:

- NGO Liaison Office, based with Government
- NGOs are members of 14 out of 19 TWGs (e.g. health, HIV and AIDS, education)
- Religious groups and Working Groups(e.g. on accountability, , aid effectiveness, CMDG, PRSP, Tonle Sap Lake Dev, D&D)
- Cambodia Development Research Forum
- Cambodia Development Coordination Forum (CDCF)
- Meetings, responses to requests, provide feedback

Formal channels at sub-national:

- Provincial working groups
- Project monitoring committees at commune levels
- Meetings at provincial, commune and district levels; workshops, public forum such as on the effect of financial crisis on Cambodia
- Websites sponsored by the Government, although this is limited
- At district and commune levels, NGOs participate at Annual Commune and District Integration Workshops that finalise commune and district integration plans (CIPs/DIPs)
- Alternative reporting e.g. CEDAW report, CRC, NGO Forum on national budget

Informal communication channels:

- For some advocacy groups, informal channels such as in social settings, usually results from an individual's efforts;
- For housing groups, indirect communication with Government through membership/ representatives in NGO Forum and Cambodia Human Rights Action Committee
- Province based NGOs invite Government in workshops

Strengths/Gains:

- Monthly meetings of the TWGH provides a forum for debate; sharing of information and experiences, review of policy guidelines, etc. This channel is used to transport issues from the operational level to the middle level
- Comprehensive HIV and AIDS sector response is provided
- Inviting NGOs, vulnerable groups, youth and human rights groups to provide inputs such as on the NSDP, providing advice, submitting pre-papers, making presentations to Government including National Assembly
- Coalitions such as MEDICAM are able to communicate at national and sub-national levels through their member organisations
- Good relationship with authorities e.g. good response from Minister of Justice for human rights victims and the involvement of NGOs in the development of the juvenile justice law
- Have semi-annual and year-end commune/ provincial level meetings
- NGO sector cooperates with relevant Government officials on health, human rights, and forestry work and reintegration programs. The best interactions are happening at provincial, district and commune level where people report a lot of good work
- NGO sector has mechanisms and opportunities to participate because the Government allows the sector to perform in every field of development e.g. commune planning development is better than before because of cooperation with NGOs

Challenges/Gaps:

- Although dialogue mechanisms exist at technical level with 4 departments of key ministries, moving dialogue from technical level to political or decision-making level is hard to achieve.
- No feedback/ dissemination – do not know if their recommendations are accepted, actions;
- limited influence by NGOs
- No regular interaction between NGOs and the Government
- NGO not very involved/participate in the MDG. NGOS only involved in the middle and low level and not in the policy level
- NGO involvement in consultation processes tends to be somewhat nominal, and overall it is unclear what the policy development processes are, so it is hard to know how NGOs, or anyone else, could contribute effectively.
- Government sometimes become uncooperative e.g. local authorities refuse to cooperate on relocation issues, even warning NGO workers that they can be arrested; do not share draft of anti corruption law; want to know which NGOs support mass complaint on land issues
- Lack of communication – commune council organizes meetings but NGO are not aware, changes schedules without informing NGOs, some information are not shared, tight schedule
- Administrative matters slows communication – if NGO invites an official to a meeting or gathering, they have to go through a lot of protocols
- Sensitive issues not tackled during meetings
- Lack of involvement from NGOs in commune council meetings

NGO Sector Assessment Initial Findings

- Great division between NGOs engaged in the micro from those in the macro level
- Mechanism for communication from NGOs involved in the national (e.g. CCC) to the rural NGOs is at best, poor
- Government invites NGO to participate in development processes to avoid being criticized by donors. This process happens 2 or 3 times per year but not regularly.
- NGOs usually invite high ranking officials to participate in the meeting of the national development processes, but only representatives are being sent in this meeting

What is being done:

- Raise and discuss issues with relevant national or local authorities and find a strategy of strengthening communications
- Community follows up the complaint with city hall
- Educate about people's rights
- Hold group discussions on how NGOs can work with the Government – NGO representatives talk to Government about their issues (e.g. in the Accountability Working Group, the NGO is able to talk to the Provincial Level Government about such issues)
- Try to lobby with commune council, but if not given the opportunity, elevate the matter to the Provincial level

2.2.2 The NGO sector is considered a partner in development by the national and local Governments

- NGO sector is important to the Government for its service delivery and capacity development roles, and in providing inputs into policies, and proposals.
- NGOs are less appreciated when working in the fields of advocacy, human rights, legal, land and housing rights, and democracy.
- There is widespread concern from NGOs and other stakeholders on key issues relating to the increased violation of land rights and the restriction of fundamental human rights, such as the freedom of expression and freedom of assembly. Human rights defenders are continually the target of threats and attacks. (Source: ICNL report 2010)

2.3 Social/ Public accountability

2.3.1 There are appropriate and adequate Government public/ social accountability mechanisms

- Many public accountability mechanisms were identified at the national and subnational levels which include sharing of information through consultations, websites, reports, TWGs joint monitoring, media, public meetings, committees, and commune and village information/bulletin boards.

2.3.2 NGO sector has a monitoring system that looks at Government public/ social accountability mechanisms

- There is no system set up by the NGO sector to monitor Government public accountability mechanisms
- Monitoring is done only by some INGOs/LNGOs
- NGO only serves as a watchdog
- NGO monitoring is still small scale
- Low consciousness among NGOs on govt public accountability, very sub sector/issue based

Strengths/Gains:

- 13 partners of The Asia Foundation developed and implemented social accountability tool.
- Annually, NGOs participate in the development of commune dev plans and share approved plans to people through village meetings; NGOs also participate in reviewing progress/ results
- Attend monthly district authority meetings and share information to relevant constituencies as appropriate
- Setting up monitoring mechanisms
- NGOs cooperate with communes in monitoring implementation social development activities e.g. ADB support to Tonle Sap Development Project, Pact's LAAR program
- There are specific networks with established monitoring mechanisms especially at village and commune levels
- NGOs write alternative reports sent to UN bodies concerned

Challenges/Gaps (in setting up and implementing monitoring mechanism):

- No comprehensive system in place
- Some NGOs follow Government practices so can not monitor
- No financial resources to do
- Strong competition among NGOs e.g. for funds, focus is on own mandate
- Few NGOs are willing to take the lead
- Weak or not so good relationship with Government
- At provincial level, there is not much discussion or talks about monitoring Government's social accountability
- The NGO sector in Cambodia is still very young as compared to other countries and regions

What is being done:

- In some provinces (e.g. where The Asia Foundation (TAF) partners operate) the NGOs set some tools and mechanisms for monitoring
- There are efforts to engage the membership of networks (e.g. CCC) more actively though the dissemination of information but not all members are responsive

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2.4 Availability/ access to legal expertise on NGO laws and regulations	
2.4.1 There is sufficient legal expertise on NGO laws and regulations in the country	<ul style="list-style-type: none"> There is little knowledge whether sufficient legal expertise on NGO rules and regulations exist, although most legal practitioners are attached to Human Rights organizations such as CLEC and LAC. Most of these organizations are based in the capital, but have sub-offices in the district levels as well.
2.4.2 NGO sector is aware and can access the legal expertise	<ul style="list-style-type: none"> Only the legal expertise of individuals and groups engage in Human Rights cases are mostly accessed to by the NGO sector. <p>Gap/Challenge:</p> <ul style="list-style-type: none"> The lack of knowledge of NGOs, especially those in the rural areas prevents them from accessing the services available to them.
2.5 Access to and utilization of media	
2.5.1 The NGO sector uses the media to inform the general public about its roles, and in order to perform its roles	<ul style="list-style-type: none"> NGOs in Cambodia have yet to utilize the full benefit of the media towards educating the public about their roles and activities. But majority now has websites that the public can access. Sectoral international NGOs and local NGOs receiving international funding, especially in the health and child protection/rights are some that utilize the media e.g. brochures, billboards, television and radio spots to a large extent as a means to achieving their program objectives. <p>Gaps/Challenges:</p> <ul style="list-style-type: none"> Limited NGO funding prevents them from using the media for information dissemination purposes. The Cambodian media remains largely controlled by the Government. Print and electronic media activities without the endorsement of the Prime Minister are not implemented. <p>What is being done about the challenges:</p> <ul style="list-style-type: none"> Some NGOs especially those in advocacy work negotiate for additional stations for information sharing Some form working groups to discuss the issue and iron out solutions but if the Government disapproves the activity, it is not implemented
2.6 Public awareness on development issues and participation in NGO work	
2.6.1 The general public is aware of and takes action on key issues that impacts on their well-being	<ul style="list-style-type: none"> The general population is largely aware of various significant issues that directly affect them, e.g., land issues with regards to ownership/titling, poor health services, wage issues, corruption. There are cases where the public take action (e.g. wage issue petition signing which gathered 200,000 signatures and a demonstration that gathered 2000 people) although most initiatives are still NGO led and supported (e.g. human trafficking, HIV/AIDS, human rights, anti-corruption, housing issues) Those living in the urban areas tend to be more aware of development issues NGOs are able to mobilise the public more easily on issues of human rights, housing and wages
Internal: Organisational/ Institutional Capacity and Infrastructures	
1. Governance	
1.1 Accountability (upwards, downwards)	
1.1.1 The NGO sector periodically informs and seeks feedback from their constituencies and local partners, the Government, and their supporters about their achievements against their roles	<ul style="list-style-type: none"> Most NGOs inform the public, the Government and their constituencies of their achievements against their roles and responsibilities through annual reports, information published in their websites, sharing of strategic plans through consultations and/or distribution of copies to relevant partners and supporters. Time and energy of NGOs are spent mostly on upward accountability (i.e. report to donors, Government ministries, board of directors for INGOs and INGO partners for LNGOs). A few INGOs are consciously making effort to increase their downward accountability activities (e.g. inclusion in partnership agreements with local partners, seeking feedback from local partners during annual meetings/reflection sessions) Some NGOs seek feedback from their target groups, supporters and partners within their project planning, monitoring and evaluation activities. Seeking feedback on their performance is seldom done. In most cases, the practice of sharing information and seeking feedback depends very much on the behaviour or style of the leaders/managers. Many remain autocratic and less democratic/participatory. NGOs who participate in the self regulation/GPP under CCC comply to set minimum standards particularly on 'providing the public, target population, donors and Governments with accurate information about their activities, finances and other relevant information' (as of dec 09, 79% of 38 NGOs who are registered with GPP have fully complied to this) <p>Strengths and gains:</p>

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- Although donor imposed, strategic planning, writing and preparing activity and financial reports including conduct of project evaluations are becoming common practices among NGOs particularly networks
- GPP self-regulation and minimum standards is gaining headway in promoting both upward and downward accountability

Gaps/Challenges:

- Lack of resources and skills among staff remain the biggest challenge in implementing accountability mechanisms.
- Lack of organisational policy to focus on downward accountability mechanisms contribute to the underdevelopment of this practice
- Lack of common understanding what is accountability
- Continuing paternalistic/patriarchal style of leadership slows down process of strengthening links of NGOs with and widening their grassroots base

Efforts being done:

- Continuing capacity development
- Negotiation with donors for more core funding
- CCC-NGO GPP continues to encourage NGOs to voluntarily register and adhere to minimum standards of good practice
- Conscious recruitment of staff with experience required by the job/s

1.1.2 The NGOs use the feedback from constituencies and local partners, the Government, and their supporters to improve their practice

- Feedback of a more institutional and programmatic nature are considered during programme reviews and planning and could bring about changes/revisions in plans, policy and procedures to improve performance
- Some feedback received are also used to provide evidence in their advocacy work

1.1.3 Most NGOs have functional governing structures

- Most if not all INGOs have board of directors or trustees normally based in their country of origin.
- Most networks and coalitions have Management Committees, Steering Committees and Board Directors that function as governing bodies.
- Individual local NGOs on the other hand have Governing Boards as required during registration but only a few are fully functional. Most of them have Board of Advisers whom they seek for technical advice and support as needed.
- Among national NGOs, governance depends on how the NGO is formed. In Cambodia there are three ways in which national NGOs are formed:
 - through the process of localization (i.e. INGOs becoming local NGOs)- staff continues to carry with them the manner and ways by which they work in the international NGO including governance practices
 - Organisations formed by individuals who were former workers of international organizations, left and formed their own group but continue to receive ongoing support from the international organisation.
 - Organised/formed by a team of two or three people bound by a common goal – often resulted in one person who previously worked for an NGO, grew tired and left, organised own NGO and copied ways of former NGO.

This last group tend to have a lot of problems re funding and practice of accountability

- Local NGOs who have INGO partners are likely to have governing boards, which is required by the partners. Other donors also require their partner local NGOs to have one. However, the degree of functionality is not verified.
- There are several NGOs who have formed a board of directors that are likewise influenced by donors and tend to abide by donor requirements of having governing boards and make them work

Strengths and gains:

- NGOs are fully aware that good practice on accountability increases their credibility with their donors
- Local staff are gaining skills in report writing and evaluation activities

Gaps/Challenges:

- Governing board membership is voluntary and there are few people who would do it for free
- This concept is new for local NGOs and is very much donor imposed. The understanding and appreciation of benefits for their own organisation (apart from continuing funding) is not strong enough to make them invest resources on making it work
- For local NGOs which were organised and led by charismatic leaders are reluctant to be directed by a higher body and lose control of the direction and focus of the organisation

Efforts being done:

- The NGO-GPP under CCC is promoting more widely the practice of the NGO Code of Ethics and Minimum Standards of Good Practice that include good governance practices). To date, there are 56 NGOs (both international and local) that have applied for certification but only 21 have been officially approved.

1.2 Transparency

1.2.1 NGO sector constituencies and local partners, the Government, and their supporters are provided opportunities to

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join NGO activities, and access to information

- The current practice of publishing annual reports including financial details, website creation, sending of regular reports to donor, Government ministries, donor reports, conducting project monitoring and evaluation, media announcements as well as conducting internal audit on control of payments indicate a good level of transparency among the sector.
- In 2005, around 27% of local NGOs and about 39% of INGOs got audited by external auditing firms. CCC has also issued certifications of Good Practice to many NGOs that have submitted themselves for scrutiny under the NGO Code of Ethics and Good Practice Project.

Strengths/Gains:

- Increasing credibility with donors
- Ability to facilitate discussion with Government and other partners
- Has gained more support from target groups
- Gained trust from stakeholders
- Staff satisfaction and motivation

Challenges:

- There appears to be confusion between the concepts of transparency and confidentiality (e.g. staff salaries)
- Lack of understanding of what transparency is which is usually associated only with financial aspects although some understand it to include transparency in decision-making processes too.
- Tendency of individual NGOs to keep information to themselves for fear of being duplicated, owned up by others or putting their credibility in question particularly information that may not be so positive (e.g. presence of nepotism, irregular financial transactions).
- Because of limited resources some NGOs are not able to publish their reports and inform their own stakeholders about their own activities
- Jealousies or competition between or within same organizations where staff are paid higher than others depending on the funding level of projects being implemented.

1.3 Democratic decision-making, strategic planning, and monitoring and evaluation

1.3.1 Constituencies and local partners, the Government, and their supporters actively and regularly participate in strategic planning, decision-making activities of the NGO sector

- Many NGOs, coalitions and networks (approximately 80-90%) carry out strategic planning. Member organisations, community people and in some cases Government officials and donors participate in varying degrees and forms.

On strategic planning/monitoring and evaluation:

- Most networks and coalitions including several individual NGOs conduct strategic planning and involve their staff and various stakeholders including local authority officials, in the process, most commonly as source of information to complete situational analyses.
- Similarly, member organisations and local partners are involved during evaluation activities.
- Once completed, strategy plans are shared with donors/development partners.

On project planning/monitoring/evaluation:

- Target groups and communities are more involved in planning, monitoring and evaluation activities at project level.
- The most common mechanisms of involving constituencies and local partners in decision-making include:
 5. Consultations
 6. Workshops
 7. Focus group discussions
 8. Interviews
- A few INGOs practice 360 degrees staff performance appraisal and would sometimes include local partners or target groups in providing feedback on a staff performance

Strength/ Gains:

- NGOs are aware that involving member organisations or constituencies makes their voice stronger and help them achieve greater impact (e.g. "give us more influence to negotiate with Government officials")
- The processes increase capacity of those that are involved
- Involving others reduces competition and duplication of activities
- When clear vision and mission, policies, strategic plans, organisational structure are in place, there is a stronger commitment from staff to the organisation and its work
- The practice of strategic planning help NGOs to make their partners understand them and their work better and it also makes it easier for them to raise funds from donors

Gaps/Challenges:

- As top-down leadership models and paternalistic attitudes prevail in Cambodia, civil society leaders (and members) often fall into patterns of governance that unwittingly create and sustain dependency and fail to encourage and empower members to speak and act on their own behalf, participate in decision-making and seek accountability.

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(Source: Cambodia Linking ... WB 2009)

- Donor driven decision making processes (e.g. priorities of communities or staff themselves become secondary to donor priorities; strategic focus or directions are influenced by donor agenda)
- Achieving balance between bigger and smaller NGOs where confidence level (and power) varies
- Managing varied interests and agenda in a given coalition
- Consultation/participation is time consuming and resource demanding
- Can not make decisions quickly because members expect to be consulted all the time
- Lacking in participation of communities and other local partners
- Local authorities seldom join our activities and it is difficult to mobilize communities
- Lack of funding to implement participatory processes
- Lack of capacity e.g. human resources, skills, participatory decision making or in some cases, lack of confidence to carry out to make big decisions
- Difficult to get permission from Government to do our activities
- Difficult to communicate with community people, they don't provide accurate information e.g. about child abuse because they are ashamed and embarrassed.
- Most LNGOs have no monitoring and evaluation system
- Need to clarify different levels of decisions and who should be involved

What is being done

- Continuing dialogues with donors
 - Capacity building/ confidence building of smaller NGOs and motivating them more through information sharing; and to deal with donor requests
- Constant negotiations and explaining on priorities
- Improving proactive planning and good time management
- Continue to encourage local authorities
- Find suitable time for communities to join activities e.g. planning, monitoring, evaluation

1.3.2 The NGO sector engages in building constituencies and enables them to contribute to decision-making processes

- Very few NGOs are building constituencies. Some who are providing direct service delivery at community level tend to organise working committees and groups (e.g. child and youth clubs; self-help groups; health committees; water and sanitation committees) more than those that are engaged in advocacy and support services.
- Some NGOs solicit the participation of community people in defining priorities, needs and problems before developing and implementing programs/ projects.
- There are some NGOs engaged in research activities that use participatory approaches and tend to create community based teams for this purpose (e.g. ADI)

Strengths/Gains:

- More and more NGOs are now trying to involve their members, and community people they work with in their planning, monitoring and evaluation activities

Challenges/Gaps:

- Constituency building in its infancy and very few people's organisations if any
- NGOs rarely have grassroots following or base apart from their target groups
- Lack of meaningful and sustained linkages with target populations that NGOs are advocating for
- Quality and extent of participation needs to be improved
- Lack of resources to involve more stakeholders, (especially duty bearers) in planning, monitoring and evaluation processes

What is being done:

- On-going capacity building on more qualitative PME processes and participation
- CCC is promoting the practice of the Code of Ethics and standards of good practice to the broader sector through the NGO- GPP.

2. Coordination and communication within and among the sector, and with their constituencies

2.1 Networks, coalitions and alliances have been formed to address the issues collectively

- Many networks, coalitions, alliances, and associations were formed over the years around sub-sectors (e.g. agriculture, education; health etc), issues (e.g. human/environmental/child and women rights) and groups/ individuals (e.g. media, teachers, women). Most of these have become very effective venues for information sharing and sometimes for learning lessons and for consultations in collecting feedback to certain policies or laws being developed by Government.

Strengths and gains:

- Most networks and coalitions are led by Cambodian nationals despite a mixed membership of INGOs and LNGOs

Challenges/gaps:

- Co-ordination is more within members of each coalition or networks and sub-sector related, not between networks

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or NGO sector as a whole

- For advocacy, the sector is not focusing on one single sector -wide focus to work over a longer time, instead they tend to work on multi issues which tend to spread their resources too thinly. This then limits their effectiveness and impact
- Provincial level networks are more nascent and, in many cases, struggling with very limited (financial and technical) support.
- At commune level, links between and among CBOs and CSOs are also very limited and these groups often face even more pronounced capacity and resource constraints

2.2. Sector has mechanisms for sharing lessons and learning from each other to promote standards of good practice

- Mechanisms of sharing lessons and experiences, and for mutual learning include workshops, field and exchange visits, exposure tours, publications/reports, and small group discussions. These are not however practised regularly and by all NGOs or networks

Strengths/Gains

- Impressive efforts have been made in the last decade to develop NGO information sharing and networking at all levels
- Communication with and mobilization of members are being done.
- Help members understand the issue/s or the importance, purpose or objectives of the activity
- Monthly meetings among members of the network are used as venues to present of case studies or success stories and problems, and share experiences

Challenges/gaps

- Need more methodology and ways of information sharing and learning; these should be standardized
- Sharing lessons across organisations and networks become least priority in the context of other demands of their time and resources

2.3 Forums for regular communication and coordination within the sector are in place and actively participated in

- Mechanisms for communication and coordination within networks/coalitions and communities are present and regularly used but not always participated in by key leaders of organisations or networks/coalitions. Most common are by telephone, e-mails and meetings
- There are fewer mechanisms for co-ordination between networks and coalitions.

Strengths/gains

- There is evidence of good co-ordination/communication between networks/coalitions dealing with sector wide issues (e.g. NGO Forum, CCC, MEDiCAM, HR and women groups)
 - CCC/NGO Forum and MEDiCAM for sector wide issues and concerns (i.e. position papers for CDCF);

On a sub sectoral level:

- CEDAW for gender and victims of trafficking
- HIV/AIDS network
- ADHOC/CHHR/CHRAAC on various HR issues
- STAR Kampuchea
- NEP
- MEDiCAM
- Most networks have managed to develop well-organized systems and structures for regular information exchange and coordination
- Creates a stronger voice and greater impact
- Increases knowledge of each other's work and increases collaboration and reduces competition and overlaps
- Regular meetings of networks are established where common issues and statements/positions are discussed formed or agreed
- Information sharing is good
- Clear agenda and minutes are shared
- Easier communication through advanced technologies e.g. e-mails, mobile phones
- Networks and coalitions e.g. CCC, have established forums for communication and coordination.
- There a massive energy coming from sub sectors particularly coming from the women's groups and peace movement

Challenge/gaps:

- Limited sector wide co-ordination/communication
- Lack of data base on NGOs; individual databases are being developed by each sector
- Finding common time
- Individual NGOs have multiple memberships and find there are too many networks to be responsible to
- Logistical issues: too short notice for meetings; too many meetings and workshops, difficult to prioritise and can not benefit from or participate in equally important meetings

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- Lack of co-ordination and collective planning and visioning between and among various networks/coalitions
- Lack of participation of key leaders of member organisations in network meetings which hinder effective decision making
- Competition and lack of trust for funding which sometimes limit sharing of information
- Lack of secured, long term funding even from membership makes some networks unsustainable. Time spent for securing funding in order to survive has led to de-prioritisation of responding to issues common to members

Efforts being done

- CCC is trying to expand its database and exploring new strategies of collecting relevant information
- Planning ahead, look at calendar and follow common dates of most members
- Try to choose which is most interesting to attend
- Delegate attendance to meetings to other staff and read minutes after

2.4 Various networks, coalitions and alliances communicate regularly with their constituencies and mobilize them in addressing issues

- National and Provincial networks and coalitions have regular meetings, annual assemblies, with member organisations but limited in communicating with grassroots groups apart from consulting with provincial/district based members.

challenges:

- time constraints
- multiple memberships in networks
- too many meetings and workshops sometimes late notice of meetings

Efforts being done:

- CCC is trying to expand its database and exploring new strategies of collecting relevant information
- Planning ahead, look at calendar and follow common dates of most members
- Some try to choose which is most interesting to attend
- Delegate to other staff and read minutes after

3. Access and utilization of public/ private resources

3.1 There is sufficient awareness of available local and external resources relevant to their development foci and approaches

- There is fairly high level of awareness among NGOs of resources available from external sources and very little knowledge of available local resources. NGOs tend to focus on external donors and do not believe that donations from within the country are possible.

Strengths/gains:

- Although limited, there is a data base of external donors maintained by CCC
- NGOs share information with each other and publish their own donors in their websites

Gap/challenge:

- NGOs' dependence on external donor funds also make their financial sustainability uncertain and creates challenges in terms of reconciling foreign concepts and agendas with local (cultural, political, and social) realities
- institutional donors are preferred because they provide bigger funding than individual donors or private companies

3.2 Most NGOs are able to access and mobilize resources from various national and external resources based on their own plans

- Most NGOs are donor dependent and tend to tailor their projects to donor priorities
- Due to their high dependence on donor funding (which some observe as mirroring the dynamics of traditional patron-client relationships), NGOs currently have strong incentives to cater to donors' programmatic priorities and reporting requirements and weak incentives to respond and account to grassroots constituencies.
- NGOs' dependence on external donor funds also make their financial sustainability uncertain and creates challenges in terms of reconciling foreign concepts and agendas with local (cultural, political, and social) realities. (Source: Cambodia Linking Citizens and the State,
- DDD and Hagar are two examples cited where both external and local sources have been tapped but led to less dependence on donors. "The three reasons that DDD and Hagar succeed are really dependent on one thing: sustainability. They are looking at the future as much as they are at the present. And they have recognized the combination of decreased dependence on donations, the development of new industries, and building a skilled workforce are what will ultimately make Cambodia thrive." (Source: In Cambodia, Sustainable NGOs Move the Economic Needle, Beyond Profit Magazine)

3.3 The NGO sector has adequate capacity to efficiently utilize resources

- Most NGOs under spend by approximately 5-30 % of their annual budget and a few over spend by approximately

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<p>3%</p> <ul style="list-style-type: none"> Reasons for under spending include poor planning; lack of capacity and unforeseen natural phenomena such as flooding
4. Leadership of the NGO sector
<p>4.1 There is strong/ solid leadership in the NGO sector that provides vision and strategic direction</p>
<ul style="list-style-type: none"> There are strong, charismatic Cambodian leaders who have emerged within the sector over the years both among individual NGOs and among networks and coalitions. Expatriate leaders of INGOs have taken a back seat in most of the networks and coalitions, providing technical and financial support as appropriate. Three networks are recognised both by the sector and the Government as playing key leadership for the sector particularly on sector wide issues. Each network has its own distinct roles and mandates but collectively co-ordinating how to address sector wide concerns (e.g. feedback to policies/laws; joint monitoring of aid effectiveness; representation to govt and development partners)
<p>CCC – a membership network that has a mandate is to facilitate coordination between NGOs and the Government and brings people together, working closely with its members. It also runs projects such as the ADI (analysis of development issues) helping the community to think strategically and building the capacity of senior and middle managers; NGO-GPP promoting self-regulation and standards of good practice.</p>
<p>NGO Forum - also a membership network that has a mandate to facilitate information sharing, debate and advocacy on priority issues affecting Cambodia's development. All NGO Forum projects seek to build NGO cooperation for advocacy by facilitating the activities of an NGO network. It works with all sectors of NGOs to prepare for the annual Government-donor Consultative Group meeting, to monitor the National Strategic Development Plan, and to contribute to other multi-sectoral policy processes.</p>
<p>MEDICAM –is the primary networking agency for the country's health-related NGOs. It seeks to link all health sector stakeholders by representing the voice of its NGO members, facilitating policy, advocacy, building capacity of MEDICAM's members and health partners, and sharing relevant quality information. Among the three, it is closest to the Government as health is a non-sensitive issue</p>
<p>Gaps/Challenges:</p>
<ul style="list-style-type: none"> It is however, widely acknowledged that there is no single body or network leading the sector in defining a common vision and strategic direction. While there have been informal discussions about this among some network Cambodian leaders, there has been no formal debate to take the issue forward.
<p>Efforts being done:</p>
<ul style="list-style-type: none"> There has been a few studies conducted to understand in more depth the culture and dynamics of local leadership that could inform the sector on how to respond to the challenges in and barriers to a stronger, more solid and democratic leadership within the sector. These include: <ul style="list-style-type: none"> Learning for Transformation by Moira O'Leary and Meas Nee, 2001; Values in Development Practice volumes 1 & 3 by Moira O'Leary, 2006, 2007; The Middle Way: Bridging the Gap Between Cambodian Culture and Children's Rights by Steve Gourley for NGO Committee on the Rights of the Child; Accountability and Neo- patrimonialism in Cambodia: A Critical Literature Review by Pak Kimchoeun, Horng Vuthy, Eng Netra, Ann Sovatha, Kim Sedara, Jenny Knowles and David Craig, 2007 There are promising examples of efforts at grassroots level to develop models of responsive, participatory and accountable leadership. E.g. CEDAC develops leadership and management capacities of farmers' association (FA) leaders. Leaders of successful Farmers' Associations (FAs) emphasized the importance of practicing management procedures that are transparent, fair, understood and accepted by all members of the association; and, ensuring that members feel represented and supported in their aspirations for livelihood improvement (Source: Linking...WB 2009)
<p>4.2 The interests of the NGO sector are protected and promoted</p>
<ul style="list-style-type: none"> Each of the networks and coalitions that have been formed represent many sub-sector e.g.. human rights, health, education, free elections, housing rights, women and child rights, land rights, good governance, policy development and effective enforcement and sustainable livelihood. These networks exist to promote and protect the interests of their member organisations and the people they work for.
<p>There are several ways by which this is done:</p> <ul style="list-style-type: none"> Ensuring that all issues that have significant impact on the members or the sector as a whole are addressed either through lobbying, position papers, or direct support to victims

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- Forming working groups to assess, plan and take necessary action on key issues to be addressed
- Ensuring that proper representation to TWGs and other formal co-ordination mechanisms with Government is made
- Producing sound evidence through research on any issue being advocated for
- Initiating and running projects that respond to sector wide needs (e.g. AID Effectiveness monitoring, NGO-GPP, ADI)
- Providing capacity development support to members and other local partners

Gaps/Challenges:

- While there is a growing critical mass among member organisations, there is limited grassroots mass based being developed.
- The maximum potential to achieve bigger impact to the society is not yet harnessed to the fullest.
- Relationships with donor institutions pose their own challenges as they often also mirror the dynamics of top-down "patronage"
- There is limited conscious effort to develop new leaders within NGOs and networks. There is the danger that leadership of sector does not build second-liners, there is no succession planning and training. Leadership is so complacent and does not give way to the next generation of leaders to grow. This is partly link to the patriarchal thinking/attitude that creates dependency on one person for decisions, solutions
- Middle management is not getting the right concepts and skills critical to the NGO community, e.g., to implement, and to lead/strategise, which are two different things.
- The number of leaders who possess charisma and effective communication skills in bringing evidence-based issues to the negotiation table remain small.
- Some NGOs are not recognised by some networks and coalitions due to political differences or perspectives and personality differences.
- Lack of women leaders; some women are recognised as experts and not leaders.
- Some leaders or networks are perceived not to be credible due to their inconsistent practices with the principles they espouse to believe in
- While diversity within the sector is an advantage, managing this diversity in order to achieve common purpose remain a challenge among the networks/coalitions
- The low level of sustainability of most NGOs provides little confidence to negotiate with donors on the basis of their own agenda and development perspective

What is being done:

- There is a growing volunteerism e.g. the initiative of women in politics that produced women leaders
- CCC is trying to move from project to program-based entity with the following service line: 1) addressing governance issue, 2) capacity building 3) evidence gathering/research 4) referral/providing advise

Some ideas put forward for consideration

- The sector leadership needs to be more creative in exploring plans and programs and get funded for the benefit of their membership organizations
- Set up a lead umbrella organisation or an alliance for the sector in the absence of an officially organized lead agency would seem a good idea. However, the interests of other NGOs must be taken care to sustain membership. This could exist based on specific issues and should facilitate effective communication and coordination between key players from NGOs, Government sector and development partners.

5. Expertise within the NGO sector to perform roles

5.1 There is sufficient knowledge and skills to perform roles that meet the needs, priorities and expectations of their constituencies and local partners

- Expertise in technical aspects (e.g. health, HIV/AIDS, human rights, women and child rights, micro-finance, land rights, community development, forestry, fishery, agriculture) has developed quite strongly over the years. This is brought about partly by long experience in implementing socio-economic projects coupled with capacity building in the process; and partly by more Cambodians coming out of university education and formal training.
- Knowledge and skills in project development (including proposal writing) and implementation is higher than knowledge and skills in strategic planning. However, there is low level of skills on monitoring and evaluation, both at project and strategy level.
- There is relatively good understanding and analysis of local realities and problems/issues they are working on and many of the key players in the sector/sub-sector they are working in.
- Knowledge and skills in advocacy, research and participatory approaches and methodologies have been developing in more recent years but still need more strengthening
- Skills in organisational development and management are higher among INGOs and those that were localised than most local NGOs.
- Skills in organising consultations and arriving at common positioning of various issues is well developed within and

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among networks.

Strengths and Gains:

- Many INGOs have helped build the capacity of domestic NGOs, partly as a specific strategy to mentor local NGOs in improving indigenous capacity, while others use domestic NGO partners in implementing development projects and programs. In addition, some NGOs in Cambodia specifically focus on training and capacity building or on facilitating development processes. (Source: Overview of Civil Society: Cambodia, ADB)
- Team working exist especially within those of the same network (K16)

Gaps/Challenges:

- The biggest gap in skills among NGOs is on strategic/big thinking and critical thinking. While most NGOs are able to analyse micro problems and issues, they are not necessarily able to link it to macro issues (e.g. illegal logging/deforestation as it links to climate change/ global warming and lifestyle preferences of the more developed countries)
- Organisational development and management processes such as developing governing boards, organisational audits, performance management,
- Lack of expertise in programme and project monitoring and evaluation
- Lack of opportunities to practice or apply new skills acquired through training e.g. monitoring and evaluation, participatory techniques
- There are more academic research than operational and participatory research
- Project based funding limits opportunities for NGOs to retain and develop staff for a longer term period
- Among CFIs, the following quality issues were identified: lack of auditing systems, limited reporting systems, weak bookkeeping capacity, inadequate monitoring, lack of clarity in roles and responsibilities of managers and directors; and no mechanism for 'micro-governance' surveillance i.e. how to police CFIs locally (Source: Internal Control of Community Finance Institutions (CFI) in Cambodia by Matthews, 2004)
- Capacity building has always been a major aspect of NGOs work and more recently, institutions dedicated to provide capacity development support to NGOs and other civil society groups have been set up. However, there is lack of standardisation of training modules and approaches on similar subjects e.g. advocacy, participatory processes, strategic planning, human resource management

What is being done:

- The following initiatives/project are being undertaken to address some of the gaps and challenges mentioned above:
 - ADI project of CCC is providing courses on how critical thinking and developing strategic and big picture thinking. Built in to these courses are carrying out participatory research studies
 - Cambodia Development Research Forum initiated by IDRC, Canada for sharing experiences and lessons
- More institutions are being set up for capacity development support
 - More and more funding agencies/development donors are increasing technical and funding support for capacity development of partner organisations and shifting their approach from simply channelling funds to more meaningful partnerships

5.2 There are sufficient human resources to perform roles that meet the needs, priorities and expectations of their constituencies and local partners

- Despite a growing number of professional and experienced staff available to work in NGOs, most NGOs still claim not to have adequate number of staff with the right qualifications to do all the jobs that need doing.

Gaps/Challenges:

- Lack of sufficient funds to attract more experienced staff
 - The sector is losing some of the more experienced and skilled staff to bilateral/multilateral agencies and other higher paying organisations and in many cases, within the sector itself i.e. from local to international NGOs.
 - Project based funding limits opportunities for NGOs to retain and develop staff for a longer term period

What is being done:

- Continuing negotiation with donors to provide core funding

NGO Sector Assessment Initial Findings

Reflections shared re roles of NGOs and their future:

- Role/s of NGOs in Cambodia should be rethought in the context of current economic and political developments in country and changing development paradigm globally
- What is the vision of the sector as key constituent of the civil society; what would be the role of INGOs in that scenario?
- Should NGOs shift from doing what they have been doing in the last 20 years and venture into learning new sets of skills for more strategic roles?

Consultant's Profile:

Jane Bañez-Ockelford

Jane has extensive experience of working with international and national NGOs, from grass roots level up to senior management, in many countries in South and Southeast Asia, South America and the UK. She first worked in Cambodia from 1990 to 1995 during which time the local NGOs started to emerge. She became involved again from 2004, and has recently carried out several assignments for NGOs here.

Jane specialises in organisational strategic management, capacity development change management and rights based programming processes. In facilitating these processes, she adopts a participatory approach, enabling participants to take greater ownership of the outcomes. She has a Masters Degree in Community Development and is a member of the Board of Directors of the Community Development Society of the Philippines.



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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